

SECTION CONTENTS

6.7 CULTURAL RESOURCES.....6.7-1

6.7.1 EXISTING CONDITIONS6.7-1

6.7.1.1 Project Area6.7-1

6.7.1.2 Research and Field Methodology6.7-2

6.7.1.3 Ethnography, Prehistory and History6.7-3

6.7.1.4 Existing Cultural Resources in the Study Area.....6.7-5

6.7.1.5 Native American Consultation.....6.7-8

6.7.2 IMPACTS6.7-9

6.7.2.1 Significance Criteria6.7-9

6.7.2.2 Construction Impacts6.7-13

6.7.2.3 Operations and Maintenance Impacts6.7-13

6.7.2.4 Cumulative Impacts6.7-13

6.7.2.5 Project Design Features to Avoid or Minimize Impacts6.7-13

6.7.3 MITIGATION MEASURES6.7-15

6.7.4 SIGNIFICANT, UNAVOIDABLE, ADVERSE IMPACTS.....6.7-15

6.7.5 LAWS, ORDINANCES, REGULATIONS AND STANDARDS (LORS)6.7-15

6.7.6 REFERENCES6.7-18

SECTION APPENDICES

Appendix 6.7-A – Native American Consultation..... 6.7-A-1

SECTION TABLES

Table 6.7-1 – LORS Governing Cultural Resources6.7-16

SECTION ACRONYMS/ABBREVIATIONS

ACRONYM/ ABBREVIATION	DEFINITION
APE	Area of Potential Effect
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CRHR	California Register of Historical Resources
FAR	Fire Altered Rock
LORS	Laws, Ordinances, Regulations and Standards
MLD	Most Likely Descendant
NAHC	Native American Heritage Commission
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
OHP	Office of Historic Preservation
RPA	Register of Professional Archaeologists
SHPO	State Historic Preservation Officer

6.7 CULTURAL RESOURCES

Cultural resources include archaeological and historical objects, sites and districts, historic buildings and structures, cultural landscapes, and sites and resources of interest and concern to American culture and interest groups.

The following cultural resource analysis details efforts to determine whether cultural resources exist in areas that could be affected by the Project. The significance of any resources that will potentially be affected is assessed. Measures are proposed to mitigate potential adverse effects of the Project on any significant resources that are present.

Laws, ordinances, regulations and standards (LORS) pertinent to the identification, assessment of significance, and mitigation of adverse effects to cultural resources are identified in Mitigation Measures (Section 6.7.3), Significant, Unavoidable, Adverse Impacts (Section 6.7.4), and Laws, Ordinances, Regulations and Standards (Sections 6.7.5). As part of the field inventory, archaeological field investigations and site evaluations were undertaken to assess the presence, absence, and/or the extent and significance of specific sites and features. All cultural resources work for this Project was carried out under the direct supervision of an archaeologist who meets the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, and is consistent with the procedures for compliance with Section 15064.5 of the California Environmental Quality Act (CEQA).

The cultural resources personnel who supervised the field survey and prepared the Technical Report include:

- Dr. Chris Drover, Principal Investigator
- Ms. Shelby Manney, Senior Archaeologist
- Mr. Dionisios Glentis, Staff Archaeologist
- Mr. Michael Davis, Staff Archaeologist

Dr. Drover meets the professional standards of the Secretary of the Interior for this work, and is certified by the Register of Professional Archaeologists (RPA).

6.7.1 Existing Conditions

6.7.1.1 Project Area

The study area is situated in unincorporated northern San Diego County, approximately two miles west of the community of Pala, CA. It lies 1.5 miles east of Monserate Mountain, 1 mile west of Pala Indian Reservation, approximately 5 miles west of Cleveland National Forest, and approximately 5 miles south of Riverside County. The area has a Mediterranean, semi-arid climate.

Geology in the project area is described in Section 6.3 – Geologic Hazards and Resources. The Site is situated on a very old alluvial fan comprised of 500,000 to 2 million year old alluvium that is located on the north side of SR 76 and slopes approximately 10 degrees to the south.

Moderately steep hillsides composed of igneous basement rock surround the alluvial fan to the west, north and east. To the south, on the opposite side of SR 76, the naturally exposed geologic materials are Holocene (less than 10,000 year old) alluvium deposits of the San Luis Rey River bed. South of the Site, most of the Holocene alluvium area is occupied by a former mine, where the Holocene alluvium was excavated for commercial purposes.

The Site is surrounded to the north, west, and east by native coastal sage scrub and chaparral habitat. Native vegetation communities in the region include Diegan coastal sage scrub, chaparral, southern willow riparian forest, and oak woodland communities. A fair amount of disturbance has occurred over time by agricultural activities and rural residential development. From a regional perspective, however, a large percentage of the ground remains relatively intact.

Except for the short segments adjacent to the Site, project linear facilities will be constructed within the existing SR 76 and Pala Del Norte Road without new surface disturbance.

6.7.1.2 Research and Field Methodology

6.7.1.2.1 Literature and Record Search

An archaeological records search for the Project area was requested on 23 April 2007 from the South Coastal Information Center at San Diego State University. A literature search encompassed a two mile radius around the Site and gas pipeline. This search radius encompasses up to approximately one mile outside of the water pipeline route. The South Coastal Information Center evaluated the Project area with reference to Historical Resources, Previous Archaeological Project Boundaries, Historic Maps and Historic Addresses. The results of the search indicated a number of recorded archaeological sites in the Site vicinity or near the proposed Project linear elements. A Record Search Summary will be provided to the California Energy Commission (CEC) under separate (confidential) cover.

6.7.1.2.2 Field Investigations

Field investigations were conducted utilizing both systematic and judgmental sampling strategies. Field survey consisted of three site visits over one month beginning on the 23 of April, 2007. The Site and adjacent areas were surveyed utilizing a systematic, five-meter interval between survey alignments. Approximately 90% of the soil surface was obscured by non-native grasses. In addition, three previously recorded archaeological sites (SDI-13766, SDI-13006 and SDI-13007) that occur close to the Site were mapped. The survey area extended north of the site a minimum of 200 feet, and to the east of the site to the top of the drainage that occurs approximately 200-250 feet from the east Site boundary. To the south and west, the field investigations extended beyond SR 76 and Pala Del Norte Road, respectively.

The survey of the Project gas pipeline alignment was conducted in a judgmental, pedestrian fashion. Two individuals walked the length of the alignment at a ten meter interval, relocating previously recorded sites and conducting the recordation of new resources.

