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## **Attachment 2**

### Archaeological Resources Management Report

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Archaeological Resources Management Report

# **Compass Energy Storage Project, City of San Juan Capistrano, California**

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**AUGUST 2024**

*Prepared for:*

**COMPASS ENERGY STORAGE, LLC**

*Prepared by:*

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# National Archaeological Database (NADB) Information

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<b>Project Proponent:</b>	Compass Energy Storage, LLC
<b>Report Date:</b>	August 2024
<b>Report Title:</b>	Archaeological Resources Management Report for the Compass Energy Storage Project, City of San Juan Capistrano, California
<b>Type of Study:</b>	Archaeological Resources Inventory
<b>Resources:</b>	P-30-176642
<b>USGS Quads:</b>	San Juan Capistrano, California 1:24,000; T 7S, R 8W, Sections 25, 26, 35, 36
<b>Acreage:</b>	38.7 acres
<b>Keywords:</b>	San Juan Capistrano USGS 7.5-Minute Quadrangle; City of San Juan Capistrano; Intensive- Level Pedestrian Survey; Bathgate Ranch; P-30-176642

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# Acronyms and Abbreviations

Acronym or Abbreviation	Definition
AC	alternating current
API	area of potential impacts for Archaeological Resources
BESS	battery energy storage system
BNSF	Burlington Northern Santa Fe
CCR	California Code of Regulations
CEC	California Energy Commission
CEQA	California Environmental Quality Act
City	City of San Juan Capistrano
DC	direct current
CRHR	California Register of Historical Resources
GPS	Global Positioning System
MORS	laws, ordinances, regulations, and standards
MV	medium voltage
MW	megawatt
MWh	megawatt hour
MLD	Most Likely Descendant
NAHC	Native American Heritage Commission
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
PRC	Public Resources Code
Project	Compass Energy Storage Project
Project API	area of potential impacts for Archaeological Resources
Project Proponent	Compass Energy Storage, LLC
SDG&E	San Diego Gas and Electric

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# Management Summary

Dudek conducted an archaeological resources inventory in support of the Compass Energy Storage Project (Project), located in the City of San Juan Capistrano, California. Compass Energy Storage, LLC (Project proponent) proposes to construct and operate an approximately 250-megawatt (MW), 1000-megawatt hour (MWh) battery energy storage system (BESS). Specifically, the facility will be composed of lithium-iron phosphate (or similar) batteries, inverters, medium-voltage (MV) transformers, a switchyard, a collector substation, an offsite access road, and other associated equipment to interconnect into the SDG&E Trabuco to Capistrano 138 kV transmission line. The proposed Project is located in the City of San Juan Capistrano (City), approximately 4 miles east of the Pacific coastline and adjacent to Interstate-5. The Project area is located in Sections 25, 26, 35, and 36 of Township 7 South and Range 8 West of the *San Juan Capistrano, California* U.S. Geological Survey 7.5-minute Series Quadrangle (Figure 1, Project Location). This study included a records search, an archival information and literature review, correspondence with the Native American Heritage Commission, a cultural resources pedestrian survey, and the preparation of this archaeological resources technical report.

This archaeological resources inventory was conducted in compliance with the California Environmental Quality Act (CEQA) and local regulations. The California Energy Commission (CEC) is the lead agency responsible for compliance with CEQA. The Project's Area of Potential Impacts for Archaeological Resources (Project API) is approximately 38.7 acres. This includes the proposed BESS footprint with a 200-foot buffer, as well as a 50-foot buffer around and inclusive of the offsite access road and the proposed transmission and interconnect lines (2) and poles (3) that would tie the proposed Project into the SDG&E Trabuco to Capistrano 138 kV transmission line (Figure 2, API for Archaeological Resources). For the purposes of providing management recommendations, the vertical API, as represented by the maximum depth of ground disturbance, is assumed to be 10 feet below the existing ground surface.

Dudek conducted a California Historical Resources Information System (CHRIS) records search of the Project API and surrounding one-mile radius at the South Central Coastal Information Center (SCCIC). The records search identified one previously recorded built environment resource that intersects with the API (P-30-176642), and 28 within one mile of the API. P-30-176642, the Bathgate Ranch Property, operated as a citrus ranch and residence to several families over the 20<sup>th</sup> century. P-30-176642 was first recorded as an historic district in 2001 and recommended eligible for listing on the California Register of Historical Resources (CRHR) under Criteria 1 and 2. P-30-176642 and all other built environment resources recorded and evaluated as part of this Project are addressed in the *Built Environment Inventory and Evaluation Report* prepared by Dudek in 2024 (Ambacher and Baza 2024).

A Native American Heritage Commission (NAHC) Sacred Lands File (SLF) search was also conducted for the Project in 2023, and results were positive for Native American cultural resources within the search area (the API and surrounding 0.5-mile radius), though the NAHC did not provide details on what the resource(s) are or where they are located. The NAHC additionally provided a list of 10 Native American individuals and/or tribal organizations that should be contacted for more information on potential tribal sensitivities regarding the currently proposed Project. Dudek sent letters to these individuals and/or tribal organizations via USPS certified mailing on August 5, 2024, and via email on August 7, 2024. No responses have been received to date. Additionally, a review of historic topographic maps and aerial photographs indicate the API was used predominantly for agricultural purposes in the

past and has been subject to mass grading by heavy machinery and other ground disturbances throughout the late 20<sup>th</sup> and early 21<sup>st</sup> centuries.

Several Dudek archaeologists, all meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology, conducted intensive-level archaeological resources pedestrian surveys of the Project API in 2021, 2023 and 2024. No prehistoric or historic-era archaeological resources were identified within the API as part of these field efforts, though around 50% of the ground surface was obscured by dense vegetation.

Based on the quantity and significance of the cultural resources identified within a one-mile radius of the Project API, and in consideration of the historic-era ranch property previously identified within and adjacent to the API, there is a moderate potential for the inadvertent discovery of subsurface archaeological resources during Project implementation. Dudek recommends full time archaeological monitoring during ground disturbing activities for the Project. A Cultural Resources Management and Inadvertent Discovery Plan (CRMIDP) should be developed prior to initiation of construction. The requirement for Native American monitoring should be determined by the lead agency, as informed through the process of consultation. See the Summary and Management Considerations section of this report for details on recommended mitigation measures.



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# 1 Report Structure and Key Personnel

This report is divided into eight sections. Following this introduction, Section 2 discloses the Project location and description. Section 3 provides a summary of the regulatory setting, Section 4 reviews the natural environment and cultural context, and Section 5 provides the methods used to complete the current inventory. The records search and archival research results, survey results, and all Tribal correspondence to date are discussed in Section 6. Section 7 summarizes the archaeological resources work completed for this Project to date and provides recommendations for further treatment of archaeological resources in accordance with CEQA. Finally, Section 8 includes a list of all materials referenced in this report. Several appendices are attached to this report. Appendix A provides resumes of key personnel; Appendix B includes confidential records search results; Appendix C contains a cultural resources overview map; and Appendix D documents all NAHC and Tribal correspondence to date.

Brenda Rogers, BA and Roshanne Bakhtiary, MA conducted the records searches in support of this Project. Adam Giacinto, MA, RPA, Loukas Barton, PhD, RPA, Roshanne Bakhtiary, MA, and David Alexander, BA conducted the intensive-level pedestrian surveys in support of this Project. William Burns, MSc, RPA and Roshanne Bakhtiary, MA, drafted the present report. Adam Giacinto acted as principal investigator; reviewed management recommendations; and finalized the technical report. All archaeologists meet Secretary of the Interior's Standards for archaeology and have extensive experience working within local, state, and federal regulatory contexts.

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## 2 Project Location and Description

Dudek's archaeological resources inventory in support of the Compass Energy Storage Project (Project) was conducted in compliance with the California Environmental Quality Act (CEQA) and local regulations. Compass Energy Storage, LLC is filing an Application for Opt-In Certification under the California Energy Commission's (CEC) 12-month licensing process. The CEC is the lead agency responsible for compliance with CEQA.

Compass Energy Storage, LLC is proposing an approximately 250-megawatt (MW), 1000-megawatt hour (MWh) battery energy storage system (BESS) in the City of San Juan Capistrano (City), California. The Project is located in the northern portion of the City, adjacent to Camino Capistrano and Interstate-5 on approximately 13 acres of a 40.8-acre parcel identified as Parcel B1, Assessor's Parcel Number (APN) 637-082-71. The Project is located in Sections 25, 26, 35, and 36 of Township 7 South and Range 8 West of the *San Juan Capistrano, California* U.S. Geological Survey 7.5-minute quadrangle map (Figure 1, Project Location).

The proposed Project will be composed of lithium-iron phosphate, or similar technology batteries (LiFePO<sub>4</sub>), inverters, medium-voltage (MV) transformers, a switchyard, a collector substation, an offsite access road, and other associated equipment to interconnect into the SDG&E Trabuco to Capistrano 138 kV transmission line (point of interconnection). The switchyard will be owned and operated by SDG&E. The batteries will be installed in non-habitable steel container-sized enclosures. The enclosures will have battery storage racks, with relay and communications systems for remote, automated monitoring and managing of the batteries. The BESS will also include a battery management system to control the charging/discharging of the batteries, along with temperature monitoring and control of individual battery cell temperature with an integrated cooling system. Batteries operate with direct current (DC) electricity, which must be converted to alternating current (AC) for compatibility with the existing electric grid. Power inverters to convert between AC and DC, along with transformers to step up the voltage, will be included as part of the Project. Electric energy will be transferred from the existing power grid to the Project batteries for storage and from the Project batteries to the power grid when additional electricity is needed.

The proposed Project will provide a service to the regional electric grid by looping into the SDG&E electric transmission system, storing energy on site, and then delivering energy (discharging) back to the point of interconnection. Following construction, the proposed use will not create emissions to air, will not require sanitary facilities, and will not require water for operations.

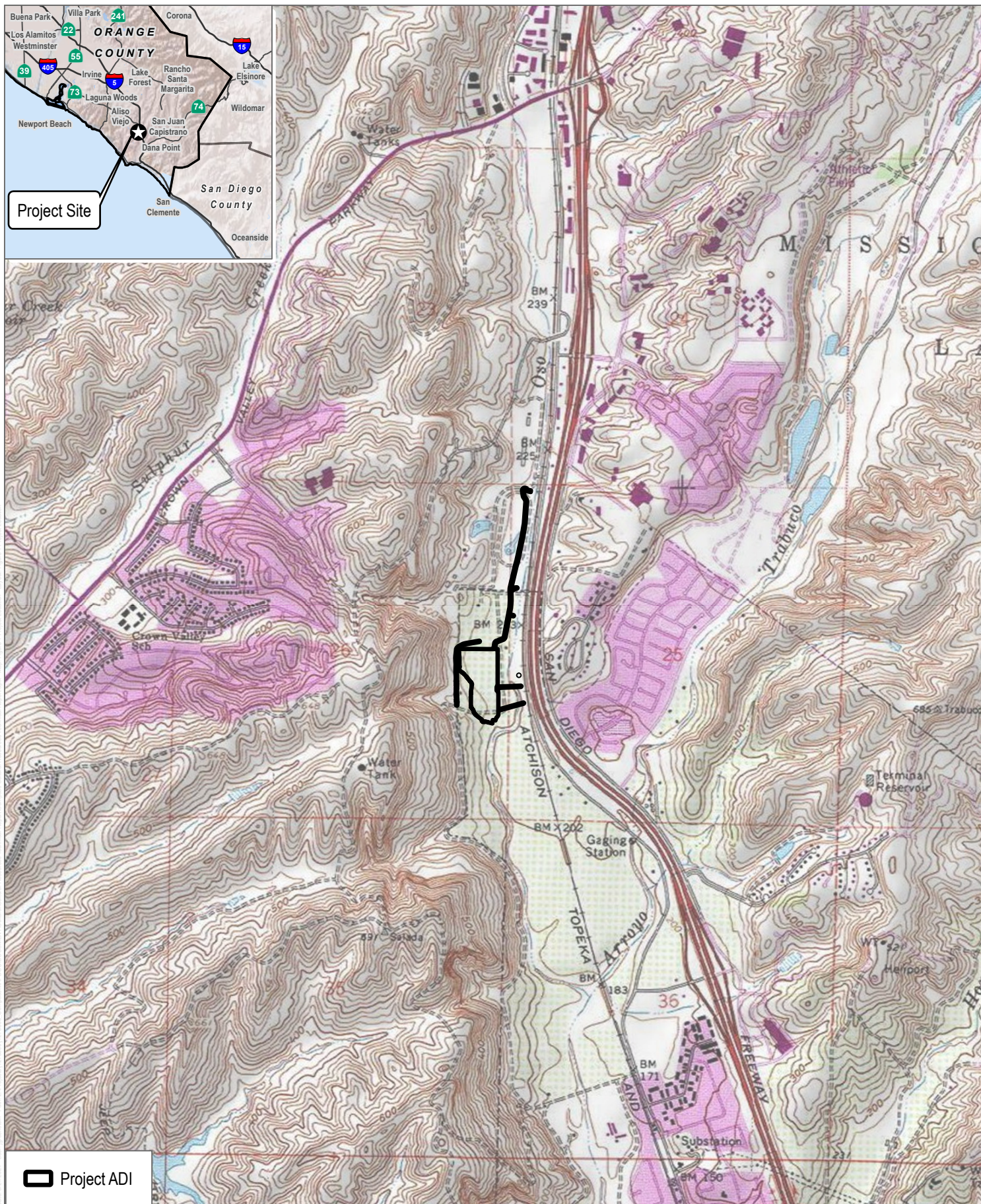
The Project location is currently undeveloped and is adjacent to the Saddleback Church Rancho Capistrano to the north, open space and scattered residences to the south, Oso Creek to the south and east, Union Pacific Railroad and Interstate-5 to the east, and Oso Rancho Capistrano Trail to the west. The SDG&E Trabuco to Capistrano 138 kV transmission line is located approximately 250 feet to the east and runs alongside the Burlington Northern Santa Fe (BNSF) railroad tracks.

### 2.1 Area of Potential Impacts for Archaeological Resources

The Project's Area of Potential Impacts for archaeological resources (Project API), as represented by the area that may be subject to physical impacts and a reasonable buffer, is approximately 38.7 acres. This includes the proposed BESS footprint with a 200-foot buffer, as well as a 50-foot buffer around and inclusive of the offsite access

road and the proposed transmission and interconnect lines (2) and poles (3) that would tie the proposed Project into the SDG&E Trabuco to Capistrano 138 kV transmission line (Figure 2, API for Archaeological Resources). For the purposes of providing management recommendations, the vertical API, as represented by the maximum depth of ground disturbance for the Project (per preliminary 30% site plan design), is assumed to be 10 feet below the existing ground surface.





SOURCE: USGS 7.5-Minute Series San Juan Capistrano Quadrangle Township 7S / Range 8W / Sections 25, 26, 35, 36

**DUDEK**



0 500 1,000  
Feet

**FIGURE 1**  
Project Location

Compass



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SOURCE: Maxar 2023; Orange County 2023

DUDEK



0 225 450 Feet

**FIGURE 2**  
API for Archaeological Resources

Compass

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### 3 Regulatory Setting

The following section, outlined in Table 1, provides a summary of the applicable laws, ordinances, regulations, and standards (LORS) relating to the proper management of cultural resources.

**Table 1. LORS Applicable to Cultural Resources**

Jurisdiction	LORS	Applicability	Report Reference	Project Conformity
Federal	Section 106, National Historic Preservation Act	Applies if the Project would require federal funding or permitting.	Not applicable	The Project will not include any federal funding or permitting.
State	California Register of Historical Resources	Program used by state and local agencies to identify, evaluate, register, and protect California's historical resources.	Not applicable	The current study did not identify any cultural resources that meet the eligibility criteria for listing on the California Register of Historical Resources.
State	California Environmental Quality Act	Requires state and local government agencies to inform decisionmakers and the public about the potential environmental effects of a project and to prevent significant, avoidable environmental impacts to extents feasible.	Throughout this Report	Certification of the Project by the CEC will be required to comply with CEQA as required by the CEC's Opt-In Application process.
State	Assembly Bill 52	Requires lead agencies to consult with Tribal Governments to address Tribal Cultural Resources that may be impacted by a Project.	Not applicable	CEC will be required to complete Government-to-Government consultation pursuant to AB 52 as part of the Opt-In Application process.
State	California Health and Safety Code Section 7050.5	Work shall be halted in the event of human remains discovery.	Section 6.1	Mitigation Measure CUL-3 requires compliance with the California Health and Safety Code Section 7050.5.
State	Public Resources Code Section 5097.98	Most Likely Descendant designation following the discovery of human remains determined by the County Coroner to be Native American in origin.	Section 6.1	Mitigation Measure CUL-3 requires compliance with Public Resources Code Section 5097.98.

**Table 1. LORS Applicable to Cultural Resources**

Jurisdiction	LORS	Applicability	Report Reference	Project Conformity
Local	City of San Juan Capistrano General Plan	Preserve and protect historical, archaeological, and paleontological resources within the City of San Juan Capistrano.	Throughout this Report	The Project would conform with the City of San Juan Capistrano General Plan goal and policies, as required by the CEC's Opt-In Application process.

### 3.1 Federal Level Regulations

No federal nexus has been identified that would require the proposed Project to comply with federal LORS related to cultural resources.

### 3.2 State Level Regulations

#### California Register of Historical Resources

In California, the term “historical resource” includes, but is not limited to, “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (PRC Section 5020.1[j]). In 1992, the California legislature established the California Register of Historical Resources (CRHR) “to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (PRC Section 5024.1[a]). The criteria for listing resources in the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the National Register of Historic Place (NRHP), enumerated as follows: According to California Public Resources Code (PRC) Section 5024.1(c)(1–4), a resource is considered historically significant if it (i) retains “substantial integrity” and (ii) meets at least one of the following criteria:

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

To understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the CRHR if it can be demonstrated that sufficient time has passed to understand its historical importance (14 CCR 4852[d][2]).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

## California Environmental Quality Act

The following CEQA statutes (PRC Section 21000 et seq.) and CEQA Guidelines (14 CCR 15000 et seq.) are of relevance to the analysis of archaeological, historic, and Tribal Cultural Resources (TCRs):

- PRC Section 21083.2(g) defines “unique archaeological resource.”
- PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a) defines “historical resources.” In addition, CEQA Guidelines Section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource”; it also defines the circumstances when a project would materially impair the significance of a historical resource.
- PRC Section 21074(a) defines “Tribal Cultural Resources.”
- PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e) set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated cemetery.
- PRC Sections 21083.2(b) and 21083.2(c) and CEQA Guidelines Section 15126.4 provide information regarding the mitigation framework for archaeological and historic resources, including examples of preservation-in-place mitigation measures. Preservation in place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context and may help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (PRC Section 21084.1; 14-CCR 15064.5[b]).

A “substantial adverse change in the significance of an historical resource,” reflecting a significant effect under CEQA, means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (14-CCR 15064.5[b][1]; PRC Section 5020.1[q]). In turn, the significance of a historical resource is materially impaired when a project does any of the following (14 CCR 15064.5[b][2]):

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register [CRHR]; or
2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the PRC or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

3. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a lead agency for purposes of CEQA.

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any historical resources, then evaluates whether that project will cause a substantial adverse change in the significance of a historical resource such that the resource's historical significance would be materially impaired.

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (PRC Sections 21083.2[a]–[c]).

PRC Section 21083.2(g) defines a *unique archaeological resource* as an archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria (PRC Section 21083.2[g]):

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

Impacts on non-unique archaeological resources are generally not considered a significant environmental impact (PRC Section 21083.2[a]; 14 CCR 15064.5[c][4]). However, if a non-unique archaeological resource qualifies as a TCR (PRC Sections 21074[c] and 21083.2[h]), further consideration of significant impacts is required.

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. These procedures are detailed in PRC Section 5097.98.

## California State Assembly Bill 52

Assembly Bill (AB) 52 of 2014 amended PRC Section 5097.94 and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 established that TCRs must be considered under CEQA and also provided for additional Native American consultation requirements for the lead agency. Section 21074 describes a TCR as a site, feature, place, cultural landscape, sacred place, or object that is considered of cultural value to a California Native American tribe and that is either:

- On or determined to be eligible for the California Register of Historical Resources or a local historic register; or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1.

AB 52 formalizes the lead agency–tribal consultation process, requiring the lead agency to initiate consultation with California Native American groups that are traditionally and culturally affiliated with the project site, including tribes that may not be federally recognized. Lead agencies are required to begin consultation prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report.

Section 1(a)(9) of AB 52 establishes that “a substantial adverse change to a tribal cultural resource has a significant effect on the environment.” Effects on TCRs should be considered under CEQA. Section 6 of AB 52 adds Section 21080.3.2 to the PRC, which states that parties may propose mitigation measures “capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource.” Further, if a California Native American tribe requests consultation regarding project alternatives, mitigation measures, or significant effects to TCRs, the consultation shall include those topics (PRC Section 21080.3.2[a]). The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures that are adopted (PRC Section 21082.3[a]).

### **California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98**

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. As described below, the procedures are detailed in California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98.

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the County coroner has examined the remains (California Health and Safety Code Section 7050.5[b]). PRC Section 5097.98 also outlines the process to be followed in the event that remains are discovered. If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the California NAHC within 24 hours (California Health and Safety Code Section 7050.5[c]). In accordance with California Public Resources Code Section 5097.98(a), the NAHC will notify the Most Likely Descendant (MLD). With the permission of the landowner, the MLD may inspect the site of discovery. Within 48 hours of being granted access to the site, the MLD may recommend means of treatment or disposition, with appropriate dignity, of the human remains and associated grave goods.

