

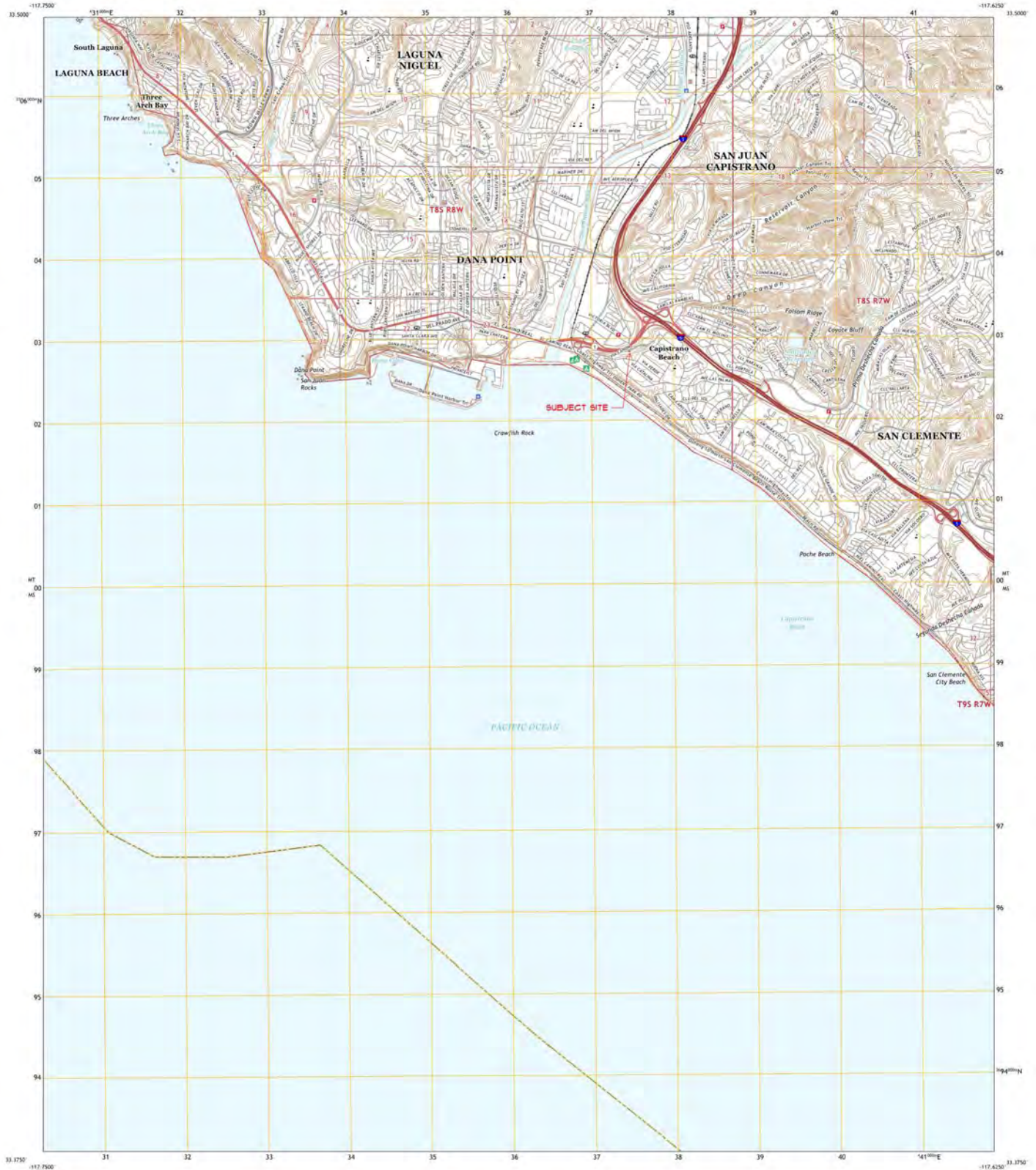
Appendix F: Native American Consultation



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



DANA POINT QUADRANGLE
CALIFORNIA - ORANGE COUNTY
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1 000-meter grid (Universal Transverse Mercator, Zone 11S)
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.

