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4.5 CULTURAL RESOURCES

Would the project:		Potentially Significant Impact	Potentially Significant Unless APMs Incorporated	Less than Significant Impact	No Impact
a.	Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d.	Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4.5.1 Introduction

This section of the PEA describes the archaeological, historical, and paleontological resources identified within the Proposed Project area, and identifies potential impacts that could result from construction, operation, and maintenance of the Proposed Project. Components of the Proposed Project that could affect cultural resources include removal of existing towers and transmission line, construction of new poles and stringing of transmission line, demolition of an existing substation and construction of a new substation, grading access roads or pads and clearing of footing locations, use of pulling stations, splicing stations, construction yards and laydown areas, or establishing helicopter landing zones.

Cultural resources as defined in CEQA include prehistoric and historic period archaeological sites, districts, and objects; historic buildings, structures, and traditional/cultural sites or the locations of important historic events. Although cultural resources identified within the Proposed Project site include prehistoric archaeological sites and isolates, two railroad sites, and a former utility structure, the Proposed Project will not result in significant impacts, either because the resources were found not to be significant, or were not relocated, or will not be impacted. There is a moderate to high sensitivity for paleontological resources in three of the geologic formations that underlie the Proposed Project. With the implementation of the Applicant APMs, potential impacts to cultural and paleontological resources that may result from the Proposed Project would be reduced to a less than significant level.

4.5.2 Methodology

4.5.2.1 Cultural Resources Records Search

Cultural resources information for existing conditions in the Proposed Project area was obtained from the California Historic Resources Information System (CHRIS), with the records search performed on March 5, 2008 and February 29, 2012. The CHRIS maintains regional offices that

manage cultural resource records for known cultural resource locations and related technical studies. The regional office for Orange County is the South Central Coastal Information Center (SCCIC) housed at California State University at Fullerton, and the regional office for San Diego County is the South Coastal Information Center (SCIC) housed at San Diego State University. Sources reviewed consisted of all recorded archaeological and historic sites records, and cultural resource reports within a one quarter mile radius of the Proposed Project area. Archaeological and/or historic sites recorded in CHRIS are not all deemed significant. Additional resources that were consulted for relevant information included the National Register of Historic Places, the Historic Property Data File, the California Register, the California Historical Landmarks, the California Inventory of Historic Resources, and the California Points of Historical Interest. The records search included the records available through the city of San Juan Capistrano, the Orange County Assessor/Recorder's data, Sanborn Fire Insurance Maps and other historic maps, and historic background data provided through the San Diego Historical Society, and the city of San Juan Capistrano history files (on-line data). The record search was conducted for the Cultural Resources Assessment Report and for the Historic Property Evaluation which have been included as Appendices 4.5-A and 4.5-B, respectively. The previously recorded cultural resources located within a one-quarter mile of the Proposed Project are shown in Table 4.5-1, Previously Recorded Cultural Resources in the Proposed Project Area. All previously recorded cultural resources were then evaluated further to determine whether the Proposed Project would result in a significant impact under CEQA.

4.5.2.2 Native American Scoping

In order to acquire more information about potential cultural resources located in or near the Proposed Project area, a request for information in the Sacred Lands file database was submitted to the Native American Heritage Commission (NAHC) on January 18, 2012. A list of interested Native American tribal groups and individuals for the Proposed Project area was also requested. The NAHC responded on January 18, 2012 and indicated that there are cultural resources recorded in the NAHC Sacred Lands file for the San Juan Capistrano, Cañada Gobernadora, and the San Clemente USGS quadrangle maps. There are no recorded cultural resources in the NAHC Sacred lands file within the Dana Point USGS quadrangle map. The NAHC also enclosed a list of Native American individuals and/or organizations that might have further knowledge of cultural resources in or near the Proposed Project area.

On January 20, 2012, TRC sent letters/emails with a Proposed Project location map to all the individuals and/or organizations provided on the list by the NAHC.

Mr. Andrew Salas, Chairperson for the Gabrieliño Band of Mission Indians responded via email on January 25, 2012. He said, “respectfully this project is within the territory of the San Juan Capistrano Indians Juaneño Band of Mission Indians and they can better assist you with more information.”

On January 26, 2012, Ms. Joyce Perry Cultural Resources Coordinator for the Juaneño Band of Mission Indians Acjachemen Nation left a telephone message, stating that she and Mr. David Belardes (Chairperson for the tribe) would like to meet to go over the maps for the Proposed Project and point out areas of sensitivity and concern. On January 30, 2012, TRC archaeologist Susan Underbrink spoke with Ms. Perry to indicate that she would contact SDG&E to help arrange a time and place for the meeting. On March 19, 2012, Ms. Joyce Perry and Mr. David

Belardes met with TRC archaeologist Ms. Susan Underbrink, M.A., RPA, TRC lead planner Mr. Josh Taylor, as well as SDG&E personnel, Mr. Chris Terzich, Ms. Mary Turley, and Mr. Duane Cave. The meeting was to allow Mr. Belardes and Ms. Perry the opportunity to view larger scale maps of the Proposed Project, to discuss the Proposed Project in more detail, and to have the opportunity to express concerns and indicate any special areas of concern. On March 29th, 2012 Ms Perry sent an email stating, “After reviewing maps and meeting with you and representatives from SDG&E we are recommending archaeological and Native American monitors for most of the site locations. We trust that you or persons from SDG&E would keep us informed on the progress of this project.” There has been no other correspondence as of this time.

4.5.2.3 Cultural Resources Field Survey Methods

TRC archaeologists conducted archaeological field surveys on March 12, March 19, and 21, 2008, and additional field visits and/or surveys occurred on September 29 and 30; October 11 and 12; and December 28 and 29, 2011. Additional field surveys occurred on February 28, 2012, and March 15, 2012. The purpose of the cultural resource field surveys was to relocate and update any previously recorded cultural resources, as well as to check for the presence/absence of any cultural resources on any previously unsurveyed portions of the Proposed Project area. During the surveys, the entire alignment was driven and each proposed and existing structure location was surveyed as well as any known staging areas, possible areas of new access roads or areas in which the roads would be widened. Each proposed and existing structure location was surveyed using transects spaced at five to ten meters. For any road widening each side of the existing access road was surveyed using five to ten meter transects. All cleared areas were thoroughly examined for artifacts. Rodent burrows were checked for additional signs of potential subsurface cultural resources. In areas of poor visibility meandering transects were utilized to cover any open areas. Whenever possible a 100 foot survey buffer on each side of the transmission line was utilized. In all cases a GPS, aerial and topographic maps were utilized; field notes and photographs were taken.

