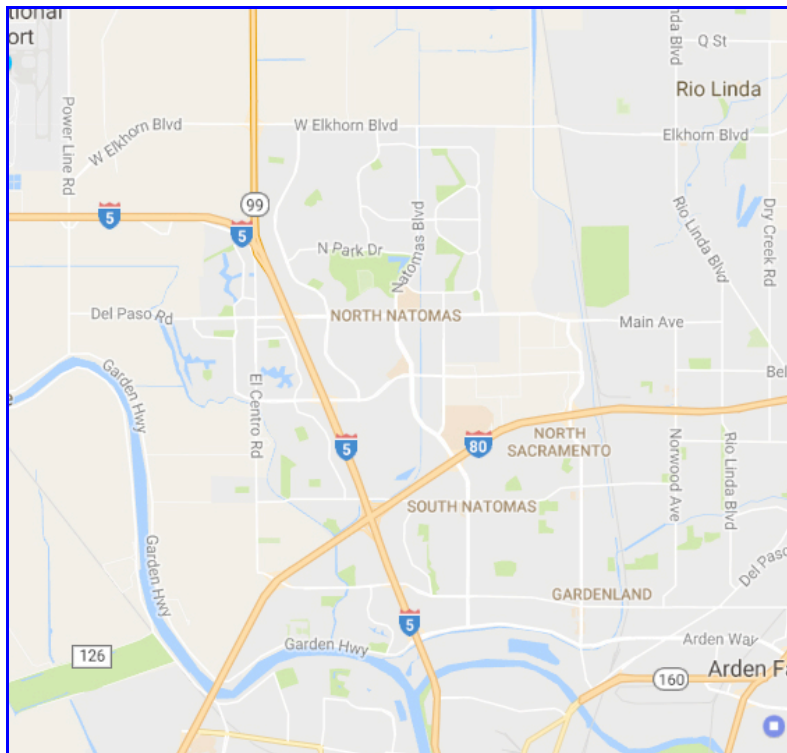


Final Supplement  
to the  
2035 General Plan Master EIR  
(SCH # 2012122006)

to address

Proposed Changes to Planned North Natomas Roadway Improvements



Prepared for:

City of Sacramento

Prepared by:

Adrienne L. Graham, AICP  
and DKS Associates

December 2017

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December 2017

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## **1. INTRODUCTION**

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## OVERVIEW

This document includes all agency and public written comments received on the Draft Supplemental Environmental Impact Report (SEIR, SCH #201222006) for the 2035 General Plan/Proposed Changes to the Roadway Improvements in North Natomas Project.

Written comments were received by the City of Sacramento during the public comment period from October 19 through December 4, 2017. This document includes written responses to each comment received on the Draft SEIR. This Final SEIR has been prepared in accordance with the California Environmental Quality Act (CEQA) and together with the Draft SEIR (and Appendices) constitutes the SEIR for the proposed project that will be used by the decision-makers during project approval hearings.

## PROPOSED PROJECT

The City of Sacramento certified the 2035 General Plan Master EIR and adopted the 2035 General Plan on March 3, 2015. The 2035 General Plan sets the stage for growth and development in the City of Sacramento, including the North Natomas area. The 2035 General Plan includes an updated North Natomas Community Plan (NNCP) and identifies roadway improvements within the North Natomas community, including the extension of Natomas Crossing Drive. Since adoption of the 2035 General Plan and NNCP, concerns have been raised regarding the effects of the Natomas Crossing extension and its overcrossing on the surrounding community.

The proposed project would address these concerns by eliminating the future extension of Natomas Crossing Drive from East Commerce Way to El Centro Road, which includes the overcrossing of I-5. The proposed project would also convert an existing street segment, the Gibraltar Street/White Eagle Lane connection, to a bike and pedestrian only facility. The proposed project is described in detail in Chapter 3, Project Description, of the Draft SEIR.

The following actions would be taken by the City Council in order to implement the proposed project:

- Certify that the 2035 General Plan Master EIR as supplemented by the SEIR adequately addresses the significant effects of the proposed project pursuant to CEQA and the CEQA Guidelines;
- Amend the Mobility Element of the 2035 General Plan to remove from Figures M1, M3 and M4 the roadway portion of Natomas Crossing Drive between East Commerce Way and El Centro Road;
- Amend Policy M 1.2.2 of the Mobility Element to add the segments of Duckhorn Drive and San Juan Road that would operate at LOS F;
- Amend the North Natomas Community Plan Conceptual Transit Corridors Map to remove the roadway portion of Natomas Crossing Drive between East Commerce Way

and El Centro Road; and

- Amend the Bicycle Master Plan, The City's Bicycle Network exhibit, to remove the on-street bicycle lanes on the affected Natomas Crossing Drive segment. An off-street bicycle/pedestrian trail would be shown from East Commerce Way to El Centro Road, including an overcrossing of I-5. In addition, the Gibraltar Street/White Eagle Lane Connection between Beretania Way and Windsong Street would be added.

## ORGANIZATION OF THE FINAL SEIR

The Final SEIR is organized as follows:

**Chapter 1 – Introduction:** This chapter summarizes the proposed project and describes the contents of the Final SEIR.

**Chapter 2 – List of Commenters:** This chapter contains a list of all of the agencies or persons who submitted comments on the Draft SEIR during the public review period, presented by date received.

**Chapter 3 – Comments and Responses:** All written comments received during the Draft SEIR comment period are provided in Chapter 3 along with responses to the comments. Each comment letter is presented with brackets indicating how the letter has been divided into individual comments. Each comment is given a binomial with the letter number appearing first, followed by the comment number. For example, comments in Letter 1 are numbered 1-1, 1-2, 1-3, and so on. Immediately following the letter are responses, each with binomials that correspond to the bracketed comments.

Some comments on the Draft SEIR do not pertain to physical environmental issues and/or the contents of the Draft SEIR. Responses to such comments, though not required under CEQA, are included to provide additional information. The phrase "comment noted" is used when the EIR authors wish to acknowledge a comment that does not directly pertain to the proposed project or environmental issues analyzed in the Draft SEIR, does not ask a question about the Draft SEIR, or does not challenge an element of, or conclusion of, the Draft SEIR. The intent is to simply acknowledge the comment.

**Appendix—Attachments to Letter 3:** The appendix includes the documents that were attached to Letter 3. These attachments include examples of mitigation for tribal cultural resources and sample ordinances, and do not address the proposed project directly and/or the Draft SEIR.

## PUBLIC REVIEW AND APPROVAL PROCESS

The City of Sacramento has complied with all noticing and public review requirements of CEQA. This compliance included notification of all responsible and trustee agencies and interested groups, organizations, and individuals that the Draft SEIR was available for review. The following actions took place during the preparation, distribution, and review of the Draft SEIR:

- A Notice of Preparation (NOP) for the Draft SEIR was filed with the State



- Clearinghouse on July 5, 2017. The official 30-day public review comment period for the NOP ended on August 4, 2017 (SCH #2012122006). The NOP was distributed in particular to governmental agencies, organizations, and persons interested in the proposed project. The City sent the NOP to agencies with statutory responsibilities in connection with the proposed project with the request for their input on the scope and content of the environmental information that should be addressed in the SEIR. The NOP was also published on the City's website and filed at the County Clerk's office.
- A Notice of Completion (NOC) and copies of the Draft SEIR were filed with the State Clearinghouse on October 19, 2017. An official 45-day public review period for the Draft SEIR was established by the State Clearinghouse, ending on December 4, 2017. A Notice of Availability (NOA) for the Draft SEIR was published in the Daily Recorder on October 19 and sent to appropriate public agencies and interested organizations and individuals. The NOA was also filed with Sacramento County Clerk-Recorder on October 19, 2017.
  - Copies of the Draft SEIR were available for review at the following locations:
    - City of Sacramento Public Library  
828 I Street  
Sacramento, California 95814
    - North Natomas Library  
4660 Via Ingoglia  
Sacramento, CA 95835
    - City of Sacramento  
City of Sacramento Community Development Department  
300 Richards Boulevard, Third Floor  
Sacramento, CA 95811
  - In addition, the DSEIR was posted on the City of Sacramento's EIR website at:  
<http://www.cityofsacramento.org/Community-Development/Planning/Environmental/Impact-Reports>

The City of Sacramento will consider SEIR certification under section 15090 of the CEQA Guidelines. If it determines to certify the SEIR, the City may consider project approval (see section 15092 of the CEQA Guidelines). If it chooses to approve the project, the City must make written findings with respect to (1) each significant environmental effect, (2) each mitigation measure, and (3) each alternative not approved in accordance with section 15091 of the CEQA Guidelines. Further, if the City chooses to approve a project that would cause significant environmental effects that cannot be fully mitigated, the City must include in its written findings a Statement of Overriding Considerations that documents those benefits (economic, social, legal, technological, or otherwise) that it determines would offset the adverse environmental consequences of the project approval (see CEQA Guidelines 15093). If a project is approved, the City will, within five working days following that approval, file a Notice of Determination (NOD) with the Sacramento County Clerk, in accordance with CEQA Guidelines section 15094.

CEQA also requires lead agencies to adopt a mitigation monitoring plan for changes to the project that have been adopted or made conditions of project approval to avoid or mitigate significant effects on the environment (Public Resources Code section 21081.6; CEQA Guidelines section 15097). No changes to the project and/or mitigation measures were identified for the proposed project, so a mitigation monitoring plan has not been prepared. The proposed project must comply with the applicable provisions of the adopted Mitigation Monitoring Program for the 2035 General Plan.

## **2. LIST OF COMMENTERS**

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## 2. LIST OF COMMENTERS

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The City of Sacramento received 3 comment letters during the comment period on the Draft SEIR for the proposed project. Table 2-1 below indicates the numerical designation for each comment letter, the author of the comment letter, and the date of the comment letter. The letters can be found in Chapter 3, along with responses to the letters, in the order shown below.

<b>Letter No.</b>	<b>Entity</b>	<b>Author</b>	<b>Date</b>
1	Regional San	Robb Armstrong, Development Services & Plan Check	October 23, 2017
2	United Auburn Indian Community of the Auburn Rancheria	Gene Whitehouse, Chairman	November 6, 2017
3	United Auburn Indian Community	Cherilyn Neider, Administrative Assistant, Tribal Historic Preservation	November 15, 2017

### **3. COMMENTS AND RESPONSES**

---



October 23, 2017

Mr. Scott Johnson  
City of Sacramento – Community Development Department  
300 Richards Boulevard, 3<sup>rd</sup> Floor  
Sacramento CA 95811

**Subject: Notice of Availability of a Draft Supplement to the 2035 General Plan Master Environmental Impact Report to Address Proposed Changes to Planned Roadway Improvements in the North Natomas Community Plan Area**

**Main Office**

10060 Goethe Road  
Sacramento, CA 95827-3553  
Tel: 916.876.6000  
Fax: 916.876.6160

**Treatment Plant**

8521 Laguna Station Road  
Elk Grove, CA 95758-9550  
Tel: 916.875.9000  
Fax: 916.875.9068

**Board of Directors**

Representing:

County of Sacramento

County of Yolo

City of Citrus Heights

City of Elk Grove

City of Folsom

City of Rancho Cordova

City of Sacramento

City of West Sacramento

Prabhakar Somavarapu

*District Engineer*

Ruben Robles

*Director of Operations*

Christoph Dobson

*Director of Policy & Planning*

David O'Toole

*Director of Internal Services*

Joseph Maestretti

*Chief Financial Officer*

Claudia Goss

*Public Affairs Manager*

[www.regionalsan.com](http://www.regionalsan.com)

Dear Mr. Johnson,

Sacramento Regional County Sanitation District (Regional San) has reviewed the subject application and has the following comments. 1-1

The Sacramento Area Sewer District (SASD) and Regional San both have several existing pipelines and facilities located within the boundaries of the North Natomas Community Plan Area. Both Regional San and SASD will require continuous access to its existing pipelines and facilities for operation and maintenance purposes. Any proposed change in the configured right-of-way which prohibits Regional San or SASD from accessing its existing pipelines or facilities will require that an alternative form of access be provided to the satisfaction of SASD and Regional San. 1-2

Regional San's previous comments pertaining to the City of Sacramento's 2035 General Plan Update, Master Environmental Impact Report (LR12-003) dated August 25, 2014 are still sufficient and required for the associated supplement. 1-3

If you have any questions regarding this letter, please feel free to contact me at (916) 876-6104 or by email: [armstrongro@sacsewer.com](mailto:armstrongro@sacsewer.com).

Sincerely,

*Robb Armstrong*

Robb Armstrong  
Regional San Development Services & Plan Check

cc: SASD Development Services  
Policy & Planning - Long Range Planning

### 3. Comments and Responses

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**LETTER 1: ROBB ARMSTRONG, REGIONAL SAN DEVELOPMENT SERVICES & PLAN CHECK**

**Response to Comment 1-1:**

Comment noted. Please see Responses to Comments 1-2 and 1-3.

**Response to Comment 1-2:**

As discussed on page 1-6 of the Draft SEIR, designs for the proposed bicycle/pedestrian overcrossing and/or path have not yet been prepared, so the extent to which there are utility lines that might require relocation cannot be determined at this time. At the time that project-specific designs are available, the City will coordinate with Regional San and any other affected utility providers regarding the need for relocation, if any, and ensure that access to utility lines is maintained during and after construction.

**Response to Comment 1-3:**

As discussed on page 1-6 of the Draft SEIR, the comments that were submitted by Regional San on the 2035 General Plan Master EIR addressed sewer and wastewater facilities. The proposed project would not generate wastewater, so it would not require wastewater treatment or sewer facilities. Furthermore, the City provided responses to the August 25, 2014, letter on page 4-9 of the 2035 General Plan Final Master EIR.



MIWOK United Auburn Indian Community  
MAIDU of the Auburn Rancheria

Gene Whitehouse  
Chairman

John L. Williams  
Vice Chairman

Calvin Moman  
Secretary

Jason Camp  
Treasurer

Gabe Cayton  
Council Member

November 6, 2017

Scott Johnson  
City of Sacramento  
300 Richards Blvd. 3rd Floor  
Sacramento, CA 95811

COMMUNITY DEVELOPMENT  
DEPARTMENT

NOV 30 2017

RECEIVED

Subject: Notice of Availability - Draft Supplemental to the 2035 General Plan Master Environmental Impact Report to Address Proposed Changes to Planned Roadway Improvements in the North Natomas Community Plan Area

Dear Scott Johnson,

Thank you for requesting information regarding the above referenced project. The United Auburn Indian Community (UAIC) of the Auburn Rancheria is comprised of Miwok and Southern Maidu (Nisenan) people whose tribal lands are within Placer County and whose service area includes El Dorado, Nevada, Placer, Sacramento, Sutter, and Yuba counties. The UAIC is concerned about development within its aboriginal territory that has potential to impact the lifeways, cultural sites, and landscapes that may be of sacred or ceremonial significance. We appreciate the opportunity to comment on this and other projects. The UAIC would like to consult on this project.

In order to ascertain whether the project could affect cultural resources that may be of importance to the UAIC, we would like to receive copies of any archaeological reports that are completed for the project. We also request copies of environmental documents for the proposed project so that we have the opportunity to comment on appropriate identification, assessment and mitigation related to cultural resources. We recommend UAIC tribal representatives observe and participate in all cultural resource surveys. If you are interested, the UAIC's preservation department offers a mapping, records and literature search services program that has been shown to assist project proponents in complying with the necessary resource laws and choosing the appropriate mitigation measures or form of environmental documentation during the planning process.

The UAIC's preservation committee would like to set up a meeting or site visit, and begin consulting on the proposed project. Based on the preservation committee's identification of cultural resources in and around your project area, UAIC recommends that a tribal monitor be present during any ground disturbing activities. Thank you again for taking these matters into consideration, and for involving the UAIC early in the planning process. We look forward to reviewing the documents requested above and consulting on your project. Please contact Marcos Guerrero, Cultural Resources Manager, at (530) 883-2364 or by email at [mguerrero@auburnrancheria.com](mailto:mguerrero@auburnrancheria.com) if you have any questions.

Sincerely,

Gene Whitehouse,  
Chairman

CC: Marcos Guerrero, CRM

2-1



**LETTER 2: GENE WHITEHOUSE, CHAIRMAN, UNITED AUBURN INDIAN COMMUNITY OF THE AUBURN RANCHERIA****Response to Comment 2-1:**

On June 30, 2017, the City sent notice of the project to the United Auburn Indian Community (UAIC) pursuant to the requirements of AB 52 (Public Resources Code section 20180.3.1) advising UAIC of the project and the opportunity to consult regarding potential effects on tribal cultural resources. UAIC responded on July 27, 2017, requesting consultation.

Following the request for consultation, correspondence with the UAIC occurred, during which the elements of the proposed project were further clarified, confirming that the project generally changes existing Plans and that physical work would not be authorized or conducted as a result of the proposed project. The City informed UAIC that due to the planning nature of the proposed project, no cultural resource surveys would be conducted at this time, and that any future physical work would be required to develop plans and would be subject to appropriate review under the California Environmental Quality Act (CEQA), at which time additional notices as required by AB 52 would be sent out. UAIC agreed to close consultation. Consultation on the proposed project was closed on August 23, 2017.

The comment also references concerns about development and the potential to adversely affect Tribal Cultural Resources (TCRs), and requests environmental documents prepared for the project, participation in cultural resource surveys and consultation. As discussed in the correspondence during consultation, no physical work is being conducted as a result of the proposed project and at the time of any potential future work is proposed, appropriate CEQA review along with notice as required by AB 52 would be provided. As discussed above, the proposed project would be limited to changing existing planning documents, and therefore would not create impacts on TCRs.

As discussed on page 1-6 of the Draft SEIR, project-specific design for the bicycle-pedestrian overcrossing is not available at this time, nor will any physical construction work related to the proposed overcrossing and bike trail occur at this time. Future development of the proposed bike trail and overcrossing would require the appropriate environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA) prior to development. Therefore, the location and extent of activities that could adversely affect cultural and tribal resources, such as grading or excavation, are not known at this time. If project-specific design and construction documents indicate that the proposed project could require grading and/or excavation in areas that have the potential to contain cultural resources, the City would undertake a cultural resources evaluation at that time, pursuant to 2035 General Plan policies HCR 2.1.1 through 2.1.3 and applicable laws. Such an evaluation would include, as appropriate, review of existing documentation, consultation with tribal representatives, and identification of measures for appropriate protection and/or treatment of identified resources, if any are present. Archaeological reports prepared in connection with any future action would be available to the UAIC as requested.

**From:** [Cherilyn Neider](#)  
**To:** [Scott Johnson](#)  
**Cc:** [Matthew Moore](#); [Marcos Guerrero](#)  
**Subject:** City of Sacramento's 2035 General Plan  
**Date:** Wednesday, November 15, 2017 2:56:29 PM  
**Attachments:** [3 Mitigation Measures CEQA Discoveries.docx](#)  
[4 Mitigation Measures CEQA Discoveries PostGroundDist SiteVisit.docx](#)  
[5 Mitigation Measures CEQA Construction Worker Awareness Training.docx](#)  
[1 Mitigation Measures CEQA TCR Avoidance.docx](#)  
[2 Mitigation Measures CEQA NativeAmericanMonitors.docx](#)  
[SanDiegoLandDevelopmentCode HistoricalResourcesGuidelines 2001.pdf](#)  
[SanDiegoMunicipalCode HistoricalResourcesRegulations.pdf](#)  
[CityofChico GenPlan CulturalResourcesandHistoricPreservation.pdf](#)  
[MOU CityofChicoConsultation MechoopdaofChicoRancheria.pdf](#)

---

Good afternoon Mr. Johnson,

Thank you for your letter received on October 23, 2017 regarding the Draft Supplement to the City of Sacramento's 2035 General Plan Master EIR.

3-1

Attached you will find mitigation measures. These measures represent UAIC's preferences for avoidance, mitigation and monitoring, and we ask that these protective measures are incorporated into the City's General Plan. We look forward to working with you and the City of Sacramento to incorporate these updates into your General Plan, and to ensure that tribal cultural resources are protected.

3-2

In addition to the mitigation measures, I have attached are examples of city ordinances that have incorporated Tribal Cultural Resources into their planning documents. Through the consultation process, these documents may be referred to as a starting point. However, please note that the documents do not encompass all of UAIC's preferences on preservation and mitigation.

3-3

Thank you for involving UAIC in the planning process at an early stage. We ask that you make this correspondence a part of the project record and we look forward to working with you on this project.

3-4

Sincerely,

**Cherilyn Neider**  
 Administrative Assistant  
 Tribal Historic Preservation  
 United Auburn Indian Community  
 530.883.2394

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Nothing in this e-mail is intended to constitute an electronic signature for purposes of the Electronic Signatures in Global and National Commerce Act (E-Sign Act), 15, U.S.C. §§ 7001 to 7006 or the Uniform Electronic Transactions Act of any state or the federal government unless a specific statement to the contrary is included in this e-mail.

**LETTER 3: CHERILYN NEIDER, ADMINISTRATIVE ASSISTANT, TRIBAL HISTORIC PRESERVATION,  
UNITED AUBURN INDIAN COMMUNITY**

**Response to Comment 3-1:**

Comment noted.

**Response to Comment 3-2:**

As discussed on page 1-6 of the Draft SEIR, the proposed project would replace a planned extension of Natomas Crossing Drive with a bicycle/pedestrian path and overcrossing. As discussed on page 1-6 of the Draft SEIR, when project-specific designs are available for the bicycle/pedestrian path and overcrossing, the City will determine whether the extent of grading and/or excavation could affect cultural resources, and if so, identify the appropriate mitigation measures to ensure that cultural resources are adequately protected, if any are present. Such measures could include one or more of the measures suggested by the attachment to the comment. The suggestion that particular mitigation measures could be included in the City's General Plan will be forwarded to City staff responsible for the General Plan update process.

Please also see Response to Comment 2-1.

**Response to Comment 3-3:**

As stated on page 1-7 of the Draft SEIR, the City has complied with and will continue to comply with the tribal consultation process required by CEQA and State law. The City appreciates the submittal of examples of consultation ordinances, and will consider these examples if and when the City develops an ordinance addressing tribal consultation. Such action would be separate from and unrelated to the proposed project, for which tribal consultation was undertaken and closed by agreement of the UAIC and the City (please see Response to Comment 2-1).

Please see the Appendix for the documents that were attached to this comment letter.

**Response to Comment 3-4:**

Comment noted. This comment letter, along with all letters commenting on the Draft SEIR (see Letters 1 and 2) is part of the Administrative Record for the SEIR.

## **APPENDIX: ATTACHMENTS TO LETTER 3**

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## Tribal Cultural Resource Avoidance Mitigation Measure

Avoidance and preservation in place is the preferred manner of mitigating impacts to tribal cultural resources and will be accomplished by several means, including:

- Planning construction to avoid tribal cultural resources, archaeological sites and/ or other resources; incorporating sites within parks, green-space or other open space; covering archaeological sites; deeding a site to a permanent conservation easement; or other preservation and protection methods agreeable to consulting parties and regulatory authorities with jurisdiction over the activity. Recommendations for avoidance of cultural resources will be reviewed by the CEQA lead agency representative, interested Native American Tribes and the appropriate agencies, in light of factors such as costs, logistics, feasibility, design, technology and social, cultural and environmental considerations, and the extent to which avoidance is consistent with project objectives. Avoidance and design alternatives may include realignment within the project area to avoid cultural resources, modification of the design to eliminate or reduce impacts to cultural resources or modification or realignment to avoid highly significant features within a cultural resource. Native American Representatives from interested Native American Tribes will be allowed to review and comment on these analyses and shall have the opportunity to meet with the CEQA lead agency representative and its representatives who have technical expertise to identify and recommend feasible avoidance and design alternatives, so that appropriate and feasible avoidance and design alternatives can be identified.
- If the resource can be avoided, the construction contractor(s), with paid Native American Monitors from culturally affiliated Native American Tribes present, will install protective fencing outside the site boundary, including a buffer area, before construction restarts. The construction contractor(s) will maintain the protective fencing throughout construction to avoid the site during all remaining phases of construction. The area will be demarcated as an “Environmentally Sensitive Area”. Native American Representatives from interested Native American Tribes and the CEQA lead agency representative will also consult to develop measures for long term management of the resource and routine operation and maintenance within culturally sensitive areas that retain resource integrity, including tribal cultural integrity, and including archaeological material, Traditional Cultural Properties and cultural landscapes, in accordance with state and federal guidance including National Register Bulletin 30 (*Guidelines for Evaluating and Documenting Rural Historic Landscapes*), Bulletin 36 (*Guidelines for Evaluating and Registering Archaeological Properties*), and Bulletin 38 (*Guidelines for Evaluating and Documenting Traditional Cultural Properties*); National Park Service Preservation Brief 36 (*Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes*) and using the Advisory Council on Historic Preservation (ACHP) *Native American Traditional Cultural Landscapes Action Plan* for further guidance. Use of temporary and

## Tribal Cultural Resource Avoidance Mitigation Measure

permanent forms of protective fencing will be determined in consultation with Native American Representatives from interested Native American Tribes.

