

2.2 Cultural Resources

The assessment of the proposed project's potential to have an adverse effect on cultural resources is based on the following technical resource study: *Historic Resources Evaluation of Two Structures for the Lindo Lake Restoration Project, Lakeside, San Diego County, California* dated July 2017 and prepared by RECON Environmental (RECON). The results of the analysis are presented below and the aforementioned report is included as Appendix C to this SEIR, with confidential records and maps on file at the County Department of Parks and Recreation, and with the South Coastal Information Center (SCIC).

2.2.1 Existing Conditions

2.2.1.1 Environmental Setting

Natural Setting

The project site is located in the county of San Diego, California, in the unincorporated community of Lakeside. The park is bordered on the north by Lakeshore Drive, on the west by Vine Street, on the south by Lindo Lane and Julian Avenue, and on the east by Petite Lane. The park is surrounded to the south, east, and north by a combination of single-family and multi-family residential development, and to the west by predominately commercial enterprises. State Route 67 is 0.25 mile to the northwest of the park. The park is situated in the floodplain of the confluence of the San Diego River and Los Coches Creek. The San Diego River is 0.58 mile to the north and the channelized Los Coches Creek is 0.15 mile to the southwest.

Cultural Setting

Cultural resources generally include prehistoric and historic archaeological sites, structures, districts, places, landscapes, and any other physical evidence associated with human activity considered important to a culture, a subculture, or a community for scientific, traditional, religious, or any other reason. For the purposes of this analysis, cultural resources may be grouped into the following categories: archaeological resources, historic-period built resources (including architectural/engineering resources), and human remains.

Records Search Results

The presence and significance of existing cultural resources associated with the proposed project was determined using the methodologies outlined below.

- Archaeological site record and archival research was conducted at the SCIC for the project site and immediate vicinity (0.5-mile radius). The site record and archival research consisted of reviews of archaeological site records and previous cultural studies.
- Various maps, including proposed project maps, U.S. Geological Survey quadrangle maps, historic maps and prior reports were reviewed to identify cultural resources that had been previously recorded in the vicinity of the project area.
- A request for a Sacred Lands File search was sent to the Native American Heritage Commission (NAHC) for their consideration and input.
- Historic evaluation of the onsite structures was conducted, which included historical research, a site inspection and structures assessment.

The evaluation of cultural resources carried out for the proposed project is in conformance with Public Resources Code (PRC) Section 21083.2 and CEQA. Statutory requirements of CEQA (Section 15064.5) were followed in evaluating the significance of the cultural resources.

A cultural records search was completed by the County on November 16, 2016 that included a review of all recorded archaeological resources, including districts, sites, and isolates within a 0.5-mile radius of the project area. A records search for built resources, including historic districts, buildings, structures and objects was also conducted within a 0.5-mile radius of the project area. Additionally, the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), California Historical Landmarks, California Points of Historic Interest, and the California Office of Historic Preservation's Directory of Properties were reviewed.

The records search revealed that 25 previous cultural resources studies have been conducted within a 0.5-mile radius of the proposed project site. Of those 25 studies, two studies featured project areas that encompass the proposed project site: a cultural study conducted by the County in 1990, and a Historic Structure Report conducted for the Lindo Lake Boathouse by Chambers Group in 2008. These two studies revealed a total of five cultural resources and three historic addresses recorded within a 0.5-mile radius of the project site. Of these five recorded resources and three historic addresses, only two are located within the proposed project site: the site of the former Lindo Lake Inn (Site CA-SDI-12212; no address), and the Lindo Lake Boathouse (9841 Vine Street; no site number).

As part of its Historic Resources Evaluation, RECON reviewed the County Department of Parks and Recreation Primary Site Form for the boathouse. The form was filled out in December 2000 as part of the Lakeside Economic Revitalization Plan Historical Resources Survey Report. The boathouse is described as having lateral wood seating on both the interior and exterior and a metal roof. The form states the boathouse is eligible under Criteria A and C as part of a Lakeside Historic District. Its period of significance is 1880 to 1950. The boathouse is determined important in the Lakeside Resort Hotel Period (the second phase of Lakeside development from 1886 to 1920), and is significant because it is a rare Victorian boathouse and because it is the only structure which remains in the area from the Lakeside Resort Hotel Period. The boathouse is also discussed in the text of the Historic Survey Report itself (Affinis 2001).