4.5.2.4 Paleontological Resources

A thorough literature and record search was conducted by the Natural History Museum of Los Angeles. Relevant published geologic maps and reports, unpublished paleontological reports and unpublished museum collection locality data were reviewed. The Proposed Project area and a one mile radius were searched for fossil localities. Upon review of the paleontological resources record search and review of geologic formations in the Proposed Project area, it was determined that the potential for paleontological resources was present, and therefore a field reconnaissance was not conducted. The paleontological record search results letter can be found in Appendix 4.5-C.

4.5.3 Existing Conditions

4.5.3.1 Regulatory Setting

Federal Regulations

National Historic Preservation Act

Enacted in 1966, the National Historic Preservation Act, 16 U.S.C. §470 et seq. (NHPA) has become the foundation and framework for historic preservation in the United States. The NHPA authorizes the Secretary of the Interior to expand and maintain a National Register of Historic Places, establishes an Advisory Council on Historic Preservation as an independent federal entity, requires federal agencies to take into account the effects of their undertakings on historic properties, affords the Advisory Council on Historic Preservation a reasonable opportunity to comment on any undertaking that may affect historic properties listed, or eligible for listing, in the National Register of Historic Places, and makes the heads of all federal agencies responsible for the preservation of historic properties owned or controlled by their agencies.

16 U.S.C. §470 (Section 106) of the NHPA governs federal regulations for cultural resources. The goal of the Section 106 process is to offer a measure of protection to sites that are determined eligible for listing on the National Register of Historic Places. The criteria for determining National Register eligibility are found in 36 Code of Federal Regulations Part 60.

Native American Graves Protection and Repatriation Act

For activities on federal lands, the Native American Graves Protection and Repatriation Act (NAGPRA), enacted in 1990, provides a framework for determining the rights of lineal descendants and Native American tribes to repatriate Native American remains, funerary objects, sacred objects, or other objects of cultural patrimony with which they are associated. NAGPRA applies to items found on federal lands, and agencies that obtain federal funding. It requires consultation with “appropriate” Indian tribes prior to the intentional excavation, or removal after inadvertent discovery, of several kinds of cultural items, including human remains and objects of cultural patrimony.

Paleontological Resource Preservation Act

On March 30, 2009, the Paleontological Resources Preservation Act, 16 U.S.C. 470aaa (PRPA) became law. This requires the Secretaries of the Interior and Agriculture to manage and protect paleontological resources on Federal lands using scientific principles and expertise. New policies from these agencies regarding paleontological resources are in progress.

Camp Pendleton

For the portion of the Proposed Project within Camp Pendleton, the above Federal laws will apply.

State Regulations

California Environmental Quality Act

CEQA requires that impacts to cultural resources be identified and, if impacts will be significant, that mitigation measures be implemented to reduce those impacts to the extent feasible. In the protection and management of the cultural environment, both the statute and its *CEQA Guidelines* provide definitions and standards for cultural resources management. The term “historical resource” is defined as follows:

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission for listing in, the California Register of Historical Resources.*
- (2) A resource included in a local register of historical resources or identified as significant in a historical resource survey shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.*
- (3) Any object, building, structure, site area, record, or manuscript, which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a cultural resource shall be considered by the lead agency to be “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources, including the following:*
 - a. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;*
 - b. Is associated with the lives of persons important in our past;*
 - c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or*
 - d. Has yielded, or may be likely to yield, information important in prehistory or history.*

The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, or identified in a historical resources survey does not preclude a lead agency from determining that the resource may be a historical resource.

As defined in Section 21083.2(g) of CEQA, a “unique archaeological resource” is:

An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.*
- (2) Has a special and particular quality such as being the oldest of its type or the best available example of its type.*
- (3) Is directly associated with a scientifically recognized important prehistoric or historical event or person.*

Section 15064.5(a) (3) of the *CEQA Guidelines* explains that effects on cultural properties that qualify as historical resources or unique archaeological resources would be considered adverse if they involve physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the resource would be materially impaired.

The statutes and guidelines cited above specify how cultural resources are to be managed in the context of projects subject to CEQA. Briefly, archival and field surveys must be conducted, and identified cultural resources must be inventoried and evaluated in prescribed ways.

California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act (Cal NAGPRA) of 2001 is contained in the California Health and Safety Code Sections 8010-8021, and 8025-8030. Cal NAGPRA provides for the repatriation of human remains and cultural items in the possession or control of a state or local agency or museum to the rightful California Native American tribe. This law defines the term California Native American tribe to include non-federally recognized groups.

California Public Resources Code

Provisions can be found under the Public Resources Code regarding the treatment of human remains. These provisions are detailed in Section 5097.9 through 5097.996. These sections explain the actions to be taken when Native American remains are found. Section 7050.5 of the California Health and Safety Code states that anyone who knowingly disinters, disturbs, or willfully removes any human remains in or from any location other than a cemetery without the authority of law is guilty of a misdemeanor, except those circumstances as described in Section 5097.99 of the Public Resource Code. Under these provisions if a county coroner determines that remains found during excavation or disturbance of land are Native American, the coroner must contact the NAHC within 48 hours, and the NAHC must determine and notify a Most Likely Descendent (MLD) who shall complete inspection of the site within 24 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Local Regulations

Orange County

The Orange County regulations and policies pertaining to cultural resources can be found in the Resources Element of the *County of Orange General Plan*. The *County of Orange General Plan* current version was adopted on March 22, 2011 (Board of Supervisors Resolution 11-044).

The Resources Element includes three goals that deal with Cultural –Historic Resources. Goal 1 is to raise the awareness and appreciation of Orange County's cultural and historic heritage, Goal 2 is to encourage through a resource management effort the preservation of the County's cultural and historic heritage. Goal 3 is to preserve and enhance buildings, structures, objects, sites, and districts of cultural and historic significance. Goal 2 has the following policies addressing archaeological, paleontological, and historical resources that shall be implemented at appropriate stage(s) of planning:

- To identify archaeological, paleontological, and historic resources through literature and records research and/or surface or on-site surveys.
- To evaluate archeological resources through subsurface testing to determine significance and extent, to evaluate historic resources through comparative analysis or through subsurface or materials testing.
- To observe and collect archaeological resources during the grading of a project; to monitor and salvage paleontological resources during the grading of a project.
- To preserve archaeological resources by maintaining them in an undisturbed condition, or excavating and salvaging materials and information in a scientific manner. To preserve paleontological resources by maintaining them in an undisturbed condition. To preserve significant historic resources by one or a combination of the following alternatives, as agreed upon: adaptive reuse of historic resource; maintaining the historic resource in an undisturbed condition; moving the historic resource and arranging for its treatment, salvage and conservation of significant elements of the historic resources; or documentation (i.e. research narrative, graphics, photography) of the historic resource prior to destruction.

