

APPENDIX B

Cultural/Paleontological Resources Assessment

CULTURAL AND PALEONTOLOGICAL
RESOURCES IDENTIFICATION REPORT
FOR THE PASEO DE COLINAS
TOWNHOME DEVELOPMENT PROJECT,
29001 PASEO DE COLINAS,
CITY OF LAGUNA NIGUEL, ORANGE COUNTY,
CALIFORNIA

Prepared for:

KATIE CROCKETT, SENIOR PLANNER
CITY OF LAGUNA NIGUEL
30111 CROWN VALLEY PARKWAY
LAGUNA NIGUEL, CA 92677

Prepared by:

NICHOLAS F. HEARTH, MA, RPA
KHOLOOD ABDO, MA, RPA
PETER KLOESS, MS
JACOB PARSLEY, BA

Michael Baker

INTERNATIONAL

3536 CONCOURS ST. # 100
ONTARIO, CA 91764
(909) 974-4924

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1.0 MANAGEMENT SUMMARY

The Capistrano Unified School District (CUSD) proposes the Paseo De Colinas Townhome Project (project), which will develop 38 attached residential units on an approximately 2.471-acre site located at 29001 Paseo De Colinas in Laguna Niguel, California (project site). The project is subject to the California Environmental Quality Act (CEQA). The City of Laguna Niguel (City) is the CEQA lead agency.

Michael Baker International conducted a cultural and paleontological resources study to determine whether the project has the potential to impact historical or paleontological resources. This study includes a South Coastal Information Center (SCCIC) and Natural History Museum of Los Angeles (NHMLA) records search; literature, historical map, and aerial photograph review; prehistoric and historic context; local historical group consultation; field survey; and archaeological and paleontological sensitivity analysis. This study identified no significant prehistoric or historic-period cultural resources as defined by CEQA Section 15064.5(a) or Public Resources Code (PRC) 21083.2(g), or paleontological resources. The project area has a low potential for buried archaeological resources and a high potential for paleontological resources. See Section 6 for recommended cultural and paleontological mitigation measures.

If the project changes, additional efforts may be necessary.

2.0 INTRODUCTION

2.1 PROJECT LOCATION AND DESCRIPTION

The project proposes to develop 38 attached residential units in a 2.471-acre area located at 29001 Paseo De Colinas in Laguna Niguel, California. The project area is approximately 1,000 feet northwest of the Paseo De Colinas and Golden Lantern intersection (see **Appendix A: Figures 1-3**). United States Geological Survey (USGS) San Juan Capistrano topographic quadrangle map depicts the project site within Sections 23 and 26 of Township 7 South, Range 8 West.

The project will include the construction of 38 units, which will be townhomes with attached two-car garages. The development will include nine buildings with three to six units per building. The units will be two, three, and four bedrooms ranging between +/- 1,200 square feet (sf) and +/- 1,890 sf. The total building square footage will be +/- 58,300 sf. The project will include 111 parking spaces (76 garage spaces and 35 open spaces), averaging 2.9 spaces per unit. The project will require grading but will balance on-site with no soil export or import. The maximum height of the proposed buildings would be 36 feet. The project area is currently vacant but has been used in the past by CUSD for various education-related activities, including an alternative middle school for seventh and eighth grades; independent study programs (Fresh Start) for ninth through twelfth grades; college and career planning center; CUSD Music Department offices; and a homeschooling center for kindergarten through eighth grade.

No buildings will be demolished as this project area is vacant. The depth of ground disturbance associated with project construction is estimated to be approximately 3 feet below the existing grade over most of the project area. In a small area on the north side of the project, the location of a shear pin will require excavation to approximately 65 feet below the existing grade.

3.0 REGULATORY SETTING

3.1 CALIFORNIA ENVIRONMENTAL QUALITY ACT

3.1.1 Cultural and Historical Resources

CEQA applies to all discretionary projects undertaken or subject to approval by the state's public agencies (California Code of Regulations [CCR] Title 14[3] Section 15002[i]). CEQA conditions that it is the policy of the state of California to "take all action necessary to provide the people of this state with historic environmental qualities and preserve for future generations examples of the major periods of California history" (PRC Section 21001[b], [c]). Under the provisions of CEQA, "a project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment" (CCR Title 14[3] Section 15064.5[b]).

CEQA Guidelines Section 15064.5(a) defines a "historical resource" as a resource that meets one or more of the following criteria:

- Listed in, or eligible for listing in, the California Register.
- Listed in a local register of historical resources (as defined in PRC Section 5020.1[k]).
- Identified as significant in a historical resource survey meeting PRC Section 5024.1(g) requirements.
- Determined to be a historical resource by a project's lead agency (CCR Title 14[3] Section 15064.5[a]).

A historical resource consists of "any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Generally, a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing in the California Register of Historical Resources" (CCR Title 14[3] Section 15064.5[a][3]).

The CEQA planning process requires considering historical resources and unique archaeological resources (CCR Title 14[3] Section 15064.5; PRC Section 21083.2). If feasible, adverse effects to the significance of historical resources must be avoided or mitigated (CCR Title 14[3] Section 15064.5[b][4]). The significance of a historical resource is impaired when a project demolishes or materially alters adversely those physical characteristics of a historical resource that convey its historical significance and justify its eligibility for the California Register. If there is a substantial adverse change in the significance of a historical resource, the preparation of an environmental impact report may be required (CCR Title 14[3] Section 15065[a]).

If the cultural resource in question is an archaeological site, CEQA (CCR Title 14[3] Section 15064.5[c][1]) requires that the lead agency first determine if the site is a historical resource as defined in CCR Title 14(3) Section 15064.5(a). If the site qualifies as a historical resource, potential adverse impacts must be considered in the same manner as a historical resource (OHP 2001a). If the archaeological site does not qualify as a historical resource but does qualify as a unique archaeological site, then the archaeological site is treated in accordance with PRC Section

21083.2 (CCR Title 14[3] Section 15069.5[c][3]). In practice, most archaeological sites that meet the definition of a unique archaeological resource will also meet the definition of a historical resource. CEQA defines a "unique archaeological resource" as an archaeological artifact, object, or site about which it can be demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets one or more of the following criteria:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.
- Has a special and particular quality, such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person (PRC Section 21083.2[g]).

If an impact to a historical or archaeological resource is significant, CEQA requires feasible mitigation measures to minimize the impact (CCR Title 14[3] Section 15126.4[a][1]). Mitigation must lessen or eliminate the physical impact that the project will have on the resource. Generally, drawings, photographs, and/or displays do not mitigate the physical impact on the environment caused by the demolition or the destruction of a historical resource. However, CEQA (PRC Section 21002.1[b]) requires that all feasible mitigation be undertaken even if it does not mitigate impacts to a less than significant level (OHP 2001a:9).

3.1.2 Paleontological Resources

Paleontological resources are the fossilized remains, imprints, or traces of past life preserved in the geologic record. These resources include bones, teeth, soft tissues, shells, plant material, microscopic organisms, footprints, trackways, and burrows. Fossils record the natural history of life on Earth. Despite the frequency of sedimentary rock in the geologic record and the number of organisms that have lived throughout the planet's history, only a minimal number of remains have been preserved in the fossil record.

Paleontological resources are afforded protection by CEQA environmental legislation. Appendix G (part V) of the CEQA Guidelines explains significant impacts on paleontological resources. It details that a project would significantly impact paleontological resources if it disturbs or destroys unique paleontological resources or a unique geologic feature. Additionally, Section 5097.5 of the California Public Resources Code specifies that any unauthorized removal of paleontological remains is a misdemeanor. Penalties for this removal or damage of paleontological resources are set forth in California Penal Code Section 622.5.

4.0 PROJECT SETTING

4.1 ENVIRONMENTAL SETTING

Eleven geomorphic provinces divide California, and unique geologic and geomorphic characteristics naturally define each province. The project is in the western flank of the Peninsular Ranges geomorphic province, distinguished by northwest-trending mountain ranges and valleys following faults branching from the San Andreas fault. The Peninsular Ranges are bound to the east by the Colorado Desert and extend north to the San Bernardino–Riverside County line (Norris and Webb 1976), west into the submarine continental shelf, and south to the California state line.

The Peninsular Ranges are the remnants of large igneous bodies emplaced approximately 180 million years ago (Ma) (DeCourten 2010). The San Andreas fault zone development, approximately 28 Ma, led to faulting and folding that uplifted these igneous bodies (Powell 1993), and subsequent fluvial erosion carved valleys and removed softer surrounding sediment to leave the current mountainous topography. The Capistrano formation (T_c), an Upper Miocene age (~6.4 to 4.9 million years ago) marine sedimentary rock (Deméré and Berta 2005), is within the project area. The Capistrano formation is a light gray sandy siltstone and fine-grained sandstone which contains limestone concretions (Rogers 1965; Vedder, Yerkes, and Schoellhamer 1957).

The depth of the Miocene-age Capistrano Formation in the project area is unknown, but the sensitivity of Capistrano exposures is typically considered high in intact geologic contexts utilizing Society for Vertebrate Paleontology (2010) standards. Nearby outcrops and exposures of Capistrano Formation rocks have yielded many fossil localities (Kloess and Parham 2017; Barboza et al. 2017). Significant fossils recovered from the Capistrano Formation include birds (Kloess and Parham 2017), crocodylians (Barboza et al. 2017), pinnipeds (Deméré and Berta 2005; Biewer, Velez-Juarbe, and Parham 2020), marlins (Fierstine 2008), microfossils (White 1956), and invertebrate specimens (Kern and Wicander 1974).

The soil in the project area has been mapped as the Alo series clay, an Aridic Haploxerert (NRCS 2022; USDA 1997). Aridic Haploxererts are a subgroup of soil that have cracks 5 millimeters in width that are 25 centimeters or longer within the uppermost 50 centimeters of the soil for a minimum of 180 consecutive days of the year (USDA 2010). The typical pedon is a very hard, silty clay. The A horizon is approximately 14 inches thick and very dark grayish brown. Two B soil horizons extend underneath the A horizon to approximately 36 inches beneath the surface. These horizons shift from the same color as the A horizon to a light olive-brown color. The C horizon is a light yellowish-brown soft shale bedrock (USDA 1997).

