

4.2 CULTURAL RESOURCES

For the purposes of this analysis, cultural resources are categorized into two subtopics: prehistoric and historic. Prehistoric resources include archaeological resources (generally located below ground surface) which date from before the onset of the Spanish Colonial period (1769-1848). Historic resources (generally located above ground) include any building, structure, or object that is at least 50 years of age and that is, or may be, architecturally or culturally significant in local, state or national history.

This section of the EIR evaluates the potential for cultural resource impacts associated with implementation of the proposed project. It identifies known and potential cultural resources within the project site based upon available cultural resources reports. The majority of the information provided in this section is summarized from Archaeological Investigations conducted by ASM Affiliates, Inc. in June 2007 and the Historical Resources Inventory and Evaluation Report conducted by JRP Historical Consulting in 2005 (included in Appendix C and Appendix D, respectively).

4.2.1 ENVIRONMENTAL SETTING

4.2.1.1 HISTORY OF THE BLACKS' RESIDENCE / UNIVERSITY HOUSE

The residence at 9630 La Jolla Farms Road acquired its current moniker, "University House," in the spring of 1967, following its acquisition by UCSD. By the following summer it had become the official Chancellor's residence, a function it retained until the summer of 2004 when it was deemed structurally unsafe for occupation. The history of the house, however, begins in 1949 when its first owners and occupants, William and Ruth Black, commissioned Santa Fe based architect William Lumpkins to design a Pueblo Revival style residence for their property on the Torrey Pines Mesa overlooking Torrey Pines Beach.

Private Ownership: The Blacks and La Jolla Farms Estates (1949-1967)

William Harmon Black and his wife, Ruth Faulkner Black, were a prominent and successful couple who came to the La Jolla area in the late 1930s. Their numerous ventures included thoroughbred horse breeding and training, real estate development, banking, and philanthropy. Black was born in Paris, Texas, in 1898 and spent most of his childhood in Louisiana. He entered the oil business in about 1917, and as a partner in the Black-Marshall Oil Company he soon earned a fortune in the oilfields of Kansas, Texas, New Mexico, and Oklahoma. In 1921, Black's family moved to Los Angeles, and although it is unclear whether William Black moved to California with them, he developed an affinity for Southern California in the early 1920s. He moved to San Diego in 1922 or 1923 to pursue real estate development and other ventures.

Black's good fortune faltered on the eve of the Great Depression and he lost much of the financial worth he had accrued through his real estate dealings in San Diego. Black left San Diego in 1929, shortly after the stock market crash, to engage in a variety of business ventures throughout the southern and southwestern United States. William Black's Depression-era business ventures took him as far as New Orleans, Oklahoma City, Wichita, and Santa Fe. It was also during this time that he met Ruth, who was born in Guthrie, Oklahoma, around 1902. They were married in 1933 in Arkansas City, Kansas.

For William "there ever existed the urge to return to San Diego in general and La Jolla in particular." In 1937 he, with his wife Ruth, did return to La Jolla and purchased a home; however, they did not permanently reside in La Jolla until a decade later. The Blacks made New Mexico their permanent residence during the late 1930s and the better part of the 1940s.

It seems that a major factor delaying the Blacks from permanently returning to La Jolla was their desire to acquire a large tract of ocean-side land known as the Scripps Biological Cliffs. He first visited and fell in love with the property during the 1920s when he was a frequent hunting guest of Fred Scripps, the parcel's owner. The property at that time was completely undeveloped and Scripps used it primarily as his private hunting reserve. The parcel came on the market once after Scripps' death, but Black failed in an attempt to purchase it at that time. Black's patience and persistence eventually paid off: in 1947 the land came on the market once again and he was able to secure the property. The Blacks paid cash for the 248 acres of oceanfront real estate that encompassed the bulk of San Diego Pueblo Lots 1312 and 1313.

Almost immediately after the purchase the Blacks renamed the property "La Jolla Farms" and began developing it as a horse ranch. Initial development of a stables and training complex, known as "Black Gold Stables," began in 1948 and continued into 1949. The complex included a twenty-two stall horse barn, a trainer's house, a large feed barn, a half-mile training track complete with starting gates, and a polo field. Construction of the La Jolla Farms Clubhouse, a Spanish Revival building with red tile roof, began in the spring of 1949.

In the spring of 1949 the development of the La Jolla Farms property garnered a lengthy feature article in one of the major local newspapers, the La Jolla Journal. It was about this time that the Blacks decided to subdivide their property into four or five residential sites. The lots were not made available to the public, but instead were to be offered exclusively to friends and acquaintances with the proviso that the homes to be constructed must be valued at no less than \$100,000. The Blacks reserved a choice lot for themselves, located at the southwestern corner of the planned subdivision. This lot was at the edge of the mesa and became the dramatic site for their residence.

As mentioned above, while in Santa Fe William and Ruth Black lived in a 1920s era adobe home designed in the "Southwestern" style. The house was probably of the Pueblo Revival style which was immensely popular in New Mexico during the 1920s and 1930s and continues to be the dominant residential style. It was this residence that served as inspiration for the design of their planned new home and led the Blacks to hire Santa Fe architect William Lumpkins to design a Pueblo Revival style mansion for the La Jolla Farms lot (Crawford 2004). He drew up the plans for the house in November 1949. Construction of the sprawling adobe mansion began in 1950 and was finally finished by Rancho Santa Fe contractor Howard Winter Stein in 1952. In a 1990 feature newspaper article about the house, Lumpkins made the claim that the residence "was the first pure New Mexico-style house built in San Diego."

During the period that William Black lived in his La Jolla Farms home, from about 1952 through the spring of 1967, he was ostensibly retired from the world of finance. This claim notwithstanding, he still remained very active in the San Diego and La Jolla business communities and continued to develop real estate in Southern California. In the mid 1950s he was instrumental in developing the resort community of Borrego Springs, located approximately 100 miles east of San Diego, where he maintained a second home. In the late 1950s and early 1960s he was listed in San Diego city directories as the president of the Colonial Hotel Corporation of La Jolla, and by 1962 he had become the director of the San Diego Transit System. In 1964 Black co-founded the Bank of La Jolla, a small charter bank that was consolidated with the Union Bank of California in 1968. He later served on the board of directors of the City Bank of San Diego and Security First National Bank in San Diego. Black was also president of the Landowner's Oil Association, a position he held until his death in 1967.

William and Ruth Black were also well-known philanthropists in the La Jolla community. In 1965, the Blacks endowed the \$70,000 William H. Black Cardiovascular Laboratory at Scripps Memorial Hospital. Ruth continued to direct philanthropic efforts in many civic and medical causes after William's death. In 1974, she,

along with her son, William F. Black, funded the establishment of the Scripps Research Institution's General Clinical Research Center. Ruth was also a member and supported numerous cultural and philanthropic organizations including the UCSD Chancellor's Club, the La Jolla Library, and the philanthropic group The Committee. Ruth Black died in 1991 following a prolonged illness.

Public Ownership: UCSD University House (1967-present)

On March 2, 1967, the University of California announced that it had purchased 130 acres of the La Jolla Farms property from William and Ruth Black. The \$2.7 million purchase comprised the bulk of the La Jolla Farms lots, including the Black Gold Stables and Lot 14, the Blacks' residence at 9630 La Jolla Farms Road. Almost immediately after completion of the sale, the Blacks moved out of the residence to the Seville Apartments in La Jolla where Ruth lived the remainder of her life (William, who died the following July, lived there for just a few months). Later that spring, the University renamed the property "University House" and put it to use as the official Chancellor's residence and public events venue. The University House served a dual purpose as a residence and public meeting place, playing host to dozens of official University events and functions each year. Neither Acting Chancellor Marsha Chandler (2003-2004), nor current Chancellor Marye Anne Fox, lived at the residence. The following Chancellors occupied the University House between 1967 and its closure in 2004:

- John Galbraith (1967-1968)
- William McGill (1968-1970)
- Herbert York (1970-1972)
- William McElroy (1972-1980)
- Richard Atkinson (1980-1995)
- Marjorie Caserio (1995-1996)
- Robert Dynes (1996-2003)

The Architect and Architecture of 9630 La Jolla Farms Road

William Lumpkins designed the building that became the University House as a Pueblo Revival style residence for William and Ruth Black. This style initially developed in Southern California about the turn of the century, but in the ensuing decades the form became far more popular throughout Arizona and Mexico. The style is based on Native American Pueblo architecture found in the American Southwest, but also blends in influences of the more recent Spanish Colonial style. The style reached its peak of popularity in the 1920s and 1930s, especially in Santa Fe and Albuquerque, where its influences still predominate in the architecture of that region. The Pueblo Revival style's character-defining features include a flat roof with parapet; walls and parapets with rounded edges and corners; projecting wooden roof beams, or vigas, that often project through the wall; and stuccoed wall surfaces. Pueblo Revival buildings are frequently constructed of adobe, but not always. Other common embellishments include exterior arcades, called portales, lined with wood columns capped with handcrafted corbels; brick or flagstone floor surfacing; interior corner fireplaces, and decorative ironwork.

