



11.3 Cultural Resources Studies and Tribal Consultation



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March 26, 2020
Project No: 15-02187

Ms. Kristen Bogue
Senior Environmental Specialist
Michael Baker International
5 Hutton Centre Drive
Suite 500
Santa Ana, California 92707
Via email: kbogue@mbakerintl.com

Subject: Cultural Resources Study Update for the Capistrano Beach Village Zoning District Overlay Environmental Impact Report (EIR) Project, Dana Point, Orange County, California

Dear Ms. Bogue:

Rincon Consultants, Inc. (Rincon) was retained by Michael Baker International to provide a cultural resources study update for the Capistrano Beach Village Zoning District Overlay Environmental Impact Report (EIR) Project (project), formerly known as the Doheny Village Plan EIR Project. Rincon previously completed a cultural resource study for the Doheny Village Plan EIR in August 2016. This update included an updated records search and an updated Sacred Lands File (SLF) search from the Native American Heritage Commission (NAHC). Rincon understands that an updated record search and Sacred Lands File (SLF) search are needed to confirm that the baseline conditions of the 2016 cultural resource study remain unchanged.

Background Research

Previous CHRIS Records Search Results

On January 7, 2016, Rincon conducted a records and literature search of the California Historical Resources Information System (CHRIS) at the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton. The search was conducted to identify previous cultural resources studies and previously recorded cultural resources within a 0.5-mile radius of the project site. The CHRIS search included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list.

During the January 7, 2016 SCCIC records search 58 previously conducted studies within a 0.5-mile radius of the project site, 11 of which include a portion of the project site were identified.



The January 7, 2016 SCCIC records search also identified 29 cultural resources within a 0.5-mile radius of the project site, three of which are located within the project site: prehistoric archaeological site P-30-000021/CA-ORA-21, a Native American cemetery; historical archaeological site P-30-001337/CA-ORA-1337H, the remains of the historic-era Serra railroad depot; and historical building P-30-177594, a private residence. A discussion of the three resources located within the project site at the time of the 2016 records search can be found in the Cultural Resources Study for the Capistrano Beach Village Zoning District Overlay Environmental Impact Report (EIR) (Hoffman and Carmack 2016).

Updated CHRIS Records Search Results

On March 12, 2020, Rincon conducted an updated records and literature search of the CHRIS at the SCCIC. The search was conducted to identify any previous cultural resources studies and previously recorded cultural resources within a 0.5-mile radius of the project area that had been recorded in the search area since the 2016 records search. The updated CHRIS search included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list. The full results of the records search can be found in Confidential Appendix A.

During the updated SCCIC records search eight additional cultural resources studies within a 0.5-mile radius of the project site were identified since the 2016 records search. Of the eight new studies identified, none include a portion of the project site.

The updated SCCIC records search also identified 14 additional cultural resources within a 0.5-mile radius of the project site. Of the newly identified 14 resources, eight (P-30-177553, P-30-177554, P-30-177586, P-30-177587, P-30-177589, P-30-177590, P-30-177591, and P-30-177593) are located within the project site. The eight resources are discussed in more detail below:

Table 1. Additional Cultural Resources Within 0.5-mile of the Project Site

Primary Number	Description	NRHP/CRHR/ Local Listing Eligibility Status	Recorded By and Year	Relationship to Project Site
30-001797	Thor's Hammer, San Juan Creek Jetty, Beach San Stabilization Control Groin at Doheny State Beach	3CS: Appears Eligible for CRHR as an Individual Property Through Survey Evaluation	Bevel, A.D. 2008	Outside
30-177553	Ancillary Building	6: Not Eligible	Wright, J. and M. Stoddard 1997	Inside



Table 1. Additional Cultural Resources Within 0.5-mile of the Project Site

Primary Number	Description	NRHP/CRHR/ Local Listing Eligibility Status	Recorded By and Year	Relationship to Project Site
30-177554	25872 Victoria Blvd., Single Family Property	6: Not Eligible	Wright, J. and M. Stoddard 1997	Inside
30-177583	34162 Camino El Molino, Single Family Property	5S2: Individual Property that is Eligible for Local Listing or Designation	Wright, J. and M. Stoddard 1997	Outside
30-177584	34166 Caminio El Molino, Single Family Property	5S2: Individual Property that is Eligible for Local Listing or Designation	Wright, J. and M. Stoddard 1997	Outside
30-177586	34172 Doheny Park Rd., 1-3 Story Commercial Building	5S3: Appears to be Individually Eligible for Local Listing or Designation Through Survey Evaluation	Wright, J. and M. Stoddard 1997	Inside
30-177587	34182 Doheny Park Rd., 1-3 Story Commercial Building	5S3: Appears to be Individually Eligible for Local Listing or Designation Through Survey Evaluation	Wright, J. and M. Stoddard 1997	Inside
30-177589	34215 Doheny Park Rd., 1-3 Story Commercial Building	5S3: Appears to be Individually Eligible for Local Listing or Designation Through Survey Evaluation	Wright, J. and M. Stoddard 1997	Inside
30-177590	34221 Doheny Park., 1-3 Story Commercial Building	Unknown	Wright, J. and M. Stoddard 1997	Inside
30-177591	34225 Doheny Park Rd., 1-3 Story Commercial Building	5S3: Appears to be Individually Eligible for Local Listing or Designation Through Survey Evaluation	Wright, J. and M. Stoddard 1997	Inside
30-177592	34225 Via Lopez, Single Family Property	5S2: Individual Property that is Eligible for Local Listing or Designation	Wright, J. and M. Stoddard 1997	Outside
30-177593	34231 Doheny Park Rd., 1-3 Story Commercial Building	5S3: Appears to be Individually Eligible for Local Listing or Designation Through Survey Evaluation	Wright, J. and M. Stoddard 1997	Inside



Table 1. Additional Cultural Resources Within 0.5-mile of the Project Site

Primary Number	Description	NRHP/CRHR/ Local Listing Eligibility Status	Recorded By and Year	Relationship to Project Site
30-177631	Adobe Wall and Arched Entry Portal, Doheny State Beach; Landscape Architecture and New Deal Public Works Project	3CS: Appears Eligible for CRHR as an Individual Property Through Survey Evaluation	Bevil, A. 2003	Outside
30-177660	34156 Del Obispo Street J.B. Lantham Treatment Plant, Industrial Building	Unknown	Loder, M. 2018	Outside

New Resources within the APE

P-30-177553

Site P-30-177553 represents an historic-age structure of an exposed part of a reinforced concrete groin along the northwestern entrance to San Juan Creek. The structure is mostly covered by sand accumulated via creek outflow and tidal action, particularly after the 1971 completion of the Dana Harbor breakwaters. The resources namesake, "Thor's Hammer", is a large, flat, rectangular section of concrete affixed to an upright vertical concrete shaft. The latter continues below the sandy beach to the groin's westernmost terminus, which is buried below the beach's sandy surface. The structure is not eligible for listing to the CRHR.

P-30-177554

P-30-177554 is a bungalow style single family property located at 25872 Victoria Boulevard. The house was built by the Loncono family in 1927 and served the family for seventy years. Mr. Loncono was a plasterer and concrete worker and may have been responsible for many of the plaster buildings in Dana Point and San Juan Capistrano. The building was previously determined ineligible for listing to the CRHR. The property meets General Criterion J of the Dana Point Historic Resource Register but has lost much of its context due to surrounding development.

P-30-177586

P-30-177586 is a narrow, storefront structure that is now Chick's Plumbing Co. and is located at 34172 Doheny Park Road. The building was constructed around 1920-21 and served as the first post office for Serra or Capistrano Beach. The building also housed a taxi service owned by Mr. Guss. Prior to being used as a plumbing business, it served as a



garage. The building appears to be previously recommended individually eligible for local listing or designation through survey evaluation. The structure was previously recommended as meeting the General Criteria C, D, and J of the Dana Point Historic Resource Register and considered eligible for consideration in local planning.

P-30-177587

P-30-177587 is a storefront building occupied by Beach Cities Glass and is located at 34182 Doheny Park Road. The building was constructed in the 1920s and was known as the J.A. Waldy's real estate office. The building later became a pool hall and then the Joe Miguelena Grocery Store. The building appears to be previously recommended individually eligible for local listing or designation through survey evaluation. The building was previously recommended as meeting the General Criteria C, D, and J of the Dana Point Historic Resource Register and considered eligible for consideration in local planning.

P-30-177589

P-30-177589 is a one-story storefront located at 34215 Doheny Park Road. The building was constructed in the 1930s as a hamburger restaurant run by Frank Berano. It has served a series of retail uses since then. The building appears to be previously recommended individually eligible for local listing or designation through survey evaluation. The building was previously recommended as meeting the General Criteria C, D, and J of the Dana Point Historic Resource Register and considered eligible for consideration in local planning.

P-30-177590

P-30-177590 is a storefront building that is narrow and shares brick sidewalls with adjacent stores and is located at 24221 Doheny Park Road. The building was constructed in the 1940s for Mickey and Ramona Yslas' dress shop. The building was previously recommended as meeting the General Criteria C, D, and J of the Dana Point Historic Resource Register and considered eligible for consideration in local planning.

P-30-177591

P-30-177591 is a storefront building that now houses Stockwell Interiors and is located at 34225 Doheny Park Road. The building has been heavily altered but the original parapets which are stepped, and stucco clad are visible. The building appears to be previously recommended individually eligible for local listing or designation through survey evaluation. The building was previously recommended as meeting General Criteria C, D, and J of the Dana Point Historic Resource Register and considered eligible for consideration in local planning.

P-30-177593

P-30-177593 is a two-story storefront building that is located at 34231 Doheny Park Road. This building was built in 1949 by Marty Yslas. It was the second home for the Capistrano Beach Post Office. Two apartments were built upstairs where the Yslas family lived. The building appears to be previously recommended individually eligible for local listing or designation through survey evaluation. The building was previously recommended as meeting the General Criteria C, D, and J of the Dana Point Historic Resource Register and should be considered eligible for consideration in local planning.



Summary of Records Searches

A total of 66 studies have been identified within a 0.5-mile radius of the project site as a combined result of the 2016 records search and the updated records search in 2020. Of those 66 studies, a total of 11 include a portion of the project site. Additionally, a total of 43 resources have been identified within a 0.5-mile radius of the project site as a combined result of the 2016 records search and the updated records search in 2020. Of those 43 resources, a total of 11 are within the project site to date: a prehistoric archaeological site P-30-000021/CA-ORA-21, a Native American cemetery; historical archaeological site P-30-001337/CA-ORA-1337H, the remains of the historic-era Serra railroad depot; a historical property P-3-177553, an ancillary building; a historical building P-30-177554, a single family residence; a historical building P-30-177586, a 1-3 story commercial building; a historical building P-30-177587, a 1-3 story commercial building; a historical building P-30-177589, a 1-3 story commercial building; a historical building P-30-177590, a 1-3 story commercial building; a historical building P-30-177591, a 1-3 story commercial building; a historical building P-30-177593, a 1-3 story commercial building; and a historical building P-30-177594, a single family property.

Previous Native American Consultation Assistance and SLF Search

As part of the process of identifying cultural resources issues within or near the Plan area, and to assist the City of Dana Point with Native American government-to-government consultation in accordance with California Government Code 65352 (Senate Bill 18 of 2004; SB 18) and Assembly Bill 52 of 2014 (AB 52), Rincon originally contacted the Native American Heritage Commission (NAHC) on January 8, 2016. Rincon requested a review of the Sacred Lands Files (SLF), a list of Native American individuals and tribal organizations for tribal consultation per SB 18, and a list of Native American individuals and tribal organizations for tribal consultation per AB52. Rincon received responses via email on January 22 and 29, 2016 stating that the search of the SLF came back with negative results. At that time, the NAHC additionally provided a contact list of Native American individuals and tribal organizations that may have knowledge of cultural resources in or near the Plan area. On behalf of the City of Dana Point in 2016, Rincon drafted letters to each of the NAHC individuals and tribal organizations for the City to send in accordance with SB 18 and AB 52. Rincon also provided guidance to the City regarding Native American Consultation and draft tables for tracking consultation. The results of the original NAHC requests, draft letters, guidance, and tables are provided in Attachment B.

Updated Native American Consultation Assistance and SLF Search

On March 10, 2020, Rincon sent a request the NAHC for an updated Local Government Tribal Consultation List and SLF search. The NAHC responded via email on March 18, 2020 stating the SLF search was negative. No additional outreach was completed. The results of the updated NAHC SLF request and the NAHC list of Native American tribal representatives are provided in Attachment B.