### **Guidelines for Determining Significance**

According to CEQA (Section 15064.5b), a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. CEQA defines a substantial adverse change:

Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

The significance of an historical resource is materially impaired when a project:

- Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the CRHR; or

- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA.

Section 15064.5(c) of CEQA applies to effects on archaeological sites and contains the following additional provisions regarding archaeological sites:

- When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource, as defined in subsection (a).
- If a lead agency determines that the archaeological site is a historical resource, it shall refer to the provisions of Section 21084.1 of the Public Resources Code, and this section, Section 15126.4 of the Guidelines, and the limits contained in Section 21083.2 of the Public Resources Code do not apply.
- If an archaeological site does not meet the criteria defined in subsection (a), but does meet the definition of a unique archaeological resource in Section 21083.2 of the Public Resources Code, the site shall be treated in accordance with the provisions of Section 21083.2. The time and cost limitations described in Public Resources Code Section 21083.2 (c–f) do not apply to surveys and site evaluation activities intended to determine whether the project location contains unique archaeological resources.
- If an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or Environmental Impact Report (EIR), if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process.

Section 15064.5 (d) and (e) contain additional provisions regarding human remains. Regarding Native American human remains, paragraph (d) provides:

When an initial study identifies the existence of, or the probable likelihood of, Native American human remains within the project, a lead agency shall work with the appropriate Native Americans as identified by the Native American Heritage Commission as provided in Public Resources Code SS5097.98. The applicant may develop an agreement for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American burials with the appropriate Native Americans as identified by the Native American Heritage Commission. Action implementing such an agreement is exempt from:

4. The general prohibition on disinterring, disturbing, or removing human remains from any location other than a dedicated cemetery (Health and Safety Code Section 7050.5); and
5. The requirement of CEQA and the Coastal Act.



Under CEQA, an EIR is required to evaluate any impacts on unique archaeological resources (PRC Section 21083.2). A “unique archaeological resource” is defined as (PRC Section 21083.2(g)):

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

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

An impact to a non-unique archaeological resource is not considered a significant environmental impact and such non-unique resources need not be further addressed in the EIR (Public Resources Code Section 21083.2(a); CEQA Guidelines Section 15064.5(c)(4)).

As stated above, CEQA contains rules for mitigation of “unique archeological resources.” For example (PRC Section 21083.2(b)(1)-(4)), “[i]f it can be demonstrated that a project will cause damage to a unique archeological resource, the lead agency may require reasonable efforts to be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. Examples of that treatment, in no order of preference, may include, but are not limited to, any of the following:”

1. “Planning construction to avoid archeological sites.”
2. “Deeding archeological sites into permanent conservation easements.”
3. “Capping or covering archeological sites with a layer of soil before building on the sites.”
4. “Planning parks, greenspace, or other open space to incorporate archeological sites.”

PRC Section 21083.2(d) states that “[e]xcavation as mitigation shall be restricted to those parts of the unique archeological resource that would be damaged or destroyed by the project. Excavation as mitigation shall not be required for a unique archeological resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, if this determination is documented in the environmental impact report.”

The rules for mitigating impacts to archeological resources to qualify as “historic resources” are slightly different. According to CEQA Guidelines Section 15126.4(b), “[p]ublic agencies should, whenever feasible, seek to avoid damaging effects on any historic resource of an archeological nature. The following factors shall be considered and discussed in an EIR for a project involving such an archeological site:

- A. Preservation in place is the preferred manner of mitigating impacts to archeological sites. Preservation in place maintains the relationship between artifacts and the archeological context. Preservation may also avoid conflict with religious or cultural values of groups associated with the site.
- B. Preservation in place may be accomplished by, but is not limited to, the following:

1. Planning construction to avoid archeological sites;
2. Incorporation of sites within parks, greenspace, or other open space;
3. Covering the archeological sites with a layer of chemically stable soil before building tennis courts, parking lots, or similar facilities on the site [; and]
4. Deeding the site into a permanent conservation easement.

Thus, although Section 21083.2 of the Public Resources Code, in addressing “unique archeological sites,” provides for specific mitigation options “in no order of preference,” CEQA Guidelines Section 15126.4(b), in addressing “historical resources of an archeological nature,” provides that “[p]reservation in place is the preferred manner of mitigating impacts to archeological sites.”

Under CEQA, “[w]hen data recovery through excavation is the only feasible mitigation,” the lead agency may cause to be prepared and adopt a “data recovery plan,” prior to any excavation being undertaken. The data recovery plan must make “provision for adequately recovering the scientifically consequential information from and about the historic resource” (CEQA Guidelines Section 15126.4(b)(3)(C)). The data recovery plan also “must be deposited with the California Historical Resources Regional Information Center” (CEQA Guidelines Section 15126.4(b)(3)(C)). Further, “[i]f an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation” (CEQA Guidelines Section 15126.4(b)(3)(C)).

However, “[d]ata recovery shall not be required for an historical resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the archeological or historic resource, provided that determination is documented in the EIR and that the studies are deposited with the California Historical Resources Regional Information Center” (CEQA Guidelines Section 15126.4(b)(3)(D)).

### 3.3 Local Level Regulations

#### City of San Juan Capistrano General Plan

The Cultural Resources Element of the City of San Juan Capistrano’s General Plan, adopted in 2014, details the City’s plan for the protection and preservation of its historic, archaeological, and paleontological resources. The City’s goal and policies relating to its historic, archaeological, and paleontological resources are outlined below (City of San Juan Capistrano 2014).

**Goal:** Preserve and protect historical, archaeological, and paleontological resources.

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

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

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



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## 4 Context and Setting

### 4.1 Environmental Setting

The Project is located within the hills of the California Peninsular Ranges, approximately 4 miles east of the Pacific coastline. The majority of the Project API is currently either undeveloped or used for agriculture, with the exception of a soccer field in the northeast portion. The API ranges in elevation from 160 to 270 feet above mean sea level and is generally flat in nature, with hills rising up along the western portion of the API. The region surrounding the Project receives approximately 12.5 inches of precipitation annually. Average temperatures range from approximate 51°F to 71°F (WRCC 2021). Additionally, several seasonal drainages are in the vicinity of the API.

### 4.2 Cultural Context

The following sections have had a strong contribution from previous cultural contexts prepared by Micah Hale, PhD, RPA. Evidence for continuous human occupation in the region spans the last 10,000 years. Various attempts to parse out variability in archaeological assemblages over this broad time frame have led to the development of several cultural chronologies; some of these are based on geologic time, most are based on temporal trends in archaeological assemblages, and others are interpretive reconstructions. Each of these reconstructions describes essentially similar trends in assemblage composition in more or less detail. This research employs a common set of generalized terms used to describe chronological trends in assemblage composition: Paleoindian (pre-5500 BC), Archaic (8000 BC–AD 500), Late Prehistoric (AD 500–1750), and Ethnohistoric (post-AD 1750).

#### Paleoindian (pre-5500 BC)

Evidence for Paleoindian occupation in the region is tenuous; the knowledge of associated cultural pattern(s) is informed by a relatively sparse body of data that has been collected from within an area extending from coastal San Diego through the Mojave Desert and beyond. One of the earliest dated archaeological assemblages in this area (excluding the Channel Islands) derives from SDI-4669/W-12, in La Jolla, San Diego County. A human burial from SDI-4669 was radiocarbon dated to 9,590–9,920 years before present (95.4% probability) (Hector 2006). The burial is part of a larger site complex that contained more than 29 human burials associated with an assemblage that fits the Archaic profile (i.e., large amounts of groundstone, battered cobbles, and expedient flake tools). In contrast, typical Paleoindian assemblages include large stemmed projectile points, high proportions of formal lithic tools, bifacial lithic reduction strategies, and relatively small proportions of groundstone tools. Prime examples of this pattern are sites that were studied by Emma Lou Davis (1978) on China Lake Naval Air Weapons Station near Ridgecrest, California. These sites contained fluted and unfluted stemmed points and large numbers of formal flake tools (e.g., shaped scrapers, blades). Other typical Paleoindian sites include the Komodo site (MNO-679), a multicomponent fluted point site, and MNO-680, a single component Great Basined stemmed point site (Basgall et al. 2002). At MNO-679 and MNO-680, groundstone tools were rare, while finely made projectile points were common.

Warren et al. (2004) claimed that a biface manufacturing tradition present at the Harris site complex (SDI-149) is representative of typical Paleoindian occupation in the Southern California region that possibly dates between 10,365 and 8200 BC (Warren et al. 2004, p. 26). Termed San Dieguito (Rogers 1945), assemblages at the Harris site, located in the area now occupied by City of Escondido, are qualitatively distinct from most others in the region

because the site has large numbers of finely made bifaces (including projectile points), formal flake tools, a biface reduction trajectory, and relatively small amounts of processing tools (Warren 1964, 1968). Despite the unique assemblage composition, the definition of San Dieguito as a separate cultural tradition is debated. Gallegos (1987) suggested that the San Dieguito pattern is simply an inland manifestation of a broader economic pattern. Gallegos' interpretation of San Dieguito has been widely accepted in recent years, in part because of the difficulty in distinguishing San Dieguito components from other assemblage constituents. In other words, it is easier to ignore San Dieguito as a distinct socioeconomic pattern than it is to draw it out of mixed assemblages.

The large number of finished bifaces (i.e., projectile points and non-projectile blades), along with large numbers of formal flake tools at the Harris site complex, is very different than nearly all other assemblages throughout the region, regardless of age. Warren et al. (2004) made this point, tabulating basic assemblage constituents for key early Holocene sites. Producing finely made bifaces and formal flake tools implies that relatively large amounts of time were spent for tool manufacture. Such a strategy contrasts with the expedient flake-based tools and cobble-core reduction strategy that typifies non-San Dieguito Archaic sites. It can be inferred from the uniquely high degree of San Dieguito assemblage formality that the Harris site complex represents a distinct economic strategy from non-San Dieguito assemblages.

If San Dieguito truly represents a distinct socioeconomic strategy from the non-San Dieguito Archaic processing regime, its rarity implies that it was not only short-lived, but that it was not as economically successful as the Archaic strategy. Such a conclusion would fit with the general trends in Southern California deserts, wherein hunting-related tools are replaced by processing tools during the early Holocene (Basgall and Hall 1990).

### Archaic (8000 BC–AD 500)

The more than 1500-year overlap between the presumed age of Paleoindian occupations and the Archaic period highlights the difficulty in defining a cultural chronology in the region. If San Dieguito is the only recognized Paleoindian component in the region, then the dominance of hunting tools implies that it derives from Great Basin adaptive strategies and is not necessarily a local adaptation. Warren et al. (2004) admitted as much, citing strong desert connections with San Dieguito. Thus, the Archaic pattern is the earliest local socioeconomic adaptation in the region (Hale 2001, 2009).

The Archaic pattern is relatively easy to define with assemblages that consist primarily of processing tools: millings, handstones, battered cobbles, heavy crude scrapers, incipient flake-based tools, and cobble-core reduction. These assemblages occur in all environments across the region, with little variability in tool composition. Low assemblage variability over time and space among Archaic sites has been equated with cultural conservatism (Byrd and Reddy 2002; Warren 1968; Warren et al. 2004). Despite enormous amounts of archaeological work at Archaic sites, little change in assemblage composition occurs until the bow and arrow is adopted at around AD 500, as well as ceramics at approximately the same time (Griset 1996; Hale 2009). Even then, assemblage formality remains low. After the bow is adopted, small arrow points appear in large quantities, and already low amounts of formal flake tools are replaced by increasing amounts of expedient flake tools. Similarly, shaped millings and handstones decrease in proportion relative to expedient, unshaped groundstone tools (Hale 2009). Thus, the terminus of the Archaic period is equally as hard to define as its beginning because basic assemblage constituents and patterns of manufacturing investment remain stable, complimented only by the addition of the bow and ceramics.

## Late Prehistoric (AD 500–1750)

The period of time following the Archaic and prior to Ethnohistoric times (AD 1750) is commonly referred to as the Late Prehistoric (Rogers 1945; Wallace 1955; Warren et al. 2004). However, several other subdivisions continue to be used to describe various shifts in assemblage composition, including the addition of ceramics and cremation practices. The post-AD 1450 period is called the San Luis Rey Complex (Meighan and True 1977). Rogers (1929) also subdivided the last 1,000 years into the Yuman II and III cultures, based on the distribution of ceramics. Despite these regional complexes, each is defined by the addition of arrow points and ceramics and the widespread use of bedrock mortars. Variations in the appearance of the bow and arrow and ceramics make the temporal resolution of the San Luis Rey complex difficult. For this reason, the term Late Prehistoric is well-suited to describe the last 1,500 years of prehistory in the region.

Temporal trends in socioeconomic adaptations during the Late Prehistoric period are poorly understood. This is partly due to the fact that the fundamental Late Prehistoric assemblage is very similar to the Archaic pattern but includes arrow points and large quantities of fine debitage from producing arrow points, ceramics, and cremations. While steatite was commonly the material of choice for vessel production, it was generally replaced near the time of missionization by locally procured clay to produce ceramic vessels. The appearance of mortars and pestles is difficult to place in time because most mortars are on bedrock. Some argue that the Ethnohistoric intensive acorn economy extends as far back as AD 500 (Bean and Shipek 1978). However, there is no substantial evidence that reliance on acorns, and the accompanying use of mortars and pestles, occurred prior to AD 1400. True (1980) argued that acorn processing and ceramic use in the region did not occur until the San Luis Rey pattern emerged after approximately AD 1450.

## Ethnohistoric (post-AD 1750)

The history of the Native American communities prior to the mid-1700s has largely been reconstructed through later mission-period and early ethnographic accounts. The first records of the Native American inhabitants of the region come predominantly from European merchants, missionaries, military personnel, and explorers. These brief, and generally peripheral, accounts were prepared with the intent of furthering respective colonial and economic aims and were combined with observations of the landscape. They were not intended to be unbiased accounts regarding the cultural structures and community practices of the newly encountered cultural groups. The establishment of the missions in the region brought more extensive documentation of Native American communities, though these groups did not become the focus of formal and in-depth ethnographic study until the early twentieth century (Bean and Shipek 1978; Boscana 1846; Fages 1937; Geiger and Meighan 1976; Harrington 1934; Laylander 2000; White 1963). The principal intent of these researchers was to record the precontact, culturally specific practices, ideologies, and languages that had survived the destabilizing effects of missionization and colonialism. This research, often understood as “salvage ethnography,” was driven by the understanding that traditional knowledge was being lost due to the impacts of modernization and cultural assimilation. Alfred Kroeber applied his “memory culture” approach (Lightfoot 2005, p. 32) by recording languages and oral histories within the region. Ethnographic research by Dubois, Kroeber, Harrington, Spier, and others during the early twentieth century seemed to indicate that traditional cultural practices and beliefs survived among local Native American communities.

It is important to note that even though there were many informants for these early ethnographies who were able to provide information from personal experiences about Native American life before European immigration, a significantly large proportion of these informants were born after 1850; therefore, the documentation of

pre-contact, aboriginal culture was being increasingly supplied by individuals born in California after considerable contact with Europeans. This is an important issue to note when examining these ethnographies, since considerable culture change had undoubtedly occurred by 1850 among the Native American survivors of California.

Based on ethnographic information, it is believed that at least 88 different languages were spoken from Baja California Sur to the southern Oregon state border at the time of Spanish contact (Johnson and Lorenz 2006, p. 34). The distribution of recorded Native American languages has been dispersed as a geographic mosaic across California through six primary language families (Golla 2007, p. 71). Victor Golla has contended that one can interpret the amount of variability within specific language groups as being associated with the relative “time depth” of the speaking populations (Golla 2007, p. 80). A large amount of variation within the language of a group represents a greater time depth than a group’s language with less internal diversity. One method that he has employed is by drawing comparisons with historically documented changes in Germanic and Romantic language groups. Golla has observed that the “absolute chronology of the internal diversification within a language family” can be correlated with archaeological dates (2007, p. 71). This type of interpretation is modeled on concepts of genetic drift and gene flows that are associated with migration and population isolation in the biological sciences.

The Native American inhabitants of the region would have generally spoken Luiseño-Juaneño (Acjachemen) and Gabrielino (or Tongva) varieties of Takic, which may be assigned to the larger Uto-Aztecan family (Golla 2007, p. 74). Golla has interpreted the amount of internal diversity within these language-speaking communities to reflect a time depth of approximately 2,000 years. Other researchers have contended that Takic may have diverged from Uto-Aztecan ca. 2600 BC–AD 1, which was later followed by the diversification within the Takic speaking tribes, occurring approximately 1500 BC–AD 1000 (Laylander 2010). The Luiseño-Juaneño (Acjachemen) and Gabrielino (or Tongva) represent the descendants of local Late Prehistoric populations. They are generally considered to have migrated into the area from the Mojave Desert, possibly displacing the prehistoric ancestors of the Yuman-speaking Kumeyaay (Ipai Tipai) that lived to the south during Ethnohistoric times. The Luiseño-Juaneño shared boundaries with the Gabrielino and Serrano to the west and northwest, the Cahuilla to the east, the Cupeño to the southeast, and the Kumeyaay to the south (Bean and Shippek 1978; Kroeber 1925). Southern Native American tribal groups of the San Diego and southern Imperial region have traditionally spoken Yuman languages, a subgroup of the Hokan Phylum.

The Uto-Aztecan inhabitants of the region were called Juaneño and Gabrielino by Franciscan friars who established the Missions San Juan Capistrano and San Gabriel Arcángel the traditional territory of these two respective tribes. The project area is east of Aliso Creek, which is considered by Kroeber (1925) to be the ethnographic boundary marker between the Gabrielino (or Tongva) (west of the Aliso Creek) and Juaneño (east of the Aliso Creek). A brief description of both ethnographic groups is provided in the following text.

The Gabrielino may have numbered as many as 5,000 people during their peak in the pre-contact period; however, population estimates are difficult due to the gradual process of missionization (Kroeber 1925). The Gabrielino territory included the Los Angeles Basin, the coast of Aliso Creek in Orange County to the south, and Topanga Canyon in the north, the four southern Channel Islands, and watersheds of the Los Angeles, San Gabriel, and Santa Ana Rivers. At the time of European contact, the Gabrielino were actively involved in trade using shell and beads as currency. The Gabrielino produced pipes, ornaments, cooking implements, inlay work, and basketry. Dwellings were constructed of tule mats on a framework of poles, but size and shape have not been recorded (Kroeber 1925). Basketry and steatite vessels were used rather than ceramics until near the end of the mission period in the nineteenth century (Garcia et Al. 2011).

The Juaneño, or Acjachemen, territory was bounded to the north by Aliso Creek, the east by the crest of the Santa Ana Mountains, the south by San Onofre Creek, and west by the Pacific Ocean (Kroeber 1925:636). Ethnographic, linguistic, and archaeological evidence indicate that Juaneño and Luiseño are one cultural/tribal group. There is no existing record of the Juaneño population during the pre-contact period. Records indicated that approximately 1,300 individuals culturally affiliated with the Juaneño resided at Mission San Juan Capistrano in the year 1800 (Engelhardt 1922). The mission death register shows as many as 4,000 native burials in the mission cemetery (White 1963). It is clear from that arrival of the Spanish decimated Native peoples through disease and changed living conditions (Bean and Shipek 1978).

The tribes of the region were organized into patrilineal clans or bands centered on a chief, composed of 25–30 people (Kroeber 1925), each of which had their own territorial land or range where food and other resources were collected at different locations throughout the year (Sparkman 1908). The title of chief was heritable along family lines. Inter-band conflict was most common over trespassing. Sparkman observed that “when questioned as to when or how the land was divided and subdivided, the Indians say they cannot tell, that their fathers told them that it had always been thus” (1908). Place names were assigned to each territory, often reflecting common animals, plants, physical landmarks, or cosmological elements that were understood as being related to that location. Marriages were generally arranged by parents or guardians. Free and widowed women had the option to choose their partner. Polygamy occurred though was not common, often with a single man marrying a number of sisters and wives. Shamanism was a major component in tribal life. The physical body and its components was thought to be related to the power of an individual, and wastes such as fluids, hair, and nails were discarded with intent. Hair, once cut, was often carefully collected and buried to avoid being affected negatively or controlled by someone who wishes them harm. Some locations and natural resources were of cultural significance. Springs and other water-related features were thought to be related with spirits. These resources, often a component of origin stories, had power that came with a variety of risks and properties to those who became affected. Puberty ceremonies for both boys and girls were complex and rigorous. Mourning ceremonies were similar throughout the region, generally involving cutting of the hair, burning the deceased’s clothes a year after death, and redistributing personal items to individuals outside of the immediate tribal group (Sparkman 1908; Kroeber 1925). The center of the Juaneño and Gabrielino religion was *Chinigchinich*, the last of a series of heroic mythological figures. The heroes were originally from the stars and the sagas told of them formed the Juaneño religious beliefs. The most obvious expression of the religion was the *Wankech*, a brush enclosed area where religious observances were performed. The *Wankech* contained an inner enclosure housing a representation of *Chinigchinich*, a coyote skin stuffed with feathers, claws, beaks, and arrows.

