

**HISTORIC PROPERTY SURVEY REPORT****1. UNDERTAKING DESCRIPTION AND LOCATION**

<i>District</i>	<i>County</i>	<i>Funding Source</i>	<i>Federal Aid Proj. No.</i>	<i>Location</i>	<i>EFIS Proj. No.</i>	<i>Phase</i>
12	OR	Measure M	120504/STPL-5955(066)	La Pata Ave Extension, SR-74 to Calle Saluda		

*(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) as assigned by the Federal Highway Administration (FHWA), in cooperation with the County of Orange proposes to implement a continuous connection and additional improvements on La Pata Avenue/Avenida La Pata located in the Cities of San Clemente and San Juan Capistrano as well as in unincorporated Orange County (County). The northern terminus of the project Area of Potential Effects (APE) begins approximately 900 feet (ft) south of Ortega Highway (State Route 74 [SR-74]) at the terminus of the recent SR-74/Antonio Parkway Intersection Improvement Project in the County of Orange, runs through land in the City of San Juan Capistrano and the County's Prima Deshecha Landfill, to a southern terminus at Calle Saluda in the City of San Clemente. Existing La Pata Avenue stretches from SR-74 to the northern limits of the Prima Deshecha Landfill and from Calle Saluda to Avenida Pico. The existing portion of the roadway located within unincorporated Orange County is identified as La Pata Avenue and the portion of the roadway located within the City of San Clemente is identified as Avenida La Pata. Total project length measures approximately 3.6 miles (mi). Maps 1 and 2 show project vicinity and location, respectively.

The proposed project is divided into three segments. The north segment begins 900 ft south of SR-74 to the existing Prima Deshecha Landfill. The central segment is the portion of the proposed project that extends through Prima Deshecha Landfill. The south segment begins at the southern boundary of the landfill and extends to the southern terminus of the proposed project at Calle Saluda. The north and central segments are located in unincorporated Orange County, and the south segment is located within the City of San Clemente. When complete, La Pata Avenue will contain five lanes in the North Segment and four lanes in the Central and South Segments.

There is an existing gap in La Pata Avenue from the northern limits of the Prima Deshecha Landfill to Calle Saluda. La Pata Avenue is a six-lane major arterial highway from Avenida Pico to Avenida Vista Hermosa in the City of San Clemente. From Avenida Vista Hermosa to Calle Saluda, it reduces in width to a four-lane primary arterial highway. La Pata Avenue is a three-lane roadway between the northerly limits of the Prima Deshecha Landfill and SR-74. Land uses surrounding and adjacent to the project alignment include mostly vacant properties, residential uses within the communities of Forster Ranch, Talega, and Whispering Hills, San Juan Hills High School, Rancho Mission Viejo Riding Park, and Prima Deshecha Landfill.

First adopted by the Orange County Board of Supervisors in 1956, the Master Plan of Arterial Highways (MPAH) is a critical element of the overall transportation planning in the County. The MPAH establishes a countywide circulation system and is a key factor in the definition of the County transportation system. As administrator of the MPAH, the Orange County Transportation Authority (OCTA) is responsible for coordinating with the Cities of San Juan Capistrano and San Clemente and the County to develop a consistent intercommunity arterial highway system to effectively serve existing and planned future land uses in the County. La Pata Avenue has been shown on the Orange County MPAH in various configurations since 1963 and in its current approximate alignment since 1981.

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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### 2. AREA OF POTENTIAL EFFECTS

The APE for the project was established by LSA Associates, Inc. (LSA) in consultation with Jonathan Wright, Caltrans Professionally Qualified Staff (PQS) Archaeologist, and Jim Kaufman, District Local Assistance Engineer, on April 12, 2012; July 20, 2012; and March 2013. The APE map is attached to this Historic Property Survey Report (HPSR) as Attachment A, Map 1. The La Pata Avenue Extension Project APE was defined based on the remedial grading limits plus a 20 ft buffer.