Impacts Assessment and Recommendations

Impacts to resources and recommendations were originally made by Rincon in 2016. As this document summarizes the updated records search and SLF search, Rincon has also made adjustments to the impacts to resources and recommendations based on the additional research. The updated impacts and recommendation discussion is provided below.

Archaeological Resources

Significance Threshold

Under CEQA, archaeological resources may meet the definition of a historical resource or unique archaeological resource. Any project that may cause a substantial adverse change in the significance of a historical resource would also have a significant effect on the environment. Substantial adverse change to the significance of a historical resource is defined as physical demolition, destruction, alteration, or relocation of the resource or immediate surroundings such that its significance would be materially impaired. CEQA states that when a project would cause damage to a unique archaeological resource, reasonable efforts must be made to preserve the resource in place or leave it in an undisturbed state. Mitigation measures are required to the extent that the resource could be damaged or destroyed by a project. Implementation of the following mitigation measures would mitigate to the greatest extent feasible the potential for future projects to impact archaeological resources.

Impacts to Archaeological Resources

The records search results indicate that the Doheny Village Plan area contains archaeological resources. While portions of the Plan area have been previously studied, future development or improvements related to changes in land use could potentially impact and cause significant adverse impacts to archaeological resources, such as CA-ORA-21, a prehistoric burial ground located within the Plan area. The following measures are recommended to assist in the avoidance and mitigation of potential impacts from future projects to historical resources in the Capistrano Beach Village Zoning District Overlay Plan area formerly known as the Doheny Village Plan area.

Cultural Resources Mitigation Measure 1

To determine the archaeological sensitivity of a proposed project area, archaeological resources assessments shall be performed under the supervision of an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in either prehistoric or historic archaeology. Assessments shall include a CHRIS records search at the SCCIC and of the SLF maintained by the NAHC. The records searches will determine if the proposed project area has been previously surveyed for archaeological resources, identify and characterize the results of previous cultural resource surveys, and disclose any cultural resources that have been recorded and/or evaluated. A Phase I pedestrian survey shall be undertaken in proposed project areas that are areas not covered with hardscaping and structures should be surveyed to locate any surface cultural materials. By performing a records search, consultation with the NAHC, and a Phase I survey, a qualified archaeologist will be able to classify the project area as having high, medium, or low sensitivity for archaeological resources.



Cultural Resources Mitigation Measure 2

If potentially significant archaeological resources are identified through a Phase I archaeological resources assessment, and impacts to these resources cannot be avoided, a Phase II Testing and Evaluation investigation shall be performed by an archaeologist who meets the PQS prior to any construction-related ground-disturbing activities to determine significance. If resources determined significant or unique through Phase II testing, and site avoidance is not possible, appropriate site-specific mitigation measures shall be established and undertaken. These might include a Phase III data recovery program that would be implemented by a qualified archaeologist and shall be performed in accordance with the Office of Historic Preservation's Archaeological Resource Management Reports (ARMR): Recommended Contents and Format (1990) and Guidelines for Archaeological Research Designs (1991).

Cultural Resources Mitigation Measure 3

If the archaeological assessment did not identify potentially significant archaeological resources within the proposed project area but indicated the area to be highly sensitive for archaeological resources as there are known resources in the vicinity, a qualified archaeologist shall monitor all ground-disturbing construction and pre-construction activities in areas with previously undisturbed soil. Native American monitoring may also be required, and will be determined by the City. The archaeologist shall inform all construction personnel prior to construction activities of the proper procedures in the event of an archaeological discovery. The training shall be held in conjunction with the project's initial on-site safety meeting, and shall explain the importance and legal basis for the protection of significant archaeological resources. In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities in the immediate vicinity of the discovery shall be halted while the resources are evaluated for significance by an archaeologist who meets the PQS. A treatment plan will be developed by the qualified archaeologist in consultation with the City and appropriate tribal entities.

Cultural Resources Mitigation Measure 4

If the archaeological assessment did not identify potentially significant archaeological resources within the proposed project area, but indicates the area to be of medium sensitivity for archaeological resources as there are known resources in the records search buffer but not in the vicinity of or adjacent to the APE or the project area is near land formations integral to settlement (i.e. a naturally occurring creek), an archaeologist who meets the PQS shall be retained on an on-call basis. The archaeologist shall inform all construction personnel prior to construction activities about the proper procedures in the event of an archaeological discovery. The training shall be held in conjunction with the project's initial on-site safety meeting, and shall explain the importance and legal basis for the protection of significant archaeological resources. In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities in the immediate vicinity of the discovery shall be halted while the on-call archaeologist is contacted to evaluate the find and develop a treatment plan with the City and appropriate tribal entities.

Cultural Resources Mitigation Measure 5

If human remains are exposed during ground-disturbing activities, State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the



county coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. In accordance with this code, in the event of an unanticipated discovery of human remains, the Orange County Coroner would be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD would complete the inspection of the discovery within 48 hours or be granted site access. The MLD shall make a recommendation directly to the landowner in accordance with PRC Section 5097.98.

Historical Resources

Significance Threshold

Under CEQA, any project that may cause a substantial adverse change in the significance of a historical resource would also have a significant effect on the environment. Substantial adverse change to the significance of a historical resource is defined as physical demolition, destruction, alteration, or relocation of the resource or immediate surroundings such that its significance would be materially impaired. CEQA states that when a project will cause damage to a historical resource, reasonable efforts must be made to preserve the resource in place or left in an undisturbed state. Mitigation measures are required to the extent that the resource could be damaged or destroyed by a project. Projects that follow the Secretary of the Interior's Standards for the Treatments of Historic Properties (Standards) are typically mitigated below the level of significance.

Impacts to Historical Resources

Six previously recorded historical resources, P-30-177594, P-30-177586, P-30-177587, P-30-177589, P-30-177591, and P-30-177593, are all located within the project area and are found eligible for local designation. In the 2016 report, it was stated that the project area was recently re-surveyed for built environment resources constructed before 1975 and no additional historical resources were identified. It is, however, possible that additional buildings may be considered historically significant after they become 50 years of age. Future development or improvements related to changes in land use could potentially impact historic buildings and structures and cause significant adverse impacts to historical resources. The following measures are recommended to assist in the avoidance and mitigation of potential impacts from future projects in the General Plan area to historical resources.

Cultural Resources Mitigation Measure 6

Prior to any construction activities that may affect historical resources, a historical resources assessment shall be performed by an architectural historian or historian who meets the Secretary of the Interior's PQS in architectural history or history. This shall include a records search at the SCCIC to determine if any resources that may be potentially affected by the project have been previously recorded, evaluated, and/or designated on the NRHP or CRHR. Following the records search, the qualified architectural historian or historian will conduct a reconnaissance-level and/or intensive-level survey in accordance with the California Office of Historic Preservation guidelines to identify any previously unrecorded potential historical resources that may be potentially affected by the proposed project. Pursuant to the definition of a historical resource under CEQA, potential historical resources shall be evaluated under a developed historic context.



Cultural Resources Mitigation Measure 7

To ensure that projects requiring the relocation, rehabilitation, or alteration of a historical resource not impair its significance, the Interior’s Standards for the Treatments of Historic Properties (Standards) shall be used to the maximum extent possible. The application of the Standards shall be overseen by a qualified architectural historian or historic architect meeting the PQS. Prior to any construction activities that may affect the historical resource, a report identifying and specifying the treatment of character-defining features and construction activities shall be provided to the City.

Cultural Resources Mitigation Measure 8

If a proposed project would result in the demolition or significant alteration of a historical resource, it cannot be mitigated to a less than significant level. However, recordation of the resource prior to construction activities will assist in reducing adverse impacts to the resource to the greatest extent possible. Recordation shall take the form of Historic American Buildings Survey (HABS), Historic American Engineering Record (HAER), or Historic American Landscape Survey (HALS) documentation, and shall be performed by an architectural historian or historian who meets the PQS. Documentation shall include an architectural and historical narrative; medium- or large-format black and white photographs, negatives, and prints; and supplementary information such as building plans and elevations, and/or historic photographs. Documentation shall be reproduced on archival paper and placed in appropriated in appropriate local, state, or federal institutions. The specific scope and details of documentation would be developed at the project level.

Please do not hesitate to contact us if you have any questions regarding these preliminary findings.

Sincerely,

Rincon Consultants, Inc.

A handwritten signature in blue ink, appearing to be "Gena Granger".

Gena Granger, M.A., RPA
Archaeologist and Project Manager

A handwritten signature in black ink, appearing to be "Breana Campbell-King".

Breana Campbell-King, M.A., RPA
Senior Archaeologist and Project Manager

A handwritten signature in black ink, appearing to be "Christopher A. Duran".

Christopher A. Duran, M.A., RPA
Principal



References

Hoffman, Laura and Shannon Carmack

2016 *Cultural Resources Study for the Capistrano Beach Village Zoning District Overlay Environmental Impact Report (EIR), Orange County, California*. Rincon Consultants, Project No. 15-02187. Report on file at the Rincon Consultants Inc., Los Angeles Office, Los Angeles, California.



Attachments

Confidential Attachment A: Previous and Updated CHRIS Records Search Results

Attachment B: Previous and Updated Native American Consultation Assistance Documents

Confidential Attachment A

Previous and Updated CHRIS Records Search Results

Report List

15-02187 Doheny Village Update

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
OR-00166		1977	Desautels, Roger J.	Archaeological Survey Report on Lot 14 - Block 7 - Tract 862, Dana Point Orange County, California	Scientific Resource Surveys, Inc.	
OR-00248		1978	Breece, William H.	Archaeological Survey of San Juan-gpa 78-1, City of San Juan Capistrano, Orange County, California	Westec Services, Inc.	
OR-00499		1980	Desautels, Roger J.	Archaeological Survey Report on a 10+ Acre Parcel of Land Located in the Dana Point Area of the County of Orange	Scientific Resource Surveys, Inc.	
OR-00626	Paleo -	1981	Whitney-Desautels, Nancy A.	Historical/paleontological Survey Report on a 10 Acre Parcel Located in the Dana Point Area, County of Orange	Scientific Resource Surveys, Inc.	
OR-00636		1981	Desautels, Roger J.	Cultural Resources Report on the Proposed Extension of Stonehill Drive, San Juan Capistrano, County of Orange	Scientific Resource Surveys, Inc.	
OR-01264		1991	Sundberg, Frederick A. and Whitney-Desautels, Nancy	Archaeological Reassessment of the Dana Bluff Development (tract 11711) Dana Point, California	Scientific Resource Surveys, Inc.	
OR-02875		2002	Duke, Curt	Cultural Resource Assessment City of Dana Point North Creek Urban Runoff Diversion Project Orange County, California	LSA Associates, Inc.	
OR-03367		1977	Cottrell, Marie G.	Kato Property, San Juan Capistrano	Archaeological Research, Inc.	