The project area is within the Diegan Coastal Hills and Valleys ecoregion, which includes coastal terraces and some moderately steep to steep foothills along the western side of the Peninsular Ranges from the Santa Ana River southeast to the Mexican border. This region contains many canyons and a few broad valleys. Coastal scrub, chaparral, annual and perennial grasslands, and some small pockets of oak woodlands make up the vegetation communities in this region (Griffith et al. 2016). The region's climate is greatly modified by oceanic influence, and the soil temperatures are thermic, and the soil moisture regime is xeric. The project area is between 455 and 478 feet above mean sea level.

4.2 CULTURAL SETTING

Of the many prehistoric chronological sequences proposed for Southern California, Wallace (1955) advanced the primary regional synthesis used by archaeologists. Wallace defined four cultural horizons for the Southern California coastal province, each with characteristic local variations:

- I. Early Man (~9,000–8,500 before present [BP])
- II. Milling Stone (8,500–4,000 BP)
- III. Intermediate (4,000–1,500 BP)
- IV. Late Prehistoric (1,500~200 BP)

Today, most archaeologists classify cultural change across time through broad time periods, climatic information, and cultural manifestations, not just the material culture that Wallace (1955) proposed. The combination of these additional parameters to designate cultural-historical timespans are below.

4.2.1 Early Holocene (11,600–7,600 BP)

Traditional models of the prehistory of California hypothesize that its first inhabitants were the big game hunting Paleoindians who lived at the close of the last Ice Age (~11,000 years BP). As the environment warmed and dried, large Ice Age fauna died out, requiring adaption by groups to survive. The coastal tool manifestation of Paleoindian people is the San Dieguito Complex and within a lifeway known as the Paleocoastal Tradition (PCT). Along the coast, rising sea levels created bays and estuaries. Following initial settlement along the coast, groups adopted marine subsistence, including fish and shellfish. These shell middens contain flaked cobble tools, metates, manos, discoidals, and flexed burials and have been interpreted to represent a semi-sedentary lifestyle (Byrd and Raab 2007). Eventually, shellfish became the primary food source, while plant gathering, hunting, and fishing were less important. The PCT likely reflected a coastal adaptation of a Western Pluvial Lakes Tradition as seen in the western Great Basin and the inland deserts of California (Davis, Brott, and Weide 1969). PCT sites are located along bays and estuaries. Subsistence patterns indicate the eating of mollusks, sea mammals, sea birds, and fish, in addition to land plants and animals. The argument for a PCT has gained momentum based on recent research along the California coast and the Channel Islands (Byrd and Raab 2007). A recent study dates habitation on San Miguel Island back to ~11,300 BP (Daisy Cave), while a site on San Clemente (Eel Point) shows that a PCT was entrenched at Eel Point in the early Holocene, with the hunting of seals, sea lions, and dolphins, as well as the gathering of shellfish.

4.2.2 Middle Holocene (7,600–3,650 BP)

The middle Holocene is a time of change and transition. As conditions continued to warm and dry, inhabitants practiced a mixed food procurement strategy that emphasized the acquisition of shellfish and hard seeds. Fishing and the hunting of smaller animals played a lesser role in day-to-day activity. This shift in subsistence was what Wallace (1955) named the Milling Stone Horizon, and this name has continued among archaeologists working in the coastal province of Southern California. Large habitation sites have been found in the inland areas, and coastal occupation had considerable variability. Byrd and Raab (2007) postulated long-distance trade networks of Olivella grooved rectangle shell beads as far north as central Oregon, dating to 4,900–3,500 BP. Characteristics of the middle Holocene sites include ground stone artifacts (manos and metates) used for processing plant material and shellfish, flexed burial beneath rock or milling stone cairns, flake cores, cobble tools, dart points, cogstones, discoidals, and crescentics.

4.2.3 Late Holocene (3,650–233 BP)

Characteristics of the late Holocene include the introduction of the bow and arrow, mortar and pestle, use of ceramics, and a change to more complex and elaborate mortuary behaviors. Technologies associated with marine resource exploitation proliferated and diversified. The climate fluctuated with periods of drought alternating with cooler and moister periods (Vellanoweth and Grenda 2002; Byrd and Raab 2007; Jones et al. 2004). This fluctuation resulted in dynamic regional cultural patterns with considerable local variation. Byrd and Raab (2007) suggest that foragers in Southern California overexploited high-ranked food, such as shellfish, fish, marine and land mammals, and plant remains. Overexploitation led to food resource depression, causing people to forage for more costly but abundant resources. Coastal regions likely practiced seasonal round settlement strategies, but these shifted toward permanent settlement during this period. Throughout this period, economic and social diversity flourished and became increasingly complex, and populations continued to grow.

4.3 ETHNOGRAPHIC SETTING

The project area is within territory ethnographically occupied by the Juaneño, with other tribes of the Gabrielino located to the north and the Luiseño to the south. The Acjachemen (Juaneño) spoke a language that is part of the Takic language family. In prehistory, the Juaneño's patrilineal society had established claims to places, including the sites of their villages and resource areas. The drainages of San Juan Creek, Trabuco Creek, and San Mateo Creek all contained villages (O'Neil and Evans 1980). Marriages were usually arranged from outside villages, establishing a social network of related peoples in the region. There was a well-developed political system, including a hereditary chief. Religion was an essential aspect of their society, and ceremonies included rites of passage at puberty, mourning rituals (Kroeber 1976), and the Chinigchinich religious practices (Boscana 1978).

Houses were typically conical in shape and thatched with locally available plant materials, while work areas were often shaded by rectangular brush-covered roofs. Each village had a ceremonial structure in the center enclosed by a circular fence where religious activities were performed (Bean and Shipek 1978).

Women are known to have been the primary gatherers of plant foods but also gathered shellfish and trapped small game animals. Men hunted large game, most small game, fished, and assisted with plant food gathering, especially acorns. Adults were actively involved in making tools, including nets, arrows, bows, traps, food preparation items, pottery, and ornaments. Tribal elders had essential political and religious responsibilities and educated younger members (Bean and Shipek 1978).

4.4 HISTORY

4.4.1 Spanish Period (AD 1769–1821)

The Spanish period in Southern California started with the founding of Mission San Diego De Alcalá, the first and southernmost of the Alta California Missions, on July 16, 1769 (Lowman 1989). The nearest mission to the project area is Mission San Juan Capistrano, founded on November 1, 1776 (Lowman 1989:9). In 1778, Mission San Juan Capistrano moved to its present location to take advantage of a more dependable water supply. The lands occupied by the old mission have been anglicized as the nearby community of Mission Viejo (Sleeper 1988).

The extensive landholdings of the San Juan Capistrano Mission supported Spanish colonizers and Native American converts. The mission lands stretched 13-14 leagues north to south and 3-4 leagues east to west. The mission ranchos included Rancho Santa Ana, Rancho San Joaquin, Rancho Mission Viejo, Rancho Trabuco, and Rancho San Mateo (Bancroft 1966; Engelhardt 1998). The San Mateo rancho was about 3 leagues southeast of San Juan Capistrano (Engelhardt 1998:88). However, Mission San Luis Rey placed their own mission's Rancho San Onofrio within one-half league of San Mateo, apparently on lands of San Juan Capistrano. The mission's Rancho San Mateo should not be confused with a later Mexican grant in Northern California with the same name.

The mission used the land for crops and cattle. This land was to be turned over to Native Americans as a pueblo and was thus held in trust by the Catholic church for their benefit (Robinson 1979). The missions recruited neophytes, Native American converts, to settle on land close to the mission. Local Native villages, and rancherias, were thus incorporated into the mission system.

The Franciscans' goal was to convert the Native Americans to Christianity and incorporate them into Spanish society. The local Natives learned metallurgy, plant and animal domestication, and European building construction methods. Europeans learned how and where indigenous people lived and gathered information about Native life as well as ceremonial and ritual practices. Occasionally, this information was recorded, and from these early records comes much of what we now know concerning Native life.

Ultimately, Spanish colonization resulted in the near destruction of Native culture and society. Two critical factors that contributed to this decline included (1) the removal of the youngest, healthiest, and most productive Natives from their traditional communities and their placement into the mission system, and (2) the introduction of highly infectious diseases, which eventually led to epidemics and reduced birth rates. As a result, traditional Native American communities were depopulated, and the survivors integrated into local Mexican-American communities.

4.4.2 Mexican Rancho Period (AD 1821–1848)

In 1821, Mexico gained independence from Spain, and in 1848, the United States formally obtained California. The period of 1821 to 1848 is referred to as the Mexican Rancho Period. During this period, there was a change from the subsistence agriculture of the Spanish Mission Period to livestock husbandry of the large ranches, or ranchos, acquired by Mexican citizens through grants or by purchase from mission administrators. This change was even more distinct after 1833-1834 when mission secularization occurred.

In 1833, 12 years after gaining independence from Spain, the Mexican government's Secularization Act changed missions into civil parishes. Natives who inhabited areas adjacent to a mission were to obtain half of all mission possessions, including land. However, this did not occur in most instances, and the Secularization Act resulted in the transfer of large mission tracts to politically prominent individuals rather than to local Natives. Economic activities centered around cattle ranching on the numerous expansive "ranchos" created out of the mission lands.

Tensions between the United States and Mexico increased in the 1840s, resulting in the declaration of war in 1846. By 1847, the United States established control of California, and the Treaty of Guadalupe Hidalgo in 1848 formally ended hostilities.

4.4.3 American Period (AD 1848–Present)

Following the end of hostilities between Mexico and the United States, the United States officially obtained California in the Treaty of Guadalupe Hidalgo on February 2, 1848 (Cleland 1962). In 1850, California was accepted into the Union of the United States, mainly due to the population increase created by the Gold Rush of 1849. In the years following the United States' acquisition of California, the cattle industry reached its greatest prosperity due to the massive influx of immigrants during the Gold Rush (Cleland 1952; Liebeck 1990). Mexican Period land grants had created large pastoral estates in California, and the high demand for beef during the Gold Rush led to a cattle boom that lasted from 1849 to 1855. In 1855, however, the demand for California beef declined due to sheep imports from New Mexico, cattle imports from the Mississippi and Missouri Valleys, and the development of stock breeding farms. When the beef market collapsed, California ranchers were unprepared. Many had borrowed heavily during the boom, mortgaging their land at interest rates as high as 10 percent per month. The cattle market collapse meant that many of these ranchos were lost through foreclosure, while others were sold to pay debts and taxes (Cleland 1952). Nature also conspired to force economic change. During the winter of 1861-1862, a disastrous series of floods, followed by two years of drought, occurred in California (Cleland 1952:130-131).