## Native American Monitoring Mitigation Measure

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To minimize the potential for destruction of or damage to existing or previously undiscovered archaeological and Cultural resources and to identify any such resources at the earliest possible time during project-related earthmoving activities, THE PROJECT PROPONENT and its construction contractor(s) will implement the following measures:

- Paid Native American Monitors from culturally affiliated Native American Tribes will be invited to monitor the vegetation grubbing, stripping, grading or other ground-disturbing activities in the project area to determine the presence or absence of any cultural resources. Native American Representatives from cultural affiliated Native American Tribes act as a representative of their Tribal government and shall be consulted before any cultural studies or ground-disturbing activities begin.
- Native American Representatives and Native American Monitors have the authority to identify sites or objects of significance to Native Americans and to request that work be stopped, diverted or slowed if such sites or objects are identified within the direct impact area. Only a Native American Representative can recommend appropriate treatment of such sites or objects.

## Inadvertent Discoveries Mitigation Measures

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Develop a standard operating procedure, points of contact, timeline and schedule for the project so all possible damages can be avoided or alternatives and cumulative impacts properly accessed.

If potential tribal cultural resources, archaeological resources, other cultural resources, articulated, or disarticulated human remains are discovered by Native American Representatives or Monitors from interested Native American Tribes, qualified cultural resources specialists or other Project personnel during construction activities, work will cease in the immediate vicinity of the find (based on the apparent distribution of cultural resources), whether or not a Native American Monitor from an interested Native American Tribe is present. A qualified cultural resources specialist and Native American Representatives and Monitors from culturally affiliated Native American Tribes will assess the significance of the find and make recommendations for further evaluation and treatment as necessary. These recommendations will be documented in the project record. For any recommendations made by interested Native American Tribes which are not implemented, a justification for why the recommendation was not followed will be provided in the project record.

If adverse impacts to tribal cultural resources, unique archeology, or other cultural resources occurs, then consultation with UAIC regarding mitigation contained in the Public Resources Code sections 21084.3(a) and (b) and CEQA Guidelines section 15370 should occur, in order to coordinate for compensation for the impact by replacing or providing substitute resources or environments.



## Post-Ground Disturbance Site Visit Mitigation Measure

A minimum of seven days prior to beginning earthwork or other soil disturbance activities, the applicant shall notify the CEQA lead agency representative of the proposed earthwork start-date, in order to provide the CEQA lead agency representative with time to contact the United Auburn Indian Community (UAIC). A UAIC tribal representative shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of ground breaking activity. During this inspection, a site meeting of construction personnel shall also be held in order to afford the tribal representative the opportunity to provide tribal cultural resources awareness information. If any tribal cultural resources, such as structural features, unusual amounts of bone or shell, artifacts, human remains, or architectural remains are encountered during this initial inspection or during any subsequent construction activities, work shall be suspended within 100 feet of the find, and the project applicant shall immediately notify the CEQA lead agency representative. The project applicant shall coordinate any necessary investigation of the site with a UAIC tribal representative, a qualified archaeologist approved by the City, and as part of the site investigation and resource assessment the archeologist shall consult with the UAIC and provide proper management recommendations should potential impacts to the resources be found by the CEQA lead agency representative to be significant. A written report detailing the site assessment, coordination activities, and management recommendations shall be provided to the CEQA lead agency representative by the qualified archaeologist. Possible management recommendations for tribal cultural resources, historical, or unique archaeological resources could include resource avoidance or, where avoidance is infeasible in light of project design or layout or is unnecessary to avoid significant effects, preservation in place or other measures. The contractor shall implement any measures deemed by CEQA lead agency representative staff to be necessary and feasible to avoid or minimize significant effects to the cultural resources, including the use of a Native American Monitor whenever work is occurring within 100 feet of the find.

## Tribal Cultural Resource – Awareness Training - Mitigation Measure

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A consultant and construction worker tribal cultural resources awareness brochure and training program for all personnel involved in project implementation will be developed in coordination with interested Native American Tribes. The brochure will be distributed and the training will be conducted in coordination with qualified cultural resources specialists and Native American Representatives and Monitors from culturally affiliated Native American Tribes before any stages of project implementation and construction activities begin on the project site. The program will include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The worker cultural resources awareness program will also describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and will outline what to do and whom to contact if any potential archaeological resources or artifacts are encountered. The program will also underscore the requirement for confidentiality and culturally-appropriate treatment of any find of significance to Native Americans and behaviors, consistent with Native American Tribal values.



San Diego Municipal Code

# Land Development Code

## Historical Resources Guidelines

**Adopted September 28, 1999**

**Amended June 6, 2000 by Resolution No. R-293254-3**

**Amended April 30, 2001 by City Manager Document No. C-10912**



Printed on recycled paper

This information, document, or portions thereof, will be made available in alternative formats upon request.

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## Section I INTRODUCTION

### A. Purpose and Intent of Historical Resources Guidelines

The purpose of this document is to provide property owners, the development community, consultants and the general public with explicit guidelines for the management of historical resources located within the jurisdiction of the City of San Diego. These guidelines are designed to implement the City's Historical Resources Regulations contained in the Land Development Code (Chapter 14, Division 3, Article 2) in compliance with applicable local, state and federal policies and mandates, including, but not limited to, the City's *Progress Guide and General Plan*, the California Environmental Quality Act of 1970, and Section 106 of the National Historic Preservation Act of 1966. The intent of the guidelines is to ensure consistency in the management of the City's historical resources, including identification, evaluation, preservation/mitigation and development.

In a very real sense, the historical resources of San Diego belong to everyone, and their proper management is important to all of us. This derives from the fact that history is the cornerstone of civic pride and spirit in every American neighborhood, community and ethnic group. One of America's greatest strengths is our intellectual and cultural diversity. Historical resources reflect the history of all Americans, from descendants of the earliest Native Americans to later explorers, settlers, and immigrants of European, African and Asian nations. A community without a sense of history lacks an identification with the common fabric of American history made up of many different but interwoven fibers.

### B. What Are Historical Resources?

Historical resources include all properties (historic, archaeological, landscapes, traditional, etc.) eligible or potentially eligible for the National Register of Historic Places, as well as those that may be significant pursuant to state and local laws and registration programs such as the California Register of Historical Resources or the City of San Diego Historical Resources Register. "Historical resource" means site improvements, buildings, structures, historic districts, signs, features (including significant trees or other landscaping), places, place names, interior elements and fixtures designated in conjunction with a property, or other objects of historical, archaeological, scientific, educational, cultural, architectural, aesthetic, or traditional significance to the citizens of the City. They include buildings, structures, objects, archaeological sites, districts or landscapes possessing physical evidence of human activities that are typically over 45 years old, regardless of whether they have been altered or continue to be used. Historical resources also include traditional cultural properties. The following definitions are based, for the most part, on California's Office of Historic Preservation's (OHP) Instructions for Recording Historical Resources and are used to categorize different types of historical resources when they are recorded.

A "building" is a construction created principally to shelter any form of human activity (e.g., a house, barn, church, hotel or similar construction). The term building may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.

The term "structure" is used to distinguish buildings from those functional constructions usually made for purposes other than creating human shelter. Constructed by humans, structures include large scale engineering projects such as water control systems (e.g., dams, reservoirs, aqueducts, water towers, etc.) or transportation systems (e.g., railroads, bridges, roads, trails, etc.), as well as mine shafts, kilns, ovens, light-houses, radio telescopes, etc.

The term "object" is used to distinguish buildings and structures from those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Although it may be moveable, by nature or design, an object is associated with a specific setting or environment.

An "archaeological site" is the location of a significant event, a prehistoric or historic occupation or activity, or a building or structure (whether standing, ruined or vanished) where the location itself possesses historical, cultural or archaeological value regardless of the value of any existing structure. Archaeological sites which consist of less than three associated artifacts and/or ecofacts within a 50 square meter area are commonly called isolates.

A "district" possesses a significant concentration, linkage or continuity of archaeological sites, buildings, structures, objects, or landscapes united historically or aesthetically by plan or physical development.

A "landscape" may be classified as cultural, designed or rural. A cultural landscape is a geographical area which has been used by people; shaped or modified by human activity, occupation or intervention; or is imbued with significant value in the belief system of a culture or society. A designed landscape is consciously laid out by a professional designer according to academic or professional standards, theories or philosophies of landscape architecture; or by an amateur using a recognized style or tradition. It may have a historical association with a significant person, trend or event in landscape gardening or landscape architecture, or a significant relationship to the theory or practice of landscape architecture. A rural historic landscape is a geographic area that historically has been used by people, or shaped or modified by human activity, occupancy or intervention. It is usually a district possessing a significant concentration, linkage, or continuity of land use, vegetation, buildings, structures, roads, waterways and natural features. In this concentration, it provides a distinct sense of time and place.

A "traditional cultural property" is a locale which has been, and often continues to be of religious, mythological, cultural, economic and/or social importance to an identifiable ethnic group. This includes sacred areas where religious ceremonies have been or currently are practiced or which are central to a group's origins as a people. Also included are areas where plants or other materials have been or currently are gathered for food, medicine or other economic purposes. These kinds of traditional cultural properties may not possess physical evidence of human activities. Traditional cultural properties also include neighborhoods which have been modified over time by ethnic or folk group use in such a way that the physical and cultural manifestations of the ethnic or folk culture are still distinguishable today. Cultural expressions shared within familial, ethnic, occupational, or regional groups include but are not limited to: technical skill, language, music, oral history, ritual, pageantry, and handicraft traditions which are learned orally, by imitation or in performance, and are generally maintained without benefit of formal instruction or institutional direction. Physical features may include: distinctive landscape and settlement patterns, architectural typologies, materials and methods of construction, and ornamental detailing.

It is important to note, that the different kinds of historical resources described above may not be mutually exclusive. Historic buildings, structures and/or objects are frequently associated with archaeological sites. Similarly, archaeological sites may also comprise traditional cultural properties for the Native American community.

### **C. Applicable Policies and Regulations**

The public stewardship and management of historical resources are provided for in the local, state and federal policies and regulations that form the basis for the City of San Diego's development review process.

1. Progress Guide and General Plan

The Cultural Resources Management Element of the City of San Diego's *Progress Guide and General Plan* was adopted in 1979. The stated goals of the Cultural Resources Management Element are:

- Preservation of San Diego's rich historical and prehistoric tradition so that it may become part of the consciousness of the present and future generations.
- Effectuation of a cultural resources management program that maximizes, insofar as practicable, the living utility of historic resources.
- Conservation not only structures of outstanding historic and architectural merit, but also those structures which contribute to the economic and social well-being of the city.
- Enaction of local ordinances which would ensure effective preservation, protection and management of significant cultural resources and would place such resources in the public domain.
- Conservation in their entirety the largest and most unique prehistoric sites found within the City to be held for investigation with more sophisticated techniques developed at some future time.
- Preservation of historic resources in number and type so as to successfully evoke the distinctive character of all significant stages of San Diego's history.

To achieve these goals, the Cultural Resources Management Element provides six principles to guide historical resources management activities. Among these are the following:

- In general, it is better to preserve than to repair; better to repair than to restore; and better to restore than to reconstruct. Removal of historic resources from their original or long time locations seriously detracts from their significance. Features should be retained "on site" wherever possible.
- Awareness of the condition that archaeological resource preservation may not always be compatible with all uses primarily because the natural setting of the site is an integral part of the resource and also because intensive human activity near such resources can be counter-productive to preservation efforts.
- For archaeological resources it is better to preserve than to mitigate impacts. Mitigation is improved if a fifteen percent or larger sample is excavated; however, holding a site out of development without excavation would be preferable as a long-term strategy. In unusual cases prehistoric sites could co-exist with other uses which would have a minimum disturbance impact. When excavation is undertaken it should be done by qualified professionals, data should be stored with an appropriate institution, all materials and data should be fully analyzed and compiled in a report of publishable quality.

Finally, the Cultural Resources Management Element concludes with a series of twelve recommendations, which include the following:

- Prepare a comprehensive City-wide inventory of cultural resources including both prehistoric sites and man-made resources.
- Prepare a comprehensive plan and program by both public and private sectors to accommodate urban growth while preserving structures and complexes of importance to urban identity.



- Create an archive for the City and County of San Diego wherein all excavated collections, records and reports could be centrally located.
- Develop public policy to protect prehistoric sites from the encroachment of expanding land uses.

## 2. The Comprehensive Historic Preservation Plan

The Comprehensive Historic Preservation Plan was prepared by the Historical Site Board and the San Diego Planning Department in order to direct and focus the City's efforts to deal with increasingly complex historic preservation issues. There are four elements to this plan, which are the Inventory Element, the Incentives Element, the Education Element, and the Draft Historic Resource Board Ordinance. The first three elements were adopted by the City Council in February 1992; the final element has been incorporated into Chapter 14, Article 3, Division 2 of the Land Development Code.

The Inventory Element addresses a comprehensive citywide inventory program. It is important to have a complete and comprehensive historical resource inventory, by community plan area, of the entire City in order to record and identify the existence and value of historic resources; to provide a measure of the scope of the total preservation effort required; and to assist in the development of appropriate methods to secure their preservation.

Since demolition of structures does not require discretionary approval in many parts of the City, there is a potential that historical resources that have not been identified and designated through an inventory could be lost before such an effort is undertaken. The lack of comprehensive inventories has created an ad-hoc designation process that has provided inconsistent protection of the City's historic resources.

Inventories of the built environment (buildings, structures, objects, landscapes) have been completed in various communities in the City. Several other areas have not been inventoried and a systematic archaeological inventory has not been undertaken. The Board has tentatively prioritized the following communities to have historical resource inventories for the built environment prepared or updated within the next five years: Point Loma/Ocean Beach; La Jolla; Mission Beach/Pacific Beach; and Golden Hill. Priority is established by the age and early development of the community and the extent of current development pressure.

The purpose of the Education Element is to better inform the public, historic property owners, and City officials about the purpose, policies and benefits of historic preservation. The idea behind this element is that widespread community support would be required for the successful implementation of the Comprehensive Historic Preservation Plan. In order to gain this support, understanding of the significant contributions of historic resources to the quality of life is needed.

The Incentives Element is designed to encourage preservation of identified historical resources. There are many existing incentives that are either financial or service oriented. The following programs are financial incentives:

- a. The Federal Historic Preservation Rehabilitation Investment Tax Credit Program provides a 20% investment tax credit for the substantial rehabilitation of depreciable properties listed on the National Register of Historic Places;

- b. Owners of designated historic properties may apply for a Conditional Use Permit to allow a use that is not otherwise permitted by right under existing zoning;
- c. In the Housing Commission Rehabilitation Loan Program, the City's Housing Commission provides loans to rehabilitate low-income multi-family residential structures and to low-income families to rehabilitate their residences; and
- d. The Mills Act Agreements are an under utilized tax incentive available to the owners of historic properties. The owners may enter in an agreement for a minimum of ten years to restrict the use of the property, require its preservation and maintenance, and allow for periodic examination of the interior and exterior of the property by the County Assessor, the State Department of Parks and Recreation, and the State Board of Equalization.

The following programs are service incentives:

- e. The Planning and Development Review staff to the Board provides assistance and counseling regarding rehabilitation, design issues, use, building codes, conditional uses, incentives, financial and planning issues;
- f. Urban Conservation staff is required to provide historic property owners with assistance and counseling through the program above; and
- g. The Board requires that plaques and signs be put on historic properties. The Board has made arrangements with a local foundry for the owners of historic; and properties to purchase a plaque of Board-approved design at a reduced cost.

3. City Commitment to Native American Community

The City Manager has demonstrated a commitment to addressing Native American concerns regarding traditional cultural properties through establishment of a Native American Advisory Committee to solicit input on City projects and private projects involving City-owned land. The formation of the Native American Advisory Committee was approved by the City Council's Transportation and Land Use Committee in July 1990.

4. Land Development Code

The purpose and intent of the Historical Resources Regulations of the Land Development Code (Chapter 14, Division 3, Article 2) is to protect, preserve and, where damaged, restore the historical resources of San Diego. The regulations apply to all proposed development within the City of San Diego when historical resources are present on the premises regardless of the requirement to obtain a Neighborhood Development Permit or Site Development Permit. When any portion of a premises contains historical resources, as defined in the Land Development Code Chapter 11, Article 3, Division 1, the regulations apply to the entire premises.

Historical resources consist of designated historical resources, historical districts, historical buildings, structures, objects, and landscapes, important archaeological sites and traditional cultural properties. Only minor alteration of a designated historical resource or of a historical building or structure within a historical district may be allowed if the alteration does not affect the special character or special historical, architectural, archaeological, or cultural value of the resource. Traditional cultural properties are required to be protected and preserved as a condition of development approval. Development within an area containing an important archaeological site is permitted if necessary to achieve a reasonable development area with up to 25 percent encroachment into the site. Additional encroachment of 15 percent is allowed for essential public service projects.

Any loss of a historical resource through alteration or encroachment is required to be offset by mitigation in accordance with Section III of these Guidelines. Mitigation measures include preservation in whole or in part or avoidance as the preferred method of mitigation with other methods such as documentation and/or salvage of the resource prior to its disturbance allowed when preservation is not feasible .

The proposed regulations include a deviation process by which project approval could occur without compliance with the historical resources regulations to afford relief from the regulations when all feasible measures to mitigate for the loss of the resource have been provided by the applicant and when denial of the development would result in economic hardship.

A Construction Permit, Neighborhood Development Permit or Site Development Permit is required for the following types of development proposals:

- a. Process One Construction Permit:  
Any development on a parcel that has historical resources on the site that will not adversely affect the historical resources and is consistent with one or more of the exemption criteria in accordance with section 143.0220 of the Land Development Code.
- b. Process Two Neighborhood Development Permit:  
Any single dwelling unit residential development on a single dwelling unit lot of any size when a traditional cultural property or important archaeology site is present.
- c. Process Four Site Development Permit:  
Any multiple dwelling unit residential, commercial or industrial development on any size lot, or any subdivision on any size lot, or any public works construction project or any project-specific land use plan when a designated historical resource or historical district is present and any development that deviates from the development regulations for historical resources as described in the Land Development Code.

5. City of San Diego Historical Resources Board

The Historical Resources Board is established by the City Council as an advisory board to identify, designate and preserve the historical resources of the City; to review and make a recommendation to the appropriate decision making authority on applications for permits and other matters relating to the demolition, destruction, substantial alteration, removal or relocation of designated historical resources; to establish criteria and provide for a Historical Resources Inventory of properties within the boundaries of the City; and to recommend to the City Council and Planning Commission procedures to facilitate the use of the Historical Resources Inventory results in the City's planning process in accordance with Section 111.0206 of the Land Development Code.

6. Public Resources Code and California Environmental Quality Act

The California Environmental Quality Act (CEQA) states that:

The Legislature further finds and declares that it is the policy of the state to ... preserve for future generations ... examples of the major periods of California history (Section 21001).

CEQA requires that before approving discretionary projects the Lead Agency must identify and examine the significant adverse environmental effects which may result from that project. A project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment (Sections 15064.5(b) and 21084). A substantial adverse change is defined as demolition, destruction, relocation, or alteration activities which would impair historical significance (Sections 15064.5(b)(1) and 5020.1). Any historical resource listed in or eligible to be listed in the California Register of Historical Resources, including archaeologically resources, is considered to be historically or culturally significant. Resources which are listed in a local historic register or deemed significant in a historical resource survey as provided under Section 5024.1(g) are presumed historically or culturally significant unless "the preponderance of evidence" demonstrates they are not. Finally, a resource that is not listed in, or determined to be eligible for listing in, the California Register of Historic Resources, not included in a local register of historic resources, or not deemed significant in a historical resource survey may nonetheless be historically significant, pursuant to Section 21084.1.

7. National Historic Preservation Act

Section 106 of the National Historic Preservation Act establishes a consultation process which is intended to accommodate historic preservation concerns with the needs of Federal undertakings. The Section 106 process only applies to projects involving federal land, funds or permits. Section 106 of the Act requires a Federal agency head with jurisdiction over a Federal, federally assisted, or federally licensed undertaking to take into account the effects of the agency's undertaking on properties included in or eligible for the National Register of Historic Places and, prior to approval of an undertaking, to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on the project. Consulting parties are the primary participants in the Section 106 process, and may include a Federal agency official, the State Historic Preservation Officer, the Advisory Council on Historic Preservation and other interested persons. Interested persons may include local governments, applicants, the Native American community and the public.

Section 110(f) of the Act requires that Federal agency heads, to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm to any National Historic Landmark that may be directly and adversely affected by an undertaking and, prior to approval of such undertaking, afford the Advisory Council a reasonable opportunity to comment.

## Section II DEVELOPMENT REVIEW PROCESS

The development review process consists of two separate aspects: the implementation of the Historical Resources Regulations and the determination of impacts and mitigation under the California Environmental Quality Act (CEQA). This section establishes the baseline standards for the development review process in the City of San Diego.

### A. When Are Surveys Required?

#### 1. For Purposes of Obtaining a Permit

For premises not already determined to contain historical resources, the City Manager shall determine the need for a site specific survey for the purposes of obtaining a Construction Permit or, Development Permit for development proposed for any parcel containing a structure that is more than 45 years old and not located within any area identified below as exempt or for any parcel identified as containing a *historical resource* in a land use plan or identified as sensitive on the Historical Resource Sensitivity Maps for review based on the Historical Resource Sensitivity Maps. In determining the need for a site specific survey, the City Manager should consult with and consider input from local individuals and groups with expertise in the Historical Resources of the San Diego area. These experts may include the University of California, San Diego State University, San Diego Museum of Man, local historical and archaeological groups, and designated community planning groups. Consultation with these or other individual and groups should occur as early as possible so that their input can be considered during the time frame allotted to determine the need for a site specific survey. The City Manager shall determine the need for a site specific survey within 10 working days of application of a construction permit or within 30 calendar days of an application for a development permit. A site specific survey shall be required when the City Manager determines that a historical resource may exist on the premises. If the City Manager does not require a site specific survey within the specified time period a permit for historical resources shall not be required.

The Historical Resource Sensitivity Maps are maintained by the Planning and Development Review Department and used to identify properties that have a likelihood of containing archaeological sites based on records from the South Coastal Information Center at San Diego State University and the San Diego Museum of Man, and site specific information on file with the City. If it is demonstrated that archaeological sites do in fact exist on or immediately adjacent to any property, whether identified for review or not, then a survey shall be required by the City Manager. If it is demonstrated that archaeological sites do not in fact exist on any property identified for review, then the Historical Resource Sensitivity Maps shall be updated to remove that property from the review requirements.

The following areas have been determined to be exempt from the requirement for a site specific survey for the identification of a potential historical building or historical structure:

(To be added as areas are identified by the Historical Resources Board.).

If a site specific survey is required, it shall be conducted in such a manner as to determine the presence or absence of potential historical resources consistent with Chapter III of these Guidelines (Methods).

Based on the site specific survey and the best scientific information available, the City Manager shall determine whether a historical resource exists, whether a potential historical resource merits designation by the Historical Resources Board in accordance with Chapter 12, Article 3, Division 2 of the Land Development Code, and the precise location of the historical resource or potential historical resource. If historical resources are not present, then a Neighborhood Development Permit or Site Development Permit for historical resources shall not be required. The documentation used to determine the presence or absence and location of historical resources shall be provided by the applicant at the request of the City Manager. The property owner or applicant shall obtain a Construction Permit, Neighborhood Development Permit or Site Development Permit, in accordance with the Land Development Code, before any development activity occurs on a premises that contains historical resources.