### 3. CONSULTING PARTIES / PUBLIC PARTICIPATION

**X** Local Government (*Head of local government, Preservation Office / Planning Department*)

- County of Orange, Public Works Department (Harry Persaud, Project Manager, 300 N. Flower Street, Santa Ana, CA 92703)
- County of Orange, Public Works Department - Regulatory Permits (Rory Paster, Permit Manager, 300 N. Flower Street, Santa Ana, CA 92703)
- County of Orange, Public Works Department – Projects & Regulatory Permits (Nardy Khan, P.E./P.M.P., Engineering Supervisor, 300 N. Flower Street, Santa Ana, CA 92703)
- County of Orange, Waste and Recycling – Prima Deshecha Landfill (Glenn A Pattillo, Senior Project Manager, 300 N. Flower Street, Suite 400, Santa Ana, CA 92703)
- County of Orange, Waste and Recycling – Prima Deshecha Landfill (Tom Wright, P.E., Senior Civil Engineer, 300 N. Flower Street, Suite 400, Santa Ana, CA 92703)
- County of Orange, Waste and Recycling (Dick Harabedian, 300 N. Flower Street, Suite 400, Santa Ana, CA 92703)
- County of Orange, Waste and Recycling (Niki Wilson, 300 N. Flower Street, Suite 400, Santa Ana, CA 92703)
- County of Orange, Waste and Recycling (John J. Arnau, CEQA, Habitat, Closed Sites, and AB 939 Programs, 300 N. Flower Street, Suite 400, Santa Ana, CA 92703)
- California Dept. of Fish and Game – South Coast Region (Marilyn J. Fluharty, Senior Environmental Scientist, 3883 Ruffin Road, San Diego, CA 92123)
- California Dept. of Fish and Game – South Coast Region (Kevin Hupf, 3883 Ruffin Road, San Diego, CA 92123)
- San Diego Regional Water Quality Control Board (Darren Bradford, 9174 Sky Park Court, Suite 100, San Diego, CA 92123-4340)
- U.S. Army Corps of Engineers Regulatory Division – Los Angeles District (Sophia C. Huynh, 915 Wilshire Blvd, Los Angeles, CA 90017-3401)
- U.S. Army Corps of Engineers Regulatory Division – Los Angeles District (Jason Lambert, 915 Wilshire Blvd, Los Angeles, CA 90017-3401)

**X** The following Native American tribes, groups, and individuals were contacted by certified mail (sent May 2, 2012) or e-mail (sent May 4, 2012) and again by telephone and/or email on May 24 and 30, 2012.

- Ti'At Society/Inter-Tribal Council of Pimu: Cindi M. Alvitre, Chairwoman-Manisar
- Gabrielino Tongva Nation: Sam Dunlap, Chairperson
- Juaneño Band of Mission Indians Acjachemen Nation: David Belardes, Chairperson
- Juaneño Band of Mission Indians Acjachemen Nation: Anthony Rivera, Chairman
- Tongva Ancestral Territorial Tribal Nation: John Tommy Rosas, Tribal Administrator (via email)
- Gabrielino Tongva Indians of California Tribal Council: Robert F. Dorame, Tribal Chair/Cultural Resources
- Gabrieleno/Tongva San Gabriel Band of Mission Indians: Anthony Morales, Chairperson
- Juaneño Band of Mission Indians: Alfred Cruz, Cultural Resources Coordinator

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- Juaneño Band of Mission Indians: Adolph "Bud" Sepulveda, Vice Chairperson
- Gabrielino-Tongva Tribe: Bernie Acuna
- Juaneño Band of Mission Indians: Sonia Johnston, Tribal Chairperson
- Juaneño Band of Mission Indians Acjachemen Nation: Joyce Perry, Representing Tribal Chairperson
- Juaneño Band of Mission Indians: Anita Espinoza
- Gabrielino-Tongva Tribe: Linda Candelaria, Chairwoman
- United Coalition to Protect Panhe (UCPP): Rebecca Robles
- Gabrieleno Band of Mission Indians: Andrew Salas, Chairperson

Four initial responses to the notification letters were received. In an email on May 5, 2012, John Tommy Rosas, Tongva Ancestral Territorial Tribal Nation, acknowledged that he received the information. No further comments have been received from Mr. Rosas.

Anthony Morales of the Gabrieleno/Tongva San Gabriel Band of Mission Indians, telephoned on May 8, 2012, to request additional information on the project area. Mr. Morales' call was returned on May 24, 2012, and the information was provided. As a result, Mr. Morales stated that he would defer to the Juaneño groups because the project was located outside of Gabrielino territory.

Joyce Perry, Juaneño Band of Mission Indians Acjachemen Nation, stated in a voicemail on May 10, 2012, that the area was very culturally sensitive to her group. She requested that a monitor from their group be present during all project-related ground-disturbing activities, including any archaeological testing, and also that a Native American and archaeological monitor be present during construction in both undisturbed and disturbed soils. She also requested that her call be returned. She reiterated these concerns in a subsequent telephone call on May 24, 2012.

Anita Espinoza, Juaneño Band of Mission Indians, called on May 18, 2012, to say that her group had concerns because the area was sensitive for cultural resources. She requested that a Native American monitor be present during ground disturbing activities. She also requested that she be notified of any cultural resources discoveries.

Follow up communication with those Native American contacts that did not respond initially was attempted via by telephone and/or email on May 24 and 30, 2012. As a result, two additional responses were received.