4.4.4 City of Laguna Niguel

The following section is taken from the City's website (Laguna Niguel n.d.).

The name "Laguna Niguel" is derived from the Spanish word "Laguna," which means lagoon, and the word "Nigueli," which was the name of a Juaneno Indian village once located near Aliso Creek. In 1821, California became Mexican territory and many rancheros were formed in Southern California, including Rancho Niguel. During this period, Rancho Niguel was primarily used as a sheep ranch. The first private landowner of the area was Juan Avila, a resident of San Juan Capistrano, who obtained land through a Mexican land grant in 1842. Juan Avila was also successful in re-establishing his title to the land after California became US territory in 1848 and remained the owner of "Rancho Niguel" until 1865.

In 1895, the "Rancho Niguel" land became part of the Moulton Company, which eventually controlled over 19,000 acres of local ranch land. The genesis of today's Laguna Niguel was the establishment of the Laguna Niguel Corporation in 1959 by Cabot, Cabot, and Forbes, making it one of the first master-planned communities in California. The firm of Victor Gruen and Associates developed a detailed community plan for the approximately 7,100-acre site. Land sales began in 1961 in the Monarch Bay and Laguna Terrace subdivisions. Avco Community Developer acquired the Laguna Niguel Plan in 1971 and initiated development as outlined in the original Master Plan.

During the early years of development in Laguna Niguel, the Laguna Niguel Homeowner Association, later to become the Laguna Niguel Community Council, served in an advisory capacity to the Orange County Board of Supervisors on land use issues. In 1986, Laguna Niguel residents, looking for local governance, took the first step toward cityhood by forming a Community Services District. Three years later, on November 7, 1989, 89 percent of the voters favored incorporation, and on December 1, 1989, Laguna Niguel became the 29th city in Orange County.

5.0 CULTURAL AND PALEONTOLOGICAL RESOURCES IDENTIFICATION METHODS

Michael Baker International conducted background research to identify previously recorded cultural resources and cultural resource studies within the project site. The research consisted of records searches for paleontological, archaeological, and historical resources; literature, map, and aerial photograph reviews; and local historical group consultation.

5.1 SOUTH CENTRAL COASTAL INFORMATION CENTER (SCCIC) RECORDS SEARCH

At Michael Baker International's request, staff at the SCCIC at California State University, Fullerton, conducted a records search of the California Historical Resources Information System on March 14, 2022. The SCCIC, an affiliate of the California Office of Historic Preservation (OHP), is the official state repository of cultural resource records and reports for Orange County. The SCCIC conducted a 0.5-mile record search surrounding the project (RSID # 23554.9617). As part of the records search, the following federal, and state inventories were reviewed:

- National Register of Historic Places (NPS 2022)
- California Inventory of Historic Resources (OHP 1976)
- California Points of Historical Interest (OHP 2022b)
- California Historical Landmarks (OHP 2022b)
- Archaeological Resources Directory (previously known as the Archaeological Determinations of Eligibility). The directory includes the OHP determinations for eligibility for archaeological resources in Orange County.
- Built Environment Resources Directory (OHP 2022a). The directory includes resources reviewed for eligibility for the National Register and the California Historical Landmarks programs through federal and state environmental compliance laws, and resources nominated under federal and state registration programs, including the National Register, California Register, California Historical Landmarks, and California Points of Historical Interest.

Results

Nineteen studies have been completed within 0.5 miles of the project area, of which four included portions of the project area; see **Table 1**. The studies did not identify any cultural resources within the project area. The full details of the records search results are in **Appendix B**.

Table 1 – Previous Cultural Resources Studies Conducted Within 0.5 Miles of the Project

Report No.	Author	Date	Title
OR-00255*	Scientific Resource Surveys, Inc	1977	Archaeological Report on the Aliso Creek Corridor- Planning Units 2 & 3 Orange County, California
OR-00324*	Desautels, Roger J.	1978	Archaeological/paleontological Assessment and Survey on the Colinas De Capistrano Property Located in the San Juan Capistrano Area of Orange County California

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Report No.	Author	Date	Title
OR-00397	Desautels, Roger J.	1979	Archaeological/paleontological Assessment and Survey on Tentative Tracts 9822, 9823, and 9824, Located in the Laguna Niguel Area of Orange County, California
OR-00536	Drover, Christopher E.	No Date	City of San Juan Capistrano, General Plan Program, Historic/Archaeological Element
OR-00549	Singer, Clay A.	1976	Archaeological Survey and Resource Assessment of a Portion of Laguna Niguel, Orange County, California
OR-00580*	Anonymous	1977	The Aliso Creek Watershed, Orange County, California a Proposal for Creating an Archaeological District for the National Register of Historic Places and a Suggested Research and Study Design
OR-00653	Schroth, Adella and Constance Cameron	1983	Archaeological Assessment of 450 Acres for the Northwest Circulation Study, City of San Juan Capistrano, California
OR-00706	Cottrell, Marie G.	1983	Archaeological Resources Assessment Conducted for a 99 Acre Rancho Capistrano Property
OR-00709*	Rice, Glen E.	1974	Survey Results of Tract Number 7340
OR-00729	Scientific Resource Surveys, Inc	1983	Archaeological Report on Campeau Rock Features
OR-01065	De Barros, Phillip	1990	A Cultural Resources Records Check and a Pedestrian Survey
OR-01140	Demcak, Carol R.	1991	Cultural Resources Assessment for Moulton Niguel Water District (MNWD) Reclaimed Water Distribution Facilities Project, South Orange County, California
OR-01473	Brown, Joan C.	1996	Survey for the Rancho Capistrano Parking Lot Expansion, Located in an Unincorporated Area of Orange County, California
OR-02079	Duke, Curt	2000	Cultural Resource Assessment for AT&T Wireless Services Facility Number C994.1, County of Orange, California
OR-02426	Demcak, Carol R.	2001	Report of Archaeological Resources Assessment for 22-acre Parcel in San Juan Capistrano, Orange County, California
OR-02435	Ferraro, David D. and Tim Gregory	2002	Archaeological Survey of the Rancho Capistrano Property in the City of San Juan Capistrano, Orange County, California

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Report No.	Author	Date	Title
OR-04235	Billat, Lorna	2012	New Tower Submission Packet, Golden Lantern PROW
OR-04407	Bonner, Diane, Wills, Carrie, and Crawford, Kathleen	2014	Cultural Resources Records Search and Site Visit Results for T-Mobile West, LLC Candidate LA02228A (CM228 Crown Valley Reservoir) 28053 Crown Valley Parkway, Lagune Niguel, Orange County, California
OR-04407A	Bonner, Wayne H. and Kathleen A. Crawford	2014	Direct APE Historic Architectural Assessment for T-Mobile West, LLC Candidate LA02228A (CM228 Crown Valley Reservoir) 28053 Crown Valley Parkway, Lagune Niguel, Orange County, California

*within the project area

No cultural resources were identified within the project area; three previously recorded cultural resources are within 0.5 miles (summarized in **Table 2**).

Table 2 – Previously Recorded Cultural Resources Within 0.5 Miles of the Project

Primary/Trinomial Number	Resource Type	Description	Eligibility Status
P-30-001603/ CA-ORA-1603	Prehistoric site	Habitation Debris	Not evaluated
P-30-001604/ CA-ORA-001604H	Historic Site	Well and Standing Structures	Not evaluated
P-30-100043	Prehistoric Isolate	Scraper	Not evaluated

5.2 PALEONTOLOGICAL RECORDS SEARCH AND SENSITIVITY ANALYSIS

Michael Baker International staff received a fossil locality records search from the NHMLA on February 26, 2022 (see **Appendix C**). The NHMLA records search did not find any previously known localities within the project area. However, NHMLA staff identified nine localities within 1 mile of the project area (see **Table 3**). Due to the depth and nature of ground-disturbing activities, previous discoveries from the Capistrano Formation, and the types and quantities of resources found in the record search area, the project area has a high potential to disturb paleontological resources. This assessment conforms with an area previously identified as having high sensitivity for paleontological resources, the Dana Point-Laguna Hills District (Laguna Niguel 1992).

Table 3 – Previously Recorded Paleontological Resources Within 1 Mile of the Project

Collection #	Formation	Intervals
LACM VP 5002	Capistrano Formation	Hemphillian Land Mammal Age

Collection #	Formation	Intervals
LACM VP 3184, 3867	Capistrano Formation (lower strata are silty, fine gray claystone with stringers of concretionary rock grading upward into coarser yellow silts & sands above)	Hemphillian Land Mammal Age
LACM VP 3806	Capistrano Formation (fine silty gray claystone)	Hemphillian Land Mammal Age
LACM VP 4979–4983	Capistrano Formation	Hemphillian Land Mammal Age

5.3 HISTORICAL MAP AND AERIAL PHOTOGRAPH REVIEW

Michael Baker International reviewed historical maps, aerial photographs, and websites information about the land use history of the project area and its vicinity. Sources consulted include:

- *Township 7 South, Range 8 West, San Bernardino Meridian* Plat map (BLM 1879)
- *Corona, Calif.* 1:125,000 scale topographic quadrangle (USGS 1902)
- *Santiago Peak, Calif.* 1:62,500 scale topographic quadrangle (USGS 1942)
- *San Juan Capistrano, Calif.* 1:24,000 scale topographic quadrangle (USGS 1948)
- *San Juan Capistrano, Calif.* 1:24,000 scale topographic quadrangle (USGS 1949)
- *San Juan Capistrano, Calif.* 1:24,000 scale topographic quadrangle (USGS 1968)
- *San Juan Capistrano, Calif.* 1:24,000 scale orthophotoquad (USGS 1974)
- Aerial photo, flight AXK_1938, frame 78-21 (UCSB 1938)
- Aerial photo, flight C_23870, Frame 129 (UCSB 1960)
- Aerial Single Frame Photo: Flight TG_7700, Frame 5-7 (UCSB 1977)

Results

From 1879 through 1968, the project area and vicinity was vacant land (BLM 1879; USGS 1902, 1942, 1948, 1949, 1968; UCSB 1938, 1960). By 1968, residential development southwest and southeast started to encroach on Laguna Niguel. In this year, both the Interstate 5 freeway, approximately 0.6 miles east of the project area, and Crown Valley Parkway, approximately 0.4 miles west of the project area, were constructed (USGS 1968). The school property at 29001 Paseo De Colinas was developed in 1974, but no structures were present within the project area (UCSB 1977; USGS 1974).