Survey details will be submitted to CEC under separate (confidential) cover. Relevant findings are summarized herein.

The water pipeline route was not inventoried beyond the Site area as a result of access limitations (private property). The water pipeline will be constructed in the existing Pala Del Norte Road and no sensitive resources are known to occur near the pipeline route.

The buildings at the existing SDG&E storage area south of the Site were constructed in 1978 (TRC, 2007). These buildings are, and will remain, the property of SDG&E, and are located on a separate parcel owned by SDG&E.

6.7.1.3 Ethnography, Prehistory and History

The earliest period of human occupation in North America currently accepted is Period I by Wallace (1978) and is dated from approximately 12,000 to 6,000 B.P. In Southern California this period has been called San Dieguito, Playa, or Lake Mojave. The last term is the one used to describe the culture complex in the Mojave River Sink region. Lake Mojave Culture is characterized by Silver Lake and Lake Mojave projectile points and corresponds to post-Pleistocene conditions that were cooler and wetter than the present. As such, the Lake Mojave Complex is best seen as part of a larger regional adaptation. Bedwell (1970) has proposed the term Western Pluvial Lakes Tradition. It is characterized by (a) site locations near major water sources, (b) an absence of ground stone, (c) a flaked stone industry with long stemmed points, and (d) a stone tool kit which included large core and flake scrapers, scraper-planes, choppers, and hammerstones (see Altschul et al. 1985:24).

This early culture, also known as the Early Hunting Stage, represents the post-Pleistocene adaptation to big game hunting of large mammals, possibly even members of the late Pleistocene megafauna such as mammoth, although direct evidence of this type of aboriginal exploitation is lacking from southern California. If gathering was also part of this early subsistence strategy, plants were apparently not being processed with a ground stone technology. This early hunting tradition basically came to an end around 6000 B.P. This is probably due to the advent of much warmer and drier times associated with the Altithermal, which led to a shift in subsistence strategies focused on plants and small game.

The following period, termed the Millingstone Horizon (Wallace 1955) or Encinitas Tradition (Warren 1968), dates from approximately 8000 B.P. to 1000 B.P. This horizon marks the technological advancements of seed grinding for flour and the beginning of the use of marine resources. Diagnostic artifacts for this tradition include manos, metates, scraper planes, choppers, core tools, doughnut stones, discoidals, and cogstones. This period includes archaeological cultures/complexes such as Pauma, La Jolla, Topanga, Oak Grove, and Sayles (cf. Moratto 1984). This period was not homogeneous from either a synchronic or diachronic perspective.

The Pauma Complex, which was first identified by Delbert L. True (1958), was primarily restricted to the areas east of Escondido in the peninsular ranges of northern San Diego County (Moratto 1984). It appears to have been a millingstone complex based more on a hunting and seed gathering economy than shellfish gathering. This complex, dated to around 8000 B.P., is

characterized by an assemblage of San Dieguito-like crescents, leaf-shaped points, La Jolla millingstone artifacts, core scrapers, and stone discoidals. It is not known whether the Pauma Complex was an inland variant of the La Jolla Complex or represents seasonal inland encampments and adaptations of the main coastal groups (Morrato 1984).

The Late Prehistoric period began around the latter part of the ninth century and continued until historic contact. The period is characterized by three basic shifts in the economy: (a) a more land-based collecting economy (in coastal environs), (b) collection of specifically-targeted shellfish resource areas, and (c) the development of a quasi-maritime economy (True 1966). Archaeologically the period is characterized by the introduction of the mortar and pestle, finer projectile points, cremations, and the introduction of pottery around 1000 B.P.. Within the Luiseño territory the late period is represented by the San Luis Rey Complex, which is divided into stages I (A.D. 1400-1750) and II (A.D. 1750-1850). The complex was first proposed by Meighan (1954) based upon his work at SD-132 and later redefined by True et al. (1974).

Archaeologically the San Luis Rey Complex represents a termination of most of the millingstone practices in favor of greater reliance on acorn exploitation and establishment of semi-permanent villages in centralized resource locations (True 1966). San Luis Rey I assemblages are characterized by millingstones, bedrock mortars, cremations and small triangular points. San Luis Rey II contains all those plus pottery, cremation urns and, after contact, glass beads and metal knives (True et al 1974). It is also seen as an intrusive period of "desert" traits/people from the northeast, possibly related to the desiccation of Lake Cahuilla. Researchers believe that this cultural pattern can be linked to Shoshonean expansion into the region and is probably the direct ancestor of the Luiseño culture (True 1966; True et al 1974; White 1963; Bean and Shipek 1978).

The Late Prehistoric period can be said to have ended with the Spanish colonization and establishment of the missions. Disease and forced relocation, which reduced the populations considerably among the coastal settlements, did much to destroy the cultural pattern established at that period (Bean and Shipek 1978).

The Late Prehistoric culture pattern appears to have lasted longer among the inland groups since it was the policy of Mission San Luis Rey to maintain traditional settlement patterns and economic practices. Even after the missions were secularized in 1834 the inland groups were able to maintain most of their traditional orientation until the European arrivals of 1859-1879, when most of the Luiseños were displaced and dispersed (Bean and Shipek 1978:558).

The vast majority of prehistoric archaeological sites in the valley appear to be of the late prehistoric and/or contact period. Most of the archaeological sites described in the region are late prehistoric age (pottery present) and may have resulted in a population expansion resulting from intrusions from the Coachella Valley caused by the desiccation of Lake Cahuilla (ancestral Salton Sea) (Wilke 1978), a fact which may also explain the apparent increase of late prehistoric settlements near Pala and Temecula. Soon after Mission San Luis was functioning under Fr. Peyri it attracted large numbers of mountain Indians. By 1819 more than a thousand native people had been baptized as Luisenos (San Diego Historical Society 2007).

The *assistencia* attracted both Luiseño and Cupeño people each of different linguistic dialects of the Takic subfamily of the Uto-Aztecan Family (Moratto 1984). The greater Luiseño population was geographically associated with populations of Temecula Valley to the northwest and groups to the west and southwest. The Cupeño (a Spanish name derived from the village name of *Kupa* and the suffix *-eño*, “people of...”), were linguistically and geographically more associated with groups to the north, such as the Cahuilla.

