4.18 Tribal Cultural Resources

This section discusses tribal cultural resources or other resources potentially of importance to California Native American tribes along the IC Project Alignment, identifies applicable significance thresholds, assesses the IC Project's impacts to these resources and their significance, and recommends measures to avoid or substantially reduce any effects found to be potentially significant. Assembly Bill (AB) 52 (Gatto 2014, Chapter 532), which was enacted in September 2014, sets forth both procedural and substantive requirements for analysis of tribal cultural resources as defined in Public Resources Code (PRC) section 21074, and consultation with California Native American tribes.

The environmental setting is based on information obtained from the IC Project description, recent technical studies, and information gathered during outreach conducted by the Southern California Edison Company (SCE). See Section 4.5, Cultural and Paleontological Resources, for a discussion of cultural resources more broadly, including archaeological, built environment, and paleontological resources.

4.18.1 Environmental Setting

The IC Project Alignment area of potential effect (APE)/area of potential impact (API) is situated along approximately 358 miles (576 kilometers) of subtransmission lines in Inyo, Kern, and San Bernardino counties. Three geographical regions of California are included within the APE/API: eastern Sierra Nevada, southwestern Great Basin/Mojave Desert, and eastern California High Desert region. These regions are discussed in detail in Section 4.5.1.1, Cultural Resources Environmental Setting—Physical Setting.

4.18.1.1 Prehistoric Background

The prehistoric cultural setting of the APE/API is relevant to the Great Basin and Mojave Desert cultural area. The prehistory of the region encompasses a period of more than 12,000 years before present (BP), from the Late Pleistocene through the Late Holocene prior to European contact. A discussion of the chronology and key characteristics of this cultural area is presented in Section 4.5.1.2, Cultural Resources Environmental Setting—Prehistoric Background.

4.18.1.2 Ethnographic Background

Five ethnographically distinct Native American groups—the Owens Valley Paiute, Western Shoshone, Kawaiisu, Serrano/Vanyume, and Southern Paiute—are traditionally associated with areas included in the APE. For a discussion of each group, please refer to Section 4.5.1.3, Cultural Resources—Ethnographic Background. The following content provides an ethnographic overview and considers locations that are important to these indigenous groups.

4.18.1.2.1 Overview

By the time of Spanish colonization in AD 1769, California was already the home of approximately 300,000 indigenous people, comprising a complex of cultures that encompassed 74 languages and perhaps 500 distinct ethnic groups (Mithun 2006; Moratto 1984). Population density among California Native American groups varied according to the availability and dependability of local resources. The effect of Spanish settlement and missionization in California marks the beginning of a devastating disruption of native culture and lifeways, with forced population movements, loss of land and territory (including seasonal locations like traditional hunting and gathering locales), enslavement, and decline in population numbers from disease, malnutrition, starvation, and violence.

Early accounts of indigenous cultures in California come from the pioneers, explorers, and missionaries who wrote about native cultures and lifeways during Spanish settlement and missionization period. These so-called "Mission ethnographies," although very descriptive and detailed, still followed a colonial agenda, failing to report on the relationship of native Californians to their traditional territories. Not until the late 1800s and early 1900s did anthropologists began to conduct ethnographic research in the region, mainly attracted by the environmental conditions of the California portion of the southwestern Great Basin, which includes the Mojave Desert, which provided ample research opportunity on human–environment relationship. Ethnographic works from this earlier time, such as that of Alfred L. Kroeber, Robert F. Heizer, and John P. Harrington, focused on salvaging information from surviving native Californian elders who remembered traditional life (Vane 1992:336).

Ethnographic boundaries in the region of the IC Project Alignment are loosely defined because of the highly mobile nature of desert settlement strategies and the variety of alternatives presented by previous researchers. According to available ethnographic maps (Bean and Smith 1978:570; Kroeber 1925; Sutton et al. 2007:232), the project area falls within the traditional territory of the following groups (from north to south): Owens Valley Paiute, Western Shoshone, Kawaiisu, Vanyume subgroup of the Serrano people, and Southern Paiute or Chemehuevi.