City of San Juan Capistrano

The city of San Juan Capistrano has a rich historic background anchored by the founding of Mission San Juan Capistrano in 1776. The City has identified the preservation of its cultural resources as an important factor to consider when evaluating future development within San Juan Capistrano, to assist with historic preservation in the City, the cultural heritage commission (CHC) was created. The CHC compiles and maintains the City's Inventory of Historical and Cultural Landmarks (IHCL), which includes 40 developed properties and archaeological sites, six historic districts, and four historic streets. The Proposed Project does not affect any resources included on the IHCL, and is not located within any of the six historic districts.

The city of San Juan Capistrano goals and policies pertaining to cultural resources can be found in the Cultural Resources Element of the *City of San Juan Capistrano General Plan*. The majority of the *City of San Juan Capistrano General Plan* was adopted on December 14, 1999;

the housing element was approved November 2001, with a General Plan Amendment on May 7, 2002. The Cultural Resources Element includes a listing of existing historical sites. The Proposed Project does not affect any historical sites included in this listing.

The city of San Juan Capistrano has adopted a Historical and Cultural Landmark Ordinance, which forbids damage of any kind to any resource listed in the City’s IHCL without first obtaining City Approval. The Proposed Project does not affect any resource listed in the City’s IHCL.

The City has also adopted a Historic Preservation Ordinance. This ordinance is to protect historic resources within historic districts, and includes the following goals and policies, which are derived from the General Plan:

Cultural Resources Goal 1: Preserve and protect historical, archaeological, and paleontological resources.

Policy 1.1: Balance the benefits of development with the project’s potential impacts to existing cultural resources.

Policy 1.2: Identify, designate, and protect buildings and sites of historic importance.

Policy 1.3: Identify funding programs to assist private property owners in the preservation of buildings and sites of historic importance.

(San Juan Capistrano Municipal Code, Sec. 9-2.327.)

The City Code further allows the City to designate a Cultural Resources/Historic Preservation District as an Environmental Overlay. The purpose of the Historic Preservation overlay is “to establish regulations for those areas of the City which, due to their historical or cultural significance, require special consideration to insure their preservation as a community resource.” (San Juan Capistrano Municipal Code, Sec. 9-3.407). The Historic Preservation overlay requirements are in addition to the underlying zoning. The Proposed Project is not located within a Historic Preservation overlay area.

The City has also adopted a series of policies (City Council Policies 601, 602, 603 and 606) to address a broad range of preservation issues, including archaeological monitoring for development projects, reports for potentially historic sites, modifications to designated historic sites, and historic depiction programs for new non-residential projects.

Council Policy 601 addresses historic, archaeological and paleontological resource management. Council Policy 601 defines “Historic Resource” as “a district, site, building, structure or object significant in American history, architecture, engineering, archaeology or culture at the national, state or local level.” A “Significant Historic or Cultural Resource” is defined as,

an artifact that can be associated with an event or person having a recognized significance in California or American history, or recognized as having scientific importance in the prehistory period, has a special or particular quality such as oldest, best example, or last surviving example of its kind; is at least 50 years old and possesses substantial stratigraphic integrity, or involves important research

questions that historical research has shown can be answered only with archaeological methods.

City of San Juan Capistrano staff has referred to the former utility structure located at the Capistrano Substation as a “historic resource.”

The Proposed Project would not affect any resources that are listed on the City's IHCL, the California Register of Historic Resources, or the National Register of Historic Places, or any resources that have been formally determined to be eligible for listing in the California or National Registers.

Council Policy 601 defines a “Significant Paleontological Site” as “an area where the presence of paleontological artifacts which have a particular scientific importance such as containing a complete species [sic], or located in a unique stratigraphic location and/or geologic formation.” The Proposed Project would not impact any known Significant Paleontological Site.

The City has also established a list of Buildings of Distinction (BOD). According to the city of San Juan Capistrano website, the BOD list was created between 1977 and 1987 and,

serves as a list of structures and sites which are potentially eligible for inclusion on the City's Inventory of Historical and Cultural Landmarks when they meet all listing criteria and/or have property owner concurrence to be added to the Inventory. The BOD is an honorary designation and imposes no restrictions nor conveys any benefits.

The BOD list notes that proposed development on BOD sites may need to address additional issues under CEQA. The City's BOD list includes the former utility structure at Capistrano Substation, which was constructed in 1918.

The City is currently developing a Historic Town Center Master Plan, the boundaries of which are Acjachema Street to the north, the I-5 Freeway to the east, Avenue La Paloma to the south, and Paseo Adelanto to the west. This proposed Historic Town Center does not include the Proposed Project's Capistrano Substation.

City of San Clemente

The city of San Clemente goals and policies pertaining to cultural resources can be found in the Natural and Historic/Cultural Resources Element of the *City of San Clemente General Plan*. The *City of San Clemente General Plan* was adopted on May 6, 1993 with amendments through May 6, 2003. The city of San Clemente has no policies at this time directly referring to paleontological resources.

The city of San Clemente's goal is to promote the preservation and restoration of sites, structures, and districts, which have architectural, historical, archaeological and/or cultural significance to the city of San Clemente. In order to obtain this objective, the City has put forward several policies.

Policy 10.3.1 is to establish criteria for surveying archaeological resources, historic vegetation and cultural resources.

Policy 10.3.2 is to complete a comprehensive survey of cultural resources, historic vegetation and archaeological resources that encompass the city and its sphere of influence and update the current inventory of historic resources.

Policy 10.3.3 is to continue the implementation of the city's existing ordinance for preservation of designated historic sites and structures.

4.5.3.2 Cultural Setting

Historic Overview

Prehistoric Background

It is generally believed that human occupation of southern California began approximately 10,000 years before present (BP). Although there are a variety of cultural chronologies for southern California, the two most currently accepted chronologies are one that interprets the prehistory of coastal southern California through temporal horizons, and one that looks at the cultural differences not as temporal distinctions, but as local traditions. The four most recognized temporal horizons along the southern California coast are: Early Man, Milling Stone, Intermediate, and Late Prehistoric.

The Early Man Horizon spans the period from the end of the Pleistocene to approximately 8,000 BP, archaeological assemblages attributed to this horizon are characterized by large projectile points and scrapers. The limited data available suggests that prehistoric populations focused on hunting and gathering while moving around the region in small nomadic groups.