William Lumpkins was a prolific artist and architect who engaged in a wide variety of occupations throughout his long life. He is believed to have designed more than 2000 buildings throughout New Mexico and in the La Jolla area. Lumpkins was born in 1909 on a ranch near Clayton, New Mexico. He began his first vocation, as an artist, in the mid 1920s producing landscape paintings of southeastern New Mexico. He did not start his formal training as an artist until 1929 at the University of New Mexico. Although his painting career spanned his entire lifetime, it was at the University of New Mexico that Lumpkins began his second career as an architect. Later, he studied architecture at University of Southern California, and although he completed his studies in 1934, he fell short of earning a degree.

In 1935, shortly after returning to Santa Fe, Lumpkins was hired as an artist for the New Deal Art Program, a Civil Works Administration program that employed 162 New Mexico artists during the Depression. The

artists collectively created hundreds of murals, paintings, sculptures, pottery pieces, wood carvings, and furniture pieces that were used to decorate public buildings. It was also about this time that Lumpkins established a successful private architectural practice where he focused on Pueblo Revival residential designs. Lumpkins' career as both painter and architect was briefly interrupted when he joined the service during the Second World War, where he served as a flight instructor. Following the war, he returned to Santa Fe where he continued designing residential buildings. In 1946, he published his first book on the style, *Modern Spanish-Pueblo Homes*. This work presented his ideas about residential design, specifically Pueblo Revival single family homes. In 1949, on the heels of the publication of *Modern Spanish-Pueblo Homes*, he designed William and Ruth Blacks' residence, one of his grandest Pueblo Revival residential designs.

Lumpkins moved to La Jolla in the early 1950s where he established a successful architectural firm. Once in California, it appears that Lumpkins totally abandoned the Pueblo Revival style. His known works in and around La Jolla (with the obvious exception of the Blacks' residence, which he designed a few years earlier in Santa Fe) are fairly evenly split between residential and civic or commercial. The residences were largely single-story, wood frame Ranch Style buildings that were handsome and functional, but not exceptional. His own home was built on a rugged hillside of Castellana Road in La Jolla and is an International Style influenced building with numerous windows to capture the dynamic view. His public and commercial work in La Jolla was fairly widely varied, ranging from the Mediterranean Revival addition he designed for the Athenaeum at 1008 Wall Street, to the modern-influenced office buildings he designed and his firm occupied at 7723 Fay Avenue.

Lumpkins' abandonment of the traditional Pueblo Revival style during his La Jolla years may have been as much a function of geography and the tastes of his clients as it was a shift in his personal preferences. In 1946, not long before leaving Santa Fe, Lumpkins wrote, "Any architectural type which becomes frozen and static ceases to be architecture. The form of the building must meet the needs of the people, the social order, the climate and the local material." This passage reflects his motivations as an architect who worked, in part, to satisfy the desires of the client. In Santa Fe, his mastery of the Pueblo Revival style was undoubtedly influenced by its popularity, which peaked in New Mexico during his formative years of the 1930s. In turn, his post-war body of work in La Jolla reflects broad architectural trends in California, where the popularity of traditional styles such as Mediterranean Revival and Spanish Colonial Revival was waning as International Style and modernistic influence gained prominence. In the residential sphere, Lumpkins' La Jolla designs tended toward the Ranch Style, one of the most abundant post-war residential styles in California. His commercial works were more modern, also reflecting broad regional trends.

In 1965, Lumpkins briefly returned to New Mexico for a vacation from his hectic schedule. Perhaps it was this trip, or perhaps it was his divorce in the early 1960s (or a combination of the two), that precipitated his departure from La Jolla in 1967. Lumpkins returned to New Mexico to embark on a new phase of his career: designing and promoting passive solar homes. Very early in his career as an architect, and more than thirty years before returning to Santa Fe from La Jolla, Lumpkins had already begun to experiment with passive solar adobe designs. He designed his first passive solar home in 1935, a residence located near Capitan, New Mexico. Indeed, the vast majority of his Pueblo Revival residences from the 1930s and 1940s incorporated basic tenets of passive solar design such as the use of thick adobe walls, site placement so that the longest façade faces south, and the inclusion of large picture windows on the southern façade.

Lumpkins curtailed his architectural career somewhat after returning to Santa Fe in 1967, but still worked on some high-profile commissions in and around Santa Fe. Among his more notable commercial designs from the period are First Northern Plaza, De Vargas Center, parts of the Inn at Loredó and Rancho Encantado, and sections of La Fonda Hotel, including the ballroom that bears his name. He received a National Historic Preservation Award for his work with the Barrio de Analco in Santa Fe in 1968. Lumpkins is also credited

with founding the Santa Fe chapter of the American Civil Liberties Union and co-founding the Santa Fe Art Institution in 1985.

4.2.1.2 ARCHAEOLOGICAL BACKGROUND (PREHISTORY)

Archaeological investigations along the southern California coast have indicated that there was a diverse range of human occupation activities extending from the early Holocene (approximately 11,000 to 10,000 years ago) into the Ethnohistoric period 100 to 400 years ago. The continuum of culture throughout the San Diego area is represented by evidence for continuous habitation with many distinctive cultural responses to changing conditions. The regional populations also changed environmental conditions as well, through the management of the diverse habitats present in southern California to encourage the growth of certain plants. This management included selective burning, transplanting, weeding and pruning.

The basic cultural sequence for San Diego County was established by Rogers (1929, 1945), and subsequent scholars have generally refined it by subdividing cultures, combining cultures, or renaming the sequence. The most enduring local culture historical terminologies are those generated by Rogers (1945) and a later synthetic treatment by Wallace (1955) that integrate San Diego County with other portions of the southern California coast. In addition, True's (1966) terminology for late adaptations in the San Luis Rey River area has continued to have widespread acceptance. There are four general periods that are used to describe prehistory in the project area. These are Early Man [Human Occupation Prior to 11,500 Before Present (B.P.)], Paleoindian (11,500 B.P. - 8500/7500 B.P.), Archaic (8500 B.P. - 1300/800 B.P.), and Late Prehistoric (1300/800 B.P. - 200 B.P.). The use of these terms should not be interpreted to imply that they represent different cultures or populations that inhabited the area; rather, the terms are used to refer to cultural patterns that change over time in response to environmental and social conditions. Trade and human travel and movement introduce new ideas and people to culture areas. In addition to the prehistory periods there is an Ethnohistoric Period that covers the time of Spanish contact beginning in 1542 to the mid 1800's. These five general periods are discussed in more detail in Appendix C.

4.2.1.3 ARCHAEOLOGICAL RESOURCES AT THE UNIVERSITY HOUSE SITE

The University House property occupies a portion of an archaeological site known as SDM-W-12A/B and SDI-4669 as defined by Malcolm Rogers of the San Diego Museum of Man. Over the past 80 years, several archeological collections have been made at the University House site, with most collections having occurred before the construction of the house on the property by the Black family in 1950, and before the University acquired the property in 1967.

Previous Research

Burials Removed from the University House Property

Site W-12 has two locations where cultural materials were found, referred to as Locus A and Locus B. When Malcolm Rogers first recorded this site in 1929, he identified the area in the approximate location of the current residence as Locus A. Locus B was mapped west of the university property, where there is now a private residence (formerly known as the Eberlin property). Of particular importance and concern are the burials that have been found and removed from the project site. Research has determined that the 29 burials that have been found at the site have been removed to other locations. The 29 burials include three that were excavated in 1976, after the University acquired the property.

There was one documented burial found during construction of the Black residence in 1950. The burials removed in 1956 were probably unearthed during some kind of construction on the property, but details are not known. There is no evidence that burials were encountered during any of the other construction on the property, including installation of a belowground swimming pool by the university. No archaeological materials or human bones have been reported during landscaping or utility installation or maintenance of the house since its construction. Most burials that have been discovered were not intentionally sought after, but were discovered during grading, trenching, or construction, or were eroding from the cliff face. Only those removed during the 1976 Northridge field class were part of a systematic effort to recover cultural materials. The burial material recovered includes both adult males and females, and a child.

