

Chapter 8

Cultural Resources

8.1 Overview

This chapter describes potential impacts of the Proposed Project related to cultural and paleontological resources. Cultural resources include prehistoric archaeological sites, historic-era archaeological sites, tribal cultural resources (TCRs), and historic buildings, structures, landscapes, districts, and linear features. Prehistoric archaeological sites are places where Native Americans lived or carried out activities during the prehistoric period, which is generally prior to the late 1700s. Historic-era archaeological sites reflect the activities of people after initial exploration and settlement in the region by the Spanish during the late 1700s, and by others later on. Native American sites can also reflect the historic era. Prehistoric and historic-era sites contain artifacts, cultural features, subsistence remains, and human burials.

Paleontological resources are the fossil remains of prehistoric flora and fauna, or traces of evidence of the existence of prehistoric flora and fauna. This chapter addresses the occurrence of paleontological resources within the project area and the potential impact that construction activities and operation of the Proposed Project would have on scientifically important fossil remains, as identified in the California Environmental Quality Act Guidelines (State CEQA Guidelines). The analysis presented in this chapter conforms to the Society of Vertebrate Paleontology criteria.

The purpose of this chapter is to describe the regulatory setting associated with cultural and paleontological resources, the affected environment for these resources, project impacts on cultural and paleontological resources, and mitigation measures that would reduce these impacts.

8.2 Regulatory Setting

8.2.1 Federal Laws, Regulations, and Policies

National Historic Preservation Act of 1966

Enacted in 1966 and amended in 2000, the National Historic Preservation Act (NHPA) instituted a multifaceted program, administered by the Secretary of the Interior, to encourage sound preservation policies of the nation's cultural resources at the federal, state, and local levels. The NHPA authorized the expansion and maintenance of the National Register of Historic Places (NRHP), established the position of State Historic Preservation Officer, provided for the designation of State Review Boards, set up a mechanism to certify local governments to carry out the goals of the NHPA, assisted Native American tribes in preserving their cultural heritage, and created the Advisory Council on Historic Preservation

1 (ACHP). Projects that involve federal funding or permitting (i.e., have a federal nexus) must
2 comply with the provisions of the NHPA, as amended (16 U.S. Code 470[f]).

3 Cultural resources are considered during federal undertakings chiefly under Section 106 of
4 the NHPA through one of its implementing regulations, 36 Code of Federal Regulations [CFR]
5 800 (Protection of Historic Properties), as well as NEPA. Properties of traditional religious
6 and cultural importance to Native Americans are considered under Section 101(d)(6)(A) of
7 the NHPA. Section 106 states that federal agencies with direct or indirect jurisdiction over
8 federally funded, assisted, or licensed undertakings must take into account the effect of the
9 undertaking on any historic property that is included in or eligible for inclusion in the NRHP,
10 and that the ACHP must be afforded an opportunity to comment, through a process outlined
11 in the ACHP regulations, in 36 CFR Part 800, on such undertakings.

12 Other federal laws pertaining to cultural resources include the Archaeological Data
13 Preservation Act of 1974, American Indian Religious Freedom Act of 1978, Archaeological
14 Resources Protection Act of 1979, and Native American Graves Protection and Repatriation
15 Act of 1989.

16 **U.S. Forest Service, Cleveland National Forest**

17 The Proposed Project is located on a private parcel within the administrative boundary of the
18 Cleveland National Forest (CNF). Because the Proposed Project does not traverse any CNF or
19 other federal lands, it is not subject to U.S. Forest Service (USFS) jurisdiction. While the
20 Proposed Project is not subject to policies or requirements of the CNF, the CNF is a nearby
21 landholder and, as such, NextEra Energy Transmission West, LLC (NEET West) has
22 considered relevant elements of the plan during the design of the Proposed Project.

23 The CNF (USDA 2005) has prepared a Land Management Plan that includes goals and
24 objectives regarding cultural resources, including Native American traditional use of
25 resources. The CNF Land Management Plan promotes conservation education and provides
26 for heritage site protection. Goals specific to Native American interests include protecting,
27 preserving, and restoring traditionally and contemporarily used resources, and providing
28 access to those resources; and working collaboratively with Native Americans for managing
29 heritage resources.

30 **8.2.2 State Laws, Regulations, and Policies**

31 **CEQA and CEQA Guidelines**

32 Section 21083.2 of the California Environmental Quality Act (CEQA) requires that the lead
33 agency determine whether a project may have a significant effect on unique archaeological
34 resources. A unique archaeological resource is defined in CEQA as an archaeological artifact,
35 object, or site about which it can be clearly demonstrated that there is a high probability
36 that it:

- 37 ▪ Contains information needed to answer important scientific research questions, and
38 there is demonstrable public interest in that information;
- 39 ▪ Has a special or particular quality, such as being the oldest of its type or the best
40 available example of its type; or

- 1 ▪ Is directly associated with a scientifically recognized important prehistoric or historic
2 event or person.

3 Although not specifically inclusive of paleontological resources, these criteria may also help
4 to define “a unique paleontological resource or site.”

5 Measures to avoid, conserve, preserve, or mitigate significant effects on these resources are
6 also provided under CEQA Section 21083.2.

7 Assembly Bill (AB) 52, which went into effect on July 1, 2015, requires that State lead agencies
8 consult with a California Native American tribe that is traditionally and culturally affiliated
9 with the geographic area of a proposed project, if so requested by the tribe. The bill, chaptered
10 in CEQA Section 21084.2, also specifies that a project with an effect that may cause a
11 substantial adverse change in the significance of a TCR is a project that may have a significant
12 effect on the environment.

13 Defined in Section 21074(a) of the Public Resources Code, TCRs are:

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

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

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

20 (2) A resource determined by the lead agency, in its discretion and supported by
21 substantial evidence, to be significant pursuant to criteria set forth in subdivision (c)
22 of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1
23 for the purposes of this paragraph, the lead agency shall consider the significance of
24 the resource to a California Native American tribe.

25 TCRs are further defined under Section 21074 as follows:

26 (3) A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent
27 that the landscape is geographically defined in terms of the size and scope of the
28 landscape; and

29 (4) A historical resource described in Section 21084.1, a unique archaeological resource
30 as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological
31 resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural
32 resource if it conforms with the criteria of subdivision (a).

33 Mitigation measures for TCRs must be developed in consultation with the affected California
34 Native American tribe pursuant to newly chaptered Section 21080.3.2, or according to
35 Section 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and
36 preservation of TCRs and treating TCRs with culturally appropriate dignity, taking into
37 account the tribal cultural values and meaning of the resource.