4.18.1.2.2 Locations Important to the Owens Valley Paiute

Two linguistically distinct groups, the Paiute and the Shoshone, formed the native population of the Owens Valley. Occasional hunting forays extended into the Sierra Nevada and White Mountains or open areas east of Owens River. In his ethnography of the Owens Valley Paiute, Steward (1933) worked with his informants to map known place names for camps and villages, irrigated fields, gathering locations, hunting territories, trails, springs, other resource locations, geographic landmarks, and places where mythological events occurred (Steward 1933). The APE/API intersects with five Owens Valley Paiute territorial districts: pitanapa·ti (near Bishop Creek), iti ' itiwi·ti (between Bishop and Big Pine), tobowahamati (around Big Pine), panati (south of Big Pine), and tinihu·wi·ti (stretching from north of Fort Independence to the northwest side of Owens Lake; Liljeblad and Fowler 1986).

Supported by the streams from the snow-capped Sierra Nevada, the Owens Valley had ample marshes and grasslands. The Sierra Nevada ranges provided junipers, piñon, and pines at altitudes greater than 1,828 m (6,000 feet). Along these mountain ranges, there are pinecone processing areas significant to the ethnographic history of the Paiute and other Native American groups. Steward (1933) identified some of these pinecone processing areas worth noting for their proximity to the APE: 1) a village near Lone Pine called paha'awitu or "mortar place," 2) the village of tupu'si witu or "seed plant," and 3) the village of tonova witu or "salt brush," both located northeast of the Alabama Hills (Steward 1933). Other locations mapped by Steward are a camp and irrigated area near Freeman Creek and the Keough Hot Springs, and numerous plant-gathering localities with irrigated plots south of Bishop Creek north of the villages located in Bishop at the time (Lawton et al. 1976). Significant locations from oral legends recorded by Steward (1933) include a cave near Fish Spring where a mythological giant lived, a fishing locale near Hines Spring where bad spirits known as "water babies" dwelled, and a large plateau referred to as To'ni near Big Gulch where Coyote lived in his house, or to'ni, comprising a large round hole in the ground (Steward 1933).

4.18.1.2.3 Locations Important to the Western Shoshone

The ancestral lands of the Western Shoshone extended from Death Valley across central Nevada, and into northwestern Utah and southern Idaho. Several archaeological sites associated with Western Shoshone ancestral lands have been documented, including a few significant ones that intersect or are near the APE.

Located on the North Range of the China Lake Naval Air Weapons Station (CLNAWS), the Coso Hot Springs site has religious significance to the Western Shoshone (Kaldenberg 2007). On areas surrounding the base, Yohe and Garfinkel (2012) summarize the importance of the Rose Spring Site (CA-INY-372) for its religious and ceremonial significance associated with bighorn sheep. The Rose Spring site is also significant for its regional and chronological pattern defining the Rose Spring period. Yohe (1998) summarized the impact of the introduction of the bow and arrow on obsidian exploitation at the Rose Spring site (Yohe 1998).

The APE/API intersects Little Lake Village, one of the four villages that make up the Shoshone district of Kuhwiji along with villages located at Olancha, near Darwin, and at Coso Hot Springs (Garfinkel 1976). These villages were loosely connected to each other and were mostly occupied during the winter. Ethnographic accounts in the Little Lake region were originally presented by Kroeber (1925) and Steward (1933). During his fieldwork, Steward identified 10 single families residing around Little Lake; one of his informants believed the village consisted of approximately 60 people in 1870. The Little Lake Village site also contains rock art that has been inundated by water in recent times. The presence of rock art at this site indicates that it likely has cultural significance for the tribe.