Analysis of Northridge Field School Excavation at W12, Locus A

The Northridge project consisted of posthole testing, surface collection, and the excavation of 12 2-x-2 meter (m) units. The unit excavations were conducted between the existing University House swimming pool and the cliff edge. As part of the analysis of the artifacts from the Eberlin property in 1994-1995, Berryman and Roth also analyzed the 1976 Northridge field class artifact collection. The variety of artifacts found during the 1976 Northridge excavation included ground stone artifacts (manos, metates, stone bowls, and game stones), which are typically associated with processing plant foods, specifically acorns, seeds, and nuts; flaked stone tools (scrapers, bifaces or blade tools, retouched flakes) which are made to have sharp cutting edges, and are used like knives and scrapers on plant and animal products; cobble based tools (multi-function, hammerstones, and cores), which are modified cobbles used for hammering or battering; and flakes and debitage, the most abundant artifact type which are waste byproducts of stone tool manufacturing. The environment exploited by the site occupants for shellfish would have been different 8,000-10,000 years ago. The ocean was 0.5 mile west of its current location, and more lagoon environment would have been exposed along the La Jolla shoreline, providing a wide variety of habitats for shellfish. No animal bone was available for analysis from the Northridge field class. Animal bone was collected but not included in the materials available to Roth and Berryman. In total, Berryman and Roth found 2,795 artifacts from the Northridge study (Table 4.2-1).

Table 4.2-1. Northridge Field Class Artifacts from W-12A Excavation Units

Tool Category	Northridge (W-12A)
Manos	32
Metates	3
Stone Bowls	2
Game Stones	8
Hammerstones	18
Multi-function cobble tools	24
Cores	14
Flakes and Debitage	2637
Scrapers	35
Retouched or Used Flakes	20
Bifaces and Blades	2
Worked Bone	-
Worked Shell	-
Total	2795

Recent Archaeological Investigations at the Site

UCSD commissioned a number of preliminary studies on the project site from 2005 to 2007 to gather information about the archaeological site. These included research at the Museum of Man, a surficial archaeological survey, and a ground penetrating radar (GPR) study. Also, a series of proposed geotechnical boring holes and test trenches were hand excavated, with participation by Native American monitors. The protocol followed required a halt to excavation if any cultural materials were found, thus no collections were made. Finally, forensic canines were used at the site in an attempt to identify human skeletal materials. The results of these investigations are described below.

Research Conducted at the San Diego Museum of Man

Research at the Museum of Man consisted of interviews with Rose Tyson, curator of physical anthropology and examinations of artifact collections from W-12. Ms. Tyson indicated that the Museum has accessioned collections from Malcolm Rogers' investigations at W-12, and that they agreed to hold the 1976 burials (which are now on study loan at the Smithsonian Institution).

The Museum of Man catalogued artifacts collected in 1929, 1948, and 1956. 109 catalogue entries for artifacts deriving from the W-12 site were recorded based on research conducted at the Museum of Man. Each catalogue entry contained at least one but often several artifacts. The majority of the catalogued artifacts consist of manos, blades or other stone tools. A small amount of pottery was found at the site and two sherds were also noted in the catalog. Other unique artifacts catalogued included two bone skewers, two partial "ring stones", a cottonwood triangular projectile point and one spite looped bead (generally associated with sites over 6000 years of age).

Ground Penetrating Radar (GPR) Survey Results

The GPR study conducted by UCSD in conjunction with the proposed project involved surface surveys using a 400 MHz transducer to delineate the locations of disturbed ground or buried objects characteristic of grave sites. The machine rolls and slides over the surface of the ground, and does not physically disturb the ground surface. Profiles were completed on a 1-m grid system established on the University House property.

An electromagnetic (EM) survey of the property was also performed as part of the GPR study; the EM survey was designed to identify metal objects such as pipes and reinforced structures. The equipment for this study is used on the surface only, and does not disturb the ground. Completion of the EM survey helps the GPR operator locate modern disturbance associated with utilities, to distinguish this type of disturbance from anomalies that could be burial sites or other soil disturbances not indicative of original soil conditions.

Buried utilities were found throughout the project area. Many of these were irrigation lines. Forty-three GPR anomalies were identified within the project area, to a depth of 1.5 m. Several of these are very large and may be the result of ground disturbance from construction of the house. Others may be the remains of archaeological excavation trenches. A number of the smaller areas of disturbance may represent grave sites or other features, such as prehistoric hearths, artifact concentrations, or house pits.

Of the 43 subsurface anomalies identified, Anomalies 1 through 17 and 20 through 39 represent the most significant candidates for archaeological features such as burials. Anomalies 1 through 17 are located mostly east of the entry driveway. Anomalies 20 through 39 are located in the central and western portion of the property. The area directly in front of the existing house contains anomalies that are most likely the result of construction activities.

The GPR study could not assess the potential for burials located under the house. Presumably, construction of the house resulted in the disturbance and removal of soil from its footprint to some unknown depth. In 1950, a burial was removed from the patio of the house as it was under construction. It is unknown whether additional burials may be located underneath the existing house.

Geotechnical Test Monitoring

In January 2007, a hand excavation study was undertaken for proposed geotechnical trench pits and bore holes. The objective of this task was to identify locations places where geotechnical testing could be accomplished without impacting or disturbing archaeological resources. The plan did not include recovery of any cultural materials; rather, when artifacts were observed in the proposed trenches or bore holes, excavation stopped. No collections were made. This work was done with Clint Linton and Carmen Lucas as Native American monitors.

Out of 6 trench pits (TP) and 21 bore holes (BH) all but three of them contained some evidence of cultural artifacts. Two bore holes, B9 and BH-H, and one trench pit (TP-2) did not contain cultural materials. Only one geotechnical bore hole, BH-H, was negative for cultural resources, while TP-2 was in sterile fill and B9 was in gravel fill. One bore hole, BH-I, contained a piece of human bone. The remaining test pits all contained a range of cultural materials, including marine shell, flakes, ground stone, faunal material, and cores. These materials were observed in the site soils, and were not collected. The relatively large number of ground stone artifacts (nine manos and one metate fragment) and flaked stone artifacts (49 flakes and two cores) identified from this small sample support a conclusion that the cultural deposit contains a large quantity of cultural materials reflecting a diverse range of activities.

The majority of geotechnical tests were conducted in areas of fill or areas that were disturbed. Because the test pits did not extend past the upper levels of the site, which would be expected to be disturbed from landscaping and construction, the degree of overall disturbance or integrity of the site deposit could not be evaluated. Based on the results of the Northridge field class excavations, the densest concentration of cultural materials may be below 60 cm in depth.

Canine Forensic Investigation

On January 24 and 25, 2007, three dogs and handlers trained in the detection of human bone conducted tests at the University House location. The dogs have been used to find graves and human forensic evidence. One dog, Nessie, has been trained in Europe on 2,000 to 3,000-year-old bones. The dogs will alert on inhumations and cremations, and on soils that contained human bone, deep roots that bring the scent of bone up from below ground, and on the bones themselves. Issues that can affect the accuracy of the dog alerts include slopes, where the scent has migrated down hill as decomposition occurs, dirt that has been moved from around bones to another location, and clay or dense soils. Scent also collects on trees and vegetation from up to 15 meters away.

The method used at University House was to direct the dogs to walk through the area to be searched, and when a dog signaled an alert, the location was mapped using a Trimble GPS unit. If one dog alerted, the other dogs were individually brought over to the area to independently verify the location. This prevented single-dog bias. The dogs alerted in several locations on the property, specifically in the western lawn. There was only one alert in the front lawn area. Strong alerts were recorded in the existing rose garden area by the front of the house, and along another existing rose garden area marked with a chain link fence in the northwestern area of the lawn. Some of the locations identified by the dogs are near GPR anomalies, others are not.

Interpretation of the results of the canine investigation is difficult since none of the alerts were tested for verification. However, a similar study conducted by the dogs and their handlers on Jan 25, 2007 at a known location produced verified alerts to human burials and archaeological deposits, approximately 200 years old. This is most likely a reflection of the intact nature of the archaeological deposit at the other test site, and the relatively more recent burials (i.e., less than 200 years old at the other test site vs. more than 8,000 years old the proposed project site).

Given the disturbed nature of the University House property and the probable condition of any burials, three broad areas of possible sensitivity were identified from the forensic canine tests. The first area is the northwestern lawn around the chain link fence and row of roses. There were three strong alerts in the rose bed, and three north of the roses in the lawn. The second area is west of the pool, where the dogs alerted on vegetation. The third area is within and around the rose garden at the front of the house. The dogs alerted numerous times in the garden, and on both sides of the adobe wall along the north edge of the garden. The rose garden is next to the bore hole test pit that contained a piece of human bone, BH-I.