Cupeños called themselves *Kuupangaxwichem*, or “people who slept here” (Pala Band 2007). As a comparatively small group, they once occupied a territory 10 square miles in diameter in an area at the upper watershed of the San Luis Rey River, the valley of San Jose de Valle (Pala Band 2007). Many of the present Pala Indians trace their heritage back to Cupa but also recognize themselves as “Pala”, a unified group of Luiseño and Cupeño peoples (Pala Band 2007).

6.7.1.4 Existing Cultural Resources in the Study Area

Recorded archaeological and historical sites located near the Project Site are:

- SDI-13005 - This site is part of the SDI-13004 updated study done in 1992 by Affinis Shadow Valley Center. The site is located west of the existing Pala Substation. The site includes an isolated bedrock milling feature. No Project disturbance is proposed that could impact this site.
- SDI-13006 - This prehistoric site, updated in 1992, is situated in a grove and has been disturbed by planting. There is a small scatter of ceramic sherds that includes six pieces of Tizon Brownware. The reevaluation of the site was done by Affiniz Shadow Valley Center at the same time that SDI-13004 and SDI-13005 were investigated. During the initial survey of the project area ground vegetation covering approximately 80 percent of the surface prevented the rediscovery of the site; however, there is still a high possibility of cultural material in this region. This site is located outside the Project disturbance footprint, but is close enough to planned disturbance to warrant additional investigation described further in Section 6.7.2.
- SDI-13007 - This historic and prehistoric site was recorded in 1992 by Affinis Shadow Valley Center. The findings included a scatter of historic and prehistoric era ceramic sherds and glass fragments: one Tizon sherd, historic glazed ceramic sherds, aqua and manganese glass fragments, and a porcelain fence insulator. Other than planting of and maintenance to citrus groves, the site is undisturbed. This site is located outside the Project disturbance footprint, but close enough to planned disturbance to warrant additional investigation described further in Section 6.7.2.
- SDI-13766 - This site is located on the northwest side of SR 76. This site was recorded in 1994 by Ogden Environmental as a temporary camp with a large amount of prehistoric and historic cultural material including ceramics, refuse, bedrock milling activity, boulders with mortars, cupules (pre-mortars), and slicks. During the initial survey, March of 2007, TRC was not able to locate many of the artifacts due to vegetative cover.

- SDI-13767 - This historic site is located east of the north of SR 76 east of the Site. The site contains a scatter of historic domestic refuse: ceramics and glass. The site was recorded in 1994 by Ogden Environmental.

No other sensitive cultural resources sites or features were identified in the vicinity of the Project Site.

No sensitive sites were identified near the water pipeline route. Archaeological and historic sites in the vicinity of the Site, gas pipeline and water pipeline are:

- P-number 37-016051 - This historic site was first recorded in 1968 and updated in 1988 by David Evans and Associates. The only remains of the site include a stone wall. The area has been heavily impacted by grading. A structure that once occupied the space and the remaining wall date from the period when the property was a part of the Pala Fruit Ranch.
- SDI-13762 - Department of Parks and Recreation Site Record. This site was recorded in 1994 by S. Briggs and A. Pigniolo and is described as an historic refuse scatter of purple, aqua, brown, milk, and window glass in addition to some historic ceramics.
- SDI-13004 - Department of Parks and Recreation Site Record: This study was initially done in 1968 and was updated numerous times (1969, 1974, 1992, and 1994). The study included the Site area, the existing substation, and parts of land that are southwest of the Site area. The known site located in the 1968 study was on the northwest side of SR 76 on a high ridge. A Pigniolo and S. Briggs did the site assessment and found that the site was a small bedrock milling station. The site assessment located an additional feature consisting of a single slick located nearby. A follow-up was done in 1974 by S. Briggs; it was not disturbed at the time. In 1992 another follow-up was conducted by Affinis Shadow Valley Center, which concluded that the prehistoric site was undisturbed.
- SDI-13768 - This site was recorded by Ogden Environmental in 1994. This site was noted to be on the northwest side of SR 76. It is located on a high ridge and consists of a single bedrock milling feature with a single slick. This site is associated with P-37-013763 and PS-S-3.
- SDI-13769 - This site was recorded by Ogden Environmental in 1994. This site was noted to be on the northwest side of SR 76. It is located on a high ridge. There is a single bedrock milling feature with a single slick. This site is associated with P-37-013764 and PS-S-4. The site is located just northwest of SDI-13768.
- SDI-13763 - No site description located in files.
- SDI-786 - This site was recorded in 1960 and has not been updated. It was recorded as a probable old Pauma complex with no middens or shell deposits. It lies just north of SR 76.
- SDI-773 - This site was recorded in 1948 and again in 1960 as a small to medium bedrock mortar and seed grinding station for a village. The site has not been updated.

- SDI-744 - This site was first reported in 1960 as a small camping area, with midden, bedrock exposures and mortars. Many features were recorded at this time. The site was updated in 1981 by Crotteau. Many lithic artifacts, ceramics, and mano fragments were noted, in addition to the milling elements. The site was updated again in 1991 as a temporary prehistoric campsite with basalt flakes and brownware. It was recorded by Scientific Resources Surveys. In 1997 the site was updated by Pacific West Archaeology as a large bedrock milling complex that combines two previously designated locations. The firm also noted several artifacts. The latest survey was in 2004 by ASM Affiliates. They noted that no disturbance has occurred since the 1997 update.
- SDI-12584 - This site was first recorded in 1991 by Scientific Resource Surveys. It is located above SR 76 on a slope. The site functioned as a ceremonial fertility site. Many artifacts were listed in this survey including handstones, milling stones, yoni, and cupules. The site was updated in 1997 by Pacific West Archaeology. They noted the site to be a large bedrock milling complex that combined two previously designated locations. They also affirmed the previous investigations.
- SDI-12585 - This site was first recorded in 1991 by Scientific Resource Surveys. It is directly north of SR 76. The prehistoric site includes several separated bedrock milling elements. The site was updated in 1997 by Pacific West Archaeology. The site was described as a site dominated by milling features with minor amounts of artifact visible on the surface.
- SDI-16048 - This prehistoric site was recorded in 1968 and updated in 1988 by Pacific West Archaeology. This site contains two bedrock milling features located adjacent to one another. One of the features contains two slicks and the other contains five slicks. The third feature is a red pigment pictograph consisting of one horizontal zigzag pattern with two vertical chains suspended. A cluster of amorphous red pigment lines is found above the horizontal zigzag. Another panel identified during the survey could not be located, but was originally found 10m east of the panel described above.
- SDI-683 - This significant and large prehistoric, protohistoric, and historic site was recorded first in 1968, then updated in 1975 and updated again by Pacific West Archaeology in 1997. The site is located north of SR 76. The 1968 survey recorded numerous grinding elements, midden deposition, pottery sherds, flakes, charred bone, shell, bedrock features, numerous mortars, and slicks. The 1975 survey noted bedrock mortars, bedrock metates, projectile points, pottery, pestles, and manos. In 1997 the survey found that the site was still intact and contained eight milling features with over 30 milling elements: slicks, mortars, basins, and anvils. There is also habitation debris on the site. Artifacts found include FAR (Fire Altered Rock), manos, Tizon ceramic sherds, chipped stone, hammerstones, bone, and marine shell (chione). The soil was extremely dark in comparison with surrounding soil, suggesting possible subsurface features. There is also evidence of historical debris dating from 1769-1849.