The staple food of the Native American inhabitants of this region during the ethnohistoric period was acorns (Sparkman 1908). Of the six or more oak species within this traditional territory, the most desirable of these was the black oak (*Quercus kelloggii*) due to its ease of processing, protein content, and digestibility. Acorns were stored in granaries to be removed and used as needed. The acorns were generally processed into flour using a mortar and pestle. The meal was most commonly leached with hot water and the use of a rush basket; however, there are also accounts of placing meal into excavated sand and gravel pits to allow the water to drain naturally. The acorn was then prepared in a variety of ways, though often with the use of an earthen vessel (Sparkman 1908). Other edible and medicinal plants of common use included wild plums, choke cherries, Christmas berry, gooseberry, elderberry, willow, *Juncus*, buckwheat, lemonade berry, sugar bush, sage scrub, currents, wild grapes, prickly pear, watercress, wild oats and other plants. More arid plants such as *Yucca*, *Agave*, mesquite, chia, bird-claw fern, *Datura*, yerba santa, *Ephedra*, and cholla were also of common use by some Juaneño and Gabrielino populations. A number of mammals were commonly eaten. Game animals included black-tailed deer, antelope, rabbits, hares, birds, ground



squirrels, woodrats, bears, mountain lions, bobcats, coyotes, and others. In lesser numbers, reptiles and amphibians may have been consumed. Fish and marine resources provided some portion of many tribal communities, though most notably those nearest the coast. Shellfish would have been procured and transported inland from three primary environments, including the sandy open coast, bay and lagoon, and rocky open coast. The availability of these marine resources changed with the rising sea levels, siltation of lagoon and bay environments, changing climatic conditions, and intensity of use by humans and animals.

Areas or regions, identified by known physical landmarks, could be recognized as band-specific territories that might be violently defended. Other areas or resources, such as water sources and other locations that were rich in natural resources, were generally understood as communal land to be shared. The coastal Juaneño and Gabrielino exchanged a number of local goods, such as seafood, coastal plants, and various types of shell, for items including acorns, agave, mesquite beans, gourds, and other more interior plants of use (Luomala 1978). Shellfish would have been procured from three primary environments, including the sandy open coast, bay and lagoon, and rocky open coast. The availability of these marine resources changed with the rising sea levels, siltation of lagoon and bay environments, changing climatic conditions, and intensity of use by humans and animals (Gallegos and Kyle 1988; Pignoli 2005; Warren 1964). Shellfish from sandy environments included *Donax*, *Saxidomas*, *Tivela*, and others. Rocky coast shellfish dietary contributions consisted of *Pseudochama*, *Megastrea*, *Saxidomus*, *Protothaca*, *Megathura*, *Mytilus*, and others. Lastly, the bay environment would have provided *Argopecten*, *Chione*, *Ostrea*, *Neverita*, *Macoma*, *Tagelus*, and others. While marine resources were obviously consumed, terrestrial animals and other resources likely provided a large portion of sustenance. Game animals consisted of rabbits, hares (*Leporidae*), birds, ground squirrels, woodrats (*Neotoma*), deer, bears, mountain lions (*Puma concolor*), bobcats (*Lynx rufus*), coyotes (*Canis latrans*), and others. In lesser numbers, reptiles and amphibians may have been consumed.

A number of local plants were used for food and medicine. These were exploited seasonally, and were both traded between regional groups and gathered as a single triblet moved between habitation areas. Some of the more common of these that might have been procured locally, or as higher elevation varieties, would have included buckwheat (*Eriogonum fasciculatum*), Agave, Yucca, lemonade berry (*Rhus integrifolia*), sugar brush (*Rhus ovata*), sage scrub (*Artemisia californica*), yerba santa (*Eriodictyon*), sage (*Salvia*), Ephedra, prickly pear (*Opuntia*), mulefat (*Baccharis salicifolia*), chamise (*Adenostoma fasciculatum*), elderberry (*Sambucus nigra*), oak (*Quercus*), willow (*Salix*), and *Juncus* grass, among many others (Wilken 2012).

## The Historic Period (post-AD 1542)

European activity in the region began as early as AD 1542, when Juan Rodríguez Cabrillo landed in San Diego Bay. Sebastián Vizcaíno returned in 1602, and it is possible that there were subsequent contacts that went unrecorded. These brief encounters made the local native people aware of the existence of other cultures that were technologically more complex than their own. Epidemic diseases may also have been introduced into the region at an early date, either by direct contacts with the infrequent European visitors or through waves of diffusion emanating from native peoples farther to the east or south. Father Juan Crespi, a member of the 1769 Spanish Portolà expedition, authored the first written account of interaction between Europeans and the indigenous population in the region that makes up Orange County today. It is possible, but as yet unproven, that the precipitous demographic decline of native peoples had already begun prior to the arrival of Gaspar de Portolà and Junípero Serra in 1769.

Spanish colonial settlement was initiated in 1769, when multiple expeditions arrived in San Diego by land and sea, and then continued northward through the coastal plain toward Monterey. A military presidio and a mission were soon firmly established at San Diego, despite violent resistance to them from a coalition of native communities in 1776. Mission San Juan Capistrano was established this same year, on November 1st. Private ranchos subsequently established by Spanish and Mexican soldiers, as well as other non-natives, appropriated much of the remaining coastal or near-coastal locations (Pourade 1960–1967).

Mexico's separation from the Spanish empire in 1821 and the secularization of the California missions in the 1830s caused further disruptions to native populations. Some former mission neophytes were absorbed into the work forces on the ranchos, while others drifted toward the urban centers at San Diego and Los Angeles or moved to the eastern portions of the county where they were able to join still largely autonomous native communities. United States conquest and annexation, together with the gold rush in Northern California, brought many additional outsiders into the region. Development during the following decades was fitful, undergoing cycles of boom and bust. With rising populations in the nineteenth century throughout the Southern California region, there were increased demands for important commodities such as salt.

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## 5 Research Methods

The Secretary of the Interior has issued Standards and Guidelines for Archeology and Historic Preservation (48 FR 44720–44726), which are used for the identification and evaluation of historic properties and to ensure that the procedures are adequate and appropriate. The identification and evaluation of historic properties are dependent upon the relationship of individual properties to other similar properties (NPS and ACHP 1998, pp. 18–20). Information about properties regarding their prehistory, history, architecture, and other aspects of culture must be collected and organized to define these relationships (NPS 2009), which is the intent of the current inventory.

This investigation consisted of a records search of the Project API and surrounding one-mile radius at the South Central Coastal Information Center (SCCIC), located at California State University, Fullerton. Following Bureau of Land Management precedents, survey techniques are loosely grouped into two categories: reconnaissance and intensive (BLM 2004; NPS 2009). The choice of survey category depends on the level of effort required for a particular project, which can vary depending on the nature of the properties or property types, the possible adverse effects on such properties, and agency requirements (NPS and ACHP 1998). The selection of field survey techniques and level of effort must be responsive to the management needs and preservation goals that direct the survey effort. For any survey, it is important to consider the full range of historic properties that may be affected, either directly or indirectly, and consider strategies that will minimize any adverse effects and maximize beneficial effects on those properties (BLM 2004; NPS 2009; NPS and ACHP 1998).

The current survey methods can be classified as intensive, since short-interval transect spacing and full documentation of cultural resources was completed. Survey staff exceeded the applicable Secretary of the Interior’s Professional Qualifications Standards for archaeology. Dudek archaeologists Adam Giacinto, Loukas Barton, David Alexander and Roshanne Bakhtiary surveyed the entire Project API in transects spaced no more than 15 meters apart (Figure 3, Survey Area for Archaeological Resources). A Global Positioning System (“GPS”) receiver with sub-meter accuracy and loaded with a shapefile of the API boundary was used to verify the accuracy of the survey coverage. Evidence for buried archaeological deposits was opportunistically sought through inspection of natural or artificial erosion/excavation exposures and the spoils from rodent burrows. Field recording and photo documentation of resources, as appropriate, was completed.

Historic research was also performed to understand better the history of land use of the Project API and surrounding vicinities. This research consisted of reviewing Bureau of Land Management (BLM) General Land Office Records, historic topographic maps (USGS 2023), and historic aerial photographs (NETR 2023). No local archaeological societies or museums were identified or contacted during archival research efforts in support of the current study.

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SOURCE: Maxar 2023; Orange County 2023

**FIGURE 3**  
Survey Area for Archaeological Resources

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## 6 Results

This section presents the results of the SCCIC records search, the historic topographic and aerial imagery review, the geomorphological review of the Project API, the field survey, and NAHC and tribal correspondence in support of the currently proposed Project.

### 6.1 Records Search Results

#### Previously Conducted Cultural Resources Studies

A records search was completed for the current Project API and a 0.5-mile radius by staff at the SCCIC on March 17, 2021. Updates to this original records search to incorporate changes to the project footprint and to encompass a one-mile radius were completed by Dudek archaeologists Brenda Rogers and Roshanne Bakhtiary on June 2, 2023, and December 6, 2023, respectively. The records search identified 87 previous cultural resources studies that have been performed within a one-mile radius of the API. Of these studies, 9 intersect the API (Table 2), and include six cultural resources surveys/inventories, one cultural resources inventory and evaluation, one literature review, and one monitoring report. Relevant reports are discussed in further detail below Table 2. 100% of the currently proposed API has been subject to past cultural resources investigations. See Appendix B for the complete SCCIC records search results and associated documentation.

**Table 2. Previous Cultural Resource Studies that Intersect the Project API**

Report ID	Year	Author	Title
OR-00464	1979	Desautels, Roger J.	Archaeological/Paleontological Survey Report on Proposed Extension of Either Trabuco Road or Junipero Serra Road to Intersect the Future Extension of Street of the Golden Lantern
OR-00653	1983	Schroth, Adella and Constance Cameron	Archaeological Assessment of 450 Acres for the Northwest Circulation Study, City of San Juan Capistrano, California
OR-00706	1983	Cottrell, Marie G.	Archaeological Resources Assessment Conducted for a 99 Acre Rancho Capistrano Property
OR-01011	1990	Sorensen, Jerrell H.	Archival Research for Interstate 5, From the Confluence with I 405 to Route 1, Capistrano
OR-01104	1991	Whitney-Desautels, Nancy A.	Grading Monitoring and Disturbance Report, Archaeology and Paleontology Lakefill Bypass Pipeline Project San Juan Capistrano Orange County, California
OR-01237	1992	Bissell, Ronald M. and Jeanette A. McKenna	Cultural Resources Reconnaissance of Ten Areas for Possible Park Locations, City of San Juan Capistrano, Orange County, California
OR-02426	2001	Demcak, Carol R.	Report of Archaeological Resources Assessment for 22-acre Parcel in San Juan Capistrano, Orange County, California

**Table 2. Previous Cultural Resource Studies that Intersect the Project API**

Report ID	Year	Author	Title
OR-02435	2002	Ferraro, David D., and Tim Gregory	Archaeological Survey of the Rancho Capistrano Property in the City of San Juan Capistrano, Orange County, California
OR-04588	2018	Calvani, Daniel and Brian Williams	Archaeological Survey for CMP Pole Replacement, P321830, San Juan Capistrano, Orange County, California (SDG&E eTS 37129 # ASM Project #23005.27)

### OR-02435

An archaeological resources inventory and evaluation was conducted in 2001 by RMW Paleo Associates in support of Crystal Cathedral Ministries' plans to upgrade their Rancho Capistrano facilities across a 165-acre parcel. This study included a brief culture history overview, a literature review, a records search, and an intensive-level cultural resources pedestrian survey of 165-acres of land that encompasses the currently proposed Project API. The pedestrian survey identified and recorded one prehistoric midden deposit, two historic-era storage tanks and the Bathgate Ranch Property. One resource, the Bathgate Ranch Property, was recorded within the currently proposed Project API. Overall, RMW recommended efforts should be made to retain the buildings and citrus trees associated within the Bathgate Ranch Property, either in place or by relocating them to another location on property. Additionally, RMW recommended additional testing to assess the significance of the prehistoric midden deposit identified as part of this study (outside of currently proposed Project API) (Ferraro and Gregory 2001).

### Previously Recorded Cultural Resources

The records search identified one cultural resource within the Project API: P-30-176642, the Bathgate Ranch Property. This resource is described in further detail below Table 3. An additional 28 previously recorded cultural resources were identified within a one-mile radius of the API (Table 3). These include eight prehistoric midden deposits, four lithic isolates, three prehistoric lithic scatters, five historic-era properties, three water storage tanks, one roadway alignment, one railway alignment, one historic-era trash scatter, one historic-era isolate, and one multicomponent resource. See Appendix B for the complete SCCIC records search results and associated documentation, and Appendix C for a Cultural Resources Overview Map that depicts all previously recorded and newly identified (as part of Dudek's Built Environment Inventory and Evaluation Efforts) cultural resources within a one-mile radius of the proposed Project.

**Table 3. Previously Recorded Cultural Resources within One Mile of the Project API**

Primary Number	Trinomial	Age	Type	Description	Eligibility for CRHR/NRHP
<b>Intersects Project ADI</b>					
P-30-176642	—	Historic	District	Single Family Property; Farm/Ranch	Recommended eligible
<b>Outside of Project ADI</b>					
P-30-000538	CA-ORA-000538	Prehistoric	Site	Lithic Scatter; Quarry	Not evaluated

**Table 3. Previously Recorded Cultural Resources within One Mile of the Project API**

Primary Number	Trinomial	Age	Type	Description	Eligibility for CRHR/NRHP
P-30-000855	CA-ORA-000855	Prehistoric	Site	Habitation Debris	Recommended eligible
P-30-000963	CA-ORA-000963	Prehistoric	Site	Lithic Scatter; Habitation Debris	Not evaluated
P-30-000964	CA-ORA-000964	Prehistoric	Site	Lithic Scatter; Habitation Debris	Not evaluated
P-30-001040	CA-ORA-001040	Prehistoric	Site, Other	Lithic Scatter; Habitation Debris	Not evaluated
P-30-001278	CA-ORA-001278	Prehistoric	Site	Habitation Debris	Not evaluated
P-30-001279	CA-ORA-001279	Prehistoric	Site, Other	Lithic Scatter	Not evaluated
P-30-001327	CA-ORA-001327/H	Prehistoric, Historic	Site	Historic-era residential complex with prehistoric lithic scatter	Not evaluated
P-30-001328	CA-ORA-001328H	Historic	Building, Structure, Site	Residential complex	Not evaluated
P-30-001329	CA-ORA-001329H	Historic	Structure, Site	Residential complex	Not evaluated
P-30-001330	CA-ORA-001330H	Historic	Building, Structure, Site	Residential complex	Not evaluated
P-30-001338	CA-ORA-001338	Prehistoric	Site	Lithic Scatter; Burials; Habitation Debris; Other	Recommended eligible
P-30-001343	CA-ORA-001343H	Historic	Site	Water storage tank	Not evaluated
P-30-001536	CA-ORA-001536	Prehistoric	Site	Habitation Debris	Unknown
P-30-001603	CA-ORA-001603	Prehistoric	Site	Habitation Debris	Not evaluated
P-30-001604	CA-ORA-001604H	Historic	Structure, Site	Water storage tank	Not evaluated
P-30-001688	CA-ORA-001688H	Historic	Object, Site	Historic road alignment	Not evaluated
P-30-100043	—	Prehistoric	Other	Lithic Scatter	Not evaluated
P-30-100045	—	Historic	Other	Isolate	Not eligible
P-30-100121	—	Historic	Other	Trash scatter	Not evaluated
P-30-100151	—	Prehistoric	Other	Isolate	Not eligible
P-30-100152	—	Prehistoric	Other	Isolate	Not eligible
P-30-100153	—	Prehistoric	Other	Isolate	Not eligible
P-30-100154	—	Prehistoric	Other	Isolate	Not eligible
P-30-176663	—	Historic	Structure	Railway	Recommended not eligible
P-30-176751	—	Historic	Building	Residential property	Not evaluated
P-30-177064	—	Historic	Structure	Water storage tank	Not evaluated
P-30-179860	—	Historic	Building	Fulton Shaw Barn	Recommended not eligible

## P-30-176642

P-30-176642 consists of the Bathgate Ranch Property, which was first recorded in 2001 by Tim Gregory DBA of RMW Paleo Associates (P-30-176642 and Ferraro and Gregory 2001).

Bathgate Ranch is the remains of an historic-era citrus ranch. At the time it was recorded in 2001, this resource consisted of three houses, one attached to a garage, a multi-purpose building (four structures in total), orange trees, and dirt roads connecting them all. The structures were given the names Farm-house #1, Farm-house #2, Farm-house #3, and Multi-Purpose Building. All four structures were built between 1924 and 1930 and were reported to be rustic in style. The DPR form notes that “various alterations and additions have been made to the structures over the years, some as late as 1966. However, their historic appearance is still observable” (P-30-176642: 2). The historic district was mapped to the original parcel boundary of the citrus ranch, measuring a total of 77-acres. Farm-house #1, Farm-house #2, and Farm-house #3 are all located adjacent to one another, towards the western-central portion of the historic parcel boundary, while the Multi-Purpose Building is located to the northwest (P-30-176642).

The property was acquired by the Bathgate and Williams families in 1913 after it was sold to them by Judge Richard Egen, an early settler who was instrumental in bringing the railroad to San Juan Capistrano in 1891. It remained in their families, which were intermarried, until the last owner within the families, Billy Bathgate. Billy Bathgate, the mayor of the City of San Juan Capistrano from 1963 to 1972, who died in 2001, sold the property to Crystal Cathedral Ministries in 1989 (P-30-176642).

The RMW Paleo Associates report findings provide the following with regard to the significance of this ranching property:

Within the broad historic context of local history, the Bathgate Ranch is significant because it is one of the last properties within the city limits of San Juan Capistrano to represent the phenomenal growth of the citrus industry in the 1920s. Virtually unchanged from its days as a working ranch, the fifty-plus acre parcel is a valuable reminder of the vast citrus empire that, as long ago as the 1940s, occupied over 75,000 acres of Orange County. (The only noticeable change on the property is the addition of playing fields on its easterly border and the removal of a large number of dead or dying orange trees.) The layout and appearance of the Ranch’s buildings, extant groves, and other improvements supply information regarding rural life in San Juan Capistrano during the early- and mid-20th century and how it evolved over that time period. The Bathgate’s were one of three inter-related families who introduced citri-culture into the area almost one hundred years ago. The family also had a significant impact on the civic and cultural growth of San Juan Capistrano. [Gregory et. al 2001: 13]

Based on this assessment, Gregory recommended the property as 5D, ineligible for NRHP listing, but eligible for the CRHR under Criteria 1 (local contributions to knowledge of the broad patterns of the state’s history) and 2 (association with locally significant persons).

The Bathgate Ranch Property and all other built environment resources pertaining to this Project are addressed in the *Built Environment Inventory and Evaluation Report* prepared by Dudek in 2024 (Ambacher and Baza 2024).



## 6.2 Archival Research

In addition to the SCCIC records search, Dudek conducted an online review of Bureau of Land Management (BLM) General Land Office Records, historical topographic maps, and historic aerial photographs to understand the development of the Project API and surrounding areas over time. The API was first recorded predominantly within Section 26 of Township 7 South, Range 8 by James R. Hardenbergh of the BLM in 1873. The BLM plat image shows the Project API within a largely undeveloped area just east of the historic course of Dry Creek (BLM 2023). To note, there is a structure labeled “Cabin” southwest of the API recorded in the 1873 original plat image.

Historic topographic maps (historic topo) of the Project API are available for the years of 1901 to 1983 (USGS 2023). The first historic topo from 1901 shows a roadway and railway east of the API, traversing parallel to the historic course of Dry Creek, which trends on a north to south axis. There are no observable changes to the API until 1942, when dirt roadway development appears to the north and southwest, as well as within the API. Additionally, two structures appear directly to the southwest of the API, with frontage on the dirt roadways; there is also a single structure depicted to the north with frontage on a dirt roadway as well. There are no other observable changes to the API and surroundings as depicted in the historic topographic maps until the last available in 1983 (USGS 2023).

Historic aerial photographs (historic aerals) of the API are available from 1938 to 2020 and provide more detail on the historic development of the region through time (NETR 2023). The first available historic aerial shows the API covered in orange groves. Additionally, there appears to be three structures to the southwest of the API, and an additional three structures to the north of the API. There is little change in the development of the API and immediate surroundings until 1967. By 1967, the two smaller structures appearing to the north of the API have been razed; only one structure to the north remains. There are no substantial changes to the aerial depiction of the API and surrounding until 1996. By 1996, the API appears to have been partially cleared of trees and graded by heavy machinery. Throughout the late 1990s and early 2000s, there is additional grading and earthwork apparent within the API and surroundings. It is not until 2014 that the three structures to the southwest of the API appear to have been razed. Continued disturbances and land use changes (predominantly the grading and removal of agricultural land) are observed within and adjacent to the API throughout the early 21<sup>st</sup> century until the last available historic aerial photograph in 2020 (NETR 2023). The historic-era structure (first observed in the 1938 historic aerial) to the north of the API continues to appear extant until the last available aerial depiction available in 2020.

Overall, this historic topo and aerial imagery review indicates that the Project API was agricultural land as far back as the earliest aerial images available (1938). Several historic-era structures once existed within and directly adjacent to the AP but were likely razed between 2012 and 2014. As indicated by this archival review, one structure associated with the Bathgate Ranch Property likely remains extant to the north of the API. Many of the citrus tree first appearing in 1938 historic aerial appear to no longer exist as indicated in the last available historic aerial from 2020.

## 6.3 Geomorphological Information

According to the U.S. Department of Agriculture Web Soil Survey (USDA 2023), there are several soil types within the Project API, but the largely predominant types are Corralitos loamy sand and Sorrento loam with 2% to 9% slopes. The U.S. Department of Agriculture does not consider this soil type to be a hydric soil (USDA 2023). Soils in this series are consist of alluvial fans formed of loamy alluvium derived from igneous, metamorphic, and sedimentary rocks.

