

HISTORIC PROPERTY SURVEY REPORT

1. UNDERTAKING DESCRIPTION AND LOCATION

District	County	Route	Post Miles	Unit	E-FIS Project Number	Phase
12	ORA	74	2.930/5.069		1200020180/EA 0L7200	0
<i>District</i>	<i>County</i>	<i>Funding Source</i>	<i>Federal-Aid Proj. No.</i>	<i>Location</i>	<i>E-FIS Proj. No</i>	<i>Phase</i>

For Local Assistance projects off the highway system, use headers in italics)

Project Description:

(Insert project description here; refer reader to location and vicinity maps in HPSR)

The California Department of Transportation (Caltrans) proposes a safety project to widen the existing shoulder of a segment of State Route 74 (SR-74) to a continuous 4-foot (ft) shoulder in both directions just east of the City of San Juan Capistrano within an unincorporated area of the County of Orange (County), California (Post Mile [PM] 2.930/5.069). The project limits begin just east of Antonio Parkway/ La Pata Avenue, extending eastward to Cristianitos Road (Conrock Entrance). The project will install centerline rumble strips, construct turnouts, and install metal beam guard rails at various locations. Shoulder widening will require roadway excavation in certain cut sections and the construction of retaining walls in certain fill sections. Most existing culverts within the project limits will be replaced as part of the scope of this project.

Alternatives

Alternative 1. The No Build Alternative would have this segment of SR-74 remain in its present condition. This alternative would not address the safety issues within the project limits. The No Build Alternative is not the preferred alternative for the project.

Alternative 2 – Recommended Alternative. Caltrans proposes the following improvements to help reduce cross-centerline collisions. Alternative 2 proposes to widen existing shoulder width to 4 ft in both directions. It is also proposed to install centerline rumble strips, construct 12 ft turnouts on the eastbound direction, 15 ft turnouts on the westbound direction, and install metal beam guard rail/end treatments at various locations. The proposed improvements will require roadway excavation, construction of retaining walls, replacement of most of the existing culverts, and acquisition of temporary construction easements, permanent drainage easements, and slope easements.

Project Vicinity, Project Location, and Area of Potential Effects (APE) maps are attached as Attachment A, Maps 1, 2, and 3, respectively.

2. AREA OF POTENTIAL EFFECTS

The APE for the project was established in consultation with Cheryl Sinopoli, Caltrans District 12 PQS Archaeologist, and Ahmed Abou-Abdou, Project Manager, on March 6, 2013. The APE map is located in Attachment A (Map 3) in this Historic Property Survey Report (HPSR).

The APE encompasses approximately 28.6 acres (ac) and includes the limits of proposed construction and staging areas for the project, including temporary construction easements, permanent drainage easements, and slope easements. The APE also includes the plotted extent of all recorded sites that intersect the disturbance limits of the project. The vertical APE is expected to extend to approximately 3 ft below the current grade for construction of the road shoulders; 5 ft for guardrail posts; 10–20 ft for retaining walls on descending slopes; up to 30 ft for piles for walls, if needed on ascending slopes; and up to 60 ft for geologic borings. The maximum depth of disturbance at drainage culverts ranges from 10 to 20 ft, with the disturbance at most culverts limited to less than 10 ft. Some culverts may not require any excavation.

For the federal undertaking described in Part 1: To minimize redundancy and paperwork for the California Department of Transportation and the State Historic Preservation Officer, and in the spirit intended under the federal Paperwork Reduction Act (U.S.C. 44 Chapter 35), this document also satisfies consideration under California Environmental Quality Act Guidelines Section §15064.5(a) and, as appropriate, Public Resources Code §5024 (a)(b) and (d).

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✓ Native American Tribes, Groups, and Individuals

The following Native American individuals were contacted by a letter sent on August 20, 2012, and again by two rounds of follow up emails or telephone calls between September 10 and 20, 2012, depending on whether contact was successful:

- Ti'At Society, Cindi Alvitre: No response received.
- Gabrielino Tongva Nation, Sam Dunlap: Will defer to the Juaneño groups.
- Juaneño Band of Mission Indians Acjachemen Nation, David Belardes, Chairperson: See Joyce Perry, Representing Tribal Chairperson.
- Juaneño Band of Mission Indians Acjachemen Nation, Anthony Rivera, Chairman: No response received.
- Tongva Ancestral Territorial Tribal Nation, John Tommy Rosas: Requested information on the survey and potential testing of CA-ORA-656. He would like to be kept informed of any decisions made regarding the treatment of that site.
- Gabrielino Tongva Indians of California Tribal Council, Robert Dorame, Tribal Chair/Cultural Consultant: No response received.
- Gabrieleno/Tongva San Gabriel Band of Mission Indians, Anthony Morales, Chairperson: No comment because the site is in Juaneño territory.
- Juaneño Band of Mission Indians, Alfred Cruz, Cultural Resources Coordinator: Is aware there is at least one site in proximity to the APE that has ancestral remains (CA-ORA-656). He requested that additional site information be emailed to him, to visit the site, and monitoring by an archaeologist and a Native American during construction.
- Juaneño Band of Mission Indians, Anita Espinoza: Referred cultural resources consultation to Alfred Cruz.
- Gabrielino-Tongva Tribe, Linda Candelaria, Chairwoman: No response received.
- Gabrieleno Band of Mission Indians, Andrew Salas: Acknowledges that the project will definitely be disturbing sensitive village sites and would like to have the Tribe's Native American monitors present.
- Gabrielino-Tongva Tribe, Bernie Acuna: No response received.
- Juaneño Band of Mission Indians Acjachemen Nation, Joyce Perry: Recommends Native American and archaeological monitoring during all ground-disturbing activities. The Tribe would also like to continue to be updated as the project develops.

For details of the Native American consultation, please see Attachment D.

✓ Native American Heritage Commission

- In a letter dated August 14, 2012, Dave Singleton of the Native American Heritage Commission (NAHC) responded to an August 13, 2012, request for a Sacred Lands File search. Mr. Singleton advised that Native American cultural resources were identified within 0.5 mile (mi) of the project APE and recommended contacting 14 individuals representing 11 Juaneño and Gabrielino groups that may have knowledge of cultural resources in or close to the project area.

For the federal undertaking described in Part 1: To minimize redundancy and paperwork for the California Department of Transportation and the State Historic Preservation Officer, and in the spirit intended under the federal Paperwork Reduction Act (U.S.C. 44 Chapter 35), this document also satisfies consideration under California Environmental Quality Act Guidelines Section §15064.5(a) and, as appropriate, Public Resources Code §5024 (a)(b) and (d).

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4. SUMMARY OF IDENTIFICATION EFFORTS

- ✓ **National Register of Historic Places** Month & Year: 1979–2002 & supplements
- ✓ **California Register of Historical Resources** Year: 1992 & supplemental information to date
- ✓ **California Inventory of Historic Resources** Year: 1976
- ✓ **California Historical Landmarks** Year: 1995 & supplemental information to date
- ✓ **California Points of Historical Interest** Year: 1992 & supplemental information to date
- ✓ **State Historic Resources Commission** Year: 1980–present, minutes from quarterly meetings
- ✓ **Archaeological Site Records [List names of Institutions & date below]**
 - A records search at the South Central Coastal Information Center (SCCIC), California State University, Fullerton, was conducted on August 16, 2012.
- ✓ **Results: (provide a brief summary of records search and research results, as well as inventory findings)**

A total of 22 archaeological sites and 3 isolated artifacts have been identified within 0.5 mi of the APE. Three of these archaeological sites (30-000026, 30-000656, and 30-001102) are plotted intersecting the project area. Sites 30-000656 and 30-001102 are extant and are included in the APE. Site 30-000026 is plotted within the APE but is currently undergoing extensive grading [REDACTED]. Four built environment historic resources have been identified within 0.5 mi of the APE, one of which (30-176620) is adjacent to the APE. Site records for the resources plotted within and adjacent to the APE are included in the HPSR, Attachment C. Five sites are listed on the Archaeological Determination of Eligibility (DOE) list, including Site 30-000026, which has been determined ineligible for the National Register of Historic Places (National Register). The Historic Resources Inventory lists four properties that have been evaluated for historical significance within 0.5 mi of the APE. These are resources that have not received Primary numbers, and all four have been evaluated as ineligible for the National Register. The California Register of Historical Resources lists two properties within 0.5 mi of the APE, neither of which is within the APE. A total of 43 studies have been conducted within 0.5 mi of the APE. Of these, 14 include portions of the APE, resulting in the entire APE having been previously surveyed. Resources plotted within the project area are described below and depicted on Attachment A, Map 3.