2. For Purposes of Environmental Review (CEQA)

Historic property (built environment) surveys are required for properties within a project's Area of Potential Effect (APE) which are 45 years of age or older and which have integrity of setting, location, design, materials, workmanship, feeling, and association. In rare instances, properties which have not yet achieved 45 years of age may be historically significant. Among them are: important International Style structures; industrial or military structures significant in Cold War history; buildings, structures, and objects representing significant technological or scientific advances; the works of architectural masters; and roadside-related architecture from the 1950s and 1960s which is fast disappearing. Such resources must be proven to have exceptional significance in their contribution to recent history, as documented by a preponderance of evidence.

Archaeological surveys are required when development is proposed on previously undeveloped parcels, when a known resource is identified on site or within a one-mile radius, when a previous survey is more than five years old if the potential for resources exists, or based on a site visit by a qualified consultant or knowledgeable City staff.

**B. When Are Evaluations Required?**

Historical resource evaluations are required when new resources are identified as a result of the survey, when previously recorded resources that have not been previously evaluated are relocated during the survey, and when previously recorded sites are not relocated during the survey if there is a likelihood that the resource still exists. Evaluations will not be required if the resource has been evaluated for CEQA significance or for National Register eligibility within the last five years if there has been no change in the conditions which contributed to the determination of significance or eligibility. A property should be re-evaluated if its condition or setting has either improved or deteriorated, if new information is available, or if the resource is becoming increasingly rare due to the loss of other similar resources.

**C. How Are Impacts Assessed?**

The impact assessment is based on the Area of Potential Effect (APE) which includes the area of both the direct and indirect impacts of a proposed project on a historical resource. The potential for cumulative impacts to historical resources must also be assessed for significance. In order to identify the extent and degree of the impacts, the APE must be established on the proposed project site plan or map. Once the boundaries of the APE have been defined and the resources have been evaluated for significance, the project impacts will be addressed by the City Manager based on the project design. If a historical

resource is not significant, both the resource and the effect on it must be noted in the Initial Study or the EIR, but will not be considered further in the CEQA process.

1. Direct Impacts

Any part of a development that will have a potential effect on historical resources is considered a direct impact. Direct impacts are generally those that will cause damage to the resource, such as:

- Mass grading;
- Road construction;
- Pipelines for sewer and water;
- Staging areas;
- Access roads;
- Destruction of all or part of a property;
- Deterioration due to neglect;
- Alteration;
- Inappropriate repair;
- New addition;
- Relocation from original site; and
- Isolation of a historic resource from its setting, when the setting contributes to its significance.

2. Indirect Impacts

Indirect impacts are included within the APE. In the built environment, indirect impacts include the introduction of visual, audible or atmospheric effects that are out of character with the historic property or alter its setting, when the setting contributes to the property's significance. Examples include, but are not limited to, the construction of a large scale building, structure, object, or public works project that has the potential to cast shadow patterns on the historic property, intrude into its viewshed, generate substantial noise, or substantially increase air pollution or wind patterns.

For archaeological resources and traditional cultural properties, indirect impacts are often the result of increased public accessibility to resources not otherwise subject to impacts which may result in an increased potential for vandalism and site destruction. Placing sites into open space does not always mean that there will not be the potential for indirect impacts to the resource. Since open space boundaries can change during the project review as a result of environmental design and/or community constraints, resources placed into open space need to be evaluated for indirect impacts.

3. Cumulative Impacts

Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. The loss of a historical resource data base due to mitigation by data recovery may be considered a cumulative impact. In the built environment, cumulative impacts most often occur to districts, where several minor changes to contributing properties, their landscaping, or to their setting, over time result in a significant loss of integrity.

If it is determined that significant resources will be impacted by the proposed project, there are several mitigation strategies that can be utilized. These are discussed below.

**D. What Criteria Are Used to Evaluate Significance?**

Federal, state and local criteria have been established for the determination of historical resource significance. The Historical Resources Regulations of the Land Development Code pertain only to historical resources that meet the definitions contained in Chapter 11, Article 3, Division 1 of the Code and may differ from the definition of historical resources in these Guidelines and from a determination of significance under CEQA, as provided below.

**1. National Register of Historic Places**

The National Register criteria, contained in *National Register Bulletin 16* (U.S. Department of the Interior 1986:1), state that: The quality of significance in American history, architecture, archaeology, engineering and culture is present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

- That are associated with events that have made a significant contribution to the broad patterns of our history; or
- That are associated with the lives of persons significant in our past; or
- That embody the distinctive characteristics of a type, period or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- That have yielded, or may be likely to yield information important in prehistory or history.

Criteria Considerations (Exceptions): Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- a. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- b. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- c. A birthplace or grave of a historical figure of outstanding importance if there is no other appropriate site or building directly associated with his or her productive life; or
- d. A cemetery which derives its primary significance from graves of persons of transcendent importance, from distinctive design features, or from association with historic events; or
- e. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- f. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or



- g. A property achieving significance within the past 50 years if it is of exceptional importance.

2. California Environmental Quality Act

For the purposes of CEQA, a significant historic resource is one which qualifies for the California Register of Historical Resources or is listed in a local historic register or deemed significant in a historical resource survey, as provided under Section 5024.1(g) of the Public Resources Code. A resource that is not listed in, or determined to be eligible for listing in, the California Register of Historic Resources, not included in a local register of historic resources, or not deemed significant in a historical resource survey may nonetheless be historically significant for purposes of CEQA.

A resource may be listed in the California Register if it is significant at the local, state, or national level, under one or more of the following four criteria.

- a. It is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history and cultural heritage of California or the United States.
- b. It is associated with the lives of persons important to the nation or to California's past.
- c. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.
- d. It has yielded, or has the potential to yield, information important to the prehistory or history of the state or nation.

CEQA Sections 15064.5 and 21083.2(g) defines the criteria for determining the significance of archaeological resources, which are now included in the definition of the term "Historical Resources" for the purposes of CEQA (Section 21084.1).

3. City of San Diego Progress Guide and General Plan

Significance criteria as outlined in the *Progress Guide and General Plan* reflect a broad definition of historical, architectural and cultural importance; a perspective of local, rather than state or national significance; and the belief that all aspects of history are potentially of equal importance.

4. City of San Diego Historical Resources Register

Any improvement, building, structure, sign, interior element and fixture, feature, site, place, district, area or object may be designated as historic by the City of San Diego Historical Resources Board if it meets any of the following criteria :

- a. Exemplifies or reflects special elements of the City's, a community's or a neighborhood's historical, archaeological, cultural, social, economic, political, aesthetic, engineering, landscaping or architectural development;
- b. Is identified with persons or events significant in local, state or national history;
- c. Embodies distinctive characteristics of a style, type, period or method of construction or is a valuable example of the use of indigenous materials or craftsmanship;
- d. Is representative of the notable work of a master builder, designer, architect, engineer, landscape architect, interior designer, artist or craftsman;

- e. Is listed or has been determined eligible by National Park Service for listing on the National Register of Historic Places or is listed or has been determined eligible by the State Historical Preservation Office for listing on the State Register of Historical Resources; or
- f. Is a finite group of resources related to one another in a clearly distinguishable way or is a geographically definable area or neighborhood containing improvements which have a special character, historical interest or aesthetic value or which represent one or more architectural periods or styles in the history and development of the City.

#### 5. City of San Diego CEQA Significance

As stated above, if a resource is not listed in, or determined eligible for listing in, the California Register, not included in a local register, or not deemed significant in a historical resource survey it may nonetheless be historically significant. If a proposed project has the potential to effect a historical resource, the significance of that resource must be determined. The significance of a historical resource is based on the potential for the resource to address important research questions as documented in a site specific technical report prepared as part of the environmental review process. Research priorities for the prehistoric, ethnohistoric and historic periods of San Diego history are discussed in Appendix A (San Diego History) to these Guidelines and should be used in the determination of historical significance. As a baseline, the City of San Diego has established the following criteria to be used in the determination of significance under CEQA.

An archaeological site must consist of at least three associated artifacts/ecofacts (within a 50 square meter area) or a single feature and must be at least 45 years of age. Archaeological sites containing only a surface component are generally considered not significant, unless demonstrated otherwise. Such site types may include isolated finds, bedrock milling stations, sparse lithic scatters, and shellfish processing stations. All other archaeological sites are considered potentially significant. The determination of significance is based on a number of factors specific to a particular site including site size, type and integrity; presence or absence of a subsurface deposit, soil stratigraphy, features, diagnostics, and datable material; artifact and ecofact density; assemblage complexity; cultural affiliation; association with an important person or event; and ethnic importance.

The determination of significance for historic buildings, structures, objects and landscapes is based on age, location, context, association with an important person or event, uniqueness, and integrity.

A site will be considered to possess ethnic significance if it is associated with a burial or cemetery; religious social or traditional activities of a discrete ethnic population; an important person or event as defined by a discrete ethnic population; or the mythology of a discrete ethnic population.

#### 6. Non-Significant Resource Types

Archaeological sites containing only a surface component are generally considered not significant, unless demonstrated otherwise. (Testing is required to document the absence of a subsurface deposit.) Such sites may include:

- Isolates;
- Sparse Lithic Scatters;
- Isolated Bedrock Milling Stations; and
- Shellfish Processing Stations.

Sparse Lithic Scatters are identified and evaluated based on criteria from the OHP's "California Archaeological Resource Identification and Data Acquisition Program: Sparse Lithic Scatters" (February 1988). Isolated Bedrock Milling Stations are defined as having no associated site within a 50 meter radius and lacking a subsurface component. Shellfish Processing Stations are defined as containing a minimal amount of lithics and no subsurface deposit.

Historic buildings, structures, objects and landscapes are generally not significant if they are less than 45 years old. A non-significant building or structure located within an historic district is by definition not significant.

Resources found to be non-significant as a result of the survey and assessment, will require no further work beyond documentation of the resources and inclusion in the survey and assessment report.

**E. What Mitigation Strategies Are Available?**

When significant historical resources are present within the Area of Potential Effect, mitigation is required prior to project implementation. The preferred alternative for mitigating impacts to historical resources is avoidance or preservation in place. If preservation is demonstrated to be infeasible, then alternative measures would be required.

1. Avoidance/Preservation of Archaeological Sites and Traditional Cultural Properties (preferred)

Areas containing sensitive archaeological and traditional cultural resources which are to be avoided by grading or construction should be identified on grading and building plans. Areas to be preserved should be staked or fenced and protective measures implemented prior to grading. Protective measures should also be identified on grading and building plans.

Preservation can be accomplished in a number of ways including:

- a. Planning construction to avoid significant resources;
- b. Planning parks, green space, or other open space to preserve historical resources;
- c. "Capping" or covering archaeological sites with a layer of soil before building tennis courts, parking lots, or similar facilities. Capping is an acceptable alternative when the following conditions are met:
  - (1) The soils to be covered will not suffer serious compaction;
  - (2) The covering materials are not chemically active;
  - (3) The site is one in which the natural processes of deterioration have effectively ceased; and
  - (4) The site has been recorded and an index of the contents of the site has been made.
- d. Deeding significant resources into permanent conservation easements.

2. Archaeological Data Recovery Program

When avoidance as a means of mitigation is not feasible, it is necessary to implement a research design and data recovery program. The data recovery program involves the scientific excavation of a representative sample of the features and artifacts contained within that part of the site which will be destroyed by project development. The excavation shall extend to the full depth of the archaeological deposit. The data recovery program should be based on a written research design and

is subject to the provisions as outlined in CEQA Section 21083.2. This section provides further guidance for the treatment of unique archaeological resources. The data recovery program must be reviewed and approved by the City Manager.

The research design should identify important research questions, link research topics to the data already known to be present in the site, and explain procedures that will be used in the collection, analysis and curation of recovered materials. The sample size to be excavated will vary with the nature and size of the site.

3. Historic Building/Structure/Object Mitigation

Preferred mitigation is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures can include, but not be limited to:

- a. Preparing a historic resource management plan;
- b. Adding new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);
- c. Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;
- d. Screening incompatible new construction from view through the use of berms, walls and landscaping in keeping with the historic period and character of the resource;
- e. Shielding historic properties from noise generators through the use of sound walls, double glazing and air conditioning; and
- f. Removing industrial pollution at the source of production.

If there are no other ways to save a building, structure or object other than relocation, such measures shall be performed in accordance with National Parks Service standards. Appropriate relocation sites shall duplicate, as closely as possible, the original location in terms of size, topography, neighborhood setting, orientation and site landscaping. Prior to the move, the resource shall be documented in its original location according to Historic American Building Survey (HABS) or Historic American Engineering Record (HAER) standards. Such documentation will serve as baseline data for historically correct reconstruction of the new site.

If the resource cannot be accommodated through project redesign and relocation is not feasible, it shall be documented according to HABS or HAER standards prior to demolition. Such documentation, including a written report, photographs, and in some cases, measured drawings and videotape, shall be prepared by a qualified professional to the standards determined by the National Park Service.

**F. How Are Reports Prepared?**

Historic resource reports shall be prepared by qualified professionals as determined by the criteria set forth in Appendix B of these Guidelines. The discipline shall be tailored to the resource under evaluation. In cases involving complex resources, such as traditional cultural properties, rural landscape districts, or sites involving a combination of prehistoric and historic archaeology, or historic districts, a team of experts will be necessary for a complete evaluation.

Specific types of historical resource reports are required to document the methods (see Section III of these Guidelines) used to determine the presence or absence of historical resources; to identify the potential

impacts from proposed development and evaluate the significance of any identified historical resources; to document the appropriate curation of materials; in the case of potentially significant impacts to historical resources, to recommend appropriate mitigation measures that would reduce the impacts to below a level of significance; and to document the results of mitigation and monitoring programs, if required.

Archaeological Resource Management reports shall be prepared in conformance with the California Office of Historic Preservation (OHP) "Archaeological Resource Management Reports (ARMR): Recommended Contents and Format". This requirement will standardize the content and format of all archaeology technical reports submitted to the City. A confidential appendix must be submitted (under separate cover), along with historical resources reports for archaeological sites and traditional cultural properties, containing the confidential resource maps and records search information gathered during the background study.

Appendix C (Archaeological Resource Management Report Format) will be used by the City Manager in the review of archaeological resource reports. Consultants must ensure that archaeological resource reports are prepared consistent with this checklist.

1. Survey and Evaluation Report

If historical resources are identified, they must be evaluated consistent with Section III (Methods) of these Guidelines. The Survey and Evaluation Report must include information regarding the significance determination based on criteria set forth above and a discussion of results of the evaluation program. When impacts to significant historical resources are anticipated as a result of the project, the report must include recommendations for mitigation consistent with these Guidelines.

When no archaeological resources are identified within the project area (APE) as a result of the background research and field survey, then no further work is necessary other than completion of the Archaeological Resources Report Form (Appendix D to these Guidelines).

The Archaeological Resources Report Form (Appendix D to these Guidelines) may also be used, rather than preparation of an Archaeological Resource Management report, when archaeological resources are identified and, based on an evaluation, are determined to be non-significant or are potentially significant but will not be directly impacted by the proposed development project.

2. Mitigation Report

When mitigation for significant impacts to historical resources is required as a condition of project approval, a report must be prepared to document implementation of the requirements with appropriate graphics, describing the results, analysis, and conclusions of the mitigation program.

3. Monitoring Report

If monitoring during grading or construction is required as a condition of project approval, a report must be prepared detailing the monitoring program, with appropriate graphics, describing the results, analysis, and conclusions of the program.

**G. How is Curation Accomplished?**

All original maps, field notes, non-burial related artifacts, catalog information and final reports must be curated at an institution within San Diego County. Qualified institutions are those with proper facilities and staffing for insuring research access to the collections, consistent with federal standards. Since there are

currently no qualified institutions in San Diego County that can accept additional collections, the historical resource consultant is responsible for temporary curation until such time as a regional facility becomes available. Arrangements for long-term curation must be established between the applicant/property owner and the consultant prior to the initiation of the field reconnaissance.

The disposition of burial related artifacts is governed by state and federal law.

### Section III METHODS

This section establishes the baseline standard for the methods of identifying and recording historical resources, evaluating their significance, and mitigating those impacts to historical resources determined to be significant as required by the Land Development Code and the California Environmental Quality Act.

#### A. Defining Project Area (Area of Potential Effects)

The Area of Potential Effects (APE) is the geographic area (or areas) within which a project may cause changes in the character or use of historical resources. Investigations and surveys are conducted within the APE to identify the presence or absence of historical resources and, if present, to evaluate their significance. The APE should include all historical resources which reasonably can be expected to be affected (resulting in a change to their historical, architectural, archaeological or cultural character) by a proposed project. The APE is project specific and should be large enough to accommodate minor project design changes. In other words, the initial APE for survey and evaluation programs may be larger than the final APE for mitigation programs and/or monitoring programs. The APE may also differ for different types of historical resources (e.g., archaeological sites, historical buildings/structures or traditional cultural properties). Therefore, it is important that the project APE is defined on a case-by-case basis.

At a minimum, the APE for private development projects is defined as the proposed development site, including both developable and open space areas. In addition to the development site, however, it is not uncommon for proposed projects to include off-site improvements such as off-site grading associated with cut-and-fill slopes, access roads, public utility lines, etc. Any off-site improvements must be included within the project APE. For public works projects, staging areas should also be included in the APE.

#### B. Determining Presence or Absence of Historical Resources

##### 1. Background Research

Background research is a prerequisite to historical resource investigations. While the level of effort involved in background research may vary depending on the type of investigation, the basic ingredients remain the same: a records search, literature search, interviews and Native American consultation.

The information derived from background research should serve as the basis, either in whole or in part, for the research design which guides the overall study. Sufficient background research should be done to provide the context and association within which to identify broad patterns of human activity in the area's past; its economic development; changing demographic, social and cultural characteristics; and patterns of land use. This context serves as the basis for understanding and evaluating sites, buildings and structures identified in the survey process. Background research is focused on relevant topics and periods of history or prehistory. Also this research often makes it possible to predict where certain historical resources will be found and what they may look like. Background research is performed under the supervision of a qualified principal investigator with experience in the region. References shall be provided for all sources consulted.

##### *Records Searches*

Knowledge of previously recorded historical resources is integral to ensuring that the field work phase of an investigation is adequate. Major sources of information that must be consulted are the listings of the National Register of Historic Places, California Registered Historical Landmarks, California Points of Historical Interest, California Register of Historical Resources, California Sacred Lands Register and City of San Diego Historical Site Board Register.

Records searches from both the South Coastal Information Center at San Diego State University and the San Diego Museum of Man are required for all historical resource studies submitted to the City. Records searches for both the project property and a one-mile radius are required for historical resource survey and evaluation reports, while records searches for the project property alone may be appropriate for mitigation reports and monitoring reports. Records searches must be no more than six months old.

As part of the above referenced historical resource reports, the records search information should be bound separately and one copy submitted to the Planning and Development Review Department as a confidential appendix. This information shall include:

- A copy of the records search letters from both the South Coastal Information Center at San Diego State University and the San Diego Museum of Man,
- A legible copy of the records search maps showing previously recorded sites within the project area and a one-mile radius, and
- A copy of the site records for all previously recorded historical resources.

The County of San Diego Cartographic Services and other sources should be consulted for historical maps and aerial photographs to help identify the existence of potential historical resources. In addition, the Environmental Analysis Section (EAS) of the Planning and Development Review Department maintains a reference library that includes a set of City Engineering maps identifying project locations, records search data and a copy of the historical resource report(s) for each project. As has been the policy of EAS in the past, historical resource locations, record search maps and site records will not be distributed in public documents. This information, however, is available to qualified consultants.

#### *Literature Search*

A review of previous research conducted in the project area and vicinity is also required. For the most part, this includes unpublished historical resource reports identified through records searches, but may also include unpublished primary source materials and published studies. This information may help determine the potential for historical resources to exist on a property, as well as document the extent of previous investigations. Additional background information, including studies associated with specific research topics, may also be appropriate as part of the literature search for mitigation reports.

#### *Interviews*

Consultants should also contact the San Diego Historical Society, other local historical societies and knowledgeable individuals, as appropriate, for information about possible resources in the project area.



*Native American Consultation*

Prior to the onset of field work, the Native American Heritage Commission and the local Native American community shall be consulted for input regarding possible impacts to historical resources within the project area, particularly as they relate to traditional cultural properties and areas of Native American sensitivity. Among its duties, the Native American Heritage Commission is responsible for maintaining the California Sacred Lands Register. This consultation would allow the Native American community the opportunity to become involved prior to the beginning of field work, rather than at the time sensitive resources are encountered.

2. Field Reconnaissance

The field reconnaissance must be conducted under the direction of a qualified professional (see Section V) from the appropriate discipline based on the type of resource being investigated. In cases involving complex resources, a team of experts may be necessary for a complete investigation.

*Archaeological Resources*

A survey for archaeological resources must be conducted by an archaeologist certified by the Register of Professional Archeologists (RPA), who must participate in the entire field survey. The survey must conform to professional standards and accomplish thorough coverage of the property. The goal of the field reconnaissance should be complete coverage of the property using linear transects, with surveyors spaced 10 to 15 meters apart (10-meter spacing with vegetation, 15-meter spacing with no vegetation). These thresholds should provide complete coverage of the property unless circumstances such as vegetation, steep slopes or existing buildings obstruct ground surface visibility. If the ground surface is not visible, an enhanced reconnaissance may be required.

If an enhanced reconnaissance is appropriate, proper steps should be taken to ensure that the methods involved will not cause damage to potential or existing resources on the property. In areas where vegetation is especially heavy, it may be necessary to employ alternative methods for clearing the subject property. The preferred method is clearing the ground surface by hand with a weed-eater or scythe, followed by mowing of non-native grasses (native grasses may require less harmful methods) and, finally, disking. While disking is the least desirable method of ground clearance, it may be appropriate where vegetation is especially heavy. The disking blade, however, should not exceed a diameter of six inches in order to achieve the least amount of damage to historical resources. Periodic ground clearance of vegetation at specified intervals is another method that can be utilized during the enhanced reconnaissance.

Mechanical trenching/coring may be employed when all other methods of ground surface clearance are infeasible due to dense vegetation or poor ground surface visibility. It may also be necessary to use mechanical trenches in areas that are subject to the rapid accumulation of alluvial soils (e.g., adjacent to river beds, marshes, lagoons, etc.), in areas covered by imported fill, in areas where the likelihood of buried cultural deposits may occur and in areas where historical resources have been previously recorded.

Consultants are encouraged to employ innovative survey techniques when conducting an enhanced reconnaissance. These may include remote sensing techniques such as the proton-magnetometer, ground penetrating radar and other soil resistivity techniques as determined on a site specific basis.

*Traditional Cultural Properties*

In the case of Native American traditional cultural properties, guidance must come from the Native American Heritage Commission (NAHC). Resources identified during the field reconnaissance must be evaluated for their importance with all information documented in the survey and evaluation report. Any Native American traditional cultural property encountered should be recorded (see below) and filed with the NAHC for inclusion in the Sacred Lands Inventory and forwarded to the local Tribal Commission archives. The "Remarks and Interpretations" section of the Archaeological Site Record (Part 2) form should include the name of the contact person for the local Native American group. The historical resources forms should also be sent to both the SCIC and the San Diego Museum of Man. This gives the resource several levels of review during the planning process.

*Historical Resource Documentation*

All newly identified historical resources must be recorded on State of California Primary Record forms (DPR 523A). Historical resources forms for previously recorded resources should be updated and submitted in the appropriate manner. Procedures for completing these forms are presented in Instructions for Recording Historical Resources. Consultants are responsible for submitting all historical resources forms to the South Coastal Information Center for assignment of a state trinomial. The state trinomial for each new and/or updated resource must be referenced in all subsequent reports. In addition, a second set of historical resources forms must be forwarded to the San Diego Museum of Man for their files.

Isolates. Isolates must be recorded on Primary Record forms only. Resources identified as isolates must be collected, recorded and mapped as part of the survey. Information about isolates should be included in the survey report, and no further work will be necessary.

Archaeological Sites. In addition to the Primary Record form, archaeological sites should be recorded on the Archaeological Site Record (Part 1 and 2) form (DPR 523C), Linear Feature Record form (DPR 523E), Milling Station Record form (DPR 523F), Rock Art Record form (DPR 523G), Artifact Record form (DPR 523H), Photograph Record form (DPR 523I), Location Map form (DPR 523J), Sketch Map form (DPR 523K) and Continuation Sheet form (DPR 523L), as appropriate.