| | | | |
|---------------------------|------------------------------|-----------------------------|-------------|
| imagery | NAIP | April 2010 | April 2010 |
| roads | U.S. Census | Burns | 2014 |
| names | U.S. Census | ONS | 1981 |
| hydrography | National Hydrography Dataset | 2001 | 2010 |
| contours | National Elevation Dataset | 2011 | 2011 |
| boundaries | Multiple sources | see metadata file | 2011 - 2021 |
| Public Land Survey System | Bulk | 2000 | |
| Wetlands | PAWS | National Wetlands Inventory | 1994 - 2001 |



CONTOUR INTERVAL 20 FEET
NORTH AMERICAN DATUM OF 1983
This map was produced to conform with the
National Geographic Program US Topographic Standard.

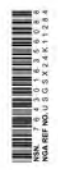


| | | |
|---|---|---|
| 1 | 2 | 3 |
| 4 | 5 | 6 |

1 Laguna Beach
2 San Juan Capistrano
3 San Clemente
4 San Clemente
5 San Onofre


| ROAD CLASSIFICATION | |
|---------------------|-----------------|
| Expressway | Local Connector |
| Secondary Hwy | Local Road |
| Route | 400 |
| Interstate Route | US Route |
| | State Route |

DANA POINT, CA
2022





Pacific Ocean

 Project Site

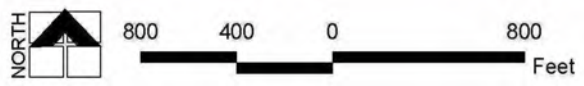


Exhibit 2 Local Vicinity Aerial Base

NATIVE AMERICAN HERITAGE COMMISSION

March 12, 2024

Kurth Nelson
City of Dana Point

Via Email to: knelson@danapoint.org

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, Capistrano Hillside Project, Orange County

To Whom It May Concern:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require 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:



CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

SECRETARY
Sara Dutschke
Miwok

PARLIAMENTARIAN
Wayne Nelson
Luiseño

COMMISSIONER
Isaac Bojorquez
Ohlone-Costanoan

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
Laurena Bolden
Serrano

COMMISSIONER
Reid Milanovich
Cahuilla

COMMISSIONER
Vacant

EXECUTIVE SECRETARY
**Raymond C.
Hitchcock**
Miwok, Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

- A listing of any and all known cultural resources that have already been recorded on or 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 section 6254.10.

3. The result of any 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 and a negative response to these searches does not preclude the existence of a tribal cultural resource. 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 can assure that our consultation list remains current.

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

Sincerely,



Andrew Green
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
Orange County
3/12/2024