1 Section 15064.5(b) of the State CEQA Guidelines notes that “a project with an effect that may
2 cause a substantial adverse change in the significance of an historical resource is a project
3 that may have a significant effect on the environment.” Substantial adverse changes include
4 physical changes to the historical resource or to its immediate surroundings, such that the
5 significance of the historical resource would be materially impaired. Lead agencies are
6 expected to identify potentially feasible measures to mitigate significant adverse changes in
7 the significance of a historical resource before they approve such projects. Historical
8 resources are those that are:

- 9 ▪ listed in, or determined to be eligible for listing in, the California Register of Historical
10 Resources (CRHR) (Public Resources Code § 5024.1);
- 11 ▪ included in a local register of historic resources (Public Resources Code § 5020.1(k))
12 or identified as significant in an historic resource survey meeting the requirements of
13 Public Resources Code § 5024.1(g); or
- 14 ▪ determined by a lead agency to be historically significant.

15 State CEQA Guidelines Section 15064.5 also prescribes the processes and procedures found
16 under Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.95 for
17 addressing the existence of, or probable likelihood of, Native American human remains, as
18 well as the unexpected discovery of any human remains within the project site. This includes
19 consultation with the appropriate Native American tribes.

20 State CEQA Guidelines Section 15126.4 provides further guidance about minimizing effects
21 to historical resources through the application of mitigation measures. Mitigation measures
22 must be legally binding and fully enforceable.

23 The lead agency having jurisdiction over a project is also responsible to ensure that
24 paleontological resources are protected in compliance with CEQA and other applicable
25 statutes. Paleontological and historical resource management is also addressed in Public
26 Resources Code Section 5097.5, “Archaeological, Paleontological, and Historical Sites.” This
27 statute defines as a misdemeanor any unauthorized disturbance or removal of a fossil site or
28 remains on public land and specifies that state agencies may undertake surveys, excavations,
29 or other operations as necessary on state lands to preserve or record paleontological
30 resources. This statute would apply to any construction or other related project impacts that
31 would occur on state-owned or state-managed lands.

32 **California Register of Historical Resources**

33 Public Resources Code Section 5024.1 establishes the CRHR. The register lists all California
34 properties considered to be significant historical resources. The CRHR includes all properties
35 listed as or determined to be eligible for listing in the NRHP, including properties evaluated
36 under Section 106 of the National Historic Preservation Act. The criteria for listing are similar
37 to those of the NRHP. Criteria for listing in the CRHR include resources that:

- 38 1. Are associated with the events that have made a significant contribution to the broad
39 patterns of California’s history and cultural heritage;
- 40 2. Are associated with the lives of persons important in our past;

1 3. Embody the distinctive characteristics of a type, period, region, or method of
2 construction, or represent the work of an important creative individual, or possess
3 high artistic values; or

4 4. Have yielded, or may be likely to yield, information important in prehistory or history.

5 The regulations set forth the criteria for eligibility as well as guidelines for assessing
6 historical integrity and resources that have special considerations.

7 **8.2.3 Local Laws, Regulations, and Policies**

8 Because the California Public Utilities Commission (CPUC) regulates and authorizes the
9 construction of investor-owned public utility facilities, the CPUC has exclusive jurisdiction
10 over the siting and design of the Proposed Project. As such, projects under CPUC jurisdiction,
11 including the Proposed Project, are exempt from local land use and zoning regulations and
12 permitting. However, Section III.C of CPUC General Order (G.O.) 131-D (planning and
13 construction of facilities for the generation of electricity and certain electric transmission
14 facilities) requires “the utility to communicate with, and obtain the input of, local authorities
15 regarding land-use matters and obtain any non-discretionary local permits.” As a result,
16 NEET West has taken into consideration all State and local plans and policies as they relate
17 to cultural resources. Although County and other local polices are listed below, they are
18 provided for disclosure purposes only.

19 **County of San Diego Municipal Code**

20 The County of San Diego Municipal Code, Section 396.7, provides for the San Diego County
21 Local Register of Historical Resources, and describes guidelines for the application,
22 enforcement, and public awareness of the County’s historic preservation regulations, as
23 enforced by the County Planning and Development Services department. The purpose of the
24 historic preservation ordinance is to develop and maintain “an authoritative listing and guide
25 to be used by local agencies, private groups, and citizens in identifying historical resources
26 within the County. In addition, the listing shall also be used as a management tool for
27 planning, and to indicate which resources deserve to be protected, to the extent prudent and
28 feasible, from substantial adverse change” (Subsection B).

29 Subsection E (2) of Section 396.7 of the Municipal Code provides the following criteria for the
30 designation of historical resources in San Diego County:

31 A. Is associated with events that have made a significant contribution to the broad
32 patterns of San Diego County’s history and cultural heritage;

33 B. Is associated with the lives of persons important to the history of San Diego County
34 or its communities;

35 C. Embodies the distinctive characteristics of a type, period, San Diego County region, or
36 method of construction, or represents the work of an important creative individual,
37 or possesses high artistic values; or,

38 D. Has yielded, or may be likely to yield, information important in prehistory or history.

1 Sites, places, or objects, which are eligible to the National Register or California Register, are
2 automatically included in the San Diego County Local Register.

3 **County of San Diego General Plan**

4 Chapter 5, Conservation and Open Space Element, of the *San Diego County General Plan*
5 (County of San Diego 2011) includes goals and policies regarding cultural resources to ensure
6 their protection and preservation. The goals and policies are intended to supplement NEPA,
7 NHPA, and CEQA, and are listed below.

8 **Goal COS-7: Protection and Preservation of Archaeological Resources.** Protection
9 and preservation of the County's important archeological resources for their cultural
10 importance to local communities, as well as their research and educational potential.

11 **Policy COS-7.1 – Archaeological Protection.** Preserve important archaeological
12 resources from loss or destruction and require development to include appropriate
13 mitigation to protect the quality and integrity of these resources.

14 **Policy COS-7.2 – Open Space Easements.** Require development to avoid
15 archeological resources whenever possible. If complete avoidance is not possible,
16 require development to fully mitigate impacts to archaeological resources.

17 **Policy COS-7.3 – Archaeological Collections.** Require the appropriate treatment
18 and preservation of archaeological collections in a culturally appropriate manner.

19 **Policy COS-7.4 – Consultation with Affected Communities.** Require consultation
20 with affected communities, including local tribes, to determine the appropriate
21 treatment of cultural resources.

22 **Policy COS-7.5 – Treatment of Human Remains.** Require human remains be
23 treated with the utmost dignity and respect, and that the disposition and handling of
24 human remains will be done in consultation with the MLD [Most Likely Descendent]
25 and under the requirements of federal, State, and County Regulations.

26 **Policy COS-7.6 – Cultural Resource Data Management.** Coordinate with public
27 agencies, tribes, and institutions in order to build and maintain a central database
28 that includes a notation whether collections from each site are being curated, and if
29 so, where, along with the nature and location of cultural resources throughout San
30 Diego County.

31 **Goal COS-8: Protection and Conservation of the Historical Built Environment.**
32 Protection, conservation, use, and enjoyment of the County's important historic
33 resources.

34 **Policy COS-8.1 – Preservation and Adaptive Reuse.** Encourage the preservation
35 and/or adaptive reuse of historic sites, structures, and landscapes as a means of
36 protecting important historic resources as part of the discretionary application
37 process, and encourage the preservation of historic structures identified during the
38 ministerial application process.