Historic Buildings, Structures or Objects. In addition to the Primary Record form, historic buildings, structures or objects should be recorded on the Building, Structure and Object Record form (DPR 523B), Linear Feature Record form, Photograph Record form, Location Map form, Sketch Map form and Continuation Sheet form, as appropriate.

Historic Districts. In addition to the Primary Record form, historic districts should be recorded on the District Record forms (DPR 523D), Photograph Record form, Location Map form, Sketch Map form and Continuation Sheet form, as appropriate.

Historic Landscapes. In addition to the Primary Record form, historic landscapes should be recorded on the District Record form, Photograph Record form, Location Map form, Sketch Map form and Continuation Sheet form, as appropriate.

Traditional Cultural Properties. In addition to the Primary Record form, traditional cultural properties should be recorded on the Building, Structure and Object Record form, Archaeological Site Record form, Linear Feature Record form, Milling Station Record form, Rock Art Record form, Artifact Record form, Photograph Record form, Location Map form, Sketch Map form and Continuation Sheet, as appropriate.

## C. Evaluating the Significance of Historical Resources

### 1. Archaeological Resource Sites and Native American Traditional Cultural Properties

An acceptable testing program for assessing the significance of historical resources must include documentation and evaluation of both the surface and subsurface components of the resource. The appropriate Native American groups shall be notified prior to any subsurface investigation for input regarding historical resources within the project area. If the Native American community requests the participation of an observer, the request shall be honored. The Native American consultation process shall be meaningful and input shall be solicited in such a manner as to adequately solicit concerns. The views of the Native American community on the resources being evaluated shall be documented and considered a formal part of the process. If traditional cultural properties are identified, then the evaluation must include ethnographic analysis to document, to the extent possible, the significance of the resource.

There is no cookbook formula for what constitutes adequate evaluation of archaeological resources, nor should there be. Individual archaeological sites differ as to the properties that make them significant. At a minimum, however, an evaluation program should include a level of effort which is adequate to determine: 1. the horizontal and vertical dimensions of a site, 2. chronological placement, 3. site function, 4. artifact/ecofact density and variability, 5. presence/absence of subsurface features, and 6. research potential.

#### *Surface Investigation*

Site boundaries are determined by the areas of use and are a matter of close observation. Activity areas may or may not be conspicuous on many parts of the site, but once recognized, they should be mapped. When surface features or disturbances are encountered, they must be measured and mapped so that the precise provenience and association with other objects is known. Mapping methods that can be used for establishing site boundaries are: compass and tape; transit and stadia rod; and the plane table and alidade. Documentation of the surface component of a site requires some level of controlled surface collection and analysis of recovered materials. The amount of surface collection (complete vs sample) and the method employed (point provenience vs collection grid) should be determined on a case by case basis, as circumstances warrant. It is expected, however, that surface collection would result in the recovery of all surface material from sites with up to 100-200 surface artifacts. For sites with more than 200 surface artifacts, surface collection may consist of a statistically valid sample, but should generally not represent less than 10 percent of the total site area. The point provenience collection method is the process by which artifacts are mapped, (using proper equipment) based on their exact location or concentration. Also referred to as micro-mapping, point provenience is employed when a complete surface collection is undertaken. Use of the collection grid method is dependent in part on the extent of surface visibility. This method maintains horizontal control, and a convenient way to ascertain the measured relationships between all components of the site. If the surface visibility is good, all materials should be collected. It is logical

to use large grids where previous disturbances have been documented, but on less disturbed or pristine sites, smaller grids (1x1) are appropriate. It may also be appropriate to use surface scrapes as a last resort when ground visibility is severely obscured.

#### *Subsurface Investigation*

For documenting the subsurface component of a site, a minimum number of standard test units to evaluate the presence or absence of subsurface deposits based on overall site and/or locus size is required. This minimum number of units is modified from recommendations of the Office of Historic Preservation as follows:

- 2 test units at sites less than 500 square meters in size;
- 4 test units at sites between 500 and 2,000 square meters;
- 6 test units at sites between 2,000 and 6,000 square meters;
- 8 test units at sites between 6,000 and 8,000 square meters;
- 10 test units at sites between 8,000 and 10,000 square meters.

It is assumed that archaeological sites which exceed 10,000 square meters in size would be subdivided into discrete activity loci, with the minimum number of test units for each locus to be determined by the size of the locus. A standard test unit is defined as a 1 meter by 1 meter unit excavated in arbitrary 10 centimeter levels to sterile soil or to a minimum depth of 50 centimeters.

For sites that are located wholly within proposed open space areas that would be preserved as a condition of project approval, indexing of the subsurface of the site is necessary to provide baseline information for the proper management of the preserved resource. It is anticipated that a minimum of two units for sites less than 6,000 square meters in size and four units for sites greater than 6,000 square meters in size would be necessary. Adequate information is required to prepare an appropriate preservation plan, as required by CEQA and therefore, more than the minimum number of test units may be necessary.

If a subsurface component exists, the boundaries of the deposit can be established through the use of shovel test pit's (STP's), postholes and trenching. Shovel test pits may be used to document the limits of subsurface deposits, but can not in most cases be used in place of the minimum number of test units. Shovel test pits should measure at least 30 centimeters by 50 centimeters and are expected to follow the same excavation parameters as test units. Postholes can be used as well to establish the depth of the deposit, and gather data for soil samples. Trenches are often utilized to expose features and establish depth of the deposit across the site. Width of the trench is dependent upon the size of the backhoe bucket being used, but should not exceed one meter in size.

#### *Extended Subsurface Investigation*

While adequate to determine the presence or absence of a subsurface component, the minimum number of test units described above may not be adequate to evaluate the significance of the site based on local, state and national criteria. In that case, additional test units will be necessary to provide substantial evidence to support the significance determination. Further, if a site is determined to be significant and is not proposed for preservation as a condition of project approval, a research design and data recovery program would be required (see below).

*Excavation Methods*

Proper excavation methods should be employed during any subsurface investigation. Because excavation is the means by which information is unearthed, it must be conducted methodically so that whatever is found can be seen and studied within its own context. With this in mind, the standards for excavation as established by the National Park Service (NPS) should be followed at all times. In addition, the Planning and Development Review Department expects that the criteria set forth in these guidelines will ensure quality fieldwork and reports.

The standard unit size is a 1 meter by 1 meter square, excavated by hand in arbitrary 10 centimeters levels to sterile soil or to a minimum depth of 50 centimeters. Although hand excavation is preferred, the use of machinery is acceptable when demonstrated that it is necessary. The standard shovel test pit size is a 30 centimeter by 50 centimeter square excavated by hand in arbitrary 10 centimeters levels to sterile soil or to a minimum depth of 50 centimeters. The stratigraphic profile of the site must include enough data in order to make a determination about the archaeological sequence of the site, as well as the order in which the deposits were laid down. All excavated soils must be passed through 1/8-inch mesh screen unless other methods prove more efficient based on site type or soil consistency. Other screening methods include flotation, the process by which soil is sifted through a fine-mesh screen fastened over a special container filled with water, and water screening. This method should be used at the discretion of the field supervisor and substantiated in the survey and assessment report (see Section IV). Soil samples recovered during the resource evaluation are used to indicate whether site disturbances were natural or man-made, and determine the type of activity taking place on the site. Munsel Soil Color Charts are used in the field to assess the hue, value, and chroma of the soil for each excavated level, and can provide data relative to the geology of the site as well as the surrounding area.

Field records should be maintained in a manner that permits independent interpretation. It is essential that field records be legible and comprehensive, as well as standardized in format and level of detail. The field notes are a permanent written record of the excavation, and must be available upon request if deemed necessary.

*Cataloging and Analysis*

Complete analysis of the material recovered during the testing program and completion of any appropriate specialty studies is expected prior to submittal of the technical survey and evaluation report. This should include lithic tool analysis, lithic flake/ debitage analysis, ceramic analysis, faunal analysis (including shellfish, animal bone and fish bone), fish otolith analysis, obsidian analysis, radiocarbon analysis, blood residue analysis, macro-botanical analysis, palynological analysis, etc., as appropriate. In order to adequately evaluate the significance of archaeological resources, it is necessary to identify the scientific potential of the resource (i.e., the data sets present) and the variability within artifact/ecofact classes.

2. Historic buildings/structures/objects

Evaluation of historic structures must include sufficient archival research in order to make a determination of significance. Standing structures, as well as architectural/engineering features are evaluated based on criteria such as:

- Age;

- Location;
- Context;
- Association(s) with an important person or event;
- Uniqueness; or
- Structural integrity.

Details such as the names of the architect, builder and the year built, along with information regarding past owners are an important asset in the evaluation process. In addition to the above criteria, it is necessary to include data discussing the significant contribution that was made to the area whether the historic structure is currently in use or not. It may also be appropriate to include a sampling of the site surface or subsurface by utilizing the methods outlined above for archaeological resources.

Research should include a chain of title and literature search conducted at local archives. The San Diego Historical Society, and the California Room of the San Diego Library are good sources for historical information. Sanborn Fire Maps for the City of San Diego, 1928 San Diego County Aerial Survey, County Assessor deed records and other pertinent archival materials should be utilized when necessary. Other sources for historic information include, The National Register of Historic Places and the California Office of Historic Preservation.

#### **D. Mitigating Significant Impacts to Historical Resources**

When significant historical resources are present within the Area of Potential Effect, mitigation is required prior to project implementation. The preferred alternative for mitigating impacts to historical resources is avoidance or preservation in place. If preservation is demonstrated to be infeasible, then alternative measures would be required.

##### **1. Archaeological Sites and Traditional Cultural Properties Avoidance/Preservation (preferred)**

Areas containing sensitive archaeological and traditional cultural resources which are to be avoided by grading or construction should be identified on grading and building plans. Areas to be preserved should be staked or fenced and protective measures implemented prior to grading. Protective measures should also be identified on grading and building plans.

Preservation can be accomplished in a number of ways including:

- a. Planning construction to avoid significant resources;
- b. Planning parks, green space, or other open space to preserve historical resources;
- c. "Capping" or covering archaeological sites with a layer of soil before building tennis courts, parking lots, or similar facilities. Capping is an acceptable alternative when the following conditions are met:
  - (1) The soils to be covered will not suffer serious compaction;
  - (2) The covering materials are not chemically active;
  - (3) The site is one in which the natural processes of deterioration have effectively ceased; and
  - (4) The site has been recorded and an index of the contents of the site has been made.
- d. Deeding significant resources into permanent conservation easements.

2. Archaeological Data Recovery Program

When avoidance as a means of mitigation is not feasible, it is necessary to implement a research design and data recovery program. The data recovery program involves the scientific excavation of a representative sample of the features and artifacts contained within that part of the site which will be destroyed by project development. The data recovery program should be based on a written research design and is subject to the provisions as outlined in CEQA, Section 21083.2. This section provides further guidance for the treatment of unique archaeological resources. The data recovery program must be reviewed and approved by the City Manager.

The research design should identify important research questions (see the research priorities discussed in Appendix A to these Guidelines), link research topics to the data already known to be present in the site, and explain procedures that will be used in the collection, analysis and curation of recovered materials. The sample size to be excavated will vary with the nature and size of the site.

3. Historic Building/Structure/Object Mitigation

Preferred mitigation is to avoid the resource through project redesign. If the resource cannot be entirely avoided, all prudent and feasible measures to minimize harm to the resource shall be taken. Depending upon project impacts, measures can include, but not be limited to:

- a. Preparing a historic resource management plan;
- b. Adding new construction which is compatible in size, scale, materials, color and workmanship to the historic resource (such additions, whether portions of existing buildings or additions to historic districts, shall be clearly distinguishable from historic fabric);
- c. Repairing damage according to the Secretary of the Interior's Standards for Rehabilitation;
- d. Screening incompatible new construction from view through the use of berms, walls and landscaping in keeping with the historic period and character of the resource;
- e. Shielding historic properties from noise generators through the use of sound walls, double glazing and air conditioning; and
- f. Removing industrial pollution at the source of production.

If there are no other ways to save a building, structure or object other than relocation, such measures shall be performed in accordance with National Parks Service standards. Appropriate relocation sites shall duplicate, as closely as possible, the original location in terms of size, topography, neighborhood setting, orientation and site landscaping. Prior to the move, the resource shall be documented in its original location according to Historic American Building Survey (HABS) or Historic American Engineering Record (HAER) standards. Such documentation will serve as baseline data for historically correct reconstruction of the new site.

If the resource cannot be accommodated through project redesign and relocation is not feasible, it shall be documented according to HABS or HAER standards prior to demolition. Such documentation, including a written report, photographs, and in some cases, measured drawings and videotape, shall be prepared by a qualified professional to the standards determined by the National Park Service.

**E. Determining the Need for Monitoring**

Monitoring may be required when significant resources are known or suspected to be present on a project site, but cannot be recovered prior to grading due to obstructions such as, existing development or dense vegetation. The project archaeologist may suggest or recommend monitoring the site as a result of their own previous research of the surrounding area. Monitoring may also be required to mitigate for potentially significant indirect impacts to an archaeological site. An archaeological monitor is defined as an individual having expertise in the collection and salvage of cultural resources and working under the direction of a qualified archaeologist (see Appendix B to the Guidelines).

The Applicant shall provide verification that a qualified archaeologist and/or monitor has been retained to implement the monitoring program. All persons involved in archaeological monitoring must be approved by EAS staff prior to the preconstruction meeting. The archaeologist must attend any preconstruction meetings for the purpose of making comments and/or suggestions in regards to the monitoring program. Discussion at this time with the contractors regarding excavation plans may help to avoid any unnecessary complications later in the construction process.

1. Native American Observer

A Native American observer must be retained for all subsurface investigations and disturbances whenever a Native American Traditional Cultural Property or any archaeological site located on City property or within the APE of a City project is the subject of destruction. The observer should be consulted during the preparation of the written report, at which time they may express concerns about the treatment of sensitive resources. If the Native American community requests participation of an observer for subsurface investigations on private property, the request should be honored.

2. Demolition

Monitoring during demolition will be required in order to recover buried archaeological or historic materials known to exist below grade. Demolition would be temporarily halted if the monitor determines that salvage to above ground resources is necessary, and damage to the subsurface deposit may occur.

3. Construction/Grading

When significant resources are known or suspected to be present on a project site, but cannot be recovered prior to grading due to existing development, monitoring of grading activities by a qualified archaeologist is required. The archaeologist would be empowered to temporarily halt or divert grading activities to recover cultural resources. These requirements must be noted on the grading plans. The investigator is also required to prepare a report on the results of the monitoring activities (see Section III).

**F. Discovering Unexpected Historical Resources During Construction**

1. Cessation of Work

If previously unknown historical resources are discovered during construction, the archaeological monitor shall have the authority to divert or temporarily halt ground disturbance operations in the immediate area of the discovery until the project analyst from EAS has been notified.

2. Evaluation of Resource



Once notified, EAS staff will, in consultation with the archaeologist, take responsibility for meeting the requirements of CEQA and other state statutes concerning the discovery of human remains and other previously unknown resources. Evaluation of the resource will be necessary and EAS must concur with the evaluation procedures before construction activities may continue on other portions of the project.

Burials need not be evaluated further, as they are always significant and must be treated accordingly. State law must be followed if burials are encountered during construction. In addition, CEQA Section 15064.5 provides guidance to the Lead Agency, as well as to the consultant, for the evaluation of unexpected discoveries during construction.

3. Research Design and Data Recovery

For significant historical resources that are discovered during construction, a Research Design and Data Recovery Program shall be prepared and carried out in order to mitigate project impacts. All collected cultural remains shall be cleaned, catalogued, and permanently curated with an appropriate institution. Artifacts shall be analyzed to identify function and chronology as they relate to the history of the area. Faunal material shall be identified as to species, and specialty studies shall be completed as appropriate. In addition, any sites or features encountered as a result of the above program, must be recorded on the appropriate site forms and submitted to the SCIC and the San Diego Museum of Man.

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# San Diego Municipal Code

## LAND DEVELOPMENT CODE

### HISTORICAL RESOURCES GUIDELINES

#### APPENDIX A: SAN DIEGO HISTORY

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## City of San Diego

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### SAN DIEGO HISTORY

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The history of a region provides the context for the evaluation and management of historical resources. The history of San Diego can be divided into four prehistoric periods, one ethnohistoric period and three historic periods. These periods are discussed below as summarized in Rosen (1994) and Van Wormer (1995). For a detailed discussion of San Diego's history, see for example, the *Historic Properties Background Study for the City of San Diego Clean Water Program* (Brian F. Mooney Associates n.d.).

#### PREHISTORIC PERIODS

Systematic archaeological studies in San Diego County began with the work of Malcolm J. Rogers of the San Diego Museum of Man in the 1920s and 1930s. Rogers (1929, 1945, 1966) developed a three part chronologic sequence of prehistoric cultures for the region which was subsequently built upon by Claude Warren (1967, 1968). More recent studies have sought to further refine (Cárdenas 1986, 1987; Moratto 1984; Moriarty 1966, 1967; True 1970, 1980, 1986; True and Beemer 1982; True and Pankey 1985; Waugh 1986) or criticize (Bull 1983, 1987; Gallegos 1987) this sequence. The prehistory of the region is divided into four major periods: Early Man, Paleo-Indian, Early Archaic and Late Prehistoric.

#### EARLY MAN PERIOD (BEFORE 8500 BC)

No firm archaeological evidence for the occupation of San Diego County before 10,500 years ago has been discovered. The myths and history that is repeated by the local Native American groups now and at the time of earlier ethnographic research indicate both their presence here since the time of creation and, in some cases, migration from other areas. There are some researchers who advocate an occupation of southern California prior to the Wisconsin Glaciation, around 80,000 to 100,000 years ago (Carter 1957, 1980; Minshall 1976). Local proposed Early Man sites include the Texas Street, Buchanan Canyon and Brown sites, as well as Mission Valley (San Diego River Valley), Del Mar and La Jolla (Bada et al. 1974; Carter 1957, 1980; Minshall 1976, 1983, 1989; Moriarty and Minshall 1972; Reeves 1985; Reeves et al. 1986). However, two problems have precluded general acceptance of these claims. First, artifacts recovered from several of the localities have been rejected by many archaeologists as natural products rather than cultural artifacts. Second, the techniques used for assigning early dates to the sites have been considered unsatisfactory (Moratto 1984; Taylor et al. 1985).

Careful scientific investigation of any possible Early Man archaeological remains in this region would be assigned a high research priority. Such a priority would reflect both the substantial popular interest in the issue and the general anthropological importance which any confirmation of a very early human presence in the western hemisphere would have. Anecdotal reports have surfaced over the years that Early Man deposits have been found in the lower levels of later sites in Mission Valley. However, no reports or analyses have been produced supporting these claims.

#### PALEO-INDIAN PERIOD (8500-6000 BC)

The earliest generally-accepted archaeological culture of present-day San Diego County is the Paleo-Indian culture of the San Dieguito Complex. This complex is usually assigned to the Paleo-Indian Stage and dated to about 10,500 years ago. It would therefore appear to be contemporary with the better-known Fluted Point Tradition of the High Plains and elsewhere and the Western Pluvial Lakes Tradition of the Desert West. The San Dieguito Complex, is believed to represent a nomadic hunting culture by some investigators of the complex

(Davis et al. 1969; Moriarty 1969; Rogers 1929, 1966; Warren 1966, 1967) characterized by the use of a variety of scrapers, choppers, bifaces, large projectile points and crescentics, a scarcity or absence of milling implements, and a preference for fine-grained volcanic rock over metaquartzite.

Careful scientific investigation of San Dieguito Complex sites in the region would also be assigned a high research priority. Major research questions relating to the Paleo-Indian Period include confirmation of the presence of the Fluted Point Tradition in San Diego County (Davis and Shutler 1969); better chronological definition of the San Dieguito Complex; determination of whether the San Dieguito assemblages do in fact reflect an early occupation, rather than the remains from a specialized activity set belonging to an Early Archaic Period culture; clarification of the relationship of the San Dieguito Complex, if it represents a separate culture, to the subsequent Early Archaic Period cultures; determination of the subsistence and settlement systems which were associated with the San Dieguito Complex; and clarification of the relationship of the San Dieguito Complex to similar remains in the Mojave Desert, in northwestern and central California, in southern Arizona and in Baja California. The San Dieguito Complex was originally defined in an area centering on the San Dieguito River valley, north of San Diego (Rogers 1929).

#### EARLY ARCHAIC PERIOD (6000 BC-AD 0)

As a result of climatic shifts and a major change in subsistence strategies, a new cultural pattern assignable to the Archaic Stage is thought by many archaeologists to have replaced the San Dieguito culture before 6000 BC. This new pattern, the Encinitas Tradition, is represented in San Diego County by the La Jolla and Pauma complexes. The coastal La Jolla Complex is characterized as a gathering culture which subsisted largely on shellfish and plant foods from the abundant littoral resources of the area. The La Jolla Complex is best known for its stone-on-stone grinding tools (mano and metate), relatively crude cobble-based flaked lithic technology and flexed human burials. Inland Pauma Complex sites have been assigned to this period on the basis of extensive stone-on-stone grinding tools, Elko Series projectile points and the absence of remains diagnostic of later cultures.

Among the research questions focusing on this period are the delineation of change or the demonstration of extreme continuity within the La Jolla and Pauma complexes; determination of whether coastal La Jolla sites represent permanent occupation areas or brief seasonal camps; the relationship of coastal and inland Archaic cultures; the scope and character of Archaic Period long-range exchange systems; the role of natural changes or culturally-induced stresses in altering subsistence strategies; and the termination of the Archaic Period in a cultural transformation, in an ethnic replacement or in an occupational hiatus in western San Diego County.

#### LATE PREHISTORIC PERIOD (AD 0-1769)

The Late Prehistoric Period in San Diego County is represented by two distinct cultural patterns, the Yuman Tradition from the Colorado Desert region and the Shoshonean Tradition from the north. These cultural patterns are represented locally by the Cuyamaca Complex from the mountains of southern San Diego County and the San Luis Rey Complex of northern San Diego County. The people of the Cuyamaca and San Luis Rey complexes are ancestral to the ethnohistoric Kumeyaay (Diegueño) and Luiseño, respectively. Prehistorically, the Kumeyaay were a hunting and gathering culture that adapted to a wide range of ecological zones from the coast to the Peninsular Range. A shift in grinding technology reflected by the addition of the pestle and mortar to the mano and metate, signifying an increased emphasis on acorns as a primary food staple, as well as the introduction of the bow and arrow (i.e., small Cottonwood Triangular and Desert Side-notched projectile points), obsidian from the Obsidian Butte source in Imperial County and human cremation serve to differentiate Late Prehistoric populations from earlier peoples. Pottery is also characteristic of the Cuyamaca Complex, but is absent from the San Luis Rey Complex until relatively late (post AD 1500).

Explanatory models applied to Late Prehistoric sites have drawn most heavily on the ethnographic record. Notable research opportunities for archaeological sites belonging to the Late Prehistoric period include refining chronology, examining the repercussions from environmental changes which were occurring in the deserts to the east, clarifying patterns of inter- and intra- regional exchange, testing the hypothesis of pre-contact horticultural/agricultural practices west of the desert, and testing ethnographic models for the Late Prehistoric settlement system. Hector (1984) focused on the Late Prehistoric Period to examine the use of special activity areas within large sites typical of this period. At issue was whether activities such as tool making, pottery manufacturing and dining were conducted in specific areas within the site, or whether each family unit re-created these activity areas throughout the site. Her findings indicated that no specialized areas existed within Late Prehistoric sites, and furthermore that tools made during this period served a variety of functions.

Late Prehistoric sites appear to be proportionately much less common than Archaic sites in the coastal plains subregion of southwestern San Diego County (Christenson 1990:134-135; Robbins-Wade 1990). These sites tend to be located on low alluvial terraces or at the mouths of coastal lagoons and drainages. Of particular interest is the observation that sites located in the mountains appear to be associated with the Late Prehistoric Period. This suggests that resource exploitation broadened during that time, as populations grew and became more sedentary.