Summary

When considering the results from GPR surveys, geotechnical monitoring and canine forensic investigation, in conjunction with locations where burials have been found in the past, it is clear that much of the project area contains archaeological and cultural deposits. It is also possible that human bone is present as intact burials and likely as individual bone fragments distributed in the area due to past agricultural and construction activities. During the Northridge field class excavations, human bone was found in the excavation units. The lack of correspondence between the anomalies and canine alerts may be due to the dispersed nature of human bone in the deposit; as demonstrated by past investigations, there may be individual or fragmented bone spread throughout the deposit, as well as discrete burials.

4.2.2 REGULATORY FRAMEWORK

The treatment of cultural resources is governed by federal and state laws and guidelines. There are specific criteria for determining whether prehistoric and historic sites or objects are significant and/or protected by law. Federal and state significance criteria generally focus on the resource's integrity and uniqueness, its relationship to similar resources, and its potential to contribute important information to scholarly research. Some resources that do not meet federal significance criteria may be considered significant under state criteria. The laws and regulations seek to mitigate impacts on significant prehistoric or historic resources. The federal and state laws and guidelines for protecting historic resources are summarized below.

4.2.2.1 FEDERAL

The National Historic Preservation Act of 1966

The National Historic Preservation Act of 1966 established the National Register of Historic Places (NRHP) as the official federal list of cultural resources that have been nominated by state offices for their historical significance at the local, state, or national level. Listing on the National Register provides recognition that a property is significant to the nation, the state, or the community and assumes that federal agencies consider historic values in the planning for federal and federally assisted projects. Properties listed in the NRHP, or "determined eligible" for listing, must meet certain criteria for historical significance and possess integrity of form, location, and setting. Structures and features must usually be at least 50 years old to be considered for listing on the NRHP, barring exceptional circumstances. Criteria for listing on the NRHP, which are set forth in Title 26, Part 63 of the Code of Federal Regulations (36 CFR Part 63), are significance in American

history, architecture, archaeology, engineering, and culture as present in districts, sites, buildings, structures; and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association; and that are:

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

A draft NRHP nomination was prepared and submitted to the State Historic Preservation Officer (SHPO) for the proposed property by the La Jolla Historical Society in spring 2007. The nomination suggests that the property is eligible for listing on the NRHP for both historical and archaeological resources. The SHPO is currently reviewing the nomination. Eligible properties must meet at least one of the criteria and exhibit integrity, measured by the degree to which the resource retains its historical properties and conveys its historical character, the degree to which the original fabric has been retained, and the reversibility of changes to the property. The fourth criterion is typically reserved for archaeological and paleontological resources. These criteria have largely been incorporated into CEQA Guidelines as well (CEQA Guidelines Section 15064.5, below).

The Native American Graves Protection and Repatriation Act (NAGPRA)

The Native American Graves Protection and Repatriation Act (NAGPRA) is a federal law passed in 1990. NAGPRA provides a process for museums and federal agencies to return certain Native American cultural items - human remains, funerary objects, sacred objects, or objects of cultural patrimony - to lineal descendants, and culturally affiliated Indian tribes and Native Hawaiian organizations. NAGPRA includes provisions for unclaimed and culturally unidentifiable Native American cultural items, intentional and inadvertent discovery of Native American cultural items on federal and tribal lands, and penalties for noncompliance and illegal trafficking in these items. Implementation of the proposed project would be conducted in compliance with NAGPRA.

Federal curation regulations are also provided in 36 CFR Part 79 which apply to collections that are excavated or removed under the authority of the Antiquities Act (16 U.S.C. 431-433), the Reservoir Salvage Act (16 U.S.C. 469-469c), section 110 of the National Historic Preservation Act (16 U.S.C. 470h-2), or the Archaeological Resources Protection Act (16 U.S.C. 470aa-mm). Such collections generally include those that are the result of a prehistoric or historic resources survey, excavation or other study conducted in connection with a federal action, assistance, license or permit.

4.2.2.2 STATE

The California Register of Historic Resources (PRC Section 5020 et. seq.)

State law also protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The California criteria for the register are nearly identical to those for the NRHP. The State Historic Preservation Officer (SHPO) maintains the California Register of Historic Resources (CRHR).

Properties listed, or formally designated eligible for listing, on the NRHP are automatically listed on the CRHR, as are State Landmarks and Points of Interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

Native American Historic Cultural Sites (PRC Section 5097 et. seq.)

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the Native American Heritage Commission to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to a year in jail to deface or destroy an Indian historic or cultural site that is listed or may be eligible for listing in the California Register of Historic Resources.

In the fall of 2006, AB 2641 was signed into law by Governor Schwarzenegger. This bill amended Public Resources Code (PRC) 5097.98 to revise the process for the discovery of Native American remains during land development. The purpose of the revisions are to encourage culturally sensitive treatment of Native American remains, and to require meaningful discussions and agreements concerning treatment of the remains at the earliest possible time. The intent is to foster the preservation and avoidance of human remains during development. The changes in the law allow additional time to notify, consult and confer with the MLD/Native American representatives on any given project. In addition, the new language provides more protection for re-interment sites.

California Native American Graves Protection and Repatriation Act (California NAGPRA)

The California NAGPRA, enacted in 2001, requires all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. California NAGPRA also provides a process for the identification and repatriation of these items to the appropriate tribes. Implementation of the proposed project would be conducted in compliance with the California NAGPRA.

UC Policy and Procedures on Curation and Repatriation of Human Remains and Cultural Items

It is the policy of the University of California to assure the respectful and dignified treatment of human remains and the consideration of living descendants of those deceased. The University recognizes that individuals and communities have cultural and religious concerns that must be considered in determining the treatment and disposition of human remains in its collections.

At the same time, the University's collections of human remains and cultural items serve valuable educational and research purposes important to the enhancement of knowledge in various disciplines. The University maintains these collections as a public trust and is responsible for preserving them according to the highest standards while fulfilling its mission to provide education and understanding about the past and present through continued teaching, research and public service.

The general principles of this policy, as stated above, apply to all human remains in the University's collections. The remainder of this policy pertains to Native American and Native Hawaiian human remains

and “cultural items.” “Cultural items,” as used throughout this policy, refers to associated and unassociated funerary objects, sacred objects, and objects of cultural patrimony, as defined by the federal NAGPRA. This policy is intended to ensure both adherence to the above statement of principles and compliance with NAGPRA.

4.2.3 PROJECT IMPACTS AND MITIGATION

4.2.3.1 ISSUE 1 – HISTORICAL RESOURCES

Cultural Resources Issue 1 Summary

Would implementation of the proposed project cause a substantial adverse change in the significance of a historical resource?

Impact: The University House residence meets Criterion 3 for listing on the CRHR and therefore would be considered a significant historical resource. Demolition of the residence would be considered a significant impact to a historical resource.

Significance Before Mitigation: Significant.

Mitigation: Professional standards (UH Cul-1A), Coordination (UH Cul-1B), Conservation of USCD materials (UH Cul-1C), Recordation of HABS standards (UH Cul-1D), Documentary videography (UH Cul-1E), and Salvage/Interpretive Exhibits (UH Cul-1F).

Significance After Mitigation: Significant and unavoidable.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, implementation of the proposed project may have a significant adverse impact if it would cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5.

Historical resources include resources listed in, or determined to be eligible for listing in, the CRHR; resources included in a qualifying local register; and resources that the lead agency determines to meet the criteria for listing in the CRHR. These criteria may apply to any historic built environmental feature, and to historic or prehistoric archaeological sites. Properties or sites that are eligible for inclusion in the CRHR are termed “historical resources.” Under the provisions of CEQA Guidelines Section 15064.5(a)(3) a lead agency shall find that a property is historically significant if it determines that it meets one or more of the criteria for listing on the CRHR, which extend to any building, structure, feature, or site that:

- CRHR Criterion 1** *Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;*
- CRHR Criterion 2** *Is associated with the lives of persons important in our past;*
- CRHR Criterion 3** *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*
- CRHR Criterion 4** *Has yielded, or may be likely to yield, information important in prehistory or history.*

With few exceptions, to qualify as a historic resource a property must be at least 50 years old and also must retain physical integrity and integrity to its period of significance. For historic structures and buildings,

significantly altering the setting, remodeling, or moving the structure may diminish or destroy its integrity. However, under some conditions, a building that has been moved or altered may still retain its historic significance. Landscaping or landscape features may in some cases contribute to the significance of a historic architectural property. Such elements are assessed as part of the setting of the historic architectural property.