1 **Policy COS-8.2 – Education and Interpretation.** Encourage and promote the
 2 development of educational and interpretive programs that focus on the rich
 3 multicultural heritage of San Diego County.

4 **County of San Diego Resource Protection Ordinance**

5 The County of San Diego (2007) adopted the Resource Protection Ordinance (RPO)
 6 (Ordinance No. 9842) to protect sensitive resources of all kinds, including “significant
 7 prehistoric or historic sites,” in 1991 and most recently updated the ordinance in 2007. Under
 8 the RPO, a Resource Protection Study must be conducted for use permits, and applications
 9 for parcel map revisions and rezoning purposes. This ordinance requires that cultural
 10 resources be evaluated as part of the County’s discretionary environmental review process
 11 and if any resources are determined significant under the RPO, they must be preserved. The
 12 RPO prohibits development, trenching, grading, clearing, and grubbing, or any other activity
 13 or use that may result in damage to significant prehistoric or historic site lands, except for
 14 scientific investigations with an approved research design prepared by an archaeologist
 15 certified by the Society of Professional Archaeologists.

16 **Alpine Community Plan**

17 The *Alpine Community Plan* (a component of the *San Diego County General Plan*) (County of
 18 San Diego 2010) was developed as a part of and in conjunction with the *San Diego County*
 19 *General Plan* to provide guidance for decisions regarding land use in the Alpine Planning Area.
 20 Chapter 9, Conservation, addresses cultural resources—Goal 1 is to “promote the well-
 21 planned management of all valuable resources, natural and man-made, and prevent the
 22 destruction and wasteful exploitation of natural resources, where feasible.” The chapter
 23 discusses Resource Conservation Areas (RCAs) and localities identified as worthy of special
 24 efforts to protect resources, and includes policies and recommendations to help meet
 25 conservation goals; those listed below pertain to cultural resources.

26 **Conservation**

- 27 ▪ **Policies and Recommendations 1:** Encourage the protection and conservation of
 28 unique resources in the Alpine Planning Area.
- 29 ▪ **Policies and Recommendations 2:** Important plant, animal, mineral, water, cultural,
 30 and aesthetic resources in the Alpine Community Plan area shall be protected through
 31 utilization of the RCA designations and appropriate land usage.
- 32 ▪ **Policies and Recommendations 3:** Agencies regulating environmental reports and
 33 analyses required by CEQA may require supplemental studies for projects with land
 34 located in RCAs, if necessary.
- 35 ▪ **Policies and Recommendations 4:** Promote conservation education in the
 36 community and schools.
- 37 ▪ **Policies and Recommendations 26:** Support the preparation of an adequate
 38 inventory of significant historical landmarks in Alpine.

- 1 ▪ **Policies and Recommendations 27:** Encourage cooperation with other jurisdictions
2 for trading and otherwise negotiating land transfers to consolidate holdings for
3 historical preservation.

4 ***Conservation***

5 **Goals**

- 6 ▪ **Goal 1:** The preservation of known historical and archaeological resources, and the
7 provision of adequate protection for new sites as they are discovered.
- 8 ▪ **Goal 2:** The preservation of archaeological and historical resources through the
9 identification of resources and regulatory review of development projects.

10 **Policies**

- 11 ▪ **Policy 1:** Appropriate historical resources shall be nominated to the State and/or
12 National Register of Historic Resources.
- 13 ▪ **Policy 2:** Significant historic and prehistoric sites located within the Subregion shall
14 be evaluated for Historic Landmark Status under Ordinance 7105 and, if qualified,
15 shall be designated and rezoned in accordance with Section 7550 and regulated
16 under Section 5700 of the Zoning Ordinance.
- 17 ▪ **Policy 3:** Encourage public agencies and private property owners to make significant
18 archaeological and historic resources available to the public for educational purposes.
- 19 ▪ **Policy 4:** Create RCAs to protect unique or otherwise scientifically valuable
20 archaeological sites that are identified in CEQA studies, scientific investigations, or
21 from institutional records.
- 22 ▪ **Policy 5:** Create management plans to protect archaeological sites from future land
23 development and vandalism.

24 **8.3 Environmental Setting**

25 **8.3.1 Prehistory**

26 The prehistory of coastal and inland southern California is varied and rich, with occupations
27 extending from at least 12,000 years ago to historic contact. Numerous chronological
28 sequences have been devised to assess cultural changes within various areas of southern
29 California in the past 75 years or more (Moratto 2004). The framework used here is divided
30 into three major periods: Paleoindian Period (ca. 9000–6000 B.C.), Archaic Period (6000 B.C.–
31 A.D. 500), and Late Prehistoric Period (A.D. 500–Historic Contact).

32 **Paleoindian Period (ca. 9000–6000 B.C. [11,500-8000/7500 B.P.]**

33 Although occupation in California began as early as 8,000 to 11,000 years ago, evidence for
34 the presence of humans prior to about 6000 B.C. (or 8,000 years Before Present [B.P.]) is
35 relatively sparse and scattered throughout the State. The earliest accepted dates for human
36 occupation of southern California come from sites along the coast, particularly from two of

1 the Northern Channel Islands located off the coast from Santa Barbara. The adaptations
2 reflected in the archaeological record from these sites are referred to as a Paleo-Coastal
3 Tradition that was dependent on marine resources (Jones 1991; Jones et al. 2002). However,
4 an increasing frequency of radiocarbon dates show occupation of the Southern Channel
5 Islands, as well as the coastal areas of Orange and San Diego Counties, as early as 9,000 to
6 10,000 years B.P. (Byrd and Raab 2010:219). Paleoindians who lived away from the coast in
7 California are reflected in what is termed the Western Pluvial Lakes Tradition. These
8 Paleoindians practiced a diverse mixture of hunting and gathering, and were not dependent
9 on large Pleistocene megafauna as in other parts of North America at the time. As indicated
10 by the name, Western Pluvial Lakes Tradition, the major occupational emphasis of peoples
11 living during this period was on Pleistocene lakeshores in the now-arid areas of southern
12 California, the western Great Basin, and along the Cascade–Sierra Nevada uplift that forms
13 California’s eastern border (see Moratto 2004:90–92).

14 **Archaic Period (6000 B.C.–A.D. 500 [8000/7500-1500 B.P.]**

15 Subsistence patterns shifted around 6000 B.C., coincident with the gradual desiccation
16 associated with the onset of the Altithermal, a warm and dry period that lasted about 3,000
17 years (Antevs 1955). The Archaic Period generally is characterized by an ecological
18 adaptation to collecting, which resulted in an increased frequency of ground stone
19 implements. The Early Archaic Period in southern California is generally referred to as the
20 Milling Stone Period (Wallace 1978), with sites common in the southern California coastal
21 region between Santa Barbara and San Diego, and at many near-coastal and inland locations.
22 A distinction is made between coastal (La Jolla complex) and inland (Pauma complex)
23 cultures within San Diego County during the entirety of the Archaic Period (Moratto 2004;
24 True 1958). Considerable debate exists as to the relationship between the San Dieguito, La
25 Jolla, and Pauma complexes within the San Diego County subregion. Regardless of the San
26 Dieguito debate, archaeological evidence from both inland and coastal sites in San Diego
27 County indicates a long period of cultural continuity during the entire span of the Archaic
28 Period (Moratto 2004).