| Tribe Name | Fed (F) Non-Fed (N) | Contact Person | Contact Address | Phone # | Fax # | Email Address | Cultural Affiliation | Counties | Last Updated |
|---|------------------------|---|---|----------------|----------------|------------------------------|----------------------|--|--------------|
| Juaneno Band of Mission Indians | N | Sonia Johnston, Chairperson | P.O. Box 25628 Santa Ana, CA, 92799 | | | sonia.johnston@abcglobal.net | Juaneno | Orange,Riverside,San Diego | |
| Juaneno Band of Mission Indians Acjachemen Nation - Belardes | N | Joyce Parry, Cultural Resource Director | 4955 Paseo Segovia Irvine, CA, 92603 | (949) 293-8522 | | kaamalam@gmail.com | Juaneno | Los Angeles,Orange,Riverside,San Bernardino,San Diego | 3/17/2023 |
| Juaneno Band of Mission Indians Acjachemen Nation 84A | N | Heidi Lucero, Chairperson, THPO | 31411-A La Matanza Street San Juan Capistrano, CA, 92675 | (562) 879-2884 | | jbrian.chairwoman@gmail.com | Juaneno | Los Angeles,Orange,Riverside,San Bernardino,San Diego | 3/28/2023 |
| La Jolla Band of Luiseno Indians | F | Norma Contreras, Chairperson | 22000 Highway 76 Peuma Valley, CA, 92061 | (760) 742-3771 | | | Luiseno | Orange,Riverside,San Diego | |
| Pala Band of Mission Indians | F | Alexis Wallick, Assistant THPO | PMB 50, 35008 Pala Temecula Road Pala, CA, 92059 | (760) 891-3537 | | awallick@palatribe.com | Cupeno Luiseno | Orange,Riverside,San Bernardino,San Diego | 11/27/2023 |
| Pala Band of Mission Indians | F | Christopher Nejo, Legal Analyst/Researcher | PMB 50, 35008 Pala Temecula Road Pala, CA, 92059 | (760) 891-3564 | | cnejo@palatribe.com | Cupeno Luiseno | Orange,Riverside,San Bernardino,San Diego | 11/27/2023 |
| Pala Band of Mission Indians | F | Shasta Gaughen, Tribal Historic Preservation Officer | PMB 50, 35008 Pala Temecula Road Pala, CA, 92059 | (760) 891-3515 | | sgaughen@palatribe.com | Cupeno Luiseno | Orange,Riverside,San Bernardino,San Diego | 11/27/2023 |
| Pauma Band of Luiseno Indians | F | Temet Aguilar, Chairperson | P.O. Box 369 Pauma Valley, CA, 92061 | (760) 742-1288 | (760) 742-3422 | bennaecalac@aol.com | Luiseno | Orange,Riverside,San Diego | |
| Santa Rosa Band of Cahuilla Indians | F | Lovina Redner, Tribal Chair | P.O. Box 391820 Anza, CA, 92539 | (951) 659-2700 | (951) 659-2228 | lsaul@santarosa-nsn.gov | Cahuilla | Imperial,Los Angeles,Orange,Riverside,San Bernardino,San Diego | |
| Soboba Band of Luiseno Indians | F | Jessica Valdez, Cultural Resource Specialist | P.O. Box 487 San Jacinto, CA, 92581 | (951) 663-6261 | (951) 654-4198 | jvaldez@soboba-nsn.gov | Cahuilla Luiseno | Imperial,Los Angeles,Orange,Riverside,San Bernardino,San Diego | 7/14/2023 |
| Soboba Band of Luiseno Indians | F | Joseph Ontiveros, Tribal Historic Preservation Officer | P.O. Box 487 San Jacinto, CA, 92581 | (951) 663-5279 | (951) 654-4198 | joniveros@soboba-nsn.gov | Cahuilla Luiseno | Imperial,Los Angeles,Orange,Riverside,San Bernardino,San Diego | 7/14/2023 |

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 5097.98 of the Public Resources Code.

Record: PROJ-2024-001436
Report Type: AB52 GIS
Counties: Orange
NAHC Group: All

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed Capistrano Hillside Project, Orange County.

**Other Native American Tribes Contacted
Early Consultation Prior to Receiving formal List from
Native American Heritage Commission
2/29/2024**

Sources: Dana Point Harbor Hotels EIR & Victoria Boulevard Apartments EIR

**Rincon Band of Luiseno
Indians**

Bo Mazzetti
One Government Center Lane Rincon
Valley Center, CA 92082

**La Jolla Band of Luiseno
Indians**

Fred Nelson, Chairperson
22000 Highway 76 Luiseno
Pauma Valley, CA, 92061
Phone: (760) 742 - 3771

**Rincon Band of Luiseno
Indians**

Cheryl Madrigal
One Government Center Lane Rincon
Valley Center, CA 92082
Phone:

**Soboba Band of Luiseno
Indians**

Scott Cozart, Chairperson
P. O. Box 487 Cahuilla
San Jacinto, CA, 92583 Luiseno
Phone: (951) 654 - 2765
Fax: (951) 654-4198
jontiveros@soboba-nsn.gov

**Juaneno Band of Mission
Indians Acjachemen Nation -
Belardes**

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

**San Luis Rey Band of Mission
Indians**

San Luis Rey, Tribal Council
1889 Sunset Drive Luiseno
Vista, CA, 92081
Phone: (760) 724 - 8505
Fax: (760) 724-2172
cjmojado@slrmissionindians.org