The Milling Stone Horizon is often characterized by the appearance of hand stones (manos) and grinding slabs (metates), this horizon tentatively dates to between 8,000 BP and 3,000 BP. Assemblages in the early Milling Stone period reflect an emphasis on plant foods and foraging subsistence systems. For inland locales, it has been assumed exploitation of grass seeds formed a primary subsistence activity. Artifact assemblages include choppers and scraper planes but generally lack projectile points. The appearance of large projectile points in the latter portion of the Milling Stone Horizon suggests a more diverse economy. The distribution of Milling Stone sites reflects the theory that aboriginal groups may have followed a modified central based wandering settlement pattern. In this semi-sedentary pattern, a base camp would have been occupied for a portion of the year, but a small population group seasonally occupied subsidiary camps in order to exploit resources not generally available near the base camp. Sedentism apparently increased in areas possessing an abundance of resources, which were available for longer periods of time. More arid inland regions would have provided a seasonally and a dispersed resource base, restricting sedentary occupation.

Dated to between 3,000 BP and 1,250 BP, the Intermediate Horizon represents a transitional period. Little is known about the people of this period, especially those of inland southern California. Sites assemblages retain many attributes of the Milling Stone Horizon. Additionally, Intermediate Horizon sites contain large stemmed or notched projectile points and portable mortar and pestles. The mortars and pestles suggest that the aboriginal populations may have harvested, processed, and consumed acorns. Neither the settlement-subsistence system nor the cultural evolution of this period has been well understood due to a general lack of data. It has been proposed that sedentism increased with the exploitation of storable food resources (acorns)

and that the duration and intensity of occupation of base camps increased, especially toward the latter part of this horizon.

Extending from 750 to Spanish contact in 1769, the Late Prehistoric Horizon reflects an increased sophistication and diversity in technology. The beginning of the Late Prehistoric Period occurred roughly with the appearance of the smaller “Cottonwood” points, suggesting the introduction of the bow and arrow. In addition, assemblages include steatite bowls, asphaltum, grave goods, and elaborate shell ornaments. Use of bedrock milling stations was widespread during this time. Pottery begins to appear at the end of the Late Prehistoric Period. Increased hunting efficiency and widespread exploitation of acorns provided reliable and storable food resources. These innovations apparently promoted greater sedentism.

Historic Background

The first Europeans to explore future California were in the 1542 expedition of Juan Rodriguez Cabrillo. Orange County is thought to have been first visited in 1769 by Gaspar de Portola, as he led a 62-person expedition from San Diego to Monterey. Shortly after this visit, the seventh Franciscan mission in California was founded in 1776, the Mission San Juan Capistrano.

After an initial period of exploration, the Spanish concentrated on the founding of presidios, missions, and secular towns with the land held by the Crown (1769-1821). In contrast, the later Mexican policy stressed individual ownership of the land. In 1821, Mexico declared independence from Spain and within 12 years began closing the missions. Former mission lands were granted to soldiers, other Mexican citizens, and a few wealthy foreigners. In 1841, the former mission became a Mexican pueblo named San Juan Capistrano. The Governor, Pio Pico granted two large ranchos to his sister's husband John Forster, an English immigrant. All Euroamericans were required to become Catholics, learn Spanish and become Mexican citizens prior to any marriages to Californians.

The signing of the Treaty of Guadalupe Hidalgo in 1848 ended the Mexican-American War and California became a territory of the United States. The discovery of gold at Sutter's Mill in 1848 influenced the history of the state and the nation. Thousands of settlers and immigrants poured into the state, particularly after the completion of the transcontinental railroad in 1869. California became the 31st state in 1850, primarily due to the gold rush. The 1860's and 1870's show an increase in farmers, and merchants into the area. In March 1889, the County of Orange was created, occupying 780 square miles.

Orange County remained primarily agricultural through most of the twentieth century. The early 20th century came with advanced technology, including utility distribution companies, such as water, electricity, and telephone, and paved streets. I-5 was completed in the 1950s and connected many Orange County communities with Los Angeles. By the 1980s, the county was developed with numerous master planned communities. Today Orange County is identified with amusement parks, including Disneyland, as well as its many miles of beaches.

Ethnographic Overview

The Proposed Project is located in an area known ethnographically to have been occupied by the Juaneño (now known as the Acjachemen) and the Luiseño Native American groups when the Spanish arrived in 1769.

Juaneño/Acjachemen

Ethnographic descriptions of the Juaneño or Acjachemen are often given in terms of their neighbors to the south, the Luiseno, but some also point to a separate ethnic identity. Perhaps the most important account of the Juaneño/Acjachemen culture was written by Geronimo Boscana, a friar at the Mission San Juan Capistrano from 1812 to 1826.

The Juaneño/Acjachemen were semi-sedentary hunters and gatherers. One of the most important food resources for the group was acorns gathered from oak groves in canyons, drainages, and foothills. Acorns were ground into flour using mortars and pestles. Protein was supplemented through the meat of deer, rabbits, and other animals, hunted with the bow and arrow or trapped. Shellfish was collected and eaten, and the shell was then used to make hooks for fishing, beads, and other ornaments.

The Juaneño/Acjachemen lived in villages of up to 250 people located near permanent water and a variety of food sources. The San Juan Basin was densely populated and villages were closely spaced because of the year-round availability of fresh water in San Juan Creek. Each village was typically located in the center of an established area from which resources for the group were gathered. Subsequently, small groups would leave the village for a short time to hunt fish or gather plant materials.

Luisseño

The Luisseño occupied a territory from Agua Hedionda to Aliso Creek along the coast, and Santiago Peak to the valley of San Jose inland.

The Luisseño maintained a hunting and gathering economy based around autonomous semi-sedentary village groups, each with its own hunting and gathering areas. Villages were generally in places of “vertical” territories and subsistence resources – water sources at the bottom of river valleys, surrounded by the slopes of the valley, with the saddles and flats along the ridges surrounding the valleys holding productive oak groves. Food resources in this stratified environment matured at different seasons, providing resources for the village most, if not all, of the year.