29 **Late Prehistoric Period (A.D. 500–Historic Contact [1500 B.P.-Historic** 30 **Contact)**

31 The Late Prehistoric Period in southern California is characterized by a number of changes in
32 subsistence, foraging, and land use patterns, which reflect patterns of Native American
33 groups in the historic period. Small projectile points become dominant during this period,
34 signifying use of the bow and arrow. The period also witnessed an increased emphasis on
35 plant collecting and processing, population size and settlement growth, the establishment of
36 permanent villages, expansion of trade networks, and, in some areas, rock art. Two cultural
37 complexes have been defined for San Diego County during the Late Prehistoric Period: the
38 San Luis Rey II complex in the north and the Cuyamaca complex in the south (Moratto 2004).
39 The San Luis Rey II complex likely represents the forebears of the Takic-speaking
40 Luiseño/Juaneño who inhabited northern San Diego County during the ethnohistoric period.
41 The forebears of the Yuman-speaking Kumeyaay (Ipai and Tipai geographic divisions) of
42 ethnographic and modern times may be represented by the Cuyamaca complex.

1 **8.3.2 Ethnography**

2 At the time of European contact, most of present-day Imperial and San Diego Counties were
3 populated with Yuman-speaking peoples, collectively referred to today as the Kumeyaay, and
4 called Diegueño by the Spanish (Kroeber 1925; Luomala 1978). The Kumeyaay language
5 consists of three main dialects that correspond to the geographic divisions of the Kumeyaay.
6 These dialects are Ipai, Kumeyaay, and Tipai (Shipley 1978). The Ipai (formerly Northern or
7 Western Diegueño) inhabited the central portion of San Diego County, whereas the Kamia
8 (formerly Eastern Diegueño) occupied the remaining southern part of San Diego County and
9 eastward into Imperial County and the California portion of the Colorado Desert. Tipai
10 (formerly Southern Diegueño) territory included Jamul in San Diego County, extending
11 southward deep into Baja California. Today, many local groups have banded together as the
12 Kumeyaay Nation or Kumeyaay-Diegueño Nation (Viejas Band of Kumeyaay Indians 2016).

13 Kumeyaay territory was divided among bands that generally controlled 10 to 30 miles within
14 a drainage system (Shipek 1982:297). The entire band aggregated in winter villages, which
15 were placed in sheltered valleys near reliable sources of water (Luomala 1978:597). All of
16 the Ipai and many of the Tipai camped in coastal valleys during certain times of the year,
17 when they gathered coastal resources. Land resources generally belonged to individual
18 bands, with few areas considered “tribal” or open to anyone (Shipek 1982:301).

19 Several reservations were formed after the mid-1870s. These include Barona Ranch, Campo,
20 Cuyapaipe, Inaja and Cosmit, Los Coyotes (shared with Mountain Cahuilla), Manzanita, Mesa
21 Grande, Santa Ysabel, Sycuan, and Viejas (California Indian Assistance Program 2011). In the
22 1920s, many Kumeyaay became members of the Mission Indian Federation, which was
23 organized to fight for self-rule on southern California reservations.

24 **8.3.3 History**

25 Post-Contact history for the State of California is generally divided into three periods: the
26 Spanish Period (1769–1822), Mexican Period (1822–1848), and American Period (1848–
27 present). Although Spanish, Russian, and British explorers visited the area for brief periods
28 between 1529 and 1769, the Spanish Period in California begins with the establishment in
29 1769 of a settlement at San Diego and the founding of Mission San Diego de Alcalá, the first
30 of 21 missions constructed between 1769 and 1823 throughout the state. Independence from
31 Spain in 1821 marks the beginning of the Mexican Period. Signing of the Treaty of Guadalupe
32 Hidalgo in 1848, ending the Mexican-American War, signals the beginning of the American
33 Period, when California became a territory of the United States.

34 **Spanish Period (1769-1822)**

35 Spanish explorers made sailing expeditions along the coast of southern California between
36 the mid-1500s and mid-1700s. In search of the legendary Northwest Passage, Juan Rodríguez
37 Cabrillo stopped in 1542 at present-day San Diego Bay. Much of the present California and
38 Oregon coastline was mapped and recorded in the next half-century by Spanish naval officer
39 Sebastián Vizcaíno. The Spanish crown laid claim to California based on the surveys
40 conducted by Cabrillo and Vizcaíno (Kyle et al. 2002). Inland exploration and colonization of
41 Alta California by Spain was not a priority for more than 200 years. The 1769 overland
42 expedition by Captain Gaspar de Portolá marks the beginning of California’s “historic period.”

1 Portolá established the Presidio of San Diego, a fortified military outpost, as the first Spanish
2 settlement in Alta California.

3 In July 1769, Franciscan Friar Junípero Serra founded Mission San Diego de Alcalá at Presidio
4 Hill, the first of the 21 missions that would be established in Alta California between 1769
5 and 1823. The series of 21 missions paralleled the California coastline between San Diego and
6 Sonoma. A second mission in San Diego County, Mission San Luis Rey de Francia, was founded
7 near present-day Oceanside in 1798. All of the missions contained churches, workshops,
8 storehouses, soldiers' barracks, and quarters for Native American neophytes, who were used
9 as labor. In San Diego, 1,400 Native Americans were associated with the mission by 1797. The
10 cattle and horses raised on the pastures adjacent to the first mission led to the eventual
11 expansion of ranching to other areas and missions within San Diego County and beyond.

12 **Mexican Period (1822-1848)**

13 After more than a decade of intermittent rebellion and warfare, New Spain (Mexico and the
14 California territory) won independence from Spain in 1821. Extensive land grants were
15 established in the interior during the Mexican Period, in part to increase the population away
16 from the more settled coastal areas where the Spanish had concentrated their colonization
17 efforts. At the same time, the influence of the California missions waned in the late 1820s
18 through the early 1830s. Following adoption of the Secularization Act of 1833, the Mexican
19 government privatized lands owned by the California missions, redistributing them to
20 private, non-Native American ranchers through several hundred land grants (Kyle et al.
21 2002).

22 During the Mexican Period, the large ranchos became important economic and social centers.
23 These included Cuyamaca Rancho, San Felipe Rancho, and Santa Ysabel Rancho, which
24 together comprised about 63,000 acres in today's central San Diego County. The Santa Rosa
25 Rancho, comprising more than 133,000 acres, is now the Marine Corps Base at Camp
26 Pendleton in northwestern San Diego County. The city of San Diego was organized under
27 Mexico's laws as a pueblo (town) in 1834. Subsequent development caused the growing non-
28 native population to move beyond the walls of the presidio, which is the area now known as
29 Old Town.