Portuguese Bench is a geologic bench nestled into the eastern toeslope of the eastern Sierra Nevada range. Portuguese Bench contains a known village site found to be a major village settlement for the Koso Shoshone, dating back to 3,000 years ago, with higher occupation during the Haiwee period (1,350–600 years BP). Portuguese Bench is located approximately 2.67 km (1.66 miles) west of the APE, overlooking the IC Project Alignment (Allen 1986).

4.18.1.2.4 Locations Important to the Kawaiisu

The Kawaiisu occupied the southern Sierra Nevada and Tehachapi Mountains at the core of their territory and branched out into the Mojave to obtain seasonal resources (Zigmond 1986). Their range included the northwestern portion of the North Desert Region of San Bernardino County.

The Kawaiisu practiced a distinctive style of polychromatic (multicolored) rock art that shares many attributes with that of the Chumash (Lee and Hyder 1991). The best-studied Kawaiisu rock art site is Teddy Bear Cave (CA-KER-508), northeast of Tehachapi. Teddy Bear Cave is one site within Nettle Spring, an archaeological complex that also includes a large habitation area (CA-KER-230) along with numerous other localities. CA-KER-230 is characterized by numerous rock rings, more than 400 bedrock mortars, and rock art. Nearby sites include small camps, additional rock art localities, and a cremation site, all of which are potentially related to the Nettle Spring complex. Teddy Bear Cave is important in the oral history of the Kawaiisu people as the place where their people and the world were created (Sutton 2001).

The Kawaiisu were keen to resist European occupation of their traditional lands. As a result, several "skirmishes and atrocities against the [Kawaiisu] Indians began in 1861" (Underwood 2006:181). The location of these skirmishes and atrocities could be reverent for the Kawaiisu. Although the location of these atrocities are not always known or documented, oral histories within the tribe may identify locations that should be respected. In response to these attempts for the Kawaiisu to defend themselves and their territory, the U.S. Army established Camp Independence southwest of Owens Lake (Underwood 2006). This spot may also contain special meaning for the Kawaiisu.

4.18.1.2.5 Locations Important to the Serrano/Vanyume

The Serrano people once occupied the Mountain, North Desert, and East Desert Regions of San Bernardino County. Desert Serrano villages are mentioned in accounts and records dating to the late 1700s and early 1800s along the Mojave River near today's cities of Barstow and Daggett (Coues 1900:Vol. 1:241–248). The APE/API overlaps the Mojave River in the immediate vicinity of Daggett, and also west of Barstow, in the vicinity of Lenwood; thus, it is possible that Protohistoric Serrano village locations lie within or adjacent to the APE. Beattie (1955) suggests that Desert Serrano settlements were generally spaced at 10-mile (16-km) intervals along the river, indicating that additional village sites could be located within or adjacent to the APE, as it continues to parallel and overlap the Mojave River for approximately 55 km (34 miles) northeast of Daggett.

Specific Serrano villages along the Mojave River identified by Fr. Joaquín Nuez southwest of present-day Barstow include Atongaibit, Topipabit, Cocama, and Sisugenat; the villages of Angayaba, Asambeat, and Guanachique were located east of Barstow; and Angayaba was located east of Daggett (Earle 2003, 2005 in Byerly 2018). Nuez also noted a millingstone quarry at Elephant Mountain, near Forks-of-the-Road or Camp Cady, in the general vicinity of Angayaba (Walker 1986 in Byerly 2018). Earle places the village of Asambeat along the Mojave River east of Angayaba, and Guanachique in the vicinity of Soda Lake (Earle 2003 in Byerly 2018). Sutton and Earle (2017) synthesized multiple ethnographic and historical accounts and mapped the approximate locations of these three villages along the Mojave River, as well as a fourth unnamed village location noted by Garcés, which may possibly be Angayaba.