The Lakeside Economic Revitalization Plan Historical Resources Survey Report itself was also reviewed. The write-up for the boathouse states that its integrity does not appear to have been severely compromised over the years. Although it has been moved to a new location on Lindo Lake, the locational integrity has been only marginally affected. The boathouse's original setting has been altered due to the demolition of the Lakeside Inn, with which it was strongly associated; however, it has long been a visual landmark in the community. The boathouse is an important contributor to the Lakeside Historic District under Criterion A, because it is the only structure remaining in the area from the Lakeside Resort Hotel Period, and under Criterion C because it is a rare Victorian boathouse. The report states that the boathouse does not qualify for nomination to the NRHP (Affinis 2001).

The Lindo Lake Boathouse Historic Structure Report and Rehabilitation Report (Chambers Group 2008) was also reviewed for additional information on the boathouse. The report included a history of the boathouse, physical description, evaluation of significance, existing conditions assessment, and recommendations. The report also included several historic photographs of the boathouse, which were valuable in detailing changes in its physical structure over time.

These included photos of the boathouse when the lake was dry, showing the piers, posts, and original railing and steps for accessing boats when the water level was low.

The Chambers Group report determined the boathouse would be eligible for listing as a San Diego County Historic Landmark under County criteria 1 and 3. The authors felt the boathouse retains a sufficient level of integrity to convey its significance as a building constructed on the later part of the nineteenth century (Criterion 3), and its association with the growth and recreation of Lakeside and San Diego County (Criterion 1). In addition, if the boathouse was to be listed as a San Diego County Historic Landmark it would automatically be eligible for listing on the CRHR under Status Code 5 (recognized as Historically Significant by a local government).

The Chambers Group report also recommended repairs and restoration to remedy several observed problems with the structure. These included water damage of structural elements, damage from vandalism, and replacement of the metal roof with a wood shingle roof. It was recommended that The Secretary of the Interior's Standards for Treatment of Historic Properties with Guidelines for Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings be used as guidelines for any work done on the boathouse.

No information on the bridge could be found in the Lakeside Historical Society on-line archives. The Lakeside Economic Revitalization Plan Historical Resources Survey Report (Affinis 2001) does not discuss the bridge or include it as a state, local, or Lakeside Historical District contributor. The bridge and culvert are estimated to have been constructed sometime between 1945 and 1965.

Native American Consultation

The County initiated consultation with the Native American tribes pursuant to Public Resources Code Section 21080.3.1 consistent with Assembly Bill (AB) 52. Tribes who are traditionally and culturally affiliated with the geographic area of the project were invited to consult regarding potential impacts to tribal cultural resources. The County sent consultation letters along with matching email correspondence to four tribes on March 3, 2017. Consultation meetings were subsequently held with Barona Band of Mission Indians on August 3, 2018, Viejas Band of Kumeyaay Indians on October 16, 2018, Jamul Indian Village of Kumeyaay Nation on November 9, 2018, and Iipay Nation of Santa Ysabel (via conference call on November 9, 2018). During consultation, Barona Band of Mission Indians, Jamul Indian Village of Kumeyaay Nation, and Iipay Nation of Santa Ysabel indicated that they would reserve comment until public review of the Draft SEIR. The Viejas Band of Kumeyaay Indians requested that a Kumeyaay cultural monitor to be present during ground disturbing activities. Implementation of mitigation measure M-CUL-1 below would satisfy this request for a cultural monitor to be present during ground disturbing activities.

2.2.1.2 Regulatory Framework

Federal

Section 106 of the National Historic Preservation Act

The National Historic Preservation Act (NHPA) was passed in 1966 and set the foundation for much of the more specific legislation that guides cultural resource protection and management

in local jurisdictions such as the County. The Act established an Advisory Council on Historic Preservation to help implement and monitor it.

Prior to implementing an “undertaking” (e.g., issuing a federal permit), Section 106 of the NHPA requires federal agencies to consider the effects of their undertakings on historic properties and to afford the Advisory Council on Historic Preservation and the State Historic Preservation Officer a reasonable opportunity to comment. The goal of the Section 106 process is to identify historic properties potentially affected by the undertaking, assess its effects and seek ways to avoid, minimize, or mitigate any adverse effects on historic properties.