### ETHNOHISTORIC PERIOD

The founding of Mission San Diego de Alcalá in 1769 by Father Junípero Serra and Mission San Luis Rey de Francia in 1798 by Father Lasuén brought about profound changes in the lives of the Yuman-speaking Kumeyaay (Diegueño) and Shoshonean-speaking Luiseño of San Diego County. The coastal Kumeyaay and Luiseño were quickly brought into their respective missions or died from introduced diseases. Ethnographic work, therefore, has concentrated on the mountain and desert peoples who were able to retain some of their aboriginal culture. As a result, ethnographic accounts of the coastal Kumeyaay and Luiseño are few. Today the descendants of the Kumeyaay bands are divided among 12 reservations in the south county; the descendants of the Luiseño bands among five reservations in the north county.

The Kumeyaay are generally considered to be a hunting-gathering society characterized by central-based nomadism. While a large variety of terrestrial and marine food sources were exploited, emphasis was placed on acorn procurement and processing as well as the capture of rabbit and deer. Shipek (1963, 1989b) has strongly suggested that the Kumeyaay, or at least some bands of the Kumeyaay, were practicing proto-agriculture at the time of Spanish contact. While the evidence is problematic, the Kumeyaay were certainly adept land and resource managers with a history of intensive plant husbandry.

Kumeyaay houses varied greatly according to locality, need, choice and raw materials. Formal homes were built only in the winter as they took some time to build and were not really necessary in the summer. Summer camps needed only a windbreak and were usually located under convenient trees, a cave fronted with rocks or an arbor built for protection from the sun. During the summer, the Kumeyaay moved from place to place, camping where ever they were. In the winter they constructed small elliptically shaped huts of poles covered with brush or bark. The floor of the house was usually sunk about two feet into the earth. In the foothills and mountains *hiwat* brush or deer broom was applied in bundles tied on with strands of yucca. In cold weather the brush was covered with earth to help keep the heat inside. Bundles of brush were tied together to make a door just large enough to crawl through.

Most activities, such as cooking and eating, took place outside the house. The cooking arbor was a lean-to type structure or four posts with brush over the top. Village owned structures were ceremonial and were the center of many activities. Sweathouses were built and used by the Kumeyaay men. They were built around four posts set

in a square near a river or stream and usually had a dug-out floor. The sweathouse was also used sometimes as a place for treating illnesses.

As with most hunting-gathering societies, Kumeyaay social organization was formed in terms of kinship. The Kumeyaay had a patrilineal type of band organization (descent through the male line) with band exogamy (marriage outside of one's band) and patrilocal marital residence (married couple integrates into the male's band). The band is often considered as synonymous with a village or rancheria, which is a political entity.

Almstedt (1980:45) has suggested that the term rancheria should be applied to both a social and geographical unit, as well as to the particular population and territory held in common by a native group or band. She also stressed that the territory for a rancheria might comprise a 30 square mile area. Many households would constitute a village or rancheria and several villages were part of a larger social system usually referred to as a consanguineal kin group called a *cimuL*. The members of the *cimuL* did not intermarry because of their presumed common ancestry, but they maintained close relations and often shared territory and resources (Luomala 1963:287-289).

Territorial divisions among Kumeyaay residential communities were normally set by the circuit of moves between villages by *cimuLs* in search of food. As Spier (1923:307) noted, the entire territory was not occupied at one time, but rather the communities moved between resources in such a manner that in the course of a year all of the recognized settlements may have been occupied. While a *cimuL* could own, or more correctly control, a tract of land with proscribed rights, no one from another *cimuL* was denied access to the resources of nature (Luomala 1963:285; Spier 1923:306); since no individual owned the resources, they were to be shared.

The Kumeyaay practiced many forms of spiritualism with the assistance of shamans and *cimuL* leaders. Spiritual leaders were neither elected to, nor inherited their position, but achieved status because they knew all the songs involved in ceremonies (Shipek 1991) and had an inclination toward the supernatural. This could include visions, unusual powers or other signs of communication with the worlds beyond. Important Kumeyaay ceremonies included male and female puberty rites, the fire ceremony, the whirling dance, the eclipse ceremony, the eagle dance, the cremation ceremony and the yearly mourning ceremony (Spier 1923:311-326).

Important areas of research for the Ethnohistoric Period include identifying the location of Kumeyaay settlements at the time of historic contact and during the following 50 years of the Spanish Period; delineating the effects of contact on Kumeyaay settlement/ subsistence patterns; investigating the extent to which the Kumeyaay accepted or adopted new technologies or material goods from the intrusive Spanish culture; and examining the changes to Kumeyaay religious practices as a result of contact.

## HISTORIC PERIODS

San Diego history can be divided into three periods: the Spanish, Mexican and American periods.

### SPANISH PERIOD (AD 1769-1822)

In spite of Juan Cabrillo's earlier landfall on Point Loma in 1542, the Spanish colonization of Alta California did not begin until 1769. Concerns over Russian and English interests in California motivated the Spanish government to send an expedition of soldiers, settlers and missionaries to occupy and secure the northwestern borderlands of New Spain. This was to be accomplished through the establishment and cooperative inter-relationship of three institutions: the Presidio, Mission and Pueblo. In 1769 a land expedition led by Gaspár de Portola reached San Diego Bay, where they met those who had survived the trip by sea on the San Antonio and the San Carlos. Initially camp was made on the shore of the bay in the area that is now downtown San Diego.

Lack of water at this location, however, led to moving the camp on May 14, 1769 to a small hill closer to the San Diego River and near the Kumeyaay village of Cosoy. Father Junípero Serra arrived in July of the same year to find the Presidio serving mostly as a hospital. The Spanish built a primitive mission and presidio structure on the hill near the river. The first chapel was built of wooden stakes and had a roof made of tule reeds. Brush huts and temporary shelters were also built.

Bad feelings soon developed between the native Kumeyaay and the soldiers, resulting in construction of a stockade whose wall was made from sticks and reeds. By 1772 the stockade included barracks for the soldiers, a storehouse for supplies, a house for the missionaries and the chapel, which had been improved. The log and brush huts were gradually replaced with buildings made of adobe bricks. Flat earthen roofs were eventually replaced by pitched roofs with rounded roof tiles. Clay floors were eventually lined with fired-brick.

In August, 1774 the Spanish missionaries moved the Mission San Diego de Alcalá to its present location six miles up the San Diego River valley (modern Mission Valley) near the Kumeyaay village of Nipaguay. Begun as a thatched *jacal* chapel and compound built of willow poles, logs and tules, the new Mission was sacked and burned in the Kumeyaay uprising of November 5, 1775. The first adobe chapel was completed in October, 1776 and the present church was begun the following year. A succession of building programs through 1813 resulted in the final rectilinear plan that included the church, bell tower, sacristy, courtyard, residential complex, workshops, corrals, gardens and cemetery (Neuerburg 1986). Orchards, reservoirs and other agricultural installations were built to the south on the lower San Diego River alluvial terrace and were irrigated by a dam and aqueduct system.

In 1798 the Spanish constructed the Mission San Luis Rey de Francia in northern San Diego County. They also established three smaller mission outposts (asistencias) at Santa Ysabel, Pala and Las Flores (Smythe 1908; Englehardt 1920; Pourade 1961). The mission system had a great effect on all Native American groups from the coast to the inland areas and was a dominant force in San Diego County.

Life for the new settlers at the San Diego Presidio was isolated and difficult. The arid desert climate and aggressive Native American population made life hard for the Spanish settlers. They raised cattle and sheep, gathered fish and seafood and did some subsistence farming in the San Diego River valley to generate enough food to keep the fledgling community of a few hundred Spaniards and hundreds of Native American neophytes alive. The situation for Spanish Period San Diegans' was complicated by the Spanish government's insistence on making trade with foreign ships illegal. Although some smuggling of goods into San Diego was done, the amounts were likely small (Smythe 1908:81-99; Williams 1994).

Significant research topics for the Spanish Period involve the chronology and ecological impact caused by the introduction of Old World plants and the spread of New World domesticates in southern California; the differences and similarities in the lifeways, access to resources and responses to change between different Spanish institutions; the effect of Spanish colonization on the Kumeyaay population; and the effect of changing colonial economic policies and the frontier economic system on patterns of purchase, consumption and discard.

#### MEXICAN PERIOD (AD 1822-1846)

In 1822 the political situation changed. Mexico won its independence from Spain and San Diego became part of the Mexican Republic. The Mexican Government opened California to foreign ships, and a healthy trade soon developed, exchanging the fine California cattle hides for the manufactured goods of Europe and the eastern United States. Several of these American trading companies erected rough sawn wood-plank sheds at La Playa on the bay side of Point Loma. The merchants used these "hide-houses" for storing the hides before transport to the east coast (Robinson 1846:12; Smythe 1908:102). As the hide trade grew, so did the need for more grazing



lands. Thus the Mexican Government began issuing private land grants in the early 1820s, creating the rancho system of large agricultural estates. Much of the land came from the Spanish missions, which the Mexican government secularized in 1833. The mission system, however, had begun to decline when the Mission Indians became eligible for Mexican citizenship and refused to work in the mission fields. The ranchos dominated California life until the American takeover in 1846 (Smythe 1908:101-106; Robinson 1948; Killea 1966; Pourade 1963). The Mexican Period brought about the continued displacement and acculturation of the native populations.

Another change in Mexican San Diego was the decline of the presidio and the rise of the civilian pueblo. The establishment of Pueblos in California under the Spanish government met with only moderate success and none of the missions obtained their ultimate goal, which was to convert to a Pueblo. Pueblos did, however, begin to form, somewhat spontaneously, near the California Presidios. As early as 1791, presidio commandants in California were given the authority to grant small house lots and garden plots to soldiers and their families (Richman 1911:346). Some time after 1800, soldiers from the San Diego Presidio began to move themselves and their families from the presidio buildings to the tableland down the hill near the San Diego River. Historian William Smythe noted that Don Blas Aguilar, who was born in 1811, remembered at least 15 such grants below Presidio Hill by 1821 (Smythe 1908:99). Of these 15 grants only five within the boundaries of what would become Old Town had houses in 1821. These included the retired commandant Francisco Ruiz adobe (now known as the Carrillo Adobe), another building later owned by Henry Fitch on Calhoun Street, the Ybanes and Serrano houses on Juan Street near Washington Street, and a small adobe house on the main plaza owned by Juan Jose Maria Marron (*San Diego Union* 6-15-1873:3). By 1827, as many as 30 homes existed around the central plaza and in 1835, Mexico granted San Diego official pueblo (town) status. At this time the town had a population of nearly 500 residents, later reaching a peak of roughly 600 (Killea 1966:9-35). By 1835 the presidio, once the center of life in Spanish San Diego, had been abandoned and lay in ruins. Mission San Diego de Alcalá fared little better. In 1842, 100 Indians lived under the care of the friars and only a few main buildings were habitable (Pourade 1963:11-12, 17-18). The town and the ship landing area (La Playa) were now the centers of activity in Mexican San Diego.

Adobe bricks were used as the primary building material of houses during the Mexican Period because wood was scarce and dirt and labor were plentiful. The technique had been brought to the New World from Spain, where it had been introduced by the Moors in the Eighth Century. Adobe bricks were made of a mixture of clay, water sticks, weeds, small rocks and sand. The sticks, weeds and small rocks held the bricks together and the sand gave the clay something to stick to. The mixture was poured into a wooden form measuring about 4 inches by 11 inches by 22 inches and allowed to dry. A one-room, single-story adobe required between 2,500 and 5,000 bricks. Walls were laid on the ground or built over foundations of cobblestone from the riverbed. To make walls the adobe bricks were stacked and held together with a thick layer of mortar (mud mixed with sand). Walls were usually three feet thick and provided excellent insulation from the winter cold and summer heat. To protect the adobe bricks from washing away in the rain, a white lime plaster or mud slurry was applied to the walls by hand and smoothed with a rock plaster smoother. The lime for the lime plaster was made by burning seashells in a fire. The lime was then mixed with sand and water. Once the plaster had dried, it formed a hard shell that protected the adobe bricks. The roof was usually made of carrizo cane bound with rawhide strips. Floors were usually of hard packed dirt, although tile was also used.

The new Pueblo of San Diego did not prosper as did some other California towns during the Mexican Period. In 1834 the Mexican government secularized the San Diego and San Luis Rey missions. The secularization in San Diego County had the adverse effect of triggering increased Native American hostilities against the Californios during the late 1830s. The attacks on outlying ranchos, along with unstable political and economic factors helped San Diego's population decline to around 150 permanent residents by 1840. San Diego's official Pueblo status was removed by 1838 and it was made a subprefecture of the Los Angeles Pueblo. When the Americans took

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over after 1846, the situation had stabilized somewhat, and the population had increased to roughly 350 non-Native American residents (Killea 1966:24-32; Hughes 1975:6-7).

Two important areas of research for the Mexican Period are the effect of the Mexican rancho system on the Kumeyaay population and the effect of changing colonial economic policies and the frontier economic system on patterns of purchase, consumption and discard.

#### AMERICAN PERIOD (AD 1846-PRESENT)

When United States military forces occupied San Diego in July 1846, the town's residents split on their course of action. Many of the town's leaders sided with the Americans, while other prominent families opposed the United States invasion. A group of Californios under Andres Pico, the brother of the Governor Pio Pico, harassed the occupying forces in Los Angeles and San Diego during 1846. In December 1846, Pico's Californios engaged U.S. Army forces under General Stephen Kearney at the Battle of San Pasqual and inflicted many casualties. However, the Californio resistance was defeated in two small battles near Los Angeles and effectively ended by January 1847 (Harlow 1982; Pourade 1963).

The Americans raised the United States flag in San Diego in 1846, and assumed formal control with the Treaty of Guadalupe-Hidalgo in 1848. In the quarter of a century following 1848, they transformed the Hispanic community into a thoroughly Anglo-American one. They introduced Anglo culture and society, American political institutions and especially American entrepreneurial commerce. By 1872, they even relocated the center of the city and community to a new location that was more accessible to the bay and to commerce (Newland 1992:8). Expansion of trade brought an increase in the availability of building materials. Wood buildings gradually replaced adobe structures. Some of the earliest buildings to be erected in the American Period were "Pre-fab" houses which were built on the east coast of the United States and shipped in sections around Cape Horn and reassembled in San Diego.

In 1850, the Americanization of San Diego began to develop rapidly. On February 18, 1850, the California State Legislature formally organized San Diego County. The first elections were held at San Diego and La Playa on April 1, 1850 for county officers. San Diego grew slowly during the next decade. San Diegans attempted to develop the town's interests through a transcontinental railroad plan and the development of a new town closer to the bay. The failure of these plans, added to a severe drought which crippled ranching and the onset of the Civil War, left San Diego as a remote frontier town. The troubles led to an actual drop in the town's population from 650 in 1850 to 539 in 1860 (Garcia 1975:77). Not until land speculator and developer Alonzo Horton arrived in 1867 did San Diego begin to develop fully into an active American town (MacPhail 1979).

Alonzo Horton's development of a New San Diego (modern downtown) in 1867 began to swing the community focus away from Old Town. After the county seat was moved in 1871 and a fire destroyed a major portion of the business block in April 1872, Old Town rapidly declined in importance.

American Period resources can be categorized into remains of the frontier era, rural farmsteads and urban environments, with different research questions applicable to each category. Important research topics for the frontier era include studying the changing function of former Mexican ranchos between 1850 and 1940 and investigating the effect on lifestyles of the change from Hispanic to Anglo-American domination of the pueblo of San Diego. Research domains for rural farmsteads include the definition of a common rural culture, comparing the definition of wealth and consumer preferences of successful rural farm families versus middle and upper-middle class urban dwellers, definition of the evolution and adaptation of rural vernacular architecture, and identification of the functions of external areas on farmsteads. Research questions for urban environments include definition of an urban subsistence pattern; definition of ethnic group maintenance and patterns of

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assimilation for identifiable ethnic groups; identification of specific adaptations to boom and bust cycles; definition of a common culture for working, middle and upper-middle class urban residents; identification of adaptations to building techniques, architectural styles, technological change and market fluctuations through analysis of industrial sites; and investigation of military sites to relate changes in armament technology and fortification expansion or reduction to changing priorities of national defense.

## ARCHITECTURE

The built environment, including structures and landscapes, is a vital source of historical evidence on past lifeways, work, ideas, cultural values and adaptations. The built environment is neither a product of random events, nor a static phenomena. The rearrangement of structural features and land use are part of the way in which people organize their lives. Landscapes are lands that have been shaped and modified by human actions and conscious design to provide housing, accommodate production systems, develop communication and transportation networks, designate social inequalities and express aesthetics (Rubertone 1989)

Vernacular architectural studies have demonstrated that pioneer farmers and urban dwellers used folk styles to meet specific needs. Analysis of these house types illustrate adaptation by households as a result of changing needs, lifestyle and economic status. Studies of structural forms at military complexes have documented changes in technology and national defense priorities, and industrial site studies have documented technological innovation and adaptation. The spatial relationships of buildings and spaces, and changes in those relationships through time, also reflect cultural values and adaptive strategies (Carlson 1990; Stewart-Abernathy 1986).

San Diego's built environment spans over 200 years of architectural history. The real urbanization of the City as it is today began in 1869 when Alonzo Horton moved the center of commerce and government from Old Town (Old San Diego) to New Town (downtown). Development spread from downtown based on a variety of factors, including the availability of potable water and transportation corridors. Factors such as views, and access to public facilities affected land values, which in turn affected the character of neighborhoods that developed.

During the Victorian Era of the late 1800s and early 1900s, the areas of Golden Hill, Uptown, Banker's Hill and Sherman Heights were developed. Examples of the Victorian Era architectural styles remain in those communities, as well as in Little Italy.

Little Italy developed in the same time period. The earliest development of the Little Italy area was by Chinese and Japanese fishermen, who occupied stilt homes along the bay. After the 1905 earthquake in San Francisco, many Portuguese and Italian fishermen moved from San Francisco into the area; it was close to the water and the distance from downtown made land more affordable.

Barrio Logan began as a residential area, but because of proximity to rail freight and shipping freight docks, the area became more mixed with conversion to industrial uses. This area was more suitable to the industrial uses because land values were not as high: topographically the area is more level and not as interesting in terms of views as the areas north of downtown. Various ethnic groups settled in the area because there land ownership was available to them.

San Ysidro began to be developed at about the same time, the turn of the century. The early settlers were followers of the Littlelanders movement. There, the pattern of development was lots designed to accommodate small plots of land for each homeowner to farm as part of a farming-residential cooperative community. Nearby Otay Mesa-Nestor began to be developed by farmers of Germanic and Swiss background. Some of the prime citrus groves in California were in the Otay Mesa-Nestor area; in addition, there were grape growers of Italian heritage who settled in the Otay River Valley and tributary canyons and produced wine for commercial purposes.

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At the time downtown was being built, there began to be summer cottage/retreat development in what are now the Beach communities and La Jolla area. The early structures in these areas was not of substantial construction; it was primarily temporary vacation housing.

Development spread to the Greater North Park and Mission Hills areas during the early 1900s. The neighborhoods were built as small lots, a single lot at a time; there was not large tract housing development of those neighborhoods. It provided affordable housing away from the downtown area, and development expanded as transportation improved.

There was farming and ranching in Mission Valley until the middle portion of the 20th century when the uses were converted to commercial and residential. There were dairy farms and chicken ranches adjacent to the San Diego River where now there are motels, restaurants, office complexes and regional shopping malls.

There was little development north of the San Diego River until Linda Vista was developed as military housing in the 1940s. The federal government improved public facilities and extended water and sewer pipelines to the area. From Linda Vista, development spread north of Mission Valley to the Clairemont Mesa and Kearny Mesa areas. Development in these communities was mixed use and residential on moderate size lots.

San Diego State University was established in the 1920s; development of the state college area began then and the development of the Navajo community was outgrowth from the college area and from the west.

Tierrasanta, previously owned by the U.S. Navy was developed in the 1970s. It was one of the first planned unit developments with segregation of uses. Tierrasanta and many of the communities that have developed since, such as Rancho Penasquitos and Rancho Bernardo, represent the typical development pattern in San Diego in the last 25 to 30 years: uses are well segregated with commercial uses located along the main thoroughfares, and the residential uses are located in between. Industrial uses are located in planned industrial parks.

Examples of every major period and style remain, although few areas retain neighborhood-level architectural integrity due to several major building booms when older structures were demolished prior to preservation movements and stricter regulations regarding historic structures. Among the recognized styles in San Diego are Spanish Colonial, Pre-Railroad New England, National Vernacular, Victorian Italianate, Stick, Queen Anne, Colonial Revival, Neoclassical, Shingle, Folk Victorian, Mission, Craftsman, Monterey Revival, Italian Renaissance, Spanish Eclectic, Egyptian Revival, Tudor Revival, Modernistic and International (McAlester and McAlester 1990).

Research interests related to the built environment include San Diego's railroad and maritime history, development in relationship to the automobile, the role of recreation in the development of specific industries, as well as the design and implementation of major regional planning and landscaping projects, the role of international fairs on architecture, landscape architecture and city building; the development of industrial and military technologies between the two world wars; the relationship between climate, terrain, native plant material and local gardening and horticultural practices, planning and subdivision practices from the turn of the century to the present day and the post-war period of suburbanization.

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# San Diego Municipal Code

## LAND DEVELOPMENT CODE

### HISTORICAL RESOURCES GUIDELINES

### APPENDIX B: HISTORICAL RESOURCES CONSULTANT QUALIFICATIONS

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City of San Diego

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## HISTORICAL RESOURCES CONSULTANT QUALIFICATIONS

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The City recognizes a difference between the qualifications required for individual's nominating a property to the City of San Diego Historical Resources Board for designation and individual's preparing technical documentation for CEQA compliance. The process for designating historical resources (San Diego Land Development Code, Section 123.0210) allows any person to nominate a property for designation by submitting an Historical Resources Board Register Sheet and Research Report, as identified in the Board's "Guidelines and Procedures for Designation of Historical Sites", to the Board's administrative staff to be considered for forwarding to the Board. It is the Board's intent that Research Reports for historical designations and artistic/architectural designations be simple enough to preclude the necessity of hiring a consultant to prepare them. Research Reports for archaeological designations and natural resource designations, however, must be prepared by qualified individuals.

For CEQA compliance, the City is committed to ensuring that historical resource studies are conducted by qualified professionals. Towards this end, the City strongly recommends that individuals working in any of the disciplines routinely practicing in the historic preservation field today should meet certain minimum professional standards in education, training and experience as described below. These standards, for the most part, follow the professional qualification standards found in the Secretary of Interior's "Standards and Guidelines for Archeology and Historic Preservation" (1995). In addition, it is recommended that individuals conducting historical resource studies be certified by the Register of Professional Archeologists (RPA), when appropriate, and be approved by the City Manager prior to the onset of work.

The City Manager may grant approval to an individual not meeting the minimum qualifications standards described below. Such individuals may submit their qualifications to the City for consideration. The decision will be made at the discretion of the City Manager on a case-by-case basis.

### PRINCIPAL INVESTIGATOR

#### ARCHAEOLOGY

The minimum qualifications for a Principal Investigator conducting archaeological studies are a graduate degree in Archaeology, Anthropology or closely related field (e.g., Historical Archaeology and Cultural Anthropology) PLUS: 1) active RPA certification or equivalent training accepted for accreditation purposes; 2) at least two years of full-time demonstrable experience (or equivalent specialized training) at a supervisory level with prehistoric archaeological resources of southern California; AND 3) a demonstrated ability to carry research to completion, including scholarly research, publications, papers or similar research and writings in prehistoric archaeology relating to the prehistoric material culture, prehistoric archaeological resources or the prehistoric built environment of southern California. Demonstrable experience includes, but is not limited to: 1) teaching prehistoric archaeology with an emphasis on and related to prehistoric material culture, prehistoric archaeological resources or the prehistoric built environment of southern California; OR 2) administrative, project review or supervisory experience in an historic preservation program or office (academic institution, historical organization or agency, museum, cultural resources management consulting firm or similar professional institution) with an emphasis on and related to prehistoric material culture, prehistoric archaeological resources or the prehistoric built environment of southern California.