Other important places to the Serrano in the Daggett area include a salt deposit known to the Mojave as Yava'avi-ath'I, as well as a mountain noted by Nuez as west or south of Daggett called Hamuha or Ahamoha, where Moha, an elderly female Desert Serrano informant Kroeber interviewed in the early twentieth century, was born (Earle 2003 in Byerly 2018; Kroeber 1908, 1925, 1955). The mountains, hills, and valleys along the upper Mojave River, including the Granite, Newberry, and Ord mountains, were collectively referred to as Temtak (Earle 2003 in Byerly 2018).

4.18.1.2.6 Locations Important to the Southern Paiute

The extensive traditional territory of the Southern Paiute ranged from the Colorado Plateau to the Mojave Desert, and including the Colorado River basin and numerous small mountain ranges (Kelley and Fowler 1986). Numerous linear travel routes have been documented for the Southern Paiute/Chemehuevi, including trade routes and sacred trails (Fowler 2009). Several major trade routes and trails developed in the past 5,000 years to facilitate trade between the Pacific Coast and interior locales (Harner 1957 in Fowler 2009; Heizer 1941, 1978), and the Chemehuevi still used this network during the Contact period (1770s; Davis 1961; Sample 1950 in Fowler 2009). Sacred trails, which can overlap with secular trade routes and other pathways, are connected to songs and stories and often contain place names for water sources and other geographic features across the landscape. These songs often recount epic journeys by ancestors and spiritual beings, connecting the ephemeral spiritual world with the physical landscape, and providing an important vehicle for the transmission of information about the landscape and how to move across it (Kelly 1932–1934; Laird 1976 in Fowler 2009).

One specific trail lies within approximately 1.6 km (1 mile) of the APE, between Yermo and Baker in San Bernardino County. This trail, known as The Mojave Road or Old Government Road, extends from Fort Mojave on the Colorado River westward to Camp Cady on the Mojave River. The route follows one of the pre-Contact trade routes (Farmer 1935; Johnston and Johnston 1957 in Fowler 2009) that extended further to the west, to the San Bernardino Mountains, and ultimately to the coast. Although likely modified to accommodate horses and wagons by the U.S. Army and other entities, who used it as a supply

route in the 1860s, this route follows older Mohave/Chemehuevi trails and connects known Chemehuevi water sources (Kelly 1932–1934; Laird 1976 in Fowler 2009). The western portion of this route, along the Mojave River between Alvord Peak and the Cady Mountains, is roughly 1.6 km (1 mile) south of the IC Project Alignment.

Numerous geoglyphs, including anthropomorphic and geometric designs, are found in the vicinity of the Colorado River, within the ethnographic region generally attributed to the Southern Paiute/Chemehuevi. One Chemehuevi informant interviewed in the 1930s stated that these features predated the Chemehuevi's arrival in the area (Kelly 1934 in Fowler 2009). Conversely, other Southern Paiute informants maintain that Numic-speaking peoples have occupied the region since time immemorial (Stoffle and Zedeño 2001).

Other places important to the Chemehuevi include caves, mountains, and mesas to the north, south, and southwest of the IC Project Alignment, well outside of the APE/API, including locations in Nevada and Arizona (see Byerly 2018).

4.18.1.3 Historic Background

Three specific periods are recognized in California's post-Contact history: the Spanish period (1769–1822), the Mexican period (1822–1848), and the American period (1848–present). For an in-depth discussion of these time frames, please see Section 4.5.1.4, Cultural Resources Environmental Background—Historic Background. The history of these time periods is discussed below in relation to tribes within APE.

Much of eastern California remained unexplored by colonialists throughout the Spanish period due to landscape barriers, such as the Sierra Nevada and Mojave Desert. The rising California population under Spanish rule contributed to the introduction of diseases foreign to Native Americans, causing drastic losses to these communities who had no associated immunity. These introduced diseases traveled through indigenous trade routes via inland migration of coastal groups escaping from Spanish colonialism and missionization, and through the occasional group of Spanish soldiers that chased deserters or fugitive Indians.