National Register of Historic Places

Developed in 1981, the NRHP is an authoritative guide to be used by federal, state, and local governments, private groups and citizens to identify the Nation’s cultural resources and to indicate what properties should be considered for protection from destruction or impairment. Listing in the NRHP provides formal recognition of a property’s historical, architectural, or archaeological significance based on national standards. Cultural resources may be considered eligible for listing if they possess integrity of location, design, setting, materials, workmanship, feeling, and association. The criteria for determining eligibility are essentially the same in content and order as those outlined in CEQA.

State

California Environmental Quality Act

Section 15064.5 of the CEQA Guidelines, as amended, state that a cultural resource would be considered significant if it is:

- 1) A resource listed in, or determined to be eligible by the State Historical Resources Commission for listing in, the California Register (PRC Section 5024.1; Title 14 California Code of Regulations (CCR), Section 4850 et seq.).
- 2) A resource included in the local register of historical resources, as defined in Section 5020.1(k) of the PRC or identified as significant in an historical resource survey meeting the requirements of Section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- 3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the CRHR (PRC Section 5024.1, Title 14 CCR, Section 4852), including the following:
 - A) Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
 - B) Is associated with the lives of persons important in our past;

- C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - D) Has yielded, or may be likely to yield, information important in prehistory or history.
- 4) The fact that a resource is not listed in the CRHR, determined not to be eligible for listing in the CRHR, not included in a local register of historical resources (pursuant to Section 5020.1[k] of the PRC), and not identified in an historical resources survey (meeting the criteria in Section 5024.1[g] of the PRC) does not preclude a lead agency from determining that the resource may be an historical resource as defined in PRC Sections 5020.1(i) or 5024.1.

In accordance with CEQA, cultural resources must be assessed for project-related actions that could directly or indirectly impact them. Under this scenario, impacts to cultural resources not deemed important according to the above criteria would be considered less than significant. A summary of on-site and off-site cultural resources is provided below, along with a determination as to the significance of the impact pursuant to Section 15064.5 of the CEQA Guidelines.

California Register of Historical Resources

The CRHR is an authoritative guide for use by state and local agencies, private groups, and citizens to identify the State's historical resources. An historical resource can include any object, building, structure, site, area, or place that is determined to be historically or archaeologically significant. The CRHR also identifies historical resources for State and local planning purposes, determines eligibility for state historic preservation grant funding, and provides a certain measure of protection under CEQA, including Traditional Cultural Properties.

To be eligible for the California Register, a prehistoric or historic-period property must be significant at the local, state, and/or federal level under one or more of the following four criteria:

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

A resource eligible for the CRHR must meet one of the criteria of significance described above, and retain enough of its historic character or appearance (integrity) to be recognizable as a historic resource and to convey the reason for its significance.

California Health and Safety Code Section 7050.5

California Health and Safety Code Section 7050.5 requires that, in the event human remains are discovered, the County Coroner be contacted to determine the nature of the remains. In the event the remains are determined to be Native American in origin, the Coroner is required to contact the NAHC within 24 hours to relinquish jurisdiction.

California Public Resources Code Section 5097.98

California PRC Section 5097.98, as amended by AB 2641, provides procedures that become applicable in the event that human remains of Native American origin are discovered during project implementation. PRC Section 5097.98 requires that no further disturbances occur in the immediate vicinity of the discovery, that the discovery be adequately protected according to generally accepted cultural and archaeological standards, and that further activities take into account the possibility of multiple burials. PRC Section 5097.98 further requires the NAHC, upon notification by a County Coroner, designate and notify a Most Likely Descendant (MLD) regarding the discovery of Native American human remains. Once the MLD has been granted access to the site by the landowner and inspected the discovery, the MLD then has 48 hours to provide recommendations to the landowner for the treatment of the human remains and any associated grave goods.

In the event that no descendant is identified, or the descendant fails to make a recommendation for disposition, or if the land owner rejects the recommendation of the descendant, the landowner may, with appropriate dignity, reinter the remains and burial items on the property in a location that will not be subject to further disturbance.