**Juaneno Band of Mission
Indians Acjachemen Nation -
Romero**

Teresa Romero, Chairperson
31411-A La Matanza Street
San Juan Capistrano, CA, 92675 Juaneno
Phone: (949) 488 - 3484
Fax: (949) 488-3294
tromero@juaneno.com

Dana Point Capistrano Hillside MND Tribal Consultation Tracking Sheet

Contact list available at: ["I:\Final Project Files\ZC - Zone Change\ZC23-0001; ZTA07-01; ITM07-01\(16970\) ; SDP07-06 ; APN 691-401-37 \(PRD & 11-lot subdivision\)\CEQA\2024 Effort\AB 52 Consultation\Correspondence Tracking_Capistrano Hillside_24-03-24.doc"](I:\Final Project Files\ZC - Zone Change\ZC23-0001; ZTA07-01; ITM07-01(16970) ; SDP07-06 ; APN 691-401-37 (PRD & 11-lot subdivision)\CEQA\2024 Effort\AB 52 Consultation\Correspondence Tracking_Capistrano Hillside_24-03-24.doc)

| Tribal Contacts | Date letter Sent to Contact | Date of Response | Comments/Concerns |
|---|-----------------------------|------------------|---|
| 1. Juaneño Band of Mission Indians Acjachemen Nation - Belardes Matias Belardes, Chairperson 32161 Avenida Los Amigos San Juan Capistrano, CA 92675 kaamalam@gmail.com Phone: (949) 293-8522 | 02/29/24 | | - Certified mail delivered on 03/02/24. |
| 2. Juaneño Band of Mission Indians Sonia Johnston, Chairperson P.O. Box 25628 Santa Ana, CA 92799 Sonia.johnston@sbcglobal.net | 02/29/24 | | - Certified letter returned on 03/02/24 with "Return to Sender" notice from US Postal Service |
| 3. Juaneño Band of Mission Indians Acjachemen Nation - Romero Heidi Lucero, Cultural Resources Director 31411 - A La Matanza Street San Juan Capistrano, CA 92675 sos@juaneno.com Phone: (949) 488-3484 | 02/29/24 | | - Certified mail delivered on 03/02/24 |

Dana Point Capistrano Hillside MND Tribal Consultation Tracking Sheet

As of: March 24, 2024

| Tribal Contacts | Date letter Sent to Contact | Date of Response | Comments/Concerns |
|--|-----------------------------|------------------|---|
| <p>4. Juaneño Band of Mission Indians Acjachemen Nation - Romero Teresa Romero, Chairperson 31411-A La Matanza Street San Juan Capistrano, CA 92675 tr Romero@juaneno.com Phone: (949) 488-3484 Fax: (949) 488-3294</p> | 02/29/24 | | <p>- Certified mail delivered on 03/01/24</p> |
| <p>5. La Jolla Band of Luiseno Indians Fred Nelson, Chairperson 22000 Highway 76 Pauma Valley, CA, 92061 Phone: (760) 742-3771</p> | 02/29/24 | | <p>- US Postal Service Tracking indicated that delivery attempt was made on March 2, 2024, 9:22 am, but they were unable to deliver and would attempt redelivery on the next business day. Tracking last checked 03/24/24/.</p> |
| <p>6. 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</p> | 02/29/24 | | <p>- Certified mail delivered on 03/04/24 (online noted 03/02/24 delivery date)</p> |
| <p>7. 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</p> | 02/29/24 | | <p>- Certified mail delivered on 03/06/24</p> |