The Principal Investigator shall act as Field and Laboratory Director and shall be responsible for the preparation of all required technical reports, including survey and evaluation results, determinations of significance and

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preservation/mitigation programs. The Principal Investigator shall ensure that each field and laboratory supervisor and assistant have adequate training to assure that all aspects of the field and lab work are carried out in a professional manner.

### ARCHITECTURAL HISTORY

The minimum qualifications for a Principal Investigator conducting studies in Architectural History are a graduate degree in Architectural History or closely related field (e.g., Art History or Historic Preservation) PLUS at least one year of demonstrable experience in applying the methods and practices of Architectural History in the historic preservation arena; OR a Bachelor's degree in Architectural History or closely related field PLUS at least three years of demonstrable experience in applying the methods and practices of Architectural History in the historic preservation arena. Demonstrable experience includes, but is not limited to: 1) scholarly research, publications, papers or similar research and writings related to the history of architecture, historic material culture, historic resources or the historic built environment of southern California; OR 2) teaching the history of architecture, historic material culture, historic resources or the historic built environment of southern California; OR 3) administrative, project review or supervisory experience in an historic preservation program or office (academic institution, historical organization or agency, museum, cultural resources management consulting firm or similar professional institution) with an emphasis on and relating to the history of architecture, historic material culture, historic resources or the historic built environment of southern California; OR 4) field work in Architectural History that emphasizes the identification, evaluation, treatment or documentation of architecture, historic material culture, historic resources or the historic built environment of southern California.

### CULTURAL ANTHROPOLOGY

The minimum qualifications for a Principal Investigator conducting studies in Cultural Anthropology are a graduate degree in Anthropology or closely related field (e.g., Ethnography, Ethnohistory, Folklife, Ethnobotany, Ethnozoology, Ethno-archaeology, Cultural Geography, Sociology, Social Anthropology and Oral History) with specialization in Cultural Anthropology PLUS at least one year of demonstrable experience in applying the methods and practices of Cultural Anthropology in southern California. Demonstrable experience includes, but is not limited to: 1) scholarly research, publications, papers or similar research and writings on the theory or practices of Cultural Anthropology as it relates to historic preservation, historic or prehistoric material culture, historic or prehistoric resources or the historic or prehistoric built environment of southern California; OR 2) teaching the theory or practices of Cultural Anthropology as it relates to historic preservation, historic or prehistoric material culture, historic or prehistoric resources or the historic or prehistoric built environment of southern California; OR 3) administrative, project review or supervisory experience in an historic preservation program or office (academic institution, historical organization or agency, museum, cultural resources management consulting firm or similar professional institution) with an emphasis on the Cultural Anthropology of southern California; OR 4) field work in Cultural Anthropology that emphasizes the identification, evaluation, treatment or documentation of historic or prehistoric material culture, historic or prehistoric resources or the historic or prehistoric built environment of southern California.

### HISTORICAL ARCHAEOLOGY

The minimum qualifications for a Principal Investigator conducting studies in Historical Archaeology are a graduate degree in Anthropology with a specialization in Historical Archaeology, Archaeology with a specialization in Historical Archaeology or closely related field (e.g., Prehistoric Archaeology and Cultural Anthropology) PLUS: 1) active RPA certification or equivalent training accepted for accreditation purposes; 2) at least two years of full-time demonstrable experience (or equivalent specialized training) at a supervisory level with historic archaeological resources of southern California; AND 3) a demonstrated ability to carry research to

completion, including scholarly research, publications, papers or similar research and writings in historical archaeology relating to the historic material culture, historic archaeological resources or the historic built environment of southern California. Demonstrable experience includes: 1) teaching historical archaeology with an emphasis on and related to historic material culture, historic archaeological resources or the historic built environment of southern California; OR 2) administrative, project review or supervisory experience in an historic preservation program or office (academic institution, historical organization or agency, museum, cultural resources management consulting firm or similar professional institution) with an emphasis on and related to historic material culture, historic archaeological resources or the historic built environment of southern California.

## HISTORICAL PRESERVATION

The minimum qualifications for a Principal Investigator conducting studies in Historical Preservation are a graduate degree in Historical Preservation or closely related field (e.g., Environmental Studies, American Civilization, Architectural History, Public Administration, Law, Planning, History, Anthropology, Humanities and Cultural Geography) PLUS at least one year of demonstrable experience in applying the methods and practices of historical preservation in the identification, evaluation or treatment of historic or archaeological resources; OR a bachelor's degree in Historical Preservation or closely related field PLUS at least three years of demonstrable experience in applying the methods and practices of historical preservation in the identification, evaluation or treatment of historic or archaeological resources. Demonstrable experience includes, but is not limited to: 1) scholarly research, publications, papers or similar research and writings in Historical Preservation relating to historic or prehistoric material culture, historic or archaeological resources or the historic or prehistoric built environment of southern California; OR 2) teaching Historical Preservation as it relates to historic or prehistoric material culture, historic or archaeological resources or the historic or prehistoric built environment of southern California; OR 3) administrative, project review or supervisory experience in an historic preservation program or office (academic institution, historical organization or agency, museum, cultural resources management consulting firm or similar professional institution) with an emphasis on historical preservation in southern California and its relationship to the identification, evaluation or treatment of historic or archaeological resources; OR 4) field work that identifies, evaluates or protects the historic or prehistoric resources of southern California.

## HISTORY

The minimum qualifications for a Principal Historian are a graduate degree in History or closely related field (e.g., American Studies, American Civilization, Historic Preservation and Humanities) PLUS at least one year of demonstrable experience in applying the methods and practices of History in the Historic Preservation arena; OR a bachelor's degree in History or closely related field PLUS at least three years of demonstrable experience in applying the methods and practices of History in the historic preservation arena. Demonstrable experience includes, but is not limited to: 1) scholarly research, publications, papers or similar research and writings related to the historic material culture, historic resources or the historic built environment of southern California; OR 2) teaching History with an emphasis on and relating to historic material culture, historic resources or the historic built environment of southern California; 3) administrative, project review or supervisory experience in an historic preservation program or office (academic institution, historical organization or agency, museum, cultural resources management consulting firm or similar professional institution) with direct experience in History relating to historic material culture, historic resources or the historic built environment of southern California; OR 4) field work in History that emphasizes the identification and evaluation of historic material culture, historic resources or the historic built environment of southern California.

## UNDERWATER ARCHAEOLOGY

The minimum qualifications for an Underwater Archaeologist are a graduate degree in Archaeology, Anthropology or closely related field (e.g., Historical Archaeology and Cultural Anthropology) **PLUS:** 1) active RPA Certification or equivalent training accepted for accreditation purposes; 2) at least two years of full-time demonstrable experience (or equivalent specialized training) at a supervisory level with underwater archaeological resources of southern California; **AND** 3) a demonstrated ability to carry research to completion, including scholarly research, publications, papers or similar research and writings in underwater archaeology relating to the historic or prehistoric material culture, historic or prehistoric resources or the historic or prehistoric built environment of southern California. Demonstrable experience includes, but is not limited to: 1) teaching underwater archaeology with an emphasis on and related to historic or prehistoric material culture, historic or prehistoric resources or the historic or prehistoric built environment of southern California; **OR** 2) administrative, project review or supervisory experience in an historic preservation program or office (academic institution, historical organization or agency, museum, cultural resources management consulting firm or similar professional institution) with an emphasis on and related to historic or prehistoric material culture, historic or prehistoric resources or the historic or prehistoric built environment of southern California.

### **ARCHAEOLOGICAL SUPERVISORS AND MONITORS**

**Supervisors:** The minimum qualifications for archaeological field/laboratory supervisors are a bachelor's degree in Archaeology, Anthropology or closely related field (e.g., Archaeology and Cultural Anthropology) **PLUS:** 1) at least two years of demonstrable experience (or equivalent specialized training) with prehistoric archaeological resources of the United States; **AND** 2) at least one year of full-time demonstrable experience at a supervisory level with prehistoric archaeological resources of southern California. Demonstrable experience includes, but is not limited to: 1) administrative, project review or supervisory experience in an historic preservation program or office (academic institution, historical organization or agency, museum, cultural resources management consulting firm or similar professional institution) with an emphasis on and related to prehistoric material culture, prehistoric archaeological resources or the prehistoric built environment of southern California; **OR** 2) field work that emphasizes the identification, evaluation, treatment or documentation of prehistoric material culture, prehistoric archaeological resources or the prehistoric built environment of southern California.

**Field Monitors:** Field Monitors must work under the direct supervision of a qualified supervisor meeting the "Supervisor" qualifications listed above. Direct supervision requires that the field monitor be able to contact a qualified Supervisor immediately from the field by cell phone or pager. The minimum qualifications for archaeological field monitors are 1) a Bachelor's degree in Archaeology, Anthropology or closely related field (e.g. Archaeology and Cultural Anthropology) **AND** one (1) year of archaeology field experience in San Diego County **OR** (2) an associate of arts degree in Archaeology, a archaeology certification from a recognized California Archaeology certification program, **AND** one (1) year of archaeology field experience working in San Diego County.

### **TRADITIONAL CULTURAL PROPERTY EXPERTISE**

The minimum qualifications for traditional cultural property expertise are a community-recognized traditional cultural authority who can speak on behalf of the community with regard to historic or prehistoric resources; **OR** community-recognized permission to consult with a traditional cultural authority and to speak on behalf of that authority **PLUS** at least one year of demonstrable experience in applying information concerning traditional cultural properties in the historic preservation arena. Demonstrable experience includes, but is not limited to: 1) study with traditional cultural authorities concerning community traditions associated with traditional cultural properties of southern California; **OR** 2) teaching or passing on community traditions that relate to traditional cultural properties of southern California; **OR** 3) administering or working in a program on behalf of a traditional community that identifies, evaluated, documents and protects traditional cultural properties in southern



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California; OR 4) fieldwork on behalf of the community to identify, evaluate, document and protect traditional cultural properties in southern California.

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# San Diego Municipal Code

## LAND DEVELOPMENT CODE

### HISTORICAL RESOURCES GUIDELINES

#### APPENDIX C: ARCHAEOLOGICAL RESOURCE MANAGEMENT REPORT FORMAT

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City of San Diego

**ARCHAEOLOGICAL RESOURCE MANAGEMENT REPORT FORMAT**

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This report format must be used when significant archaeological resources would be directly impacted as a result of a proposed development project. This format may be modified, as necessary, when historical resources other than archaeological resources are also present within the project area.

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- I. TITLE PAGE
  - A. Report title (type of study, project name, city, state).
  - B. LDR number.
  - C. Party to whom report submitted (lead agency under CEQA).
  - D. Party for whom report prepared (e.g., contracting or responsible party such as a permitting agency, property owner, or lead agency under CEQA).
  - E. Consulting firm preparing report (name, address, telephone number).
  - F. Authors (include titles).
  - G. Date (month, year).
  
- II. NATIONAL ARCHAEOLOGICAL DATA BASE INFORMATION
  - A. Authors (same as I.F).
  - B. Consulting firm (same as I.E).
  - C. Report date (same as I.G).
  - D. Report title (same as I.A).
  - E. Party submitted to (same as I.C).
  - F. Party submitted by (same as I.D).
  - G. Contract number.
  - H. USGS quadrangle location of study area.
  - I. Acreage of study area.
  - J. Keywords
  
- III. TABLE OF CONTENTS
  - A. Major report sections, subheadings and appendices with page numbers.
  - B. Figures with page numbers.
  - C. Photographs with page numbers.
  - D. Tables with page numbers.
  
- IV. MANAGEMENT SUMMARY/ABSTRACT
  - A. Purpose and scope of cultural resource investigation (e.g., constraints study, survey and evaluation, mitigation, monitoring).
  - B. Date(s) of investigation.
  - C. Summary of results (e.g., if survey, list number and types of historical resources identified).
  - D. Constraints on investigation (e.g., time, finances, logistics, dense vegetation, weather, right-of-entry, etc.).
  - E. Summary of significance/eligibility of historical resources pursuant to CEQA, City of San Diego Land Development Code, California Register of Historical Resources, and, if applicable, the National Register of Historic Places criteria.
  - F. Summary of direct, indirect and cumulative impacts on historical resources.
  - G. Summary of recommendations (e.g., additional survey, resource evaluation, preservation program, research design and data recovery program and monitoring program).
  - H. Curation of field notes, collections and reports.

- 
- V. PROJECT INFORMATION/INTRODUCTION
- A. Purpose of study (relevant Federal, State and local laws). Any studies that preceded and recommended current study.
  - B. USGS project location (section, township, range, quadrangle). Include USGS quadrangle map with project boundaries (map must include quad name, north arrow and scale).
  - C. Geographic limits of study area in acres; include 800' scale City Engineering map with survey boundaries (study area may or may not coincide with project boundaries).
  - D. Project description, nature and extent of anticipated impacts (must include site plan).
  - E. Project schedule: phases of planning and construction.
  - F. Personnel organization: active participants and duties (qualifications in appendix).
- VI. SETTING
- A. Natural Setting
    - 1. General physiographic region.
    - 2. Local environment of study area (i.e., landform, geology, soils, fresh water, climate, vegetation, animal life). Location of culturally important resources (e.g., rock outcrops, oak groves, lagoons, etc.), as appropriate.
    - 3. Current land use.
  - B. Cultural Setting
    - 1. Brief summary of prehistory/history of study area, as appropriate.
    - 2. Summary of previously recorded cultural resources within one-mile of study area (record searches from South Coastal Information Center and San Diego Museum of Man in confidential appendix).
    - 3. Detailed summary of previously recorded sites and studies on-site.
- VII. RESEARCH DESIGN
- A. Theoretical basis of proposed study.
  - B. Summary of important research questions for study area or identified resources.
  - C. Testable hypotheses or research goals.
  - D. Test implications of hypotheses or expected historical resource information (historical resource types, distribution, data categories).
- VIII. METHODS
- A. Definitions for cultural resource types (i.e., types of buildings, structures, objects, sites or districts), if different from SHPO definitions.
  - B. Research methods employed (e.g., literature review, surface survey, excavation, laboratory analysis, specialty studies).
    - 1. Date(s) of investigation.
    - 2. Research and sampling strategies employed, why used, how conducted, and person hours/days expended. 10-meter transect spacing required for most surveys; up to 15 meters, if justified (i.e., 100% ground surface visibility). Survey coverage should approximate 40 acres/person day. All areas, including open space, must be surveyed, with exception of slopes steeper than 25% gradient.
    - 3. Include 800' scale City Engineering map showing areas not surveyed or surveyed using different strategies, if different from V.C.
    - 4. Descriptive summary of project areas examined; include percentage of ground surface visibility.
    - 5. Resource recording procedures, as appropriate.

6. General description of surface and subsurface treatment (i.e., types and methods of mapping, surface collection, feature documentation and excavation).
  7. Cultural materials collected (if any); include methods of documentation and removal.
  8. Laboratory methods employed (e.g., washing, catalog procedures, lithic analysis, ceramic analysis, flotation, special treatment, etc.).
  9. Specialty studies conducted (e.g., radiocarbon, obsidian sourcing and hydration, shellfish, animal bone, fish bone, macrobotanical, pollen, phytolith, blood protein, etc.); include name of analyst (report in appendix).
- C. Native American consultation.
- D. Curation of field notes, collections and reports.

## IX. REPORT OF FINDINGS

- A. Single survey and evaluation report required.
- B. Results of survey and evaluation. If present, list of historical resources in study area classified as buildings, structures, objects, sites, districts, or recent resources (<45 years old). Primary Record number required for all historical resources; permanent trinomial (CA-SDI-XXXX) required for all archaeological sites.
- C. Historical resource location maps (USGS quadrangle map and 800' scale City Engineering map) required in confidential appendix. Archaeological resource site maps (200' scale or better) in text, as long as location not easily identified. Site maps must show topography, resource boundaries, surface mapping, features, disturbance, and subsurface excavation locations.
- D. Description of each cultural resource listed under IX.C, including topographic setting, configuration, overall dimensions, surface features, artifacts observed/collected and photograph of resource. Completed Primary Records required in a confidential appendix for all newly discovered historical resources. Additional records are required, as appropriate. Updated records are also required for all previously recorded historical resources.
- E. Summary of specific evaluation procedures employed for each resource in project area (i.e., surface collection and mapping, recording of surface features, subsurface excavation, etc.), including any resources that would be preserved in open space.
- F. Evaluation of historic building(s), including documentation/evaluation of architect, people who have occupied/owned building(s), architecture and relationship to surrounding structures and community, is required if identified as part of the survey.
- G. Subsurface evaluation required for any sites previously recorded in project area, but not relocated during survey. This may include mechanical trenching and/or coordination with geotechnical investigations.
- H. Description of physical context for each evaluated resource (i.e., topography, geomorphology, stratigraphy, excavation profiles, etc.).
- I. Description of archaeological/structural features (e.g., bedrock milling, hearths, refuse pits, living floors, structural foundations, pathways, gardens, etc.). Include location, dimensions, attributes, and associations; illustrations and photographs; results of specialty studies related to features.
- J. Description and quantification of artifacts by artifact class and material type (e.g., flaked stone, groundstone, ceramics, bone tools, modified shell, etc.). Include typological analysis of artifacts, illustrations/photographs of all tools, and analysis of artifact manufacture and use.
- K. Description of non-artifactual material (e.g., shellfish, animal bone, fish bone, burned seeds, etc.); include specialty study reports in appendix.
- L. Results of other specialty studies (e.g., radiocarbon, obsidian sourcing and hydration, pollen, phytolith, blood protein, etc.); include reports in appendix.

- 
- M. Description of discovery, examination and disposition of human remains, if any; include reburial agreement in appendix.
  - N. Description of spatial distribution and patterning of cultural material by class and type (e.g., flaked stone, groundstone, ceramics, shellfish, bone, etc.).
  - O. Results of Native American consultation.
- X. DISCUSSION/INTERPRETATION
- A. Results of study as related to specific research design questions.
  - B. Results of study in terms of general research objectives.
- XI. MANAGEMENT CONSIDERATIONS
- A. Detailed discussion addressing significance/eligibility of each historical resource pursuant to CEQA, California Register of Historical Resources, City of San Diego Land Development Code, and, if applicable, the National Register of Historic Places criteria.
  - B. Assessment of potential direct, indirect, and cumulative impacts for each identified historical resource. For reports involving multiple resources, provide table of historical resources, potential impacts and significance/eligibility.
  - C. Consideration of alternative measures to avoid or minimize adverse impacts for each significant historical resource.
  - D. Recommendations (i.e., explicit preservation program, documentation of historic buildings, research design and data recovery program, or combination) for each significant historical resource required. Include monitoring program during grading to ensure compliance with preservation program or for identification of new resources, if appropriate.
- XII. REFERENCES
- XIII. CERTIFICATION
- XIV. APPENDICES
- A. Personnel qualifications (resumes)
  - B. Curatorial or reburial agreements, if any
  - C. Reviewers comments/agency correspondence, if any
  - D. Artifact/collection catalog
  - E. Photographic records
  - F. Native American observer/monitor reports, if any
  - G. Project maps and plans, drawings, etc., if not in body of text
  - H. Specialty studies/technical reports
- XV. CONFIDENTIAL APPENDICES (bound separately)
- A. Records search results
  - B. Historical resource location maps and site maps
  - C. New or updated historical resource records

Adapted from Archaeological Resource Management Reports (ARMR): Recommended Contents and Format (California Office of Historic Preservation, December 1989)  
Revised 9/97

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San Diego Municipal Code  
LAND DEVELOPMENT CODE

HISTORICAL RESOURCES GUIDELINES  
APPENDIX D: ARCHAEOLOGICAL RESOURCE  
REPORT FORM



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City of San Diego

**ARCHAEOLOGICAL RESOURCE REPORT FORM**

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This report form shall be used when a site specific survey for historical resources was completed and no archaeological resources were identified within the project area (APE). This form may be used, rather than completion of an Archaeological Resource Management report, when archaeological resources were identified and, based on an evaluation, were determined to be non-significant or are potentially significant but will not be directly impacted by the proposed development project. Completion of the required site specific survey and this report form must conform to the Historical Resources Guidelines of the Land Development Manual.

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I. PROJECT DESCRIPTION AND LOCATION (Include the geographic limits of the study area and a description of the proposed development project.)

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II. SETTING

Natural Environment (Past and Present)

Ethnography/History

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III. AREA OF POTENTIAL AFFECT (APE) (Describe the nature and extent of anticipated direct, indirect and cumulative impacts.)

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IV. STUDY METHODS (Include a description of the specific methods used in the identification and evaluation of archaeological resources for this study.)

V. RESULTS OF STUDY

Background Research

Field Reconnaissance

Evaluation

VI. RECOMMENDATIONS ( Include recommendations for mitigation of significant indirect and cumulative impacts and monitoring, as appropriate.)

VII. SOURCES CONSULTED	DATE
National Register of Historic Places <input type="checkbox"/>	Month and Year:
California Register of Historical Resources <input type="checkbox"/>	Month and Year:
City of San Diego Historical Resources Register <input type="checkbox"/>	Month and Year:
Archaeological/Historical Site Records: South Coastal Information Center <input type="checkbox"/> San Diego Museum of Man <input type="checkbox"/>	Month and Year: Month and Year:

Other Sources Consulted:

VIII. CERTIFICATION

Preparer:	Title:
Signature:	Date:

IX. ATTACHMENTS

National Archaeological Data Base Information

Bibliography

Maps (Include all of the following maps.)

City of San Diego 800' scale

U.S.G.S. Quadrangle

Project Maps (Delineate area of actual survey on Project Map, or largest scale map available.)

Site Plan

Photographs (Include site and artifact photographs, as appropriate.)

Personnel Qualifications (Include resumes if not already on file with the City.)

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X. CONFIDENTIAL APPENDICES (Bound separately)

Records search results

Historical resource location maps and site maps

New or updated historical resource records

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# San Diego Municipal Code

## LAND DEVELOPMENT CODE

### HISTORICAL RESOURCES GUIDELINES

#### APPENDIX E: HISTORICAL RESOURCES BOARD GUIDELINES AND PROCEDURES FOR DESIGNATION OF HISTORIC SITES (Bound Under Separate Cover)

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# San Diego Municipal Code

## LAND DEVELOPMENT CODE

### HISTORICAL RESOURCES GUIDELINES

### APPENDIX F: THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS (Bound Under Separate Cover)

### Article 3: Supplemental Development Regulations

#### Division 2: Historical Resources Regulations

(Added 12-9-1997 by O-18451 N.S.)

#### §143.0201 Purpose of Historical Resources Regulations

The purpose of these regulations is to protect, preserve and, where damaged, restore the *historical resources* of San Diego, which include *historical buildings, historical structures or historical objects, important archaeological sites, historical districts, historical landscapes, and traditional cultural properties*. These regulations are intended to assure that *development* occurs in a manner that protects the overall quality of *historical resources*. It is further the intent of these regulations to protect the educational, cultural, economic, and general welfare of the public, while employing regulations that are consistent with sound historical preservation principles and the rights of private property owners.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

#### §143.0210 When Historical Resources Regulations Apply

- (a) This division applies to proposed *development* when the following *historical resources* are present on the site, whether or not a Neighborhood Development Permit or Site Development Permit is required;
- (1) *designated historical resources*;
  - (2) *historical buildings*;
  - (3) *historical districts*;
  - (4) *historical landscapes*;
  - (5) *historical objects*;
  - (6) *historical structures*;
  - (7) *important archaeological sites*; and
  - (8) *traditional cultural properties*.
- (b) Where any portion of a *premises* contains *historical resources*, this division shall apply to the entire *premises*.



- (c) Table 143-02A shall be used to determine the appropriate regulations and the required decision for various types of *development* proposals when *historical resources* are located on the *premises*.
- (d) A Construction Permit is required for any *development* on a *premises* that has *historical resources* on the site that will not adversely affect the *historical resources* and is consistent with one or more of the exemption criteria in accordance with Section 143.0220.
- (e) A Neighborhood Development Permit or Site Development Permit is required for the following types of *development* proposals that do not qualify for an exemption in accordance with Section 143.0220:
  - (1) Neighborhood Development Permit. *Single dwelling unit* residential *development* on a *single dwelling unit lot* of any size when a *traditional cultural property* or *important archaeological site* is present.
  - (2) Site Development Permit in Accordance With Process Four.
    - (A) *Single dwelling unit* residential *development* on a *single dwelling unit lot* of any size when a *designated historical resource* or *historical district* is present.
    - (B) *Multiple dwelling unit* residential, commercial, or industrial *development* on any size *lot*, or any *subdivision* on any size *lot*, or any City public works construction project other than any *capital improvement program project*, or any project specific *land use plan* when a *historical resource* is present.
    - (C) *Development* that proposes to deviate from the development regulations for *historical resources* as described in this division, except for any *capital improvement program* project.
  - (3) Site Development Permit in Accordance With Process CIP-Two. *Capital improvement program projects* that comply with the regulations of this division without deviation.
  - (4) Site Development Permit in Accordance With Process CIP-Five. *Capital improvement program projects* that deviate from any of the regulations of this division.