5.3 INTERESTED PARTIES CONSULTATION

On March 3, 2022, Michael Baker International sent an email describing the project and maps depicting the project area to the Laguna Niguel Historical Society requesting information on, or concerns about, historical resources in the project area (**Appendix D**). A follow-up email was sent on April 11, 2022. The Laguna Niguel Historical Society has not responded to date.

5.4 ARCHAEOLOGICAL PEDESTRIAN SURVEY

Michael Baker International Archaeologist Marcel Young, BA, conducted an archaeological pedestrian survey of the project area on March 10, 2022. Field methods for identifying potential cultural resources consisted of an intensive survey using 10-meter pedestrian transects. Ground

visibility was poor, ranging from 0–5 percent due to complete hardscaping and landscaping. No archaeological artifacts, features, materials, or residues were identified within the project area.

5.5 NATIVE AMERICAN HERITAGE COMMISSION (NAHC)

On February 18, 2022, Michael Baker International sent a letter describing the project to the NAHC in Sacramento and asked the commission to review its Sacred Lands File for any Native American cultural resources that might be affected by the project. Also requested were the names of Native Americans who would be on the Senate Bill (SB) 18 consultation list per Government Code Section 65352.3 as well as those who might have information or concerns about the APE. The NAHC responded on April 12, 2022, informing Michael Baker International that a search of the Sacred Lands File provided positive results and to contact Juaneño Band of Mission Indians Acjachemen Nation - Belardes for more information. The NAHC also provided a list of Native American contacts for SB 18 consultation.

No Native American consultation was completed by Michael Baker International. The City of Laguna Niguel is conducting consultation. The NAHC contact list and Sacred Lands File search results are in Appendix E.

5.6 ARCHAEOLOGICAL BURIED SITE SENSITIVITY

The project area has low sensitivity for prehistoric and historic archaeological sites. Factors that support the sensitivity analysis include the local environmental conditions, record search information, and local land use history. Local environmental conditions that indicate low sensitivity include the long distance from viable water sources and the topography. Availability of close water would have been necessary, such as on a river terrace, especially for sizeable prehistoric occupation. The rugged topography is also not conducive to human habitation. Both prehistoric and historic archaeological sites generally require flatter land than the project area, though resource extraction sites could potentially be present within areas of rugged topography. Lastly, the record search indicated a very low number of archaeological sites within 0.5 miles.

The historical topographic map and aerial photograph analyses indicate that the land of the project area was not used until the development of the school property in 1974. This use of the land of the project area would likely not have created historic archaeological deposits due to the cleanup and maintenance activities of the school.

6.0 FINDINGS AND RECOMMENDATIONS

6.1 CULTURAL RESOURCES FINDINGS AND RECOMMENDATIONS

The SCCIC records search, literature, historical map, and aerial photograph review, local historical group consultation, NAHC Sacred Lands File search, and field survey did not identify any cultural resources within the project area, and the project area has low potential for buried prehistoric and historic-period archaeological resources. However, there is a potential for disturbing previously unknown archaeological resources during earth-moving activities. Impacts to cultural resources may be avoided or reduced to a less than significant level by implementing the following recommendations:

If archaeological material is uncovered in the course of ground-disturbing activities, work shall be temporarily halted in the vicinity of the find (within a 50-foot buffer) and the project proponent shall retain a qualified professional archaeologist meeting the Secretary of the Interior's Standards for Archaeology to evaluate the significance of the find and determine appropriate treatment for the resource in accordance with California Public Resources Code Section 21083.2(i) and the provisions of CEQA. The qualified archaeologist shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following shall apply:

- If the qualified archaeologist determines the find does not represent a cultural resource, work may resume, and no agency notifications are required. A record of the archaeologist's determination shall be made in writing to the City.
- If the qualified archaeologist determines that the find does represent a cultural resource and is considered potentially eligible for listing on the California Register, and avoidance is not feasible, then the City shall be notified and a qualified archaeologist shall prepare and implement appropriate treatment measures. The treatment measures may consist of data recovery excavation of a statistically significant part of those portions of the site that will be damaged or destroyed by the project. Work cannot resume within the no-work radius until the lead agency (the City), through consultation as appropriate, determines that the find is either not eligible for the California Register, or that appropriate treatment measures have been completed to the satisfaction of the City in consultation with the tribes.
- Additionally, if the resource is prehistoric or historic-era and of Native American origin, as determined by a qualified professional archaeologist, then those Native American tribes that have requested consultation on the project pursuant to California Public Resources Code Section 21080.3.1 shall be notified of the find, and shall consult on the eligibility of the resource and the appropriate treatment measures.

In the event of discovering human remains, the provisions of the California Health and Safety Code Sections 7054 and 7050.5, and PRC Sections 5097.9 through 5097.99 should be followed. Ground-disturbing activities should cease, and the police and County coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the NAHC, which will determine and notify a most likely descendant, who will complete an inspection of the site and provide recommendations for the treatment of the remains.

Compliance with these recommendations would reduce potential impacts to archaeological resources to less than significant.

6.2 PALEONTOLOGICAL RESOURCES FINDINGS AND RECOMMENDATIONS

Due to the depth and nature of ground-disturbing activities and the sensitivity of the formations underlying the project area, the project has a high potential to disturb paleontological resources. Impacts to paleontological resources may be avoided or reduced to a less than significant level by implementing the following recommendations:

Prior to grading or excavation in sedimentary rock material other than topsoil, the City shall retain a Society of Vertebrate Paleontology (SVP 2010) qualified paleontologist to provide or supervise a paleontological sensitivity training to all personnel planned to be involved with earth-moving activities. The training session will focus on how to identify paleontological resources, such as fossils that may be encountered, and the procedures to follow if identified.

Prior to grading or excavation in sedimentary rock material other than topsoil, the City shall retain an SVP-qualified paleontologist to monitor or supervise the monitoring of these activities. The SVP-qualified paleontologist will supervise a paleontological monitor. If fossils are discovered during grading, the paleontological monitor, in discussion with the SVP-qualified paleontologist, will notify the on-site construction supervisor, who shall redirect work away from the location of the discovery. The recommendations of the SVP-qualified paleontologist shall be implemented with respect to the evaluation and recovery of fossils, after which the on-site construction supervisor shall be notified and shall direct work to continue in the location of the fossil discovery.

If any paleontological resources are encountered at the project area during construction or the course of any ground-disturbance activities, activities within 100 feet of the find shall halt immediately. At this time, the applicant shall notify the City and consult with a qualified paleontologist to assess the significance of the find. The assessment will follow SVP (2010) standards. If any find is determined to be significant, appropriate avoidance measures recommended by the consultant and approved by the City must be followed unless avoidance is determined to be unnecessary or infeasible by the City. Other appropriate measures (e.g., data recovery, excavation) shall be instituted if avoidance is infeasible.

If the fossils are determined to be significant, then the SVP-qualified paleontologist shall prepare and implement a data recovery plan. The plan shall include, but not be limited to, the following measures:

- The paleontologist shall ensure that all significant fossils collected are cleaned, identified, cataloged, and permanently curated with an appropriate institution with a research interest in the materials (which may include the John D. Cooper Archaeological and Paleontological Center);
- The paleontologist shall ensure that specialty studies are completed, as appropriate, for any significant fossil collected; and
- The paleontologist shall ensure that curation of fossils is completed in consultation with the City. A letter of acceptance from the curation institution shall be submitted to the City.

7.0 PROFESSIONAL QUALIFICATIONS

Report preparation efforts were led by Michael Baker International Senior Archaeologist and Principal Investigator Nicholas F. Hearth, MA, RPA, with support from Senior Archaeologists Kholood Abdo, MA, RPA, Senior Paleontologist Peter Kloess, MS, and Archaeologist Jacob Parsley. The pedestrian survey was completed by Archaeologist Marcel Young, BA. This report was reviewed for quality control by Senior Cultural Resources Manager Margo Nayyar, MA.

Mr. Hearth has worked as an archaeologist in cultural resource management since 2002. He meets the Secretary of the Interior's Professional Qualifications Standards for prehistoric archaeology. He received his BA in anthropology in 2003 from the University of Massachusetts, Amherst, and his MA in anthropology in 2006 from the University of California, Riverside. Mr. Hearth has worked in California, Utah, Nevada, Arizona, New Mexico, and multiple states both in the Midwest and New England. Mr. Hearth is well versed in applying Section 106 of the National Historic Preservation Act (NHPA), CEQA, and National Environmental Policy Act (NEPA) on a variety of projects across many market sectors. He has completed projects in all phases of archaeology: Phase I pedestrian and shovel test surveys, extended Phase I survey, buried site testing, archaeological sensitivity assessments, Phase II testing and evaluations, Phase III data recovery, and Phase IV monitoring. His project responsibilities include overseeing archaeological, historical, and paleontological studies, directing all phases of archaeological field and laboratory work, and ensuring that the quality of analysis and reporting meets or exceeds appropriate local, state, and federal standards.