Sam Dunlap, Gabrielino Tongva Nation, responded by email on May 29, 2012, to say that he agreed with the Native American Heritage Commission (NAHC) that the area was culturally sensitive. However, he stated he would defer to the Juaneño because the area was well-known to them.

Alfred Cruz, Juaneño Band of Mission Indians, responded by telephone on June 1, 2012, to say that he believed the area to be sensitive for cultural resources. While he was glad to know that a Juaneño monitor was present during the Extended Phase 1 archaeological testing program, he was opposed to any disturbance in culturally sensitive areas. He requested that a Native American monitor be present during construction and stated that he would like to be informed of any cultural resource discoveries.

No responses were received from the remaining 10 Native American contacts.

#### X Native American Heritage Commission

- On April 17, 2012, a letter was sent to the NAHC requesting a search of the Sacred Lands File (SLF) in order to identify areas of religious or cultural significance to Native Americans. On April 18, 2012, the NAHC responded that the SLF was negative for the project vicinity but stated that the area was culturally sensitive. The NAHC also recommended that 16 Native American individuals representing the Gabrielino, Gabrielino Tongva, and Juaneño be contacted for possible additional information.

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### 4. SUMMARY OF IDENTIFICATION EFFORTS

- |                                     |   |   |
|-------------------------------------|---|---|
| <input checked="" type="checkbox"/> | National Register of Historic Places  | Month & Year: 1979–2002 & supplements               |
| <input checked="" type="checkbox"/> | California Register of Historical Resources   | Year: 1992 & supplemental information to date       |
| <input checked="" type="checkbox"/> | California Inventory of Historic Resources  | Year: 1976  |
| <input checked="" type="checkbox"/> | California Historical Landmarks   | Year: 1995 & supplemental information to date       |
| <input checked="" type="checkbox"/> | California Points of Historical Interest  | Year: 1992 & supplemental information to date       |
| –                                   | State Historic Resources Commission   | Year: 1980–present, minutes from quarterly meetings |
| –                                   | Caltrans Historic Highway Bridge Inventory  | Year: 2006 & supplemental information to date       |
| <input checked="" type="checkbox"/> | Archaeological Site Records [ <i>List names of Institutions &amp; date below</i> ]  |   |
|                                     | <ul style="list-style-type: none"> <li>• A record search was conducted at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton on May 4, 2012.</li> </ul> |   |
| –                                   | Other sources consulted [ <i>e.g., historical societies, city archives, etc. List names and dates below</i> ]   |   |
| <input checked="" type="checkbox"/> | Results: ( <i>provide a brief summary of records search and research results, as well as inventory findings</i> )   |   |

Record search results indicate that three cultural resources were previously recorded within the APE. These resources, prehistoric site CA-ORA-700 and prehistoric isolated finds CA-ORA-781 and P-30-100105, were recorded within the Area of Direct Impacts (ADI) in the Central Segment (Prima Deshecha Landfill). Site CA-ORA-700 was previously recorded as a sparse artifact scatter with ground and flaked stone with no depth, CA-ORA-781 was previously recorded as an isolated core, and P-30-100105 was an isolated metate. Both CA-ORA-700 and CA-ORA-781 were mapped on record search maps so that their mapped locales occupy much larger areas than the actual site and isolate were recorded to occupy. Two intensive field surveys of these extensive areas conducted during this project failed to relocate these resources. The areas where CA-ORA-700 and CA-ORA-781 were recorded have been bulldozed repeatedly for both landfill and fire suppression activities since they were recorded in the late 1970s. Whereas the resources were both recorded atop level areas, portions of their mapped locales are on steep slopes unlikely to have ever contained *in situ* cultural material. Bulldozing has removed the sparse surface artifacts as no prehistoric material was found during two intensive surveys of the recorded locations, as well as of the immediate surrounding area. Isolated metate P-30-100105 was not found after three intensive surveys of the area where it was previously recorded as a point location. As such, no cultural resources exist within the APE.

Within 0.5 mi outside of the APE are a total of 28 cultural resources (23 prehistoric and 5 historic). Prehistoric resources include 11 sites and 12 isolated finds. Sites include habitations (n=4), artifact scatters (n=3), milling stations (n=2), lithic scatters (n=1), and unidentified site types (n=1). Generally, these sites are grouped by area.