30 **American Period (1848-Present)**

31 War in 1846 between Mexico and the United States ended with the Treaty of Guadalupe
32 Hidalgo, signed in 1848, ushering California into its American Period. California became one
33 of the United States with the Compromise of 1850. San Diego County, at first stretching from
34 San Diego Bay east to the Colorado River, was designated upon statehood and formally
35 organized in 1852. Later, portions of San Diego County were carved out to create part of
36 Riverside County in 1893 and Imperial County in 1907 (Kyle et al. 2002).

37 The California Southern Railroad (a subsidiary of the Santa Fe Railway system) connected the
38 Los Angeles area through Oceanside with San Diego in 1885 (Davidson 1955). Arrival of the
39 Southern Pacific, Santa Fe, and connecting lines throughout southern California in the 1870s
40 and 1880s brought economic opportunity and exponentially increased the state's population,
41 a combined economic and cultural phenomenon widely identified as the Boom of the Eighties
42 (San Diego Yesterday 2016). The town of El Centro was linked directly with San Diego in 1919
43 with construction of the San Diego and Arizona Railway (Dodge 1956).

1 **San Diego County**

2 Successful Gold Rush merchant and land speculator Alonzo E. Horton moved from San
3 Francisco to San Diego in 1867, purchased 960 acres adjacent to the bay south of Old Town,
4 and laid out an “addition” for San Diego’s new town site. The fast-growing city was re-
5 incorporated in 1872, and within a few years San Diego became the largest California city
6 south of Los Angeles. Beginning in the 1870s, many residents of San Diego County commonly
7 lived on farmsteads, often forming rural communities with clusters of other nearby
8 farmsteads. Many of these farmsteads were built on land surrounding Horton’s Addition,
9 while his “South San Diego” rapidly developed into the new downtown San Diego and the
10 Hillcrest area.

11 San Diego Bay first harbored U.S. Navy ships in 1898, and San Diego County thereafter hosted
12 several major naval installations, accelerating after construction of the Pacific fleet’s coaling
13 station in 1907. The Navy added its first Naval Air Station on North Island in 1917, and during
14 World War II the city and bay became a major center of the aircraft industry and naval
15 aviation. At the northwestern extent of the county, Marine Corps Base Camp Pendleton was
16 established on the coast in 1942 to train Marines for the war. After the war, many personnel
17 that had been stationed in San Diego County returned to the area with their families to create
18 the next population and housing boom (Davidson 1955).

19 Outside the city of San Diego, the earliest farmers and farming communities owned the most
20 productive land and prospered well into the 1920s. Many of the county’s smaller agricultural
21 tracts disappeared in the 1920s and 1930s, and some were incorporated into a few large
22 agricultural tracts. The associated decline in cattle ranching was further exacerbated by the
23 creation of the CNF in 1908. Developed to protect the San Diego, Orange, and Riverside
24 County watershed, the USFS placed strict guidelines on the number of cattle permitted to
25 graze the forest lands and on burning vegetation to improve forage quality. Still, beef
26 production remained one of the more important agricultural industries in San Diego
27 throughout the 1930s and 1940s.

28 The key industries in the county include agriculture, the military and homeland defense
29 industry, innovation technology (biomedical, software, telecommunications), international
30 trade, manufacturing, and tourism (City-Data.com 2016). Of these, manufacturing, including
31 shipbuilding and repair, production of toys and sporting goods, computers, metals, and
32 industrial machinery, contributed the most to the county’s gross national product in 2002.
33 Agricultural production in the county now focuses on specialized crops (e.g., avocados, exotic
34 flowers, nursery and decorative plants). San Diego County has the twelfth-largest farm
35 economy in the U.S., with more small farms (less than 10 acres in size) than any other county
36 in California (San Diego Farm Bureau 2016).

37 **8.3.4 Cultural Resources Studies**

38 **Native American Coordination**

39 A request was made to the Native American Heritage Commission (NAHC) for a search of the
40 Sacred Lands Files in March 2015. The NAHC’s response stated that no Native American
41 cultural resources are known in the immediate vicinity of the Proposed Project area. The
42 NAHC also provided a list of 15 Native American groups and individuals who may have
43 knowledge of cultural resources in or near the Proposed Project location. Letters asking

1 about concerns and requesting information about the project area were sent to each of the
 2 contacts listed by the NAHC, plus four additional contacts NextEra identified independently.
 3 Those contacted are listed in Table 8-1.

4 **Table 8-1. Native American Consultation**

Organization/Tribe	Name of Contact	Letter Date	Comments
Barona Band of Mission Indians	Mr. Clifford LaChappa, Chairman	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Barona Band of Mission Indians	Mr. Adam Reyes, Councilman	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Campo Kumeyaay Nation	Mr. Steven Cuero, Committee Member	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Campo Kumeyaay Nation	Mr. Ralph Goff, Chairman	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Ewiiapaayp Band of Kumeyaay Indians	Will Micklin, Executive Director	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Ewiiapaayp Band of Kumeyaay Indians	Robert Pinto Sr., Chairperson	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Iipay Nation of Santa Ysabel	Clint Linton, Director of Cultural Resources	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Iipay Nation of Santa Ysabel	Virgil Perez, Chairperson	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Inter-Tribal Cultural Resource Protection Council	Frank Brown, Coordinator	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Jamul Indian Village	Raymond Hunter, Chairperson	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Kumeyaay Cultural Historic Committee	Ron Christman	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Kumeyaay Cultural Repatriation Committee	Steve Banegas, Spokesperson		No response as of 11/10/2016
Kumeyaay Cultural Repatriation Committee	Bernice Paipa, Vice Spokesperson	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Kumeyaay Diegueno Land Conservancy	Kim Bactad, Executive Director	06/22/2015: via U.S. Mail	No response as of 11/10/2016

Organization/Tribe	Name of Contact	Letter Date	Comments
Kwaaymii Laguna Band of Mission Indians	Carmen Lucas	06/22/2015: via U.S. Mail	07/06/2015: Letter received via U.S. Mail from Ms. Lucas requesting a copy of the cultural resources technical report and recommending that the Viejas Band of Kumeyaay Indians provide Native American monitoring for the Proposed Project. A site visit was conducted on August 4, 2015.
Sycuan Band of the Kumeyaay Nation	Lisa Haws, Cultural Resource Manager	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Sycuan Band of the Kumeyaay Nation	Cody J. Martinez, Chairperson	06/22/2015: via U.S. Mail	No response as of 11/10/2016
Viejas Band of Kumeyaay Indians	Julie Hagen, Cultural Resources	06/22/2015: via U.S. Mail	06/29/2015: Letter received from Ms. Hagen via email requesting a copy of the cultural resources technical report and a site visit. NEET West arranged for a site visit on August 4, 2015. No further input was received as of 11/10/2016.
Viejas Band of Kumeyaay Indians	Anthony R. Pico, Chairperson	06/22/2015: via U.S. Mail	No response as of 11/10/2016

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Two individuals, Julie Hagen of the Viejas Band of Kumeyaay Indians and Carmen Lucas of the Kwaaymii Laguna Band of Mission Indians, responded to the June 22, 2015 letter. Ms. Hagen requested a site visit and a copy of the cultural resources survey report when it is publicly available. Ms. Lucas asked to review the cultural resources technical report and recommended that the Viejas Band of Kumeyaay Indians provide Native American Monitoring for the Proposed Project. NextEra arranged a site visit for Ms. Hagen and Ms. Lucas on August 4, 2015.