Ms. Abdo has worked as an archaeologist in cultural resource management since 1999. She meets the Secretary of the Interior's Professional Qualification Standards for historical archaeology. She has completed projects in all phases of archaeology: Phase I pedestrian and shovel test surveys, extended Phase I survey, buried site testing, archaeological sensitivity assessments, Phase II testing and evaluations, Phase III data recovery, and Phase IV monitoring in California. Ms. Abdo has written and contributed to scores of technical reports, including NEPA, NHPA, and CEQA compliance documents. In her current capacity as Senior Archaeologist and Archaeological Laboratory Director, Ms. Abdo oversees the processing, analysis, and curation of artifact collections from both prehistoric and historical sites. Her cultural material analysis experience includes flaked and ground stone lithics, shell and glass bead analysis, and historical artifact analysis. Her project responsibilities include the oversight of archaeological historical studies and phases of archaeological fieldwork, oversight of field laboratory work, laboratory processing, artifact database, and collection management. Ms. Abdo works to ensure that the quality of analysis and reporting meets or exceeds appropriate local, state, and federal standards.

Mr. Kloess has over 20 years of experience in paleontology, with seven years in paleontology mitigation working as a project paleontologist and project coordinator. His experience includes public and private consultation, field monitoring, excavation, and laboratory research on projects across the western United States, predominantly in California. He has consulting experience with a range of projects, including construction, transportation, utility, transmission, monitoring, and surveys, as well as experience recovering a diversity of fossils from project sites, such as marine invertebrates, microfossils, plants, small mammals and birds, large marine and terrestrial mammals, and dinosaurs. Mr. Kloess also has extensive experience in paleontological museum collections and lab settings. He has worked on and co-led scientific excavations of large mammals and dinosaurs in California, Utah, New Mexico, and Montana. Mr. Kloess has served as a lab preparator and assistant curator for paleontology museums in California and Montana where his duties included manual preparation of specimens, casting, jacketing, public outreach,

cataloguing, and curation. In addition to extensive field and curation work, Mr. Kloess has researched, written, and published articles for paleontology publications. Several of his research projects have relied on paleontology and modern comparative collections housed in institutions across California, spanning geologic time from the Cretaceous Period to present. He meets the Society of Vertebrate Paleontology Standards for Qualified Professional Paleontologist.

Mr. Parsley has worked in various capacities in cultural resource management since 2018. He is experienced in surveying, monitoring, and writing cultural resources constraints reports. Mr. Parsley is versed in conducting fieldwork within the frameworks of Section 106 of the NHPA, NEPA, and CEQA. He has participated in projects in several phases of archaeology: Phase I pedestrian and shovel test surveys, buried site testing, Phase III data recovery, and Phase IV monitoring. His project highlights include archaeological surveying to update and verify cultural resources found mostly in remote areas of California, many of which have included prehistoric components. Other project responsibilities include identifying and flagging historic and prehistoric resources, delineating best access routes and conducting post impact assessments, and reporting to the National Park Service, National Forest System, Pacific Gas and Electric, and private clients.

Ms. Nayyar is a senior cultural resources manager with 12 years of experience in California, Nevada, Arizona, Idaho, Texas, and Mississippi. Her experience includes built environment surveys, evaluation of historic-era resources using guidelines outlined in the National and California Registers, and preparation of cultural resources technical studies pursuant to CEQA and Section 106 of the NHPA, including identification studies, finding of effect documents, memorandum of agreements, programmatic agreements, and Historic American Buildings Survey, Historic American Engineering Record, and Historic American Landscapes Survey mitigation documentation. She prepares cultural resources environmental document sections for CEQA environmental documents including infill checklists, initial studies, and environmental impact reports, as well as NEPA environmental documents including environmental impact statements. She also specializes in municipal preservation planning, historic preservation ordinance updates, Native American consultation, and provision of Certified Local Government training to interested local governments. She develops Survey 123 and Esri Collector applications for large-scale historic resources surveys and authors National Register nomination packets. Ms. Nayyar meets the Secretary of the Interior's Professional Qualification Standards for history and architectural history.

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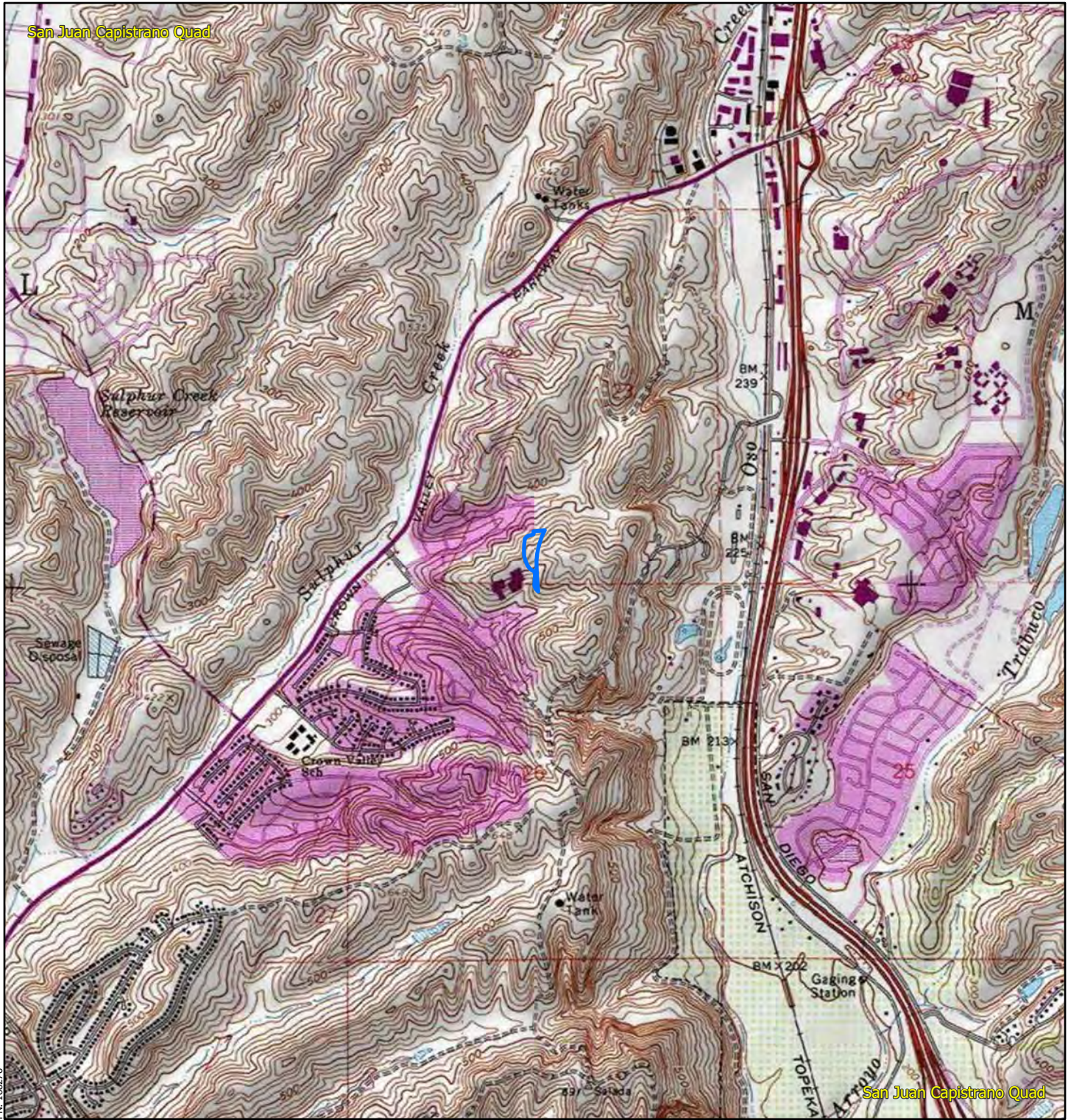
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APPENDIX A

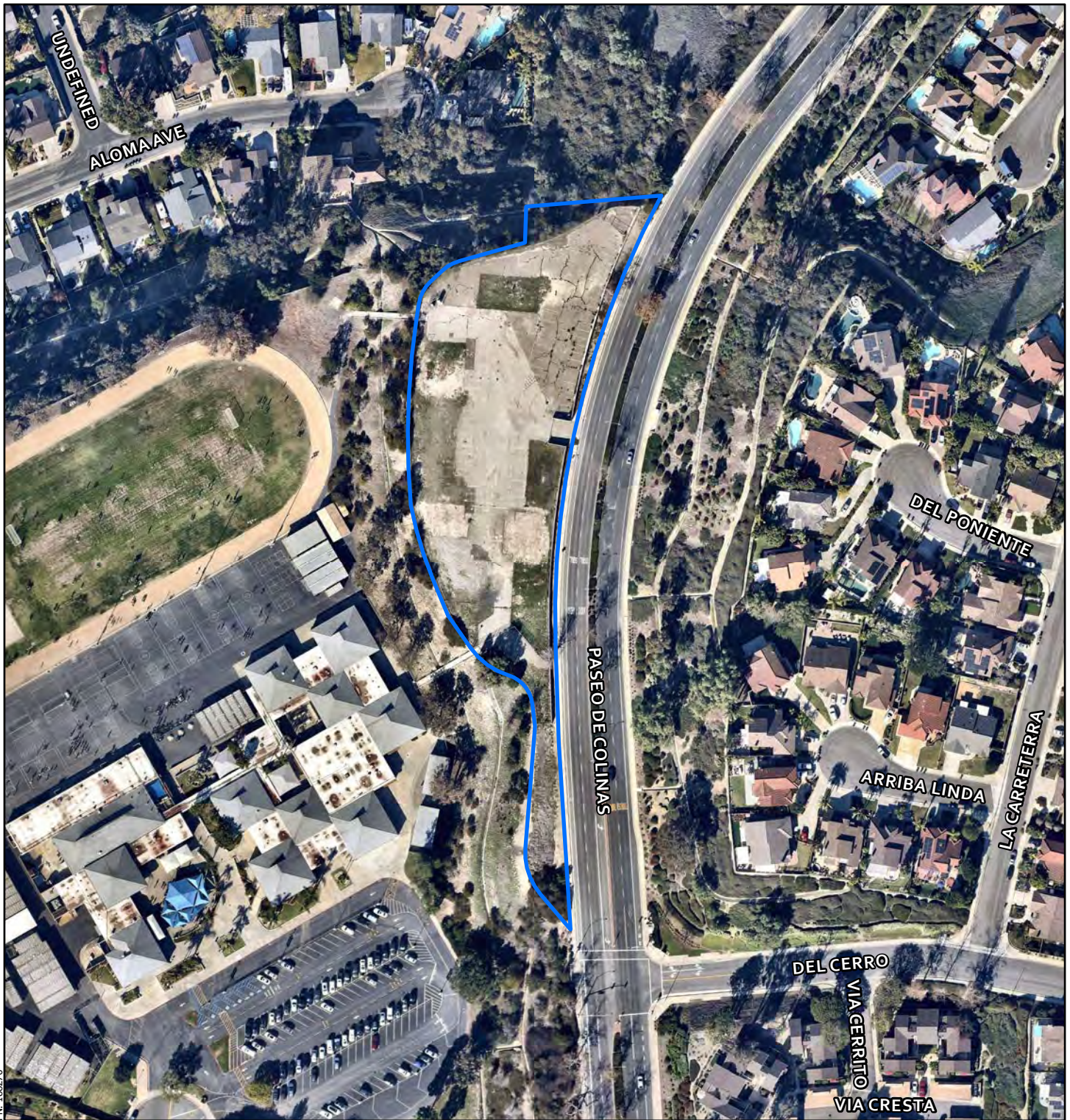
FIGURES



 Project Location



 Project Area



 Project Area

APPENDIX B

**SCCIC CULTURAL RESOURCE
RECORDS SEARCH**

South Central Coastal Information Center

California State University, Fullerton
Department of Anthropology MH-426
800 North State College Boulevard
Fullerton, CA 92834-6846
657.278.5395 / FAX 657.278.5542