Luisseño villages were based in different ecological zones (coastal, inland, interior), and the surrounding area and resources were divided into locations owned by individuals, families, collective groups and the community as a whole. In addition, each village group appears to have also owned, or at least had rights to, land on the coast and on Palomar Mountain. Although there was regional variation in subsistence strategies, the acorn was the principle staple food throughout Luisseño territory, and plant foods in general were the dominant source of dietary calories. Fire was used to manage and enhance selective plant growth, and some researchers have argued that plant husbandry was a vital part of Luisseño food gathering. Game animals such as deer, rabbit, jackrabbit, and a number of other medium-to-small size animals provided a large amount of the dietary protein, as did anadromous fish. On the coast, shellfish, fish, and sea mammals were important to the diet.

Although the Luisseño are typically described as isolationist, marriages were often arranged between villages in different ecological niches both to ensure exchange between villages with complimentary food supplies or schedules, and to ensure political and economic ties between

villages. Exchange networks were extensive and trade items from near the Proposed Project have been found as far away as Oregon, and vice-versa.

Cultural Resources in the Proposed Project Area

Record Search Results

The records search and subsequent research identified 48 previously identified cultural resources within one-quarter mile of the Proposed Project (refer to Table 4.5-1). Thirteen previously recorded cultural resources lie within the Proposed Project area. A map of the cultural resources within the Proposed Project is included as a Confidential Attachment to the Cultural Assessment Report found in Appendix 4.5-A.

Table 4.5-1: Previously Recorded Cultural Resources within the Proposed Project Area*

Primary Number	Brief Description	Recorder and date
30-000362	Dense lithic scatter	Riddell, 1972
30-000363	Lithic scatter with groundstone	Riddell, 1972
30-000640	Light lithic scatter	Langenwalter, 1977
30-000700	Sparse flake and groundstone scatter	Schuster & Jacobs, 1977
30-000779	Minimal lithic scatter (2 flakes)	Allen, 1979
30-000780	Isolated Mortar	Allen, 1979
30-000781	Isolate-core	Allen, 1979
30-000909	Small lithic scatter with groundstone	Grove, Schwartz, Cooley, 1980; Hatheway, McKenna, 1988
30-001162	Lithic scatter-basalt flakes	Hatheway, McKenna, 1988
30-100072	Isolated felsite flake	Brown, Becker, 1989
30-176663/19-186804	BNSF Railroad	Ballester, Tang, 2002; McCormick, 2007
30-176664	Metrolink Railroad, BNSF	Smallwood, Tang, 2002;
30-179873	1917-18 SDG&E building	McKenna, 2008
<i>*Significance is not assumed based on prior recordation as a cultural resource.</i>		

Archaeological Field Survey Results

Many of the areas surveyed have been previously disturbed. Existing access roads and possible areas of new access roads or areas in which the roads would be widened, structures, laydown areas, new and existing pole locations, temporary storage areas, and stringing areas, as well as substations were surveyed. None of the previously recorded prehistoric cultural resources were relocated within the Proposed Project area during any of the field surveys. No new cultural resources were located during any of the cultural resource surveys. All three modern era sites 30-176663, 30-176664, and 30-179873 were found to be the same as they appeared on the site records from the information center.

Access Roads

All existing access roads and possible areas of new access roads were surveyed. Some of the existing access roads had been recently graded. Shoulders of the access roads were also surveyed; visibility for the shoulders was highly variable.

Structure Sites

Many of the existing structures had large cleared areas, and have been impacted by routine structure maintenance. Ground visibility overall was quite good for the structures. All proposed and existing structure locations were surveyed. Particular attention was given to the structures that are located within known archaeological sites.

Former Utility Structure

For the purposes of this section, “the former utility structure” refers to the 1918-constructed building that fronts on Camino Capistrano. Some City documentation may refer to this building as the “Capistrano Substation.” Furthermore, the historical assessment that was prepared for this building also refers to this as the “Capistrano Substation” consistent with City documentation. The Capistrano Substation, for the purposes of this discussion and as referred to by SDG&E, is the 1950’s-built currently operating substation located on the eastern end of the property.

The former utility structure (30-179873) is not listed on the IHCL, and is not located within the boundaries of the City’s Historic Town Center or Historic Town Center study area but is included in the City’s BOD list. The BOD was created from 1977 to 1987 “as a list of structures and sites which are potentially eligible for inclusion on the City’s IHCL when they meet all listing criteria and/or have property owner concurrence to the inventory.”

The BOD list is a list of properties that are considered to be important in the community, but are not formally designated as a historic property and do not meet the CEQA definition of “historical resource.” A building of distinction is one which is unique and of interest to the community as a whole and may be potentially historic but that has not been designated as a historic resource. Due to perhaps age or alteration, some may not qualify for more formal designation and protection.

The existing former utility structure was studied in the Historic Assessment completed in 2008 (refer to Appendix 4.5-B), which concluded based on a preponderance of the evidence that the building does not meet the criteria for eligibility as a historic resource on the state or federal level. Although recent correspondence from the City states that the former utility structure is located “in a historic district” and that the substation is “historically significant,” these claims are not supported by readily available evidence. SDG&E has asked the city of San Juan Capistrano to provide support for these statements and is awaiting a response.

Thus, based on the available evidence, the former utility structure does not meet the definition of a “historical resource” under CEQA. The inclusion of the former utility structure on the BOD list does not make the building a historic resource, and neither does the inclusion on the BOD create a presumption of significance. The Historic Assessment supports the conclusion that the former utility structure is not historically or culturally significant.

Substations

The Proposed Project area around the Talega Substation also was surveyed to determine if there were any cultural resources potentially impacted by the Proposed Project. Ground visibility was poor in most areas due to heavy ground cover. The prehistoric archaeological sites were not relocated.

Laydown Areas and Stringing Areas

All of the known and proposed laydown and stringing areas as of March 15, 2012 have been surveyed. Most of the stringing and laydown areas are within the existing SDG&E ROW. Those that are in new ROW are not in areas determined to have cultural or historic resources based on the recent surveys.

4.5.3.3 Paleontological Resources within the Proposed Project Area

Based on the records search conducted through the Vertebrate Paleontology Section of the Natural History Museum of Los Angeles County (refer to Appendix 4.5-C), no previously recorded vertebrate paleontological sites are known to exist within the Proposed Project area. However, paleontological sites do occur in similar age rock units outside the Proposed Project area but within the southern Orange County/San Diego region.

The Santiago Formation (Tsa) is a sedimentary formation, which is, more than 45 million years in age includes shallow marine and non-marine units. The lower portion of this formation consists of a coarse sandstone and conglomerate with poorly preserved marine mollusks. To the south, in northern San Diego County, several shark and fish faunas have been collected from rocks of similar age.

