

FINAL

Cultural Resources Assessment

**BEACH ACCESS REPAIR PROJECT
Carlsbad, California**

PREPARED FOR:

GHD, Inc.

175 Technology Drive, Suite 200
Irvine, California 92618
Contact: Robert Sherwood
949.648.5200

PREPARED BY:

VCS Environmental

30900 Rancho Viejo Road, Suite 100
San Juan Capistrano, California 92675
Contact: Patrick O. Maxon, M.A., RPA
Director, Cultural Services
949.489.2700

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Addendum

This document contains information and data from a study that was prepared for a prior version of the proposed Project. The data contained within remains relevant and applicable to the proposed Project; however, may contain information that is no longer representative of the proposed Project. Please reference the Initial Study Mitigated Negative Declaration document for any information pertinent to the proposed Project description.

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B	Paleontological Resources Records Search (LACM)
C	Personnel Qualifications
D	Site Survey Photographs
E	NAHC Sacred Lands File Search

National Archaeological Database (NADB) Information Sheet

Cultural Resources Assessment Beach Access Repair Project Carlsbad, California

by
Patrick Maxon, M.A., RPA

July 2020

Submitted by:

Patrick Maxon M.A., RPA
VCS Environmental
30900 Rancho Viejo Road, Suite 100
San Juan Capistrano, California 92675
T: (949) 489-2700

Submitted to:

Robert Sherwood
GHD, Inc.
175 Technology Drive, Suite 200
Irvine, California 92618
T: (949) 648-5200

USGS **San Luis Rey, CA** 7.5-Minute Quadrangles in Township 11 South; Range 4 and 5 West, Sections 1 and 12 (Range 5 West) and Section 7 (Range 4 West) (S.B.B.M).

Key Words: San Luis Rey USGS, Luiseño

SECTION 1.0 MANAGEMENT SUMMARY/ABSTRACT

Purpose and Scope

VCS Environmental (VCS) completed this Phase I cultural resources study, under the California Environmental Quality Act (CEQA), for GHD, Inc. to support the preparation of a Mitigated Negative Declaration (MND) for the Beach Access Repair Project. The format of this report follows *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format* (Office of Historic Preservation 1990).

Project Location

The Project site is within Township 11 South; Range 4 and 5 West, Sections 1 and 12 (Range 5 West) and Section 7 (Range 4 West) of the U.S. Geological Survey's (USGS') San Luis Rey 7.5-minute quadrangle map (Exhibit 1). It consists of a section of the beach sidewalk at the base of the bluffs west of Carlsbad Boulevard, between Pine Avenue to the north and immediately south of Tamarack Avenue to the south (Exhibit 2). Refer to the Exhibits 1 and 2 below.

Dates of Investigation

VCS's Director of Cultural Services, Patrick Maxon, RPA, reviewed the literature search completed by the South Coastal Information Center (SCIC) at San Diego State University on March 26, 2018 (Attachment A). A paleontological records search was completed by Katie McComas of the San Diego Natural History Museum (SDNHM) On March 6, 2018 (Attachment B). A cultural resources survey of the Project site was completed by Mr. Maxon on March 9, 2018 and June 3, 2020 (see photographs in Attachment D). A Sacred Lands File search was completed by the Native American Heritage Commission (NAHC) on June 24, 2020 (Attachment E). Mr. Maxon completed this report in July 2020. Personnel qualifications are in Attachment C.

Findings of the Investigation

The CHRIS records search noted that one cultural resource has been recorded within the buffer of the Project site; however, it consists of two historical era bricks which lie outside the disturbance area and will not be impacted by the project. No cultural resources were noted as a result of the survey.

The purpose of the cultural resources assessment is to identify any cultural/historical resources or (through tribal consultation) tribal cultural resources that may exist on the Project site, to determine the sensitivity of the Project site for the presence of buried archaeological or paleontological material, and to make recommendations to the lead agency regarding the development of mitigation measures to reduce the impacts of the project on resources to a less than significant level.

Public Resources Code (PRC) §21084.1-2 and PRC §5020.1(q) of CEQA states that a project that may cause a substantial adverse change (i.e., demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired) in the significance of a "historical resource" or a "tribal cultural resource" is a project that may have a significant effect on the environment.

The Sacred Lands File search completed by the NAHC returned a positive result. The NAHC requested that contact be made with the La Jolla Band of Luiseño Indians and the San Luis Rey Band of Mission Indians regarding the result. These two tribes may have specific information about the Sacred Land identified; however, it is not known if this Sacred Land is within the current Project site.

This study demonstrates that no known tribal cultural resources or recorded historical resources are present on the Project site; however, if buried cultural materials are discovered during project earth-moving operations, the City of Carlsbad must be notified immediately, and all work in the immediate vicinity shall be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the discovery.

Project grading that extends into the highly sensitive Bay Point Formation, Sespe/Vaqueros Formation, or Santiago Formation may result in impacts to paleontological resources. Monitoring of these excavations is recommended. In addition, pursuant to the recommendations of the SDNHM, sediment samples should be recovered and screened to determine the small-fossil potential of the site.

Disposition of Data

This report will be filed with GHD, VCS, and the SCIC. All field notes, site photographs, and other documentation related to the study are on file at VCS.

SECTION 2.0 UNDERTAKING INFORMATION/INTRODUCTION

2.1 CONTRACTING ENTITIES

GHD, Inc. (GHD) contracted with VCS to complete a Phase I cultural resources assessment of the Project site to determine if cultural resources are located on the property and to recommend mitigation measures that could reduce the impact to resources to a less than significant level.

2.2 UNDERTAKING

The City of Carlsbad is planning repairs to the beach access improvements along the west side of Carlsbad Blvd from Pine Avenue to Tamarack Avenue. The proposed project includes replacing the existing elevated sidewalk, repairing the existing seawall and retaining walls, and rehabilitating the four (4) points of beach access stairways in the project area with all their components. The project limits extend approximately 3,200 feet along the west side of Carlsbad Boulevard from Pine Avenue to Tamarack Avenue in the City of Carlsbad. The upper and lower sidewalks, along with the seawall and stairways, were built between 1986 and 1988.

2.3 EXHIBITS

The Project site consists of a section of the beach sidewalk at the base of the bluffs west of Carlsbad Boulevard, between Pine Avenue to the north and immediately south of Tamarack Avenue to the south. Exhibit 1 depicts the Project site and vicinity on the U.S. Geological Survey's (USGS') San Luis Rey 7.5-minute quadrangle map. Exhibit 2 is an aerial image of the Project site.

2.4 PROJECT PERSONNEL

VCS Archaeologist Mr. Patrick Maxon, RPA, who meets the Secretary of Interior's Standards and Guidelines for Archaeology (NPS 1983) and is a Register of Professional Archaeology certified Archaeologist, completed the cultural resources study and prepared this technical report. See Attachment C for personnel qualifications.



Prepare by



Map Created: March 2018

VCS Environmental



0 125 250 Feet

1 inch = 250 feet

Imagery Source: ESRI

Exhibit 2

Carlsbad Beach Access Repairs Project

SECTION 3.0 REGULATORY SETTING

3.1 CALIFORNIA ENVIRONMENTAL QUALITY ACT

CEQA requires a lead agency to determine whether a project would have a significant effect on one or more historical resources. According to Section 15064.5(a) of the State CEQA Guidelines, a “historical resource” is defined as a resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR) (PRC §21084.1); a resource included in a local register of historical resources (14 CCR §15064.5[a][2]); or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (14 CCR §15064.5[a][3]).

Section 5024.1 of the PRC, Section 15064.5 of the State CEQA Guidelines (14 CCR), and Sections 21083.2 and 21084.1 of the CEQA Statutes were used as the basic guidelines for the cultural resources study. PRC 5024.1 requires evaluation of historical resources to determine their eligibility for listing in the CRHR. The purposes of the CRHR are to maintain listings of the State’s historical resources and to indicate which properties are to be protected from substantial adverse change. The criteria for listing resources in the CRHR, which were expressly developed to be in accordance with previously established criteria developed for listing in the National Register of Historic Places (NRHP) (per the criteria listed at 36 CFR §60.4), are stated below (PRC §5024.1).

The quality of significance in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California is present in any object, building, structure, site, area, place, record, or manuscript that possesses integrity of location, design, setting, materials, workmanship, feeling and association and that:

- (a) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage; or
- (b) Is associated with the lives of persons important in our past; or
- (c) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- (d) Has yielded, or may be likely to yield, information important in prehistory or history.