- **30-000026** is plotted as an extremely large site [REDACTED]. The site has been described since 1977 as being completely destroyed by grading or as containing site remnants in heavily disturbed contexts. The site is described as a substantial scatter of millstone assemblage artifacts that is bisected by Ortega Highway. The site has been evaluated as ineligible for the National Register with State Historic Preservation Officer (SHPO) concurrence in 1987. The current field survey documented that the site is not extant in the project area or Caltrans easement and that the site area is currently being graded for [REDACTED]. The DOE listing for the site is included in the HPSR, Attachment E.
- **30-000656** is plotted at the [REDACTED]. The site was first documented in 1974 as a large and deep site on the edge of the creek [REDACTED] and containing cores, manos, flakes, and shell. Subsurface archaeological investigations were conducted at the site in 1986 and 1987 for the Ortega Highway Widening Project. These investigations revealed a horizontally and vertically stratified deposit with two distinct occupation components with a maximum depth of 140 centimeters and encompassing 14,520 square meters. The upper component is a sparse Late Prehistoric deposit with limited evidence of extended habitation. The upper deposit lacks well-developed midden and contains sparse

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ecofactual remains and fire-affected rock (FAR). The upper component is interpreted as a seasonal camp for limited hunting and floral resource processing. The lower component that dates to the late Intermediate Period or early Late Period contains evidence of a much more intensive occupation and contains a well-developed midden, extensive artifactual and ecofactual remains, and abundant FAR. Three FAR features were identified situated on a living surface within the upper portion of the lower component. Two burned cranial fragments indicative of a human cremation were recovered from an excavation unit [REDACTED]. The site has been evaluated as National Register eligible with SHPO concurrence in a letter dated January 11, 1988 (HPSR Attachment E). As the site remains extant, the entire site has been included in the APE.

- 30-001102 is plotted as being [REDACTED]. The site was documented during field reconnaissance and test excavations conducted for a proposed Ortega Highway Widening Project in the 1980s. The site is described as a localized surface and subsurface deposit on a knoll [REDACTED]. The site may represent a seasonal procurement-processing location. The site has been evaluated as ineligible for the National Register with SHPO concurrence in a letter dated January 11, 1988 (HPSR, Attachment E). As the site remains extant, the entire site has been included in the APE.

5. PROPERTIES IDENTIFIED

- ✓ Properties **previously determined not eligible** for inclusion in the National Register of Historic Places are present within the Project APE. *(Include date of determination):*

- 30-000026, August 12, 1987; April 19, 2010
- 30-001102, January 11, 1988

Caltrans, as assigned by FHWA, has determined that the following archaeological sites within the Project APE shall be considered eligible for inclusion in the National Register without conducting subsurface testing or surface collection within the APE, for which the establishment of an ESA will protect the sites from any potential effects, in accordance with Section 106 PA Stipulation VIII.C.3. See attached documentation.

- 30-000026
- 30-001102

The Area of Direct Impact (ADI) within the boundaries of these sites has been thoroughly investigated, and no evidence of the sites remains within the ADI. However, since the evaluation and previous work on these sites is aged, and were focused on the Caltrans right of way, possible extant remains were not evaluated due to limited access to those areas. For the purposes of this undertaking, eligibility for these sites outside the ADI is assumed, and adverse effects to these sites will be avoided through the establishment of an ESA and Archaeological and Native American Monitoring during all ground-disturbing activities in the site areas.

- ✓ Properties **previously listed or determined eligible** for inclusion in the National Register of Historic Places are present within the Project APE. *(Include date of listing or determination):*

- 30-000656, January 11, 1988

6. LIST OF ATTACHED DOCUMENTATION

- ✓ Project Vicinity, Location, and APE Maps (Attachment A).
- ✓ Archaeological Survey Report (ASR) (Attachment B)
 - Prepared by Phil Fulton, March 2013

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Other (Specify below)

- Site Records (Attachment C)
- Native American Consultation (Attachment D)
- Determination of Eligibility List and SHPO concurrence letters (Attachment E)
- Environmentally Sensitive Areas (ESA) Action Plan (Attachment F)

7. HPSR to File

Not applicable.

8. HPSR to SHPO

As assigned by the Federal Highway Administration (FHWA), Caltrans has determined that a **Finding of No Adverse Effect**, according to Section 106 Programmatic Agreement (PA) Stipulation X.B(1) and 36 Code of Federal Regulations (CFR) 800.5(c), is appropriate for this undertaking, and is hereby notifying the SHPO of this finding. When Caltrans proposes a No Adverse Effect finding other than a finding of No Adverse Effect with the Standard Conditions specified in X.B.2, Caltrans shall submit its proposed finding and supporting documentation to FHWA for review. If FHWA agrees with the proposed finding, FHWA shall consult the SHPO pursuant to 36 CFR 800.5(c), and Caltrans shall concurrently provide documented notification of the finding to any consulting parties that have expressed views regarding potential effects to historic properties, including a request that any comments be directed to FHWA within 30 days of receipt of notification.