While the above cultural resources are located in the vicinity, none are located in areas that will be disturbed for the Project.

6.7.1.5 Native American Consultation

On March 7, 2007, TRC Solutions initiated contact with Mr. Dave Singleton, Program Analyst of the Native American Heritage Commission (NAHC), requesting a search of the Sacred Lands Inventory to determine if the project's location is within identified Sacred Lands. Additionally, TRC Solutions requested a list of Native American tribes associated with the project area so that Native American consultations could commence. Copies of correspondence are provided in Appendix 6.7-A.

On March 20, 2007, Mr. Dave Singleton responded to TRC Solutions' initiation via written notification that a record search of the Sacred Lands File revealed the presence of Native American cultural resources in the immediate project area, or "Area of Potential Effect (APE)." Furthermore, in addition to providing a list of Native American Contacts (Most Likely Descendents), Mr. Singleton recommended in particular that TRC Solutions contact Chairman Robert Smith of the Pala Band of Mission Indians for additional knowledge of cultural resources in the project area. Mr. Singleton advised that the lack of surface-level archaeological deposits does not preclude the existence of archaeological resources; moreover, avoidance, as defined in Section 15370 of CEQA, of cultural resources should be a consideration when an encounter with a significant cultural resource occurs, and provisions outlined in Public Resources Code Section 15064.5 (f) and Section 15097.98 and Health & Safety Code Section 7050.6 provide for mandates to be followed concerning unanticipated discoveries, including human remains.

On April 4, 2007, TRC Solutions commenced with Native American Most Likely Descendents consultations by sending letters and pertinent maps to representatives of six (6) associated Native American groups. Correspondences were sent to Chairman Robert Smith of the Pala Band of Mission Indians, Rincon Culture Committee Member Angela Veltrano of the Rincon Band of Mission Indians, Chairman Russell Romo of the San Luis Rey Band of Mission Indians, Co-Chair Carmen Mojado of the San Luis Rey Band of Mission Indians, Cultural Resources Coordinator Mark Mojado of the San Luis Rey Band of Mission Indians, and Assistant Director Shasta Gaughen of the Cupa Cultural Center (Pala Band). In each case, TRC Solutions presented to the associated Native American group the nature, purpose, location, and scope of the proposed project and inquired about cultural sensitivity and knowledge regarding cultural resources in the Project area.

On April 19, 2007, Cupa Cultural Center Cultural Resource Coordinator Dr. Joseph M. Nixon of the Pala Band of Mission Indians contacted Dr. Christopher Drover, Director of Archaeology, in response to TRC Solutions' cultural sensitivity and resources inquiry. Dr. Nixon, on behalf of Tribal Chairman Robert Smith and The Pala Band of Mission Indians Tribal Historic Preservation Office, informed Dr. Drover of TRC Solutions that the project as described is not within the Pala Indian Reservation boundaries. However, Dr. Nixon proceeded to explain that the location of the project is within the boundaries of the Tribe's Traditional Use Area. Therefore, as per the request of The Pala Band of Mission Indians Tribal Historic Preservation Office, The

Pala Band of Mission Indians shall be kept informed of and updated on the progress of the project, pertinent cultural resource reports of investigations, and any other documentation resulting from already reported or newly discovered sites. Additionally, The Pala Band of Mission Indians shall be consulted if modification of the project results in the extension beyond the currently proposed boundaries of the project. Ultimately, The Pala Band of Mission Indians Tribal Historic Preservation Office recommends that appropriate Cultural Resource Monitors be present on site during all survey and earth-moving activities.

On June 5, 2007, San Luis Rey Band of Mission Indians Tribal Captain Russell Romo contacted Dr. Christopher Drover of TRC, informing him that the San Luis Rey Band of Mission Indians wished to participate in formal consultation with TRC Solutions pursuant to SB 18 concerning the construction of the small power plant and associated pipelines in Pala, San Diego County, California. Mr. Romo requested that TRC send a copy of the cultural resources report for the project to the San Luis Rey Band of Mission Indians.

6.7.2 Impacts

Cultural resources in the State of California are recognized as non-renewable resources that require management to assure their benefit to present and future Californians. Cultural resources management work conducted as part of any proposed undertaking must comply with applicable Federal, and/or State, and Local regulations designed to protect Pala's rich cultural heritage. Brief descriptions of these regulations are provided below and a table can be found in Table 6.7-1.

6.7.2.1 Significance Criteria

6.7.2.1.1 Federal Regulations

Although projects not requiring federal action are not subject to federal cultural resources regulations, a brief review of federal law sets the stage for understanding the state and local cultural resources guidelines. CEQA and local City guidelines are then addressed in subsequent sections.

Enacted in 1966, the National Historic Preservation Act (NHPA) has become the foundation and framework for historic preservation in the United States. Briefly, the NHPA authorizes the Secretary of the Interior to expand and maintain a National Register of Historic Places (NRHP); it establishes an Advisory Council on Historic Preservation as an independent federal entity; requires federal agencies to take into account the effects of their undertakings on historic properties, and affords the Advisory Council a reasonable opportunity to comment on any undertaking that may affect historic properties listed, or eligible for listing, in the NRHP; and makes the heads of all federal agencies responsible for the preservation of historic properties owned or controlled by their agencies. In addition, the NHPA authorizes funding for state programs with provisions for pass-through funding and participation by local governments. In summary, the NHPA provides the legal framework for most state and local preservation laws.

The National Park Service has issued regulations governing the NRHP (36 CFR 60). Among the topics covered in detail in these regulations are the effects of listing under federal law, definition of key terms (e.g., building, site, structure, and district), nomination procedures, nomination appeals, and removing properties from the NRHP. Importantly, Section 60.4 of the regulations presents the criteria by which historic properties are evaluated for the NRHP.