According to Section 15064.5(a)(3)(A–D) of the State CEQA Guidelines (14 CCR), a resource is considered historically significant if it meets the criteria for listing in the NRHP (per the criteria listed at 36 CFR 60.4). Impacts that affect those characteristics of the resource that qualify it for the NRHP or that would adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered to have a significant effect on the environment. Impacts to cultural resources from the proposed project are considered significant if the project (1) physically destroys or damages all or part of a resource; (2) changes the character of the use of the resource or physical feature within the setting of the resource that contributes to its significance; or (3) introduces visual, atmospheric, or audible elements that diminish the integrity of significant features of the resource.

The purpose of a cultural resources investigation is to evaluate whether any cultural resources remain exposed on the surface of a Project site or whether any cultural resources can reasonably be expected to exist in the subsurface. If resources are discovered, management recommendations would be required to evaluate the resources for CRHR eligibility.

Broad mitigation guidelines for treating historical resources are codified in Section 15126.4(b) of the CEQA Guidelines. To the extent feasible, public agencies should seek to avoid significant effects to historical resources, with preservation in place being the preferred alternative. If not feasible, a data recovery plan shall be prepared to guide subsequent excavation. Mitigation for historical resources such as buildings, bridges, and other structures that are consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Weeks and Grimmer 1995) will generally be considered mitigated below a level of significance.

3.2 CITY OF CARLSBAD

The City of Carlsbad's General Plan 7. Arts, History, Cultural, and Education outlines the goals of the consideration, protection, preservation, and recognition of important cultural resources of the City.

The City's Municipal Code Chapter 22.06 states that a historic resource may be considered and approved by the City Council for inclusion in the city's historic resources inventory if it is deemed significant under defined criteria similar to the CEQA significance considerations.

The City's Cultural Resource Guidelines were developed in 1990 for the treatment of cultural resources consistent with federal, state, and local laws, as well as the United States Secretary of the Interior's Standards for Archaeology and Historic Preservation. The city's guidelines establish standards of performance and detail a systematic method of preserving and protecting cultural resources. These guidelines were superseded in 2017 (see below).

Tribal Cultural Resource Protection Council Policy No. 83, effective March 1, 2016, outlines the City's tribal consultation and treatment and protection of Tribal Cultural Resources protocols to assist the City in implementing the requirements of Assembly Bill (AB) 52. The City's policy is to protect the important historical and cultural values of current Tribal Cultural Resources within the City limits and to improve consultations with local Native American Tribes, including the San Luis Rey Band of Mission Indians. This will be facilitated by early consultation with Tribes.

Recently, ECORP Consulting, Inc. developed the *Carlsbad Tribal, Cultural, and Paleontological Resources Guidelines* for the City (ECORP 2017). These guidelines are meant to replace the 1990 cultural resources guidelines due to new and amended cultural resources laws and regulations that went into effect after 1990. This document serves as the official City guidelines for the treatment of cultural resources within the limits of the City.

3.3 HUMAN REMAINS

Section 7050.5 of the *California Health and Safety Code* provides for the disposition of accidentally discovered human remains. Section 7050.5 states that, if human remains are found, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined the appropriate treatment and disposition of the human remains.

Section 5097.98 of the PRC states that, if the Coroner determines that the remains are of Native American origin, she/he must notify the NAHC within 24 hours which, in turn, must identify the person or persons it believes to be the most likely descended from the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

SECTION 4.0 SETTING

4.1 NATURAL

The Project site extends along the Pacific Ocean, immediately inland from the beach. Late Holocene marine beach deposits make up the western side of the project site. The eastern side of the Project site consist of the beach cliffs and bluffs that extend along the shore. These consist of Sespe/Vaqueros or Santiago Formation rocks (McComas 2018).

4.2 CULTURAL

The following prehistoric and ethnohistoric cultural context is largely adapted from the document *Carlsbad Tribal, Cultural, and Paleontological Resources Guidelines* (ECORP 2017:23-43). Please refer to that document for the full context.

4.2.1 PREHISTORIC CONTEXT

The earliest Holocene inhabitants of the Carlsbad area were part of the San Dieguito Complex evident at the Harris site on the San Dieguito River, near Lake Hodges, that dates to 9,000 to 7,500 before present (BP) (Warren 1968 in ECORP 2017).

The succeeding Encinitas Tradition, referring to the long time period of mobile hunter-gatherers exploiting small game, shellfish, and hard seeds and berries, was named the La Jolla Pattern along the coast. The La Jolla Pattern (in three phases) began about 8,500 BP and extended until approximately 1,300 BP. Most of these sites are concentrated along the area's coastal lagoons (ECORP 2017).

The San Luis Rey Complex (ca. 1,000 to 150 BP) indicates increased sedentism and intensification of land and resource use; a consolidation of settlements; the use of Cottonwood Triangular points, bedrock mortars, beads, the introduction of ceramics. These are the forerunners of the Luiseño (ECORP 2017).

4.2.2 ETHNOHISTORIC CONTEXT

The Carlsbad area was home to two distinct cultures: the Luiseño and the Kumeyaay.

The Luiseño were one of the Takic-speaking families (also including Gabrielino, Juaneño, Serrano, Kitanemuk, Cahuilla, and Cupeño languages) of Uto-Aztecan stock. Takic speakers are the western expression of the Uto-Aztecan stock that include cultures from the Great Basin to the Pueblo Southwest and from southern Arizona to Central America. Uto-Aztecan is one of the most geographically extensive languages in the Americas (Golla 2007).

Luiseño villages were located in valleys, along water courses, or along the coast. Their subsistence focused on acorn and seed gathering, supplemented by small and large mammal and bird hunting and the taking of sea mammals, fish, crustaceans, and mollusks. Animals were taken individually or in groups using throwing sticks, nets, traps, and bow and arrow. Canoes, fish traps, and shell hooks were used to capture fish, and baskets, ceramic storage containers, manos and metates, and ceramic jars were used to process and store vegetable foods.

4.2.3 HISTORIC CONTEXT

Upon incorporation as a city in July 1952, the City of Carlsbad hired its first police officer in October of the same year, Chief of Police Max Palkowski. The chief was the only member of the department and had a desk at the State of California Parks and Recreation Department on Highway 101.

Only 32 years old when he assumed the responsibility of his new job, Chief Palkowski immediately expanded his one-man police force by recruiting volunteer reserve police officers. The city could not afford a vehicle so Chief Palkowski pressed his own vehicle into service as the first city police car by placing a siren on its roof. The City of Carlsbad Police Department was on its way now with one goal in mind: to protect and serve the city residents.

In September 1952, the city hired one officer and in January 1953 hired two more and purchased its first police car. For the next few years, the city hired one officer each fiscal year.

In 1953, the city purchased the original St. Patrick's Church and converted it into City Hall. All city offices, including the library, were housed in the building. Years later, the building was moved to McGee Park and it was renamed Heritage Hall.

The first building constructed with city funds specifically for office space was in 1954 at the intersection of Pio Pico Drive and Elm Avenue (Carlsbad Village Drive) and housed City Hall and the Police and Fire Departments. Although the city funded most of the project, city merchants and residents donated time, labor and equipment.

The new facility became a great community project. Bauer Lumber donated lumber, Walters Electric donated electrical wiring and installation, and residents with various skills helped during their spare time. Police officers, fire fighters and reserve officers from each department spent most of their free time painting and building. The completed project was a testimonial to the supportive, caring community.

However, in 1968 the widening of Interstate 5 required this building to be demolished. On September 8, 1968, City Hall and the Police Department moved into a newly constructed city complex where the present-day City Hall now resides.

As the City of Carlsbad continued to annex more land over the years, the Police Department grew from one sworn police officer in 1952 to 10 officers by 1971 and to 54 officers by 1981. In October 1986, the new 53,600 square-foot Carlsbad Public Safety Center was completed. The department had 80 members, 62 sworn and 18 civilians. Today the City of Carlsbad Police Department has more than doubled to more than 160 members.

The City of Carlsbad Safety Training Center, located across from the Public Safety and Services Center, was approved by voters in 2002 and broke ground in March 2010. It opened in May 2013. The Safety Training Center provides a wide variety of realistic training scenarios and consists of a five-story commercial style tower, a two-story house, two indoor shooting ranges, a streetscape and classroom space (City of Carlsbad n.d.).