sccic@fullerton.edu

California Historical Resources Information System
Orange, Los Angeles, and Ventura Counties

3/14/2022

Records Search File No.: 23554.9617

Maximilian van Rensselaer
Michael Baker International
2729 Prospect Park Dr Ste 220
Rancho Cordova CA 95670

Re: Records Search Results for the Paseo De Colinas Townhomes ISMND Project

The South Central Coastal Information Center received your records search request for the project area referenced above, located on the San Juan Capistrano, CA USGS 7.5' quadrangle. Due to the COVID-19 emergency, we have temporarily implemented new records search protocols. With the exception of some reports that have not yet been scanned, we are operationally digital for Los Angeles, Orange, and Ventura Counties. See attached document for your reference on what data is available in this format. The following reflects the results of the records search for the project area and a ½-mile radius:

As indicated on the data request form, the locations of resources and reports are provided in the following format: ☐ custom GIS maps ☒ shape files ☐ hand drawn maps

Resources within project area: 0	None
Resources within ½-mile radius: 3	SEE ATTACHED LIST
Reports within project area: 4	OR-00255, OR-00324, OR-00580, OR-00709
Reports within ½-mile radius: 14	SEE ATTACHED LIST

Resource Database Printout (list):

☐ enclosed ☒ not requested ☐ nothing listed

Resource Database Printout (details):

☒ enclosed ☐ not requested ☐ nothing listed

Resource Digital Database (spreadsheet):

☒ enclosed ☐ not requested ☐ nothing listed

Report Database Printout (list):

☐ enclosed ☒ not requested ☐ nothing listed

Report Database Printout (details):

☒ enclosed ☐ not requested ☐ nothing listed

Report Digital Database (spreadsheet):

☒ enclosed ☐ not requested ☐ nothing listed

Resource Record Copies:

☒ enclosed ☐ not requested ☐ nothing listed

Report Copies:

☒ enclosed ☐ not requested ☐ nothing listed

OHP Built Environment Resources Directory (BERD) 2019:

☒ available online; please go to

https://ohp.parks.ca.gov/?page_id=30338

Archaeo Determinations of Eligibility 2012:

☐ enclosed ☐ not requested ☒ nothing listed

Historical Maps:

☐ enclosed ☒ not requested ☐ nothing listed

<u>Ethnographic Information:</u>	<input checked="" type="checkbox"/> not available at SCCIC
<u>Historical Literature:</u>	<input checked="" type="checkbox"/> not available at SCCIC
<u>GLO and/or Rancho Plat Maps:</u>	<input checked="" type="checkbox"/> not available at SCCIC
<u>Caltrans Bridge Survey:</u>	<input checked="" type="checkbox"/> not available at SCCIC; please go to http://www.dot.ca.gov/hq/structur/strmaint/historic.htm
<u>Shipwreck Inventory:</u>	<input checked="" type="checkbox"/> not available at SCCIC; please go to http://shipwrecks.slc.ca.gov/ShipwrecksDatabase/Shipwrecks_Database.asp
<u>Soil Survey Maps: (see below)</u>	<input checked="" type="checkbox"/> not available at SCCIC; please go to http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of CHRIS Data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Thank you for using the California Historical Resources Information System,

Michelle Galaz Cornforth
Assistant Coordinator

Enclosures:

(X) Emergency Protocols for LA, Orange, and Ventura County BULK Processing Standards – 2 pages

- (X) GIS Shapefiles – 21 shapes
- (X) Resource Database Printout (details) – 3 pages
- (X) Resource Digital Database (spreadsheet) – 3 lines
- (X) Report Database Printout (details) – 19 pages
- (X) Report Digital Database (spreadsheet) – 18 lines
- (X) Resource Record Copies – (all) – 15 pages
- (X) Report Copies – (within project area) – 224 pages
- (X) Invoice # 23554.9617

Emergency Protocols for LA, Orange, and Ventura County BULK or SINGLE PROJECT Records Searches IF YOU HAVE A GIS PERSON ON STAFF ONLY!!

These instructions are for qualified consultants with a valid Access and Use Agreement.

WE ARE ONLY PROVIDING DATA THAT IS ALREADY DIGITAL AT THIS TIME. SAN BERNARDINO COUNTY IS NOT DIGITAL AND THESE INSTRUCTIONS DO NOT APPLY.

Some of you have a fully digital operation and have GIS staff on board who can process a fully digital deliverable from the Information Center. If you can accept shape file data and do not require a custom map made for you by the SCCIC, and you are willing to sort the data we provide to you then these instructions are for you. Read further to be sure. You may have only one project at this time or some of you have a lot of different search locations that can be processed all at once. This may save you a lot of time getting results back and if we process your jobs in bulk, and you may enjoy significant cost savings as well. If you need individual invoice or summaries for each search location, then bulk processing is not for you and you need to submit a data request form for each search location.

Bulk processing will work for you if you have a GIS person on staff who can sort bulk data for you and make you any necessary project maps. This type of job can have as many job locations as you want but the point is that we will do them in bulk – at the same time - not one at a time. We send all the bulk data back to you and you sort it. This will work if you need searches in LA, Orange, or Ventura AND if they all have the same search radius and if all the other search criteria is the same– no exceptions. This will not work for San Bernardino County because we are not fully digital for San Bernardino County. You must submit all your shape files for each location at the same time and this will count as one search. If you have some that need a different radius, or different search criteria, then you should submit that job separately with its own set of instructions.

INSTRUCTIONS FOR BULK PROCESSING:

Please send in your requests via email using the data request form along with the associated shape files and pdf maps of the project area(s) at 1-24k scale. PDFs must be able to be printed out on 8.5X 11 paper. We check your shape file data against the pdf maps. This is where we find discrepancies between your shape files and your maps. This is required.

Please use this data request form and make sure you fill it out properly.

<http://web.sonoma.edu/nwic/docs/CHRISDataRequestForm.pdf>

DELIVERABLES:

1. A copy of the Built Environment Resources Directory or BERD for Los Angeles, Orange, Ventura, or San Bernardino County can now be found at the OHP Website for you to do your own research. This replaces the old Historic Properties Directory or HPD. We will not be searching this for you at this time but you can search it while you are waiting for our results to save time.

You will only get shapefiles back, which means that you will have to make your own maps for each project location. WARNING! If you don't request the shape files, you won't be able to tell which reports are in the project area or the search radius. Please note that you are charged for

each map feature even if you opt out of receiving shape files. You cannot get secondary products such as bibliographies or pdfs of records in the project area or search radius if you don't pay for the primary products (shape files) as this is the scaffolding upon which the secondary products are derived. If you do not understand the digital fee structure, ask before we process your request and send you data. You can find the digital fee structure on the OHP website under the CHRIS tab. In order to keep costs down, you must be willing to make adjustments to the search radius or what you are expecting to receive as part of the search. Remember that some areas are loaded with data and others are sparse – our fees will reflect that.

2. You will get a bulk processed bibliographies for resources and reports as selected; you will not get individual bibliographies for each project location.
3. You will get pdfs of resources and reports if you request them, provided that they are in digital formats. We will not be scanning records or reports at this time.
4. You will get one invoice for the bulk data processing. We can't bill this as individual jobs on separate invoices for you. If there are multiple project names, we are willing to reference all the job names on the invoice if needed. If there a lot of job id's we may ask you to send them in an email so that we can copy and paste it into the invoice details. If you need to bill your clients for the data, you can refer to our fee schedule on the OHP website under the CHRIS tab and apply the fees accordingly.
5. We will be billing you at the staff rate of \$150 per hour and you will be charged for all resources and report locations according to the CHRIS Fee Structure. (\$12 per GIS shape file; 0.15 per pdf page, or 0.25 per excel line; quad fees will apply if your research includes more than 2 quads). Discounts offered early on in our Covid-19 response will no longer be offered on any records searched submitted after October 5th, 2020.
6. Your packet will be sent to you electronically via Dropbox. We use 7-zip to password protect the files so you will need both on your computers. We email you the password. If you can't use Dropbox for some reason, then you will need to provide us with your Fed ex account number and we will ship you a disc with the results. As a last resort, we will ship on a disc via the USPS. You may be billed for our shipping and handling costs.