Resource List

15-02187 Doheny Village Update

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-30-001767	CA-ORA-001767H	Resource Name - Thor's Hammer; Other - Beach San Stabilization Control Groin at Doheny State Beach; Other - San Juan Creek Jetty	Site	Historic	AH11 (Walls/fences); HP11 (Engineering structure)	2008 (Alexander D. Bevil, CA State Parks, SSC)	
P-30-177553		Resource Name - 25862 Victoria	Building	Historic	HP04 (Ancillary building)	1997 (Judy Wright and Mary Stoddard, AEGIS)	
P-30-177554		Resource Name - Loncono House	Building	Historic	HP02 (Single family property)	1997 (Judy Wright and Mary Stoddard, AEGIS)	
P-30-177583		Resource Name - Doheny House 2; Resource Name - Lee House	Building	Historic	HP02 (Single family property)	1997 (Judy Wright and Mary Stoddard, AEGIS)	
P-30-177584		Resource Name - Doheny House 3; Resource Name - Goodwin House	Building	Historic	HP02 (Single family property)	1997 (Judy Wright and Mary Stoddard, AEGIS)	
P-30-177586		Resource Name - First Post Office; Resource Name - Chick's Plumbing	Building	Historic	HP06 (1-3 story commercial building)	1997 (Judy Wright and Mary Stoddard, AEGIS)	
P-30-177587		Resource Name - Miguelena Grocery; Resource Name - Beach Cities Glass	Building	Historic	HP06 (1-3 story commercial building)	1997 (Judy Wright and Mary Stoddard, AEGIS)	
P-30-177589		Resource Name - Frank Berano Restaurant; Resource Name - Pacific Blue Water	Building	Historic	HP06 (1-3 story commercial building)	1997 (Judy Wright and Mary Stoddard, AEGIS)	
P-30-177590		Resource Name - South Shores Florist	Building	Historic	HP06 (1-3 story commercial building)	1997 (Judy Wright and Mary Stoddard, AEGIS)	
P-30-177591		Resource Name - Stockwell Interiors	Building	Historic	HP06 (1-3 story commercial building)	1997 (Judy Wright and Mary Stoddard, AEGIS)	
P-30-177592		Resource Name - Doheny House 58; Resource Name - Soto House	Building	Historic	HP02 (Single family property)	1997 (Judy Wright and Mary Stoddard, AEGIS)	
P-30-177593		Resource Name - Capistrano Beach Post Office; Resource Name - Capo Beach Steak House	Building	Historic	HP06 (1-3 story commercial building)	1997 (Judy Wright and Mary Stoddard, AEGIS)	

Resource List

15-02187 Doheny Village Update

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-30-177594		Resource Name - Deitz House; Resource Name - Saunderson House	Building	Historic	HP02 (Single family property)	1997 (Judy Wright and Mary Stoddard, AEGIS)	
P-30-177631		Resource Name - Adobe Wall and Arched Entry Portal, Doheny State Beach	Structure	Historic	HP29 (Landscape architecture); HP35 (New Deal Public Works Project)	2003 (Alexander Bevil, CA State Parks, SSC)	
P-30-177660		Resource Name - J.B. Latham Treatment Plant	Building	Historic	HP08 (Industrial building)	2018 (M. Loder, ESA)	OR-04620

Attachment B

Previous and Updated Native American Consultation Assistance Documents

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
(916) 373-5471 FAX



January 22, 2016

Hannah Haas
Rincon Consultants, Inc. / City of Dana Point

Sent by e-mail: hhaas@rinconconsultants.com
Number of pages: 3

Re: Proposed Doheny Village Plan EIR, City of Dana Point, Orange County, California

Dear Ms. Haas:

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

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places in creating or amending general plans, including specific plans. As of July 1, 2015, Public Resources Code Sections 21080.3.1 and 21080.3.2 require public agencies to consult with California Native American tribes identified by the NAHC for the purpose mitigating impacts to tribal cultural resources:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section. (Public Resources Code Section 21080.1(d))

The law does not preclude agencies from initiating consultation with the tribes that are culturally and traditionally affiliated with their jurisdictions. The NAHC believes that in fact that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

In accordance with Public Resources Code Section 21080.1(d), formal notification must include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation. The NAHC requests that lead agencies include in their notifications information regarding any cultural resources assessment that has been completed on a potential "area of project affect" (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;

- If the probability is low, moderate, or high that cultural resources are located in the APE.
 - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the potential APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
- Any report that may contain site forms, site significance, and suggested mitigation measures.
- All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
3. The results of any Sacred Lands File (SFL) check conducted through Native American Heritage Commission.
4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

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

Lead agencies or agencies potentially undertaking a project are encouraged to send more than one written notice to tribes that are traditionally and culturally affiliated to a potential APE during the 30-day notification period to ensure that the information has been received.

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

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

Sincerely,



Gayle Totton
Associate Governmental Program Analyst

**Native American Heritage Commission
Tribal Consultation List
Orange County
January 22, 2016**

Juaneno Band of Mission Indians Acjachemen Nation
Chairperson, Matias Belardes
32161 Avenida Los Amigos Juaneno
San Juan Capistrano , CA 92675
(949) 293-8522
(949) 444-4340 (Cell)

Juaneño Band of Mission Indians
Sonia Johnston, Tribal Chairperson
P.O. Box 25628
Santa Ana , CA 92799 Juaneno
sonia.johnston@sbcglobal.net

Gabrieleno/Tongva San Gabriel Band of Mission Indians
Anthony Morales, Chairperson
P.O. Box 693 Gabrielino Tongva
San Gabriel , CA 91778
GTTribalcouncil@aol.com
(626) 483-3564 Cell

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry, Tribal Manager
4955 Paseo Segovia Juaneno
Irvine , CA 92612
kaamalam@gmail.com
(949) 293-8522

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

Gabrielino-Tongva Tribe
Linda Candelaria, Co-Chairperson
1999 Avenue of the Stars, Suite 1100
Los Angeles , CA 90067 Gabrielino
(626) 676-1184 Cell

Juaneno Band of Mission Indians Acjachemen Nation
Teresa Romero, Chairwoman
31411-A La Matanza Street Juaneno
San Juan Capistrano , CA 92675
tromero@juaneno.com
(949) 488-3484
(530) 354-5876 Cell

Gabrieleno Band of Mission Indians - Kizh Nation
Andrew Salas, Chairperson
P.O. Box 393
Covina , CA 91723
gabrielenoindians@yahoo.com Gabrielino
(626) 926-4131

Gabrielino Tongva Indians of California Tribal Council
Robert F. Dorame, Tribal Chair/Cultural Resources
P.O. Box 490 Gabrielino Tongva
Bellflower , CA 90707
gtongva@verizon.net
(562) 761-6417 Voice/Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65362.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed Doheny Village Plan EIR Project, City of Dana Point, Orange County, California.

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
(916) 373-5471 - Fax



January 29, 2016

Hannah Haas
Rincon Consultants, Inc. / City of Dana Point

Resent via e-mail: hhaas@rinconconsultants.com

RE: Proposed Doheny Village Plan EIR, City of Dana Point, Orange County, California County
Revised

Dear Ms. Haas:

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places in creating or amending general plans, including specific plans. Attached is a consultation list of tribes traditionally and culturally affiliated with the area of Los Angeles County that may have cultural places located within the boundaries of the project referenced above.

As a part of consultation, the NAHC recommends that local governments conduct record searches through the NAHC and California Historic Resources Information System (CHRIS) to determine if any cultural places are located within the area(s) affected by the proposed action. A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE. Records maintained by the NAHC and CHRIS are not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of tribal cultural resources.

The list should provide a starting place to locate areas of potential adverse impact within the APE. I suggest you contact all of those listed, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Gayle Totton".

Gayle Totton
Associate Governmental Program Analyst



Rincon Consultants, Inc.

5135 Avenida Encinas, Suite A
Carlsbad, California 92008

760 918 9444

FAX 918 9449

info@rinconconsultants.com
www.rinconconsultants.com

August 11, 2016
Rincon Project No. 15-02187

Attn: Ms. Kristen Bogue
Michael Baker International
14725 Alton Parkway
Irvine, CA 92618-2027

Subject: Cultural Resources Study for the Doheny Village Plan EIR, Dana Point, Orange County, California

Dear Ms. Bogue:

Rincon Consultants, Inc. (Rincon) was retained to conduct a cultural resources study for the Doheny Village Plan EIR Project in Dana Point, Orange County, California (Doheny Village Plan). The proposed project involves a General Plan Amendment, Zone Text Amendment, and Local Coastal Plan Amendment, and is subject to the California Environmental Quality Act (CEQA). In support of this project, Rincon conducted a California Historical Resources Information System (CHRIS) records search and assisted the City of Dana Point with Native American government-to-government consultation in accordance with California Government Code 65352 (Senate Bill 18 of 2004; SB 18) and Assembly Bill 52 of 2014 (AB 52). This report includes a brief summary of cultural background information; review of known archaeological and built environment resources; and programmatic mitigation measures to be incorporated into the Doheny Village Plan EIR.

Regulatory Framework

This section includes a discussion of the applicable state and local laws, ordinances, regulations, and standards governing cultural resources, which must be adhered to before and during implementation of a proposed project.

National Register of Historic Places

The National Register of Historic Places (NRHP) was established by the National Historic Preservation Act (NHPA) of 1966 as "an authoritative guide to be used by Federal, State, and local governments, private groups and citizens to identify the Nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment" (CFR 36 CFR 60.2). The NRHP recognizes properties that are significant at the national, state, and local levels. To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must also possess integrity of location, design, setting, materials, workmanship, feeling, and association. A



property is eligible for the NRHP if it is significant under one or more of the following criteria:

- Criterion A: It is associated with events that have made a significant contribution to the broad patterns of our history;
- Criterion B: It is associated with the lives of persons who are significant in our past;
- Criterion C: It embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and/or
- Criterion D: It has yielded, or may be likely to yield, information important in prehistory or history.

California Register of Historical Resources

CEQA (Section 21084.1) requires that a lead agency determine whether a project could have a significant effect on historical resources. A historical resource is a resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR) (Section 21084.1), a resource included in a local register of historical resources (Section 15064.5[a][2]), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (Section 15064.5[a][3]).

PRC Section 5024.1, Section 15064.5 of the CEQA Guidelines, and PRC Sections 21083.2 and 21084.1 were used as the basic guidelines for this cultural resources study. PRC Section 5024.1 requires an evaluation of historical resources to determine their eligibility for listing in the CRHR. The purpose of the register is to maintain listings of the state's historical resources and to indicate which properties are to be protected from substantial adverse change. The criteria for listing resources in the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the National Register of Historic Places (NRHP), enumerated below.

According to PRC Section 5024.1(c)(1–4), a resource is considered historically significant if it: 1) retains substantial integrity, and 2) meets at least one of the following California Register criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2. It is associated with the lives of persons important in our past.
3. It embodies the distinctive characteristics of a type, period, region or method of installation, or represents the work of an important creative individual, or possesses high artistic values.



4. It has yielded or may be likely to yield information important in prehistory or history.

Impacts to significant cultural resources that affect the characteristics of any resource that qualify it for the NRHP or adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. These impacts could result from physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired (CEQA Guidelines, Section 15064.5 [b][1], 2000). Material impairment is defined as demolition or alteration in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register... (CEQA Guidelines, Section 15064.5[b][2][A]).

Dana Point Historic Resource Register

The treatment and management of historic resources in Dana Point is addressed in Chapter 9.7.250 (Historic Resources) of the Dana Point Municipal Code (Code). The Code was adopted by City Council in 2001 and it initiated a historic preservation program consisting of various preservation incentives and regulations; a means of inventorying Dana Point's known historic resources (called the Inventory); and a process wherein historic resources could be designated at the municipal level and listed in a local register (called the Dana Point Historic Resource Register). Listing in the local Register is a voluntary process that requires the consent and participation of property owners. In order to be eligible for listing in the local Register, a resource must satisfy Criterion (j) and at least two of the other criteria listed below:

- Criterion A: buildings, structures, or places that are key focal or pivotal points in the visual quality or character of an area, neighborhood, or survey district;
- Criterion B: structures that help retain the characteristics of the town that was 50 years ago;
- Criterion C: structures that contribute to the unique urban quality of a downtown;
- Criterion D: structures contributing to the architectural continuity of the street;
- Criterion E: structures that are identified with a person or person [sic] who significantly contributed to the culture and/or development of the city, state, or nation;



- Criterion F: structures that represent an architectural type or period and/or represent the design work of known architects, draftsmen, or builders whose efforts have significantly influenced the heritage of the city, state, or nation;
- Criterion G: structures that illustrate the development of California locally and regionally
- Criterion H: buildings retaining the original integrity of and/or illustrating a given period;
- Criterion I: structures unique in design or detail, such as, but not limited to, materials, windows, landscaping, plaster finishes, and architectural innovation;
- Criterion J: structures that are least 50 years old or properties that have achieved significance within the past 50 years if they are of exceptional significance

Cultural Background

The section below presents a brief summary of regional cultural and historic background, ethnography, and local history.

Prehistoric Overview

During the 20th century, many archaeologists developed chronological sequences to explain prehistoric cultural changes within all or portions of southern California (c.f., Jones and Klar 2007; Moratto 1984). Wallace (1955, 1978) devised a prehistoric chronology for the southern California coastal region based on early studies and focused on data synthesis that included four horizons: Early Man, Milling Stone, Intermediate, and Late Prehistoric. Though initially lacking the chronological precision of absolute dates (Moratto 1984:159), Wallace’s (1955) synthesis has been modified and improved using thousands of radiocarbon dates obtained by southern California researchers over recent decades (Byrd and Raab 2007:217; Koerper and Drover 1983; Koerper et al. 2002; Mason and Peterson 1994). The prehistoric chronological sequence for southern California summarized in the table below is a composite based on Wallace (1955) and Warren (1968) as well as later studies, including Jones and Klar (2007).

Table 1. Prehistoric Cultural Chronology

Period	Key Characteristics	Date Range
Early Man	Diverse mixture of hunting and gathering with a greater emphasis on hunting	CA. 10,000–6000 B.C.
Milling Stone	Subsistence strategies centered on collecting plant foods and small animals Extended and loosely flexed burials	6000–3000 B.C.