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Public Resources Code 21080.3.1 Consultation (AB 52)

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The CPUC has initiated consultation with Native American tribes who had requested consultation with the CPUC or who had been identified by the NAHC as being traditionally and culturally affiliated with the project area. The Viejas Band of Kumeyaay Indians was the only tribe interested in consultation. NEET West and its consultant met with representatives of the Viejas Band of Kumeyaay Indians at the Proposed Project location on August 4, 2015 to walk over the site and discuss the tribe's concerns about the Project. This meeting was followed by a telephone call with the Viejas Band on September 8, 2015, to review the field

1 visit and the concerns expressed by the tribe. Subsequent telephone calls were conducted
2 with Julie Hagen, the designated point of contact. The tribe has not identified any TCRs within
3 the Project footprint, but they have concerns about the presence of cultural resources on and
4 near the property. They also are concerned about the potential for blasting to disturb buried
5 resources and have recommended that all construction ground disturbance be monitored by
6 a qualified archaeologist and Native American representative. Other issues important to the
7 tribe are more broadly environmental and include the plants and animals associated with the
8 site.

9 **Archaeological Resources**

10 A record search was conducted of the Proposed Project study area and a 1-mile radius by the
11 South Coastal Information Center of the California Historical Resources Information System
12 (CHRIS) at San Diego State University in February 2015. The purpose of the record search
13 was to identify the presence of any previously recorded cultural resources within the project
14 site, and to determine if any portions of the project site had previously been surveyed for
15 cultural resources. The CHRIS search also included a review of historic maps, the NRHP, the
16 CRHR, the California Points of Historical Interest list, the California Historical Landmarks list,
17 the Archaeological Determinations of Eligibility list, the Historic Properties Directory, and the
18 California State Historic Resources Inventory. The records search identified five cultural
19 resources studies that had previously been conducted within the Proposed Project area, and
20 another 16 within the 1-mile search radius. One prehistoric site, P-37-031744/CA-SDI-
21 20166, a bedrock milling station, had been recorded within the Proposed Project area, while
22 another 20 have been recorded within the 1-mile record search buffer. Of these, 16 are
23 prehistoric sites, one is a prehistoric isolate, and three are historic-era archaeological sites.

24 An intensive cultural resources pedestrian survey was conducted of all areas that could be
25 impacted by the Proposed Project during February, March, May, and August 2015 (Hoffman
26 and Treffers 2015). The intensive-level survey consisted of systematic surface inspection
27 with transects walked at 50-foot intervals or less to ensure that all surface-exposed artifacts,
28 sites, and built environment resources in the Proposed Project area could be identified. The
29 ground surface was thoroughly examined for the presence of prehistoric artifacts (e.g., flaked
30 stone tools, tool-making debris, stone milling tools), historic-era artifacts (e.g., metal, glass,
31 ceramics), sediment discoloration that might indicate the presence of a cultural midden,
32 roads and trails, and depressions and other features that might indicate the former presence
33 of structures or buildings (e.g., post holes, foundations).

34 Nearly all of the Proposed Project area is disturbed, most notably by recent improvements to
35 Bell Bluff Truck Trail and the former Wilson Laydown Area. The Wilson Laydown Area is
36 proposed as the site for the Static VAR compensator (SVC). This area was a temporary
37 laydown yard for the Sunrise Powerlink project and it has recently undergone revegetation/
38 restoration in accordance with the Sunrise Powerlink environmental mitigation
39 requirements. Construction activities associated with site preparation of the Wilson
40 Laydown Area included brush clearing and grading, removal of native vegetation and
41 incorporation of vegetation into the topsoil, and topsoil salvage to a depth of 6 inches. After
42 the location was no longer used as a materials storage and laydown area, restoration efforts
43 included re-contouring the land and mechanically ripping the ground to alleviate compaction,
44 resulting in substantial movement of sediments. The yard was ripped and cross-ripped to a
45 depth of 18 to 24 inches prior to being re-contoured to the original topography. Salvaged
46 topsoil was then re-distributed over the site and seeded (San Diego Gas & Electric [SDG&E])

1 2015). As a result, the top 24 to 30 inches of the Proposed Project area have been thoroughly
2 disturbed. . Most of the Proposed Project area consists of a relatively flat, open area
3 surrounded by slopes of varying steepness. Surrounding undisturbed areas are covered in
4 dense vegetation, including brush, trees, and grasses. Ground visibility in the Proposed
5 Project area during the survey was variable, though generally good to excellent (over 70
6 percent).

7 Three resources were recorded within the Proposed Project area during the survey: one
8 newly identified prehistoric archaeological site (SUN-S-1012), one previously recorded
9 prehistoric archaeological site (P-37-031744/CA-SDI-20166), and one newly identified
10 historic-era built environment resource (SUN-BSO-1002). These resources are discussed in
11 detail below.

12 ***Prehistoric Archaeological Site (SUN-S-1012)***

13 Prehistoric archaeological site SUN-S-1012 consists of three pieces of flaked stone debitage
14 (waste material) all manufactured from the same metavolcanic material, known as Santiago
15 Peak. The site is in poor condition with significant disturbances associated with the past use
16 of the area as a temporary construction laydown yard and current biological habitat
17 restoration efforts. Substantial ground disturbance, as discussed above, occurred in the
18 vicinity of the site during site preparation and use as a materials storage and laydown area,
19 and subsequent restoration efforts (SDG&E 2015).

20 The ground surface surrounding site SUN-S-1012 is highly disturbed, with a visibly uneven
21 surface consisting of a mixture of subsoil and topsoil. Information provided by SDG&E
22 indicates that the disturbance related to the use of the area as a materials storage and
23 laydown area for Sunrise Powerlink has thoroughly disrupted the horizontal position of
24 materials and the stratigraphic relationships of the entire area to a depth of at least 6 inches,
25 and as deep as 9 inches (SDG&E 2015); the soil was ripped to another 24 to 30 inches deep
26 during restoration of the area. The archaeological site is not known to contain buried deposits,
27 but if these exist, they are highly unlikely to retain integrity. As part of the Phase I cultural
28 resources study for the Proposed Project, prehistoric site SUN-S-1012 was evaluated and
29 found not eligible for listing in the CRHR due to a lack of integrity (Hoffman and Treffers
30 2015). In addition, prehistoric archaeological site SUN-S-1012 does not meet the criteria for
31 a “unique archaeological resource” under CEQA. No further cultural resources work,
32 including further research, avoidance, or additional mitigation measures is necessary for this
33 resource.