SECTION 5.0 METHODS

5.1 CULTURAL RESOURCES RECORDS SEARCH

The SCIC completed a records search on March 26, 2018 (see Attachment A). The review consisted of an examination of the U.S. Geological Survey's (USGS') San Luis Rey 7.5-minute quadrangle map to evaluate the Project site for any cultural sites recorded or cultural resources studies conducted on and near the Project site. In addition, California Points of Historical Interest (PHI), California Historical Landmarks (CHL), the CRHR, the NRHP, the California State Historic Resources Inventory (HRI), and historic topographic maps were reviewed. Refer to Attachment A.

5.2 PALEONTOLOGICAL RESOURCES RECORDS SEARCH

Katie McComas of the San Diego Natural History Museum (SDNHM) conducted a review of the museum's geologic and paleontological records for the Project site and vicinity on March 6, 2018 (refer to Attachment B).

5.3 NATIVE AMERICAN COORDINATION

This project is subject to the requirements of Assembly Bill (AB) 52. AB52 is applicable to projects that require preparation of an Environmental Impact Report (EIR), Mitigated Negative Declaration (MND), or Negative Declaration (ND). Consultation is being carried out by the City of Carlsbad; however, a Sacred Land File search was requested of the NAHC on June 10, 2020 in order to determine the presence or absence of Sacred Lands in the area.

5.4 FIELD SURVEY

The Carlsbad Project site was examined by VCS Director of Cultural Services, Patrick Maxon on March 9, 2018 and June 3, 2020. The site was examined via pedestrian survey along the upper and lower access routes between Tamarack Avenue in the south and Pine Avenue in the north, including a visual examination of the bluffs.

SECTION 6.0 FINDINGS

6.1 CULTURAL RESOURCES RECORDS SEARCH

The CHRIS records search undertaken by the SCIC revealed that 19 cultural resources studies have been completed within one-half mile of the Project site; three of these studies (SD-535, SD-1638, and SD-1752) involved the Project site. None of these studies resulted in the discovery of cultural resources within the current Project site.

Table 1
Cultural Resources Studies Conducted Within One-Half Mile of the Project Site

Report Number	Author/Year	Description
SD-00535*	Cupples/1976	Oceanside Harbor Survey
SD-01028	Gallegos/1986	Test Excavation SDI-10478
SD-01054	Gallegos et al./1983	Windsong Shores Survey
SD-01638*	Woodward & Stammerjohan/1985	State Beaches Cultural Inventory
SD-01752*	Polan/1981	Carlsbad Boulevard Survey
SD-04111	Seeman/1982	DEIR Parks and Recreation Element, Carlsbad
SD-06629	Rosen/1999	HPSR Oceanside to San Diego Rail to Trail
SD-09361	Byrd & O'Neill/2002	ASR Phase I Survey I-5
SD-09516	Caterino/2005	Cemeteries and Gravestones of San Diego study
SD-09569	Guerrero et al./2004	Encina Power Plant Monitoring
SD-09571	Guerrero & Gallegos/2003	Cultural Study Carlsbad Water and Sewer Master Plan
SD-10847	Various/no date	Santa Fe Depot
SD-11269	Various/no date	
SD-11419	Bonner & Aislin-Kay/2007	T-Mobile SD06919B Records Search
SD-12153	Robbins-Wade/2009	Agua Hedionda Sewer and Lift Station Survey
SD-12693	Tang/2009	HPSR Carlsbad Second Mainline Track
SD-12738	Hogan & Encarnacion/2009	ASR Carlsbad Double Track project
SD-13488	York & Hildebrand/2011	Regional Beach Sand Project Investigation
SD-14757	Flandreau/2013	Request for Section 106 Concurrence Vista/Carlsbad Interceptor and Agua Hedionda Pump Station
*Includes Project site.		

- SD-535 was a survey and Caltrans Archaeological Survey Report of Oceanside Harbor and Navigation Project;
- SD-1638 was a cultural resources inventory of the San Diego Coast State Beaches; and
- SD-1752 was a survey and Caltrans Archaeological Survey Report of the right-of-way for proposed bridge and street improvements between Tamarack Avenue and Cannon Road.

The search also revealed that five cultural resources have been recorded within one-half mile of the Project site. According to the EIC, one of the resources (P-37-036871) lies within the buffer of the project.

Table 2
Cultural Resources Sites Recorded Within One-Half Mile of Project Site

Resource Number	Recorder/Year	Description
37-010478/SDI-10478	Pigniolo & Gallegos/1986	Campsite; shell midden
37-013076/SDI-13076	Gallegos & Associates/1993	Lithic and shell scatter
37-017443/	Walker/no date	Santa Fe Rail Depot
37-026518/SDI-17414	Unknown/1972	Lithic scatter, modern refuse
37-036871*	Downs/2017	Two bricks
*Includes Project site.		

- 37-036871 was recorded as two 1920s era bricks. They were recorded in an undeveloped area immediately north of the Tamarack Beach parking lot. They were not observed during the survey. In any case, they will not be impacted by the project.

6.2 PALEONTOLOGICAL RESOURCES RECORDS SEARCH

The SDNHM records search revealed that one fossil locality lies within one mile of the Project site (in the Sespe/Vaqueros Formation); however, none are recorded on the Project site. The Museum’s description of the rock units that underlie the site follows:

Beach Deposits – Late Holocene marine beach deposits occur along the western side of the project site. These deposits consist of unconsolidated fine- and medium-grained sand and are still actively accumulating along the shoreline. The SDNHM does not have any fossil localities from Holocene beach deposits within a one-mile radius of the project site. Holocene surficial deposits are generally less than 11,000 years old and are assigned a low paleontological sensitivity based on their young geologic age and the lack of known fossil localities. However, these deposits may overlie paleontologically sensitive geologic units (Bay Point Formation and Sespe/Vaqueros Formation or Santiago Formation, see below) where the contact is relatively shallow.

Bay Point Formation – The nearshore marine deposits of the Pleistocene-age (approximately 750,000 to 10,000 years old) Bay Point Formation underlie the northern and southern ends of the project site. More specifically, these deposits rest on the Bird Rock and St. Louis terraces (approximately 0,000 and 45,000 years old, respectively) of Kern and Rockwell (1992), and are broadly equivalent to units 7 and 8, old paralac deposits, of Kennedy and Tan (2007). The SDNHM does not have any fossil collection localities from the Bay Point Formation within a one-mile radius of the project site. Elsewhere in western San Diego County, the Bay Point Formation has produced diverse assemblages of marine invertebrate fossils, as well as remains of fossil remain vertebrates. The Bay Point Formation has been assigned a high paleontological sensitivity for the diverse and well-preserved fossils of marine invertebrates and marine vertebrates that have been recovered from these deposits.

Sespe/Vaqueros Formation or Santiago Formation – Late Oligocene-age (approximately 28 to 23 million years old) deposits have been observed along the beach cliffs and road outcrops in the City of Carlsbad, in areas mapped as the Eocene-age (approximately 49 to 40 million years old) Santiago Formation. The age of these deposits has been determined by the presence of *Sespia californica* (indicative of the early Arikareean North American Land Mammal Age), such as those recovered from SDNHM locality 5292, located less than one mile south of the project site along the beach. These deposits have been previously mapped as the Eocene-age Santiago Formation, but are now recorded in the San Diego Natural History Museum paleontology database as the

undifferentiated Sespe/Vaqueros Formation. Until a field survey can be conducted on site, it is not possible at this time to determine if units mapped as Santiago Formation are middle Eocene or late Oligocene in age. However, both the Sespe/Vaqueros Formation and Santiago Formation have produced significant terrestrial fossil vertebrate localities in northern San Diego County and Orange County, and these units are considered to have a high paleontological sensitivity (Deméré and Walsh, 1993; Eisentraut and Copper, 2002). (McComas 2018).

According to McComas (2018), there is a potential for adverse impacts to paleontological resources during project excavation activities due to the high paleontological sensitivity of the Bay Point, Sespe/Vaqueros, and Santiago Formations and the presence of a nearby fossil locality. Therefore, the implementation of a complete paleontological resource mitigation program during any proposed excavations that extend into these rock units is recommended by the SDNHM (McComas 2018).

6.3 NATIVE AMERICAN COORDINATION

The Sacred Lands File search completed by the NAHC returned a positive result and included a general tribal contacts list. The NAHC requested that contact be made with the La Jolla Band of Luiseño Indians and the San Luis Rey Band of Mission Indians regarding the result. These two tribes may have specific information about the Sacred Land identified; however, it is not known if this Sacred Land is within the current Project site. This information was provided to the City of Oceanside for its ongoing AB 52 consultation with tribes (Attachment E).