Table 1. Prehistoric Cultural Chronology

Period	Key Characteristics	Date Range
Intermediate	Shift toward a hunting and maritime subsistence strategy, along with a wider use of plant foods Trend toward greater adaptation to regional or local resources fully flexed burials, placed face-down or face-up, and oriented toward the north or west	3000 B.C.–A.D. 500
Late Prehistoric	Increase in the use of plant food resources in addition to an increase in land and sea mammal hunting Increase in the diversity and complexity of material culture Increased use of the bow and arrow Increase in population size and larger, more permanent villages	A.D. 500–Historic Contact

Ethnography

The project area is in an area historically occupied by the Juaneño, people who were associated with Mission San Juan Capistrano during the Spanish Period in California (Bean and Shipek 1978; Kroeber 1925). While Kroeber distinguished the Juaneño from their southern neighbors, the Luiseño, based on the fact that the Luiseño were administered by Mission San Luis Rey, the two groups were in actuality one ethnic group (Bean and Shipek 1978). Today many of the Juaneño and Luiseño prefer to identify themselves as descendants of the Acjachemen Nation. In the following section, the term Luiseño will be used to refer to both groups.

The Luiseño occupied territory along the coast between Aliso Creek and Agua Hedionada Creek that extended inland to Santiago Peak in the north and the east side of Palomar Mountain in the south, including Lake Elsinore and the Valley of San Jose (Bean and Shipek 1978). The Luiseño language belongs to the Cupan group of the Takic subfamily of languages (previously known as Southern California Shoshonean), along with their northern and eastern neighbors, the Gabrielino and Cahuilla (Bean and Shipek 1978).

Luiseño social structure was more rigid than other Takic-speaking groups, possibly in part because of a higher population density. They were strongly patrilineal and resided in permanent villages of between a few dozen to several hundred people, each of which was politically independent and claimed its own territory, including seasonal camps. Ties between villages were maintained through various economic, religious, and social networks (Bean and Shipek 1978).

Plant foods were by far the largest part of the traditional inland diet, with acorns representing the most important staple item (Bean and Shipek 1978). In part because of this, villages were located near reliable water sources, as large quantities of water were necessary to process acorn products. The Luiseño ate a wide variety of other plant foods, including grasses, seeds, cactus fruits, yucca, bulbs, roots, tubers, mushrooms, and other items. The Luiseño also hunted and trapped game animals such as deer, rabbit, and birds. The sea was a very important source of protein, possibly providing up to 60 percent of protein for coastal villages (White 1962). The



Luiseno caught sea mammals and fish, and gathered shellfish such as abalone, mussels, clams, and scallops.

History

Post-Contact history for the state of California is generally divided into three periods: the Spanish period (1769-1822), Mexican period (1822-1848), and American period (1848-present). Although brief visits were made by Spanish, Russian, and British explorers from 1529 to 1769, the Spanish period in California begins with the establishment in 1769 of a settlement at San Diego. The settlement included a presidio and the first of Alta California's 21 missions, which were constructed between 1769 and 1823. Independence from Spain marks the beginning of the Mexican period, and the signing of the Treaty of Guadalupe Hidalgo in 1848, ending the Mexican-American War, marks the beginning of the American period when California became a territory of the United States.

Orange County

Many of the ranchos in the area now known as Orange County remained intact after 1848, though many were sold shortly thereafter and subsequently consolidated into extensive properties owned by a select few. The late 19th Century discovery of gold in the Santa Ana Mountains brought more people to the region, adding to what was already a notable influx of people drawn by the available cultivatable land (Dumke 1944). The completed new segments of the Atchison, Topeka, & Santa Fe Railroad and the Southern Pacific Railroads also contributed to the region's growth, making it more accessible to the masses (Dumke 1944). As a result of the population boom and establishment of numerous successful farms, orchards, vineyards, and ranches, Orange County was established in 1889, consisting of 780 square miles of former Los Angeles County.

Orange County continued to grow throughout the next century, though prior to World War II it remained a largely agricultural area. Disneyland opened in 1955, and increasing numbers of commercial and residential developments were constructed in the second half of the century. The construction of several large freeways connected Orange County with the rest of the state, including the Santa Ana Freeway (Interstate 5), which passed through Anaheim in 1956, and the Riverside Freeway (State Highway 91), which passed through Fullerton in 1963. The transportation connectivity to the metropolitan Los Angeles industrial and commercial areas fueled extensive suburban residential growth, and then secondarily localized commercial and industrial development, including the John Wayne Airport and the University of California at Irvine. Today, Orange County retains a connection to its agricultural beginnings but is better known for its amusement parks, beaches, and upscale housing developments.

Local History

Dana Point began as a resort community called "San Juan by-the-Sea," which was developed in the area of present-day Doheny Village after the Atchison, Topeka and Santa Fe Railroad built a line to the area in the 1880s. However, the speculative town



struggled through an economic slump and essentially dwindled away. Agriculture replaced real estate development and the community was re-named Serra. In the early 1920s the San Juan Point Corporation subdivided 900 acres into a new community called Dana Point, but financial difficulties led to foreclosure. The tract was acquired in 1926 by a group of investors including Harry Chandler, publisher of the *Los Angeles Times*, and Sidney Woodruff, developer of the Hollywoodland tract. Woodruff planned Dana Point to be a Mediterranean-themed community oriented around tourism, recreation and leisure. Simultaneously, the community of Capistrano Beach was being planned slightly to the south. A new coastal highway (the antecedent of Pacific Coast Highway) supported the two communities' development. However, both were slow to develop, and in 1929 the Capistrano Beach tract was sold to the Petroleum Securities Company, a corporation owned by the Doheny family. Various improvements were made to the town site, but development was meager. The Great Depression halted growth through most of the 1930s and 1940s (ARG 2016).

Dana Point, like many other communities in the region, experienced extensive growth following World War II. The Capistrano Bay area was affected by the construction of Interstate 5 during the late 1950s. Lots that had been created in Dana Point and Capistrano Beach in the 1920s but had remained unimproved for decades began to be developed with housing, businesses and public and private institutions. A fully operational harbor was constructed during the late 1960s. When the city of Dana Point was formally incorporated in 1989 it included in its area portions of three communities: Dana Point, Capistrano Beach, and Monarch Beach, giving its built environment an eclectic character (ARG 2016).

Doheny Village is a small community with a variety of property types located between Dana Point and Capistrano Beach. It was first subdivided as the town of San Juan-by-the-Sea in 1887 at the southern end of a freight and passenger railroad line. Subsequently called Serra, in the 1920s-1930s the area's grammar school and post office were located there. Several streets in modern-day retain their original 19th century names, such as Domingo, Las Vegas, Santa Rosa, Victoria, and Sepulveda (ARG 2016).

Background Research

CHRIS Records Search

Rincon conducted a literature search of the California Historical Resources Information System (CHRIS) at the South Central Coastal Information Center (SCCIC) located at California State University, Fullerton on January 7, 2016. The search was conducted to identify previous cultural resources studies and previously recorded cultural resources within a 0.5-mile radius of the project area. The CHRIS search included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Points of Historical Interest list, the California Historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list.



Previous Cultural Resources Studies within 0.5 mile of the Project Site

The SCCIC records search identified 58 previously conducted studies within a 0.5-mile radius of the project site, 11 of which include a portion of the project site (Table 2).

Table 2. Previous Studies Within 0.5 Mile of the Project Site

SCCIC Report No.	Author	Year	Study	Relationship to Project Site
OR-00061	Desautels, R. J.	1976	Archaeological Survey Report on Parcel 35 – Tract # 932 – Located in Dana Point, California	Outside
OR-00076	Desautels, R. J.	1976	Archaeological Survey Report on Parcel 2 of a Portion of the Rancho Pg's" 118 & 119 of Patents Records of Los Angeles County, in the Unincorporated Territory of the County of Orange, California	Outside
OR-00102	Desautels, R. J.	1976	Archaeological Survey Report on Lots 21, 22, 23, and 24 in Block 3 – Tract # 735 Located in the Capistrano Beach Area of the County of Orange	Within
OR-00279	Carrico, R. L.	1979	Archaeological Survey of the Las Ramblas Professional Building Project Property San Juan Capistrano	Outside
OR-00512	Romero, J. B.	1935	Orange County, California, Indian Campsites	Within
OR-00535	Van Horn, D. M.	1980	Archaeological Survey Report: A ca. 500 Acre Tract of Land in the Vicinity of McCracken Reservoir and Forster Canyon in the City of San Juan Capistrano	Outside
OR-00536	Drover, C. M.	N/D	City of San Juan Capistrano, General Plan Program, Historic/Archaeological Element	Within
OR-00625	Whitney-Desautels, N. A.	1981	Archaeological/Paleontological Report on 0.85 Acres Located in Capistrano Beach, County of Orange	Adjacent
OR-00833	Whitney-Desautels, N. A.	1986	Archaeological Assessment of the Price Club Development Near San Juan Capistrano, Orange County, California	Within
OR-00958	McKenna, J. and R. Hathaway	1989	Historical, Archaeological, and Paleontological Investigations of the Forster Canyon Planned Development, San Juan Capistrano	Outside
OR-00973	Cooper, J. and V. Mason	1989	Cultural Resources and Paleontological Surveys of Hampton Hills, Tract 13785 Dana Point, Orange County, California	Outside
OR-00995	Becker, K. M.	1989	Cultural Resources Reconnaissance of the Rosan Ranch Property, San Juan Capistrano	Outside
OR-01011	Sorensen, Jerrell H.	1990	Archival Research for Interstate 5, from the Confluence with I-405 to Route 1, Capistrano	Outside



Table 2. Previous Studies Within 0.5 Mile of the Project Site

SCCIC Report No.	Author	Year	Study	Relationship to Project Site
OR-01090	Bissell, R. M.	1991	Cultural Resources Reconnaissance of the Rosan Ranch Property and Test Excavation of a Portion of Archaeological Site CA-ORA-1107, San Juan Capistrano, Orange County, California	Outside
OR-01172	Demcak, C. R.	1991	Cultural Resources Assessment for the Serra Reclaimed Water Project Facilities, South Orange County, California	Outside
OR-01178	Demcak, C. R.	1991	Boundaries of the Ari Survey in 1975	Within
OR-01204	Demcak, C. R. and S. R. Van Wormer	1987	Archaeological Investigations at CA-ORA-27a, CA-ORA-882, CA-ORA-1042, and CA-ORA-870: Chiquita Canyon Water Reclamation Plant Project, South Orange County, California Appendix A: Historic Resources Survey for the Chiquita Land Outfall Pipeline	Outside
OR-01215	Bissell, R. M.	1992	A Supplement to a Report Titled Cultural Resources Reconnaissance of Ten Areas for Possible Park Locations, City of San Juan Capistrano, Orange County, California	Outside
OR-01260	Shinn, J. R.	1993	Cultural Resource Assessment for the Capistrano Beach Water Facility, Capistrano Beach, California	Within
OR-01261	Shinn, J. R.	1993	Archaeological Literature and Records Review for the Capistrano Beach Water Facility, Capistrano Beach California	Within
OR-01298	Shinn, J. R.	1993	Addendum Report of Cultural Resource Assessment for the Capistrano Beach Water Facility, Capistrano Beach, California	Within
OR-01336	Cottrell, M. G., D. S. Dibble, C. Cameron, and S. Van Wormer	1986	Cultural Resources Assessment and Excavation for the Proposed Stonehill Drive Extension Located in Southwestern Orange County, California	Outside
OR-01434	Maxon, P. O.	1995	Archaeological Survey and Impact Assessment of the Proposed Upgrade to the Capistrano Beach Water District Waste Water Treatment Facility	Outside
OR-01506	LSA Associates, Inc.	1996	Cultural Resources Assessment for the Home Depot – San Juan Capistrano Site	Outside
OR-01602	Petershagen, G. F. and J. D. Tordoff	1991	Historic Study Report for Proposed HOV Lanes along Interstate 5 in San Juan Capistrano, Orange County, California	Outside
OR-01603	Huey, G.	1991	Historic Property Survey Report for Interstate (I-5) Improvements from State Route 1 in the City of San Juan Capistrano to Approximately 1,000 Feet North of El Toro Road in the Community of Lake Forest, Orange County, California	Outside