34 ***Prehistoric Archaeological Site P-37-031744/CA-SDI-20166***

35 Previously recorded archaeological site P-37-031744/CA-SDI-20166 was revisited and the
36 site record was updated during the pedestrian survey (Hoffman and Treffers 2015). This site
37 is a prehistoric bedrock mortar site with two milling slicks (localities on an outcrop where
38 seeds were ground) located within and north of Bell Bluff Truck Trail. The site was originally
39 recorded in 2011 as a prehistoric bedrock milling site consisting of a low granite outcrop with
40 one partially exfoliated milling slick. The site was subsequently found ineligible for the CRHR
41 and the NRHP by the CPUC and BLM, and a portion of the bedrock outcrop was impacted
42 during construction of the adjacent segment of Bell Bluff Truck Trail (Kyle and Williams
43 2013). During the pedestrian survey, an additional milling slick feature was identified within
44 a portion of site P-37-031744/CA-SDI-20166 that is outside of the Proposed Project area,

1 thus expanding the site boundary; there is no evidence to suggest buried cultural deposits
2 are present within the expanded site boundary. The new data do not change the previous
3 finding that the site lacks the potential to yield important information (Criterion 4) of PRC
4 5024.1(c). In addition, there are no new data to suggest the site may be eligible under Criteria
5 1, 2, or 3. As part of the Phase I cultural resources study for the Proposed Project (Hoffman
6 and Treffers 2015), it was found that this site remains ineligible for listing on the CRHR. No
7 further cultural resources work is necessary for this resource, including further research,
8 avoidance, or additional mitigation measures.

9 ***Historic-Era Road SUN-BSO-1002/Bell Bluff Truck Trail***

10 Historic-era road SUN-BSO-1002/Bell Bluff Truck Trail is an access road that dates to at least
11 1903 according to historic maps. It remained a dirt access road and recreational trail, though
12 occasional realignments occurred, until recently when portions of the road were graded and
13 paved to provide access in support of construction and operation of the Suncrest Substation
14 in 2012. Two segments of the road within the Proposed Project area that were recorded
15 during the current study are identified portions of the historic-era road alignment. As part of
16 the Phase I cultural resources study for the Proposed Project (Hoffman and Treffers 2015),
17 SUNBSO-1002/Bell Bluff Truck Trail was evaluated and found not eligible for listing in the
18 CRHR. Historic road SUN-BSO-1002/Bell Bluff Truck Trail is not eligible for listing in the
19 CRHR for the following reasons:

- 20 ▪ Research did not reveal any direct and important associations with historical events
21 or persons (Criteria 1 and 2).
- 22 ▪ It does not embody the distinctive characteristics of a type, period, or method of
23 construction, represent the work of a master, nor possess high artistic values
24 (Criterion 3).
- 25 ▪ Research does not suggest the property has the potential to yield information
26 important in history or prehistory (Criterion 4).

27 Furthermore, the numerous modifications of the Bell Bluff Truck Trail have substantially
28 affected its integrity, such that it no longer conveys any potential significance as an early
29 unpaved access road. Therefore, no further cultural resources work including further
30 research, avoidance, or additional mitigation measures, is necessary for this resource.

31 **Paleontological Resources**

32 Paleontological resources include fossil remains, as well as fossil localities and rock or soil
33 formations that have produced fossil material. Fossils are the remains or traces of prehistoric
34 animals and plants. Fossils are important scientific and educational resources because of
35 their use in (1) documenting the presence and evolutionary history of particular groups of
36 now-extinct organisms; (2) reconstructing the environments in which these organisms lived;
37 and (3) determining the relative ages of the strata in which they occur, as well as the relative
38 ages of the geologic events that resulted in the deposition of the sediments that formed these
39 strata and in their subsequent deformation.

40 The methodology applied to the evaluation of potential project impacts on paleontological
41 resources involved two elements: first, to evaluate the potential for unique paleontological

1 resources to exist within the project site, and then to evaluate the impacts that construction
2 of the Proposed Project could have on those resources.

3 A literature search conducted by the San Diego Natural History Museum (SDNHM) indicated
4 that none of the rock units underlying the Proposed Project are known to be fossiliferous, and
5 that there are no known fossil sites at the project site or within a 1-mile radius (Hall and Bell
6 2015). As a result, the project area is not considered sensitive for paleontological resources.

7 **8.4 Impact Analysis**

8 **8.4.1 Methodology**

9 All aspects of the cultural resources study were conducted in accordance with the U.S.
10 Secretary of the Interior's Standards and Guidelines for Identification of Cultural Resources
11 (48 CFR Parts 44720–44723). Resource documentation also followed the guidance outlined
12 in Instructions for Recording Historical Resources (Office of Historic Preservation 2011).
13 Methods employed for the Proposed Project consisted of pre-field research, Native American
14 consultation, fieldwork, and report preparation. In conjunction with prehistoric and historic
15 overviews, previous investigations and historic maps provided background information for
16 assessing cultural sensitivity and identifying the types of sites likely to be located within the
17 project site.

18 **8.4.2 Criteria for Determining Significance**

19 For the purposes of this analysis, the Proposed Project would result in a significant impact to
20 cultural resources if it would meet one or more of the following criteria:

- 21 A. Cause a substantial adverse change in the significance of a historical resource as
22 defined in State CEQA Guidelines Section 15064.5;
- 23 B. Cause a substantial adverse change in the significance of an archaeological resource
24 pursuant to State CEQA Guidelines Section 15064.5;
- 25 C. Directly or indirectly destroy a unique paleontological resource or site or unique
26 geological feature; or
- 27 D. Disturb any human remains, including those interred outside of dedicated
28 cemeteries.
- 29 E. Cause a substantial adverse change in the significance of a TCR as defined in Public
30 Resources Code Section 21074 as either a site, feature, place, cultural landscape that
31 is geographically defined in terms of the size and scope of the landscape, sacred place
32 or object with cultural value to a California Native American tribe, and that is:
- 33 a) Listed or eligible for listing in the CRHR, or in a local register of historical
34 resources as defined in Public Resources Code Section 5020.1(k), or
- 35 b) A resource determined by the lead agency, in its discretion and supported by
36 substantial evidence, to be significant pursuant to criteria set forth in subdivision
37 (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in

1 subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall
2 consider the significance of the resource to a California Native American tribe.

3 **8.4.3 Environmental Impacts**

4 **Impact CR-1: Substantial Adverse Change in the Significance of a Historical** 5 **and/or Archaeological Resource as defined in Section 15064.5 (Less than** 6 **Significant with Mitigation)**

7 No historical or archaeological resources, as defined by Section 15064.5, are located in the
8 Proposed Project area. Resources identified in the project study area (historic-era road SUN-
9 BSO-1002/Bell Bluff Truck Trail, and prehistoric archaeological sites P-37-031744/CA-SDI-
10 02016620166 and SUN-S-1012) were evaluated and do not appear to be eligible for listing in
11 the CRHR. Therefore, the Proposed Project would have no impact on historical or
12 archaeological resources.