The upper portion of this formation consists of friable coarse sand and conglomerate of presumed non-marine origin. Petrified wood is known from several areas with the upper part of the Santiago Formation. Recently, fossil reptiles, birds, and mammals have been collected from Santiago Formation at nearby Basilone Road, Camp Pendleton. The literature search revealed that there are outcrops of the Santiago Formation at and near the Talega Substation.

The Monterey Formation (Tm) consists of predominately fine-grained siltstone, mud shale, and diatomaceous shale that were deposited in a marine environment of moderate to deep in depth, some 12 to 14 million years ago. This fine-grained sequence of rocks is locally fossiliferous and has produced a number of fossils vertebrates such as dolphins, porpoises, sea cows, whales, bony fish, sharks, and birds. In southern Orange County, some reptiles and non-marine mammals are known from beds within the Monterey Formation. The literature search revealed that there are outcrops of the Monterey Formation at or near the Pico Substation.

The Capistrano Formation-Siltstone Member (Tcs) rock unit consists of yellow-gray to light gray siltstones, with interbeds of white sandstone and buff concretionary beds, and was deposited in moderately deep marine waters some six to nine million years ago.

In South Orange County, the Capistrano Formation is locally fossiliferous and has yielded scientifically important fossils including remains of mollusks, fish, sharks, turtles, birds and

marine mammals. The literature search revealed that there are outcrops of the Capistrano Formation from the south side of San Juan Creek to the vicinity of the Pico Substation.

Non-marine Terrace Deposits (Qt) consist of interbedded silt, clayey sand, and conglomeratic coarse-grained sand. Radiocarbon dates indicate that most of the terrace deposits in Orange County are older than 32,600 years. Elsewhere, fossil remains of large extinct Pleistocene-age mammals such as sabertooth cats, sloths, bison, mammoths, mastodons, and camels are known from these deposits. The literature search revealed non-marine terrace deposits on either sides of Horno and San Juan Creeks.

Quaternary alluvium (Qac) of late Pleistocene to Holocene age occur locally within active stream drainages of the Proposed Project such as Horno, San Juan, Prima Deshecha, and Segundo Deshecha Creeks. Geologic units representing stream, terrace, fluvial, alluvium fan, and floodplain deposits have been lumped under this geologic designation. The upper portion of these deposits is probably Holocene in age and are considered of limited paleontological interest.

Any excavations in the Capistrano Formation, the Monterey Formation or the Santiago Formation, exposed in the elevated portions of the Proposed Project route area, may encounter significant fossil vertebrate remains and are considered moderate to high in paleontological sensitivity.

4.5.4 Potential Impacts

4.5.4.1 Significance Criteria

Cultural Resources

Under CEQA, Proposed Project construction, operation, and maintenance effects to unique or important cultural resources must be considered. A cultural resource is considered unique or important if it meets any of the following criteria:

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

The Proposed Project could have a potentially significant impact to cultural resources if it would:

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5.
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.

- c) Directly or indirectly, destroy a unique paleontological resource or site or unique geologic feature.
- d) Disturb any human remains, including those interred outside of formal cemeteries.

For purposes of the first two thresholds, a “substantial adverse change” is defined as physical destruction, demolition, relocation, or alteration of an historical resource in Section 15064.5 (b) (1) of the *CEQA Guidelines*.

4.5.4.2 Question 5a - Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

As explained below, the Proposed Project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 unless the CPUC, as Lead Agency, determines that the former utility structure located at the Capistrano Substation meets the definition of a “historical resource.” CEQA requires that any such determination be supported by substantial evidence in light of the whole record. The conclusion in this PEA is based on the readily available substantial evidence, including the Historic Assessment contained in Appendix 4.5-B.

As detailed above, the term “historical resource” is defined by CEQA to presumptively include: resources that are listed in (or determined to be eligible by the State Historical Resources Commission for listing in) the California Register of Historical Resources; resources that are included in a local register of historical resources or identified as significant in a historical resource survey; and any object, building, structure, site area, record, or manuscript, which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, as supported by substantial evidence in light of the whole record.

There are only two known “historical resources” within the Proposed Project area, neither of which would be impacted by the Proposed Project. The two resources are railroad sites (30-176663, and 30-176664), which would be spanned by the new transmission lines and would not be altered or impacted by the Proposed Project. Existing transmission lines already span the railroad sites at the Proposed Project location. Therefore, the Proposed Project would not cause a substantial adverse change in the significance of a historical resource as defined by CEQA.

The city of San Juan Capistrano has referred to the former utility structure at the Capistrano Substation as an “historic resource.” Notwithstanding the City’s characterization, a review of the available evidence does not support the conclusion that the former utility structure meets the CEQA definition of an “historical resource.”

The former utility structure is not listed in the California Register of Historical Resources, has not been determined to be eligible for listing on the California Register of Historical Resources by the State Historical Resources Commission, and there is no evidence that the State Historical Resources Commission would determine the former utility structure to be eligible for listing in the California Register of Historical Resources. Likewise, the former utility structure is not included in the City’s IHCL, and has not been formally identified as significant in any historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code. The only historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code that has been submitted to CHRIS as the official repository for historical

resource surveys concluded that the structure was not significant. As discussed below and in Appendix 4.5-B, the former utility structure does not qualify for formal designation on the California Register of Historical Resources or the City’s IHCL.

The former utility structure is identified as a BOD on the city of San Juan Capistrano’s list. Although this is an honorary local designation that imposes no restrictions and does not constitute a finding or presumption of historical significance, sites and structures on the BOD list are still considered important to the community. For that reason a thorough Historic Assessment based on both records searches and a field survey was conducted.

The Historic Assessment was prepared by an expert who is listed on the CHRIS consultant list for architectural historians, and concluded that a preponderance of the evidence demonstrated that the former utility structure is not a historical resource as defined by CEQA (Appendix 4.5-B, page 35). In addition, the former utility structure fails to meet the minimum requirements for significance under the state or federal guidelines (refer to Appendix 4.5-B, pages 34-35) despite being included on the City’s BOD list. The criteria for evaluating the building were derived from the federal (NHPA, Section 106), state (CEQA) and local (San Juan Capistrano) guidelines. As noted in the Historic Assessment, of great importance to whether a site is eligible for nomination is the integrity of the resource. A significant resource must have integrity. As discussed in more detail in the Historic Assessment found in Appendix 4.5-B, the building does not qualify for formal designation on the City’s IHCL, and does not qualify as a historical resource under State or Federal law (Appendix 4.5-B, page 31-35). There have been significant alterations that have impacted the integrity of the building's exterior, as well as alterations in the interior. Based on field surveys, records search and a preponderance of the evidence, the Historic Assessment also noted that there has been a noticeable level of loss of integrity with respect to the original design. As a result, the Historic Assessment concluded that the building fails to meet the minimum requirements for recognition as an historical resource with respect to the federal and state criteria for significance. Thus, even though the building was listed on the BOD list sometime between 1977 and 1987, later expert review has determined that the structure is not eligible for state or federal registry, and therefore demolishing the building would not result in a significant impact to a “historical resource” as defined in CEQA Guidelines 15064.5.