6.4 FIELD SURVEY

Patrick Maxon completed the field survey on March 9, 2018 and June 3, 2020 when there were some slight changes to the design. The Project site was walked four times. On March 9, 2018 it was walked first along the beach access road at the bottom of the bluff; a second time on the upper walkway above the bluffs. On June 3, 2020 it was walked again twice; this time first from the south on the upper walkway above the bluffs, then returning from north to south on the lower access road as well as sections of the beach. The exposed sediments in the bluffs were observed closely during the survey for the presence of cultural resources. None were noted.

Digital photographs were taken during both surveys (Attachment D) The southern end of the Project site consists of the concrete walkway. The bluffs above the walkway support a growth of coastal plants (Photographs #1 and #2). Photograph #3 depicts the southernmost access stairway that will be replaced. Photograph #4 shows the slope just north of the first stairway. The pinflags identify the locations of each new plantings. Photograph #5 depicts another stretch of the seawall and bluffs; the final photograph (#6) depicts the northernmost stairway, already closed for maintenance.

SECTION 7.0 DISCUSSION/RECOMMENDATIONS

The CHRIS records search noted that one cultural resource has been recorded within the buffer of the Project site; however, it consists of two historical era bricks which lie outside the disturbance area and will not be impacted by the project. No cultural resources were noted as a result of the survey.

The purpose of the cultural resources assessment is to identify any cultural/historical resources or (through tribal consultation) tribal cultural resources that may exist on the Project site, to determine the sensitivity of the Project site for the presence of buried archaeological or paleontological material, and to make recommendations to the lead agency regarding the development of mitigation measures to reduce the impacts of the project on resources to a less than significant level.

Public Resources Code (PRC) §21084.1-2 and PRC §5020.1(q) of CEQA states that a project that may cause a substantial adverse change (i.e., demolition, destruction, relocation, or alteration such that the significance of a historical resource would be impaired) in the significance of a “historical resource” or a “tribal cultural resource” is a project that may have a significant effect on the environment.

The Sacred Lands File search completed by the NAHC returned a positive result. The NAHC requested that contact be made with the La Jolla Band of Luiseño Indians and the San Luis Rey Band of Mission Indians regarding the result. These two tribes may have specific information about the Sacred Land identified; however, it is not known if this Sacred Land is within the current Project site.

This study demonstrates that no known tribal cultural resources or recorded historical resources are present on the Project site; however, if buried cultural materials are discovered during project earth-moving operations, the City of Carlsbad must be notified immediately, and all work in the immediate vicinity shall be halted or diverted until a qualified archaeologist can evaluate the nature and significance of the discovery.

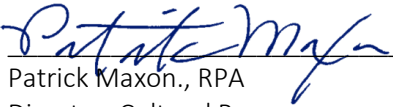
Project grading that extends into the highly sensitive Bay Point Formation, Sespe/Vaqueros Formation, or Santiago Formation may result in impacts to paleontological resources. Monitoring of these excavations is recommended. In addition, pursuant to the recommendations of the SDNHM, sediment samples should be recovered and screened to determine the small-fossil potential of the site.

SECTION 8.0 CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this cultural resources report, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

DATE: February 2020

SIGNED:



Patrick Maxon., RPA
Director, Cultural Resources

SECTION 9.0 REFERENCES CITED

- Carlsbad, City of
n.d. History of Carlsbad. <http://www.carlsbadca.gov/services/depts/police/inside/history.asp>
- ECORP
2017 *Carlsbad Tribal, Cultural, and Paleontological Resources Guidelines*. On file, City of Carlsbad, California.
- Golla, V.
2017 Linguistic History. Chapter 5 in *California Prehistory: Colonization, Culture, and Complexity* (Jones and Klar eds.). Alta Mira Press, New York.
- McComas, K
2018 Paleontological Records Search — Beach Access Repair Project San Diego Natural History Museum, San Diego, California.
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1990 *Archaeological Resource Management Reports (ARMR): Recommended Contents and Format*. Department of Parks and Recreation, Office of Historic Preservation, Sacramento, California.
- National Parks Service (NPS)
1983 Archaeology and Historic Preservation: Secretary of the Interior's Standards and Guidelines.
- Warren, C. N.
1968 Cultural Traditions and Ecological Adaptation on the Southern California Coast. In *Archaic Prehistory in the Western United States. Eastern New Mexico Contributions in Anthropology* 1(3): 1–14.

ATTACHMENT A
CULTURAL RESOURCES RECORDS SEARCH



South Coastal Information Center
San Diego State University
5500 Campanile Drive
San Diego, CA 92182-5320
Office: (619) 594-5682
www.scic.org
nick@scic.org

CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM RECORDS SEARCH

Company: VCS Environmental

Company Representative: Patrick Maxon

Date Processed: 3/26/2018

Project Identification: Carlsbad Beach Access Repair Project #470

Search Radius: 1/2 mile

Historical Resources: YES

Trinomial and Primary site maps have been reviewed. All sites within the project boundaries and the specified radius of the project area have been plotted. Copies of the site record forms have been included for all recorded sites.

Previous Survey Report Boundaries: YES

Project boundary maps have been reviewed. National Archaeological Database (NADB) citations for reports within the project boundaries and within the specified radius of the project area have been included.

Historic Addresses: YES

A map and database of historic properties (formerly Geofinder) has been included.

Historic Maps: YES

The historic maps on file at the South Coastal Information Center have been reviewed, and copies have been included.

Summary of SHRC Approved CHRIS IC Records Search Elements

RSID:	2464
RUSH:	no
Hours:	1
Spatial Features:	24
Address-Mapped Shapes:	yes
Digital Database Records:	0
Quads:	1
Aerial Photos:	0
PDFs:	Yes
PDF Pages:	22

Resource List

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-37-010478	CA-SDI-010478						SD-01028
P-37-013076	CA-SDI-013076						
P-37-017443		OHP PRN - 2008-0001-0000; Other - Santa Fe Depot				1999 (CHRIS)	
P-37-026518	CA-SDI-017414	Other - W-469 (MoM)				2005	SD-13488
P-37-036871							

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SD-00535	NADB-R - 1120535; Voided - CUPPLES 24	1976	Cupples, Sue Ann	Oceanside Harbor and Navagation Project: Archaeological Survey Report	Dr. Larry L. Leach	
SD-01028	NADB-R - 1121028; Voided - GALLEGO20	1986	GALLEGOS, DENNIS	ARCHAEOLOGICAL TEST AT SDI-10478 AGUA HEDIONDA CARLSBAD,	WESTEC Services, Inc.	37-010478
SD-01054	NADB-R - 1121054; Voided - GALLEGO 08	1983	Gallegos, Dennis, Richard Carrico, and Jay Thesken	Archaeological Survey and Test of the Windsong Shores Property SDI-10965.	Westec Services, Inc.	37-000209, 37-010965
SD-01638	NADB-R - 1121638; Voided - WOODWARD04	1985	Woodward, Jim and George Stammerjohan	Resource Inventory Cultural Resources San Diego Coast State Beaches	Department of Parks and Recreation	37-004612, 37-006854, 37-009586, 37-009587, 37-009588, 37-009589, 37-009590, 37-009598
SD-01752	NADB-R - 1121752; Voided - POLAN 24	1981	Polan, H. Keith	Carlsbad Boulevard: An Archaeological Survey Report of the Right-of-Way for Proposed Bridge and Street Improvements Between Tamarack Avenue and Cannon Road, Carlsbad, California	New Horizons Planning Consultants, Inc.	
SD-04111	NADB-R - 1124111; Voided - SEEMAN01	1982	Larry Seeman	Draft Environmental Impact Report Revised Parks and Recreation Element, Carlsbad, California	Larry Seeman	
SD-06629	NADB-R - 1126629; Voided - ROSEN 80	1999	ROSEN, MARTIN	HISTORIC PROPERTY SURVEY REPORT OCEANSIDE TO SAN DIEGO-RAIL TO TRAIL	MARTIN ROSEN	37-004513, 37-004609, 37-005443, 37-006751, 37-012453, 37-013212
SD-09361	NADB-R - 1129361; Other - 11A0398; Voided - BYRD15	2002	Byrd, Brian F. and Collin O'Neill	Archaeological Survey Report for the Phase I Archaeological Survey along Interstate 5 San Diego County, CA.	ASM, Inc	37-000606, 37-004552, 37-004553, 37-006851, 37-007296, 37-012120, 37-013484
SD-09516	NADB-R - 1129516; Voided - CATERINO01	2005	Caterino, David	The Cemeteries and Gravestones of San Diego County: An Archaeological Study	David Caterino	
SD-09569	NADB-R - 1129569; Other - 10-03; Voided - GUERREM 18	2004	GUERRERO, MONICA C., TRACY STROPES, and DENNIS R. GALLEGOS	CULTURAL RESOURCE MONITOR AND TEST REPORT FOR THE ENCINA POWER PLANT PROJECT CARLSBAD, CALIFORNIA	GALLEGOS & ASSOCIATES	
SD-09571	NADB-R - 1129571; Other - 12-03; Voided - GUERREM 20	2003	GUERRERO, MONICA C and DENNIS R. GALLEGOS	CITY OF CARLSBAD WATER AND SEWER MASTER PLANS CULTURAL RESOURCE BACKGROUND STUDY CITY OF CARLSBAD, CALIFORNIA	GALLEGOS & ASSOCIATES	37-000628, 37-000694, 37-005353, 37-006826
SD-10847	NADB-R - 1130847; Voided - HISTORI113		VARIOUS	CARLSBAD SANTA FE DEPOT, 400 CARLSBAD VILLAGE DRIVE (ELM AVE.), CARLSBAD, CALIFORNIA 92008		