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- That are associated with events that have made a significant contribution to the broad patterns of our history; or that are associated with the lives of persons significant in our past; or
- That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- That have yielded, or may be likely to yield, information important in prehistory or history (36 CFR 60.4).

A point to be emphasized is that a historic property does not have to be nominated for, or listed in, the NRHP to be afforded protection under the NHPA. Indeed, *most* of the properties managed under this and other federal historic-preservation authorities have never been nominated for the NRHP. The significance of a historic district, site, building, structure or object—and thus its required consideration under the law—is determined by the property’s *eligibility* for the NRHP with respect to the criteria set forth in 36 CFR 60.4.

The NHPA established the Section 106 review procedure to protect historic and archaeological resources that are listed in, or eligible for listing in, the NRHP from impacts of projects by a federal agency, projects funded or permitted by a federal agency, or projects located on federally-owned land or Native American-owned land. State Historic Preservation Officers and programs in all states and U.S. territories receive federal funding to carry out the provisions of the NHPA. This funding comes from a yearly appropriation by the legislative branch of the federal government. The NHPA requires that at least 10 percent of funds to the state be passed through to Certified Local Governments.

6.7.2.1.2 State Regulations

Discretionary actions undertaken by State or local governments in California, unless otherwise exempted, must comply with the CEQA *Statutes and Guidelines* (California 1999). Enacted in 1971, CEQA directs lead agencies to first determine whether a cultural resource is a “historically significant” cultural resource. In the protection and management of the cultural environmental, CEQA guidelines provide definitions and standards for cultural resources management. The term “historical resource” is defined as follows:

- (1) A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the *California Register of Historical Resources* (CRHR).
- (2) A resource included in a local register of historical resources or identified as significant in a historical resource survey shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- (3) Any object, building, structure, site area, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a cultural resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the CRHR, including the following:
 - a. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 - b. Is associated with the lives of persons important in our past;
 - c. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
 - d. Has yielded, or may be likely to yield, information important in prehistory or history.

The fact that a resource is not listed in, or determined to be eligible for listing in the CRHR, not included in a local register of historical resources . . . , or identified in a historical resources survey . . . does not preclude a lead agency from determining that the resource may be a historical resource [Title 14 CCR Section 15064.5(1)].

The term "unique archaeological resource" has the following meaning under CEQA:

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

- (1) *Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.*
- (2) *Has a special and particular quality such as being the oldest of its type or the best available example of its type.*

- (3) *Is directly associated with a scientifically recognized important prehistoric or historical event or person [Public Resources Code Section 21083.2(g)].*

A project with an effect that may cause a substantial adverse change in the significance of a historical resource or unique archaeological resource is a project that may have a significant effect on the environment (California 1999:14). Effects on cultural properties that qualify as historical resources or unique archaeological resources can be considered adverse if they involve physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.

The cited statutes and guidelines specify how cultural resources are to be managed in the context of projects subject to CEQA. Briefly, archival and field surveys must be conducted, and identified cultural resources must be inventoried and evaluated in prescribed ways. Sites that may contain human remains important to Native Americans must be identified and treated in a sensitive manner, consistent with state law (i.e., Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98), as reviewed below.

In the event that human remains are encountered during project development and in accordance with the Health and Safety Code Section 7050.5, the County Coroner must be notified if potentially human bone is discovered. The Coroner will then determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) by phone within 24 hours, in accordance with Public Resources Code Section 5097.98. The NAHC will then designate a Most Likely Descendant (MLD) with respect to the human remains. The MLD then has the opportunity to recommend to the property owner or the person responsible for the excavation work means for treating or disposing of, with appropriate dignity, the human remains and associated grave goods.

Prehistoric and historical resources deemed “historically significant” must be considered in project planning and development. As well, any proposed undertaking that may affect “historically significant” cultural resources must be submitted to the State Historic Preservation Officer (SHPO) for review and comment prior to project approval by the responsible agency (in this case the City) and prior to construction. Subsequent sections of the *CEQA Guidelines* detail methods by which significant effects may be mitigated, and discuss procedures for treatment of human remains discovered in the course of project development.

The State of California Office of Historic Preservation (OHP) administers the California Register program. As a recipient of federal funding, the OHP meets the requirements of the NHPA with a SHPO who enforces a designation and protection process, has a qualified historic preservation review commission, maintains a system for surveys and inventories, and provides for adequate public participation in its activities. As the recipient of federal funds that require pass-through funding to local governments, the OHP administers the Certified Local Government program for the State of California. The OHP also administers the California Register of Historical Landmarks and California Points of Local Historical Interest programs (APPS 2003:10).

6.7.2.2 Construction Impacts

Vegetation clearing and grading on the Site and adjacent areas has the potential to disturb cultural resources. The Project has been designed to avoid locations of known cultural resources sites. Testing of previously documented sensitive sites adjacent to construction disturbance areas will occur to determine if there are potentially unavoidable impacts. A cultural resource research design plan will be developed prior to testing as described in Section 6.7.2.5. Implementation of the mitigation measures outlined in the research design will assure that impacts to cultural resources are less than significant.

6.7.2.3 Operations and Maintenance Impacts

The potential for impacts to cultural resources due to Project operations and maintenance is principally that associated with increased exposure of the cultural resources that occur in the area. Operations and maintenance of the Project will not provide new access to any given area, nor will it bring a substantial number of new people to the area. The operations and maintenance staff for the plant will total only about 6 full time positions. Power plant staff will be trained in cultural resource sensitivity and regulatory requirements for cultural resource protection. With these measures no impact to cultural resources is expected from Project operations and maintenance.

6.7.2.4 Cumulative Impacts

Given existing regional projects such as those described in Section 6.1, cultural resources are occasionally impacted as projects are built out. Comparatively, energy projects often have less of a physical impact than intensive development such as residential. Cultural Resource Management seeks a form of mitigation for cultural resources that not only protect or avoid resources but often provide information that amplifies our understanding of past cultures, thereby producing beneficial effects.

Future projects in the region could potentially cause significant impacts to identified cultural resources. However, with implementation of warranted mitigation measures, these impacts should be less than significant overall. LORS that are in place for development projects in general provide for cultural resource protection and avoidance or mitigation of cultural resource impacts to a level that is less than significant. Therefore, cumulative impacts with other foreseeable projects implemented in accordance with applicable LORS will be less than significant.