Further evaluation of the former utility structure in the context of local historic preservation policies and regulations did not reveal any additional facts that would suggest the structure might be considered an historic resource. Specifically, the Proposed Project is outside of the city of San Juan Capistrano's historic downtown and designated Historic Town Center. Although city of San Juan Capistrano staff has indicated that the Capistrano Substation property is located within a historic district, there is no readily available information to support this statement. Rather, the formally proposed limits for the Historic Town Center planning area are Acjachema Street to the north, Paseo Adelanto to the west, Avenue La Palma to the south and the I-5 Freeway to the east, which does not include the Capistrano Substation. In fact, the former utility structure is not located within any of the city of San Juan Capistrano historic districts nor is it included as part of the *Historic Town Center Master Plan General Plan Amendment Rezone*. The former utility structure is also not discussed in the *City of San Juan Capistrano General Plan Cultural Resources Element*. In addition, the former utility structure does not fall within a City Cultural Resources/Historic Preservation District.

There is no readily available evidence to suggest that the Director of Planning has formally determined that any part of the Proposed Project is eligible for listing in the Local Register according to the standards for inclusion.

In addition, the former utility structure does not fall within the Policy's definition of a "Significant Historic or Cultural Resource," which is

an artifact that can be associated with an event or person having a recognized significance in California or American history, or recognized as having scientific importance in the prehistory period, has a special or particular quality such as oldest, best example, or last surviving example of its kind; is at least 50 years old and possesses substantial stratigraphic integrity, or involves important research questions that historical research has shown can be answered only with archaeological methods.

The Historic Assessment (see Appendix 4.5-B) confirms that the former utility structure is not historically significant.

The Proposed Project would require a demolition permit. Because the building is listed as a BOD, the demolition permit could be conditioned on advertising the building for relocation; requiring preparation of updated architectural drawings prior to demolition; fully photo-documenting the building's interior and exterior; and allowing for salvaging of certain elements within the building, such as special casement windows. The City has discretion as to which if any conditions to impose. To the extent issuance of a demolition permit by the City is a discretionary action CPUC approval of the CPCN would preempt local authority.

The fact that the former utility structure is included on the city of San Juan Capistrano BOD list does not compel designation as a "historical resource." As noted above, inclusion on that list does not impose any restrictions, and the applicable thresholds relative to the significance of structures found in the city of San Juan Capistrano BOD list are those listed above under CEQA.

Nonetheless, SDG&E proposes to take the following steps found in Council Policy 602, which applies to the alteration, modification, or demolition of "significant" structures:

1. Advertise for a period of three months that the former utility structure may be available for relocation.
2. Prepare a photographic record of the former utility structure. Photographs will include 1) each elevation, 2) close-ups of any unusual or unique architectural features and 3) views of the structure from a distance. In addition, measured drawings or plans will be included.
3. If not relocated, allow the removal of any architectural elements of the former utility structure for a period of two weeks at the expense of any local historic interest group or organization removing the element.

It is important to note that this policy does not apply because the structure is not a "significant historic resource" under Council Policy 601.

Construction and Operation & Maintenance – No Impact

As discussed above, the Proposed Project would not impact the two known “historical resources” located within the Proposed Project Area (railroad sites 30-176663 and 30-176664), and the former utility structure does not meet the CEQA definition of a “historical resource.”

4.5.4.3 Question 5b - Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Construction – Less than Significant Impact with Incorporation of APMs

Construction of the Proposed Project (including grading of access roads to Proposed Project facilities and excavation of holes for the installation of the transmission line structures) could potentially impact prehistoric archaeological sites by disturbing subsurface soils, and potentially disturbing or destroying unknown buried cultural deposits. Any possible potential impacts would be reduced to a less than significant level with the implementation of the proposed APM’s CUL-1 through CUL-6.

Operation & Maintenance – No Impact

To the extent operation and maintenance of the Proposed Project would occur in the same location as existing facilities and would have the same or substantially the same impacts, frequency and duration as operation and maintenance activities of the existing facilities, such activities are incorporated into the existing environmental setting and baseline for assessing impacts. Moreover, SDG&E already has standard internal programs and practices that avoid cultural impacts and those programs and practices would not change as a result of the Proposed Project. There would be no operational impacts on cultural resources along the Proposed Project once the Proposed Project is constructed. The only activities that would occur would be regular maintenance and repairs, such as structure and insulator replacements. These activities are the same as happen today under existing conditions, and would have no effect on archaeological resources. Therefore, no impacts to cultural resources are anticipated during the continuing operation and maintenance of the Proposed Project.

4.5.4.4 Question 5c - Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

If the Proposed Project directly or indirectly destroys a unique paleontological resource, the impacts to paleontological resources would be considered significant. A fossil is defined as the remains of a prehistoric plant or animal. Fossils are considered to be non-renewable. Paleontological sensitivity is defined as the potential for a geologic unit to produce scientifically significant fossils. The sensitivity is based upon fossil data collected from the entire geologic unit, not just from a specific location or survey. Impacts to paleontological resources are identified from high to low. The specific criteria are defined as follows:

- **High Potential Rating:** Rock units with a high potential for significant paleontological resources are those known to have yielded vertebrate fossils within the Proposed Project area or region. This does not necessarily imply that vertebrate fossils would always be recovered from high potential rated rock units, but only that there are recorded occurrences within the unit.

- Moderate Potential Rating: Rock units possessing some degree of potential, such as favorable depositional environment for resource preservation or lithologically similar rock units in the region that have yielded vertebrate fossils.
- Low Potential Rating: Rock units containing lithologies that do not commonly preserve significant fossil resources such as sediments of Holocene, subHolocene or Recent age are usually considered too young (less than 10,000 years old) in geologic time to preserve fossils.