In general, the soils present in the Project API are consistent with alluvial lands derived from an assortment of parent materials in the surrounding area underlain by Miocene marine rocks (USDA 2023). Sediment formation in this location would likely have occurred primarily since the Holocene, generally relating to increased water flows following Pleistocene glaciation (possibly 5,000–7,000 BP). While such low-slope locations are characteristically Late Holocene or younger, the distinction between depositional and non-depositional formations are more difficult to discern in foothills when overlaying bedrock or where glacial deposits are erosional. Regardless of the age of sediments in this area, reoccurring alluvial action and flooding would serve to support the development and presence of cultural deposits in the area.

The Project API has not been subject to substantial disturbances outside of general agricultural and ranching activities. Due to the undisturbed nature of large portions of the Project API, and the presence of alluvial deposits along seasonal drainages, there remains moderate potential for archaeological deposits within the API.

## 6.4 Field Survey Results

On March 31, 2021, Dudek archaeologists Adam Giacinto and Loukas Barton conducted an intensive-level pedestrian survey of the Project API. Due to changes in Project design and needs, the API was resurveyed in March 2023 by Dudek archaeologist David Alexander, in August 2023 by Dudek archaeologist Roshanne Bakhtiary, and again in July of 2024 by David Alexander. All field efforts were consistent with the Secretary of Interior's Standards and Guidelines for an archaeological resources inventory. Surveyors used 15-meter spacing, intensively inspecting the ground surface for cultural resources, including artifacts, features, and/or midden soils. Surface visibility within the proposed offsite access road and within the mowed, graded and plowed portions of the API were generally fair to good, allowing for approximately 50-75% ground surface visibility (Figure 4). These conditions constituted approximately 50% of the total API. Ground surface visibility throughout the other half of the API was very poor, less than 10%, due to the presence of dense vegetation. All portions of the API appear to have been previously disturbed by past agricultural and ranching activities (Figure 5). No prehistoric or historic-era cultural resources were identified within the API during any of the archaeological resources pedestrian surveys in support of this Project.

**Figure 4.** Overview of offsite access road, fair ground surface visibility. View to north.



**Figure 5.** Overview of BESS showing evidence of plowing, good ground surface visibility. View to south.



## 6.5 NAHC and Tribal Correspondence

Dudek contacted the NAHC on May 18, 2023 and requested a review of their Sacred Lands File (SLF) for the proposed Project API and a 0.5-mile radius. The SLF consists of a database of known Native American cultural resources. These resources may not be included in the SCCIC database. The NAHC replied via email on June 12, 2023, stating that the SLF search was completed with positive results. Positive results indicate the presence of Native American cultural resources within 0.5-miles of the Project API, and not necessarily directly within the Project API. The NAHC additionally provided a list of 10 Native American individuals and/or tribal organizations that should be contacted for more information on potential tribal sensitivities regarding the currently proposed Project.

Dudek sent letters to each representative listed by the NAHC via USPS certified mailing on August 5, 2024, and via email on August 7, 2024. The letter provided details on the Project description and location, and requested information on any known cultural resources or Tribal sensitivities that may exist within or near the proposed Project. To date, no responses have been received. This correspondence was conducted for informational purposes only and does not constitute formal Government-to-Government consultation. See Appendix D for complete documentation of NAHC and Tribal correspondence to date.



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## 7 Summary and Management Considerations

Dudek's archaeological resources inventory in support of Compass Energy Storage Project suggests there is a moderate potential for the inadvertent discovery of subsurface archaeological resources during Project implementation. Dudek conducted a records search of the Project API and surrounding one-mile radius at the SCCIC. The records search identified one previously recorded cultural resource that intersects the API (P-30-176642), and an additional 28 within a one-mile radius. P-30-176642, the Bathgate Ranch Property, operated as a citrus ranch and residence to several families over the 20<sup>th</sup> century and was recommended eligible for listing on the CRHR under Criteria 1 and 2. P-30-176642 and all other built environment resources pertaining to this Project are addressed in the *Built Environment Inventory and Evaluation Report* prepared by Dudek in 2024 (Ambacher and Baza 2024).

An NAHC SLF search was conducted for the proposed Project, and results were positive for Native American cultural resources within the search area (the API and surrounding 0.5-mile radius). The NAHC did not provide details on what the resource(s) are or where they are located but provided a list of 10 Native American individuals and/or tribal organizations that should be contacted for more information on potential tribal sensitivities associated with the Project. Dudek sent letters to each representative listed by the NAHC via USPS certified mailing on August 5, 2024, and via email on August 7, 2024. No responses have been received to date.

No prehistoric or historic-era archaeological resources were documented during the intensive-level pedestrian survey of the Project API. Additionally, historic topographic maps and aerial photographs indicate the API was used predominantly for agricultural purposes in the past and has been subject to mass grading by heavy machinery and other ground disturbances throughout the late 20<sup>th</sup> and early 21<sup>st</sup> centuries. This suggests that upper sediments within the API have been substantially altered, or otherwise destroyed. This observed, it should be noted that records search results indicate that there are potentially sensitive archaeological resources in the area surrounding the API, including prehistoric sites with midden deposits, lithics scatters, and one resource with reported burials. Given this information and the geoarchaeological suitability of the API for supporting the presence of buried archaeological resources, there is a moderate potential for the inadvertent discovery of unanticipated archaeological resources during initial Project-related ground disturbance.

### 7.1 Assessment of Effects and Recommendations

According to 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 (adverse effect) on the environment and the cultural resource itself. A substantial adverse change in the significance of a historical resource (CRHR eligible resource) would be constituted by physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the resource would be materially impaired.

No archaeological resources have been identified within the proposed Project API, though several have been identified adjacent to and within one mile of the API. Evidence of ground disturbances like plowing, grading, and vegetation removal have been documented throughout the API, and would have likely compromised the first 30 centimeters of ground below surface. Though the Project will not have any direct or indirect impacts on known

archaeological resources, there is a potential for the Project to impact previously unanticipated archaeological resources.

TCRs, while often also cultural resources, do represent a separate resource class under CEQA. Potential impacts (direct and indirect) to TCRs, as defined by CEQA, should be determined by the CEC based on Government-to-Government consultation or through other Tribal engagement efforts. Dudek has not received any responses to date from contacted Tribes. Based on present information, the proposed Project will not present impacts to resources of Native American value or association, including potential TCRs.

Compliance with Mitigation Measures **MM-CUL-1**, **MM-CUL-2**, and **MM-CUL-3** outlined below, would reduce potential impacts to previously unanticipated cultural resources and human remains during project implementation. To the extent feasible, these measures are also inclusive of TCR considerations.

**MM-CUL-1**     **Worker's Environmental Awareness Program.** Prior to the initiation of ground-disturbing work, construction crews shall be made aware of the potential to encounter cultural resources and the requirement for cultural monitors to be present during these activities. This may occur as part of a Worker Environmental Awareness Program (WEAP). Topics addressed should include definitions and characteristics of cultural resources and Tribal Cultural Resources (TCRs), regulatory requirements and penalties for intentionally disturbing cultural resources, and protocols to be taken in the event of an inadvertent discovery.

**MM-CUL-2**     **Cultural Resources Management and Inadvertent Discovery Program.** It is recommended that a Cultural Resources Management and Inadvertent Discovery Plan (CRMIDP) be prepared and subject to lead agency review prior to initiation of construction. This should detail, at a minimum, requirements for archaeological and Native American monitoring (as applicable); roles and responsibilities; inadvertent discovery, management, and communication protocols; and daily and post-construction reporting. An archaeological monitor should be present during all initial ground-disturbing activities with the potential to encounter cultural resources. Although recommended, the requirement to include a Native American Monitor should be determined by the CEC through consultation and review of the present report findings. A monitoring plan should be prepared by an archaeological principal investigator, meeting the Secretary of the Interior's Standards, and implemented upon approval by the CEC. Archaeological monitors shall be present on the project site during initial ground-disturbing activities to monitor rough and finish grading, excavation, and other ground-disturbing activities in the native soils.

If cultural materials are discovered during initial disturbances associated with site preparation, grading, or excavation, the construction contractor shall divert all earthmoving activity within and around the immediate discovery area until a qualified archaeologist can assess the nature and significance of the find. The area of avoidance shall be assumed to be a minimum of 50 feet around the find, however, may be adjusted to support construction needs by the qualified archaeologist in coordination with the construction team so long as protection of the discovery can be ensured. If determined necessary by the qualified archaeologist for the protection of this area, it shall be delineated by a temporary physical exclusionary boundary using staking and survey tape or other similar materials. The CRMIDP shall address protocols for TCRs, integrating management strategies informed through the process of Government-to-Government consultation. In the event

that a potential inadvertent cultural resources discovery may meet the definition of a TCR, the lead agency or identified representative should management strategies stipulated by approved mitigation and outlined in the CRMIDP. Non-cultural project personnel shall not handle, collect or move any archaeological materials or human remains and associated materials. To the extent feasible, project activities shall avoid these deposits. Where avoidance is not feasible, the archaeological deposits shall be evaluated for their eligibility for listing on the California Register of Historical Resources (CRHR). If the deposits are not eligible, regulations provide that avoidance is not necessary. If the deposits are eligible, adverse effects to the identified resource must be avoided, or such effects must be mitigated. Mitigation strategies are dependent on the nature of the resource, and can include, but are not necessarily limited to: preservation in place, excavation of the deposit in accordance with a data recovery plan (see California Code of Regulations [CCR] Title 4(3) Section 5126.4(b)(3)(C)) and standard archaeological field methods and procedures; laboratory and technical analyses of recovered archaeological materials; production of a report detailing the methods, findings, and significance of the archaeological site and associated materials; curation of archaeological materials at an appropriate facility for future research and/or display; an interpretive display of recovered archaeological materials at a local school, museum, or library; and public lectures at local schools and/or historical societies on the findings and significance of the site and recovered archaeological materials. The CEC, or designee, shall be responsible for reviewing management plans and any reports produced by the archaeologist to determine the appropriateness and adequacy of the findings and recommendations.

Daily monitoring logs should be completed by onsite archaeological monitors (and Native American monitors, if present). Within 90 days following completion of construction, the qualified archaeological principal investigator should provide an archaeological monitoring report to the lead agency for review. The intent of this report should be to document compliance with approved mitigation. This report should include the results of the cultural resources monitoring program (even if negative), including a summary of any findings or evaluation/data recovery efforts, and supporting documentation that demonstrates all mitigation measures defined in the environmental document were appropriately met. Appendices should include monitoring logs and documentation relating to any newly identified or updated cultural resources.

- MM-CUL-3 **Human Remains.** In accordance with Section 7050.5 of the California Health and Safety Code and the requirements of the California Code of Regulations (CCR) Section 15064.5(e), if human remains are encountered during site disturbance, grading, or other construction activities on the project site, the construction contractor shall halt work within 50 feet of the discovery; all work within 50 feet of the discovery shall be redirected and the Orange County (County) Coroner notified immediately. This exclusionary buffer may be adjusted based on project needs, while also ensuring the protection of this area and regulatory compliance, at the recommendation of a qualified archaeologist. If determined necessary by the qualified archaeologist for the protection of this area, it shall be delineated by a temporary physical exclusionary boundary using staking and survey tape or other similar materials. No further disturbance shall occur in areas likely to contain human remains until the County Coroner has made a determination with regard to if the find is human in origin pursuant to Public Resources Code Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which will determine and notify the Most Likely Descendant (MLD). With the permission of the CEC

and land owner, the MLD may inspect the site of the discovery. The MLD shall make recommendations or preferences for treatment within 48 hours of being granted access to the site. Public Resources Code Section 5097.98 includes reasonable options for treatment that may be requested by the MLD. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the CEC, in coordination with the landowner, shall consult with the MLD identified by the NAHC to develop an agreement for the treatment and disposition of the remains.

Upon completion of the assessment, the consulting archaeologist shall prepare a report documenting the methods and results and provide recommendations regarding the treatment of the human remains and any associated cultural materials, as appropriate, and in coordination with the recommendations of the MLD. The report shall be submitted to the CEC, or designee, and the South Central Coastal Information Center. The CEC, or designee, shall be responsible for reviewing any reports produced by the archaeologist to determine the appropriateness and adequacy of the findings and recommendations. See Table 4 for a list of the Project’s agency contacts for Cultural Resources.

**Table 4. Agency Contacts for Cultural Resources**

Issue	Agency	Contact
Native American Tribal Cultural Resources, Traditional Cultural Properties, Most Likely Descendent Designation	Native American Heritage Commission	1550 Harbord Blvd, Suite 100 West Sacramento, CA 95691 (916) 373-3710
Local Regulatory Requirements	City of San Juan Capistrano Planning Division	30448 Rancho Viejo Road, Suite 110 San Juan Capistrano, CA 92675 (949) 443-6331
Human Remains	Orange County Coroner’s Office	1071 W Santa Ana Blvd Santa Ana, CA 92703 (714) 647-7400



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## 8 References

- 14 CCR 15000–15387 and Appendices A–L. Guidelines for Implementation of the California Environmental Quality Act, as amended.
- 14 CCR 4852. Types of Historical Resources and Criteria for Listing in the California Register of Historical Resources.
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# Appendix A

## Key Personnel Resumes

# Adam Giacinto

## ARCHAEOLOGIST

Adam Giacinto is an archaeologist with more than 19 years' experience preparing cultural resource studies and environmental documents, and managing archaeological survey, evaluation, and data recovery-level investigations. His research interests include prehistoric hunter-gatherer cultures and contemporary conceptions of heritage as represented within the regulations. He has gained practical experience in archaeological and ethnographic field methods while conducting research in the Southwest US, Mexico, and Eastern Europe. He brings experience implementing an managing all scales of projects and is experienced in compliance requirements for local, state, and federal regulatory contexts. He specializes in sensitivity modeling and cultural resources compliance projects, managing monitoring for large-scale transportation and energy projects.

## Selected Project Experience

**Tribal Cultural Resources (TCR) Studies, City of Los Angeles Planning Area (2015-Present).** Mr Giacinto has acted as principal investigator on more than 35 TCR studies throughout the City of Los Angeles planning area. The goal of these investigations is to review the archaeological, historical, academic, and ethnographic record for potential TCR information, then ground contemporary AB 52 consultation information in this context while providing recommendations related to reasonable approaches for management

**Archaeological/ Zanja Madre Studies, City of Los Angeles Planning Area (2017-Present).** Mr Giacinto has acted as principal investigator on more than 15 archaeological studies within the Los Angeles Down Town area focused on assessing the potential presence of the “Zanja Madre”, a water conveyance system that was developed as a system of ditches in the early 1800s and continued into use through the early 1900s. These projects include reviewing South Central Coastal Information Center (SCCIC) records search information, Native American Heritage Commission (NAHC) Sacred Lands File (SLF) information, a review of in-house Dudek data and references, Sanborn Fire Maps, historical topographic and aerial information and, at times, the application of ground penetrating radar (GPR). GPR has been used on 6 projects to date with the intent of identifying buried portions of the Zanja Madre. The most pertinent of these include the following projects

- 6th and Alameda Project, Private Developer, Downtown Los Angeles, California (2017-2019)
- South Park Towers, Private Developer, Downtown Los Angeles, California (2017-2019)
- Palmetto Project, Private Developer, Downtown Los Angeles, California (2017-2019)
- Buena Vista Project, China Town, Los Angeles, California (2019-ongoing)
- Santa Ana Watershed Project Authority Reach 5 Project, Riverside County, California. As principal investigator, Mr. Giacinto managed provided recommendations to SAWP for a monitoring approach that would satisfy both State Water Board and Pechanga tribe interests. Project included archaeological



### Education

San Diego State University  
MA, Anthropology, 2011  
Santa Rosa Junior College  
AA, Anthropology, 2004  
Sonoma State University  
BA, Anthropology/  
Linguistics, 2006

### Professional Affiliations

Register of Professional Archaeologists  
Society for California Archaeology American Anthropological Association Institute of Archaeomorphology  
American Anthropological Association

monitoring of areas along Temescal Canyon Road and met compliance under CEQA and Section 106 of the NHPA.

**Santa Margarita Hidden Ridge Project, Orange County, California.** As principal investigator, Mr. Giacinto managed the survey, SCCIC archival searches, tribal correspondence, and reported management recommendations for a cultural resources inventory. The proposed intersection two NRHP-listed resources and a NRHP-listed archaeological district. Mr. Giacinto developed and managed testing efforts to appropriately define significant deposits and prepared a monitoring plan. Considerations included compliance under CEQA and Section 106 of the NHPA, and project was successfully permitted.

**Orange Coast College Initial Study (IS), Coast Community College District, Orange, California.** As principal archaeological investigator, Mr. Giacinto coordinated records search, NAHC and Native American consultation, archaeological survey, preparation of a technical report, and provided management and compliance recommendations relating to cultural resources on three Orange County College campuses.

**Pure Water Plan Constraints Study and PEIR, City of San Diego, California.** As principal investigator and field director, Mr. Giacinto managed preparation of a constraints study for the Pure Water Project. Work involved a records search of over 100 mile linear miles of San Diego. Site record information from more than 1,236 cultural resources was processed, coded, and integrated within a geospatial sensitivity model to identify archaeological and built environment constraints throughout the proposed alignment. Maps were then generated using generalized grid units to provide a visual model of relative archaeological resource sensitivity while maintaining the appropriate level of confidentiality for public dissemination to assist in planning.

**California High Speed Rail, Fresno-Bakersfield, California.** As principal investigator, oversees, implements, and reports upon cultural inventory, evaluation, data recovery and compliance efforts under Section 106 of the NHPA, Federal Rail Authority, CEQA, and local Guidelines for Fresno to Bakersfield section. Oversight of Native American monitors, built environment specialists and archaeologists, management of cultural monitoring implementation and site treatment, client reporting, meetings and report preparation. Implementation of mitigation included exploratory archaeological investigations at multiple NAHC-eligible resources.

**Operations and Maintenance On-Call, Department of Water Resources (2019-ongoing).** As primary Dudek archaeological and tribal resources consultant, Mr Giacinto manages cultural resources projects for DWR. These include the Cultural Resources Inventory for the B.F. Sisk Dam Safety of Dams Modification Project, Delta Dams Raise Project (three reservoirs), MP 230 Project, and Upper Feather River Projects (three dam locations) and preparation of a Programmatic Agreement for Cultural resources for DWR. Mr Giacinto is familiar with the DWR Tribal Engagement and AB 52 processes.

**McCoy Solar Energy Project and Blythe Solar Power Project, Blythe, California (2014-ongoing).** As principal investigator, Mr. Giacinto supervised, implemented, and reported upon compliance efforts for construction of more than 4000 acres of solar work under Section 106 of the NHPA, BLM Guidelines, CEQA, California Energy Commission, and County of Riverside Guidelines. Mr. Giacinto was the lead multiple formal trainings with monitors and council members from the Colorado River Indian Tribes regarding federal and state regulations relating to human remains, County and BLM guiding documents, identification of cultural material, and the multiple understandings of “cultural resources”. History (NIAH), Mexicali, Mexico.



# Roshanne S. Bakhtiary, M.A.

## ARCHAEOLOGIST

Roshanne Bakhtiary (*she/her/hers*) is an Archaeologist with 12 years' professional experience in cultural resources management, archaeological research, and regulatory compliance in California and the Great Basin. She also has extensive knowledge in hunter-gatherer archaeology, Mission Period archaeology, and California prehistory and ethnography. Previously, Roshanne has held positions as an archaeologist, osteologist, cultural training lead, project manager, and PI for various projects throughout California. In these roles, she has co-authored technical reports, led fieldwork operations, produced GIS-based analyses, facilitated Native American coordination and outreach, conducted records searches, participated in NEPA and CEQA compliance projects, and evaluated archaeological resources for the NRHP under NHPA Section 106 (Section 106).