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SD-11269	NADB-R - 1131269; Voided - HISTORI248		VARIOUS	SANTA FE DEPOT - CARLSBAD	THE CARLSBAD HISTORICAL SOCIETY	
SD-11419	NADB-R - 1131419; Voided - BONNEW105	2007	BONNER, WAYNE H. and MARNIE AISLIN-KAY	CULTURAL RESOURCE RECORDS SEARCH RESULTS FOR T-MOBILE CANDIDATE SD06919B (TAMARACK HOA), 111 TAMARACK AVENUE, CARLSBAD, SAN DIEGO COUNTY, CALIFORNIA	MICHAEL BRANDMAN ASSOCIATES	
SD-12153	NADB-R - 1132153; Voided - ROBBINS273	2009	ROBBINS-WADE, MARY	ARCHAEOLOGICAL RESOURCES SURVEY, AGUA HEDIONDA SEWER AND LIFT STATION, CARLSBAD, SAN DIEGO COUNTY, CALIFORNIA	AFFINIS	37-006751
SD-12693	NADB-R - 1132693; Voided - TANGB04	2009	TANG, BAI "TOM"	HISTORIC PROPERTY SURVEY REPORT FOR THE PROPOSED CONSTRUCTION OF A SECOND MAINLINE TRACK IN THE CITY OF CARLSBAD BY THE NORTH COUNTY TRANSIT DISTRICT	CALTRANS	
SD-12738	NADB-R - 1132738; Voided - HOGANM01	2009	HOGAN, MICHAEL and DEIRDRE ENCARNACION	ARCHAEOLOGICAL SURVEY REPORT: CARLSBAD DOUBLE TRACK PROJECT CONTROL POINT CARL (MP 229.3) TO CONTROL POINT FARR (MP 231.7) NORTH COUNTY TRANSIT DISTRICT MAINLINE SAN DIEGO COUNTY, CALIFORNIA CALTRANS DISTRICT 11	CRM TECH	37-006751
SD-13488	NADB-R - 1133488; Voided - YORKAND13	2011	YORK, ANDREW L. and JOHN HILDEBRAND	CULTURAL RESOURCES INVESTIGATION IN SUPPORT OF CONSULTATION FOR THE REGIONAL BEACH SAND II PROJECT SAN DIEGO COUNTY, CALIFORNIA	AECOM	37-000215, 37-000760, 37-004641, 37-004658, 37-006850, 37-006854, 37-007979, 37-009589, 37-010220, 37-010940, 37-013212, 37-013506, 37-013507, 37-013729, 37-013730, 37-013731, 37-014007, 37-014008, 37-017027, 37-018804, 37-026506, 37-026512, 37-026517, 37-026518, 37-027178
SD-14757	NADB-R - 1134757; Voided - FLANM01	2013	FLANDREAU, MADELEINE	REQUEST FOR CONCURRENCE ON "SECTION 106" COMPLIANCE AND A FINDING OF "NO HISTORIC PROPERTIES AFFECTED" FOR VISTA/ CARLSBAD INTERCEPTOR AND AGUA HEDIONDA PUMP STATION REPLACEMENT PROJECT (PROJECT)	STATE WATER RESOURCE CONTROL BOARD	37-006751

ATTACHMENT B

PALEONTOLOGICAL RESOURCES RECORDS SEARCH

SAN DIEGO NATURAL HISTORY MUSEUM

6 March 2018

Mr. Patrick Maxon
VCS Environmental
30900 Rancho Viejo Road, Suite 100
San Juan Capistrano, CA 92675

RE: Paleontological Records Search – Carlsbad Beach Access Repairs Project

Dear Mr. Maxon:

This letter presents the results of a paleontological records search conducted for the Carlsbad Beach Access Repairs project, located in the northwest portion of the City of Carlsbad, San Diego County, CA. The project site lies west of Carlsbad Boulevard and east of the sands of Carlsbad State Beach, between approximately Pine Avenue to the north and Sequoia Avenue to the south.

A review of published geological maps covering the project site and surrounding area was conducted to determine the specific geologic units underlying the project. Each geologic unit was subsequently assigned a paleontological resource sensitivity following County of San Diego guidelines (Deméré and Walsh, 1993; Stephenson et al., 2009). Published geological reports covering the project area (e.g., Kennedy and Tan, 2007) indicate that the proposed project has the potential to impact Holocene-age marine beach deposits and the Pleistocene-age Bay Point Formation, as well as underlying deposits of either Eocene-age (Santiago Formation, as mapped on existing published maps) or Oligocene-age (Sespe/Vaqueros Formation, as indicated by SDNHM records). These geologic units and their paleontological sensitivity are summarized in detail in the following section.

In addition, a search of the paleontological collection records housed at the San Diego Natural History Museum (SDNHM) was conducted in order to determine if any documented fossil collection localities occur at the project site or within the immediate surrounding area (Figure 1). The SDNHM has one recorded fossil locality from the Sespe/Vaqueros Formation within one mile of the project site, which is described in greater detail below.

Geologic Rock Units Underlying the Project Area

Beach deposits – Late Holocene marine beach deposits occur along the western side of the project site. These deposits consist of unconsolidated fine- and medium-grained sand, and are still actively accumulating along the shoreline. The SDNHM does not have any fossil localities from Holocene beach deposits within a 1-mile radius of the project site. Holocene surficial deposits are generally less than 11,000 years old, and are assigned a low paleontological sensitivity based on their young geologic age and the lack of known fossil localities. However, these deposits may overlie paleontologically sensitive geologic units (Bay Point Formation and Sespe/Vaqueros Formation or Santiago Formation, see below) where the contact is relatively shallow.

Bay Point Formation – The nearshore marine deposits of the Pleistocene-age (approximately 750,000 to 10,000 years old) Bay Point Formation underlie the northern and southern ends of the project site. More specifically, these deposits rest on the Bird Rock and St. Louis terraces (approximately

80,000 and 45,000 years old, respectively) of Kern and Rockwell (1992), and are broadly equivalent to units 7 and 8, old paralic deposits, of Kennedy and Tan (2007). The SDNHM does not have any fossil collection localities from the Bay Point Formation within a 1-mile radius of the project site. Elsewhere in western San Diego County, the Bay Point Formation has produced diverse assemblages of marine invertebrate fossils, as well as remains of fossil remain vertebrates. The Bay Point Formation has been assigned a high paleontological sensitivity for the diverse and well-preserved fossils of marine invertebrates and marine vertebrates that have been recovered from these deposits.

Sespe/Vaqueros Formation or Santiago Formation – Late Oligocene-age (approximately 28 to 23 million years old) deposits have been observed along the beach cliffs and road outcrops in the City of Carlsbad, in areas mapped as the Eocene-age (approximately 49 to 40 million years old) Santiago Formation. The age of these deposits has been determined by the presence of *Sespia californica* (indicative of the early Arikareean North American Land Mammal Age), such as those recovered from SDNHM locality 5292, located less than 1 mile south of the project site along the beach. These deposits have been previously mapped as the Eocene-age Santiago Formation, but are now recorded in the San Diego Natural History Museum paleontology database as the undifferentiated Sespe/Vaqueros Formation. Until a field survey can be conducted on site, it is not possible at this time to determine if units mapped as Santiago Formation are middle Eocene or late Oligocene in age. However, both the Sespe/Vaqueros Formation and Santiago Formation have produced significant terrestrial fossil vertebrate localities in northern San Diego County and Orange County, and these units are considered to have a high paleontological sensitivity (Deméré and Walsh, 1993; Eisentraut and Copper, 2002).