Construction – Less than Significant Impact with Incorporation of APMs

Although the Proposed Project potentially contains rock unit types that have a high potential for paleontological resources throughout the region (the Santiago, Monterey, and Capistrano Formations), the records search indicated that no previously recorded vertebrate paleontological sites are known to exist within the Proposed Project area (refer to Appendix 4.5-C). There is the potential for impacts to paleontological resources to occur when earthwork activities are performed, such as grading operations and excavation that cuts into the geological deposits (formations) within which fossils are buried, especially when the excavations go below three feet in depth. Impacts by the Proposed Project to unique paleontological resources are potentially high from the south side of San Juan Creek to the Talega Substation. However, potential impacts would be reduced to a less than significant level with the implementation of the proposed APMs CUL-1, CUL-8, and CUL-9.

Operation & Maintenance – No Impact

As discussed above, to the extent operation and maintenance of the Proposed Project would occur in the same location as existing facilities and would have the same or substantially the same impacts, frequency and duration as operation and maintenance activities of the existing facilities, such activities are incorporated into the existing environmental setting and baseline for assessing impacts. Moreover, SDG&E already has standard internal programs and practices that avoid cultural impacts and those programs and practices would not change as a result of the Proposed Project. Ground-disturbing activities associated with Proposed Project operation and maintenance would be performed at similar intensities as they are currently conducted and at the locations already disturbed for Proposed Project construction. Therefore, no impacts to paleontological resources are anticipated during the continuing operation and maintenance of the Proposed Project.

4.5.4.5 Question 5d - Disturb any human remains, including those interred outside of formal cemeteries?

Construction – Less than Significant Impact

There are no known existing cemeteries, previously recorded Native American or other human remains within or directly adjacent to the Proposed Project area. Therefore, the potential for the inadvertent discovery of Native American or other human remains during subsurface construction associated with the Proposed Project is considered low. If human remains are encountered during the course of construction, SDG&E would halt work in the vicinity of the find and would implement the appropriate notification processes as required by law (California

Health and Safety Code 7050.5 and Public Resources Code 5097.98-99, and NAGPRA). As a result, potential impacts would be less than significant.

Operation & Maintenance – No Impact

As previously discussed, to the extent operation and maintenance of the Proposed Project would occur in the same location as existing facilities and would have the same or substantially the same impacts, frequency and duration as operation and maintenance activities of the existing facilities, such activities are incorporated into the existing environmental setting and baseline for assessing impacts. Moreover, SDG&E already has standard internal programs and practices that avoid cultural impacts and those programs and practices would not change as a result of the Proposed Project. Ground-disturbing activities associated with Proposed Project operation and maintenance would be performed at locations that have been previously disturbed for Proposed Project construction. Therefore, no impacts to human remains are anticipated during the continuing operation and maintenance of the Proposed Project.

4.5.5 Applicant Proposed Measures

When implemented, the following APMs would reduce the potential adverse impacts to cultural resources to a less than significant level:

- CUL-1** Prior to the initiation of construction or ground-disturbing activities, all SDG&E, contractor, and subcontractor personnel would receive training regarding the appropriate work practices necessary to effectively implement the APMs and to comply with the applicable environmental laws and regulations, including the potential for exposing subsurface cultural resources and paleontological resources and to recognize possible buried resources. Training shall inform all construction personnel of the anticipated procedures that would be followed upon the discovery or suspected discovery of archaeological materials, including Native American remains, and their treatment, as well as of paleontological resources.
- CUL-2** A qualified archaeologist would attend preconstruction meetings, as needed, and a qualified archaeological monitor would monitor ground disturbing activities in the vicinity of all known cultural resources within the Proposed Project area. The requirements for archaeological monitoring would be noted on the construction plans. The archaeologist's duties would include monitoring, evaluation of any finds, analysis of collected materials, and preparation of a monitoring results report conforming to Archaeological Resource Management Reports guidelines.
- CUL-3** Known cultural resources that can be avoided would be demarcated as Environmentally Sensitive Areas. Construction crews would be instructed to avoid disturbance of these areas.
- CUL-4** In the event that cultural resources are discovered, the archaeologist would have the authority to divert or temporarily halt ground disturbance to allow evaluation of potentially significant cultural resources. The archaeologist would contact SDG&E's Cultural Resource Specialist and Environmental Project Manager at the time of discovery. The archaeologist, in consultation with SDG&E's Cultural Resource Specialist, would determine the significance of the discovered resources. SDG&E's

- Cultural Resource Specialist and Environmental Project Manager must concur with the evaluation procedures to be performed before construction activities are allowed to resume. For significant cultural resources, a Research Design and Data Recovery Program would be prepared and carried out to mitigate impacts.
- CUL-5** All collected cultural remains would be cataloged, and permanently curated with an appropriate institution. All artifacts would be analyzed to identify function and chronology as they relate to the history of the area. Faunal material would be identified as to species.
- CUL-6** An archaeological monitoring results report (with appropriate graphics), which describes the results, analyses, and conclusions of the monitoring program, would be prepared and submitted to SDG&E's Cultural Resource Specialist and Environmental Project Manager following termination of the program. Any new cultural sites or features encountered would be recorded with the SCCIC or SCIC.
- CUL-7** Native American monitoring may be implemented if transmission line construction has the potential to impact identified and mapped traditional locations or places. The role of the Native American monitor shall be to represent tribal concerns and communicate with the tribal council. Appropriate representatives will be identified based on the location of the identified traditional location or place.
- CUL-8** A paleontological monitor would work under the direction of a qualified Project paleontologist and would be on site to observe excavation operations that involve the original cutting of previously undisturbed deposits with high paleontological resource sensitivity (i.e., Monterey, Santiago, and Capistrano Formations). A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials.
- CUL-9** In the event that fossils are encountered, the paleontological monitor would have the authority to divert or temporarily halt construction activities in the area of discovery to allow recovery of fossil remains in a timely fashion. The paleontologist would contact SDG&E's Cultural Resource Specialist and Environmental Project Manager at the time of discovery. The paleontologist, in consultation with SDG&E's Cultural Resource Specialist would determine the significance of the discovered resources. SDG&E's Cultural Resource Specialist and Environmental Project Manager must concur with the evaluation procedures to be performed before construction activities are allowed to resume. Because of the potential for recovery of small fossil remains, it may be necessary to set up a screen-washing operation on site. When fossils are discovered, the paleontologist (or paleontological monitor) would recover them along with pertinent stratigraphic data. In most cases, this fossil salvage can be completed in a short period of time. Because of the potential for recovery of small fossil remains, such as isolated mammal teeth, recovery of bulk-sedimentary-matrix samples for off-site wet screening from specific strata may be necessary, as determined in the field. Fossil remains collected during monitoring and salvage would be cleaned, repaired, sorted, cataloged, and deposited in a scientific institution with permanent paleontological collections, and a paleontological monitoring report would be written.

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