European tools and materials were introduced into indigenous tool kits through trade with coastal groups. Inland groups used nails, knives, and other items long before any colonist settled within their territory. As indigenous land was subsumed into the Colonial and Mexican territories, a livestock-raiding complex sprung up. Furthermore, invasive vegetation began to make its way into the area, pushing out local flora that indigenous groups depended upon. Traders on the Old Spanish Trail—following paths taken by Native Americans, the Spanish, Mexicans, and Euro-Americans—took part in the trade of Native Americans as slaves. The Southern Paiute may have been traded to the Southwest, most likely New Mexico, as early as the late 1700s (National Park Service 2001:9). Social and environmental impacts not only increased friction between indigenous groups and colonists, they also affected inter- and intratribal dynamics.

Mexican sovereignty in California was brief. Throughout most of the Mexican period, physical barriers such as the Sierra Nevada shielded eastern California indigenous groups from the effects of expansionism. The state was populated primarily by Californios, Mexican-Indian peoples, and Euro-American settlers. In 1824, the Mexican constitution granted citizenship to all who occupied their territory. Under Mexican rule, indigenous landowners were allowed to vote and were treated as citizens. However, Euro-American customs affected indigenous ways of life, influencing groups such as the Western Shoshone and Southern Paiute.

The Spanish may have brought the slave trade to the Southwest, but the practice escalated after the development of the Old Spanish Trail into California after 1829 (Malouf and Findlay 1986:503; National Park Service 2001:25). Among those most affected were the Southern Paiute, who were taken as slaves by neighboring tribes such as the Utes. Mexicans engaged in the slave trade, either by taking captives to New Mexico, Utah, and California or by purchasing them (National Park Service 2001:9).

Territorial expansion in the nineteenth century during the American period was largely a result of manifest destiny, the concept that white settlers in the United States were inevitably destined to explore and expand across the country. This mindset affected aboriginal groups across the American West as settlers brought with them a high degree of racial hatred. Federal, state, and local governments, as well as vigilantes, encouraged and took part in the genocide of California native peoples as white populations moved into the state and took over indigenous land.

During California's first legislative convention of 1850, the legislation banned indigenous people from voting, from giving evidence for or against Americans in criminal cases, and from serving as jurors or attorneys (Madley 2016). This provided Euro-Americans impunity to attack, kill, and kidnap indigenous people. This same year, the state legislature legalized indigenous slavery of minors and through prisoner leasing, and a decade later extended that to the indentured status of any Indigenous person (Lindsay 2012; Madley 2016). Killing indigenous people was not only accepted, it resulted in financial gain. According to an informant of Fenelon and Trafzer (2014:20), "…there were mercenaries chasing them [the Chemehuevi], they got money for killing Indians, they got money for taking down Indians, paid by the scalp." In 1856 California legislation allowed for the payment of 25 cents for any Indian scalp, and by 1860 the bounty was increased to 5 dollars (Madley 2016).

At the start of the American period, the Owens Valley provided a travel corridor for traders, trappers, settlers, miners, and the military. The sudden influx of white colonists took advantage of the existing indigenous water systems. Cattle brought into the valley by ranchers foraged on native plants that made up the diet of the indigenous Paiute. Faced with starvation, the Paiute began to kill ranchers' livestock. This sparked conflict between the settlers and the Native Americans, known as the Owens Valley Indian War, resulting in the establishment of Fort Independence in 1862 (Macko 1986). In 1863, settlers and soldiers chased a group of Paiute into Owens Lake, where they were gunned down (Sahagun 2013).

Late nineteenth-century maps by people such as Wheeler (Wheeler et al. 1869) and reports by researchers such as Isabel T. Kelly (1934) marginalized Native American groups such as the Pahrump Band of Paiutes. Kelly's 1934 publication delineated space to groups in the Southern Paiute nation through a list of tribal names and territories. The accompanying map was used by the U.S. government as a guide to settlement of land claims in the mid-twentieth century (Kelly 1964; Kelly et al. 1976). "This particular map is significant in that it closes a frontier, and creates an image in which all is known about the Southern Paiute band divisions and their locations in the early 20th century" (Chmara-Huff 2006:13).