Summary and Recommendations

The high paleontological sensitivity of the Bay Point Formation and Sespe/Vaqueros Formation or Santiago Formation in San Diego County (Deméré and Walsh, 1993; Stephenson et al., 2009), as well as the presence of a fossil locality near the project site, suggest the potential for construction of the proposed project to result in impacts to paleontological resources. Any proposed excavation activities that extend deep enough to encounter previously undisturbed deposits of these geologic units have the potential to impact the paleontological resources preserved therein. For these reasons, implementation of a complete paleontological resource mitigation program during ground-disturbing activities is recommended.

The fossil collection locality information contained within this paleontological records search should be considered private and is the sole property of the San Diego Natural History Museum. Any use or reprocessing of information contained within this document beyond the scope of the Carlsbad Beach Access Repairs project is prohibited.

If you have any questions concerning these findings please feel free to contact me at 619-255-0321 or kmccomas@sdnhm.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Katie McComas', written in a cursive style.

Katie McComas
Paleontology Collections Assistant
San Diego Natural History Museum

*Enc: Figure 1: Project map
Appendix: List of SDNHM fossil localities in the vicinity of the project*

Literature Cited

- Deméré, T.A., and Walsh, S.L. 1993. Paleontological Resources, County of San Diego. Prepared for the San Diego Planning Commission: 1–68.
- Eisentraut, P., and Cooper, J. 2002. Final Report of a Model Curation Program for Orange County's Archaeological and Paleontological Collections. Prepared for the County of Orange, California.
- Kennedy, M.P., and Tan, S.S. 2007. Geologic Map of the Oceanside 30' x 60' Quadrangle, California. California Geological Survey, Regional Geologic Map Series 1:100,000 scale, map no. 2.
- Kern, J.P., and Rockwell, T.K. 1992. Chronology and deformation of Quaternary marine shorelines, San Diego County, California. In, Quaternary Coasts of the United States: Marine and Lacustrine Systems. Society of Economic Paleontologists and Mineralogists, Special Publication 48: 377–382.
- Stephenson, B., and seven others. 2009. County of San Diego Guidelines for determining significance, paleontological resources. Land Use and Environment Group, Department of Planning and Land Use, Department of Public Works, 46 p.



Sources: Bing Maps Hybrid Imagery, Microsoft et al., 2017




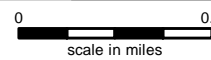
-  Project site
-  1 mile radius buffer
-  SDSNH localities



FIGURE
1

Project Map
Carlsbad Beach Access Repairs Project
City of Carlsbad, San Diego County, California



Appendix: Locality List

San Diego Natural History Museum

Department of Paleontology

Locality Number	Locality Name	Location	Elevation (feet)	Geologic Unit	Era	Period	Epoch
5292	Carlsbad State Beach	City of Carlsbad, San Diego County, CA	5	Sespe/Vaqueros Formation	Cenozoic	Paleogene	late Oligocene

ATTACHMENT C
PERSONNEL QUALIFICATIONS

PATRICK MAXON, M.A., RPA

Director | Cultural Resources



VCS Environmental

EXPERT SOLUTIONS | CEQA-NEPA . Biology . Regulatory



ABOUT

Patrick Maxon M.A., RPA is a Registered Professional Archaeologist who meets the Secretary of Interior's standards for historic preservation programs for archaeology and who has a permit to perform work on Bureau of Land Management land. Patrick has 26 years of experience in all aspects of cultural resources management, including prehistoric and historic archaeology, paleontology, ethnography, and tribal consultation. He has expertise in compliance with NEPA, CEQA, the National Historic Preservation Act (NHPA), the Archaeological Resources Protection Act, and the Clean Water Act, among others. Patrick has completed hundreds of cultural resources projects that have involved (1) agency, client, Native American, and subcontractor coordination; (2) treatment plans and research design development; (3) archival research; (4) field reconnaissance; (5) site testing; (6) data recovery excavation; (7) construction monitoring; (8) site recordation; (9) site protection/preservation; (10) mapping/cartography; (11) laboratory analysis; and (12) report production. He has managed a number of projects within the jurisdiction of the USACE, the Bureau of Land Management, the Bureau of Reclamation, and other federal agencies that require compliance with Section 106 of the NHPA. He has also completed projects throughout Southern California under CEQA for State and local governments and municipalities, including Caltrans, the Department of General Services (DGS), the California Energy Commission, the California Department of Water Resources, the Los Angeles County Department of Public Works (LACDPW), the Los Angeles Department of Water and Power, the Los Angeles Unified School District, and others.

EDUCATION

1994/MA/Anthropology/California State University, Fullerton
1987/BA/Psychology/Sociology/Towson State University, Towson, MD

VCS TEAM MEMBER SINCE 2017

CERTIFICATIONS/TRAINING

Riverside County
Transportation and Land
Management Agency Certified
Archaeologist/Riverside County

California Energy Commission
Cultural Resources Specialist/

Registered Professional
Archaeologist (National)/No.
11468/Register of Professional
Archaeologists

Orange County Certified
Archaeologist/Orange County

National Historic Preservation
Act Section 106 Compliance
Advanced Certification, 2002/

Principal Investigator, Southern
California/Bureau of Land
Management

Qualified Archaeologist-
Secretary of Interior Standards
and Guidelines of Professional
Qualification & Standards for
Archeology, as per Title 36,
Code of Federal Regulations,
Part 61/

SELECT EXPERIENCE/PROJECTS

Tujunga Spreading Grounds Enhancement Project Cultural Resources Study, Los Angeles, CA: Cultural Resources Manager for the proposed project which consists, in part, of an alteration to the current intake facility; creation of a low-flow treatment area; installation of two new intake facilities; and reactivation, deepening, and/or combining of existing water basins to alleviate the migration of methane gas from the landfill to local residences (due to the presence of the Sheldon-Arleta landfill). Pat conducted a cultural resources study, which consisted of (1) a records search undertaken at the South Central Coastal Information Center (SCCIC) located at the California State University, Fullerton; (2) consultation with the Native American Heritage Commission (NAHC); (3) a paleontological records search at the Natural History Museum of Los Angeles County; and (4) an assessment of the project's potential to adversely impact cultural resources, including recommendations for mitigating any adverse impacts to a less than significant level. The existing facility buildings and structures on the site will not be removed, and they do not appear to be of sufficient age to be considered historic; therefore, there would be no significant impacts to historic resources. Monitoring was recommended during excavations for new intake facilities and during expansion and deepening of the basins due to the potential to impact cultural resources.

Santa Anita Stormwater Flood Management and Seismic Strengthening Project Initial Study/Mitigated Negative Declaration, Los Angeles County, CA: Cultural Resources Manager for the preparation of an IS/MND pursuant to CEQA for the modification of three existing flood management and water conservation facilities along the Santa Anita Canyon Watershed, including the Santa Anita Dam (Dam), the Santa Anita Headworks (Headworks) and culvert crossing, and the Santa Anita Debris Dam (Debris Dam). The project improves these County of Los Angeles Flood Control District (LACFCD) facilities

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PROFESSIONAL AFFILIATIONS

Pacific Coast Archaeological
Society

30900 Rancho Viejo Road, Suite 100
San Juan Capistrano, CA 92675
949.489.2700 | vcsenvironmental.com

to better manage storm water runoff and to improve public safety by addressing seismic safety and other structural issues, as well as to increase water conservation and prevent flood damage to downstream communities. The Dam would be structurally altered to accommodate a new spillway with sufficient capacity to pass the probable maximum flood in order to reduce the risk of Dam failure from uncontrolled overtopping during major storm events. The Headworks would reconstruct the levee to ensure it can withstand flows and replace the existing tainter gate with a new diversion structure. The existing culvert bridge providing access to the City of Arcadia's Wilderness Park would be removed and replaced with a single-span bridge. Lastly, the remediation of the seismic deficiencies at the Debris Dam would involve a reconfiguring of the intake tower and reinforcing the embankment with structural buttressing. Key environmental issues include biological resources (e.g. bats, woodland plant communities), tree removal, construction noise adjacent to residential, and the temporary closure of park facilities. Patrick managed a Phase I study, which included records searches, a pedestrian survey, Native American scoping, and a technical report. Consultation with the U.S. Forest Service's (USFS) Cultural Resources Manager and research in the Forest Service archives was also undertaken. A historic evaluation of the Dam and associated built environment resulted in a finding of no historic properties affected.