6.7.2.5 Project Design Features to Avoid or Minimize Impacts

The Project has been designed to avoid disturbance to known cultural resources. The additional measures described below are project design or LORS measures that will mitigate impacts to a level that is less than significant if planned additional testing and monitoring determines that there are currently unforeseen unavoidable impacts.

A Phase II testing study will be completed to assess the sensitivity of the area of potential effect. This recommendation is chiefly due to the presence of milling features near the Site. Parr and Sutton (1993) reference milling features as reflecting the prehistoric long-term and short-term activities of people in the area. The authors describe the function of milling features, in the past, as have been potentially overlooked as insignificant. However their work shows that important resources—subsurface and surface— have been found during testing and excavation phases of milling stone sites. Phase II testing of selected sensitive sites adjacent to the project area namely, SDI-13766, SDI-13006, and SDI-13007 is recommended. A research design will be drafted to address the possible impacts to cultural resources, both primary and secondary, following the specific guidelines set out in CEQA and the County of San Diego Guidelines for Determining Significance for testing cultural resources, prior to the testing phase (CEQA Phase II) of the cultural resource assessment. This testing will also identify if any further CEQA inventory, testing, or evaluation stages are needed; which can be defined as:

- *Phase I: Archaeological Survey:* includes initial records, map, and literature searches. Also includes Sacred Lands check with NAHC and initial scoping with Tribes. (This phase, already complete, determines the need to for additional phases.)
- *Phase II: Testing to complete identification and evaluation of cultural resources.* Testing may include further archival research and ethnographic research as well as subsurface testing to determine horizontal and vertical extent of resource. This phase will occur on SDI-13766, SDI-13006, and SDI-13007. The archaeological research design, to be completed prior to the Phase II effort, will establish which sites and measures will be taken in order to comply with CEQA and County of San Diego LORS. The results of this Phase determine the need or lack of need to continue on to a Phase III effort.
- *Phase III: Mitigation or Data Recovery phase* that may involve preservation and avoidance, data recovery excavation, or a combination of the two.
- *Phase IV: Monitoring for compliance with recommended project conditions and mitigation.*

With implementation of the measures listed below, no significant unavoidable impacts to known cultural resources are expected to occur.

- Prior to construction, selected known sites closest to the planned construction disturbances will be tested as described above.
- Before ground clearing, known cultural resource boundaries near areas of planned disturbance will be located in the field in relation to design limits of surface disturbance, and the limits of surface disturbance will be clearly marked by a fence.
- Monitoring for cultural resources will occur during construction land clearing and grading.
- If unforeseen unavoidable impacts are identified by monitoring or testing, then the affected site(s) will be evaluated to determine if the resource is significant and, if so, what elements make it significant, and mitigation will be implemented under CEQA

Sections 15064.5 and 15126.4. Mitigation may include data recovery to determine if there is a need for additional modification to project design features to avoid or minimize the impacts to cultural resources. In the unforeseen event of an impact to a significant resource that cannot be avoided, the Project archaeologist will consult with SHPO to reduce impact to less than significant. If it is determined that the resource is significant, measures to mitigate impacts will be devised in consultation with SHPO, and will be carried out by the applicant.

With implementation of these identified measures, impacts to cultural resources will be less than significant.

6.7.3 Mitigation Measures

Considering Project design measures and LORS, no additional mitigation is required.

6.7.4 Significant, Unavoidable, Adverse Impacts

No significant unavoidable adverse impacts are anticipated.

6.7.5 Laws, Ordinances, Regulations and Standards (LORS)

Relevant LORS for cultural resources are identified in Table 6.7-1. There are no federal actions required for the Orange Grove Project. Therefore, there are no actions being considered that would require compliance with the federal historic preservation law or regulations. The Project will be constructed and operated in accordance with applicable LORS.

Table 6.7-1 – LORS Governing Cultural Resources

ADMINISTERING AGENCY	AUTHORITY	REQUIREMENTS	COMPLIANCE	SPPE SECTION
Federal				
None applicable.	None applicable.	None applicable.	None Applicable.	None Applicable.
State				
CEC (CEQA Lead Agency)	California Environmental Quality Act of 1970, as amended	Requires findings by the state lead agency regarding project-related effects to and mitigation for important cultural resources.	CEC will evaluate the data presented in the application and make a specific finding regarding project-related effects to important cultural resources.	6.7, 6.7.1, 6.7.2, 6.7.5
State Historical Resources Commission	Public Resources Code 5024.1	Establishes California Register of Historical Resources and procedures for nominating sites to the Register.	Any unrecorded cultural resource sites found during the Project will be recorded with the California Register of Historical Resources by the Project's professional archaeologist.	6.7.5
CEC (CEQA Lead Agency)	Public Resources Code 5020.1	Defines relevant terms including historical resource and substantial adverse change.	CEC will evaluate the data presented in the application and make a specific finding regarding project-related effects to important cultural resources.	6.7.2.1, 6.7.2.2, 6.7.2.3, 6.7.2.5, 6.7.5
CEC (CEQA Lead Agency)	Public Resources Code 21084.1	Defines significant historic resource and significant effect on historic resources.	CEC will evaluate the data presented in the application and make a specific finding regarding project-related effects to important cultural resources.	6.7.2.1, 6.7.2.2, 6.7.2.3, 6.7.2.5, 6.7.5
Local				
San Diego County DPLU	San Diego County Code, Title 8, Division 6, Chapter 6	Resource Protection Ordinance requires that cultural resources be evaluated as part of the County's discretionary environmental review process and if any resources are determined significant under RPO, they must be preserved.	DPLU will evaluate cultural resources as a part of their discretionary review associated with the Major Use Permit. It is anticipated that DPLU will base their discretionary review on CEC's CEQA documentation.	6.7.2.1, 6.7.2.2, 6.7.2.3, 6.7.2.5, 6.7.5
San Diego County DPLU	Conservation Element (Part X) of the San Diego County General Plan	Provides policies for the protection of natural resources and guidance for the protection of cultural resources.	Project as proposed will comply with General Plan requirements and guidance for cultural resource management.	6.7.2.1, 6.7.2.2, 6.7.2.3, 6.7.2.5, 6.7.5

ADMINISTERING AGENCY	AUTHORITY	REQUIREMENTS	COMPLIANCE	SPPE SECTION
Industry				
None applicable.	None applicable.	None applicable.	None Applicable.	None Applicable.