## Relevant Previous Experience

### Professional

#### **Southern California Edison On-Call Program, Southern California Edison, Los Angeles, CA.**

Roshanne served as a cultural lead for SCE's Non-MSUP Public Lands infrastructure replacement projects throughout Southern California including on lands administered by the BLM, CDPR, BIA, BOR, DWR, USACE, CDFW and NPS. She was responsible for completing archaeological desktop reviews, coordinating with public agencies, applying for permits, conducting site surveys, documenting newly recorded cultural materials, and authoring Section 106-compliant technical reports. (2022-2023)

**Concepcion Covered Conductor Project, Southern California Edison, Santa Barbara County, CA.** Roshanne served as the cultural lead for the planning phase of a 30+ mile covered conductor project in coastal Santa Barbara County. She led a team of archaeologists and GIS analysts as they prepared archaeological desktop reviews and developed an archaeological sensitivity model to inform planners on best management practices for a proposed multi-year, multi-million-dollar infrastructure improvement project. (2022-2023)

**Angeles National Forest P-19-003387 Phases I and II, Southern California Edison, Palmdale, CA.** Roshanne was a PI for a Phase II Section 106 prehistoric site evaluation effort in Angeles National Forest. She worked closely with the client and agency to develop an evaluation effort that was compliant with USDA's Region 5 Programmatic Agreement. She also led a crew on a Phase I site identification effort for this same project. (2023)

**Los Padres National Forest P-42-00877 Phases I and II, Southern California Edison, Santa Barbara, CA.** Roshanne was a PI for a Phase II Section 106 prehistoric site evaluation effort in Angeles Los Padres National Forest. She worked closely with the client and agency to develop an evaluation effort that is compliant with USDA's Region 5 Programmatic Agreement. She also led a crew on a Phase I site identification effort for this same project. (2022-2023)

## Education

*University of California, Davis*

- PhD in Evolutionary Anthropology, In Progress

- MA in Evolutionary Anthropology, 2016

*California Polytechnic State University, San Luis Obispo*

- BS in Anthropology and Geography, 2013

## Certifications

*First Aid, Adult and Infant CPR, Los Angeles, CA, 2022*



**Mill Creek Retaining Wall Improvements Project, Southern California Edison, Yucaipa, CA.** Roshanne was the Cultural Project Manager responsible for coordinating and co-authoring the final Section 106-compliant cultural report for the Mill Creek Retaining Wall Improvements Project, FERC Project No. 1934. She maintained communication with project managers to confirm that cultural efforts adhered to the project budget and monitored quality and timeliness of project deliverables. She was also responsible for assisting the client in SHPO consultation. (2022)

**Bureau of Land Management (BLM) Minister Road Right-of-Way Dedication and Multi-Use Recreational Trail Project, BLM, Lyon County, NV.** Roshanne co-authored the final cultural report for a large-scale survey effort on BLM lands in Lyon County, Nevada. She maintained communication with Project Managers to confirm that cultural efforts adhered to the project budget and monitored quality and timeliness of project deliverables. She also assisted in the preparation of a Phase II NEPA Environmental Site Assessment. (2022)

**Tahoe City Public Utility District's (TCPUD) West Shore Additional Storage Capacity Project, TCPUD, Tahoe City, CA.** Roshanne co-authored the final cultural report for a utilities project near Lake Tahoe, CA. She maintained communication with project managers to confirm that cultural efforts adhered to the project budget and monitored quality and timeliness of project deliverables. (2022)

**Campbell Creek Culvert Replacement Project, City of Napa, Napa, CA.** Roshanne was responsible for co-authoring the final cultural report for a culvert replacement project in Napa, CA. She maintained communication with project managers to confirm that cultural efforts adhered to the project budget and monitored quality and timeliness of project deliverables. She assisted in the preparation of a CEQA analysis document and assisted the client in Tribal consultation. (2022)

**Calaveras County Water District (CCWD) Hunter Reservoir Raw Water Pump Station Relocation Project, CCWD, Calaveras County, CA.** Roshanne was responsible for co-authoring the final cultural report for a reservoir improvements project in Calaveras County, CA. She maintained communication with project managers to confirm that cultural efforts adhered to the project budget and monitored quality and timeliness of project deliverables. She supported the preparation of a Phase II NEPA Environmental Site Assessment and assisted the client in SHPO consultation. (2022)

**University of California, Davis Archaeological Field School, Calaveras County, CA.** Roshanne helped to manage the 2018 U.C. Davis Archaeological Field School that took place in the Western Sierra Foothills of California. She led pedestrian survey, archaeological testing operations, and field laboratory operations, and assisted in the digital recordation of a proto-historic Indian village with Emlid and total station technologies. (2018)

**University of California, Davis Archaeological Field School, Santa Clara and Solano Counties, CA.** Roshanne was the director and PI for the 2016 U.C. Davis Archaeological Field School that took place in the Diablo Range of San Jose and in Suisun Marsh of the North San Francisco Bay. She developed the research plan and project scope, negotiated budgets, communicated with Native American organizations, and organized fieldwork operations for a six-week university course with over 15 students in attendance. She led pedestrian surveys and archaeological testing operations, managed artifact analysis and curation, gave conference presentations, and authored technical reports for field and lab work operations and findings. (2016)

**Tolbor Valley Archaeological Project, Mongolia.** Roshanne participated in a large-scale survey and testing program in the Gobi Desert of Mongolia. She led survey and excavations crews and oversaw field laboratory operations for a series of test excavations of Neolithic-era archaeological sites throughout Ikh Nart Nature Reserve. (2015)

# William Burns, RPA

## ARCHAEOLOGY TASK LEADER

William Burns is an archaeologist with 20 years' experience in cultural resource management. Mr. Burns is highly knowledgeable about the California Environmental Quality Act, the National Environmental Policy Act, the Native American Graves Protection and Repatriation Act, and the National Historic Preservation Act, particularly the Section 106 process. He evaluates buildings and districts for archaeological sensitivity and possible inclusion on the National Register of Historic Places. Mr. Burns assesses project and building plans for archaeological sensitivity and reviews archaeological reports on the state government regulatory end of the process.

Mr. Burns possesses expertise about Pre-contact archaeological sites, paleocoastline reconstruction, and artifact identification and analysis. He applies this expertise to archaeological report writing and editing for Section 106 projects. He also serves on field crews and as a supervisor on archaeological projects, overseeing surveys, site examinations, data recoveries, and artifact database creation and maintenance. For precise site mapping, Mr. Burns uses GPS devices, primarily Trimble GEO XH, ArcGIS, and Maptitude.

## Relevant Project Experience

**Hunter Subdivision Project, St. Helena, California.** Conducted records search, preformed pedestrian survey, extended Phase 1 testing, and prepared cultural resources report for residential subdivision project.

**Palm Villas Senior Center, Saratoga, California.** Performed cultural and paleontological survey, conducted records search, and prepared cultural resources report for senior care facility.

**Press Democrat Project, Rohnert Park, California.** Conducted records search for cultural resources report for commercial development.

**Bellevue 7 Ranch Project, Ryder Homes of California, Inc., City of Santa Rosa, California.** Conducted field survey and prepared cultural resources report for residential development.

**Roblar Road Quarry, Sonoma County, California.** Performed cultural and paleontological survey, performed extended Phase I testing, and prepared cultural resources report for quarry project.

**California State University Maritime Academy Faculty Road Repairs, Vallejo, California.** Conducted records search, preformed pedestrian survey, and prepared cultural resources report for university upgrades project.

**California State University Maritime Academy Dining Center Patio Project, Vallejo, California.** Conducted records search, preformed pedestrian survey, and prepared cultural resources report for university upgrades project.

## Education

University of York  
MS, Coastal and Marine  
Archaeology

University of  
Massachusetts at  
Amherst  
BA, Anthropology  
(Mathematics minor)

## Certifications

Register of Professional  
Archaeologists (RPA)

Divemaster (National  
Association of Underwater  
Instructors)

OSHA HAZWOPER  
(40-hour)

Basic First Aid/BBP  
(American Heart  
Association)

Adult CPR/AED (American  
Heart Association)

**California State University Maritime Academy Basin Dredging, Vallejo, California.** Performed biological survey for basin dredging project.

**Lakeville Highway Dock Project, Petaluma, California.** Conducted records search and assisted in cultural resources report preparation for dock construction project.

**San Mateo County Hazardous Fuel Reduction Program, Fire Safe San Mateo County, San Mateo, California.** Performed cultural survey, conducted records search, and prepared cultural resources report for vegetation management project

**San Carlos Fuel Management Project, San Carlos, California.** Performed cultural survey, conducted records search, and prepared cultural resources report for vegetation management project.

**Marin Country Club Stream Restoration Project, Novato, California.** Conducted records search and prepared cultural resources report for stream restoration project.

**Spectrum Charter, Highways 1 and 68, Monterey, California.** Conducted records search and prepared cultural resources report for fiber optic installation project.

**California High-Speed Rail Project, Construction Package 2-3, Fresno to Bakersfield, Dragados/Flatiron Joint Venture, Fresno, Kings, Counties of Tulare and Kern, California.** Conducted field survey; organized and managed cultural, tribal, and paleontological monitors; and prepared cultural resources survey reports and monthly summaries.

**Alameda County Water District Advanced Metering Infrastructure Project, Alameda County, California.** Conducted records search and prepared cultural resources report and archaeological sensitivity model for water district infrastructure upgrade.

**Advanced Meter Infrastructure Project, Santa Clara County, California.** Performed cultural survey, conducted records search, and prepared cultural resources report for water district infrastructure upgrade.

**San Geronimo Treatment Plant Emergency Generator Project, Woodacre, California.** Performed cultural survey, conducted records search, and prepared cultural resources report for treatment plant improvements project.

**Rohnert Park Water Tank Project, City of Rohnert Park, California.** Conducted extended phase I field survey, prepared cultural resources report for water tank construction.

**Las Gallinas Valley Sanitary District Secondary Treatment Upgrade Project, Las Gallinas Valley Sanitary District, Marin County, California.** Conducted field survey and prepared the cultural resources report for water treatment plant improvements.

# Dave Alexander

## ASSOCIATE ARCHAEOLOGIST AND PALEONTOLOGIST

Dave Alexander has 28 years' experience working on archaeological and paleontological projects in Southern California. Mr. Alexander has experience in paleontological monitoring, assisting with fossil excavations, and data recovery.

## Project Experience

### Development

**Arlington and Blythe Solar Projects, Blythe, California.** Served as archaeological and paleontological lead monitor for more than 3,000 acres of solar facility construction. Work completed in compliance with County of Riverside, Bureau of Land Management, and California Energy Commission requirements for local, state, and federal regulatory conditions. Required data recovery of numerous World War II-era and prehistoric archaeological resources.

**Trampas Dam and Reservoir Project, Santa Margarita Water District, Orange County, California.** Provided paleontological monitoring.

**Strauss Wind Energy Cultural Testing Program, Lompoc, California.** Provided paleontological monitoring.

**City Line Trunk Sewer Project, Los Angeles Department of Power and Water, Los Angeles County, California.** Provided paleontological monitoring.

**Del Obispo Street Widening Project, City of San Juan Capistrano, California.** Provided paleontological monitoring.

**Windhub Solar Project, First Solar Inc., Mojave, California.** Provided paleontological monitoring.

**Aliso Viejo Ranch 100 Park Avenue Project, City of Aliso Viejo, California.** Provided paleontological monitoring.

## Relevant Previous Experience

**Bonterra.** Provided paleontological monitoring of construction excavations and grading for the State Route 73 Toll Road Widening Project in Orange County, California; Ortega Reservoir Project in Orange County, California; and Baker Ranch Residential Project in Orange County, California.

**Paleo Environmental Associates.** Provided paleontological monitoring during construction excavations for the Vernon Power Plant Energy Commission; Dana Point Headlands Project in Orange County, California; MTA Goldline Project in Los Angeles County, California; Metropolitan Water District Inland Feeder Pipeline Project in Riverside County, California; Prima Descheca Landfill Project in Orange County, California; Anaverde Project in Los Angeles County, California; El Toro Materials Company in Orange County, California; Beazer Homes Project I Orange County, California; and the Lake Forest Sports Park Fossil Preparation Project in Orange County, California.



### Education

*California State University,  
Long Beach  
BA, Sociology, 1994  
Saddleback College  
AA, General Education,  
1992*

**Rancho Mission Viejo Residential Grading and Roadway Project, Orange County, California.** Provided paleontological monitoring for the Rancho Mission Viejo Residential Grading and Roadway Project in Orange County, California.

**San Diego Natural History Museum.** Provided paleontological monitoring for the Desalination Plant and Pipelines Project in Carlsbad, San Diego County, California; State Route 241 Toll Road Widening Project in Orange County, California; and the Sports Park Grading Project in Los Angeles County, California.

**SWCA.** Providing paleontological monitoring for the Tonner Hills Project in Orange County, California.

**Canyon Power Pipeline Project, Orange County, California.** Provided paleontological monitoring for the Canyon Power Pipeline Project in Orange County, California.

**Chambers Group Inc.** Provided paleontological monitoring for the Level 3 Communications Fiber Optic Lines Project in California; Olinda Ranch Suncal/PLC Homes Project in Orange County, California; Suncal Homes, San Bernardino County, California; and Palo Verde Extension/CIT Building, University California Irvine, Orange County, California.

**L & L Environmental.** Provided paleontological monitoring for the Eagles Glen Project in Riverside County, California; VanDaele Homes Project in Orange County, California; the Retreat Project in Riverside County, California; and the Inland Empire Utility Agency RP-2/5 Project in San Bernardino County, California. (1998–2004)

**Eastern Transportation Corridor, Orange County, California.** Provided paleontological monitoring for the Eastern Transportation Corridor in Orange County, California.

**LSA Associates, Inc.** Provided paleontological monitoring for the San Joaquin Hills Toll Road, Trabuco Retarding Basin, and 71 Freeway Improvement Project in Orange County, California.

**John Minch & Associates Inc.** Provided paleontological monitoring for the Foothill and San Joaquin Hills Toll Road Project in Orange County, California; Baldwin Homes Project in Orange County, California; and the J.M. Peters Homes Project in Orange County, California.



# Loukas Barton, PhD, RPA

## RESEARCH ARCHAEOLOGIST

Loukas Barton is a research scientist with 28 years' experience in archaeology, cultural resource management, education, and communication of scientific methods, results, and objectives to public, professional, and academic audiences. He has worked in the private sector for consulting firms, in the public sector for the National Park Service (NPS), in public programming at the Peabody Museum of Natural History, and in the university setting at the University of California, Davis; the University of Alaska, Fairbanks; and the University of Pittsburgh.

Dr. Barton has collaborated with U.S. federal land management agencies, such as the NPS, U.S. Fish and Wildlife Service, Bureau of Indian Affairs, and U.S. Forest Service; museum repositories, such as the Peabody Museum of Natural History, the Carnegie Museum of Natural History, the Alutiiq Museum, the Museum of the North, the Gansu Province Museum, and the National Museum of Mongolia; multiple tribal entities; native village councils; regional corporations in California, Nevada, and Alaska; a variety of national and international research institutions, such as the Lawrence Livermore National Laboratory, the Carnegie Institution of Washington, the Chinese Academy of Sciences, the Chinese Academy of Social Sciences, the Center for Arid Environment and Paleoclimate Research, and the French National Center of Scientific Research; and multiple universities.

Dr. Barton has published widely in international peer-reviewed scientific journals and edited volumes in English, Mandarin, and Mongolian. He regularly presents the results of scientific research as an invited lecturer to universities and public audiences and as a participant in academic symposia. For 10 years, Dr. Barton was associate editor for the international English-language journal, *Archaeological Research in Asia*, and he is a regular reviewer for a broad range of international journals, publishing houses, and funding agencies. His primary focus is on the prehistoric archaeology and ecology of hunter-gatherers and small-scale farmers and herders throughout western North America and northern Asia. His technical expertise includes ecological modeling, archaeometry, lithic analysis, archaeobotany, spatial analysis, data management, and quantitative reasoning.

## Project Experience

**Cajon Pass High-Speed Rail Project, Brightline West, San Bernardino County, California.** Served as co-principal investigator and field director for the Class III cultural resources inventory along a 50-mile transect. Co-author of the inventory, determination of eligibility, and finding of effect reports, as well as the inadvertent discoveries treatment plan and the archaeological and tribal monitoring exhibit. Contributed to tribal consultation through the Section 106 process on behalf of a federal transportation agency.



### Education

University of California,  
Davis  
PhD, Anthropology, 2009  
MA, Anthropology, 2003  
Yale  
BA, Archaeological  
Studies, 1997

### Certifications

Register of Professional  
Archaeologists (RPA),  
No. 51970

### Professional Affiliations

Society for California  
Archaeology  
Pacific Coast  
Archaeological Society  
Society for East Asian  
Archaeology  
Alaska Anthropological  
Association



**Las Vegas to Victor Valley High-Speed Rail Project; Brightline West; San Bernardino County, California, and Clark County, Nevada.** Served as co-principal investigator and field director for the Class III cultural resources inventory along a 150-mile transect. Co-author of the inventory, determination of eligibility, and finding of effect reports, as well as the historic properties treatment plan and the archaeological monitoring exhibit. Authored the geographic information system (GIS)-based predictive models of resource location. Co-principal investigator for cultural resources data recovery and mitigation. Contributed to tribal consultation through the Section 106 process on behalf of a federal transportation agency.

**Sapphire Solar Energy Project, Confidential Client, Riverside County, California.** Co-author of the cultural resources and tribal cultural resources sections of a draft environmental impact report for a solar project on 1,000 acres of undeveloped land in the Colorado Desert.

**Argenta Solar Energy Project, Confidential Client, San Bernardino County, California.** Co-author of a Class I cultural resources inventory report on 5,000 acres of undeveloped land in the Mojave Desert.

**Frontera Solar Energy Project; Confidential Client; San Bernardino and Inyo Counties, California, and Clark County, Nevada.** Co-author of a Class I cultural resources inventory report on 11,000 acres of undeveloped land in the Mojave Desert.

**Confidential Wind Energy Project, Confidential Client, Santa Barbara County, California.** Established the research design for the Phase II work plan. Drafted the cultural context and interpretations of the Phase II archaeological significance evaluations. Serving as research coordinator for Phase III data recovery adjacent to the Vandenberg Space Force Base near Lompoc, California.

**Dateland Solar Energy Project, Confidential Client, Yuma County, Arizona.** Co-author and field crew for a Class III cultural resources inventory report on 4,200 acres of undeveloped land in the Sonoran Desert.

**Esmeralda Solar Energy Project, Confidential Client, Esmeralda County, Nevada.** Co-author and field crew for a Class III cultural resources inventory report on 9,000 acres of undeveloped land in western-central Nevada.

**EV Charging Station Project, Confidential Client, San Bernardino County, California.** Field director and co-author of a Phase 1 cultural resources inventory and evaluation for a 100-acre parcel in the Mojave Desert.

**Los Rios Street Sewer Rehabilitation Project, Santa Margarita Water District, Orange County, California.** Managed the cultural resource and tribal monitoring in the City of San Juan Capistrano, California.

**Crown Valley Pipelines Replacement Project, Moulton Niguel Water District, Orange County, California.** Prepared the cultural resource monitoring and inadvertent discovery plan for 3.5 miles of pipeline replacement in the Cities of Laguna Niguel and Dana Point, California.

**Santa Barbara South Coast Herbivory Project, California Department of Forestry and Fire Protection and Santa Barbara County Fire Department, Santa Barbara County, California.** Drafted the cultural context for an archaeological survey report in support of fire management planning in an area that includes lands managed by the City of Goleta, the City of Santa Barbara, Santa Barbara County, Exxon Corporation, the Santa Barbara Land Trust, and various private landowners including individual landowners, homeowners associations, and preserves.

# Brenda Lee Rogers

## ARCHAEOLOGIST

Brenda Lee Rogers (*she/her*) is a professional archaeologist with more than 30 years' archaeological experience in the United States. Since 1991, she has conducted field and laboratory studies of archaeological sites in California, Delaware, Illinois, Nevada, New Jersey, New York, and Pennsylvania. She has supervised large field crews of archaeologists and provided training in excavation strategies, map drafting, artifact illustrations, site tours, press relations, and processing artifacts. Ms. Rogers also has considerable experience proofreading and organizing paperwork and editing and co-writing reports. She has also been involved in teaching students of all ages about archaeology. Ms. Rogers has served as an Archaeological Site Steward in California off and on since 2009.