Table 2. Previous Studies Within 0.5 Mile of the Project Site

SCCIC Report No.	Author	Year	Study	Relationship to Project Site
OR-01604	Huey, G.	1991	Archaeological Survey Report for Interstate 5 (I-5) Improvements from State Route 1 in the City of San Juan Capistrano to Approximately 1,000 Feet North of El Toro Road in the Community of Lake Forest, Orange County, California	Outside
OR-01616	Conkling, S. W., and D. K. B. McLean	1997	An Evaluation of the Dolph House, 34000 Capistrano by the Sea, Dana Point, Orange County, California	Outside
OR-01684	Maxon, P. O.	1995	Archaeological Survey and Impact Assessment of the Capistrano Beach Water District Stonehill Road Right of Way Acquisition	Outside
OR-01695	Maxon, P. O.	1998	Cultural Resources Reconnaissance and Impact Assessment of the Proposed Capistrano Beach Water District Grading and Flood Control Project	Adjacent
OR-01739	Brechbiel, B. A.	1997	Cultural Resources Survey Report for a Pacific Bell Mobile Services Telecommunications Facility: CM 077-035 in the City of Dana Point, California	Outside
OR-01819	Strudwick, I. H. and S. W. Conkling	1997	Cultural and Paleontological Resources Assessment for Blue Sky Properties, San Juan Capistrano, Orange County, California	Outside
OR-01850	Padon, B.	1998	Archaeological and Paleontological Archival Review for the Capistrano by the Sea Project	Outside
OR-01869	Bonner, W. H. and D. Hocking	1994	Grading Monitoring Report Archaeology and History MCI Trenching Project, San Juan Capistrano, Orange County, California	Outside
OR-02054	Bonifacio, M.	2000	Cultural Resources Monitoring of the Rosan Ranch Property, San Juan Capistrano, Orange County, California	Outside
OR-02055	Unknown	1987	Stonehill Drive Extension Historical Property Survey Report and Request for Determination of Eligibility	Outside
OR-02214	Duke, C.	2000	Cultural Resource Assessment for Pacific Bell Wireless Facility CM 372-02, County of Orange, CA	Outside
OR-02317	Cottrell, M. G.	1976	Letter Report	Within
OR-02527	Desautels, R. J.	1973	Dana Bluffs, Ltd. Tentative Tract 7901	Outside
OR-02529	Duke, C.	2002	Cultural Resource Assessment – Capistrano Beach Drainage System Phase 2, Coast Highway and Palisades Drive, City of Dana Point, Orange County, California	Outside



Table 2. Previous Studies Within 0.5 Mile of the Project Site

SCCIC Report No.	Author	Year	Study	Relationship to Project Site
OR-02566	Delu, A.	2000	Results of Archaeological Monitoring Blue Sky Properties, City of San Juan Capistrano, Orange County, California	Outside
OR-02872	Sinopoli, C.	2002	Historical Resources Compliance Report for the Relinquishment of a Segment of State Route 1 (PCH) to the City of Dana Point from the Northern City Limits to San Juan Creek, in the City of Dana Point, Orange County, California	Outside
OR-02873	Mason, R. D.	2003	Cultural Resources Records Search and Reconnaissance Survey Report for the Dana Point Harbor Revitalization Project, City of Dana Point, Orange County	Within
OR-02877	Duke, C.	2002	Cultural Resources Assessment Cingular Wireless Facility No. SC 056-01 Orange County, California	Outside
OR-02923	Duke, C.	2001	Cultural Resources Assessment Cingular Wireless Facility No. SC 056-01 Orange County, California	Outside
OR-02924	Duke, C.	2000	Review of Pacific Bell Wireless Facility CM 372-02, County of Orange, California	Outside
OR-03333	Billat, L.	2006	Faith Lutheran Church/LA-2549a, 34381 Calle Portola, Dana Point, Orange County, California 92624	Outside
OR-03373	Arrington, C. and N. Sikes	2006	Cultural Resources Final Report of Monitoring and Findings for the Qwest Network Construction Project State of California: Volumes I and II	Within
OR-03390	Price, B. A., and D. H. Price	2007	Cultural Resources Inventory for the Proposed Non-Domestic/Recycled Water Master Plan Update, City of San Juan Capistrano, Orange County, California	Outside
OR-03765	Lichtenstein, R. J., B. A. Price, and D. H. Price	2009	Cultural Resources inventory and Site Assessment for the Proposed San Juan Capistrano Non-Domestic/ Recycled Water Master Plan Update, Orange County, California	Outside
OR-03826	Demcak, C.	2009	Report of Cultural Resources Assessment for Two Proposed MNWD Pipelines, Component A (Mission Viejo) and Component B (Dana Point), South Orange County, California	Outside
OR-03832	Solis, L. and N. Orsi	2009	Archaeological Monitoring of the Doheny State Beach	Outside
OR-03969	Tibbet, C., C. Sinopoli, and G. G. Moser	2010	Historic Property Survey Report for Proposed Widening of Interstate 5 (I-5) between Avenida Pico and San Juan Creek Road	Outside



Table 2. Previous Studies Within 0.5 Mile of the Project Site

SCCIC Report No.	Author	Year	Study	Relationship to Project Site
OR-04193	O'Neil, S.	2012	Phase I Cultural Resources Inventory for the Doheny Hotel Project, The City of Dana Point, Orange County, California	Outside
OR-04223	Flynn, C.	2011	Notification of Finding of No Adverse Effect with Standard Conditions for the Bridge Deck Maintenance and Sealing at 30 Locations Throughout Orange County, California	Outside
OR-04309	Unknown	2014	Draft Initial Study 34202 Del Obispo Street City of Dana Point	Outside
OR-04331	Hasleton, F.	2014	Draft Environmental Impact Report Volume I, 34202 Del Obispo Street Project City of Dana Point	Outside
OR-04413	Strucwick, I.	2013	Cultural Resources Records Search and Survey of the Surfside Inn Pedestrian Overcrossing Project, City of Dana Point, Orange County, California	Outside

Previously Recorded Resources within 0.5 mile of the Project Site

The SCCIC records search also identified 29 cultural resources within a 0.5-mile radius of the project site (Table 3), three of which are located within the project site: prehistoric archaeological site P-30-000021/CA-ORA-21, a Native American cemetery; historical archaeological site P-30-001337/CA-ORA-1337H, the remains of the historic-era Serra railroad depot; and historical building P-30-177594, a private residence. These resources are discussed in more detail below.

Table 3. Previously Recorded Cultural Resources Within 0.5-mile of the Project Site

Primary Number	Description	NRHP/CRHR/ Local Listing Eligibility Status	Recorded By and Year	Relationship to Project Site
30-000021	Burial ground	Unevaluated	Romero 1949	Within
30-000118	Shell midden	Unevaluated	Bakker, Hafner, and McKinney 1966	Outside
30-000484	Shell midden	Unevaluated	T. Cooley and M. Cottrell 1975	Outside
30-000836	Lithic scatter	Unevaluated	L. Mitchell 1979	Outside
30-000837	Lithic scatter	Unevaluated	L. Mitchell 1979; P. Fulton 2010	Outside
30-000838	Lithic scatter	Unevaluated	L. Mitchell 1979; R. Lichtenstein 2007; P. Fulton 2010	Outside



Table 3. Previously Recorded Cultural Resources Within 0.5-mile of the Project Site

Primary Number	Description	NRHP/CRHR/ Local Listing Eligibility Status	Recorded By and Year	Relationship to Project Site
30-001107	Shell midden	Unevaluated	S. Dibble 1986; K. Becker 1991; RMW Paleo Associates 1999; A. Delu 2000	Outside
30-001337	Serra Railroad Depot	Unevaluated	S. Van Wormer 1985; J. R. Shinn 1993; P. Maxon 1998	Within
30-100159	Isolated flake	Ineligible	K. Becker 1989	Outside
30-100160	Isolated mano	Ineligible	K. Becker 1989	Outside
30-176489	Vejar-Pryor Adobe	Unevaluated	S. Van Wormer 1985	Outside
30-176663	Burlington Northern Santa Fe Railway	Ineligible	D. Ballester and B. T. Tang 2002; S. McCormick 2007; M. K. Meiser 2012	Adjacent
30-177046	26601 Via California; single-family residence	Ineligible	C. Tibbet 2009	Outside
30-177047	26375 Via Canon; single-family residence	Ineligible	C. Tibbet 2009	Outside
30-177048	34283 Via Lopez; single-family residence	Eligible for local listing	D. Perkins and S. Perkins 1997; C. Tibbet 2009	Outside
30-177049	34285 Via Lopez; single-family residence	Ineligible	C. Tibbet 2009	Outside
30-177050	34295 Via Lopez; single-family residence	Ineligible	C. Tibbet 2009	Outside
30-177051	34301 Via Lopez; single-family residence	Ineligible	C. Tibbet 2009	Outside
30-177052	34360, 62, and 64 Via Velez; multi-family residence	Eligible for local listing	J. Wright and M. Stoddard 1997; C. Tibbet 2009	Outside
30-177499	34000 Capistrano by the Sea; single-family residence	Potentially eligible	J. Wright and M. Stoddard 1997	Outside
30-177555	26545 Via Sacramento; single-family residence	Eligible for local listing	J. Wright and M. Stoddard 1997	Outside
30-177556	26565 Via Sacramento; single-family residence	Ineligible	J. Wright and M. Stoddard 1997	Outside



Table 3. Previously Recorded Cultural Resources Within 0.5-mile of the Project Site

Primary Number	Description	NRHP/CRHR/ Local Listing Eligibility Status	Recorded By and Year	Relationship to Project Site
30-177594	34248 Via Santa Rosa; single-family residence	Eligible for local listing	J. Wright and M. Stoddard 1997	Within
30-177596	34311 Pacific Coast Highway; motel complex	Eligible for local listing	J. Wright and M. Stoddard 1997	Outside
30-177597	34352 Pacific Coast Highway; single-family residence	Eligible for local listing	J. Wright and M. Stoddard	Outside
30-177598	34365 Via San Juan; single-family residence	Ineligible	J. Wright and M. Stoddard 1997	Outside
30-177599	34506 Via Verde; single-family residence	Ineligible	J. Wright and M. Stoddard 1996	Outside
30-177600	34532 Camino Capistrano; single-family residence	Eligible for local listing	J. Wright and M. Stoddard 1997	Outside
30-177603	34812 Pacific Coast Highway; motel complex	Eligible for local listing	J. Wright and M. Stoddard	Outside

P-30-000021/CA-ORA-21

Site P-30-000021/CA-ORA-21 is a prehistoric archaeological site described in the site record as burial grounds in the real estate subdivision of Doheny Park, known previously as Rancho Boca de la Playa. No detailed description of the site is provided. The site's location is described in the site record as located within Township 8 South, Range 7 West, on the border between Sections 24 and 13 and also as within Section 18. Possibly more accurate locational information is provided by Romero (1935) in study OR-512, who describes the site as located just east of San Juan Creek. Romero further notes that "the Indians in this section held their burials in Section 17, known today as Doheny Park and was known previously as Rancho Boca de la Playa." The SCCIC maps the location as within Doheny Village, in an area that has been intensely developed and is currently the site of commercial buildings, roads, parking lots, and associated infrastructure. It is likely that the site has been impacted by these developments, if the mapped location is accurate. The site has not been formally evaluated for listing in the CRHR; if a subsurface component of the site is present, it is likely it would be eligible for listing.



P-30-001337/CA-ORA-1337H

Site P-30-001337/CA-ORA-1337H is the remains of the historic-era Serra railroad depot of the Atchison, Topeka, and Santa Fe Railroad. The site consists of a sign reading "Serra," concrete foundation and piers adjacent to the railroad tracks. No indication of buried cultural deposits is noted in the site record. The site has not been formally evaluated for listing in the CRHR.

P-30-177594

Building P-30-177594 is a historic-era Spanish Colonia Revival private residence with a flat roof and notched parapet located at 34240 Via Santa Rosa. The building was in good condition when it was recorded in 1997. It was built in 1927 and its residents include Carl and Katherine Buchheim; Mr. Buchheim later moved to San Juan Capistrano, where he became the town's first mayor. The building has been recommended ineligible for listing in the NRHP but has not been formally evaluated for listing in the CRHR. It is eligible for local listing in the Dana Point Historic Resource Register.

City of Dana Point Historic Resources Inventory Update

The City of Dana Point completed a citywide historic resources survey and inventory update in 2016 that included the entire project area. The results of this study found that, after review of the California Historical Resources Inventory and the Dana Point Historic Resource Register, 40 designated resources are in the City of Dana Point. One resource is a historic vessel that is listed in the National Register of Historic Places (NRHP) and CRHR; the remaining 39 resources are individually listed in the local register. No historic districts were identified within the city. None of the designated resources identified within the study are located within the project area.