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6.7-A. A

APPENDIX 6.7-A – NATIVE AMERICAN CONSULTATION



7 March 2007

Mr. Dave Singleton

Native American Heritage Commission
915 Capitol Mall, Room 364
Sacramento, CA 95814

Dear Mr. Singleton:

TRC is proposing to conduct a Class III Inventory for the proposed Orange Grove Power Plant Project near Pala, California. The footprint of the station encompasses approximately 20 acres. Attached is a portion of the Pala USGS 7.5 Minute Topographic Map.

Please conduct a search of the Sacred Lands Inventory to determine if this location is within identified Sacred Lands. Additionally, please forward a list of Native Americans tribes associated with these areas so that we may initiate Native American consultations.

Thank you for your assistance.

Respectfully,

A handwritten signature in blue ink, appearing to read "Christopher Drover".

Christopher Drover, Ph.D.
Project Archaeologist
21 Technology Drive
Irvine, CA. 92618

21 Technology Drive; Irvine, CA. 92618; FAX 949-727-7399

03/21/2007 13:17 FAX #16 657 8390

NARC

2001

STATE OF CALIFORNIA

Arnold Schwarzenegger Governor

NATIVE AMERICAN HERITAGE COMMISSION

518 CAPITOL HALL, ROOM 507
SACRAMENTO, CA 95814
(916) 654-6251
Fax (916) 657-8390
Web site WWW.NAHC.CA.GOV
E-mail: ca_nahc@pnetnet.net



March 20, 2007

Dr. Christopher Drover, Ph.D., Project Archaeologist
TRC
21 Technology Drive
Irvine, CA 92618

Sent by FAX to: 649-727-4399
Number of pages: 2

Re: Cultural Resource Identification Study/Sacred Lands File Search for Proposed Orange Grove Power Plant Project near Pele in San Diego County, California

Dear Dr. Drover:

The Native American Heritage Commission was able to perform a record search of its Sacred Lands File (SLF) for the affected project area. The SLF did indicate the presence of Native American cultural resources in the immediate project area or area of potential effect (APE).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Please contact Chairman Robert Smith of the Pala Band of Mission Indians at the Tribal Office (760-742-3784) who may have knowledge of cultural resources in the project area. Also, A list of Native American contacts is attached to assist you beyond the initial contact. The Commission makes no recommendation of a single individual or group over another. It is advisable to contact the person listed; if they cannot supply you with specific information about the impact on cultural resources, they may be able to refer you to another tribe or person knowledgeable of the cultural resources in or near the affected project area. The Tribe may also contact me for more information about the contents in the SLF inventory.

Also, a lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 15094.5(f) and Section 15097.98 and Health & Safety Code Section 7050.6 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 654-6251.

Sincerely,

Nancy Singleton, Program Analyst

Attachment: Native American Contact List



April 4, 2007

Mr. Robert Smith, Chairperson
Pala Band of Mission Indians
12196 Pala Mission Road PMB 50
Pala, CA 92059

Dear Mr. Smith:

We are in the process of submitting a Small Power Plant Exemption (SPPE) Application (Application) to the California Energy Commission (CEC) for the construction and operation of a small electric generating plant in Pala. The Project location and vicinity are shown on the attached figure. The Project is proposed by J Power USA Development Co., LTD (J Power) in response to a Request for Offers by San Diego Gas & Electric Company (SDG&E) for new generating resources to support local energy reliability. The Project is designed as a peaking facility to serve loads during peak demand that usually occurs in summer times.

The power plant will be constructed on an approximately 16-acre site situated within a 55-acre property (Property) owned by SDG&E, as shown on the attached figure. An approximately 2.0 mile underground gas pipeline lateral will be constructed to convey natural gas to the site from an existing SDG&E gas transmission line. A water pipeline will be constructed along the same path as the gas pipeline, and will extend approximately 0.7 mile further than the gas lateral to intercept an existing Rainbow Water District water main.

TRC Companies, Inc. archaeology department has conducted a Cultural Resources Inventory for the project vicinity. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native Americans of the project and inquiring about cultural sensitivity.

I would appreciate contact in writing within two weeks of receipt of this letter regarding knowledge of cultural resources in the project area that you would like to contribute or any questions regarding the project.

Respectfully,

A handwritten signature in blue ink, appearing to read "Christopher Drover".

Christopher Drover, Ph.D., RPA
Director of Archaeology

21 Technology Drive; Irvine, CA. 92618; FAX 949-727-7399



April 4, 2007

Angela Veltrano
Rincon Culture Committee
Rincon Band of Mission Indians
P.O. Box 68
Valley Center, CA 92082

Dear Ms. Veltrano:

We are in the process of submitting a Small Power Plant Exemption (SPPE) Application (Application) to the California Energy Commission (CEC) for the construction and operation of a small electric generating plant in Pala. The Project location and vicinity are shown on the attached figure. The Project is proposed by J Power USA Development Co., LTD (J Power) in response to a Request for Offers by San Diego Gas & Electric Company (SDG&E) for new generating resources to support local energy reliability. The Project is designed as a peaking facility to serve loads during peak demand that usually occurs in summer times.

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Respectfully,

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Christopher Drover, Ph.D., RPA
Director of Archaeology

21 Technology Drive; Irvine, CA. 92618; FAX 949-727-7399



April 4, 2007

Russell Romo, Chairman
San Luis Rey Band of Mission Indians
12064 Old Pomerado Road
Poway, CA 92064

Dear Mr. Romo:

We are in the process of submitting a Small Power Plant Exemption (SPPE) Application (Application) to the California Energy Commission (CEC) for the construction and operation of a small electric generating plant in Pala. The Project location and vicinity are shown on the attached figure. The Project is proposed by J Power USA Development Co., LTD (J Power) in response to a Request for Offers by San Diego Gas & Electric Company (SDG&E) for new generating resources to support local energy reliability. The Project is designed as a peaking facility to serve loads during peak demand that usually occurs in summer times.

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TRC Companies, Inc. archaeology department has conducted a Cultural Resources Inventory for the project vicinity. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native Americans of the project and inquiring about cultural sensitivity.

I would appreciate contact in writing within two weeks of receipt of this letter regarding knowledge of cultural resources in the project area that you would like to contribute or any questions regarding the project.

Respectfully,

A handwritten signature in blue ink, appearing to read "Christopher Crover".