Ortega Highway Reservoir Project Cultural Resources Monitoring, Orange County, CA: Project Manager for the Santa Margarita Water District's excavation of test pits and auger borings for its Planning Area 4 Reservoir on Ortega Highway. Archaeologists and Paleontologists monitored all substantial excavations into the subsurface at this location. The Cretaceous Period (circa 140 to 65 million years ago) geologic formation known as the Williams Formation is present throughout the subsurface of the project area. Monitors recovered several fossils during the study including plant and leaf impressions, a small crab, and several fragments of bone that could be dinosaur. Further study is necessary to identify and evaluate the discoveries and curate them in an appropriate museum facility.

Orange County Water District On-Call Environmental Analyses Services, Orange County, CA: Cultural Resources Manager for the On-Call Contract. Mr. Maxon has provided environmental analyses services on an as-needed basis as part of on-call contracts with the Orange County Water District since 2010. Representative cultural resources task orders completed as part of the on-call contracts, include the following:

- La Palma Recharge Basin, Anaheim, CA
- Prado Basin Mitigation Sites, Orange County, CA
- Fletcher Basin Improvement Project Cultural and Paleontological Resources Mitigation Monitoring Plan, City of Orange, CA
- Centennial Park Injection Well Project, Santa Ana, CA
- EW-1 Groundwater Containment and Treatment Project, City of Fullerton, CA.
- Santiago Recharge Basin Project, Orange, CA

Edinger Avenue Bridge Replacement Environmental Documents and Regulatory Services, Huntington Beach and Seal Beach, CA: Cultural Resources Manager for this project. The County of Orange, in cooperation with Caltrans and the FHWA, proposed to demolish the existing 15-span timber bridge over the Bolsa Chica Channel that provides access to Sunset Aquatic Regional Park. A 4-span precast concrete bridge would be constructed in its place. An IS/MND and supporting documentation were prepared in accordance with Caltrans standards. Pat conducted a Phase I cultural resources study to

Caltrans standards and completed a Historic Property Survey Report (HPSR) documenting the findings of the study. The Phase I study included development of a project Area of Potential Effects (APE); Native American scoping with local Gabrielino and Juaneño tribes and individuals; a pedestrian survey of the bridge and approaches on either side; and preparation of the HPSR. No archaeological resources were recorded within the APE and none were discovered as a result of this study. The bridge itself is listed as Category 5 (Not Eligible for NRHP) in the Caltrans Historic Highway Bridge Inventory.

Whittier Narrows Dam Basin Recreation Area Master Development Plan Input

Program, El Monte, CA: Cultural Resources Manager for the preparation of a Program EIR for the Master Development Plan Input (MDPI) document to the 1996 Whittier Narrows Dam Recreation Area (WNRA) Master Plan. The project provides the USACE (which owns the WNRA) with a vision for the future of the WNRA that has evolved from the coordination and collaboration of interested stakeholders. The MDPI conceptually organizes the approximate 1,400-acre WNRA into 6 Planning Zones and one Conservation/Restoration Zone to define the types and intensity of recreational activities that are compatible with each other and with the underlying natural resource values of the site. Key environmental issues include impacts to biological resources, traffic/circulation, hydrology/drainage, and recreation. Pat reviewed existing literature and completed the Cultural Resources Section for the project's EIR.

Joshua Basin Water District Groundwater Recharge Basin and Pipeline Project, Joshua

Tree, CA: Cultural Resources Manager for the Joshua Basin Water District Groundwater Recharge Basin and Pipeline Project. This project included the construction of approximately 24,000 linear feet of 16-inch diameter pipe, as an extension to the existing Mojave Water Agency pipeline, and the construction of an approximate 32.5-acre water recharge facility. Patrick prepared an educational awareness program on the historic and prehistoric cultural resources in the area; the potential of construction activities to disturb known or unknown cultural resources and human remains; and the actions to be taken in the event of accidental discovery. A qualified Archaeologist monitored ground-disturbing activities related to the pipeline construction; completed a pedestrian survey of the planned recharge basin; and monitored grading for construction of the basin itself.

East Garden Grove-Wintersburg Channel Widening Project Phase I Cultural Resources

Study, Huntington Beach, CA: Cultural Resources Manager for this project, which will widen and stabilize approximately 1.8 miles of channel by installing sheet piling on both sides of the channel and subsequently removing rock and soil on the channel side of the piling. Residential uses are immediately adjacent to both sides of the eastern reach of the channel; the western reach traverses the Bolsa Chica wetlands. Pat conducted a Phase I cultural resources study to determine if the proposed channel widening would have the potential to impact cultural resources. The study included a literature review at the South Central Coastal Information Center (SCCIC) located at the California State University, Fullerton; a paleontological literature review at the Natural History Museum of Los Angeles County; a pedestrian survey of the Area of Potential Effects (APE); and completion of the CEQA IS/MND section describing the study results. Pat also consulted with USACE regulators, Native American tribes and individuals, and a local Archaeologist who has extensive experience working in and around Bolsa Chica. Elements of the defunct Bolsa Chica Gun Club were identified in the wetlands, but it was determined that the channel work would have no impact on them. Channel recordation and construction monitoring were recommended.

Serrano Water District Walter E. Howiler, Jr. Water Filtration Plant and Wells No. 3 and No. 5 Modifications Project Initial Study/Mitigated Negative Declaration, Orange and Villa Park, CA: Cultural Resources Manager for this project involving water quality improvements at both the Howiler Water Filtration Plant located in the City of Orange and at the Serrano Water District's groundwater Well Nos. 3 and 5 located in the City of Villa Park. The project was to convert the primary disinfectant used at the Howiler Water Filtration Plant from free chlorine to ozone, and the residual (secondary) disinfectant at both the Howiler Water Filtration Plant and at Well Nos. 3 and 5 from free chlorine to chloramines. Pat completed a cultural resources literature review of the project site at the South Central Coastal Information Center (SCCIC) located at the California State University, Fullerton, and contacted the California Native American Heritage Commission (NAHC) for a review of its Sacred Lands File and to obtain a list of Native American contacts for the project area. Additionally, he prepared and sent informational letters to all the NAHC-listed contacts in order to ensure a good-faith effort of participation and contacted the Natural History Museum of Los Angeles County to conduct a paleontological resources literature review for the project.

La Rivera Drainage Project Cultural Resources Services, Riverside, CA: Cultural Resources Manager for this project which proposed to improve existing drainage conditions within the La Rivera residential development. Psomas prepared an IS/MND for its implementation. The Phase I cultural resources study included (1) a cultural resources literature review of the project site at the Eastern Information Center (EIC) at the University of California, Riverside; (2) contact with the Native American Heritage Commission (NAHC) for a review of its Sacred Lands File and to obtain a list of Native American contacts for the project area; (3) preparation of informational letters to all the NAHC listed contacts in order to ensure a good-faith effort of participation and (4) conducted a paleontological resources literature review for the project at the Natural History Museum of Los Angeles County (NHMLA). No cultural resources were discovered and no impacts are anticipated.

Sunset Upper Debris Basin Dam Modification Project Cultural Resources Services, Los Angeles County, CA: Cultural Resources Manager for this project which proposes construction of a five-foot-high parapet wall on top of the existing dam to increase the storage capacity of the Sunset Upper Debris Basin. The project includes raising the dam abutments, modifying the dam access road, and installing a Geobrug net debris barrier. Pat completed a cultural resources literature review of the project site at the South Central Coastal Information Center (SCCIC) at the California State University, Fullerton, and contacted the Native American Heritage Commission (NAHC) for a review of its Sacred Lands File and to obtain a list of Native American contacts for the project area. Additionally, he prepared and sent informational letters to all the NAHC-listed contacts in order to ensure a good-faith effort of participation. An examination was also made of the Historic Resource Inventory (HRI) maintained by the California Register of Historic Preservation. Psomas prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed project, which proposed the construction of a 3.2-foot extension to the existing parapet wall on top of the existing dam structure in order to increase the capacity of the debris basin from 15,900 cubic yards to 23,900 cubic yards. This project also involved reconstruction of the existing concrete dam's spillway elevation by 5 feet. The parapet wall and spillway improvements would increase the height of the dam structure, thereby increasing the "footprint" of the basin's 100 percent contour by approximately 1.3 acres.