13 It is possible, however, that undiscovered historical resources may be present in the project
14 area and, if present, these resources could be impacted during the ground-disturbing
15 activities associated with the proposed construction. In order for these potential impacts to
16 be reduced to a less-than-significant level, **Mitigation Measures CR-1, CR-2, and CR-3**
17 would be implemented before and during construction. Therefore, impacts to historical
18 resources would be less than significant with mitigation.

19 **Mitigation Measure CR-1: Conduct Archaeological Sensitivity Training and** 20 **Construction Monitoring.**

21 Prior to initiation of ground-disturbing activities, NEET West shall arrange for
22 construction crews to receive training about the kinds of archaeological materials
23 that could be present within the project site and the protocols to be followed should
24 any such materials be uncovered during construction. Training shall be conducted by
25 an archaeologist who meets the U.S. Secretary of Interior's professional standards.
26 Training may be required during different phases of construction to educate new
27 construction personnel.

28 The presence of archaeological sites both within the Proposed Project SVC area and
29 along the Bell Bluff Truck Trail indicates that the area is sensitive for archaeological
30 resources. As a result, a qualified archaeological monitor shall be retained to monitor
31 all ground disturbing activities associated with the project. A Native American
32 monitor shall also participate in observing ground-disturbing activities. If any
33 prehistoric or historic-era features, or human remains, are exposed during
34 construction, the archaeological monitor shall have the authority to stop work in the
35 vicinity of the finds and implement the actions identified in Mitigation Measure CR-2.

36 **Mitigation Measure CR-2: Immediately Halt Construction if Cultural Resources** 37 **Are Discovered, Evaluate All Identified Cultural Resources for Eligibility for** 38 **Inclusion in the CRHR, and Implement Appropriate Mitigation Measures for** 39 **Eligible Resources.**

40 Not all cultural resources are visible on the ground surface. Construction activities,
41 including possible blasting, at the SVC would require excavation up to 15 feet deep

1 and trenching for the installation for the transmission line along the Bell Bluff Truck
2 Trail would be up to 9 feet deep. These activities have the potential to uncover buried
3 cultural resources. If any cultural resources, such as structural features, unusual
4 amounts of bone or shell, flaked or ground stone artifacts, historic-era artifacts,
5 human remains, or architectural remains are encountered during any project
6 construction activities, work shall be suspended immediately at the location of the
7 find and within a radius of at least 50 feet and the CPUC shall be notified within 24
8 hours.

9 All cultural resources accidentally uncovered during construction within the project
10 site shall be evaluated for eligibility for inclusion in the CRHR. Resource evaluations
11 shall be conducted by individuals who meet the U.S. Secretary of the Interior's
12 professional standards in archaeology, history, or architectural history, as
13 appropriate. If any of the resources meet the eligibility criteria identified in Public
14 Resources Code Section 5024.1 or CEQA Section 21083.2(g), mitigation measures
15 shall be developed and implemented in accordance with State CEQA Guidelines
16 Section 15126.4(b) before construction resumes.

17 For resources eligible for listing in the CRHR that would be rendered ineligible by the
18 effects of project construction, or a TCR, additional mitigation measures shall be
19 implemented. Mitigation measures for archaeological resources may include (but are
20 not limited to) avoidance; incorporation of sites within parks, greenspace, or other
21 open space; capping the site; deeding the site into a permanent conservation
22 easement; or data recovery excavation. Mitigation measures for archaeological
23 resources shall be developed in consultation with responsible agencies and, as
24 appropriate, interested parties, such as Native American tribes. Native American
25 consultation is required if an archaeological site is determined to be a TCR.
26 Implementation of the approved mitigation would be required before resuming any
27 construction activities with potential to affect identified eligible resources at the site.

28 Furthermore, archaeological resources may also contain previously unidentified
29 human remains. Although it would be unlikely for human remains to be disturbed
30 during construction, given the previously disturbed nature and geology of the
31 location, the possibility, though remote, exists that burials could be encountered. If
32 human remains are encountered, Mitigation Measure CR-3 would be implemented
33 during construction to ensure that potential impacts to these resources are less than
34 significant with mitigation.

35 **Mitigation Measure CR-3: Immediately Halt Construction if Human Remains Are**
36 **Discovered and Implement Applicable Provisions of the California Health and**
37 **Safety Code.**

38 If human remains are accidentally discovered during the Proposed Project's
39 construction activities, the requirements of California Health and Human Safety Code
40 Section 7050.5 shall be followed. Potentially damaging excavation shall halt in the
41 project site of the remains, with a minimum radius of 100 feet, and the County
42 Coroner shall be notified. The Coroner is required to examine all discoveries of human
43 remains within 48 hours of receiving notice of a discovery on private or state lands
44 (Health and Safety Code § 7050.5[b]). If the Coroner determines that the remains are
45 those of a Native American, he or she must contact NAHC by phone within 24 hours

1 of making that determination (Health and Safety Code § 7050[c]). Pursuant to the
2 provisions of Public Resources Code Section 5097.98, the NAHC shall identify a Most
3 Likely Descendent (MLD). The MLD designated by the NAHC shall have at least 48
4 hours to inspect the site and propose treatment and disposition of the remains and
5 any associated grave goods. NEET West shall work with the MLD to ensure that the
6 remains are removed to a protected location and treated with dignity.

7 **Impact CR-2: Destruction of a Unique Paleontological Resource or Site or**
8 **Unique Geological Feature (No Impact)**

9 None of the geological units that underlie the project area are known to be fossiliferous, and
10 there are no records of any fossils found within 1 mile of the project location. As a result, the
11 Proposed Project would have no impact on paleontological or unique geological features.

12 **Impact CR-3: Disturb Human Remains, Including Those Interred Outside of**
13 **Dedicated Cemeteries (Less than Significant with Mitigation)**

14 As previously mentioned, it would be unlikely for human remains to be disturbed during
15 construction. However, if human remains are encountered, implementation of Mitigation
16 Measure CR-3 would ensure that potential impacts to human remains would be less than
17 significant with mitigation.

18 **Impact CR-4: Adverse Change in the Significance of a Tribal Cultural Resource as**
19 **Defined in Public Resources Code 21074 (Less than Significant with Mitigation)**

20 No TCRs, as defined under Public Resources Code Section 21074, have been identified in the
21 project area. However, the CPUC will continue consultations with the Viejas Band and other
22 tribes who request consultation throughout the duration of the CEQA process. Should it come
23 to light that a TCR is present in the project area, the CPUC will work with affected tribe to
24 ensure that appropriate measures are taken to mitigate or avoid a significant effect on a TCR.
25 Implementation of Mitigation Measures CR-1, CR-2, and CR-3 would ensure that potential
26 impacts would be less than significant with mitigation.

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