Christopher Crover, Ph.D., RPA
Director of Archaeology

21 Technology Drive; Irvine, CA. 92618; FAX 949-727-7399



April 4, 2007

Carmen Mojado, Co-Chair
San Luis Rey Band of Mission Indians
1889 Sunset Drive
Vista, CA 92081

Dear Ms. Mojado:

We are in the process of submitting a Small Power Plant Exemption (SPPE) Application (Application) to the California Energy Commission (CEC) for the construction and operation of a small electric generating plant in Pala. The Project location and vicinity are shown on the attached figure. The Project is proposed by J Power USA Development Co., LTD (J Power) in response to a Request for Offers by San Diego Gas & Electric Company (SDG&E) for new generating resources to support local energy reliability. The Project is designed as a peaking facility to serve loads during peak demand that usually occurs in summer times.

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TRC Companies, Inc. archaeology department has conducted a Cultural Resources Inventory for the project vicinity. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native Americans of the project and inquiring about cultural sensitivity.

I would appreciate contact in writing within two weeks of receipt of this letter regarding knowledge of cultural resources in the project area that you would like to contribute or any questions regarding the project.

Respectfully,

A handwritten signature in blue ink, appearing to read "Christopher Crover".

Christopher Crover, Ph.D., RPA
Director of Archaeology

21 Technology Drive; Irvine, CA. 92618; FAX 949-727-7399



April 4, 2007

Mark Mojado
Cultural Resources
San Luis Rey Ban of Mission Indians
P.O. Box 1
Pala, CA 92059

Dear Mr. Mojado:

We are in the process of submitting a Small Power Plant Exemption (SPPE) Application (Application) to the California Energy Commission (CEC) for the construction and operation of a small electric generating plant in Pala. The Project location and vicinity are shown on the attached figure. The Project is proposed by J Power USA Development Co., LTD (J Power) in response to a Request for Offers by San Diego Gas & Electric Company (SDG&E) for new generating resources to support local energy reliability. The Project is designed as a peaking facility to serve loads during peak demand that usually occurs in summer times.

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TRC Companies, Inc. archaeology department has conducted a Cultural Resources Inventory for the project vicinity. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native Americans of the project and inquiring about cultural sensitivity.

I would appreciate contact in writing within two weeks of receipt of this letter regarding knowledge of cultural resources in the project area that you would like to contribute or any questions regarding the project.

Respectfully,

A handwritten signature in blue ink, appearing to read "Christopher Llover".

Christopher Llover, Ph.D., RPA
Director of Archaeology

21 Technology Drive; Irvine, CA. 92618; FAX 949-727-7399



April 4, 2007

Shasta Gaughen, Assistant Director
Cupa Cultural Center (Pala Band)
35008 Pala-Temecula Rd. PMB Box 445
Pala, CA 92059

Dear Ms. Gaughen:

We are in the process of submitting a Small Power Plant Exemption (SPPE) Application (Application) to the California Energy Commission (CEC) for the construction and operation of a small electric generating plant in Pala. The Project location and vicinity are shown on the attached figure. The Project is proposed by J Power USA Development Co., LTD (J Power) in response to a Request for Offers by San Diego Gas & Electric Company (SDG&E) for new generating resources to support local energy reliability. The Project is designed as a peaking facility to serve loads during peak demand that usually occurs in summer times.

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TRC Companies, Inc. archaeology department has conducted a Cultural Resources Inventory for the project vicinity. Pursuant to Section 101 of the National Historic Preservation Act, TRC is notifying Native Americans of the project and inquiring about cultural sensitivity.

I would appreciate contact in writing within two weeks of receipt of this letter regarding knowledge of cultural resources in the project area that you would like to contribute or any questions regarding the project.

Respectfully,

A handwritten signature in blue ink, appearing to read "Christopher Crover".

Christopher Crover, Ph.D., RPA
Director of Archaeology

21 Technology Drive; Irvine, CA. 92618; FAX 949-727-7399



April 19, 2007

Christopher Drover, Ph. D., RPA
TRC Corp.
21 Technology Drive
Irvine, California 92618

Re: Consultation, Small Power Plant Exemption Application, Pala, California

Dr. Drover,

The Pala Band of Mission Indians recently established a tribally recognized Tribal Historic Preservation Office to address consultation issues surrounding historic preservation. We have received your notification of the project as above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

We have consulted our maps and have determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. It is, however, within the boundaries of territory that the Tribe considers its Traditional Use Area. Therefore, we request to be kept in the information loop as the project progresses and would appreciate being maintained on the receiving list for project updates, reports of investigations and/or any documentation that might be generated regarding previously reported or newly discovered sites.

Further, if the project boundaries are modified to extend beyond the currently proposed limits, we do request updated information and the opportunity to respond to your changes.

Finally, we recommend that Approved Cultural Monitors be present on site during all survey and all ground disturbing activities. If you do not have access to an Approved Cultural Resource Monitor, contact us and we will work with you to identify appropriately trained individuals.

35008 Pala-Temeula Road,
PMB 443
Pala, CA 92059

760 742 1590 (phone)
760 742 1543 (fax)



**SAN LUIS REY BAND
of Mission Indians**

Tribal Council

- Russell Romo
Captain
- Carmen Mojado
Secretary of Government Relations
- Charlotte Herrera
Secretary of the Treasury
- Tom Beltran
Secretary of Economic Development
- Al Cerda
Secretary of Tribal Ethics and Information
- Clara Guy
Tribal Elder
- Henry Contreras
Council Member
- Mel Vernon
Council Member
- Mary Lou Beltran
Council Member
- Carrie Lopez
Tribal Advisor
- Merri Lopez, Esq.
Tribal Legal Advisor
- Contact Information
1889 Sunset Drive
Vista, CA 92083
Tel: (760) 724-8505
Fax: (760) 724-2172

Revised 01/05

June 5, 2007

Re: SB 18 CONSULTATION

Site Name: Small Prawn Plant

Site Number: 29031902

Dear Chris Brown,

The San Luis Rey Band of Mission Indians does wish to participate in formal consultation with the TRC pursuant to SB 18 regarding the above referenced project and Prawn Pl. Plan. Please send us a copy of the cultural resources report for the project.

The San Luis Rey Band of Mission Indians does not wish to participate in formal consultation with the _____ pursuant to SB 18 regarding the above referenced project and _____ Plan. We understand that this does not limit the Band's ability to comment or claim any artifacts or cultural items found during excavation or any ground-disturbing activity associated with the above project. The Band requests that the Developer notify the Band in the event that such items are found so that an appropriate tribal monitor can be sent to the project site.

Sincerely,
Russell Romo
Russell Romo, Tribal Captain
San Luis Rey Band of Mission Indians