2.2.2 Analysis of Project Effects and Determination as to Significance

Based on the County Guidelines for Determining Significance for Cultural Resources approved in March 2007, a significant impact to cultural resources would occur if the proposed project would:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines. This shall include the destruction, disturbance or any alteration of characteristics or elements of a resource that cause it to be significant in a manner not consistent with the Secretary of Interior Standards.
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the State CEQA Guidelines. This shall include the destruction or disturbance of an important archaeological site or any portion of an important archaeological site that contains or has the potential to contain information important to history or prehistory.
- Disturb any human remains, including those interred outside of formal cemeteries.

2.2.2.1 Issue 1: Historic Sites

Guidelines for the Determination of Significance

A significant impact would occur if the proposed project would:

- 1) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines. This shall include the destruction, disturbance or any alteration of characteristics or elements of a resource that cause it to be significant in a manner not consistent with the Secretary of Interior Standards.

The significance guidelines listed above have been selected for the following reasons:

Guideline 1 is derived directly from CEQA. Section 21083.2 of the PRC and 15064.5 of the CEQA Guidelines recommend evaluating historical resources to determine whether or not a proposed action would have a significant effect on unique historical resources. Any project that would have an adverse impact (direct, indirect, or cumulative) on significant historic resources as defined by these guidelines would be considered a significant impact.

Analysis

According to a 2001 Historic Survey Report, the boathouse that was originally constructed in 1887 has been altered multiple times since its original design (Affinis 2001). The original lower portion of the supports, pilings, and wooden steps to access boats had been removed when the structure was relocated from its original location in the lake and moved to the shore in 1965. The original wood roof was replaced with a metal roof at this time. In 1977, the boathouse was again relocated onto a concrete slab foundation at its current location on a small island that had been created in the center of the west basin. Sometime after 1980, a wooden railing and seating were installed around the perimeter of the boathouse. Sometime after 2000, the metal roof was replaced with a wooden roof.

The 2001 evaluation determined that these changes had not significantly compromised the integrity of the boathouse. The proposed project includes the installation of a new prefabricated pedestrian bridge on the western shore of the west basin that would span approximately 50 feet of the lake surface from the Lakeside Community Center to the island on which the boathouse is currently located. Installation of the bridge would not affect the existing concrete slab foundation on which the boathouse is located, nor would it significantly alter the current structural integrity of the boathouse. Therefore, the proposed project would not cause a substantive adverse change to any remaining historic significance of the boathouse.

The other potentially historic structure at Lindo Lake County Park that has been evaluated for historic significance is a bridge spanning a concrete double box culvert located on the southern end of an isthmus separating the western and eastern lakes. The bridge/culvert was constructed sometime between 1947 and 1965. According to the 2017 Historical Resources Evaluation prepared by RECON, the bridge/culvert does not qualify for listing on the CRHR; therefore, it is not a significant historical resource under CEQA (RECON 2017). It also does not qualify under any of the seven County criteria for listing on the San Diego County Local Register of Historical Resources. Since it has been determined not to be a significant historical resource, project impacts to the bridge/culvert would not constitute a substantive adverse change to an historical resource. Therefore, impacts to potential historic resources would be *less than significant*.

2.2.2.2 Issue 2: Archaeological Resources

Guidelines for the Determination of Significance

A significant impact would occur if the proposed project would:

- 1) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the State CEQA Guidelines. This shall include the destruction or disturbance of an important archaeological site or any portion of an important archaeological site that contains or has the potential to contain information important to history or prehistory.

The significance guideline listed above has been selected for the following reasons:

Guideline 2 is derived directly from CEQA. Section 21083.2 of the PRC and 15064.5 of the CEQA Guidelines recommend evaluating archaeological resources to determine whether or not a proposed action would have a significant effect on unique archaeological resources. Any project that would have an adverse impact (direct, indirect, or cumulative) on significant archaeological resources as defined by these guidelines would be considered a significant impact.