### Education

*Bard College*

*BA, Anthropology, 1990*

### Professional Affiliations

*Society of California*

*Archaeology*

*Ventura County*

*Archaeological Society*

### Certifications

*Occupational Safety and*

*Health Administration*

*(OSHA) 40-hour*

*HAZWOPER)*

## Previous Relevant Experience

**Queen of the Valley Hospital, West Covina, California.** Served as archaeological monitor. Conducted construction monitoring of trenching for infrastructure. Documented work with photographs and written report. (2021–2022)

**Pearl St., Ojai, California.** Served as archaeological monitor. Conducted construction monitoring of grading and preparation for housing development. Documented work with photographs and prepared a daily written report. (2021)

**Devereaux Foundation, Goleta, California.** Served as field archaeologist. Assisted in excavations of test units to assess the presence or absence of subsurface remains. Conditions led to the use of mechanized excavation (pneumatic shovel) to reach desired depths. Documented work with photographs and written report. (2021)

**Cater Water Treatment Plant, Goleta, California.** Served as field archaeologist. Assisted in field survey of property, documenting landscape and existing structures. (2021)

**Watts Learning and Health Pavilion Project, Watts, California.** Served as paleontological monitor. Conducted construction monitoring of all ground disturbance for an underground parking structure. Documented work with photographs and prepared a daily written report. (2021)

**River Supply Conduit Unit-7, Burbank, California.** Served as paleontological monitor. Conducted construction monitoring of a shaft excavation in an urban environment. Documented work with photographs and prepared a daily written report. (2021)

**3rd and Central, Highland, California.** Served as field archaeologist. Conducted a field survey of urban property, documented with photographs. Prepared a written report and submitted a photo log. (2021)

**Valley View and Central Warehouse Project, San Bernardino, California.** Served as field archaeologist. Conducted a field survey of urban property, documented with photographs. Prepared a written report and submitted a photo log. (2021)

**San Gabriel Reservoir Post-Fire Emergency Project, San Gabriel Mountains, California.** Served as archaeological monitor. Conducted construction monitoring of entire San Gabriel Reservoir and Sediment Placement Site Fill Area. The work included large scale grading, vegetation removal, borrow pit digging, pioneering, and drilling. Led many Worker Environmental Awareness Program training sessions for new construction laborers and operators. Worked closely with biologists to document all construction activities that impacted the drainage. Also served as field archaeologist. Conducted an extensive field survey of the San Gabriel Reservoir with other archaeologists, documenting soils and any historic or prehistoric artifacts. (2021)

**Willows Project, Ventura, California.** Served as archaeological monitor. Conducted construction monitoring of a proposed housing development. Monitored large-scale grading across the project area. Documented work with photos and daily written reports. (2021)

**Valley View Project, Orcutt, California.** Served as field archaeologist. Excavated augers and test units to recover subsurface remains. Assisted in field survey, documented surface finds, created hand-drawn site maps and prepared daily field reports, including a photo log with extensive field photographs. (2021)

**Colima Road Improvement Project, Hacienda Heights, California.** Served as field archaeologist. Documented several viewpoint locations along improvement corridor, located through KMZ files. Submitted photographs with a photo log. (2021)

**7890 Haven Avenue, Rancho Cucamonga, California.** Served as field archaeologist. Conducted a field survey of urban property, documented with photographs. Prepared a written report and submitted a photo log. (2021)

**6th Street and Victoria Avenue Warehouse Project, Highland, California.** Served as field archaeologist. Conducted a field survey of a 12.3-acre property that included active horse paddocks. Documented efforts with photographs. Prepared a written report and photo log. (2021)

**Santa Clarita Gas Station and Convenience Store, Santa Clarita, California.** Served as field archaeologist. Conducted a field survey of urban property, documented with photographs. Prepared a written report and photo log. (2021)

**Santa Anita Debris Dam, Arcadia, California.** Served as field archaeologist. Surveyed existing debris dam and its surrounding landscape to determine presence or absence of cultural resources ahead of the Los Angeles County Department of Public Work's seismic strengthening project. Documented areas surveyed with photographs and prepared a written report and photo log. (2021)

**Mulholland Highway Repair, Santa Monica Mountains, California.** Served as archaeological monitor. Conducted construction monitoring of Los Angeles County Department of Public Work's repair of a damaged slope undermining the highway. Prepared daily monitoring reports. (2021)

**Extended Phase I Archaeological Evaluation for Bella Energy Storage, Goleta, California.** Served as field archaeologist. Excavated shovel test pits along alignment of proposed gen-tie line to ascertain absence or presence of subsurface remains and identification of intact or disturbed soils within a documented prehistoric site. Dry screened all soils for artifacts and ecofacts. (2021)

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# **Appendix B (Confidential)**

## South Central Coastal Information Center

### Records Search Results

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# **Appendix C (Confidential)**

## Cultural Resources Overview Map

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## **Appendix D**

### NAHC and Tribal Correspondence



From: Roshanne Bakhtiary

Sent: Thursday, May 18, 2023 7:10 AM

To: NAHC@NAHC

Cc: Adam Giacinto

Subject: Sacred Lands File Search Request for Dudek #12755.47

Attachments: 12755\_47\_NAHC\_SLF\_Request.pdf

Dear NAHC,

Please find attached to this email the NAHC Sacred Lands File Search request with project location map for the proposed Compass Energy Storage Project (Dudek #12755.47) in San Juan Capistrano, CA. Dudek is requesting a NAHC Sacred Lands File Search for any sacred sites, tribal cultural resources, and other places of Native American community value that may fall within a half-mile radius of the proposed project location.

Please let me know if you have any questions regarding this project. You can email the results to me at: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com).

Thank you,

Roshanne S. Bakhtiary, MA

Archaeologist

760.557.0998

[www.dudek.com](http://www.dudek.com)

## Sacred Lands File & Native American Contacts List Request

### Native American Heritage Commission

1550 Harbor Blvd, Suite 100

West Sacramento, CA 95691

916-373-3710

916-373-5471 – Fax

[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)

*Information Below is Required for a Sacred Lands File Search*

**Project:** Compass Energy Storage Project #12755.47

**County:** Orange

**USGS Quadrangle Name:** San Juan Capistrano

**Township:** 7S      **Range:** 8W      **Section(s):** 25, 26, 35, 36

**Company/Firm/Agency:** Dudek

**Street Address:** 605 3rd Street

**City:** Encinitas, California      **Zip:** 92024

**Phone:** (760) 557-0998

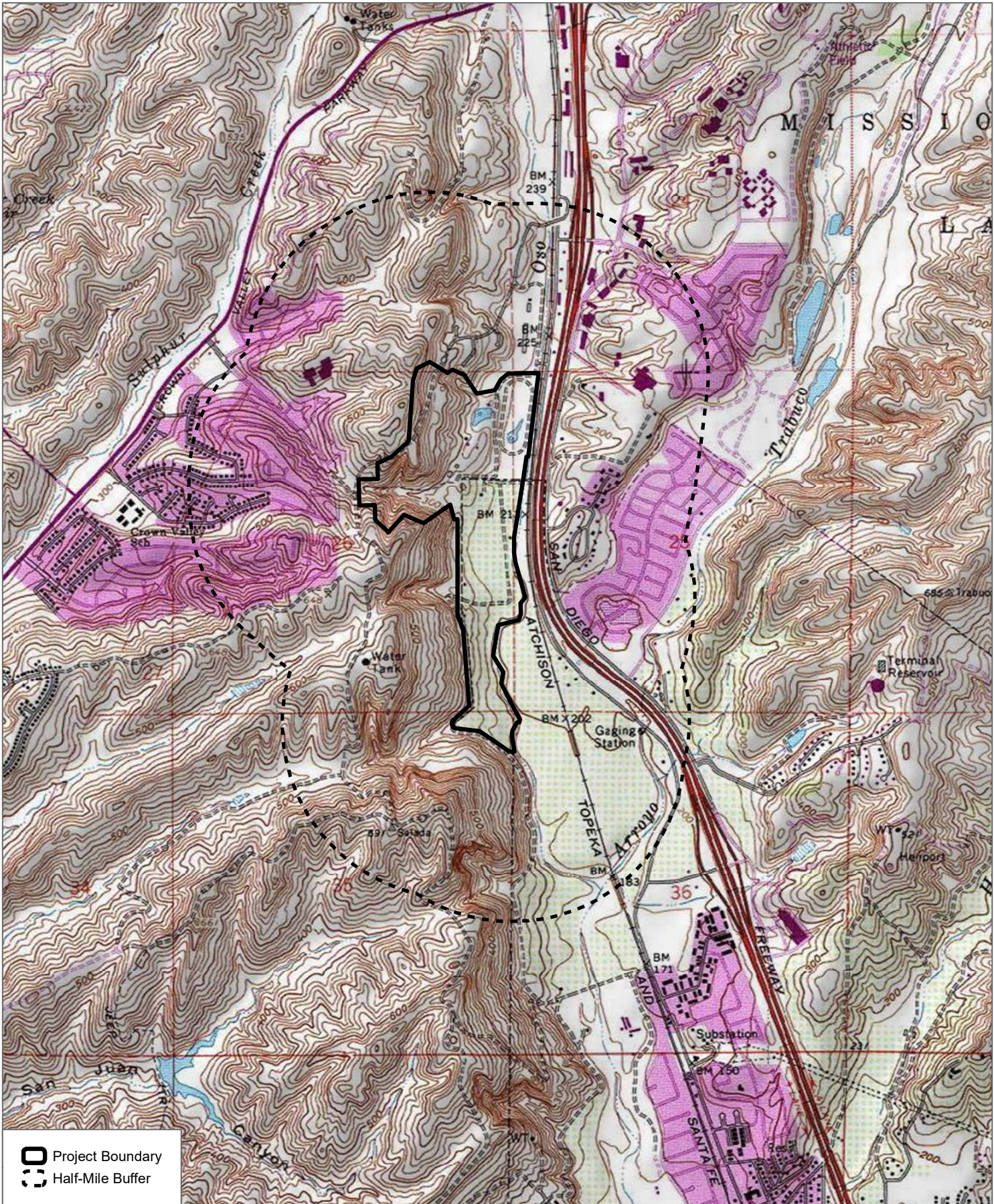
**Fax:** \_\_\_\_\_



**Email:** rbakhtiary@dudek.com

### Project Description:

The proposed Compass Energy Storage Project will include the development of an 250 MW battery storage system (BESS) and associated infrastructure within a developemnt area totalling 30-acres on an apporximate 60-acre parcel.





 Project Boundary  
 Half-Mile Buffer

SOURCE: USGS 7.5-Minute Series San Juan Capistrano Quadrangle  
Township 7S / Range 8W / Sections 25, 26, 35, 36

**DUDEK** 

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From: Green, Andrew@NAHC <Andrew.Green@nahc.ca.gov>

Sent: Monday, June 12, 2023 4:00 PM

To: Roshanne Bakhtiary

Cc: kaamalam@gmail.com

Subject: Compass Energy Storage Project

Attachments: SLF Yes Compass Energy Storage Project 6.12.2023.pdf; Compass Energy Storage Project 6.12.2023.pdf

Good Afternoon,

Attached is the response to the project referenced above. If you have any additional questions, please feel free to contact our office email at [nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov).

Regards,

Andrew Green

Native American Heritage Commission

1550 Harbor Blvd., Suite 100

West Sacramento, CA 95691

[Andrew.Green@nahc.ca.gov](mailto:Andrew.Green@nahc.ca.gov)

Direct Line: (916) 573-1072

Office: (916) 373-3710



## NATIVE AMERICAN HERITAGE COMMISSION

June 12, 2023

Roshanne Bakhtiary  
DudekVia Email to: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)ACTING CHAIRPERSON  
**Reginald Pagaling**  
ChumashSECRETARY  
**Sara Dutschke**  
MiwokCOMMISSIONER  
**Isaac Bojorquez**  
Ohlone-CostanoanCOMMISSIONER  
**Buffy McQuillen**  
Yokayo Pomo, Yuki,  
NomlakiCOMMISSIONER  
**Wayne Nelson**  
LuiseñoCOMMISSIONER  
**Stanley Rodriguez**  
KumeyaayCOMMISSIONER  
**Vacant**COMMISSIONER  
**Vacant**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](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)**Re: Compass Energy Storage Project, Orange County**

Dear Ms. Bakhtiary:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information submitted for the above referenced project. The results were positive. Please contact the Juaneno Band of Mission Indians Acjachemen Nation - Belardes on the attached list for information. Please note that tribes do not always record their sacred sites in the SLF, nor are they required to do so. A SLF search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with a project's geographic area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites, such as the appropriate regional California Historical Research Information System (CHRIS) archaeological Information Center for the presence of recorded archaeological sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. Please contact all of those listed; if they cannot supply information, they may recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

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 lists contain current information.

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

Sincerely,

Andrew Green  
Cultural Resources Analyst

Attachment

**Native American Heritage Commission  
Native American Contact List  
Orange County  
6/12/2023**

**Juaneno Band of Mission Indians**

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

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

Joyce Perry, Cultural Resource Director  
4955 Paseo Segovia  
Irvine, CA, 92603  
Phone: (949) 293 - 8522  
kaamalam@gmail.com  
Juaneno

**Juaneno Band of Mission Indians Acjachemen Nation 84A**

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

**La Jolla Band of Luiseno Indians**

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

**Pala Band of Mission Indians**

Alexis Wallick, Assistant THPO  
PMB 50, 35008 Pala Temecula Road  
Pala, CA, 92059  
Phone: (760) 891 - 3537  
awallick@palatribe.com  
Cupeno  
Luiseno

**Pala Band of Mission Indians**

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

**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

**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@santarosa-nsn.gov  
Cahuilla

**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

**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

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 Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed Compass Energy Storage Project, Orange County.



August 5, 2024

12755.47

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

**Subject: Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California**

Dear Mr. Contreras,

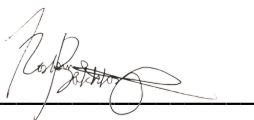
The Compass Energy Storage Project (Project) is proposed within 12.4 acres of an approximately 41-acre parcel located within the northern portion of the City of San Juan Capistrano, California. The Project involves the development of an approximately 250-megawatt, 1000-megawatt hour battery energy storage system composed of lithium-iron phosphate, or similar technology batteries, inverters, medium-voltage transformers, a switchyard, a collector substation, an offsite access road, and other associated equipment to interconnect into the SDG&E Trabuco to Capistrano 138 kV transmission line. The Project falls within Section 26 of Township 7 South and Range 8 West of the *San Juan Capistrano, California* U.S.G.S. 7.5-minute Series Quadrangle (Figure 1, Project Location Map).

As part of the cultural resources study prepared for the Project, Dudek contacted the Native American Heritage Commission (NAHC) to request a Sacred Lands file (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the proposed Project area. The NAHC emailed a response on June 12, 2023, stating that the SLF search positively identified the presence of Native American cultural resources within one mile of the Project area.

Please note that this letter does not constitute Assembly Bill (AB) 52 notification or initiation of consultation. Tribes that wish to be notified of projects for the purposes of consultation must contact the lead agency, The California Energy Commission, in writing (pursuant to Public Resources Code Section 21080.3.1 (b)).

If you have any knowledge of cultural resources that may exist within or near the proposed Project, or concerns pertaining to such information, please contact me by phone or email.

Respectfully,



Roshanne Bakhtiary, M.A.  
Archaeologist  
DUDEK  
Phone: (760) 557-0998  
Email: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)

**Attachments:** Figure 1. Project Location Map







August 5, 2024

12755.47

Ms. Heidi Lucero, Chairperson, THPO  
Juaneno Band of Mission Indians Acjachemen Nation 84A  
31411-A La Matanza Street  
San Juan Capistrano, CA 92675

**Subject: Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California**

Dear Ms. Lucero,

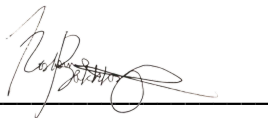
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Respectfully,



Roshanne Bakhtiary, M.A.

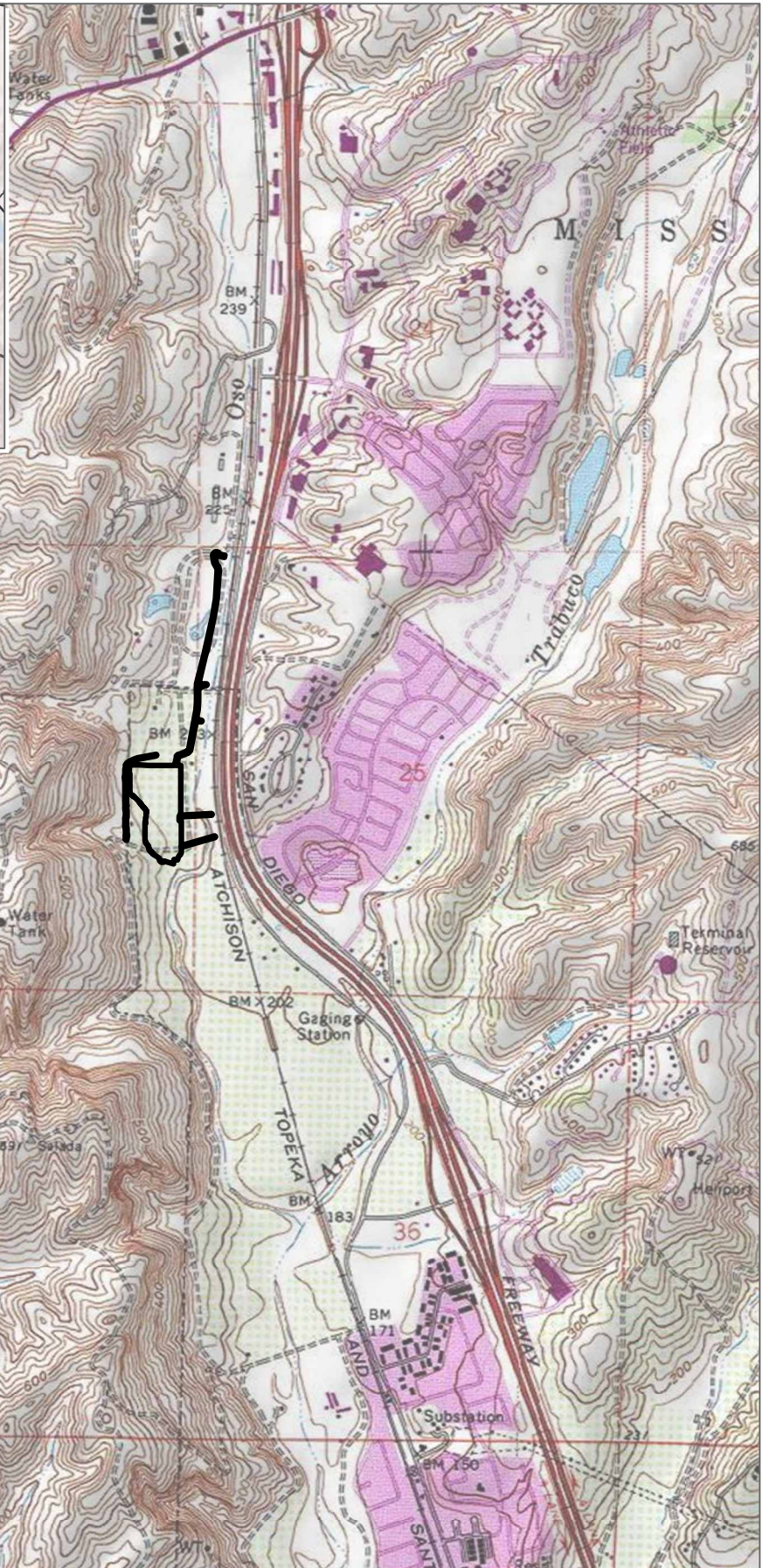
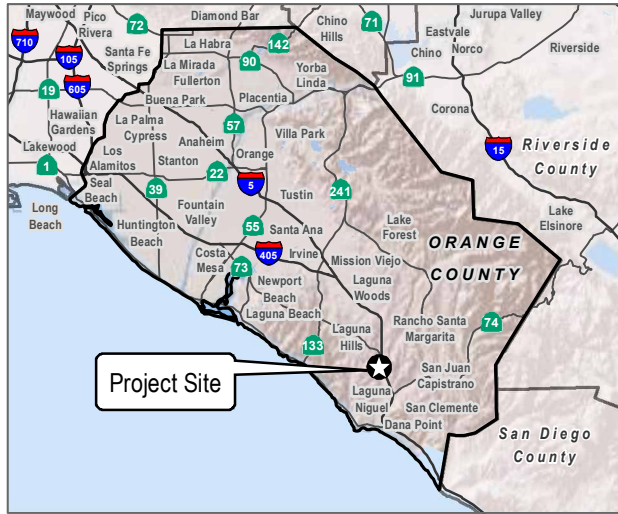
Archaeologist

DUDEK

Phone: (760) 557-0998

Email: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)**Attachments:** Figure 1. Project Location Map





SOURCE: USGS 7.5-Minute Series San Juan Capistrano Quadrangle Township 7S/ Range 8W/ Sections 25,26,35,36

**DUDEK**



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**FIGURE 1**  
**Project Location**  
Compass



August 5, 2024

12755.47

Ms. Shasta Gaughen, Tribal Historic Preservation Officer  
Pala Band of Mission Indians  
PMB 50, 35008 Pala Temecula Road  
Pala, CA 92059

**Subject: Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California**

Dear Ms. Gaughen,

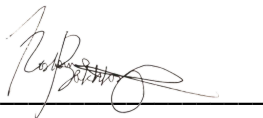
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If you have any knowledge of cultural resources that may exist within or near the proposed Project, or concerns pertaining to such information, please contact me by phone or email.

Respectfully,



Roshanne Bakhtiary, M.A.

Archaeologist

DUDEK

Phone: (760) 557-0998

Email: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)**Attachments:** Figure 1. Project Location Map







August 5, 2024

12755.47

Ms. Joyce Perry, Cultural Resource Director  
Juaneno Band of Mission Indians Acjachemen Nation - Belardes  
4955 Paseo Segovia  
Irvine, CA 92603

**Subject: Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California**

Dear Ms. Perry,

The Compass Energy Storage Project (Project) is proposed within 12.4 acres of an approximately 41-acre parcel located within the northern portion of the City of San Juan Capistrano, California. The Project involves the development of an approximately 250-megawatt, 1000-megawatt hour battery energy storage system composed of lithium-iron phosphate, or similar technology batteries, inverters, medium-voltage transformers, a switchyard, a collector substation, an offsite access road, and other associated equipment to interconnect into the SDG&E Trabuco to Capistrano 138 kV transmission line. The Project falls within Section 26 of Township 7 South and Range 8 West of the *San Juan Capistrano, California* U.S.G.S. 7.5-minute Series Quadrangle (Figure 1, Project Location Map).

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If you have any knowledge of cultural resources that may exist within or near the proposed Project, or concerns pertaining to such information, please contact me by phone or email.

Respectfully,



Roshanne Bakhtiary, M.A.