The significance requirements for the California Register, Criteria 1 through 4, closely parallel National Register of Historic Places Criteria A through D, as do the aspects of integrity. The U.S. Department of the Interior has produced numerous guidance documents designed to assist in evaluating historic properties, chief among these being National Register Bulletin 15: “Guidelines for Applying the National Register Criteria for Evaluation.” Because the registration requirements for the California Register are purposely modeled after the National Register of Historic Places, when appropriate the following discussion will refer to the California Register criteria, as well as the National Register guidelines in the evaluation of the University House.

A substantial adverse change in the significance of a historical resource would have the potential to occur if the elements that contribute to its significance were to be damaged through direct or indirect impacts.

Impact Analysis

The UCSD University House, formerly the William and Ruth Black residence located at 9630 La Jolla Farms Road, meets the criteria for listing in the CRHR under Criterion 3. The residence embodies distinctive characteristics of a type, period, region, and method of construction as an excellent example of Pueblo Revival style architecture in San Diego, and it is an important work of a master architect. The house’s period of significance is 1952, the year it was completed. The building also retains a high enough degree of integrity to the period to convey its significance. The residence is not eligible under Criteria 1 (events), Criteria 2 (persons), or Criteria 4 (information potential).

CRHR Criterion 1: Events

To be eligible under Criterion 1, a property must be associated with important events or trends, and the property’s specific association must be considered important as well. The residence at 9630 La Jolla Farms Road is not significant in this regard because it is not strongly associated with events that have made important contributions to the broad patterns of local or regional history, or the cultural heritage of California or the United States. The patterns of development in La Jolla were well established by the late 1940s and early 1950s when William and Ruth Black purchased this property and constructed their residence on the Torrey Pines Mesa. Although interesting as the first residence constructed as part of the La Jolla Farms subdivision, neither the subdivision nor the residence appear to be unusual or especially important examples of this theme. In addition, the property’s formerly rural setting is no longer in evidence: the subdivision today includes nearly one hundred small parcels of one to two acres and is almost entirely developed with large, single family residences; the stables and race track have been demolished as well.

Additionally, the University House is not eligible under Criterion 1 when considered within the context of the history of the UCSD campus. The history of UCSD may be traced as far back as the early 1900s, with the establishment of the predecessor agencies to the Scripps Institution of Oceanography, or SIO, which is now a component of the UCSD campus. Although the establishment of the UCSD campus was an important event in La Jolla’s history, the University House, purchased by the University in 1967, does not share specific associations with this event. As the official residence of the UCSD Chancellors, the residence reflects but one aspect of the complex and varied operations of the University. For these reasons, the property at 9630 La Jolla Farms Road is not eligible under Criterion 1.

CRHR Criterion 2: Persons

The University House is associated with two groups of people who lived in the residence over its 50-year plus history, William and Ruth Black and the individuals who served as Chancellor for UCSD. Under Criterion 2, association with a person who was important in our past, a property must meet several standards, among these: the person must be important within his or her field of endeavor, or have made important contributions to our history; the property must be directly associated with that important person; and the property must be associated with the person's productive life.

William Black was a prosperous businessman; his oil business, property development, banking, and other interests were successful and allowed him and his family to live well. During the late 1950s and 1960s, for example, the couple owned a second home in Borrego Springs, a resort community east of San Diego that William Black was instrumental in developing around 1955. This prosperity does not mean, however, that his contributions to these fields were necessarily historically important. In addition, it does not appear that Black's contributions to local financial institutions, philanthropic organizations, or property development were instrumental in the trends or patterns of development of those fields. None of William Black's local projects or businesses became central to the economic base of the area, nor did his financial contributions play a pivotal role in the development of locally important institutions such as UCSD. In conclusion, William Black was not a historically significant person, and therefore, the property at 9630 La Jolla Farms Road would not meet Criterion 2.

The first Chancellor to occupy the house at 9630 La Jolla Farms Road was John Galbraith in 1967-1968. He and the others lived there and fulfilled their duties as Chancellor during the last 40 years, a time period less than 50 years ago. This relatively recent period of significance, the 40 years that the University House has served as the UCSD Chancellor's home, must meet a higher threshold of importance than periods of significance that occurred more than fifty years ago to account for the perspective necessary to judge relative importance within the appropriate historic context. The men and women who have served as leaders for the campus were generally important to the history of UCSD. Furthermore, each chancellor's achievements were reviewed and it does not appear that any of the individual Chancellors made specific contributions to the chancellorship that meet the higher standard required for recent events.

The Chancellors of UCSD are men and women who have served as leaders in the academic community and who have achieved prominence in their fields. This prominence must, however, be attributable to a specific individual, or documented series of individuals, for a property to be found significant under Criterion 2 (association with an important person). The association cannot be with a prominent group of people. None of the individual Chancellors made exceptional contributions to the chancellorship, insofar as those contributions would meet the standards for exceptional importance as recent events. Furthermore, the men and women who lived in the house within the last 40 years gained prominence in their various fields of endeavor prior to or after occupying the house, but not while living in the house. Properties found eligible under Criterion 2 must be associated with the time that the individual made their contributions to their field. Therefore, the individual Chancellors that occupied the University House over the last 40 years do not meet Criterion 2.

CRHR Criterion 3: Design/Construction

The University House meets the criteria for listing in the California Register under Criterion 3 at the local level, and it retains the historic integrity to convey that significance. The University House is significant under Criterion 3 because it embodies distinctive characteristics of a type, period, region, and method of construction as an excellent example of Pueblo Revival style architecture in San Diego, and because it is an

important work of a master architect. The house's period of significance is 1952, the year that the residence was completed.

The Pueblo Revival style is based on Native American Pueblo architecture found in the American Southwest, but also blends in influences of the more recent Spanish Colonial style. The style originated in Southern California just prior to the turn of the century, but reached its peak of popularity in the 1920s and 1930s in the desert Southwest, especially in Santa Fe and Albuquerque, where its influences still predominate in the architecture of that region. In California, it was also popular in and around the Los Angeles area around the same time period, but it appears that Pueblo Revival architecture was somewhat of a rarity in San Diego. Research for this study revealed only one other Pueblo Revival building in the vicinity surrounding La Jolla, the old Torrey Pines Lodge, built in 1922 in Torrey Pines Park.

The Pueblo Revival style's character-defining features usually include a flat roof with parapet; walls and parapets with rounded edges and corners; projecting wooden roof beams, or vigas, that often project through the wall; and stuccoed wall surfaces. Pueblo Revival buildings are frequently constructed of adobe, but not always. Other common embellishments include exterior arcades, called portales, lined with wood columns capped with handcrafted corbels; brick or flagstone floor surfacing; interior corner fireplaces, and decorative ironwork. The University House artfully incorporates many of these hallmark characteristics into its design. As an excellent example of its type, and one of earliest examples of Pueblo Revival architecture in San Diego, the University House is significant under Criterion 3 because it embodies distinctive characteristics of a type, period, region, and method of construction.

Additionally, the University House is an important example of a master architect. William Lumpkins has received much acclaim for his long and varied career as an architect, particularly for his early work in New Mexico, where he practiced from the mid 1930s to 1952. He and his firm in Santa Fe designed hundreds, perhaps thousands of Pueblo Revival residences during this period. This period of his career is best represented by his 1946 publication about the style, *Modern Spanish-Pueblo Homes*.

Lumpkins designed only one Pueblo Revival home in La Jolla – the Blacks' residence. Available evidence suggests that while most of Lumpkins' residential designs in New Mexico were carefully and artfully crafted, they were usually relatively modest in design and small in scale. In *Modern Spanish-Pueblo Homes*, he included dozens of single family residence designs, most of which are two or three bedroom homes ranging from 1,000 to 1,500 square feet in area – modest by most standards. The Blacks' residence, in contrast, was over 10,000 square feet when originally constructed, and incorporated an unusual U-shaped plan as well. The house also displays his knowledge and understanding of this particular revival style, from the name of his design ("Hacienda Nuevo Mejico de Senor and Senora Black"), to its separation of public and private spaces, and the beautiful organic shapes of the walls, arches, and details. Within the context of the style at large, and especially within the context of Pueblo Revival architecture within the La Jolla/San Diego area, the Blacks' Residence / University House therefore is a significant example of a master architect.

CRHR Criterion 4: Information Potential

The University House is not significant under Criterion 4 which is usually used to evaluate historic sites and archaeological resources. Although buildings and structures can occasionally be recognized for the important information they might yield regarding historic construction or technologies, the University House and its architectural style, Pueblo Revival, are otherwise well documented through building plans and architectural literature. It is therefore not a principal source of important information in this regard. Refer to the following Issues 2 and 3 for an analysis of archaeological resources impacts as a result of the renovation of the University House.