Dana Point Capistrano Hillside MND Tribal Consultation Tracking Sheet

As of: March 24, 2024

| Tribal Contacts | Date letter Sent to Contact | Date of Response | Comments/Concerns |
|---|-----------------------------|------------------|---|
| 8. Rincon Band of Luiseno Indians Mr. Bo Mazzetti One Government Center Lane Valley Center, CA 92082 | 02/29/24 | | <ul style="list-style-type: none"> - Certified mail delivered on 03/04/24 - Received email on 03/07/04 from Deneen Pelton, Cultural Resources Department Coordinator, stating that notification was received, and that location identified within project documents is not within the Band's specific Area of Historic Interest (AHI). They had no additional information to provide. |
| 9. Rincon Band of Luiseno Indians Ms. Cheryl Madrigal One Government Center Lane Valley Center, CA 92082 | 02/29/24 | 03/07/24 | <ul style="list-style-type: none"> - Certified mail delivered on 03/04/24 - Received email on 03/07/04 from Deneen Pelton, Cultural Resources Department Coordinator, stating that notification was received, and that location identified within project documents is not within the Band's specific Area of Historic Interest (AHI). They had no additional information to provide. |
| 10. Soboba Band of Luiseno Indians Scott Cozart, Chairperson P. O. Box 487 San Jacinto, CA, 92583 Phone: (951) 654 - 2765 Fax: (951) 654-4198 iontiveros@soboba-nsn.gov | 02/29/24 | | <ul style="list-style-type: none"> - Certified mail delivered on 03/04/24 |
| 11. San Luis Rey Band of Mission Indians San Luis Rey, Tribal Council 1889 Sunset Drive Vista, CA, 92081 Phone: (760) 724 - 8505 Fax: (760) 724-2172 cjmojado@slrmissionindians.org | 02/29/24 | | <ul style="list-style-type: none"> - Certified mail delivered on 03/02/24 |

Dana Point Capistrano Hillside MND Tribal Consultation Tracking Sheet

As of: March 24, 2024

| Tribal Contacts | Date letter Sent to Contact | Date of Response | Comments/Concerns |
|---|-----------------------------|------------------|--|
| 12. 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 joniveros@soboba-nsn.gov | 02/29/24 | | - Certified mail delivered on 03/04/24 |
| 13. Juaneño Band of Mission Indians Acjachemen Nation - Belardes Joyce Perry, Tribal Manager 4955 Paseo Segovia Irvine, CA 92603 kaamalam@gmail.com Phone: (949) 293-8522 | 02/29/24 | | - Certified mail delivered on 03/01/24 |
| 14. 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 Isaul@santarasacahuilla-nsn.gov | 02/29/24 | | - Certified mail delivered on 03/04/24 |
| 15. Pala Band of Mission Indians, Cupeno Luiseno Christopher Nejo, Legal Analyst/Researcher PMB 50, 35008 Pala Temecula Road Pala, CA, 92059 Phone: (760) 891-3564 cnejo@palatribe.com | 03/14/24 | | - Certified mail delivered on 03/04/24 |

Dana Point Capistrano Hillside MND Tribal Consultation Tracking Sheet

As of: March 24, 2024

| Tribal Contacts | Date letter Sent to Contact | Date of Response | Comments/Concerns |
|--|-----------------------------|------------------|--|
| 16. Pala Band of Mission Indians Cupeno Luiseno Alexis Wallick, Assistant THPO PMB 50, 35008 Pala Temecula Road Pala, CA, 92059 Phone: (760) 891-3564 awallick@palatribe.com | 03/14/24 | | - Certified mail delivered on 03/18/24 |
| 17. La Jolla Band of Luiseno Indians Cupeno Luiseno Norma Contreras, Chairperson 22000 Highway 76 Pauma Valley, CA, 92061 Phone: (760) 742-3771 | 03/14/24 | | - Certified mail delivered on 03/18/24 |
| 18. Soboba Band of Luiseno Indians Cahuilla Luiseno Jessica Valdez, Cultural Resource Specialist P.O. Box 487 San Jacinto, CA, 92581 Phone: (951) 663-6261 Fax: (951) 654-4198 jvaldez@soboba-nsn.gov | 03/14/24 | | - Certified mail delivered on 03/18/24 |



March 14, 2024

Norma Contreras, Chairperson
La Jolla Band of Luiseno Indians
22000 Highway 76
Pauma Valley, CA 92061

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Ms. Contreras:

The City of Dana Point, as a Lead Agency, is preparing an Initial Study and a Mitigated Negative Declaration for the Capistrano Hillside Project (proposed project). Please consider this letter as formal notification of the proposed project as required under the California Environmental Quality Act, specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52—AB 52).