In the context of manifest destiny, U.S. government policy has wavered between assimilation policies to exclusionary acts and granting autonomy to indigenous groups versus their treatment as wards of the state. For example, in 1871, Native Americans became wards of the government rather than sovereign nations, and groups without recognized treaties were classed as unaffiliated (Chmara-Huff 2006:18). Citizenship for all Native Americans was only granted in 1924 with the Citizenship Act.

Today, the United States recognizes 573 Indian nations. Included among them are several tribes within the IC Project area: the Big Pine Paiute Tribe of the Owens Valley, the Bishop Paiute Tribe, Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, the Lone Pine Paiute-Shoshone Tribe, San Manuel Band of Mission Indians, Death Valley Timbi-sha Shoshone Tribe,

and the Chemehuevi Indian Tribe of the Chemehuevi Reservation. Unaffiliated groups in the project area include the Kern Valley Indian Community (Kawaiisu and Tubatulabal), the Kitanemuk & Yowlumne Tejon Indians (Yowlumne and Kitanemuk), and the Twenty-Nine Palms Band of Mission Indians (Chemehuevi).

4.18.1.4 Tribal Coordination

Coordination with California Native American groups potentially affected by the IC Project is mandated at both the state and federal levels. The California Public Utilities Commission (CPUC) is the lead state agency for the IC Project and coordinated with Native American tribes and bands pursuant to their responsibilities under Assembly Bill 52 (AB 52). The Bureau of Land Management (BLM) is the lead federal agency for the IC Project and they will conduct their own tribal consultation efforts pursuant to their responsibilities under Section 106 of the National Historic Preservation Act (NHPA).

The Native American Heritage Commission (NAHC) maintains two databases to assist cultural resources specialists in identifying cultural resources of concern to California Native Americans. On December 7, 2018, SWCA contacted the NAHC to obtain information about known cultural and tribal cultural resources and to request a list of Native American tribal representatives who may have a cultural affiliation with the IC Project area. The NAHC responded on December 28, 2018, stating that the Sacred Lands File (SLF) database includes previously identified sacred sites in the vicinity of the IC Project. In consideration of these culturally significant sacred sites, SWCA was directed to contact two Native American tribes for more information. The NAHC also forwarded a list of 12 Native American groups or individuals that are culturally affiliated with the project area. SCE would reference the lists for outreach and coordination.

Pursuant to AB 52, initial tribal outreach letters were sent by the CPUC to 39 tribal contacts on December 14, 2018, with a fact sheet summarizing the IC Project. Follow-up email messages were sent on December 16 and 24, 2018. The purpose of this outreach was to ensure that potentially affected California Native American groups would have an opportunity to provide meaningful input on the potential for tribal cultural resources to be found in the IC Project area, as well as to consult on the treatment of and mitigation of project impacts to any such resources.

4.18.1.5 Tribal Cultural Resources

As described in Section 4.5, Cultural and Paleontological Resources, 2,508 cultural resources have been previously recorded within 0.5 mile (0.8 km) of the IC Project Alignment; 582 are within the IC Project area of potential effects/area of potential impacts (APE/API). Of the 582 previously recorded cultural resources located within the IC Project APE/API, 339 are considered to be prehistoric or multicomponent resources. Some of these resources may meet the definition of a tribal cultural resource. No other potential tribal cultural resources have been identified to date within the IC Project APE/API, although continuing tribal coordination would likely provide additional information on sites, features, places, cultural landscapes, sacred places, or objects with cultural value to a tribe in the IC Project APE/API, as well as on the sacred lands identified by the NAHC as within the vicinity of the IC Project.