I may not have been able to cover every possible contingency in this set of instructions and will update it if necessary. You can email me with questions at sccic@fullerton.edu

Thank you,

Stacy St. James
South Central Coastal Information Center

Los Angeles, Orange, Ventura, and San Bernardino Counties

APPENDIX C

NHMLA PALEONTOLOGICAL RESOURCE RECORDS SEARCH



Natural History Museum
of Los Angeles County
900 Exposition Boulevard
Los Angeles, CA 90007

tel 213.763.DINO
www.nhm.org

Research & Collections

e-mail: paleorecords@nhm.org

February 26, 2022

Michael Baker International
Attn: Kholood Abdo

re: Paleontological resources for the Paseo De Colinas Townhomes Development Project

Dear Kholood:

I have conducted a thorough search of our paleontology collection records for the locality and specimen data for proposed development at the Paseo De Colinas Townhomes Development project area as outlined on the portion of the San Juan Capistrano USGS topographic quadrangle map that you sent to me via e-mail on February 18, 2022. We do not have any fossil localities that lie directly within the proposed project area, but we do have fossil localities nearby from the same sedimentary deposits that occur in the proposed project area, either at the surface or at depth.

The following table shows the closest known localities in the collection of the Natural History Museum of Los Angeles County (NHMLA).

Locality Number	Location	Formation	Taxa	Depth
LACM VP 5002	CONFIDENTIAL	Capistrano Formation	Baleen whale (Mysticeti)	Surface, in landslide materials
LACM VP 3184, 3867	CONFIDENTIAL	Capistrano Formation (Lower strata are silty fine gray claystone with stringers of concretionary rock grading upward into coarser yellow silts & sands above)	Fish (Chimaera), shark (<i>Isistius</i> , <i>Prionace</i>), unidentified fish (Teleostei); alcid (<i>Mancalla</i>); porpoise (<i>Phocoenidae</i>), marine mammal (<i>Cetacea</i>)	Unknown, in a roadcut
LACM VP 3806	CONFIDENTIAL	Capistrano Formation (fine silty gray claystone)	Marine mammal (<i>Cetacea</i>)	Unknown, in a roadcut
LACM VP 4979-4983	CONFIDENTIAL	Capistrano Formation	Unidentified vertebrates	Unknown

VP, Vertebrate Paleontology; IP, Invertebrate Paleontology; bgs, below ground surface

This records search covers only the records of the NHMLA. It is not intended as a paleontological assessment of the project area for the purposes of CEQA or NEPA. Potentially fossil-bearing units are present in the project area, either at the surface or in the subsurface. As such, NHMLA recommends that a full paleontological assessment of the project area be conducted by a paleontologist meeting Bureau of Land Management or Society of Vertebrate Paleontology standards.

Sincerely,

A handwritten signature in black ink that reads "Alyssa Bell". The signature is written in a cursive, flowing style.

Alyssa Bell, Ph.D.
Natural History Museum of Los Angeles County

enclosure: invoice

APPENDIX D

**LOCAL HISTORICAL GROUP
CONSULTATION**

Hearth, Nicholas

From: Hearth, Nicholas
Sent: Monday, April 11, 2022 4:48 PM
To: Inhistoricalsociety@gmail.com
Cc: Abdo, Kholood
Subject: FW: Local Historical Group Outreach re: 29001 Paseo De Colinas Townhomes Development Project
Attachments: Paseo De Colinas Townhomes Project- Historical Society out reach.pdf

Good Afternoon,

I would like to follow-up for the above referenced project. Please feel free to reach out if the historical society has an information or concerns.

Thank you,

Nick Hearth | Senior Archaeologist/Principal Investigator
3536 Concours St. #100 | Ontario, CA 91764 | [O] 909.974.4924
nicholas.hearth@mbakerintl.com | www.mbakerial.com f t i in y



From: Abdo, Kholood
Sent: Thursday, March 3, 2022 12:50 PM
To: Inhistoricalsociety@gmail.com
Subject: Local Historical Group Outreach re: 29001 Paseo De Colinas Townhomes Development Project

Good Afternoon,

Michael Baker International is conducting a cultural resources investigation for the 29001 Paseo de Colinas Townhomes Development Project in Laguna Niguel, Orange County. Please see the attached letter for additional details about the project. We are conducting outreach to you, the local historical society, to ask if you have any information or concerns about historical resources within the project site. If you have any questions or comments, please contact me at the phone or email below.

Thank you for your time!
Kholood

Kholood Abdo | Senior Archaeologist/Lab Director
3536 Concours, Suite 100 | Ontario, CA 91764 | [O] 909-974-4975 | [M] 909-496-7136
kholood.abdo@mbakerintl.com | www.mbakerial.com f t i in y



March 3, 2022

LAGUNA NIGUEL HISTORICAL SOCIETY

30025 Alicia Parkway, #190

Laguna Niguel, CA 9277

Via email: lnhistoricalsociety@gmail.com

RE: PASEO DE COLINAS TOWNHOMES DEVELOPMENT PROJECT, CITY OF LAGUNA NIGUEL, ORANGE COUNTY, CALIFORNIA

To Whom it May Concern:

Michael Baker International is conducting a cultural resources investigation for the Paseo de Colinas Townhomes Development Project (project). The project area is approximately 2.4 acres located in the northeastern portion of the City of Laguna Niguel at 29001 Paseo de Colinas (Assessor's Parcel Numbers [APN] 637-181-01, -392-02, and -412-02) as depicted in the accompanying figures (see Attachment 1).

The Project proposes to construct a 38-unit townhome development with attached garages, common open space areas, and active recreation areas (See Attachment). The lot size will be approximately 58,300 square feet, consisting of nine buildings with three to six units per building, and 111 parking spaces including 76 garage spaces and 35 open spaces. The project will require grading, but will not involve the import or export of dirt. This Project will comply with California Environmental Quality Act (CEQA) regulations.

Please notify us if your organization has any information or concerns about historical resources within the project site. This is not a research request; it is solely a request for public input related to any concerns that the Laguna Niguel Historical Society may have pertaining to historical resources. If you have any questions or comments, please contact me at your earliest convenience at Kholood.Abdo@mbakerintl.com or (909) 974-4975.

Sincerely,



Kholood Abdo, M.A, RPA
Senior Archaeologist

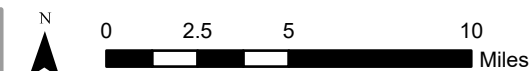
Attachments:

Attachment 1 - Figures



★ Project Location

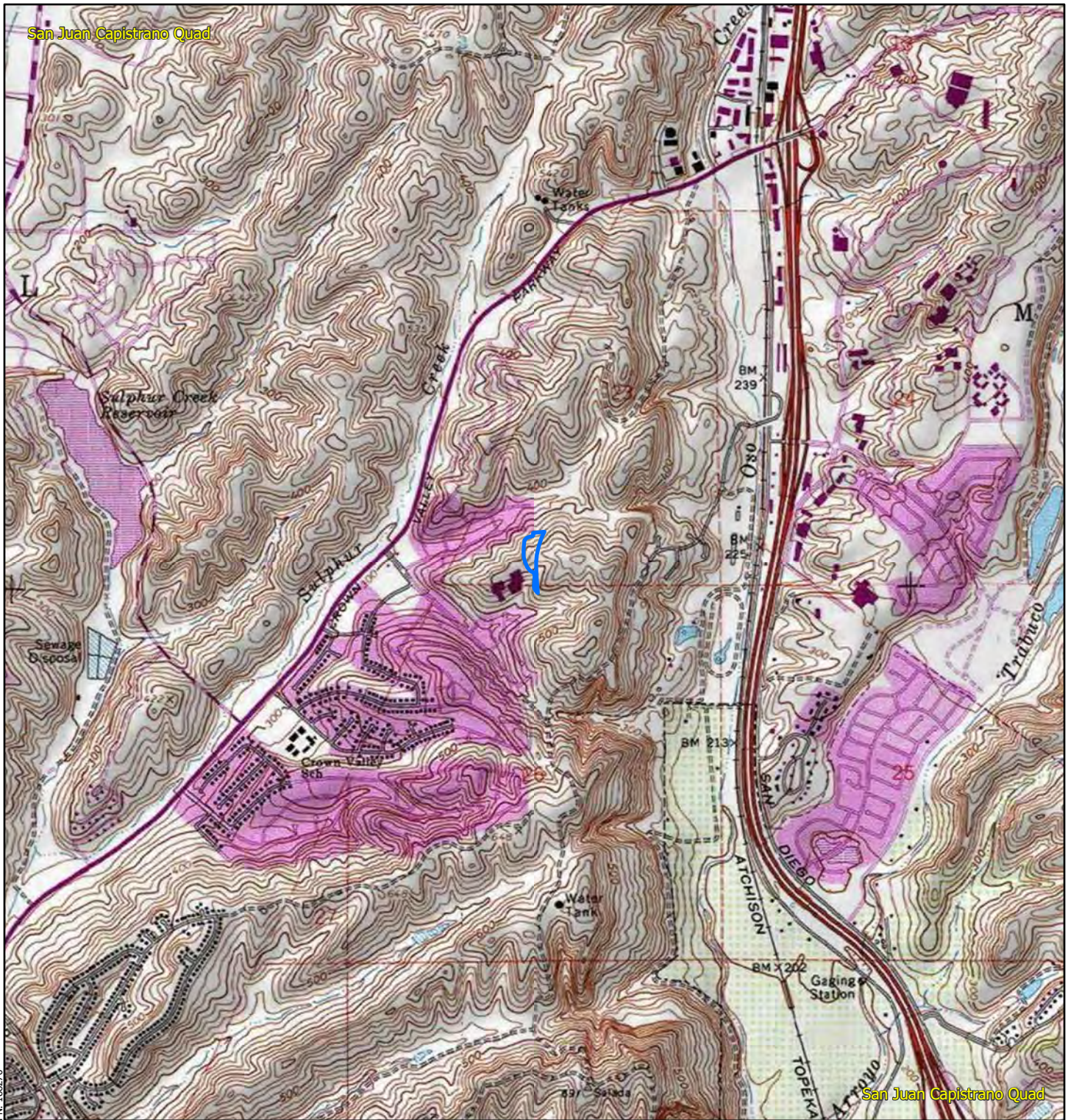
Michael Baker
INTERNATIONAL



Source: Esri, ArcGIS Online, National Geographic World Map: Laguna Niguel, California