If the SHPO agrees with the No Adverse Effect finding made hereunder, the undertaking shall not be subject to further review under this Agreement. Unless FHWA and the SHPO have agreed to extend the 30-day time frame for SHPO review specified in 36 CFR 800.5(c), failure of the SHPO to comment within this time frame may be deemed by FHWA to constitute SHPO concurrence in the No Adverse Effect finding. Documentation of date of receipt as the basis for determining the 30-day review period may be provided through the SHPO database, a mail delivery receipt, or written or documented oral communication from the SHPO.

Glenn Gmoser, who meets the Professionally Qualified Staff Standards in Section 106 Programmatic Agreement (Section 106 PA) Attachment 1 as a Principal Investigator (Prehistoric Archaeology), has reviewed the attached documentation and determined that it is adequate. (Include description of ESAs and enforcement measures below; attach ESA Action Plan as appropriate.)

- At 30-000026, there is no remaining evidence of the site. The site was tested earlier and, while this earlier evaluation is inadequate to allow a current evaluation of the entire site, it was adequate to determine that no extant deposits will be disturbed within the SR-74 Safety Project ADI. However, the area beyond the proposed ADI will be designated as an ESA on the project Plans. Exclusionary fencing along the edge of the ADI shall be installed [REDACTED].
[REDACTED] Archaeological and Native American Monitoring during all ground-disturbing activities within this stationing will be provided. This will ensure that the site is not adversely affected by the undertaking. The ESA Action Plan is included as Attachment F.

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- At 30-000656, the area beyond the limits of the existing flat graded road shoulders between [REDACTED] will be designated an ESA on the project plans. Exclusionary fencing will be installed and maintained throughout project construction. Archaeological and Native American Monitoring will be present when construction is occurring within the site vicinity. This will ensure that the site is not adversely affected by the undertaking. The ESA Action Plan is included as Attachment F.
- At 30-001102, the area beyond the ADI will be designated as an ESA on the project Plans. Exclusionary fencing along the edge of the ADI shall be installed from [REDACTED] [REDACTED] Archaeological and Native American Monitoring during all ground-disturbing activities within this stationing will be provided. This will ensure that the site is not adversely affected by the undertaking. The ESA Action Plan is included as Attachment F.

9. Findings for State-Owned Properties

- ✓ Caltrans has determined that there are **no State-owned cultural resources** within the Project APE.

Caltrans has determined that there are no State-owned cultural resources within the APE because Caltrans does not own this section of SR-74 (Ortega Highway). Rather, this section of SR-74 is an easement that was granted in 1933 by the Rancho Santa Margarita Corporation. Caltrans is not the actual owner of the resource, and California Public Resources Code Sections 5024(a) to (f) and 5024.5 do not apply.

10. CEQA IMPACT FINDINGS

- ✓ Caltrans has determined a **finding of no substantial adverse change - ESAs**, because the impacts to the following historical resources within the project area limits will be mitigated to below the level of significance by using the *Secretary of the Interior's Standards for the Treatment of Historic Properties With Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings (Standards)* pursuant to CEQA Guidelines Section 15064.5(b). Establishment of Environmentally Sensitive Areas (ESA) and enforcement measures and conditions that utilize the *Standards* are included in the attached documentation. Glenn Gmoser, who meets the Professionally Qualified Staff Standards in Section 106 Programmatic Agreement (Section 106 PA) Attachment 1 as a Principal Investigator – Prehistoric Archaeology has reviewed the attached documentation and determined that it is adequate. *(Include description of ESAs and enforcement measures below; attach ESA Action Plan as appropriate.)*
- At 30-000026, there is no remaining evidence of the site. However, the area beyond the proposed ADI will be designated as an ESA on the project Plans. Exclusionary fencing along the edge of the ADI shall be installed from [REDACTED] [REDACTED] Archaeological and Native American Monitoring during all ground-disturbing activities within this stationing will be provided. This will ensure that the site is not adversely affected by the undertaking. The ESA Action Plan is included as Attachment F.
 - At 30-000656, the area beyond the limits of the existing flat graded road shoulders between [REDACTED] will be designated an ESA on the project plans. Exclusionary fencing will be installed and maintained throughout project construction. An archaeological monitor will also be present when construction is occurring within the site vicinity. This will ensure that that the site is not adversely affected by the undertaking. The ESA Action Plan is included as Attachment F.

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ATTACHMENT A: VICINITY, PROJECT LOCATION, AND APE MAPS



MAP 1

SR-74 Safety Project
 Project Vicinity Map
 12-ORA-74 PM 2.930/5.069
 EFIS No. 1200020180/VOL.7200