Analysis

Subsequent to releasing the Draft EIR for the 1976 Lindo Lake Park Project, an archaeological records search and a site survey of the park was conducted by a qualified archaeologist. No sites were recorded within the project site, or within close proximity to the project site. The 1976 EIR concluded that due to extensive previous disturbance in the area, the potential is low for significant undiscovered archaeological sites to be located within the project area. However, project construction would still have the potential to unearth unknown or previously undisturbed archaeological resources. Impacts to archaeological resources would be considered a *significant impact* (CUL-1).

2.2.2.3 Issue 3: Human Remains

Guidelines for the Determination of Significance

A significant impact would occur if the proposed project would:

- 1) Disturb any human remains, including those interred outside of formal cemeteries.

The significance guideline listed above has been selected for the following reasons:

Guideline 3 is included because human remains must be treated with dignity and respect and CEQA requires consultation with the "Most Likely Descendant" as identified by the NAHC for any project in which human remains have been identified. Any project that would have an adverse impact (direct, indirect, or cumulative) on human remains as defined by this guideline would be considered a significant impact.

Analysis

No evidence of human remains, including those interred outside of formal cemeteries, was discovered during the records search and literature review. There is no indication that the project site was used by Native Americans for religious, ritual, or other special activities. Should human remains be discovered, work shall halt in that area and the procedures set forth in the PRC (Section 5097.98) and California Health and Safety Code (Section 7050.5) will be followed. Therefore, the proposed project was determined to have no impact to human remains. *No impact* would occur.

2.2.3 Cumulative Impacts

No significant historic or cultural resources were found to be potentially impacted within the project site. No resources with the potential for meeting the criteria of eligibility for listing in the NRHP (36 CFR 60) or the CRHR (PRC Section 5024.1) are present within the project site. No

evidence of human remains exists within the project site, and the potential is low for significant undiscovered archaeological sites to be located within the project area. All cumulative projects listed in Table 1-2 would be subject to state and local regulations regarding the preservation of significant cultural and historic resources. Therefore, a significant cumulative impact to cultural resources would not occur in the cumulative study area. As such, the proposed project is not considered to contribute to a cumulatively considerable impact to historical/cultural resources.

2.2.4 Significance of Impacts Prior to Mitigation

Impact CUL-1: Project construction would have the potential to unearth unknown or previously undisturbed archaeological resources. This would be considered a significant direct impact.

2.2.5 Mitigation

M-CUL-1 Prior to beginning any construction work that requires monitoring, a preconstruction meeting will be held and will include a qualified Archaeological Monitor. The qualified Archaeological Monitor will make comments and/or suggestions concerning the Archaeological Monitoring Program with the Project Manager, Construction Manager or Construction Contractor.

Prior to the start of any construction work that requires monitoring, the Archaeological Monitor will submit an archaeological monitoring exhibit based on the appropriate construction documents to the County identifying the areas to be monitored including the delineation of excavation limits.

The Archaeological Monitor will be present during excavation activities that could result in impacts to archaeological resources as identified on the exhibit. The Construction Manager is responsible for notifying the monitors of changes to any construction activities such as in the case of a potential safety concern within the area being monitored.

The Archaeological Monitor will document field activity via a site monitoring log. These logs will be transmitted to the County on the first day of monitoring, the last day of monitoring, monthly, and in the case of any discoveries.

In the event of a discovery, the Archaeological Monitor will direct the contractor to temporarily divert all soil disturbing activities, including but not limited to digging, trenching, excavating or grading activities in the area of discovery and in the area reasonably suspected to overlay adjacent resources, and immediately notify the County. The Archaeological Monitor and traditionally and culturally affiliated Native American tribe, where Native American resources are discovered, will evaluate the significance of the resource.

2.2.6 Conclusion

The proposed project would not cause a substantive adverse change to any remaining historic significance of the boathouse, and the bridge spanning a concrete double box culvert located on the southern end of an isthmus separating the western and eastern lakes has been determined not to be a significant historical resource. Implementation of M-CUL-1 would reduce impacts to unknown or previously undisturbed archaeological resources to a level less than significant.

There is no indication that the project site was used by Native Americans for religious, ritual, or other special activities. Should human remains be discovered, work shall halt in that area and the procedures set forth in the PRC (Section 5097.98) and California Health and Safety Code (Section 7050.5) will be followed. Therefore, impacts on cultural resources would be less than significant.