ATTACHMENT D
SITE PHOTOGRAPHS



Photograph #1: From South end of Project looking Northwest



Photograph #2: Near South end of the Project looking Southeast



Photograph #3: Stairway Opposite Hemlock Avenue looking East



Photograph #4: Bluff face with pin flags looking West



Photograph #5: Bluff near North end looking Northwest



Photograph #6: Stairway opposite Sycamore Avenue From Center of Project looking Northwest

ATTACHMENT E
NATIVE AMERICAN COORDINATION

Local Government Tribal Consultation List Request

Native American Heritage Commission

1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahc@nahc.ca.gov

Type of List Requested

CEQA Tribal Consultation List (AB 52) – Per Public Resources Code § 21080.3.1, subs. (b), (d), (e) and 21080.3.2

General Plan (SB 18) - Per Government Code § 65352.3.

Local Action Type:

General Plan General Plan Element General Plan Amendment

Specific Plan Specific Plan Amendment Pre-planning Outreach Activity

Required Information

Project Title: Carlsbad Beach Access Project

Local Government/Lead Agency: City of Carlsbad

Contact Person: Christina Bustamante

Street Address: 1635 Faraday Ave.

City: Carlsbad CA Zip: 92008

Phone: 760-602-4644 Fax: -

Email: christina.bustamante@carlsbadca.gov

Specific Area Subject to Proposed Action

County: San Diego City/Community: Carlsbad

Project Description: Rehabilitation and repair of sidewalks, seawall, retaining walls, and beach access stairways between Pine Ave. and Tamarac Ave. in Carlsbad

* Please send results to Me and Christina

Additional Request

Sacred Lands File Search - Required Information:

USGS Quadrangle Name(s): San Luis Rey

Township: 12 South Range: 4 & 5 West Section(s): 01, 07, 12

NATIVE AMERICAN HERITAGE COMMISSION

June 24, 2020

Christina Bustamante
City of Carlsbad

Via Email to: christina.bustamante@carlsbadca.gov

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Carlsbad Beach Access Project, San Diego County

Dear Ms. Bustamante:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:

- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;



CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

SECRETARY
Merri Lopez-Keifer
Luiseño

PARLIAMENTARIAN
Russell Attebery
Karuk

COMMISSIONER
Marshall McKay
Wintun

COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

COMMISSIONER
[Vacant]

COMMISSIONER
Julie Tumamait-Stenslie
Chumash

COMMISSIONER
[Vacant]

EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was positive. Please contact the La Jolla Band of Luiseno Indians and the San Luis Rey Band of Mission Indians on the attached list for more information.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: steven.quinn@nahc.ca.gov.

Sincerely,



Steven Quinn
Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Tribal Consultation List
San Diego County
6/24/2020**

Barona Group of the Capitan Grande

Edwin Romero, Chairperson
1095 Barona Road Diegueno
Lakeside, CA, 92040
Phone: (619) 443 - 6612
Fax: (619) 443-0681
cloyd@barona-nsn.gov

Jamul Indian Village

Erica Pinto, Chairperson
P.O. Box 612 Diegueno
Jamul, CA, 91935
Phone: (619) 669 - 4785
Fax: (619) 669-4817
epinto@jiv-nsn.gov

Campo Band of Diegueno Mission Indians

Ralph Goff, Chairperson
36190 Church Road, Suite 1 Diegueno
Campo, CA, 91906
Phone: (619) 478 - 9046
Fax: (619) 478-5818
rgoff@campo-nsn.gov

Jamul Indian Village

Lisa Cumper, Tribal Historic Preservation Officer
P.O. Box 612 Diegueno
Jamul, CA, 91935
Phone: (619) 669 - 4855
lcumper@jiv-nsn.gov

Ewiiapaayp Band of Kumeyaay Indians

Michael Garcia, Vice Chairperson
4054 Willows Road Diegueno
Alpine, CA, 91901
Phone: (619) 445 - 6315
Fax: (619) 445-9126
michaelg@leaningrock.net

Kwaaymii Laguna Band of Mission Indians

Carmen Lucas,
P.O. Box 775 Diegueno
Pine Valley, CA, 91962 Kwaaymii
Phone: (619) 709 - 4207

Ewiiapaayp Band of Kumeyaay Indians

Robert Pinto, Chairperson
4054 Willows Road Diegueno
Alpine, CA, 91901
Phone: (619) 445 - 6315
Fax: (619) 445-9126
wmicklin@leaningrock.net

La Jolla Band of Luiseno Indians

Fred Nelson, Chairperson
22000 Highway 76 Luiseno
Pauma Valley, CA, 92061
Phone: (760) 742 - 3771

Iipay Nation of Santa Ysabel

Virgil Perez, Chairperson
P.O. Box 130 Diegueno
Santa Ysabel, CA, 92070
Phone: (760) 765 - 0845
Fax: (760) 765-0320

La Posta Band of Diegueno Mission Indians

Gwendolyn Parada, Chairperson
8 Crestwood Road Diegueno
Boulevard, CA, 91905
Phone: (619) 478 - 2113
Fax: (619) 478-2125
LP13boots@aol.com

Inaja-Cosmit Band of Indians

Rebecca Osuna, Chairperson
2005 S. Escondido Blvd. Diegueno
Escondido, CA, 92025
Phone: (760) 737 - 7628
Fax: (760) 747-8568

La Posta Band of Diegueno Mission Indians

Javaughn Miller, Tribal Administrator
8 Crestwood Road Diegueno
Boulevard, CA, 91905
Phone: (619) 478 - 2113
Fax: (619) 478-2125
jmiller@LPtribe.net

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed Carlsbad Beach Access Project, San Diego County.

**Native American Heritage Commission
Tribal Consultation List
San Diego County
6/24/2020**

Manzanita Band of Kumeyaay Nation

Angela Elliott Santos, Chairperson
P.O. Box 1302 Diegueno
Boulevard, CA, 91905
Phone: (619) 766 - 4930
Fax: (619) 766-4957

Rincon Band of Luiseno Indians

Cheryl Madrigal, Tribal Historic Preservation Officer
One Government Center Lane Luiseno
Valley Center, CA, 92082
Phone: (760) 297 - 2635
crd@rincon-nsn.gov

Mesa Grande Band of Diegueno Mission Indians

Michael Linton, Chairperson
P.O. Box 270 Diegueno
Santa Ysabel, CA, 92070
Phone: (760) 782 - 3818
Fax: (760) 782-9092
mesagrandeband@msn.com

Rincon Band of Luiseno Indians

Bo Mazzetti, Chairperson
One Government Center Lane Luiseno
Valley Center, CA, 92082
Phone: (760) 749 - 1051
Fax: (760) 749-5144
bomazzetti@aol.com

Pala Band of Mission Indians

Shasta Gaughen, Tribal Historic Preservation Officer
PMB 50, 35008 Pala Temecula Rd. Cupeno
Luiseno
Pala, CA, 92059
Phone: (760) 891 - 3515
Fax: (760) 742-3189
sgaughen@palatribe.com

San Luis Rey Band of Mission Indians

San Luis Rey, Tribal Council
1889 Sunset Drive Luiseno
Vista, CA, 92081
Phone: (760) 724 - 8505
Fax: (760) 724-2172
cjmojado@slrmissionindians.org

Pauma Band of Luiseno Indians

Temet Aguilar, Chairperson
P.O. Box 369 Luiseno
Pauma Valley, CA, 92061
Phone: (760) 742 - 1289
Fax: (760) 742-3422
bennaecalac@aol.com

San Pasqual Band of Diegueno Mission Indians

Allen Lawson, Chairperson
P.O. Box 365 Diegueno
Valley Center, CA, 92082
Phone: (760) 749 - 3200
Fax: (760) 749-3876
allenl@sanpasqualtribe.org

Pechanga Band of Luiseno Indians

Mark Macarro, Chairperson
P.O. Box 1477 Luiseno
Temecula, CA, 92593
Phone: (951) 770 - 6000
Fax: (951) 695-1778
epreston@pechanga-nsn.gov

Soboba Band of Luiseno Indians

Scott Cozart, Chairperson
P. O. Box 487 Cahuilla
Luiseno
San Jacinto, CA, 92583
Phone: (951) 654 - 2765
Fax: (951) 654-4198
jontiveros@soboba-nsn.gov

Sycuan Band of the Kumeyaay Nation

Cody Martinez, Chairperson
1 Kwaaypaay Court Kumeyaay
El Cajon, CA, 92019
Phone: (619) 445 - 2613
Fax: (619) 445-1927
ssilva@sycuan-nsn.gov

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**Native American Heritage Commission
Tribal Consultation List
San Diego County
6/24/2020**

***Viejas Band of Kumeyaay
Indians***

John Christman, Chairperson
1 Viejas Grade Road
Alpine, CA, 91901
Phone: (619) 445 - 3810
Fax: (619) 445-5337

Diegueno

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