The 2016 survey report stated that within Doheny Village a few very modest dwellings were constructed in the 1920s in what was once called Serra and later re-named Capistrano Beach. Residences built in the 1920s and 1930s represent the earliest pattern of development in the area. The survey report advises that it is possible that other remnant features of early development may exist in and around Doheny Village.

The city's Historic Architectural Resources Inventory was updated from the previously existing list dating from 1997. Various properties within Doheny Village were recommended to be removed from the city's inventory due to alterations and loss of integrity, or because the property had been demolished since the previous survey had been conducted. The following properties in the project area were recommended to be removed from the city's Historic Architectural Resources Inventory:

Table 4. Summary of Properties Recommended to be Removed from the Dana Point Historic Architectural Resources Inventory



Location of Property	Property Type	1997 Local Listing Status	Summary Statement Why Property No Longer Appears Eligible
34172 Doheny Park Rd	Commercial	Potentially eligible	Extensively altered; does not retain integrity
34221 Doheny Park Rd	Commercial	Potentially eligible	Extensively altered; does not retain integrity
34222 Doheny Park Rd	Commercial	Potentially eligible	Demolished
34225 Doheny Park Rd	Commercial	Potentially eligible	Extensively altered; does not retain integrity
34231 Doheny Park Rd	Commercial	Potentially eligible	Extensively altered; does not retain integrity
25846 Domingo Ave	Unknown	Ineligible	Demolished
25862 Domingo Ave	Unknown	Ineligible	Demolished
25801 Las Vegas Ave	Unknown	Ineligible	Demolished
25872 Victoria Blvd	Commercial	Ineligible	Extensively altered; does not retain integrity
25882 Victoria Blvd	Unknown	Ineligible	Demolished

Native American Consultation Assistance

As part of the process of identifying cultural resources issues within or near the Plan area, and to assist the City of Dana Point with Native American government-to-government consultation in accordance with California Government Code 65352 (Senate Bill 18 of 2004; SB 18) and Assembly Bill 52 of 2014 (AB 52), Rincon contacted the Native American Heritage Commission (NAHC) on January 8, 2016. Rincon requested a review of the Sacred Lands Files (SLF), a list of Native American individuals and tribal organizations for tribal consultation per SB 18, and a list of Native American individuals and tribal organizations for tribal consultation per AB52. Rincon received responses via email on January 22 and 29, 2016 stating that the search of the SLF came back with negative results. The NAHC additionally provided a contact list of nine Native American individuals and tribal organizations that may have knowledge of cultural resources in or near the Plan area. On behalf of the City of Dana Point, Rincon drafted letters to each of the NAHC individuals and tribal organizations for the City to send in accordance with SB 18 and AB 52. Rincon also provided guidance to the City regarding Native American Consultation and draft tables for tracking consultation. The results of the NAHC requests, draft letters, guidance, and tables are provided in Attachment A.

Impacts Assessment and Recommendations

Archaeological Resources

Significance Threshold

Under CEQA, archaeological resources may meet the definition of a historical resource or unique archaeological resource. Any project that may cause a substantial adverse change in the significance of a historical resource would also have a significant effect on the environment. Substantial adverse change to the significance



of a historical resource is defined as physical demolition, destruction, alteration, or relocation of the resource or immediate surroundings such that its significance would be materially impaired. CEQA states that when a project would cause damage to a unique archaeological resource, reasonable efforts must be made to preserve the resource in place or leave it in an undisturbed state. Mitigation measures are required to the extent that the resource could be damaged or destroyed by a project. Implementation of the following mitigation measures would mitigate to the greatest extent feasible the potential for future projects to impact archaeological resources.

Impacts to Archaeological Resources

The records search results indicate that the Doheny Village Plan area contains archaeological resources. While portions of the Plan area have been previously studied, future development or improvements related to changes in land use could potentially impact and cause significant adverse impacts to archaeological resources, such as CA-ORA-21, a prehistoric burial ground located within the Plan area. The following measures are recommended to assist in the avoidance and mitigation of potential impacts from future projects in the Doheny Village Plan area to historical resources.

Cultural Resources Mitigation Measure 1

To determine the archaeological sensitivity of a proposed project area, archaeological resources assessments shall be performed under the supervision of an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in either prehistoric or historic archaeology. Assessments shall include a CHRIS records search at the SCCIC and of the SLF maintained by the NAHC. The records searches will determine if the proposed project area has been previously surveyed for archaeological resources, identify and characterize the results of previous cultural resource surveys, and disclose any cultural resources that have been recorded and/or evaluated. A Phase I pedestrian survey shall be undertaken in proposed project areas that are undeveloped to locate any surface cultural materials. By performing a records search, consultation with the NAHC, and a Phase I survey, a qualified archaeologist will be able to classify the project area as having high, medium, or low sensitivity for archaeological resources.

Cultural Resources Mitigation Measure 2

If potentially significant archaeological resources are identified through an archaeological resources assessment, and impacts to these resources cannot be avoided, a Phase II Testing and Evaluation investigation shall be performed by an archaeologist who meets the PQS prior to any construction-related ground-disturbing activities to determine significance. If resources determined significant or unique through Phase II testing, and site avoidance is not possible, appropriate site-specific mitigation measures shall be established and undertaken. These might include a Phase III data recovery program that would be implemented by a qualified archaeologist and shall be performed in accordance with the Office of Historic Preservation's Archaeological Resource Management Reports (ARMR):



Recommended Contents and Format (1990) and Guidelines for Archaeological Research Designs (1991).

Cultural Resources Mitigation Measure 3

If the archaeological assessment did not identify potentially significant archaeological resources within the proposed project area but indicated the area to be highly sensitive for archaeological resources, a qualified archaeologist shall monitor all ground-disturbing construction and pre-construction activities in areas with previously undisturbed soil. Native American monitoring may also be required. The archaeologist shall inform all construction personnel prior to construction activities of the proper procedures in the event of an archaeological discovery. The training shall be held in conjunction with the project's initial on-site safety meeting, and shall explain the importance and legal basis for the protection of significant archaeological resources. In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities in the immediate vicinity of the discovery shall be halted while the resources are evaluated for significance by an archaeologist who meets the PQS. If the discovery proves to be significant, it shall be curated with a recognized scientific or educational repository.

Cultural Resources Mitigation Measure 4

If the archaeological assessment did not identify potentially significant archaeological resources within the proposed project area, but indicates the area to be of medium sensitivity for archaeological resources, an archaeologist who meets the PQS shall be retained on an on-call basis. The archaeologist shall inform all construction personnel prior to construction activities about the proper procedures in the event of an archaeological discovery. The training shall be held in conjunction with the project's initial on-site safety meeting, and shall explain the importance and legal basis for the protection of significant archaeological resources. In the event that archaeological resources (artifacts or features) are exposed during ground-disturbing activities, construction activities in the immediate vicinity of the discovery shall be halted while the on-call archaeologist is contacted. If the discovery proves to be significant, it shall be curated with a recognized scientific or educational repository.

Cultural Resources Mitigation Measure 5

If human remains are exposed during ground-disturbing activities, State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the county coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In accordance with this code, in the event of an unanticipated discovery of human remains, the Orange County Coroner would be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD would complete the inspection of the discovery within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.



Historical Resources

Significance Threshold

Under CEQA, any project that may cause a substantial adverse change in the significance of a historical resource would also have a significant effect on the environment. Substantial adverse change to the significance of a historical resource is defined as physical demolition, destruction, alteration, or relocation of the resource or immediate surroundings such that its significance would be materially impaired. CEQA states that when a project will cause damage to a historical resource, reasonable efforts must be made to preserve the resource in place or left in an undisturbed state. Mitigation measures are required to the extent that the resource could be damaged or destroyed by a project. Projects that follow the Secretary of the Interior's Standards for the Treatments of Historic Properties (Standards) are typically mitigated below the level of significance.

Impacts to Historical Resources

One previously recorded historical resource, a residence at 34248 Via Santa Rosa is located within the project area, which was found eligible for local designation. The project area was recently re-surveyed for built environment resources constructed before 1975 and no additional historical resources were identified. It is possible that additional buildings may be considered historically significant after they become 50 years of age. Future development or improvements related to changes in land use could potentially impact historic buildings and structures and cause significant adverse impacts to historical resources. The following measures are recommended to assist in the avoidance and mitigation of potential impacts from future projects in the General Plan area to historical resources.

Cultural Resources Mitigation Measure 6

Prior to any construction activities that may affect historical resources, a historical resources assessment shall be performed by an architectural historian or historian who meets the National Parks Service Professional Qualification Standards in architectural history or history. This shall include a records search at the SCCIC to determine if any resources that may be potentially affected by the project have been previously recorded, evaluated, and/or designated on the NRHP or CRHR. Following the records search, the qualified architectural historian or historian will conduct a reconnaissance-level and/or intensive-level survey in accordance with the California Office of Historic Preservation guidelines to identify any previously unrecorded potential historical resources that may be potentially affected by the proposed project. Pursuant to the definition of a historical resource under CEQA, potential historical resources shall be evaluated under a developed historic context.

Cultural Resources Mitigation Measure 7

To ensure that projects requiring the relocation, rehabilitation, or alteration of a historical resource not impair its significance, the Standards shall be used to the maximum extent possible. The application of the Standards shall be overseen by a qualified architectural historian or historic architect meeting the PQS. Prior to any



construction activities that may affect the historical resource, a report identifying and specifying the treatment of character-defining features and construction activities shall be provided to the City.

Cultural Resources Mitigation Measure 8

If a proposed project would result in the demolition or significant alteration of a historical resource, it cannot be mitigated to a less than significant level. However, recordation of the resource prior to construction activities will assist in reducing adverse impacts to the resource to the greatest extent possible. Recordation shall take the form of Historic American Buildings Survey (HABS), Historic American Engineering Record (HAER), or Historic American Landscape Survey (HALS) documentation, and shall be performed by an architectural historian or historian who meets the PQS. Documentation shall include an architectural and historical narrative; medium- or large-format black and white photographs, negatives, and prints; and supplementary information such as building plans and elevations, and/or historic photographs. Documentation shall be reproduced on archival paper and placed in appropriated in appropriate local, state, or federal institutions. The specific scope and details of documentation would be developed at the project level.

Please do not hesitate to contact us if you have any questions regarding these preliminary findings.

Sincerely,
RINCON CONSULTANTS, INC.

Laura Hoffman, M.A., RPA
Cultural Resources Principal Investigator

Shannon Carmack, B.A.
Senior Architectural Historian

Attachment A: Native American Consultation Assistance Documents



References Cited

Architectural Resources Group (ARG)

- 2016 City of Dana Point Historic Resources Inventory Update Survey Report. Prepared for the City of Dana Point Community Development Department, Planning Division. February 10, 2016.

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White, Raymond C.

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Attachment A

Native American Consultation Assistance Documents

**Local Government Tribal Consultation List Request
Native American Heritage Commission**

1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahc@nahc.ca.gov

Type of List Requested

CEQA Tribal Consultation List (AB 52) – Per Public Resources Code § 21080.3.1, subs. (b), (d), (e) and 21080.3.2

General Plan (SB 18) - Per Government Code § 65352.3.

Local Action Type:

General Plan General Plan Element General Plan Amendment

Specific Plan Specific Plan Amendment Pre-planning Outreach Activity

Required Information

Project Title: Doheny Village Plan EIR

Local Government/Lead Agency: City of Dana Point

Contact Person: Hannah Haas

Street Address: 5135 Avenida Encinas, Suite A

City: Carlsbad, CA **Zip:** 92008

Phone: 760-918-9444 **Fax:** 760-918-9449

Email: hhaas@rinconconsultants.com

Specific Area Subject to Proposed Action

County: _____ **City/Community:** Dana Point

Project Description:

The proposed project entails the development of a residential and commercial development in Dana Point, Orange County, California. The project requires a General Plan Amendment, Zone Text Amendment, and Local Coastal Plan Amendment.