**Table 143-02A  
Applicability of Historical Resources Regulations**

Type of Development Proposal		Historical Resources Potentially Impacted by Project		
		<i>Designated Historical Resources or Historical Districts</i>	<i>Traditional Cultural Properties</i>	<i>Important Archaeological Sites</i>
1. Any project exempt from obtaining a development permit in accordance with Section 143.0220	R	143.0251	143.0251	143.0252
	P	Construction Permit/Process One	Construction Permit/Process One	Construction Permit/Process One
2. <i>Single dwelling units on any size lot</i>	R	143.0251	143.0252	143.0253
	P	SDP/Process Four	NDP/Process Two	NDP/Process Two
3. <i>Multiple dwelling unit, non-residential development, subdivisions and public works construction projects on any size Lot, other than capital improvement program projects</i>	R	143.0251	143.0252	143.0253
	P	SDP/Process Four	SDP/Process Four	SDP/Process Four
4. <i>Project-Specific Land Use Plans</i>	R	143.0251	143.0252	143.0253
	P	SDP/Process Four	SDP/Process Four	SDP/Process Four
5. <i>Development, other than capital improvement program projects, that deviates from any of the regulations in this division.</i>	R	143.0251	143.0252	143.0253
	P	SDP/Process Four	SDP/Process Four	SDP/Process Four
6. <i>Capital improvement program projects that comply with the regulations of this division without deviation</i>	R	143.0251	143.0252	143.0253
	P	SDP/Process CIP-Two	SDP/Process CIP-Two	SDP/Process CIP-Two
7. <i>Capital improvement program projects that deviate from any of the regulations in this division</i>	R	143.0251	143.0252	143.0253
	P	SDP/Process CIP-Five	SDP/Process CIP-Five	SDP/Process CIP-Five

Legend to Table 143-02A	
R	Development regulation sections (in addition to Section 143.0250) applicable to the <i>historical resources</i> present.
P	Type of Permit/Decision process required. Neighborhood Development Permit (NDP) Site Development Permit (SDP)

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)  
(Amended 11-13-08 by O-19805 N.S; effective 12-13-2008.)  
(Amended 10-22-2013 by O-20309 N.S.; effective 12-12-2013.)

**§143.0211 Duty to Submit Required Documentation and to Obtain Permit**

The property owner or *applicant* shall submit required documentation and obtain a *construction permit*, a Neighborhood Development Permit, a Site Development Permit as required pursuant to this division before any *development* activity occurs on a *premises* that contains *historical resources*.  
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

**§143.0212 Need for Site-Specific Survey and Determination of Location of Historical Resources**

- (a) The City Manager shall determine the need for a site-specific survey for the purposes of obtaining a *construction permit* or *development permit* for *development* proposed for any parcel containing a *structure* that is 45 or more years old and not located within any area identified as exempt in the Historical Resources Guidelines of the Land Development Manual or for any parcel identified as sensitive on the Historical Resource Sensitivity Maps. The following *development* shall be exempt from the requirements of Section 143.0212:
  - (1) Interior *development* and any modifications or repairs that are limited in scope to an electrical or plumbing/mechanical permit where the *development* would not include a change to the exterior of existing *structures*;
  - (2) In kind roof repair and replacement;
  - (3) In kind foundation repair and replacement, except for *structures* with a decorative block or cobblestone foundation; and

- (4) Construction of a swimming pool in a rear *yard*, except on a property that requires a survey in accordance with Section 143.0212(b).
- (b) The Historical Resource Sensitivity Maps shall be maintained by City Manager and shall be used to identify properties that have a likelihood of containing archaeological sites based on records from the South Coastal Information Center at San Diego State University and the San Diego Museum of Man, and based on site-specific information on file with the City. If it is demonstrated that archaeological sites exist on or immediately adjacent to any property, whether identified for review or not, the City Manager shall require a survey. If it is demonstrated that archaeological sites do not exist on any property identified for review, the Historical Resource Sensitivity Maps shall be updated to remove that property from the review requirements.
- (c) The City Manager shall evaluate proposed *development* to determine the need for a site-specific survey. The determination shall be made within 10 *business days* of an application for a *construction permit* or within 30 calendar days of an application for a *development permit*, as applicable. A site-specific survey shall be required when the City Manager determines that a *historical resource* may exist on the parcel, and if the *development* proposes a substantial alteration according to Section 143.0250(a)(3). If the City Manager determines that a site-specific survey is not required for a proposed *development* within the time-period specified above, then a permit in accordance with Section 143.0210 shall not be required. If a site-specific survey is prepared to the satisfaction of the City Manager for a proposed *development*, additional site-specific surveys shall not be required pursuant to Section 143.0212.
- (d) If a site-specific survey is required, it shall be conducted consistent with the Historical Resources Guidelines of the Land Development Manual. Based on the site-specific survey and the best information available, the City Manager shall determine whether a *historical resource* exists, whether a potential *historical resource* is eligible for designation as a *designated historical resource* by the Historical Resources Board in accordance with Chapter 12, Article 3, Division 2 of the Land Development Code, and the precise location of the resource.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

(Amended 8-4-2011 by O-20081 N.S.; effective 10-6-2011.)

(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)

(Amended 5-5-2015 by O-20481 N.S.; effective 6-4-2015.)

(Amended 4-5-2016 by O-20634 N.S.; effective 5-5-2016.)

**[Editors Note:** Amendments as adopted by O-20634 N.S. will not apply within the Coastal Overlay Zone until the California Coastal Commission certifies it as a Local Coastal Program Amendment.

Click the link to view the Strikeout Ordinance highlighting changes to prior language [http://docs.sandiego.gov/municode\\_strikeout\\_ord/O-20634-SO.pdf](http://docs.sandiego.gov/municode_strikeout_ord/O-20634-SO.pdf)

**§143.0213 Procedures and Regulations for Project-Specific Land Use Plans**

- (a) The regulations in this division shall apply to project-specific *land use plans*, including specific plans, precise plans, privately initiated *land use plan* amendments, and *Proposition A Land* subarea plans, when *historical resources* are present. These regulations are applied in order to ensure an adequate analysis of the constraints and opportunities of the planning area relative to *historical resources*.
- (b) This section provides two options for processing project-specific *land use plans* which depend on the level of detail available pertaining to the proposed *development*. Compliance with either Section 143.0213(b)(1) or Section 143.0213(b)(2) will be required based on whether or not a Site Development Permit is processed concurrently with the project-specific *land use plan*.
  - (1) Where a Site Development Permit for *historical resources* is requested concurrently with the processing of a project-specific *land use plan*, the proposed *development* shall be subject to the following:
    - (A) The boundaries of the Site Development Permit shall be the boundaries of the project-specific *land use plan*, including all individual interior *lots* within the plan area;
    - (B) The development regulations applicable shall be determined in accordance with Table 143-02A. Sufficient information must be submitted for the entire plan area in order to evaluate potential impacts to *historical resources*; and

- (C) Subsequent individual *development* proposals within the plan area will be reviewed in accordance with the *substantial conformance* procedures. If the *development* is determined to be in conformance with the approved project-specific *land use plan* and any required mitigation is provided, no Site Development Permit will be required for the individual *development*. If the proposed *development* is not in conformance with the approved project-specific *land use plan*, an individual Site Development Permit will be required for the *development* in addition to an amendment to the approved project-specific *land use plan*; or
- (2) Where a Site Development Permit for *historical resources* is not requested concurrently with the processing of a project-specific *land use plan*, an analysis shall be provided in the project-specific *land use plan* that indicates how the subsequent *development* of the plan area will be consistent with the *historical resources* regulations. Project-specific *land use plans* and subsequent *development permits* reviewed in accordance with this option shall be subject to the following:
  - (A) The project-specific *land use plan* shall indicate how individual subsequent *developments* within the plan area will conform to the *historical resources* regulations and the associated guidelines in the Land Development Manual;
  - (B) Subsequent to the approval of the project-specific *land use plan*, a Neighborhood Development Permit or a Site Development Permit shall be required for all proposed individual *developments* within the plan area and shall be reviewed in accordance with Table 143-02A. Additional information pertaining to *historical resources* may be required in order to conduct a detailed analysis of the specific *development* proposal. Approval of the individual Site Development Permits will require conformance with the approved project-specific *land use plan* and any required mitigation shall be provided.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

(Amended 4-8-2008 by O-19734 N.S; effective 5-8-2008.)

**§143.0214 Emergency Authorization When Historical Resources Are Present**

Whenever *development* activity on a *premises* containing *historical resources*, or for any parcel identified as containing a *historical resource* in any community plan or in an historical resource inventory, or for any parcel identified as sensitive on the Historical Resource Sensitivity Maps is deemed necessary by order of the City Manager to protect the public health or safety, the City Manager may authorize, without a public hearing, the minimum amount of work necessary to protect the public health or safety, subject to the following:

- (a) If the emergency work does not adversely affect the *historical resources* and is consistent with one or more of the exemption criteria in accordance with Section 143.0220, a subsequent Construction Permit is required in accordance with this division.
- (b) If the emergency work results in impacts to *historical resources*, a subsequent Neighborhood Development Permit or Site Development Permit is required in accordance with this division.
- (c) The application for a Construction or Development Permit shall be submitted within 60 days of completion of the emergency work.
- (d) An emergency Coastal Development Permit may be required. If so, any permanent *coastal development* allowed under the emergency permit must be authorized through a follow-up Coastal Development Permit submitted within 60 days of the date of issuance of the emergency permit.

*(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)*

**§143.0220 Development Exempted from the Requirement to Obtain a Development Permit for Historical Resources**

The following *development* activities are exempt from the requirement to obtain a Neighborhood Development Permit or Site Development Permit. However, in all cases a *construction permit* is required.

- (a) Any *development* that proposes minor alterations or improvements consistent with Section 143.0250(a), to a *designated historical resource*, or any *historical building* or *historical structure* located within a *historical district*, or any new construction within a *historical district* that will enhance, restore, maintain, repair, or allow adaptive reuse of the resource and which will not adversely affect the special character or special historical, architectural, archaeological, or cultural value of the resource when all feasible measures to protect and preserve the *historical resource* are included in the *development* proposal consistent with the Secretary of Interior’s Standards and Guidelines.
- (b) Interior modifications or repairs or the ordinary maintenance or repair of any exterior architectural feature in or on any *historical building* or *historical structure* that does not adversely affect the special character or special historical, architectural, or cultural value or designated interior elements of the property consistent with the Secretary of Interior’s Standards and Guidelines. Exterior architectural features shall mean the architectural elements embodying style, design, general arrangement and components of all of the outside surfaces of an improvement or *structure*, including the type of building materials and the type and style of all windows, doors, lights, *signs*, and other fixtures appurtenant to the improvement or *structure*.
- (c) Substantial alteration of a non-significant *structure* within a *historic district* consistent with the Secretary of Interior’s Standards and Guidelines. However, new construction within a *historic district* is not exempt from the requirement to obtain a Site Development Permit except in accordance with Section 143.0220(a).
- (d) Any *development* on a parcel that has an *important archaeological site* and will not result in substantial alteration, demolition, destruction, removal, relocation, or *encroachment* into such resources during or after construction, subject to the following requirements.
  - (1) All feasible measures to protect and preserve the resource shall be included in the *development*.
  - (2) All documentation necessary to verify consistency with this subsection shall be provided by the *applicant* consistent with the Historical Resources Guidelines of the Land Development Manual.
  - (3) The property owner shall sign an acknowledgment that no further *development* can occur on the property unless the *development* is reviewed and approved in accordance with this division.



- e) Except in the case of a *designated historical resource*, the modification of an existing *structure* or the replacement of a *single dwelling unit* with another *single dwelling unit*, including modification or replacement of paved areas, brush management for fire protection purposes, and any other landscaping improvements, or alterations that do not alter the existing *development* area by more than 10 percent.
- f) *Development* in the OF zone or the floodplain (formerly the FW and FPF zones) of Mission Valley.
- g) *Development* in the Calle Cristobal Assessment District area that is outside the coastal zone.
- h) *Development* in the Miramar Ranch North Community Plan area and the 70-acre high school project in Scripps Ranch.
- i) *Development* in the 178 acres of land known as Sorrento Hills that was the subject of the land exchange approved by the voters as Proposition D on November 4, 1986.
- j) Outside of the Coastal Overlay Zone, public works projects for which plans, specifications, and funding have been approved by the City Council or the City Manager before July 1, 1991.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

(Amended 6-18-2013 by O-20261 N.S.; effective 7-19-2013.)

### §143.0225 Limited Exceptions from the Historical Resources Regulations

The decision maker may grant an exception from the 25 percent *encroachment* limitation for *important archaeological sites* according to Section 143.0253 for brush management activities in Zone 2 provided that the following circumstances exist:

- (a) The area cleared or thinned for such brush management is the minimum necessary to comply with existing City fire codes;
- (b) No *grading* occurs in these brush management areas;
- (c) Native root stock is retained;

(d) No permanent irrigation is provided; and

(e) No non-native plants are introduced.

*(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)*

**§143.0250 General Development Regulations for Historical Resources**

*Development* that does not qualify for an exemption pursuant to Section 143.0220 is subject to the following regulations and the Historical Resources Guidelines of the Land Development Manual.

(a) For purposes of this division, the terms “alteration,” “minor alteration,” and “substantial alteration” shall mean the following:

- (1) Alteration means any change or modification, through public or private action, of any *historical resource* or of any property located within a *historical district* including changes to designated interior architectural features; exterior changes to or modification of structural details, architectural details, or visual characteristics such as doors, windows, surface materials and texture, *grading*, or surface paving; addition of new *structures*; cutting or removal of trees, landscaping, or other historical features; disturbance of *archaeological sites*; and the placement or removal of any exterior objects such as *signs*, plaques, light fixtures, *street* furniture, walls, *fences*, steps, plantings, and landscape accessories affecting the exterior visual qualities of the property.
- (2) Minor alteration means improvements that enhance, restore, maintain, repair, or allow adaptive reuse of a *historical resource* that do not adversely affect the special character or special historical, architectural, archaeological, or cultural value of the resource and will conform to standards embodied in the designation of a *historical district* when applicable.
- (3) Substantial alteration means demolition, destruction, relocation, new construction or alteration activities that would impair the significance of a *historical resource*.

- (b) All areas with *designated historical resources*, *traditional cultural properties* or *important archaeological sites* that remain undisturbed or are restored or enhanced as a result of a *development* approval shall be preserved as a condition of that approval.
- (c) Upon notification to a property owner of a pending Historical Resources Board hearing to consider designation of a *historical resource*, the property owner or any authorized agent shall not undertake any alteration, construction, *grading*, demolition, relocation, or removal of the property, and no permit to undertake such work shall be approved by the City Manager, for a time period of at least two scheduled Board meetings, but in no event more than 90 calendar days, unless an extension is requested by the owner. This section shall not apply to the construction, *grading*, alteration, demolition, relocation, or removal of any *structure* or other feature, where a permit for the performance of such work was issued before the date of notice of the public hearing. In addition, this section shall not apply where such permit has not expired or been canceled or revoked, provided that construction is started and diligently pursued to completion in accordance with the Land Development Code.
- (d) Before the Historical Resources Board's hearing on the designation of a property, and upon application by the property owner, the City Manager may approve a permit for minor alterations or reconstruction consistent with the ordinary maintenance or repair of the property, to the extent that such work does not adversely affect the special character or special historical, architectural, archaeological, or cultural value of the property.
- (e) *Designated historical resources* that are occupied shall be maintained in the same manner as all other occupied *structures* in accordance with the Uniform Building Code and State Historic Building Code and in a manner that preserves their historical integrity.
- (f) *Designated historical resources* that are unoccupied shall be maintained in a manner that preserves their historical integrity.
- (g) All proposed *subdivisions* that contain *designated historical resources*, *traditional cultural properties* or *important archaeological sites* shall provide a conceptual *grading* plan that indicates future limits of *grading* and future *development* potential of all *lots*. Future *development* of any newly created *lot* shall conform to this *grading* plan. In addition, no building *lot* shall be created that provides such a small *development* area that future reasonable *development* of that *lot* will require *encroachment* into an *important archaeological site* beyond 25 percent.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

**§143.0251 Development Regulations for Designated Historical Resources and Historical Districts**

In addition to the general development regulations in Section 143.0250, the following regulations apply to *designated historical resources* and *historical districts*.

- (a) It is unlawful to substantially alter, demolish, destruct, remove, or relocate any *designated historical resource* or any *historical building, historical structure, historical object* or *historical landscape* located within a *historical district* except as provided in Section 143.0260.
- (b) Minor alteration of any *designated historical resource*, or any *historical building, historical structure, historical object* or *historical landscape* located within a *historical district*, or any new construction within a *historical district* may be permitted if the minor alteration or new construction would not adversely affect the special character or special historical, architectural, archaeological, or cultural value of the resource consistent with the Secretary of Interior's Standards and Guidelines.
- (c) *Development* affecting *designated historical resources* or *historical districts* shall provide full mitigation for the impact to the resource, in accordance with the Historical Resources Guidelines of the Land Development Manual, as a condition of approval.

*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

**§143.0252 Development Regulations for Traditional Cultural Properties**

In addition to the general development regulations in Section 143.0250, *development* shall not be permitted on any *traditional cultural property* unless all feasible measures to protect and preserve the resource are required as a condition of *development* approval except as provided in Section 143.0260.

*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

**§143.0253 Development Regulations for Important Archaeological Sites**

In addition to the general development regulations in Section 143.0250, the following regulations apply to *important archaeological sites*.

- (a) *Important archaeological sites* shall be preserved in their natural state, except that *development* may be permitted as provided in this section or as provided in Section 143.0260.

- (1) *Development* may be permitted in areas containing *important archaeological sites* if necessary to achieve a reasonable *development* area, with up to 25 percent *encroachment* into any *important archaeological site* allowed. This 25 percent *encroachment* includes all *grading, structures*, public and private streets, brush management except as provided in Section 143.0225, and any project-serving utilities.
  - (2) An additional *encroachment* of up to 15 percent, for a total *encroachment* of 40 percent, into *important archaeological sites* may be permitted for essential public service projects that are sited, designed, and constructed to minimize adverse impacts to *important archaeological sites*, where it has been demonstrated that there is no feasible, less environmentally damaging location or alternative. Essential public service projects include publicly owned parks and recreation facilities, fire and police stations, publicly owned libraries, public *schools*, major *streets* and primary arterials, and *public utility* systems.
- (b) Any *encroachment* into *important archaeological sites* shall include measures to mitigate for the partial loss of the resource as a condition of approval. Mitigation shall include the following methods, consistent with the Historical Resources Guidelines of the Land Development Manual:
- (1) The preservation through avoidance of the remaining portion of the *important archaeological site*; and
  - (2) The implementation of a research design and *excavation* program that recovers the scientific value of the portion of the *important archaeological site* that would be lost due to *encroachment*.
- (c) The following types of *development* shall not be considered *encroachment* provided that no *structures*, other than portable *structures* are erected or maintained on the *premises* and that adequate measures to preserve and protect the *important archaeological site*, consistent with the Historical Resources Guidelines of the Land Development Manual, are included as conditions of approval:
- (1) Parks and playgrounds;

- (2) Low-intensity, passive recreational uses such as trails, access paths, and public viewpoints; and
- (3) Parking lots.  
*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

**§143.0260 Deviations from the Historical Resources Regulations**

- (a) If a proposed *development* cannot to the maximum extent feasible comply with this division, a deviation may be considered in accordance with decision Process Four, or Process CIP-Five for *capital improvement program projects*.
- (b) The minimum deviation to afford relief from the regulations of this division and accommodate *development* may be granted only if the decision maker makes the applicable *findings* in Section 126.0504.
- (c) If a deviation for demolition or removal of a *designated historical resource* or a contributing *structure* within a *historical district* is approved, the *applicant* shall obtain approval for new *development* on the same *premises* before issuance of a Demolition/Removal Permit.

*(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)*  
*(Amended 10-22-2013 by O-20309 N.S.; effective 12-12-2013.)*

**§143.0270 Administrative Guidelines**

The City Manager is authorized to promulgate and publish Historical Resources Guidelines and other support documents to be located in the Land Development Manual, as necessary to implement this division. These administrative guidelines shall serve as baseline standards for processing Construction Permits, Neighborhood Development Permits, and Site Development Permits issued pursuant to this division.  
*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

**§143.0280 Violations and Remedies**

The provisions of this division shall be enforced pursuant to Chapter 12, Article 1, Division 2 (Enforcement Authorities for the Land Development Code) and the Historical Resources Guidelines of the Land Development Manual.  
*(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)*

# 11. CULTURAL RESOURCES AND HISTORIC PRESERVATION



## VISION

Chico reflects and retains its Native American roots, agricultural heritage, gold rush innovation, historic architecture, and identity as a valley town in the year 2030. Chico strikes the balance of honoring its past residents, both the more recent and the ancient, weaving their lasting character and physical expressions into the ever-changing fabric of the City.

## INTRODUCTION

The Cultural Resources and Historic Preservation Element identifies important local cultural, archaeological, and historic resources and establishes goals, policies, and actions for the protection and preservation of those resources.

The Chico area has been inhabited for at least 3,000 years. This rich heritage is part of Chico's unique culture and enriches its sense of place. The First People of the area are members of the federally recognized Mechoopda Indian Tribe of Chico Rancheria. The Mechoopda people are part of the larger Northwestern Maidu Tribe and spoke a Konkow dialect prior to European-contact. Their subsistence activities included hunting, fishing, and gathering a variety of plant resources. During the second half of the eighteenth century, the first European-contact occurred as a result of Spanish military expeditions of exploration in the northern Sacramento Valley. Later, during the 1820s and 1830s, American and British Hudson Bay Company fur trappers (including Jedediah Smith) traversed the Sacramento Valley and established temporary contacts with local Native American tribes. The first arrival of permanent white settlers (such as Peter Lassen and Pierson Reading) came with the issuance of Mexican land grants in the Sacramento Valley during the early and mid-1840s. It was during this period that John Bidwell, then living at Sutter's Fort and working for John Sutter, made his first visits to the Chico area. The first gold strike on the Feather River that brought whites in large numbers to the area was made in July 1848 by John Bidwell and several partners. By 1850, there were already many white gold miners in what is now Butte County, and Bidwell himself had already purchased and settled upon Rancho del Arroyo Chico in 1849.



Chico was founded in 1860 by John Bidwell and incorporated as a city in 1872, quickly becoming an important regional economic hub. With the completion of regional roads and railroads, Chico was established as an important and convenient locale for the growth of industry, including wheat, flour and lumber milling. At this time, agriculture was also expanding, particularly the production of crops such as almonds and peaches.