Discussion of Integrity

The California Register requires that an eligible resource possess both significance and integrity. Loss of integrity, if sufficiently great, will overwhelm historical significance a property may possess and render it ineligible. Under the California Register, integrity is defined as “the authenticity of an historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance.” The California Register further states that eligible resources must “retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance.” It lists the seven aspects of integrity: location, design, setting, workmanship, materials, feeling, and association.

Following a series of additions and renovations beginning in 1962, The Blacks’ Residence / University House suffered a marginal loss of historic integrity. These additions have expanded the footprint of the house, increasing the area from about 10,400 square feet to 12,500 square feet. Other detractive elements include the use of non-sympathetic materials such as concrete blocks and wood framing for walls, and the installation of aluminum and metal frame windows and doors. These detractive elements are almost entirely limited to the additions. Other modifications to the property and surrounding area, such as added landscaping, the construction of the pool, and the development of the subdivision around it, have impacted the qualities of setting and feeling.

Despite these modifications, the property is still able to convey its integrity. As registration guidelines elaborate, “a property that has lost some historic material or details can be eligible if it retains the majority of the features that illustrate its style in terms of the massing, special relationships, proportion, pattern of windows and doors, texture of materials, and ornamentation.” The University House satisfies these requirements. The additions, while not designed or executed in the Pueblo Revival style, represent an increase of less than twenty percent in area. The additions are limited to the rear, non-public side of the house and do not represent a visual impact when viewing the building from the property’s main entrance along La Jolla Farms Road. Furthermore, the original, distinctive U-shaped footprint is preserved, as is the general layout of the interior. The house is still divided into three functional areas that each occupy a particular area of the building: residential (south wing); public (center wing); and service or offices (north wing). Finally, the vast majority of the building’s original fabric is intact. While new materials have been added to the building, very little has been removed.

The University House retains a high enough degree of integrity to convey its significance under Criterion 3. It retains all aspects of location and a majority of its aspects of design, workmanship, and materials. Although the property’s setting has been altered, other aspects of the house’s integrity support the overall conveyance of its architectural significance providing the property with integrity of feeling and association to its period of significance. For these reasons, the University House, meets the criteria for listing in the California Register of Historical Resources and the property is therefore considered a historical resource for the purposes of CEQA.

The proposed project will include complete demolition of the structure which would result in a significant impact.

Mitigation Measures

The following project specific measures would partially lessen the significant impact identified above. However, impacts would not be fully mitigated, and therefore would remain significant and unavoidable.

UH Cul-1A All activities regarding historical architectural resources and historic preservation carried out as part of this project shall be carried out by or under the direct supervision of persons meeting, at a minimum, the Secretary of the Interior's professional qualifications standards (48 FR 44738-9) in these disciplines.

UH Cul-1B UCSD shall coordinate with and inform interested parties regarding the status of its efforts to comply with the mitigation measures set forth in the Mitigation Monitoring and Reporting Program (MMRP), as necessary.

UH Cul-1C UCSD shall identify and conserve documentary materials in its possession related to the construction, maintenance, use, and history of the University House. Materials would be housed with UCSD Facilities Design & Construction, and/or the UCSD Archives, Mandeville Special Collections Library. These materials may include, but are not limited to, photographs, drawings, and/or videography. UCSD shall make this material available for other related mitigation measures, as necessary.

UH Cul-1D Prior to the start of any work, UCSD shall ensure that the University House property is recorded and documented in accordance with the Level II recordation standards of the Historic American Buildings Survey (HABS) program. This level of recordation would include:

- i. Archival reproduction of existing architectural plans and drawings, large-format photographs of exterior and interior views;
- ii. Archival reproduction of historic views; and
- iii. Narrative history and description of the property (based on the narrative provided in this and previous reports).

The original archival set of recordation documents and photograph prints will be housed in the UCSD Archives, Mandeville Special Collections Library. Archival quality photocopies of the documentation set would be provided to the interested parties, such as the La Jolla Historical Society. UCSD would ensure that this recordation documentation was prepared prior to carrying out any other treatment and would make the content of the document available for other mitigation measures, such as the preparation of interpretive material.

UH Cul-1E At least 30 days prior to commencing the project, UCSD shall produce video documentation of the University House property. This video documentation would include footage of the exterior and interior of the building, as well as the grounds of the property. The video documentation would be housed in the UCSD Archives, Mandeville Special Collections Library and a copy of the video documentation would be provided to interested parties such as the La Jolla Historical Society and others still to be identified.

UH Cul-1F UCSD shall consult with interested parties to facilitate offering selected components of the University House to local historical organizations, such as La Jolla Historical Society, a museum, park district, or other entity for educational or interpretive display. These components may also be incorporated into permanent or temporary interpretive exhibits describing the University House construction and history. The interpretive exhibits may include, but are not necessarily limited to: plaques or markers, salvaged components of the building, or interpretive display panels, including historic photographs. The UCSD Principal

Architect shall select the components of the house and grounds that will be made available for curation, display, exhibits, or other appropriate use. UCSD shall remove the items selected in a manner that minimizes damage to the items and donate them to the interested party. The interested party shall bear the entire liability and financial cost for the removal, transport, relocation, and rehabilitation of the agreed upon items, as well as the production and installation of any exhibits.

4.2.3.2 ISSUE 2 – ARCHAEOLOGICAL RESOURCES/HUMAN REMAINS

Cultural Resources Issue 2 Summary

Would implementation of the proposed project cause a substantial adverse change in the significance of an archaeological resource or have the potential to disturb any human remains?

Impact: Implementation of the University House project would potentially result in impacts to recorded subsurface archaeological resources including disturbance of human remains.

Mitigation: Consult with appropriate parties (UH Cul-2A); consult and coordinate work with Native Americans and/or qualified monitors (UH Cul-2B); conduct a test excavation (UH Cul-2C); and prepare/implement a data recovery program (UH Cul-2D).

Significance Before Mitigation: Significant.

Significance After Mitigation: Significant and unavoidable.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, implementation of the University House project may have a significant adverse impact if it would cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5, or if it would disturb any human remains, including those interred outside of formal cemeteries. Section 15064.5(d) and (e) of the CEQA Guidelines assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are detailed under PRC Section 5097.98 (see Section 4.2.2.2 above).

For purposes of this EIR, implementation of the University House project may have a significant adverse impact on archaeological resources if it would result in the following:

- *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines; or*
- *Disturb any human remains, including those interred outside of formal cemeteries (e.g., at historic homesteads, as part of archaeological habitation site, etc.).*

“Unique archaeological resources” are defined under CEQA through PRC Section 21083.2(g). A unique archaeological resource implies an archaeological artifact, object, or site about which it can be clearly demonstrated that there is a high probability that it meets one of the following criteria.

CEQA Criterion 1 *The archaeological artifact, object, or site contains information needed to answer important scientific questions and there is a demonstrable public interest in that information, or*

CEQA Criterion 2 *The archaeological artifact, object or site has a special and particular quality, such as being the oldest of its type or the best available example of its type, or*

CEQA Criterion 3 *The archaeological artifact, object, or site is directly associated with a scientifically recognized important prehistoric or historic event or person.*

For a resource to qualify as a unique archaeological resource, the agency must determine that there is a high probability that the resource meets one of these criteria without merely adding to the current body of knowledge (PRC Section 21083.3[g]). An archaeological artifact, object, or site that does not meet the above criteria is a non-unique archaeological resource (PRC Section 21083.2[h]). An impact on a non-unique resource is not a significant environmental impact under CEQA (CEQA Guidelines Section 15064.5[c][4]).

Impact Analysis

Based on archaeological investigations of the University House property, archaeological site SDI-4669/W-12 meets the CEQA criteria for “unique archaeological significance” according to all three criteria. Investigation of site SDI-4669/W-12 has demonstrated that the resource meets one of the above criteria because of the following:

- Demonstrated presence of human burials. Twenty nine burials are known to have been removed from the site, all but two as a result of construction activities or natural erosion. There is a distinct possibility that additional burials are present.
- The antiquity of the site (9,590-9,920 years before the present).
- Data contained within the site that can address important research questions about the peopling of the New World.
- The Native American traditional sacred landscape represented by the site and burial ground.

CEQA Criterion 1: Information Needed to Answer Important Scientific Questions

The results of the Northridge excavations and cultural materials identified during geotechnical test pit excavation indicate that site W-12 contains a range of cultural materials that can address several important regional archaeological research issues:

Research Issue 1: Prehistoric Site Formation Processes. Of particular importance are the integrity of deposits, preservation of features, and the potential for identifying, through analysis, horizontal and vertical spatial patterning from which to infer the behavior patterns of prehistoric peoples.