Additional Request

Sacred Lands File Search - Required Information:

USGS Quadrangle Name(s): Dana Point

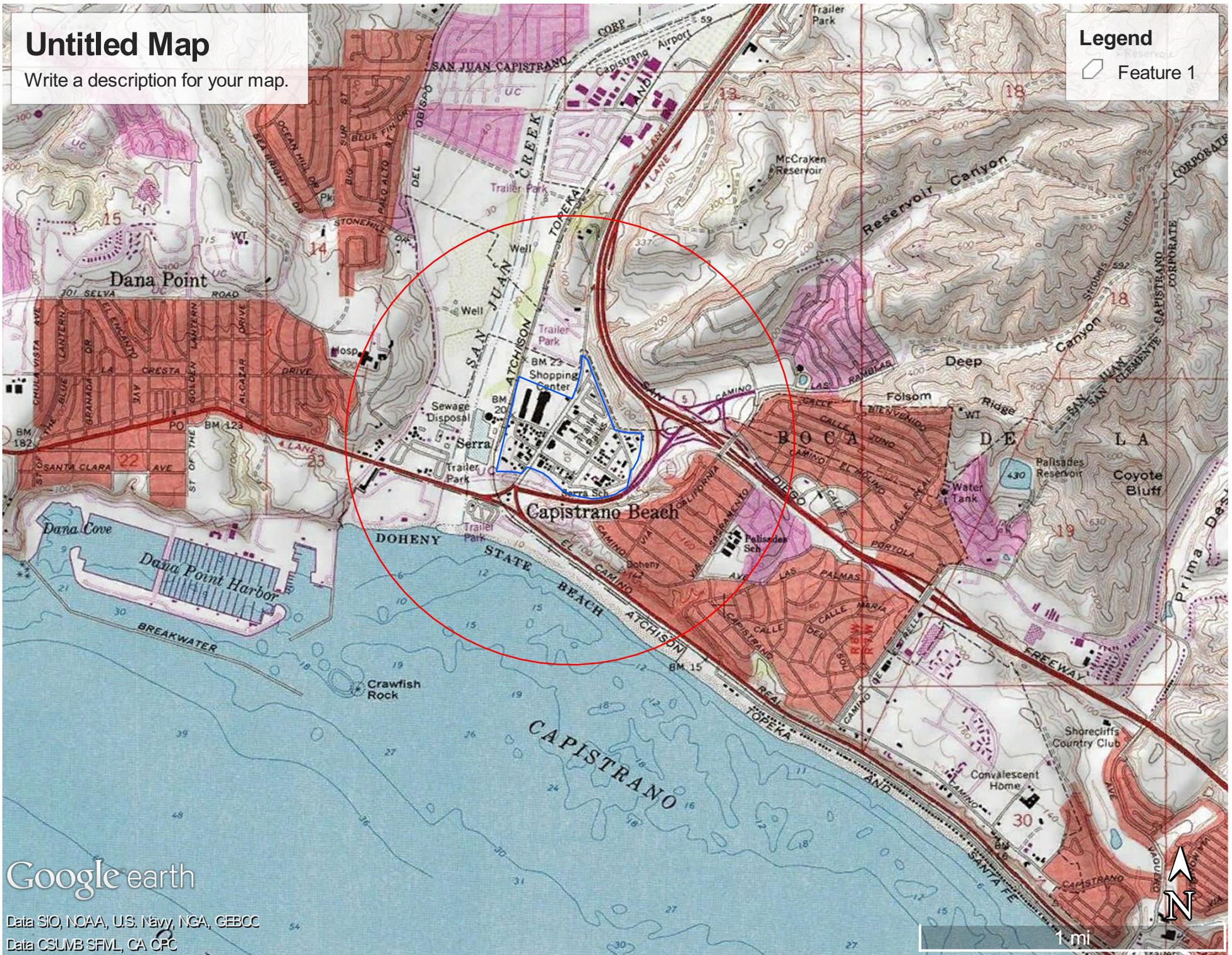
Township: 8S **Range:** 8W **Section(s):** 23, 24

Untitled Map

Write a description for your map.

Legend

□ Feature 1



Google earth

Data SIO, NOAA, U.S. Navy, NGA, GEBCO
Data CSUMB SFML, CA OPC

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
(916) 373-5471 FAX



January 22, 2016

Hannah Haas
Rincon Consultants, Inc. / City of Dana Point

Sent by e-mail: hhaas@rinconconsultants.com
Number of pages: 3

Re: Proposed Doheny Village Plan EIR, City of Dana Point, Orange County, California

Dear Ms. Haas:

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

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places in creating or amending general plans, including specific plans. As of July 1, 2015, Public Resources Code Sections 21080.3.1 and 21080.3.2 require public agencies to consult with California Native American tribes identified by the NAHC for the purpose mitigating impacts to tribal cultural resources:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section. (Public Resources Code Section 21080.1(d))

The law does not preclude agencies from initiating consultation with the tribes that are culturally and traditionally affiliated with their jurisdictions. The NAHC believes that in fact that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

In accordance with Public Resources Code Section 21080.1(d), formal notification must include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation. The NAHC requests that lead agencies include in their notifications information regarding any cultural resources assessment that has been completed on a potential "area of project affect" (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;

- If the probability is low, moderate, or high that cultural resources are located in the APE.
 - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the potential APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
- Any report that may contain site forms, site significance, and suggested mitigation measures.
- All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
3. The results of any Sacred Lands File (SFL) check conducted through Native American Heritage Commission.
4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS is not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

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

Lead agencies or agencies potentially undertaking a project are encouraged to send more than one written notice to tribes that are traditionally and culturally affiliated to a potential APE during the 30-day notification period to ensure that the information has been received.

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

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

Sincerely,



Gayle Totton
Associate Governmental Program Analyst

**Native American Heritage Commission
Tribal Consultation List
Orange County
January 22, 2016**

Juaneno Band of Mission Indians Acjachemen Nation
Chairperson, Matias Belardes
32161 Avenida Los Amigos Juaneno
San Juan Capistrano , CA 92675
(949) 293-8522
(949) 444-4340 (Cell)

Juaneño Band of Mission Indians
Sonia Johnston, Tribal Chairperson
P.O. Box 25628
Santa Ana , CA 92799 Juaneno
sonia.johnston@sbcglobal.net

Gabrieleno/Tongva San Gabriel Band of Mission Indians
Anthony Morales, Chairperson
P.O. Box 693 Gabrielino Tongva
San Gabriel , CA 91778
GTTribalcouncil@aol.com
(626) 483-3564 Cell

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry, Tribal Manager
4955 Paseo Segovia Juaneno
Irvine , CA 92612
kaamalam@gmail.com
(949) 293-8522

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

Gabrielino-Tongva Tribe
Linda Candelaria, Co-Chairperson
1999 Avenue of the Stars, Suite 1100
Los Angeles , CA 90067 Gabrielino
(626) 676-1184 Cell

Juaneno Band of Mission Indians Acjachemen Nation
Teresa Romero, Chairwoman
31411-A La Matanza Street Juaneno
San Juan Capistrano , CA 92675
tromoero@juaneno.com
(949) 488-3484
(530) 354-5876 Cell

Gabrieleno Band of Mission Indians - Kizh Nation
Andrew Salas, Chairperson
P.O. Box 393
Covina , CA 91723
gabrielenoindians@yahoo.com Gabrielino
(626) 926-4131

Gabrielino Tongva Indians of California Tribal Council
Robert F. Dorame, Tribal Chair/Cultural Resources
P.O. Box 490 Gabrielino Tongva
Bellflower , CA 90707
gtongva@verizon.net
(562) 761-6417 Voice/Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65362.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed Doheny Village Plan EIR Project, City of Dana Point, Orange County, California.

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
(916) 373-5471 - Fax



January 29, 2016

Hannah Haas
Rincon Consultants, Inc. / City of Dana Point

Resent via e-mail: hhaas@rinconconsultants.com

RE: Proposed Doheny Village Plan EIR, City of Dana Point, Orange County, California County
Revised

Dear Ms. Haas:

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places in creating or amending general plans, including specific plans. Attached is a consultation list of tribes traditionally and culturally affiliated with the area of Los Angeles County that may have cultural places located within the boundaries of the project referenced above.

As a part of consultation, the NAHC recommends that local governments conduct record searches through the NAHC and California Historic Resources Information System (CHRIS) to determine if any cultural places are located within the area(s) affected by the proposed action. A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE. Records maintained by the NAHC and CHRIS are not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of tribal cultural resources.

The list should provide a starting place to locate areas of potential adverse impact within the APE. I suggest you contact all of those listed, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

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

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

Sincerely,

A handwritten signature in cursive script that reads "Gayle Totton".

Gayle Totton
Associate Governmental Program Analyst



Doheny Village Zoning District Update EIR Tribal Consultation Tracking Sheet

Tribal Contacts	Date Letter Sent to Contact	Date of Response	Comments/Concerns
Juaneño Band of Mission Indians Acjachemen Nation Mattias Belardes, Chairperson 32161 Avenida Los Amigos San Juan Capistrano, CA 92675 (949) 293-8522 (949) 444-4340	4/21/2020		<ul style="list-style-type: none">- Certified receipt received on 4/24/2020- Contacted phone number and spoke to Joyce Perry, who confirmed response to comments from 4/20/2020 on behalf of Acjachemen Nation
Gabrielino/Tongva San Gabriel Band of Mission Indians Anthony Morales, Chairperson P.O. Box 693 San Gabriel, CA 91778 GTTribalcouncil@aol.com (626) 483-3564	4/21/2020		<ul style="list-style-type: none">- Certified receipt received on 4/23/2020
Gabrielino/Tongva Nation Sandonne Goad, Chairperson 106 ½ Judge John Aiso St., #231 Los Angeles, CA 90012 sgoad@gabrielino-tongva.com (951) 807-0479	4/21/2020		<ul style="list-style-type: none">- Left message on voicemail on 5/1/2020- Letter returned to sender on 5/5/2020
Juaneño Band of Mission Indians Acjachemen Nation Teresa Romero, Chairwoman 31411-A La Matanza Street San Juan Capistrano, CA 92675 tr Romero@juaneno.com (949) 488-3484	4/21/2020		<ul style="list-style-type: none">- Left message on voicemail on 5/1/2020



(530) 354-5876 (cell)			
Gabrielino Tongva Indians of California Tribal Council Robert F. Dorame, Tribal Chair/Cultural Resources P.O. Box 490 Bellflower, CA 90707 gtongva@verizon.net (562) 761-6417	4/21/2020		<ul style="list-style-type: none"> - Phone call on 5/1/2020 - Certified receipt received on 5/5/2020
Juaneño Band of Mission Indians Sonia Johnston, Tribal Chairperson P.O. Box 25628 Santa Ana, CA 92799 Sonia.johnston@sbcglobal.net	4/21/2020		<ul style="list-style-type: none"> - Letter returned to sender 4/24/2020
Juaneño Band of Mission Indians Acjachemen Nation Joyce Perry, Tribal Manager 4955 Paseo Segovia Irvine, CA 92603 kaamalam@gmail.com (949) 293-8522	4/20/2020	4/20/2020	<ul style="list-style-type: none"> - Request to consult, notify when DEIR becomes available, keep updated as project progresses - Project located in extremely sensitive area, in the core of our ancestral territory - Request that EIR includes mitigation measures that require the presence of native and archeo monitors during all ground disturbing activities - Treatment plan for the inadvertent discovery of cultural resources
Gabrielino-Tongva Tribe Linda Candelaria, Co-Chairperson 1999 Avenue of the Stars, Suite 1100 Los Angeles, CA 90067 (626) 676-1184	4/21/2020		<ul style="list-style-type: none"> - :Letter returned to sender on 4/24/2020 - Left message on voicemail on 5/1/2020
Gabrielino Band of Mission Indians - Kizh Nation Andrew Salas, Chairperson P.O. Box 393 Covina, CA 91723 gabrielinoindians@yahoo.com (626) 926-4131	4/21/2020		<ul style="list-style-type: none"> - Certified receipt received on 4/23/2020 - Left message on voicemail on 5/1/2020



Soboba Band of Luiseño Indians Joseph Ontiveros P.O. Box 487 San Jacinto, CA 92581	4/21/2020		- Certified receipt received on 4/23/2020
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CERTIFIED MAIL

FIRST-CLASS MAIL
Hasler
04/21/2020
US POSTAGE \$006.90
ZIP 92629
011E11672458

RECEIVED
2020 APR 24 PM 1:42
CITY OF DANA POINT
CITY CLERK'S DEPARTMENT

4-23
5-11



7019 2280 0001 0579 8265

33282 Golden Lantern, Dana Point, CA 92629-1805

712

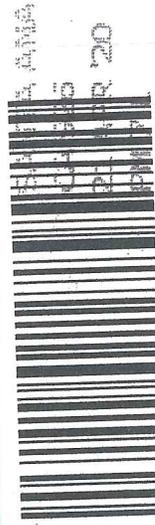
Juaneno Band of Mission Indians
Sonia Johnston, Tribal Chairperson
RETURN TO SENDER
BOX CLOSED
NO FORWARD

- REASON CHECKED
- Moved, Left No Address/Unable To Forward
 - Unclaimed
 - No Such Street
 - Insufficient Address
 - Not Known
 - Refused
 - No Such Number