PASEO DE COLINAS TOWNHOMES
LAGUNA NIGUEL, CA
Regional Vicinity

Figure 1



 Project Area

PASEO DE COLINAS TOWNHOMES
LAGUNA NIGUEL, CA
Project Vicinity

Michael Baker
INTERNATIONAL

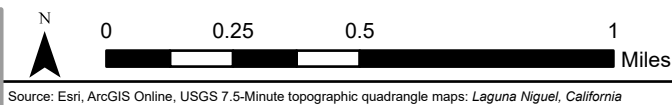
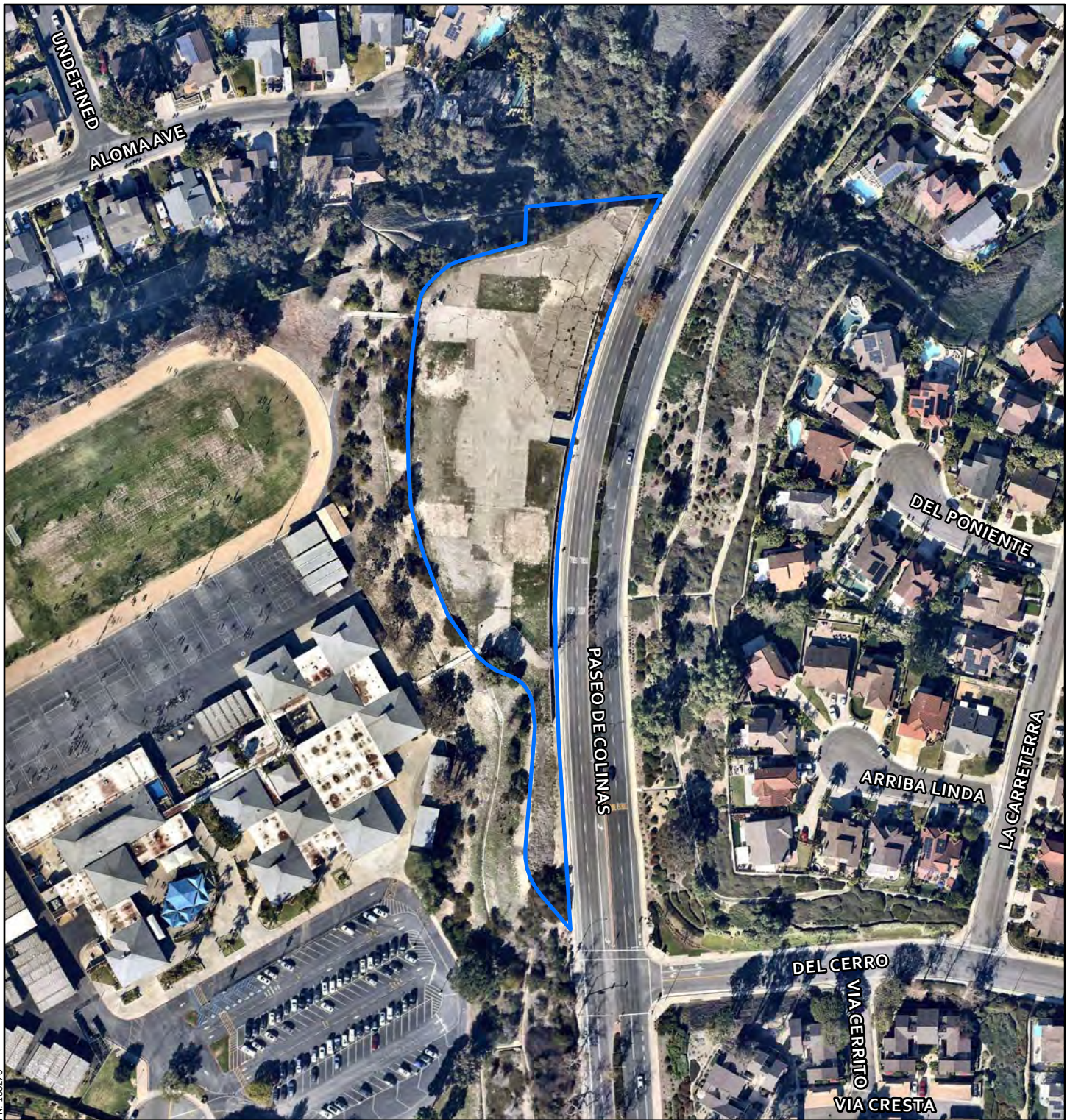


Figure 2



PN: 188276

 Project Area

Michael Baker
INTERNATIONAL

N



0 100 200 400 Feet

Source: Esri, ArcGIS Online, 2021 Nearmap Imagery: Laguna Niguel, California

PASEO DE COLINAS TOWNHOMES
LAGUNA NIGUEL, CA

Project Area

Figure 3

APPENDIX E

NAHC SACRED LANDS FILE

SEARCH



NATIVE AMERICAN HERITAGE COMMISSION

April 14, 2022

Kholood Abdo
Michael Baker InternationalVia Email to: Abdo.Kholood@mbakerintl.comCHAIRPERSON
Laura Miranda
LuiseñoVICE CHAIRPERSON
Reginald Pagaling
ChumashPARLIAMENTARIAN
Russell Attebery
KarukSECRETARY
Sara Dutschke
MiwokCOMMISSIONER
William Mungary
Paiute/White Mountain
ApacheCOMMISSIONER
Isaac Bojorquez
Ohlone-CostanoanCOMMISSIONER
Buffy McQuillen
Yokayo Pomo, Yuki,
NomlakiCOMMISSIONER
Wayne Nelson
LuiseñoCOMMISSIONER
Stanley Rodriguez
KumeyaayEXECUTIVE SECRETARY
Christina Snider
PomoNAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
nahc.ca.gov

Re: Native American Consultation, Pursuant to Senate Bill 18, Government Code §65352.3 and §65352.4, Paseo de Colinas Townhome Development Project, Orange County

Dear Ms. Abdo:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties.

Government Code §65352.3 and §65352.4 require local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans.

The law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction. The NAHC believes that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

The NAHC also believes that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources that have already been recorded or are adjacent to the APE, such as known archaeological sites;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
 - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
 - Any report that may contain site forms, site significance, and suggested mitigation measures.

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

3. The result of the Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was positive. Please contact the Juaneno Band of Mission Indians Acjachemen Nation - Belardes on the attached list for more information.
4. Any ethnographic studies conducted for any area including all or part of the APE; and
5. Any geotechnical reports regarding all or part of the APE.

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

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

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

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

Attachment

**Native American Heritage Commission
Tribal Consultation List
Orange County
4/14/2022**

Gabrieleno Band of Mission Indians - Kizh Nation

Andrew Salas, Chairperson
P.O. Box 393
Covina, CA, 91723
Phone: (626) 926 - 4131
admin@gabrielenoindians.org

Gabrieleno

Juaneno Band of Mission Indians

Sonia Johnston, Chairperson
P.O. Box 25628
Santa Ana, CA, 92799
sonia.johnston@sbcglobal.net

Juaneno

Gabrieleno/Tongva San Gabriel Band of Mission Indians

Anthony Morales, Chairperson
P.O. Box 693
San Gabriel, CA, 91778
Phone: (626) 483 - 3564
Fax: (626) 286-1262
GTTribalcouncil@aol.com

Gabrieleno

Juaneno Band of Mission Indians Acjachemen Nation - Belardes

Matias Belardes, Chairperson
32161 Avenida Los Amigos
San Juan Capistrano, CA, 92675
Phone: (949) 293 - 8522
kaamalam@gmail.com

Juaneno

Gabrielino /Tongva Nation

Sandonne Goad, Chairperson
106 1/2 Judge John Aiso St.,
#231
Los Angeles, CA, 90012
Phone: (951) 807 - 0479
sgoad@gabrielino-tongva.com

Gabrielino

Juaneno Band of Mission Indians Acjachemen Nation 84A

Heidi Lucero, Chairperson
31411-A La Matanza Street
San Juan Capistrano, CA, 92675
Phone: (562) 879 - 2884
hllucero105@gmail.com

Juaneno

Gabrielino Tongva Indians of California Tribal Council

Robert Dorame, Chairperson
P.O. Box 490
Bellflower, CA, 90707
Phone: (562) 761 - 6417
Fax: (562) 761-6417
gtongva@gmail.com

Gabrielino

La Jolla Band of Luiseno Indians

Norma Contreras, Chairperson
22000 Highway 76
Pauma Valley, CA, 92061
Phone: (760) 742 - 3771

Luiseno

Gabrielino Tongva Indians of California Tribal Council

Christina Conley, Tribal
Consultant and Administrator
P.O. Box 941078
Simi Valley, CA, 93094
Phone: (626) 407 - 8761
christina.marsden@alumni.usc.edu

Gabrielino

Pala Band of Mission Indians

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

Cupeno
Luiseno

Gabrielino-Tongva Tribe

Charles Alvarez,
23454 Vanowen Street
West Hills, CA, 91307
Phone: (310) 403 - 6048
roadkingcharles@aol.com

Gabrielino

Pauma Band of Luiseno Indians

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

Luiseno

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 6097.98 of the Public Resources Code and section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Government Code Sections 65352.3 and 65352.4 et seq for the proposed Paseo de Colinas Townhome Development Project, Orange County.

**Native American Heritage Commission
Tribal Consultation List
Orange County
4/14/2022**

***Santa Rosa Band of Cahuilla
Indians***

Lovina Redner, Tribal Chair
P.O. Box 391820
Anza, CA, 92539
Phone: (951) 659 - 2700
Fax: (951) 659-2228
lsaul@santarosa-nsn.gov

Cahuilla

***Soboba Band of Luiseno
Indians***

Joseph Ontiveros, Cultural
Resource Department
P.O. BOX 487
San Jacinto, CA, 92581
Phone: (951) 663 - 5279
Fax: (951) 654-4198
jontiveros@soboba-nsn.gov

Cahuilla
Luiseno

***Soboba Band of Luiseno
Indians***

Isaiah Vivanco, Chairperson
P. O. Box 487
San Jacinto, CA, 92581
Phone: (951) 654 - 5544
Fax: (951) 654-4198
ivivanco@soboba-nsn.gov

Cahuilla
Luiseno

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 6097.98 of the Public Resources Code and section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Government Code Sections 65352.3 and 65352.4 et seq for the proposed Paseo de Colinas Townhome Development Project, Orange County.