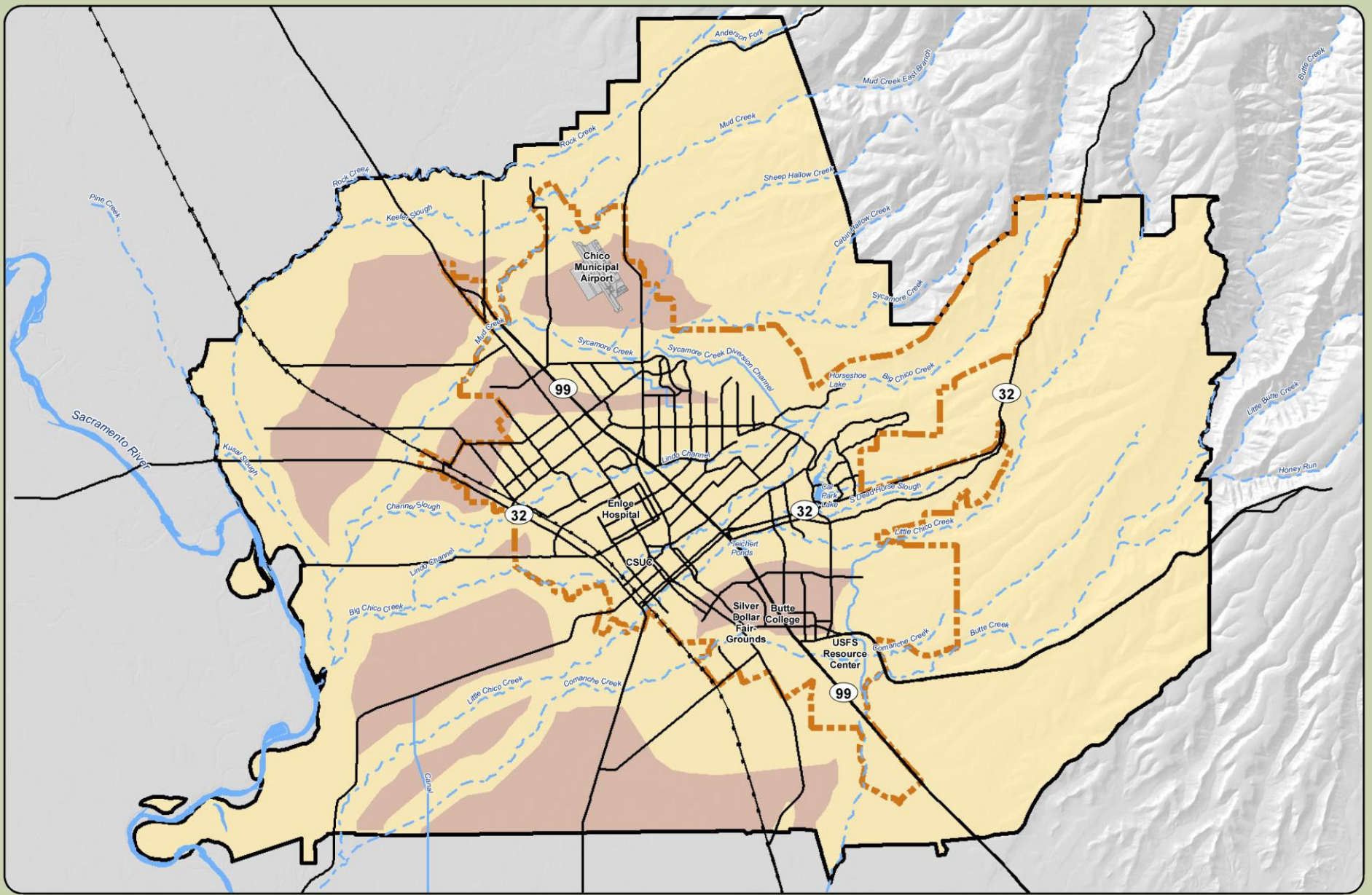
## 11. CULTURAL RESOURCES AND HISTORIC PRESERVATION

The City has continued to grow and change in response to local economic forces. Through growth, Chico carried forward and preserved physical and cultural reminders of its past. **Figure CRHP-1** illustrates areas of archaeological sensitivity in the Chico area. As illustrated, areas of high archaeological sensitivity occupy much of the Chico area, even areas of existing development where archaeological resources are often discovered.

This element continues the tradition of preserving Chico's heritage through regulation, collaboration, and education. During the public outreach for this update, Chico historians expressed the desire to recognize the City's history as a continuum with additional historic resources being established with each passing year and to recognize the various components of the community's history throughout time. Recognizing the past is critical to the vitality of the community now and in the future. This element, along with the Community Design Element and Downtown Element, establishes policy guidance and actions to identify and carry forward the City's rich history. Specifically, this element protects archaeological, historical, and cultural resources through City programs, support for reuse of historic structures, and partnerships for historic and cultural preservation.







**PREHISTORIC ARCHAEOLOGICAL SENSITIVITY AREAS**

Medium Sensitivity
  High Sensitivity

City of Chico Sphere of Influence Boundary
  Chico Planning Area Boundary

0 0.5 1 Miles



Source: Mechoopda Indian Tribe of Chico Rancheria, 2009, City of Chico

**Figure CRHP-1  
Archaeological Sensitivity**



CHICO 2030  
GENERAL PLAN



# 11. CULTURAL RESOURCES AND HISTORIC PRESERVATION



## ISSUES AND CONSIDERATIONS

This section of the element identifies and addresses primary cultural resource and historic preservation issues raised during the outreach efforts for the General Plan Update. Policy guidance is found in the goals, policies, and actions section of this element. An explanation of specialized terms can be found in the General Plan Glossary (**Appendix A**).

### TRIBAL CONSULTATION PROTOCOL

In June 2008, the City Council adopted a Memorandum of Understanding (MOU) between the City and the Mechoopda Indian Tribe of the Chico Rancheria, committing to establish a protocol for consultation between the City and the Tribe. The MOU also directs the City to prepare a Cultural Resources Management Plan (CRMP) which will detail the appropriate management of specific cultural resources. This element incorporates appropriate policies and actions in support of the MOU.

### HISTORIC PRESERVATION PROGRAM

In recent years, cultural awareness and historic preservation has gained wider support by Chico residents and City officials. Direction by the City Council has resulted in establishing a comprehensive Historic Preservation Program which includes partnerships with the local Mechoopda Indian Tribe. This element establishes the policy guidance for the Historic Preservation Program.

The primary components of the City's Historic Preservation Program include: 1) the Cultural Resources and Historic Preservation Element of the 2030 General Plan; 2) a Historic Preservation Ordinance; and 3) a Historic Preservation Board. These three components have qualified Chico to become a Certified Local Government (CLG) as determined by the State Historic Preservation Office (SHPO). The City Council has adopted an Historic Resources Inventory establishing an official survey of historically significant properties in Chico which serves as the basis of the historic preservation ordinance. Chico's Historic Preservation Program establishes the City's commitment to the preservation of its irreplaceable heritage. This element formalizes the City's commitment to be a CLG and to protect historic resources.

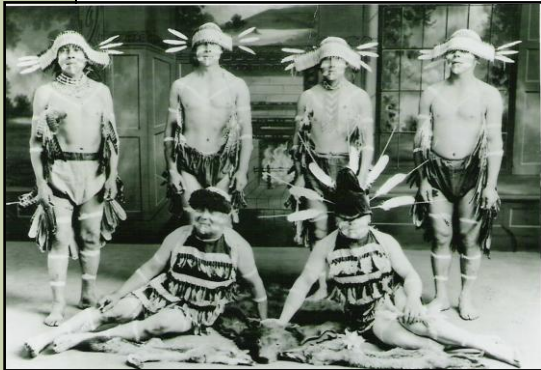






# 11. CULTURAL RESOURCES AND HISTORIC PRESERVATION

## REGULATORY CONTEXT



Local planning and preservation of cultural and historic resources requires coordination and compliance at the federal, state, and local levels. This section of the element identifies several laws, agencies, and documents that are important to understand as context for this element. Additional information about relevant regulations can be found in the 2030 General Plan Existing Conditions Report and Environmental Impact Report.

### FEDERAL REGULATIONS

#### **National Historic Preservation Act of 1966**

Congress made the Federal Government a leader in historic preservation when it adopted the National Historic Preservation Act of 1966. Congress recognized that national goals for historic preservation could best be achieved by the Federal Government's support of local preservation efforts. In the words of the Act, the Federal Government's role is to "provide leadership" for preservation, "contribute to" and "give maximum encouragement" to preservation, and "foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony." This legislation is the umbrella document to most other federal regulations related to the preservation of historic resources.

#### **Federal Standards for the Treatment of Historic Properties**

The U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings are intended to provide guidance to historic building owners and building managers, preservation consultants, architects, contractors, and project reviewers as they are preparing to work on a historic property or site. The standards apply to a wide variety of resource types, including buildings, sites, structures, objects, and districts. In California, someone altering or modifying the exterior of a resource listed on the California Register of Historical Resources, is required to follow the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines. Interior alterations to registered public buildings are also subject to compliance with these guidelines.

#### **National Register of Historic Places**

The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources. The City of Chico is proud to recognize nine properties

# 11. CULTURAL RESOURCES AND HISTORIC PRESERVATION



currently listed on the National Register, including the South of Campus Neighborhood National Register District which contains 116 contributing properties.

## STATE REGULATIONS

### California Environmental Quality Act

The California Environmental Quality Act (CEQA) requires an analysis and full disclosure of the environmental impacts of a project before it may be approved. If a project includes the demolition or alteration of any resource listed, or eligible for listing, in the National or California Register of Historical Resources, CEQA requires consideration of whether the project will significantly impact the resource's historic significance.

### California Native American Traditional Tribal Cultural Places (SB 18)

Senate Bill (SB) 18 provides California Native American tribes an opportunity to participate in local land use decisions at an early planning stage for the purpose of protecting or mitigating impacts to cultural places. SB 18 requires local governments to consult with tribes prior to making certain planning decisions, including the adoption and amendment of general plans.

### California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act of 2001 was enacted to ensure that all California Indian human remains and cultural items are treated with dignity and respect. Other provisions of California law address the discovery of human remains outside a dedicated cemetery and require consultation with appropriate Native American individuals for disposition of the remains. The Public Resources Code establishes the Native American Heritage Commission and the State's Sacred Places List.

### Comprehensive Statewide Historic Preservation Plan for California

The Comprehensive Statewide Historic Preservation Plan for California provides guidance to the Office of Historic Preservation and the preservation community for the identification, registration, protection, and preservation of important historic resources. It encourages both the consideration of historic preservation during planning activities at the local level and public and professional support for historic preservation.

### State Historic Building Code

Since current building codes often do not consider historic construction techniques and materials, the State Historic Building Code provides alternative building code regulations for the preservation, restoration, rehabilitation, relocation or reconstruction of buildings or structures designated as qualified historic buildings or properties. The City of Chico adopted the State Historic Building Code in 2007.





# 11. CULTURAL RESOURCES AND HISTORIC PRESERVATION

## California Register of Historical Resources

The California Register of Historical Resources was established in 1992. It serves as an authoritative guide to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected from substantial adverse change. The City of Chico is proud to recognize 116 properties currently listed on the California Register.

## LOCAL REGULATIONS

### Historic Preservation Ordinance

A historic preservation ordinance of the Chico Municipal Code specifically affords protection for properties listed on the City's Historic Resources Inventory and provides a mechanism to add historic properties to the Inventory through Landmark Overlay zoning districts. The ordinance also provides development incentives to owners of designated historic property and establishes a number of exempt activities such as ordinary maintenance and repair. Proposals to significantly alter or demolish structures listed on the City's Historic Resources Inventory are reviewed by the City's five-member Architectural Review and Historic Preservation Board. The Board also reviews nominations to the City's Inventory and forwards recommendations to the City Council for a final determination of listing.



# 11. CULTURAL RESOURCES AND HISTORIC PRESERVATION



## GOALS, POLICIES, AND ACTIONS

- Goal CRHP-1: Protect and preserve archaeological, historical and other cultural resources to serve as significant reminders of the City’s heritage and values.**
- Goal CRHP-2: Reinvest in the archaeological, historical and other cultural resources that frame Chico’s character and identity.**
- Goal CRHP-3: Engage in and facilitate preservation efforts with local preservation and cultural entities.**

- **Goal CRHP-1: Protect and preserve archaeological, historical and other cultural resources to serve as significant reminders of the City’s heritage and values.**
  - **Policy CRHP-1.1 (Historic Preservation Program) – Maintain a comprehensive Historic Preservation Program that includes policies and regulations which protect and preserve the archaeological, historical and other cultural resources of Chico.**
    - ▲ **Action CRHP-1.1.1 (Historic Preservation Ordinance) – Maintain and update as necessary the City’s Historic Preservation Ordinance.**
    - ▲ **Action CRHP-1.1.2 (Historic Resources Inventory) – Maintain and update the City’s Historic Resources Inventory.**
    - ▲ **Action CRHP-1.1.3 (Architectural Review and Historic Preservation Board)**  
Appoint members of a new Architectural Review and Historic Preservation Board who meet the qualifications of a Certified Local Government and who serve a dual role in the architectural design review of new development and in the review of historic preservation decisions affecting the City’s Historic Resources Inventory or new Landmark overlay zoning districts.
    - ▲ **Action CRHP-1.1.4 (Certified Local Government) – Maintain the City’s recognition by the State Historic Preservation Office as a Certified Local Government.**
    - ▲ **Action CRHP-1.1.5 (Financial Assistance Programs) – Pursue grant funding sources available to Certified Local Governments to establish and maintain a Cultural Resources Management Plan and to expand the City’s Historic Preservation Program.**

Cross  
reference  
DT-8.1

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reference  
DT-8.1.2



## 11. CULTURAL RESOURCES AND HISTORIC PRESERVATION

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reference  
CRHP-3.1.3

- ▲ **Action CRHP-1.1.6 (Best Management Practices)** – Update the City’s Best Management Practices Manual to include environmental review protocol, communication with appropriate agencies, and standard conditions of approval for discretionary projects that protect cultural and paleontological resources.
  - ▲ **Action CRHP-1.1.7 (Public Resources)** – Maintain all City-owned historic and cultural resources in a manner that is consistent with the U.S. Secretary of the Interior’s Standards for the Treatment of Historic Properties.
  - ▲ **Action CRHP-1.1.8 (Records Search)** – Continue to consult and require record searches for discretionary projects with the Northeast Center of the California Historical Resources Information System (CHRIS) located at CSU Chico.
  - ▲ **Action CRHP-1.1.9 (Native American Consultation)** – Continue to consult with and distribute environmental review documents to the Native American Heritage Commission through the State Clearinghouse.
  - ▲ **Action CRHP-1.1.10 (Architectural Historian Consultations)** – Use the California Historical Resources Information System (CHRIS) Consultants List to identify qualified architectural historians for project consultation. Require consultants for City and private development projects to meet the minimum Professional Qualification Standards adopted by the Secretary of the Interior’s Standards and Guidelines for Archaeology and Historical Preservation.
  - ▲ **Action CRHP-1.1.11 (Assistance Programs)** – Provide assistance to Chico residents who are restoring qualified historic properties by offering development incentives as identified in the City’s Historic Preservation Ordinance or additional federal and state support programs.
- **Goal CRHP-2: Reinvest in the archaeological, historical and other cultural resources that frame Chico’s character and identity.**
    - **Policy CRHP-2.1 (Infill and Historic Preservation)** – **Integrate the values of historic preservation with infill development and adaptive reuse.**
      - ▲ **Action CRHP-2.1.1 (Guidelines for Redevelopment of Historic Resources)** – Utilize the City’s Design Guidelines Manual for discretionary design review to address exterior alterations proposed to historic buildings in accordance with the Historic Preservation Ordinance.
    - **Policy CRHP-2.2 (Adaptive Reuse)** – **Encourage the adaptive reuse of historic buildings when the original use of the structure is no longer feasible.**

Cross  
reference  
DT-8.1



# 11. CULTURAL RESOURCES AND HISTORIC PRESERVATION



- ▲ **Action CRHP-2.2.1 (Exterior of Historic Structures)** – With discretionary actions or in compliance with the Historic Preservation Ordinance, restore or preserve the original exterior of historic structures at the time of a change in use, whenever feasible.
  
- **Policy CRHP-2.3 (Demolition as Last Resort)** – **Limit the demolition of historic resources to an act of last resort, to be permitted only if: 1) rehabilitation of the resource is not feasible; 2) demolition is necessary to protect the health, safety, and welfare of its residents; or 3) the public benefits outweigh the loss of the historic resource.**
  
- **Policy CRHP-2.4 (Public Awareness of Heritage Resources)** – **Encourage public awareness of the heritage resources that helped shape the history of Chico.**
  - ▲ **Action CRHP-2.4.1 – (Heritage Tourism)** - To both educate the public and stimulate the economy, work with public agencies, private organizations, property owners, and area businesses to develop and promote Heritage Tourism opportunities throughout Chico.
  
  - ▲ **Action CRHP-2.4.2 (Ceremonies and Events)** – Participate in the promotion of traditional ceremonies and events from the various cultures, ethnicities and nationalities that make up the Chico community.
  
  - ▲ **Action CRHP-2.4.3 (Diversity Action Plan)** – Implement the Diversity Action Plan to support the various cultures, ethnicities and nationalities that make up the Chico community.
  
  - ▲ **Action CRHP-2.4.4 (Community Awareness and Education)** – Participate in the promotion of public tours, viewing, and informational presentations at historic buildings and archaeological sites.
  
- **Policy CRHP-2.5 (Purchase of Historically Significant Buildings)** - **Explore grant funding, partnerships, and other opportunities to purchase historically significant buildings or sites that are eligible for State or National Registers as they become available.**
  - ▲ **Action CRHP-2.5.1 (Register Listings of City-owned Properties)** – Pursue the listing of City-owned historic properties on the National Register of Historic Places and California Register of Historical Resources.

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reference  
CD-5.3.1

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ED-2.3

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DT-1.5,  
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PPFS-7.1.3

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# 11. CULTURAL RESOURCES AND HISTORIC PRESERVATION

- **Goal CRHP-3: Engage in and facilitate preservation efforts with local preservation and cultural entities.**
  - **Policy CRHP-3.1 (Partnerships to Preserve Heritage Resources) – Foster partnerships with interested parties to preserve heritage resources.**
    - ▲ **Action CRHP-3.1.1 (Mechoopda Consultation)** – Establish a Consultation Protocol and a Cultural Resources Management Plan with the Mechoopda Indian Tribe.
    - ▲ **Action CRHP-3.1.2 (Northeast Information Center)** – Maintain a Project Review Agreement with the Northeast Information Center (NEIC) and consult with the NEIC in preparation of a Cultural Resources Management Plan.
    - ▲ **Action CRHP-3.1.3 (Archaeologist Consultation)** – Use the California Historical Resources Information System (CHRIS) Consultants List to identify qualified archaeologists for project consultation. Require consultants for City and private development projects to meet the minimum Professional Qualification Standards adopted by the Secretary of the Interior’s Standards and Guidelines for Archaeology and Historical Preservation. Consult with the Mechoopda Indian Tribe prior to the selection of archaeologists for City projects.
    - ▲ **Action CRHP-3.1.4 (Education for City Staff)** – Conduct City and Tribal-sponsored training programs that increase City staff awareness and respect for Tribal Ceremonial Places and artifacts on City-owned land.
    - ▲ **Action CRHP-3.1.5 (Education for the Public)** – Conduct City and Tribal-sponsored training programs, in partnership with the Northeast Information Center, to educate property owners, land developers, and construction personnel about the importance of cultural resources and the legal framework for their protection.
    - ▲ **Action CRHP-3.1.6 (Public/Private Partnerships)** – Explore public and private partnerships that support the City’s historic preservation program. Continue to utilize the Chico Heritage Association as a resource for issues and projects.
    - ▲ **Action CRHP-3.1.7 (Educational Conferences)** – In partnership with the Office of State Historic Preservation, CSU, Chico, the Chico Heritage Association, and the Northeast Information Center, continue to support educational conferences on Historic Preservation and Native American Resource Protection.

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reference  
CRHP-1.1.10

1                                   **MEMORANDUM OF UNDERSTANDING REGARDING**  
2                                   **GUIDING PRINCIPLES FOR THE CITY OF CHICO CONSULTATION WITH**  
3                                   **THE MECHOOPDA INDIAN TRIBE OF CHICO RANCHERIA**  
4

5           WHEREAS, the City of Chico (the "City") recognizes the Mechoopda Indian Tribe of Chico  
6 Rancheria (the "Tribe") as the first people, whose ancestral lands and area of occupation encompass the  
7 City of Chico, its sphere of influence, and beyond; and

8           WHEREAS, the Tribe is a sovereign, federally recognized tribe whose members are honored  
9 and respected first peoples of this land; and

10          WHEREAS, the Tribal Council is the governing body of the Tribe, empowered to make tribal  
11 policy and carry out tribal business; and

12          WHEREAS, Senate Bill 18 adopted in 2004 requires the City to consult with the Tribe prior to  
13 the adoption of any amendment to the General Plan, adoption of any specific plan or prior to the  
14 designation of land as open space containing cultural places; and

15          WHEREAS, the City and the Tribe wish to develop a broader cooperative agreement which  
16 extends beyond that which is specified in SB 18 including consultation on all open space designations;  
17 and

18          WHEREAS, the City and the Tribe are committed to working with each other on a government  
19 to government basis to develop a cooperative, streamlined process for such consultation; and

20          WHEREAS, consultation means the meaningful and timely process to notify, discuss, and  
21 consider carefully the views of others, in a manner that is respectful of each other's cultural values and,  
22 where feasible, to seek agreement; and

23          WHEREAS, the City recognizes and agrees to accommodate the Tribe's need to maintain  
24 confidentiality to protect archaeological sites, traditional cultural properties, and traditional cultural  
25 resources, to the extent allowed for by law, including, but not limited to, exemption from public  
26 disclosure as set forth in SB 18 and California Government Code section 6254(r); and

27          WHEREAS, the City and the Tribe seek to consult and work cooperatively to protect, preserve,  
28 enhance, mitigate, and manage archaeological sites, traditional cultural properties, and traditional

1 cultural resources, identified within the jurisdiction and sphere of influence of the City, whether on  
2 public or private land; and

3 WHEREAS, the City is committed to enabling the Tribe to access and steward their cultural  
4 resources and places by designation and utilizing open and vacant space, and by Tribal acquisition of  
5 conservation easements voluntarily conveyed where feasible.

6 NOW, THEREFORE, BE IT AGREED BY THE CITY AND THE TRIBE AS FOLLOWS:

7 The City and the Tribe shall work together to establish procedures for consultation which will  
8 provide an efficient process for that consultation with both parties committed to open, candid,  
9 respectful, timely, and effective communication; and

10 The Director of the Planning Services Department shall designate a staff member as a Tribal  
11 Technical Advisor for Native American consultation to advise the City departments on policy issues and  
12 provide appropriate technical information to the Tribe; and

13 The City and the Tribe shall endeavor to provide the resources necessary for the investigation,  
14 evaluation, monitoring, mitigation, and ongoing protection of traditional cultural properties and for the  
15 potential disposition of artifacts through the budgetary, development, and capital improvement  
16 processes; and

17 The City and the Tribe shall develop a cultural resources management plan, subject to funding  
18 availability, which may include a cultural resource and historic preservation component within the  
19 General Plan, and/or update the City's Best Management Practices, or appropriate standard operating  
20 procedures, whose purposes are to specify actions to be taken to protect, preserve, enhance, mitigate,  
21 and manage, or dispose of, traditional cultural properties and resources identified or impacted within the  
22 City.

23 THEREFORE BE IT RESOLVED, by the signatures of the representatives on the date indicated  
24 below that the City and the Tribe formally endorses and accepts this Memorandum of Understanding.

25 DATE: August 5, 2008

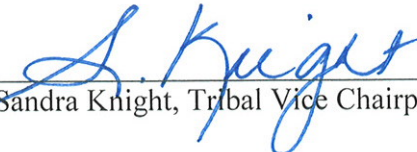
26 CITY OF CHICO

27   
28 By: David Burkland, City Manager


MECHOOPDA INDIAN TRIBE OF  
CHICO RANCHERIA

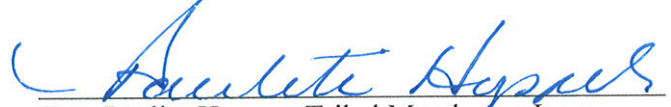
  
By: Dennis Ramirez, Tribal Chairman

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By: Sandra Knight, Tribal Vice Chairperson

  
By: Robyn Forristel, Tribal Secretary

  
By: Barbara Rose, Tribal Treasurer

  
By: Paulita Hopper, Tribal Member-at-Large

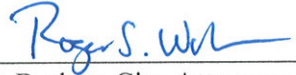
  
By: Arlene Ward, Tribal Member-at-Large


  
By: Donna Rose, Tribal Member-at-Large

APPROVED AS TO FORM:

CITY OF CHICO

MECHOOPDA INDIAN TRIBE OF  
CHICO RANCHERIA

  
Lori J. Barker, City Attorney  
By: Roger S. Wilson, Assistant City Attorney

  
Kazhe Law Group P.C.  
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