CERTIFIED MAIL

FIRST-CLASS MAIL
Hasler
04/21/2020
US POSTAGE \$006.90
ZIP 92629
011E11672458

Returned



7019 2280 0001 0579 8265

33282 Golden Lantern, Dana Point, CA 92629-1805

Gabrielino-Tongva Tribe
Linda Candelaria, Co-Chairperson
1999 Avenue of the Stars, Suite 1100
Los Angeles, CA 9006

NIXIE 919 DE 1 0004/29/20
RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD
BC: 92629180599 *0777-02462-21-40

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CITY OF DANA POINT
Harboring the Good Life



CITY OF DANA POINT
Harboring the Good Life

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

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



9590 9402 4907 9032 7837 52

2. Article Number (Transfer from service label)

7019 2280 0001 0579 8227

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Joe Lopez

- Agent
- Addressee

B. Received by (Printed Name)

Joe Lopez

C. Date of Delivery

5/15/2020

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gabrielino Tongva Indians of California Tribal Council
 Robert Dorame, Chair, Cultural Resources
 P.O. Box 490
 Bellflower, CA 90707



9590 9402 4907 9032 7837 69

2. Article Number (Transfer from service label)

7019 2280 0001 0579 8234

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

San Nicholas

B. Received by (Printed Name)

San Nicholas 4-28-20

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Soboba Band of Luiseno Indians
 Joseph Ontiveros
 PO Box 487
 San Jacinto, CA 92581



9590 9402 4907 9032 7836 91

2. Article Number (Transfer from service label)

7019 2280 0001 0579 8289

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Billy Garsito

- Agent
- Addressee

B. Received by (Printed Name)

Billy Garsito

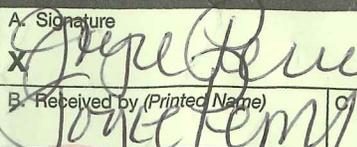
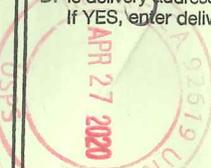
C. Date of Delivery

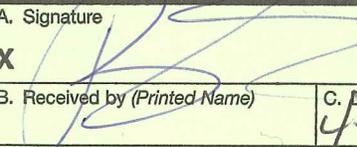
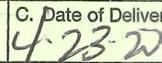
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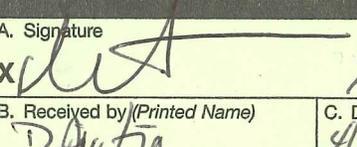
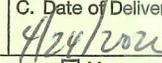
D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature  <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery</p> <p>C. Date of Delivery </p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Juaneno Band of Mission Indians Acjachemen Nation Joyce Perry, Tribal Manager 4955 Paseo Segovia Irvine, CA 92603</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>9590 9402 4907 9032 7837 83</p> <p>7019 2280 0001 0579 8258</p>	
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature  <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery</p> <p>C. Date of Delivery </p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Gabrielino Band of Mission Indians Kizh Nation Andrew Salas, Chairperson PO Box 393 Covina, CA 91723</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>9590 9402 4907 9032 7837 14</p> <p>7019 2280 0001 0579 8203</p>	
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature  <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Date of Delivery</p> <p>C. Date of Delivery </p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Juaneno Band of Mission Indians Acjachemen Nation Chairperson Mattias Belardes 32161 Avenida Los Amigos San Juan Capistrano, CA 92675</p>	<p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail™ <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Certified Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p>
<p>9590 9402 4907 9032 7837 21</p> <p>7019 2280 0001 0579 8197</p>	
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gabrielino/Tongva San Gabriel Band of Mission Indians
 Anthony Morales, Chairperson
 P.O. Box 693
 San Gabriel, CA 91778



9590 9402 4907 9032 7837 38

Number (Transfer from service label)

7019 2280 0001 0579 8272

000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

Agent

Addressee

B. Received by (Printed Name)

[Signature]

C. Date of Delivery

4/23

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Registered Mail Restricted Delivery (\$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Return Receipt for Merchandise

Signature Confirmation™

Signature Confirmation Restricted Delivery

Domestic Return Receipt

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Gabrielino-Tongva Tribe
 Linda Candelaria, Co-Chairperson
 1999 Avenue of the Stars, Suite 1100
 Los Angeles, CA 90067



9590 9402 4907 9032 7837 90

Number (Transfer from service label)

00 0001 0579 8241

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

Agent

Addressee

B. Received by (Printed Name)

[Signature]

C. Date of Delivery

4/23/20

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Adult Signature

Adult Signature Restricted Delivery

Certified Mail®

Certified Mail Restricted Delivery

Collect on Delivery

Collect on Delivery Restricted Delivery

Registered Mail Restricted Delivery (over \$500)

Priority Mail Express®

Registered Mail™

Registered Mail Restricted Delivery

Return Receipt for Merchandise

Signature Confirmation™

Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt



April 20, 2020

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

RE: Invitation to Consult Per Senate Bill 18 and Assembly Bill 52 Notification - Doheny Village Zoning District Update EIR

Dear Ms. Johnston:

This letter is to formally invite you to request consultation pursuant to Senate Bill 18 (SB 18; Government Code Section 65352.3) regarding a proposed project in the City of Dana Point (City). As you are aware, SB 18 requires local governments to consult with California Native American Tribes before amending or adopting any general plan or specific plan, or designating land as open space for the purpose of protecting traditional tribal cultural places or sacred sites. The proposed project would require a general plan and zoning code amendment; therefore, it is subject to the requirements of SB 18.

The project is also subject to the California Environmental Quality Act (CEQA) in accordance with Assembly Bill 52 (AB 52; Public Resources Code Section 21080.3.1). California Native American Tribes may request consultation regarding possible significant effects that implementation of the proposed project may have on tribal cultural resources. A request must be made in writing to the City and must identify a lead contact person. If consultation is requested, the City will begin the consultation process within 30 days.

The project site consists of approximately 80 acres bounded by the City of San Juan Capistrano and Interstate 5 (I-5) on the north, the I-5 off-ramp to Pacific Coast Highway (PCH) on the east, PCH on the south, and the Southern California Regional Rail Authority/Orange County Transportation Authority railroad right-of-way on the west.

The purpose and intent of the proposed Doheny Village Zoning District Update (Update) is to preserve and enhance the eclectic combination of commercial, light industrial, and residential mixed uses in Doheny Village. The Update provides the following three new zoning districts specific to the project area: Village Commercial/Industrial (V-C/I), Village Commercial/Residential (V-C/R), and Village Main Street (V-MS). Allowed uses, development standards (e.g., lot size, setback, density, open space, landscaping requirements), special development standards (e.g., maximum density, accessory uses and structures, parking requirements, sign programs, and art-in-public-places program), and special use standards are also proposed for each of the three new zoning districts, and would be comprehensively integrated into the Dana Point Municipal Code as Chapter 9.14, *Doheny Village Districts*.

In addition to a Zoning Code Amendment, implementation of the proposed project would require a General Plan Amendment to reflect the new zoning district classifications via

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appropriate land use designations, development intensity, and density standards. A Local Coastal Program Amendment would also be required to reflect the new land use and zoning district classifications.

The City is committed to fulfilling the goals of SB 18 and AB 52 and believes that tribal participation in the planning process is crucial. The City contacted the Native American Heritage Commission (NAHC) to request a list of tribes that should be consulted about the proposed project and your tribe is on the list.

The intent of consultation is to provide an opportunity for local governments and interested tribes to work together early in the planning process toward the protection of Native American cultural places and resources that might not appear on cultural resource registries. This is an opportunity for your tribe to participate in the process for this project. SB 18 defines Native American Places as:

- I. Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine
- II. Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the CA Register of Historic Resources including historic or prehistoric ruins and any burial ground, archaeological, or historic site

Under AB 52, a Request for Consultation about the project must be made within thirty (30) days of this notice and under SB 18, a Request for Consultation about the project must be made within ninety (90) days of this notice. If your tribe provides information during the consultation process, any sensitive information shared with the City regarding cultural places and/or sacred sites will be kept strictly confidential and will not be divulged to the public.

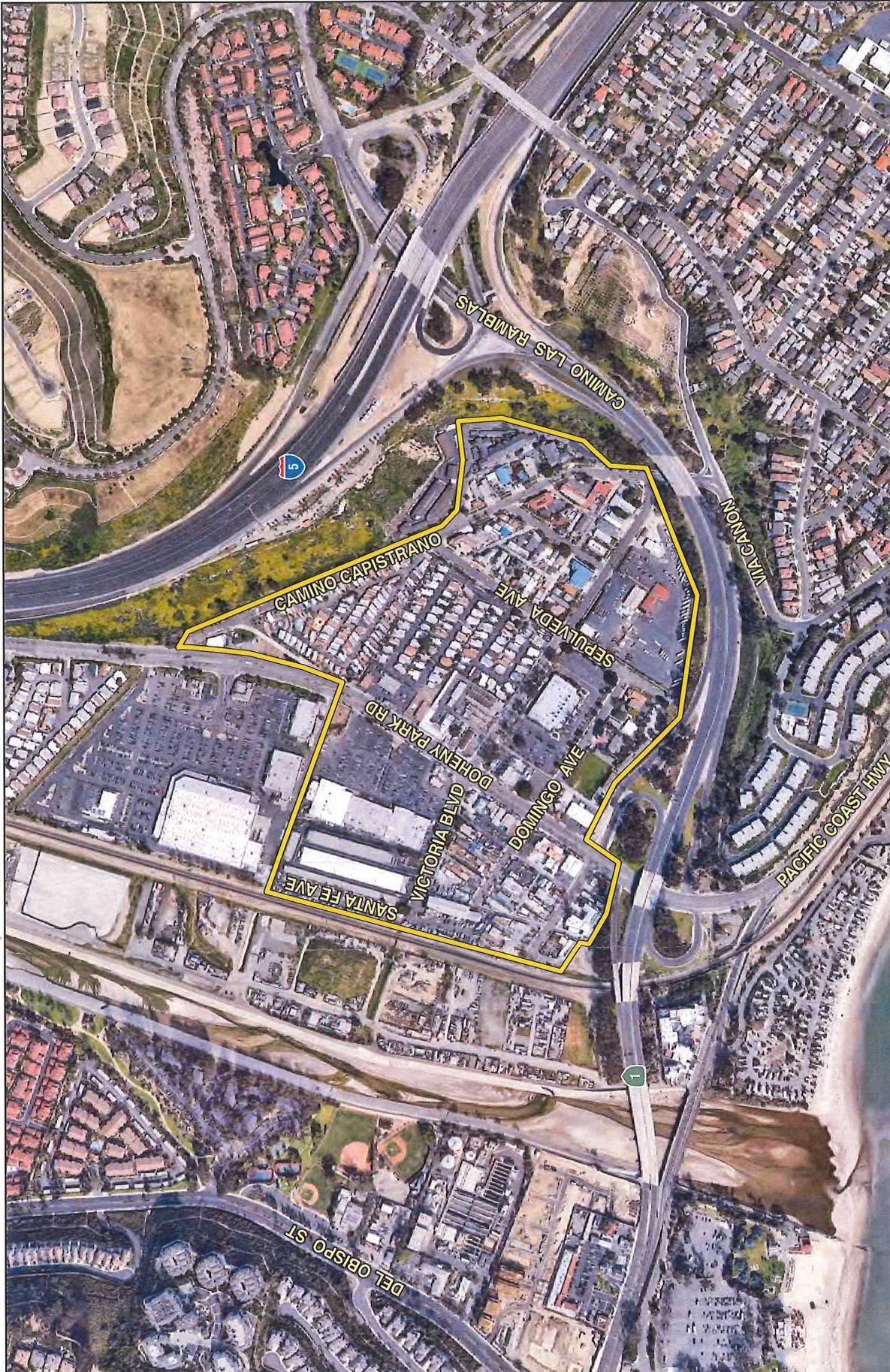
If your tribe would like to consult pursuant to SB 18 or AB 52 about the proposed project, please contact me by phone at (949) 248-3570 or by email at bdeines@danapoint.org.

Sincerely,



Belinda Ann Deines
Principal Planner
City of Dana Point

Enclosure: Site Vicinity



Source: Google Maps Pro, 2020

Project Site

NOT TO SCALE



Michael Baker
INTERNATIONAL

08/2020 | JUN 150136

DOHERTY VILLAGE ZONING DISTRICT UPDATE PROJECT
NOTICE OF PREPARATION

Site Vicinity

Exhibit 2