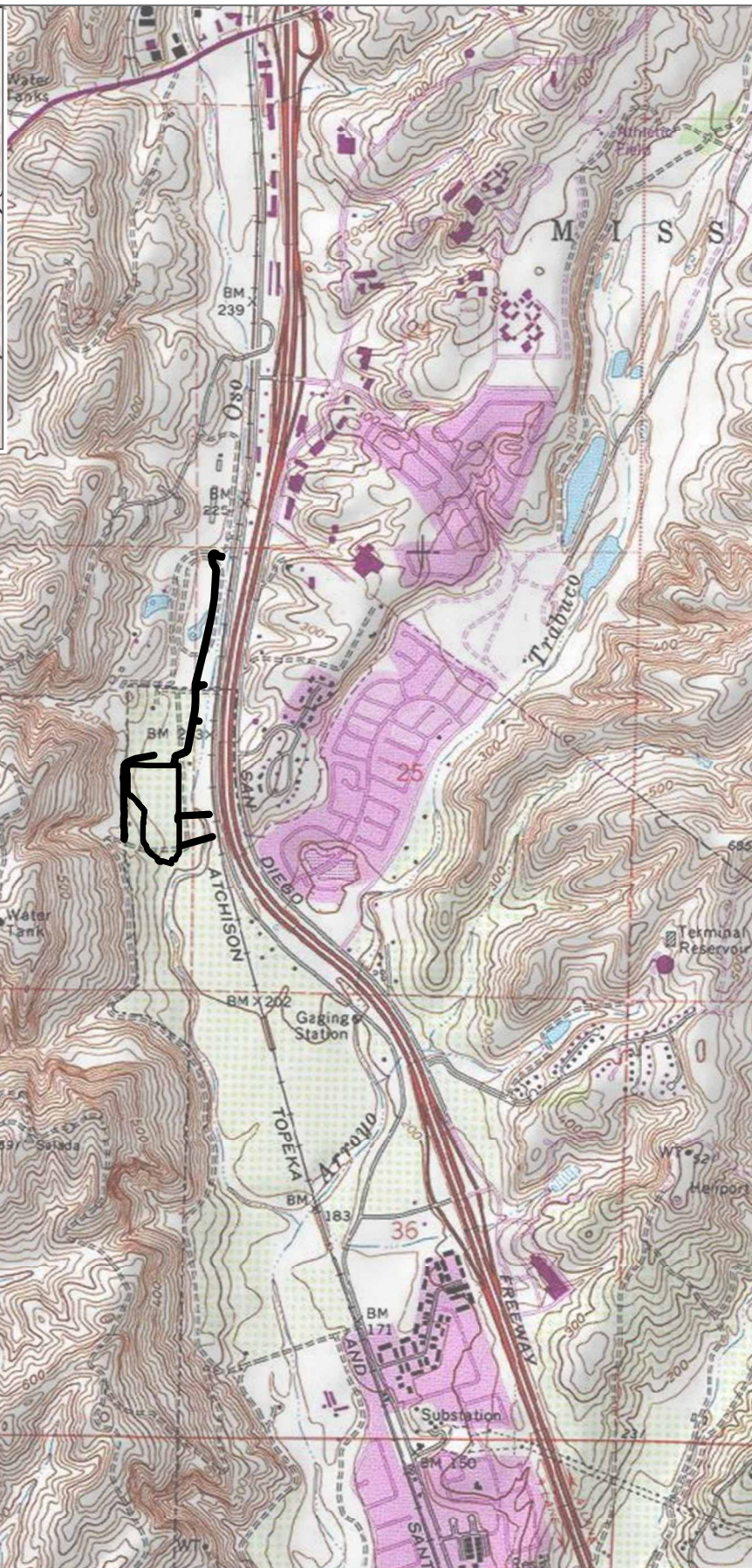
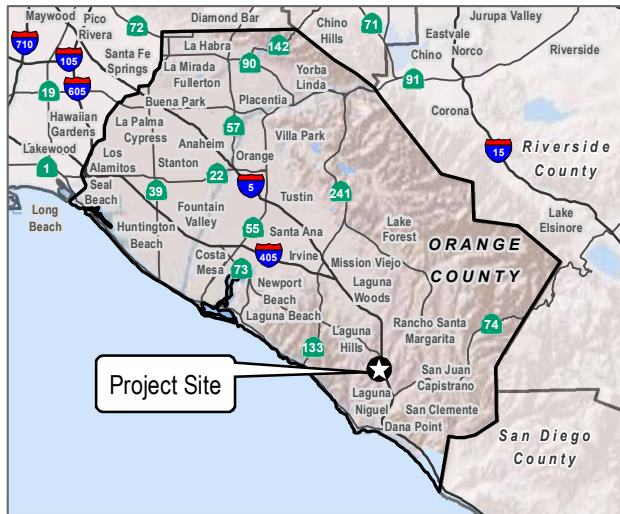
Archaeologist

DUDEK

Phone: (760) 557-0998

Email: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)**Attachments:** Figure 1. Project Location Map





SOURCE: USGS 7.5-Minute Series San Juan Capistrano Quadrangle Township 7S/ Range 8W/ Sections 25,26,35,36



**FIGURE 1**  
Project Location  
Compass



August 5, 2024

12755.47

Ms. Linda Candelaria, Chairperson  
Gabrielino-Tongva Trib  
80839 Camino Santa Juliana  
Indio, CA 92203

**Subject: Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California**

Dear Ms. Candelaria,

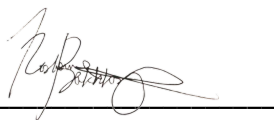
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Respectfully,



Roshanne Bakhtiary, M.A.  
Archaeologist  
DUDEK  
Phone: (760) 557-0998  
Email: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)

**Attachments:** Figure 1. Project Location Map







August 5, 2024

12755.47

Mr. Isaiah Vivanco, Chairperson  
Soboba Band of Luiseno Indians  
P.O. Box 487  
San Jacinto, CA 92581

**Subject: Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California**

Dear Mr. Vivanco,

The Compass Energy Storage Project (Project) is proposed within 12.4 acres of an approximately 41-acre parcel located within the northern portion of the City of San Juan Capistrano, California. The Project involves the development of an approximately 250-megawatt, 1000-megawatt hour battery energy storage system composed of lithium-iron phosphate, or similar technology batteries, inverters, medium-voltage transformers, a switchyard, a collector substation, an offsite access road, and other associated equipment to interconnect into the SDG&E Trabuco to Capistrano 138 kV transmission line. The Project falls within Section 26 of Township 7 South and Range 8 West of the *San Juan Capistrano, California* U.S.G.S. 7.5-minute Series Quadrangle (Figure 1, Project Location Map).

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If you have any knowledge of cultural resources that may exist within or near the proposed Project, or concerns pertaining to such information, please contact me by phone or email.

Respectfully,



Roshanne Bakhtiary, M.A.

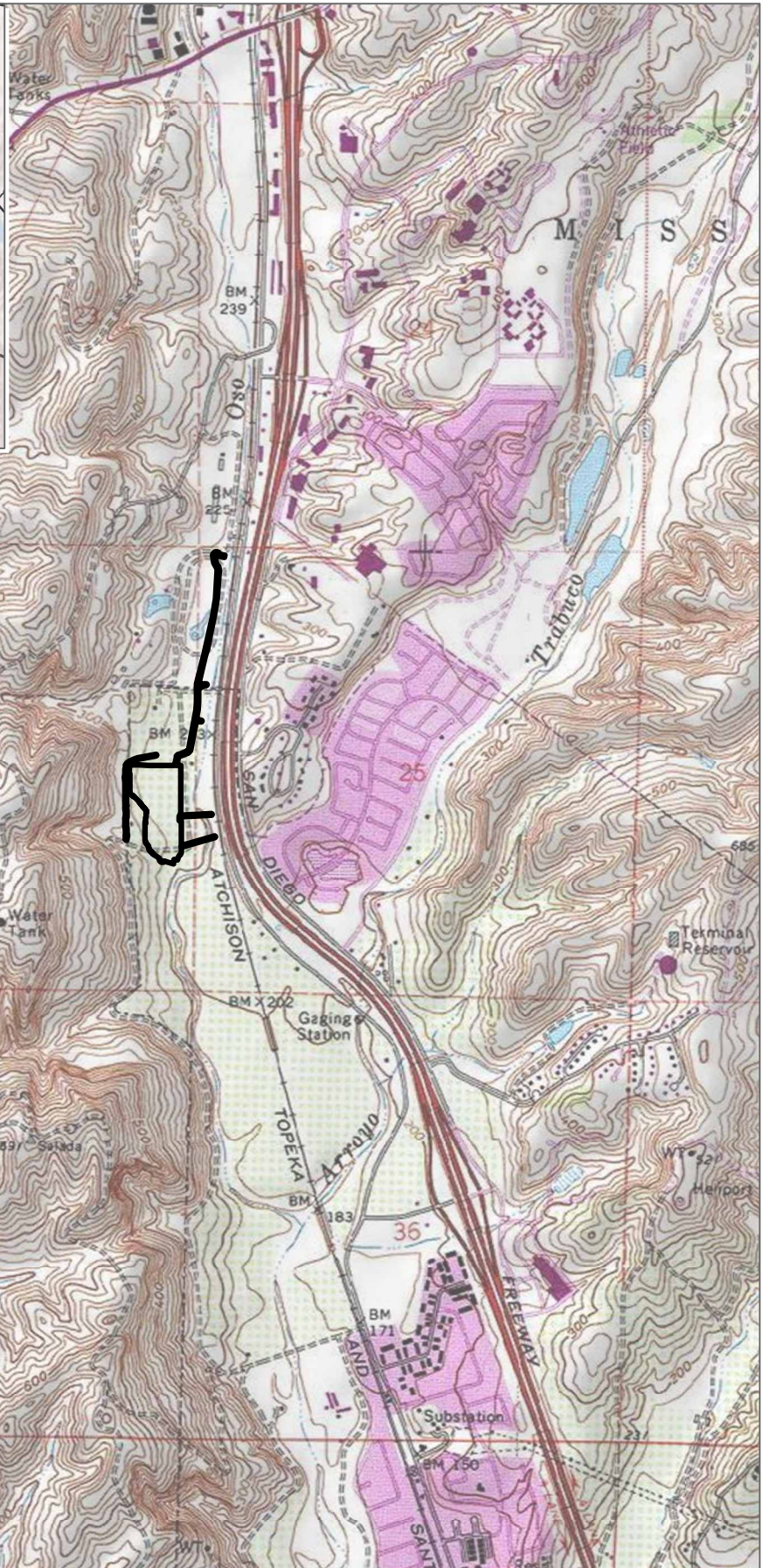
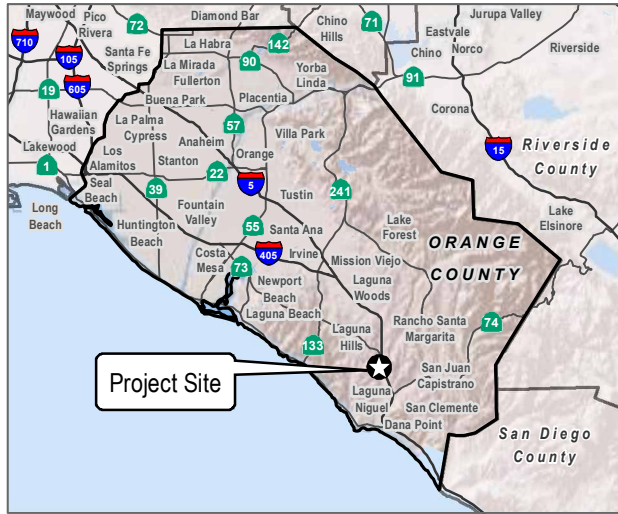
Archaeologist

DUDEK

Phone: (760) 557-0998

Email: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)**Attachments:** Figure 1. Project Location Map





SOURCE: USGS 7.5-Minute Series San Juan Capistrano Quadrangle Township 7S/ Range 8W/ Sections 25,26,35,36

**DUDEK**



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**FIGURE 1**  
**Project Location**  
Compass



August 5, 2024

12755.47

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

**Subject: Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California**

Dear Ms. Johnston,

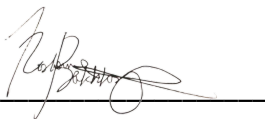
The Compass Energy Storage Project (Project) is proposed within 12.4 acres of an approximately 41-acre parcel located within the northern portion of the City of San Juan Capistrano, California. The Project involves the development of an approximately 250-megawatt, 1000-megawatt hour battery energy storage system composed of lithium-iron phosphate, or similar technology batteries, inverters, medium-voltage transformers, a switchyard, a collector substation, an offsite access road, and other associated equipment to interconnect into the SDG&E Trabuco to Capistrano 138 kV transmission line. The Project falls within Section 26 of Township 7 South and Range 8 West of the *San Juan Capistrano, California* U.S.G.S. 7.5-minute Series Quadrangle (Figure 1, Project Location Map).

As part of the cultural resources study prepared for the Project, Dudek contacted the Native American Heritage Commission (NAHC) to request a Sacred Lands file (SLF) search and a list of Native American individuals and/or tribal organizations who may have knowledge of cultural resources in or near the proposed Project area. The NAHC emailed a response on June 12, 2023, stating that the SLF search positively identified the presence of Native American cultural resources within one mile of the Project area.

Please note that this letter does not constitute Assembly Bill (AB) 52 notification or initiation of consultation. Tribes that wish to be notified of projects for the purposes of consultation must contact the lead agency, The California Energy Commission, in writing (pursuant to Public Resources Code Section 21080.3.1 (b)).

If you have any knowledge of cultural resources that may exist within or near the proposed Project, or concerns pertaining to such information, please contact me by phone or email.

Respectfully,



Roshanne Bakhtiary, M.A.

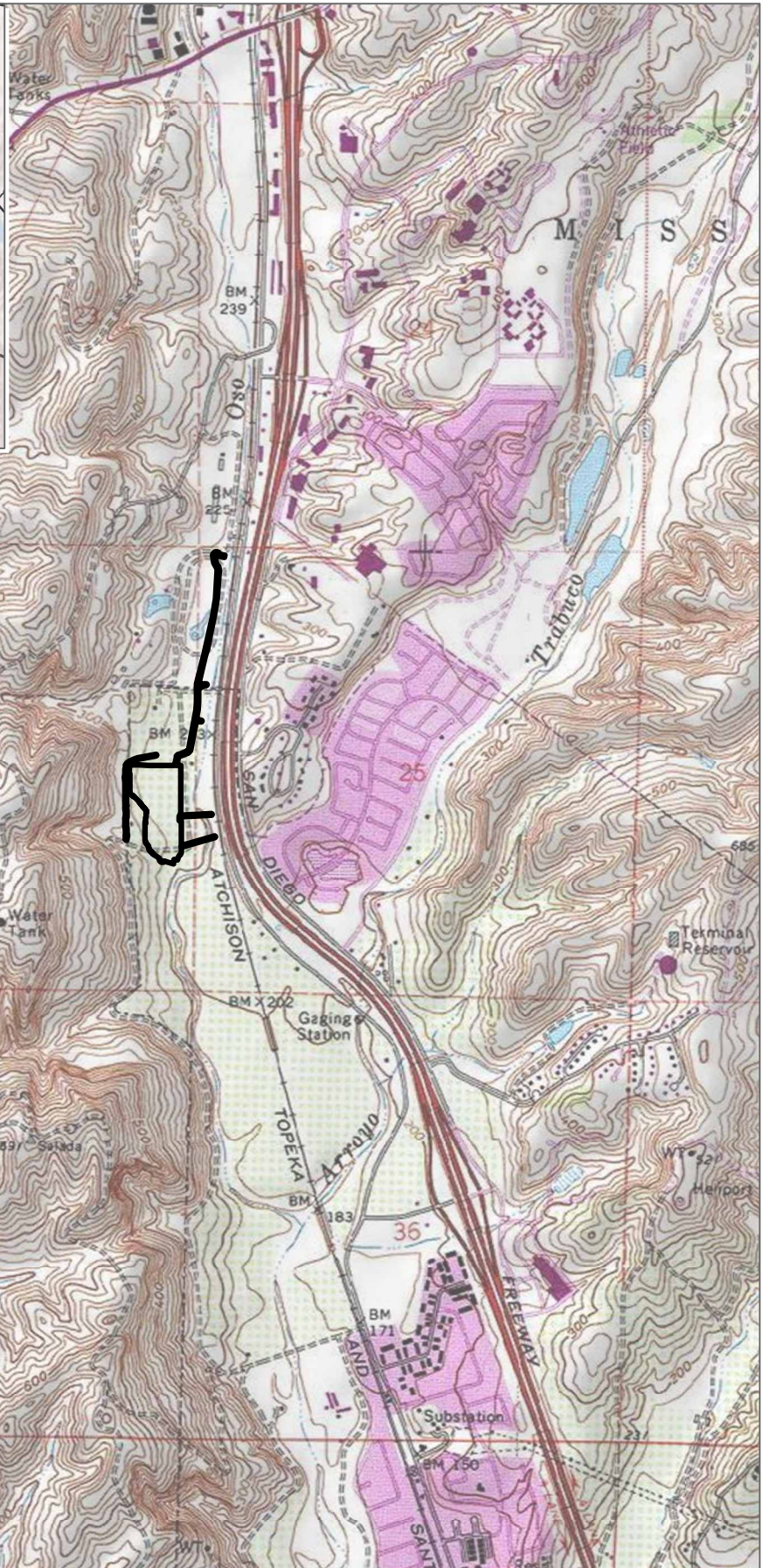
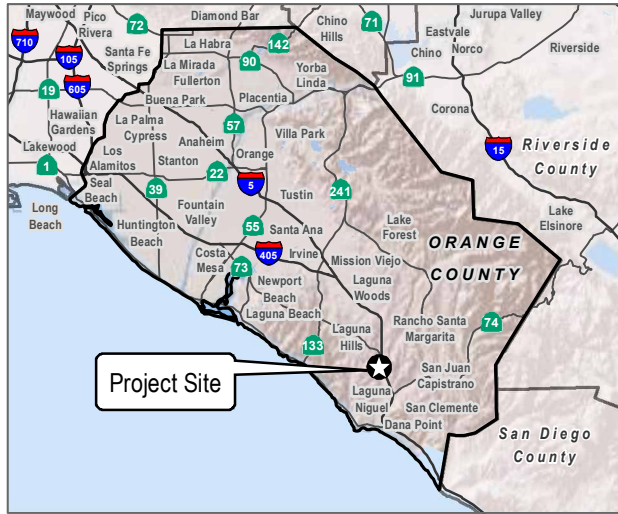
Archaeologist

DUDEK

Phone: (760) 557-0998

Email: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)**Attachments:** Figure 1. Project Location Map





SOURCE: USGS 7.5-Minute Series San Juan Capistrano Quadrangle Township 7S/ Range 8W/ Sections 25,26,35,36



**FIGURE 1**  
Project Location  
Compass



August 5, 2024

12755.47

Mr. Temet Aguilar, Chairperson  
Pauma & Yuima Reservation  
P.O. Box 369  
Pauma Valley, CA 92061

**Subject: Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California**

Dear Mr. Aguilar,

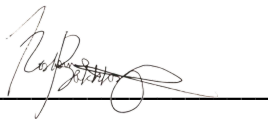
The Compass Energy Storage Project (Project) is proposed within 12.4 acres of an approximately 41-acre parcel located within the northern portion of the City of San Juan Capistrano, California. The Project involves the development of an approximately 250-megawatt, 1000-megawatt hour battery energy storage system composed of lithium-iron phosphate, or similar technology batteries, inverters, medium-voltage transformers, a switchyard, a collector substation, an offsite access road, and other associated equipment to interconnect into the SDG&E Trabuco to Capistrano 138 kV transmission line. The Project falls within Section 26 of Township 7 South and Range 8 West of the *San Juan Capistrano, California* U.S.G.S. 7.5-minute Series Quadrangle (Figure 1, Project Location Map).

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Roshanne Bakhtiary, M.A.