A variety of post depositional processes can greatly alter the original character of prehistoric sites (e.g., Gross 1993; Schiffer 1987; Waters 1992). Formation processes such as deposition, erosion, bioturbation, and modern disturbance can considerably affect the integrity of archaeological sites. Many coastal sites have been impacted by cliff erosion and intense urban development; while W-12 has been affected by these issues, much of the site appears to be present. Site W-12 appears to have an abundance and variety of artifacts and ecofacts. The nature of procurement, processing, discard of refuse, and placement of the site’s occupation within larger settlement patterning are key factors to understanding and interpreting culture history. Specifically, what was the relationship between the W-12 site area and nearby sites W- 5 and W-9? What is the distribution of ancient shoreline sites in relationship to environmental resources and population densities? Possible activity areas identified during the analysis of Northridge field class materials provide an opportunity and the data to

address research on site formation processes. Any additional artifacts discovered at Site W-12 could help answer some of these questions regarding prehistoric site formation.

Research Issue 2: Prehistoric Chronology and Dating. Considerable attention in previous research at Site W-12 was placed on obtaining chronological control. Accurate chronology of artifacts at a particular site provides the foundation for rigorously addressing other research issues. Although the basic framework of the southern California coastal occupation already exists, there are substantial gaps in the chronology. These research questions are concerned with long-term continuity in occupation and the nature of change between cultural periods.

First, is there any evidence of early Holocene (Paleoindian) occupation at the site? No evidence for Paleoindian use of the mountains has been identified, but the possibility should be examined. Second, can chronological information be obtained that assists in examining the San Dieguito/La Jolla transition debate (e.g., Gallegos et al. 1987; Warren et al. 1993)? This debate entails determining whether such a transition occurred, and if so, if it was due to population replacement, acculturation, or transformation. Those who argue against an actual transition posit that the San Dieguito and La Jolla assemblages were actually produced by the same populations and reflect functional, seasonal, or work group distinctions. Site W-12 may contain the data to address issues related to the most ancient occupation of the area, as well as the transition to later cultural patterns.

Third, can the transition from the Archaic to the Late Prehistoric period be chronologically documented? At present, this transition is considered to be associated with the Shoshonean intrusion/influence in the area, although the precise timing of the process is unclear (e.g., Koerper 1979; Kroeber 1970; Meighan 1959; Rice and Cottrell 1976; Warren 1968). Little evidence for late occupation has been found at the site, but the presence of pottery suggests some Late Prehistoric use of the area.

Data needed to address these issues would require the proper collection of material for absolute and relative dating. These include radiocarbon samples for absolute dating (e.g., charcoal including very small samples for accelerator mass spectroscopy [AMS] dating or shell), the recovery of obsidian from identified sources for use in hydration analysis, and the seriation of temporally diagnostic artifacts such as ceramics and projectile points. It has been demonstrated that site W-12 contains information that can address this research issue. Dates from the site are some of the earliest on the west coast of North America.

Research Issue 3: Prehistoric Subsistence-Settlement Organization and Site Function. At present, the changing dynamics of prehistoric settlement organization in southern California are not well known (e.g., Jones 1992; Lightfoot 1993). This is due largely to the nature of previous studies and the extant archaeological record. Of particular interest is the relationship between coastal, mountain, and desert occupations over time. The early periods of occupation in the southern California coastal area appear to have been characterized by a foraging settlement strategy (Erlandson and Colten 1991; Moratto 1984; Warren 1964). The development of the La Jolla culture may represent a shift to a collector type subsistence strategy based on the concentrated resources associated with coastal lagoons. La Jolla sites during the middle Holocene were often large and intensively occupied sites and were probably semi-sedentary. By 4000 B.P., the normative interpretation is that populations expanded from the coast as a result of depletion of coastal/lagoon resources, and moved into a much broader range of landforms and environmental zones than before. Settlement of the mountains may have been an objective after that time, resulting in the archaeological pattern known as the Late Prehistoric period.

During the Late Prehistoric period, residential bases may have been sedentary villages or extensively occupied seasonal settlements (Byrd and Serr 1993; True 1970). Other sites were related to these larger

residential bases, including a variety of specialized sites such as field camps and caches. With adequate storable resources, such as acorns, people in the Late Prehistoric period may have exploited inland oak groves during the fall and winter months, and focused on coastal resources during other times of the year (Bean and Shipek 1978; Craib 1982; Rice and Cottrell 1976).

The issues related to subsistence orientation are interwoven with the previous discussion of settlement organization. Among the questions of interest are: What specific resources were the focuses of exploitation? How heavily oriented were the subsistence systems toward floral versus faunal? Can changes in subsistence emphasis over time be identified? Were floral resources preserved? If so, are storable resources present, such as grass seeds and acorns? Finally, can changes in resource emphasis be tied to alterations in settlement organization, extractive technologies, and the availability of local resources due to environmental and cultural changes?

Previous archaeological collections from W-12 contain data that can be used to address these research questions. A large quantity of flaked lithic tools and flakes, shellfish remains, ground stone, and animal bone has been found at the site. Analysis of these can address important regional research issues.

CEQA Criterion 2. Special and Particular Qualities

Site W-12 meets Criterion 2 because the site is one of the oldest and best available archaeological sites in Southern California. For many years, human burials associated with this site have been recognized as having considerable antiquity, and recent dating by the Smithsonian to 9590-9920 B.P. supports this association. The La Jolla area is nationally known for having evidence for ancient human occupation, in terms of both datable human remains and artifacts found in coastal environments that are now submerged. Few ancient coastal sites remain, with most having been lost to development. Burials from this site have been included in studies conducted by the Smithsonian Institution on circum-Pacific populations and the peopling of the New World (Jantz and Owsley 2005).

CEQA Criterion 3: Directly Associated with an Important Prehistoric or Historic Event or Person

The recognized sacred importance of the area to Indian tribes qualifies the University House site to meet CEQA unique archaeological resource standard under Criterion 3. Properties may have significance under Criterion 3 if they are associated with events, or series of events, significant to the cultural traditions of a community; in this case, the community of Kumeyaay Indians of southern California. The traditional belief of native people is that they were created within the region, where they belong, and not some other place. The Great Spirit or Creator (called Amaayahaa by Thomas Lucas [Cline 1979:103]) blew life into the dirt bodies of men and women in the place where their people lived, not in another part of the world. According to Kumeyaay tribal knowledge, modern Indians are descendents of the same people who have been here since the Creator made man and woman. They do not accept the archaeological explanation that different people lived in San Diego 10,000 years ago, nor that their ancestors moved into the region in recent times. Ceremonial song cycles, known as the Kumeyaay Bird Songs, describe how people came to be created here, from the beginning. The presence of burials at SDI-4669/W-12 is a very sensitive issue for the Kumeyaay, who do not want their ancestors disturbed and view the area as a traditional sacred landscape.

The 2004 LRDP EIR also determined that impacts to archaeological resources at site CA-SDI-201, 4669/SDM-W-12 would have significant impacts to prehistoric habitation artifacts and human burials. Archaeological resources may also suffer indirect impacts as the result of project activity that increases erosion (especially erosion of the coastal slopes) or increases the accessibility of a surface resource, and thus

increases the potential for vandalism or illicit collection. Due to the potential for unrecorded subsurface archaeological resources to occur at the University House site, these impacts would be significant.

Based on the archaeological investigations conducted for this EIR and the abundance of archaeological artifacts and burials previously discovered on the University House property, there is a distinct possibility that impacts to unique archaeological resources could occur as the result of the University House demolition and reconstruction, absent appropriate mitigation. Construction of a new building on the grounds of the University House property is likely to result in destruction of unique archaeological artifacts as well as disturb human remains. Grading, construction, and utility installation that disturb the ground could also potentially cause adverse impacts to these resources. It is not known whether burials or archaeological deposits remain under the existing house, so rebuilding on the existing footprint could potentially destroy cultural resources if grading is done in that area. Therefore, impacts to unique archaeological resources or buried remains as a result of the University House project could be significant.

Mitigation Measures

UCSD recognizes that SDM-W-12 is a significant site, and that the proposed project's area of potential effect conflicts with the sensitive site (LRDP EIR Mitigation Measure Cul-2A). Therefore UCSD has consulted with a qualified archaeologist to consider means of reducing ground disturbance (LRDP EIR Mitigation Measure Cul-2B). The project as proposed cannot avoid all impacts due to the fact that presence/absence testing (Dec 2006 and Jan 2007) revealed that due to severe disturbance of the site over the years, archaeological evidence was spread over the whole of the site. Since impacts cannot be completely avoided (LRDP EIR Mitigation Measure Cul-2C), the following project specific mitigation measures that address significant archaeological impacts have been determined based on the cultural resource mitigation approach described in the 2004 LRDP EIR and specific measures outlined in the archeological investigation recommendations found in Appendix C, both in compliance with CEQA and PRC 5097.98. Implementation of the following mitigation measures would reduce impacts to archaeological resources and buried remains, however, not to below a level of significance. Therefore, impacts would be significant and unavoidable.