The project site is located at the southern, T-intersection of Camino Capistrano and Via Cannon with frontage on both streets and is a vacant 1.99 acre parcel (attached Exhibits 1 and 2). There is no address assigned to the vacant parcel and it can be identified by its Orange County Assessor's Parcel Number: 691-401-37. The proposed project would include the subdivision of the parcel into 11 residential lots and one (1) numbered lot (common areas). The development consists of the construction of a three-story, single-family dwelling unit on each of the 11 lots, creation of a private street, private common open space, and several retaining walls as high as 20 to 36 feet high on the steeply sloping lot to facilitate the proposed improvements.

Recent searches of the Sacred Lands Files conducted by the Native American Heritage Commission for projects within the City of Dana Point resulted in the positive presence of tribal cultural resources within proximity to the project site. Your tribe's input is important to the City's planning process. We request that you advise us as early as possible if you wish to consult on the proposed project, and under PRC Section 21080.3.1(d), you have 30 days from receipt of this letter to respond in writing if you would like to consult on this proposed project. If you do not wish to consult for the proposed project, a written response indicating you are declining to consult would be appreciated. Please provide a designated lead contact person if you have addressee on this letter is no longer the proper contact for AB 52 engagement.

Assembly Bill 52 Notification
Capistrano Hillside
Page 2

If you have any general questions or concerns about the project, please contact both Alyssa Gonzalez and myself via email at agonzales@danapoint.org and knelson@danapoint.org, or me by phone at (949) 248-3572.

Sincerely,




Kurth B. Nelson, III
Principal Planner

Attachment: Exhibit 1 – Project Vicinity Location
Exhibit 2 – Project Site Aerial



Pacific Ocean

 Project Site

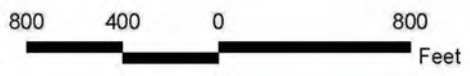


Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location





March 14, 2024

Christopher Nejo, Legal Analyst/Researcher
Pala Band of Mission Indians
PMB 50, 35008 Pala Temecula Rd.
Pala, CA 92059

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Mr. Nejo:

The City of Dana Point, as a Lead Agency, is preparing an Initial Study and a Mitigated Negative Declaration for the Capistrano Hillside Project (proposed project). Please consider this letter as formal notification of the proposed project as required under the California Environmental Quality Act, specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52—AB 52).

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

If you have any general questions or concerns about the project, please contact both Alyssa Gonzalez and myself via email at agonzalez@danapoint.org and knelson@danapoint.org, or me by phone at (949) 248-3572.

Sincerely,


A handwritten signature in blue ink, appearing to read "Kurth B. Nelson, III". The signature is stylized and cursive.

Kurth B. Nelson, III
Principal Planner

Attachment: Exhibit 1 – Project Vicinity Location
 Exhibit 2 – Project Site Aerial



Pacific Ocean

 Project Site

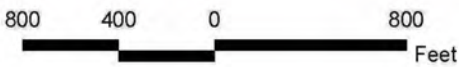


Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location





March 14, 2024

Alexis Wallick, Assistant THPO
Pala Band of Mission Indians
PMB 50, 35008 Pala Temecula Rd.
Pala, CA 92059

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Ms. Wallick:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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Sincerely,




Kurth B. Nelson, III
Principal Planner

Attachment: Exhibit 1 – Project Vicinity Location
 Exhibit 2 – Project Site Aerial



Pacific Ocean

 Project Site

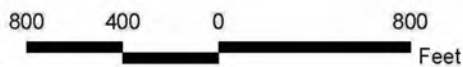



Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location





March 14, 2024

Jessica Valdez, Resource Specialist
Soboba Band of Luiseno Indians
P.O. Box 487
San Jacinto, CA 92581

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Ms. Valdez:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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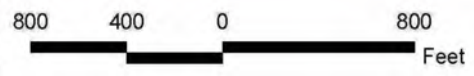


Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location





February 29, 2024

Ms. Joyce Perry
Juaneño Band of Mission Indians
Acjachemen Nation – Belardes
4955 Paseo Segovia
Irvine, CA 92603

SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

Dear Ms. Perry:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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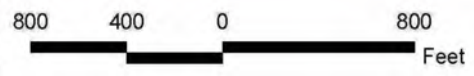


Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location





February 29, 2024

Mr. Mattias Belardes
Juaneño Band of Mission Indians
Acjachemen Nation
32161 Avenida Los Amigos
San Juan Capistrano, CA 92675

SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

Dear Mr. Belardes:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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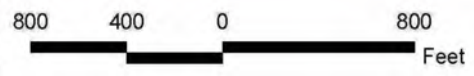


Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location





February 29, 2024

Ms. Heidi Lucero
Juaneño Band of Mission Indians
Acjachemen Nation - Romero
31411-A La Matanza Street
San Juan Capistrano, CA 92675

SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

Dear Ms. Lucero:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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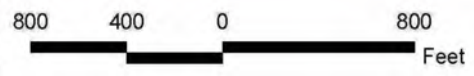


Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
Capistrano Hillside
Project Site

LEGEND
Project Location





February 29, 2024

Ms. Teresa Romero
Juaneño Band of Mission Indians
Acjachemen Nation - Romero
31411-A La Matanza Street
San Juan Capistrano, CA 92675

SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

Dear Ms. Romero:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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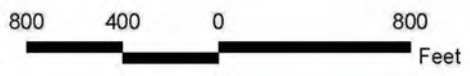


Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
Capistrano Hillside
Project Site

LEGEND
 Project Location





February 29, 2024

Ms. Sonia Johnston
Juaneño Band of Mission Indians
P.O. Box 25628
Santa Ana, CA 92799

SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

Dear Ms. Johnston :

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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Principal Planner

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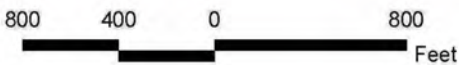


Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location





February 29, 2024

Mr. Fred Nelson
La Jolla Band of Luiseno Indians
22000 Highway 76
Pauma Valley, CA 92061

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Mr. Nelson:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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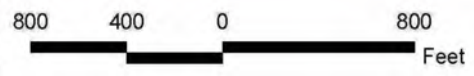


Exhibit 1 Local Vicinity Aerial Base



February 29, 2024

Ms. Shasta Gaughen
Pala Band of Mission Indians
PMB 50, 35008 Pala Temecula Rd.
Pala, CA 92059

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Ms. Gaughen:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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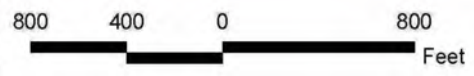



Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location





February 29, 2024

Mr. Ternet Aguilar
Pauma Band of Luiseno Indians
P.O. Box 369
Pauma Valley, CA 92061

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Mr. Aguilar:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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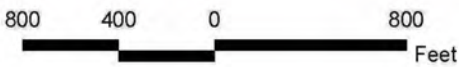


Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location





February 29, 2024

Ms. Cheryl Madrigal
Rincon Band of Luiseno Indians
One Government Center Lane
Valley Center, CA 92082

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Ms. Madrigal:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

If you have any general questions or concerns about the project, please contact both Alyssa Gonzalez and myself via email at agonzales@danapoint.org and knelson@danapoint.org, or me by phone at (949) 248-3572.

Sincerely,




Kurth B. Nelson, III
Principal Planner

Attachment: Exhibit 1 – Project Vicinity Location
 Exhibit 2 – Project Site Aerial



Pacific Ocean

 Project Site

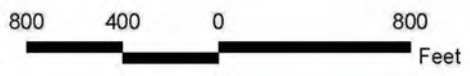


Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location





February 29, 2024

Mr. Bo Mazzetti
Rincon Band of Luiseno Indians
One Government Center Lane
Valley Center, CA 92082

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Mr. Mazzetti:

The City of Dana Point, as a Lead Agency, is preparing an Initial Study and a Mitigated Negative Declaration for the Capistrano Hillside Project (proposed project). Please consider this letter as formal notification of the proposed project as required under the California Environmental Quality Act, specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52—AB 52).