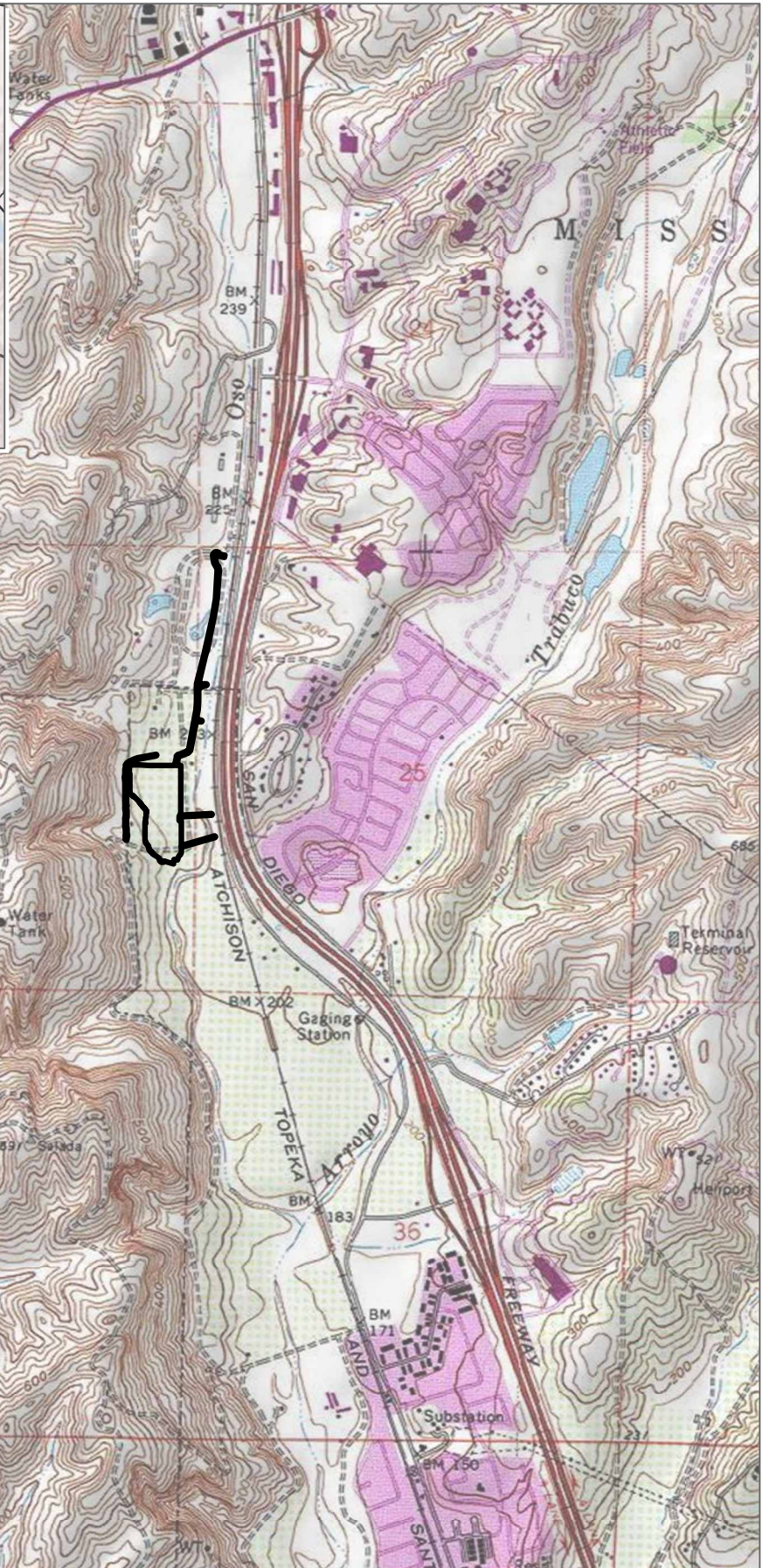
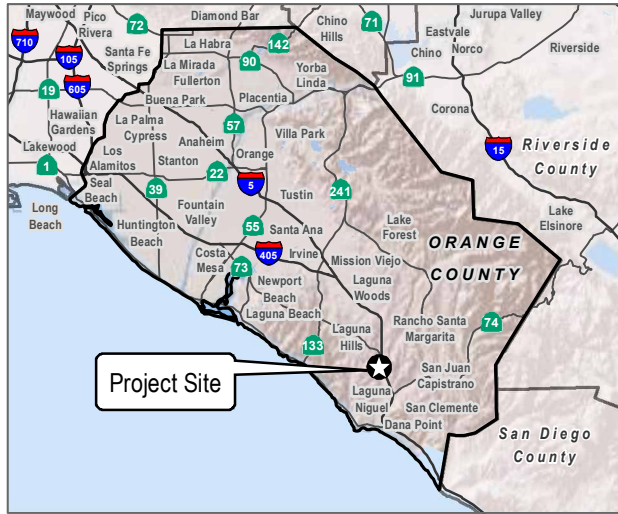
Archaeologist

DUDEK

Phone: (760) 557-0998

Email: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)**Attachments:** Figure 1. Project Location Map





SOURCE: USGS 7.5-Minute Series San Juan Capistrano Quadrangle Township 7S/ Range 8W/ Sections 25,26,35,36



**FIGURE 1**  
Project Location  
Compass



August 5, 2024

12755.47

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

**Subject: Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California**

Dear Ms. Redner,

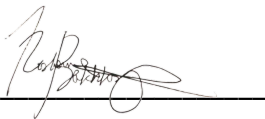
The Compass Energy Storage Project (Project) is proposed within 12.4 acres of an approximately 41-acre parcel located within the northern portion of the City of San Juan Capistrano, California. The Project involves the development of an approximately 250-megawatt, 1000-megawatt hour battery energy storage system composed of lithium-iron phosphate, or similar technology batteries, inverters, medium-voltage transformers, a switchyard, a collector substation, an offsite access road, and other associated equipment to interconnect into the SDG&E Trabuco to Capistrano 138 kV transmission line. The Project falls within Section 26 of Township 7 South and Range 8 West of the *San Juan Capistrano, California* U.S.G.S. 7.5-minute Series Quadrangle (Figure 1, Project Location Map).

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Roshanne Bakhtiary, M.A.

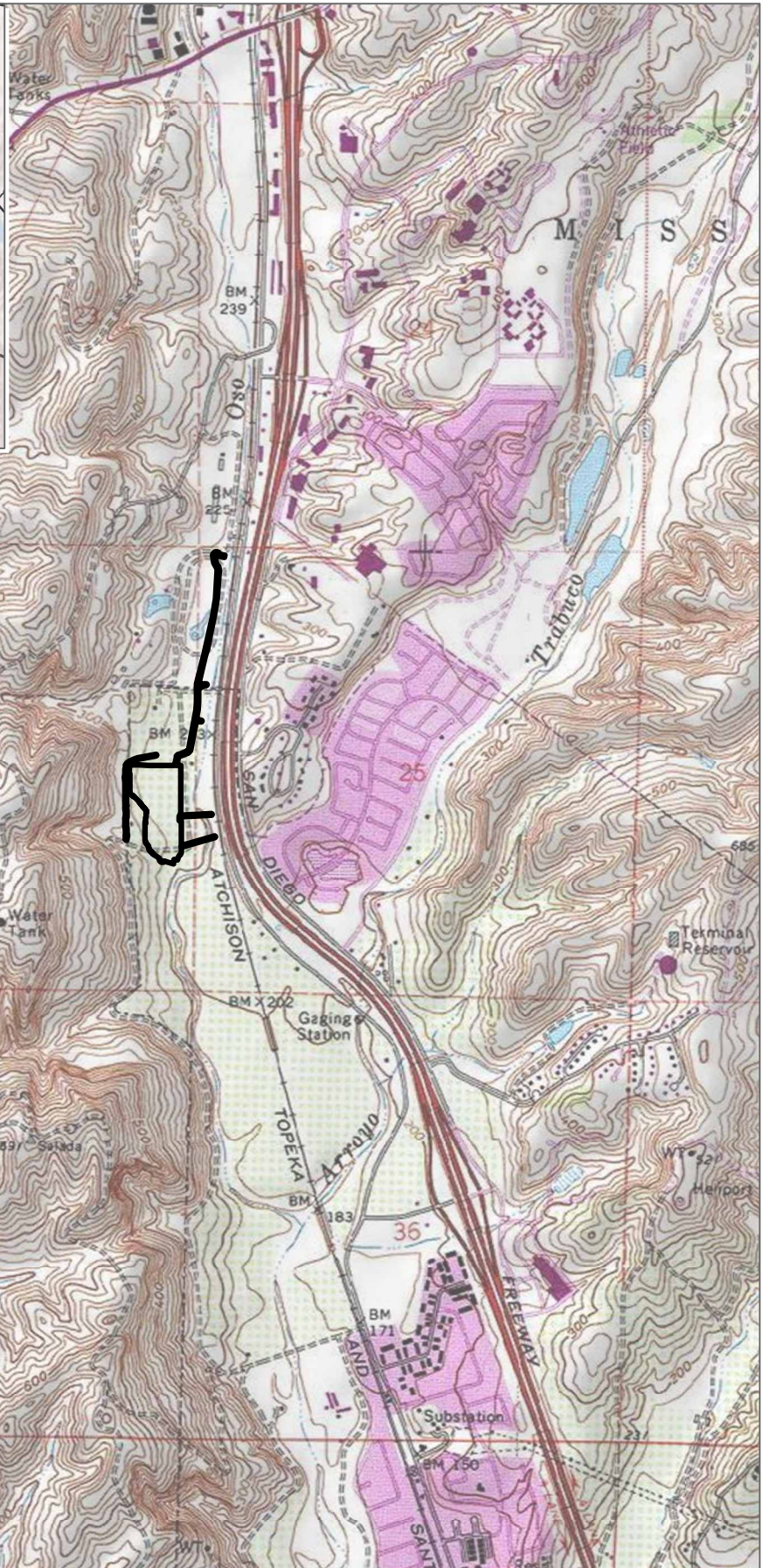
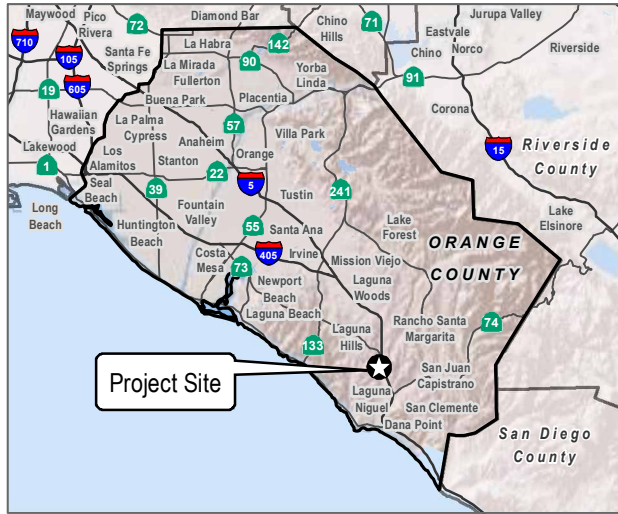
Archaeologist

DUDEK

Phone: (760) 557-0998

Email: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)**Attachments:** Figure 1. Project Location Map





SOURCE: USGS 7.5-Minute Series San Juan Capistrano Quadrangle Township 7S/ Range 8W/ Sections 25,26,35,36



**FIGURE 1**  
**Project Location**  
Compass



August 5, 2024

12755.47

Mr. Joseph Ontiveros, Cultural Resource Department  
Soboba Band of Luiseno Indians  
P.O. Box 487  
San Jacinto, CA 92581

**Subject: Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California**

Dear Mr. Ontiveros,

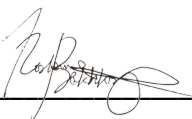
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Respectfully,



Roshanne Bakhtiary, M.A.

Archaeologist

DUDEK

Phone: (760) 557-0998

Email: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)**Attachments:** Figure 1. Project Location Map







August 5, 2024

12755.47

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

**Subject: Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California**

Dear Ms. Wallick,

The Compass Energy Storage Project (Project) is proposed within 12.4 acres of an approximately 41-acre parcel located within the northern portion of the City of San Juan Capistrano, California. The Project involves the development of an approximately 250-megawatt, 1000-megawatt hour battery energy storage system composed of lithium-iron phosphate, or similar technology batteries, inverters, medium-voltage transformers, a switchyard, a collector substation, an offsite access road, and other associated equipment to interconnect into the SDG&E Trabuco to Capistrano 138 kV transmission line. The Project falls within Section 26 of Township 7 South and Range 8 West of the *San Juan Capistrano, California* U.S.G.S. 7.5-minute Series Quadrangle (Figure 1, Project Location Map).

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Respectfully,



Roshanne Bakhtiary, M.A.

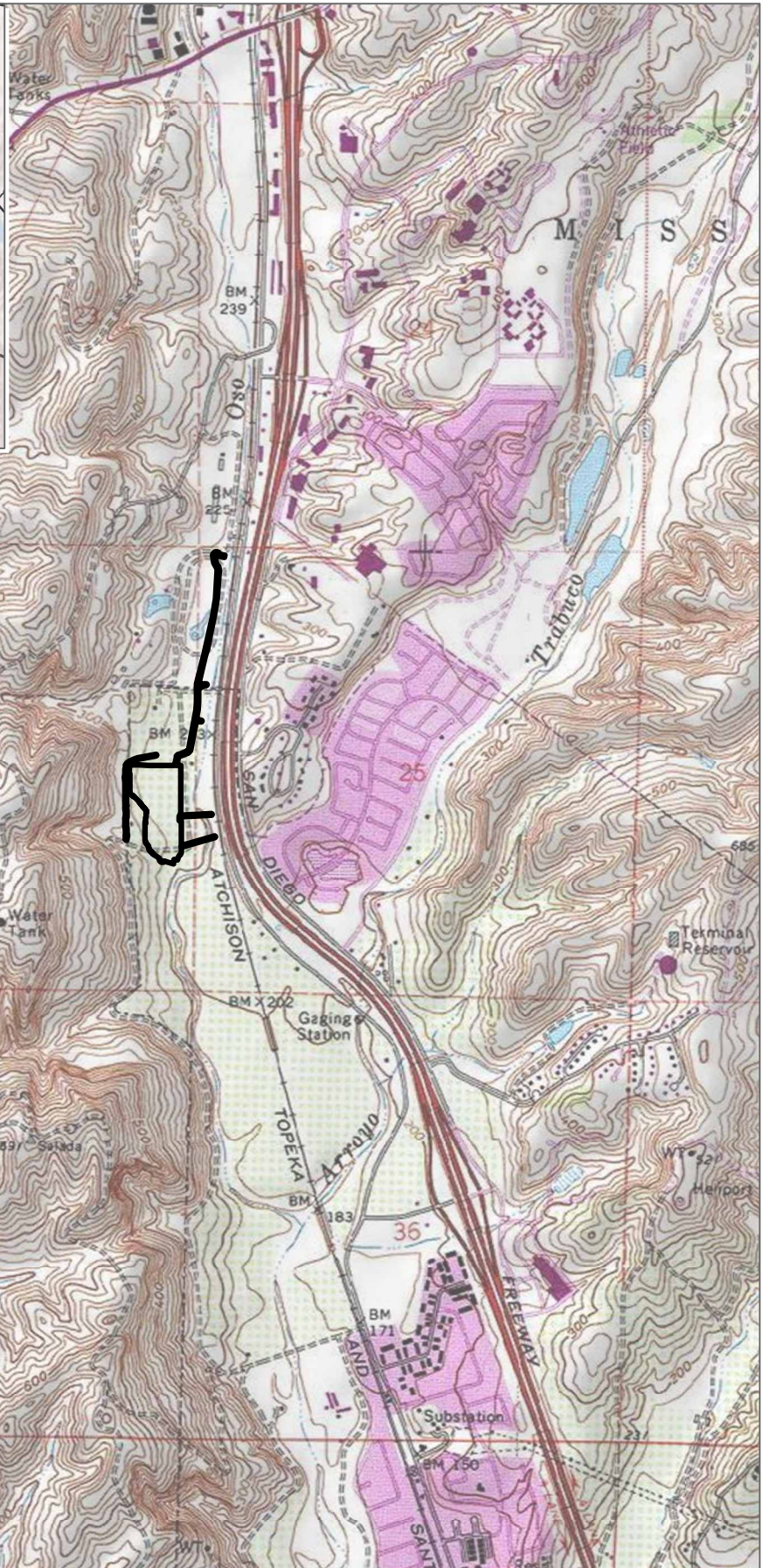
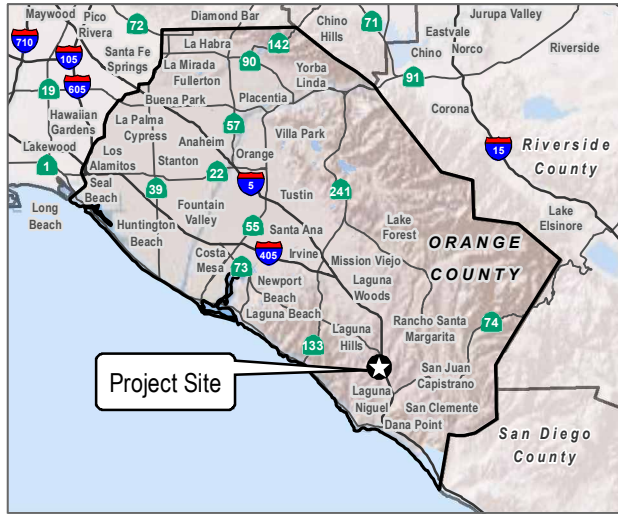
Archaeologist


DUDEK

Phone: (760) 557-0998

Email: [rbakhtiary@dudek.com](mailto:rbakhtiary@dudek.com)**Attachments:** Figure 1. Project Location Map





 Project Area

SOURCE: USGS 7.5-Minute Series San Juan Capistrano Quadrangle Township 7S/ Range 8W/ Sections 25,26,35,36



**FIGURE 1**  
Project Location  
Compass



## Roshanne Bakhtiary

---

**From:** Roshanne Bakhtiary  
**Sent:** Wednesday, August 7, 2024 12:36 PM  
**To:** jbmian.chairwoman@gmail.com  
**Subject:** Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California  
**Attachments:** Lucero\_Compass Energy Storage Project.pdf

Good afternoon, Ms. Lucero,

See attached letter regarding the proposed Compass Energy Storage Project located in the City of San Juan Capistrano, California. Please let me know if you have any questions or comments.

Thank you for your time,

**Roshanne Bakhtiary**

Archaeologist

**DUDEK**

**O:** 949 373 8307 **C:** 760 557 0998

[dudek.com](http://dudek.com)



## Roshanne Bakhtiary

---

**From:** Roshanne Bakhtiary  
**Sent:** Wednesday, August 7, 2024 12:35 PM  
**To:** [jontiveros@soboba-nsn.gov](mailto:jontiveros@soboba-nsn.gov)  
**Subject:** Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California  
**Attachments:** Ontiveros\_Compass Energy Storage Project.pdf

Good afternoon, Mr. Ontiveros,

See attached letter regarding the proposed Compass Energy Storage Project located in the City of San Juan Capistrano, California. Please let me know if you have any questions or comments.

Thank you for your time,

**Roshanne Bakhtiary**

Archaeologist

**DUDEK**

**O:** 949 373 8307 **C:** 760 557 0998

[dudek.com](http://dudek.com)





## Roshanne Bakhtiary

---

**From:** Roshanne Bakhtiary  
**Sent:** Wednesday, August 7, 2024 12:38 PM  
**To:** lsaul@santarosa-nsn.gov  
**Subject:** Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California  
**Attachments:** Redner\_Compass Energy Storage Project.pdf

Good afternoon, Ms. Redner,

See attached letter regarding the proposed Compass Energy Storage Project located in the City of San Juan Capistrano, California. Please let me know if you have any questions or comments.

Thank you for your time,

**Roshanne Bakhtiary**

Archaeologist

**DUDEK**

**O:** 949 373 8307 **C:** 760 557 0998

[dudek.com](https://dudek.com)



## Roshanne Bakhtiary

---

**From:** Roshanne Bakhtiary  
**Sent:** Wednesday, August 7, 2024 12:37 PM  
**To:** awallick@palatribe.com  
**Subject:** Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California  
**Attachments:** Wallick\_Compass Energy Storage Project.pdf

Good afternoon, Ms. Wallick,

See attached letter regarding the proposed Compass Energy Storage Project located in the City of San Juan Capistrano, California. Please let me know if you have any questions or comments.

Thank you for your time,

**Roshanne Bakhtiary**

Archaeologist

**DUDEK**

**O:** 949 373 8307 **C:** 760 557 0998

[dudek.com](https://dudek.com)



## Roshanne Bakhtiary

---

**From:** Roshanne Bakhtiary  
**Sent:** Wednesday, August 7, 2024 12:39 PM  
**To:** kaamalam@gmail.com  
**Subject:** Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California  
**Attachments:** Perry\_Compass Energy Storage Project.pdf

Good afternoon, Ms. Perry,

See attached letter regarding the proposed Compass Energy Storage Project located in the City of San Juan Capistrano, California. Please let me know if you have any questions or comments.

Thank you for your time,

**Roshanne Bakhtiary**

Archaeologist

**DUDEK**

**O:** 949 373 8307 **C:** 760 557 0998

[dudek.com](https://dudek.com)





## Roshanne Bakhtiary

---

**From:** Roshanne Bakhtiary  
**Sent:** Wednesday, August 7, 2024 12:38 PM  
**To:** [ivivanco@soboba-nsn.gov](mailto:ivivanco@soboba-nsn.gov)  
**Subject:** Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California  
**Attachments:** Vivanco\_Compass Energy Storage Project.pdf

Good afternoon, Mr. Vivanco,

See attached letter regarding the proposed Compass Energy Storage Project located in the City of San Juan Capistrano, California. Please let me know if you have any questions or comments.

Thank you for your time,

**Roshanne Bakhtiary**

Archaeologist

**DUDEK**

**O:** 949 373 8307 **C:** 760 557 0998

[dudek.com](http://dudek.com)



## Roshanne Bakhtiary

---

**From:** Roshanne Bakhtiary  
**Sent:** Wednesday, August 7, 2024 12:37 PM  
**To:** sgaughen@palatribe.com  
**Subject:** Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California  
**Attachments:** Gaughen\_Compass Energy Storage Project.pdf

Good afternoon, Ms. Gaughen,

See attached letter regarding the proposed Compass Energy Storage Project located in the City of San Juan Capistrano, California. Please let me know if you have any questions or comments.

Thank you for your time,

**Roshanne Bakhtiary**

Archaeologist

**DUDEK**

**O:** 949 373 8307 **C:** 760 557 0998

[dudek.com](https://dudek.com)



## Roshanne Bakhtiary

---

**From:** Roshanne Bakhtiary  
**Sent:** Wednesday, August 7, 2024 12:36 PM  
**To:** sonia.johnston@sbcglobal.net  
**Subject:** Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California  
**Attachments:** Johnston\_Compass Energy Storage Project.pdf

Good afternoon, Ms. Johnston,

See attached letter regarding the proposed Compass Energy Storage Project located in the City of San Juan Capistrano, California. Please let me know if you have any questions or comments.

Thank you for your time,

**Roshanne Bakhtiary**

Archaeologist

**DUDEK**

**O:** 949 373 8307 **C:** 760 557 0998

[dudek.com](http://dudek.com)





## Roshanne Bakhtiary

---

**From:** Roshanne Bakhtiary  
**Sent:** Wednesday, August 7, 2024 12:27 PM  
**To:** bennaecalac@aol.com  
**Subject:** Information Request for the Compass Energy Storage Project, City of San Juan Capistrano, California  
**Attachments:** Aguilar\_Compass Energy Storage Project.pdf

Good afternoon, Mr. Aguilar,

See attached letter regarding the proposed Compass Energy Storage Project located in the City of San Juan Capistrano, California. Please let me know if you have any questions or comments.

Thank you for your time,

**Roshanne Bakhtiary**

Archaeologist

**DUDEK**

**O:** 949 373 8307 **C:** 760 557 0998

[dudek.com](http://dudek.com)