UH Cul-2A Prepare a research design for the archaeological data recovery program. The research design shall identify the area of potential effects (APE), and will take into consideration the vertical and horizontal extent of proposed grading and ground disturbing activities within the APE. The program may be divided into two phases, a test phase and a data recovery phase.

UH Cul-2B Continue to work with Native Americans. The university has established close communication with Native Americans during the course of the project. This should continue as the project moves forward.

- i. The university will attempt to obtain a pre-excavation agreement with the Most Likely Descendent (MLD) to define treatment of human remains if they are discovered during archaeological excavations and subsequent project development.
- ii. A Native American monitor, if available, will be on site during any subsurface excavation and grading within the APE.

UH Cul-2C Conduct an archaeological test phase. The test phase, which may be conducted in coordination with geotechnical exploration, will consist of systematic excavation of a sample of areas within the APE to determine the integrity of the archaeological deposit; the horizontal and vertical extent of the deposit; the quantity and diversity of artifacts

contained within the deposit; and the potential for additional human remains. Standard archaeological 1x1 meter test units may be used during this phase, although these may be expanded if features are discovered.

- i. Following completion of the test excavation, all cultural materials will be washed, cataloged, and analyzed. Technical analyses may include lithic artifact analysis, shellfish analysis, chronometric studies, faunal studies, and other analyses as needed to describe the cultural materials. A report of the test phase may be produced, or the reporting may be combined with the data recovery report.
- ii. The university may use the information from the test phase to refine or revise the project. The goal would be to minimize or avoid impacts based on the results of the test excavations.

UH Cul-2D Complete data recovery. The data recovery phase will be based on the results of the test phase, and will focus on recovering archaeological data sufficient to mitigate the destruction of a portion or the entire site within the APE. The extent of the data recovery phase cannot be known at this time. The project archaeologist may determine that the significance of the site is such that data recovery cannot capture the values that qualify the site for inclusion on the California Register of Historic Resources. In that event, the campus may reconsider project plans in light of the high value of the cultural resource, and modify the proposed project so that the site can be preserved intact. If no such measures are feasible, the impact could be considered cumulatively considerable despite additional data recovery. If data recovery proceeds, it will consist of the excavation of additional areas of the site within the APE; the amount of excavation and location of the excavation will be determined through the results of the test phase. As with the test phase, standard archaeological 1x1 meter test units may be used during this phase, although these may be expanded if features are discovered or to cover a larger part of the APE. Following completion of the test excavation, all cultural materials will be washed, cataloged, and analyzed. Technical analyses may include lithic artifact analysis, shellfish analysis, chronometric studies, faunal studies, and other analyses as needed to describe the cultural materials. A data recovery report will be prepared.

UH Cul-2E Treat human remains, if discovered, with respect. If human remains are found during the test or data recovery phases, the university will comply with PRC 5097.98. Details of this law are provided in Section 4.2.2.2.

UH Cul-2F Provide for curation of the archaeological collection. Following completion of the data recovery program, enter into an agreement with a facility such as the San Diego Archaeological Center for permanent curation of the collection.

- i. The discovery location will be protected and secured from further disturbance.
- ii. The UCSD Project Manager will contact the San Diego County Medical Examiner. Since the Kumeyaay Cultural Repatriation Committee (KCRC) was identified by the NAHC as the MLD during the previous geotechnical explorations at the site, the Project Manager will contact the KCRC directly.
- iii. If the remains are determined by the Medical Examiner or an authorized representative to be Native American, the Medical Examiner will contact the NAHC.

- iv. The NAHC contacts the MLD.
- v. The university provides the MLD with access to the discovery location, which has been protected from damage.
- vi. The MLD will make a recommendation for treatment of the remains within 48 hours. Possible options for treatment may include:
 - a. Preservation in place and avoidance.
 - b. Removal by a qualified archaeologist. Analysis by an osteologist or physical anthropologist may or may not be possible. Collection of any human remains will trigger NAGPRA.
 - c. Repatriation of the remains to the MLD following the NAGPRA process.
 - d. Reburial of the remains on the property by the university.
- vii. If the MLD does not make a recommendation within 48 hours, or if the recommendations are not acceptable to the university following extended discussions and mediation, the university will reinter the remains and burial items with appropriate dignity on the property in a location not subject to further subsurface disturbance. The location of reinterment will be protected by one of the three following measures:
 - a. Record the location with the NAHC or the South Coastal Information Center.
 - b. Utilize an open space or conservation zoning designation or easement.
 - c. Record a document with San Diego County.
- viii. If multiple human remains are found, extended discussions will be held with the MLD. If agreement on the treatment of these remains is not reached, they will be reinterred in compliance with PRC 5097.98(e).

4.2.4 CUMULATIVE IMPACTS AND MITIGATION

Cultural Resources Cumulative Issue Summary

Would implementation of the proposed project have a cumulatively considerable contribution to a cumulative cultural resources impact considering past, present, and probable future projects?

<u>Cumulative Impact</u>	<u>Significance</u>	<u>University House Contribution</u>
Regional loss of archeological resources.	Significant.	Cumulatively considerable and potentially unavoidable if human remains are impacted.
Regional loss of historical resources.	Significant.	Cumulatively considerable and unavoidable.

4.2.4.1 ARCHAEOLOGICAL RESOURCES

The geographic context for the analysis of cumulative impacts for prehistoric cultural resources consists of the Kumeyaay national territory that extended roughly from below Santo Tomas in Mexico north to the San Luis Rey River and east to the Colorado River. A wide variety of hunting, gathering, habitation and other sites are located within this region. Prehistoric sites located within coastal San Diego County, where the University House is situated, includes sites dating back to the early Native American occupation period. These sites are known to have intact midden deposits and human burials. These coastal areas were a preferred location for prehistoric inhabitants as they are for current residents. Many of these coastal sites have been lost due to urban development and to natural erosion along the seashore.

Site W-12 located on the University House property in conjunction with the other sites on the UCSD campus may represent the largest number of these sites that are at least partially preserved (due to lower levels of urban development on coastal portions of the campus). Since the University House site has a distinct possibility of containing sensitive archaeological resources, data recovery may adequately address the loss of those prehistoric resources as related to academic research. On the other hand, the site also has a distinct possibility of containing human burials and other potentially unique items. The loss of these resources on a regional level may not be adequately mitigable through data recovery and collection, as their value may also lie in cultural mores and religious beliefs of the Kumeyaay. Therefore, the cumulative destruction of significant prehistoric resources by construction and development within the historic boundaries of the Kumeyaay national territory, in particular non-renewable and unique resources are considered a cumulatively significant impact.

Impacts resulting from implementation of the University House renovation would be considered cumulatively considerable if it resulted in disturbance of non-renewable or unique resources. Currently, 4669/SDM-W-12 is considered non-renewable and unique because it contains human remains. Although impacts to these resources would be avoided where feasible during project planning, because implementation of the University House project could result in disturbance to this site (even with implementation of measures Cul-2A through Cul-2H), the University House project would result in impacts that are cumulatively considerable and unavoidable.

4.2.4.2 HISTORICAL RESOURCES

The geographic context for the analysis of cumulative impacts for historic cultural resources would encompass the southern California region. Based on the above analysis the University House structure is considered a significant historical resource because the University House meets at least one of the criteria for listing in the CRHR. The residence embodies distinctive characteristics of a type, period, region, and method of construction as an excellent example of the Pueblo Revival style architecture in San Diego, and it is an important work of a master architect, William Lumpkins. The house's period of significance is 1952, the year it was completed. The building also retains a high enough degree of integrity to the period to convey its significance.

The University House is one of the few examples of Pueblo Revival Style architecture in the southern California region and in particular, San Diego. In addition, few examples of Pueblo Revival Style architecture of this grandeur can be found elsewhere in the nation. Even in New Mexico, where this style originated and is much more common, examples of this large size are rare. Therefore the demolition of the University House would constitute a considerable loss to southern California historical resources of this type and therefore would be a significant cumulative considerable impact that would be unavoidable.

4.2.5 CEQA CHECKLIST ITEMS ADEQUATELY ADDRESSED IN INITIAL STUDY

The Initial Study for the proposed project indicated that all checklist items related to cultural resources should be evaluated in the EIR.

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