The project site is located at the southern, T-intersection of Camino Capistrano and Via Cannon with frontage on both streets and is a vacant 1.99 acre parcel (attached Exhibits 1 and 2). There is no address assigned to the vacant parcel and it can be identified by its Orange County Assessor's Parcel Number: 691-401-37. The proposed project would include the subdivision of the parcel into 11 residential lots and one (1) numbered lot (common areas). The development consists of the construction of a three-story, single-family dwelling unit on each of the 11 lots, creation of a private street, private common open space, and several retaining walls as high as 20 to 36 feet high on the steeply sloping lot to facilitate the proposed improvements.

Recent searches of the Sacred Lands Files conducted by the Native American Heritage Commission for projects within the City of Dana Point resulted in the positive presence of tribal cultural resources within proximity to the project site. Your tribe's input is important to the City's planning process. We request that you advise us as early as possible if you wish to consult on the proposed project, and under PRC Section 21080.3.1(d), you have 30 days from receipt of this letter to respond in writing if you would like to consult on this proposed project. If you do not wish to consult for the proposed project, a written response indicating you are declining to consult would be appreciated. Please provide a designated lead contact person if you have addressee on this letter is no longer the proper contact for AB 52 engagement.

Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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 Project Site

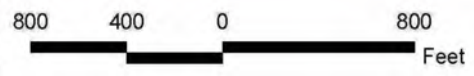


Exhibit 1 Local Vicinity Aerial Base



February 29, 2024

San Luis Rey Tribal Council
San Luis Rey Band of Mission Indians
1889 Sunset Drive
Vista, CA 92081

SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

Dear San Luis Rey Tribal Council:

The City of Dana Point, as a Lead Agency, is preparing an Initial Study and a Mitigated Negative Declaration for the Capistrano Hillside Project (proposed project). Please consider this letter as formal notification of the proposed project as required under the California Environmental Quality Act, specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52—AB 52).

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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 Project Site

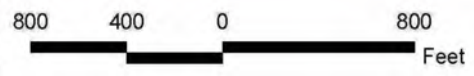


Exhibit 1 Local Vicinity Aerial Base




LEGEND
 Project Location



Exhibit 2
 Capistrano Hillside
 Project Site



February 29, 2024

Ms. Lovina Redner
Santa Rosa Band of Cahuilla Indians
P.O. Box 391820
Anza, CA 92539

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Ms. Redner:

The City of Dana Point, as a Lead Agency, is preparing an Initial Study and a Mitigated Negative Declaration for the Capistrano Hillside Project (proposed project). Please consider this letter as formal notification of the proposed project as required under the California Environmental Quality Act, specifically Public Resources Code (PRC) Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., Assembly Bill 52—AB 52).

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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Pacific Ocean

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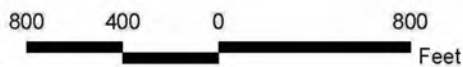


Exhibit 1 Local Vicinity Aerial Base



February 29, 2024

Mr. Scott Cozart
Soboba Band of Luiseño Indians
P.O. Box 487
San Jacinto, CA 92581

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Mr. Cozart:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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Kurth B. Nelson, III
Principal Planner

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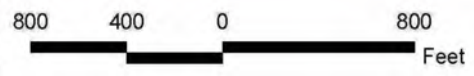


Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location





February 29, 2024

Soboba Band of Luiseño Indians
Attn: Joseph Ontiveros
P.O. Box 487
San Jacinto, CA 92581

**SUBJECT: ASSEMBLY BILL 52 NOTIFICATION—CAPISTRANO HILLSIDE INITIAL STUDY AND MITIGATED
NEGATIVE DECLARATION**

Dear Mr. Ontiveros:

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Assembly Bill 52 Notification
Capistrano Hillside
Page 2

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Sincerely,


A handwritten signature in blue ink, appearing to read "Kurth B. Nelson, III". The signature is stylized and cursive.

Kurth B. Nelson, III
Principal Planner

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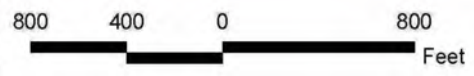



Exhibit 1 Local Vicinity Aerial Base



Exhibit 2
 Capistrano Hillside
 Project Site

LEGEND
 Project Location