4.18.2 Regulatory Setting

The primary federal and state laws, regulations, and policies that pertain to the IC Project are summarized in Section 4.5, Cultural and Paleontological Resources. Section 4.5.4, Cultural Resources–Regulatory Setting, summarizes regulatory ordinances and other local policies that concern cultural resources, which may also be relevant to tribal cultural resources if tribal cultural resources are determined to also be unique archaeological or historical resources. Tribal cultural resources include sites, features, places,

cultural landscapes, and sacred places or objects that have cultural value or significance to a tribe. A tribal cultural resource is one that is either: (1) listed on, or eligible for listing on the California Register of Historical Resources (CRHR) or local register of historical resources (see Section 4.5, Cultural and Paleontological Resources, for more information about the CRHR); or (2) a resource that the CEQA lead agency, at its discretion and supported by substantial evidence, determines is significant pursuant to the criteria in PRC Section 5024.1, subdivision (c) (see PRC Section 21074). Further, because tribes traditionally and culturally affiliated with a geographic area may have specific expertise concerning their tribal cultural resources, AB 52 sets forth requirements for notification and invitation to government to government consultation between the CEQA lead agency and geographically affiliated tribes (PRC Section 21080.3.1[a]). Under AB 52, lead agencies must avoid damaging effects to tribal cultural resources, when feasible, regardless of whether consultation occurred or is required.

Tribal cultural resources per PRC Section 21074 (a)(1)(A)–(B) are defined as either of the following:

1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

a) Included or determined to be eligible for inclusion in the California Register of Historical Resources.

b) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

2) 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. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

a) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

b) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

4.18.3 Significance Criteria

The significance criteria for assessing the impacts to tribal cultural resources come from the CEQA Environmental Checklist, which notes that a project causes a potentially significant impact if it would:

> Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:
>
> - Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in Section 5020.1(k), 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. In applying the criteria set forth in subdivision (c) Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.18.4 Impact Analysis

Under AB 52, lead agencies must avoid damaging effects to tribal cultural resources, when feasible, regardless of whether consultation occurred or is required. PRC Section 21084.2 states, "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment." Lead agencies are directed to avoid damaging effects to tribal cultural resources when feasible. If measures are not otherwise identified in consultation with affected tribes to mitigate a substantial adverse change to a tribal cultural resource, the examples of measures provided in PRC Section 21084.3 may be considered, if feasible.

Tribal cultural resources are known to be located in the IC Project APE/API based on the results of the SLF search conducted by the NAHC. As such, the IC Project has the potential to affect previously unidentified tribal cultural resources that may be inadvertently discovered during construction activities. Relevant material also considered in this impact analysis includes information summarized in Section 4.5.6, Cultural Resources Impact Analysis.

4.18.4.1 Construction

This analysis would be provided under separate cover following completion of pedestrian surveys and approval of technical report(s) by the responsible agency(ies).

4.18.4.2 Operations

Less than Significant Impact. Normal operation of substation, transmission, subtransmission, distribution, and telecommunications lines would be controlled remotely through SCE control systems, and manually in the field as required. Maintenance would occur as needed and could include activities such as repairing conductors, washing or replacing insulators, repairing or replacing other hardware components, replacing poles, tree trimming, brush and weed control, and access road maintenance. Most regular operation and maintenance (O&M) activities of overhead facilities are performed from existing access roads with no surface disturbance. Repairs to facilities, such as repairing or replacing poles and structures, could occur in undisturbed, but previously surveyed areas. Therefore, operation impacts to tribal cultural resources would be less than significant.

4.18.5 Applicant Proposed Measures

SCE has designed and incorporated the following APMs into the IC Project to avoid or minimize potential impacts to tribal cultural resources:

- TCR-1: Conduct Tribal Construction Monitoring
- TCR-2: Develop Tribal Engagement Plan

The full text of each APM is presented in Section 5.1.

4.18.6 Alternatives

Alternatives to the IC Project are addressed in Section 5.2, Description of Project Alternatives and Impact Analysis.

4.18.7 References

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