Outside and east of the APE several resources are located in the vicinity of the Central Segment along Prima Deshecha Cañada. Here, three sites (CA-ORA-701, P-30-120005, P-30-120006) and five isolated finds (P-30-100106, P-30-100107, P-30-100108, P-30-100109, P-30-100112) are recorded. The three sites are an artifact scatter, a milling station with bedrock mortars, and habitation site with bedrock milling, while the isolated finds are ground and flaked stone artifacts. Another two sites (CA-ORA-1493, P-30-120011), and two isolated finds (P-30-100019, P-30-100104) are located outside and west of the APE along Prima Deshecha Cañada. These resources include 1 artifact scatter, 1 milling station (3 metates), an isolated mano, and an isolated flake.

Outside of the APE along SR-74 and San Juan Creek are 8 cultural resources including large dispersed habitation sites (CA-ORA-26, CA-ORA-27A/B), one undescribed prehistoric resource (CA-ORA-25), and 5 historic sites. The historic sites include an historic ranch building complex (P-30-176625), an area with agricultural sheds (P-30-176626), some greenhouses (P-30-176619), the purported location of the first San Juan Capistrano Mission site (CA-ORA-243), and historic Hot Springs Road, SR-74 itself (P-30-176615). Some of these sites, including CA-

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ORA-26, CA-ORA-27A/B, P-30-176625, P-30-176626, and CA-ORA-243, have been impacted by use of Ortega Highway, widening of the road into SR-74, and by agricultural activity.

Outside the APE to the southeast is another group of six cultural resources. These resources include 1 lithic scatter (CA-ORA-1606), and 5 isolated finds (CA-ORA-779, CA-ORA-78, P-30-100032, P-30-100061, P-30-100077). The isolates are flakes and 1 mortar fragment.

The project APE has been completely surveyed multiple times, including three times as part of this project. Five previous cultural resource studies cover the majority of the length of the project APE. Four previous cultural studies cover the entire North Segment of the APE/ADI, 3 studies cover the entire Central Segment of the APE/ADI, and 2 studies cover the entire South Segment. Additionally, there are a number of smaller previous cultural studies that cover portions of the project: 6 studies cover portions of the North Segment, while another 6 cover portions of the Central and South Segments. Another 13 previous studies cover areas near the APE along SR-74. Seven more studies outside the APE but within 0.5 mi of the project have been previously conducted in the vicinity of the Central Segment, while another 3 have been conducted for the Talega Development adjacent to the South Segment of the current project.

The one previously recorded cultural resource site within the APE (unrelocated site CA-ORA-700) did not undergo a previous eligibility determination. Eligibility determinations have been made on one site outside but within 0.5 mi of the APE. Site CA-ORA-26 (P-30-000026) is a disturbed and dispersed prehistoric habitation with ground and flaked stone artifacts located along SR-74. Site CA-ORA-26 was determined ineligible for listing in the National Register of Historic Places (National Register).

### 5. PROPERTIES IDENTIFIED

- As assigned by FHWA, Caltrans has determined the following properties within the Project APE are **not eligible** for inclusion in the National Register of Historic Places:
- CA-ORA-700 – Area where site is mapped was examined extensively, but no evidence of site remains. Landfill and fire suppression activities in the area may have removed the site.
  - CA-ORA-781 – Area where isolated find is mapped was examined extensively, but no evidence of artifact remains. Landfill and fire suppression activities in the area may have removed the site.
  - P-30-100105 – Area where this isolated find was recorded was examined extensively, but no evidence of artifact remains. The isolate was recorded along Prima Deshecha drainage, which may have removed the artifact.

### 6. LIST OF ATTACHED DOCUMENTATION

- Project Vicinity, Location, and APE Maps (Attachment A)
- Archaeological Survey Report (ASR) (Attachment B)  
Ivan Strudwick, March 2013
- Other (*Specify below*)
- Extended Phase I Survey Report (Attachment to the ASR)  
Ivan Strudwick, June 2012
  - Native American Correspondence (Attachment C)
  - Record Search Results (Attachment D)

As part of the identification efforts for this HPSR, an ASR and an Extended Phase I (XPI) were completed. The ASR was conducted using standard survey techniques. The XPI was conducted due to the dense ground cover within the South Segment and consisted of the screening of excavated sediment from 28 surface scrapes (SS) and 16 shovel test pits (STPs) through 1/8-inch mesh screen in order to locate obscured cultural resources. SS and STP locations were placed in areas of the South Segment with less than 9 percent slope as determined by a

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geographic information system (GIS) analysis of the South Segment, and did not result in identification of any cultural resources.

### 7. HPSR to File

Not applicable.

### 8. HPSR to SHPO

As assigned by FHWA, Caltrans has determined that there are properties evaluated as a result of the project that are **not eligible** for inclusion in the National Register of Historic Places within the Project APE. Under Section 106 PA Stipulation VIII.C, Caltrans requests SHPO's concurrence with this finding.

As assigned by FHWA, Caltrans has determined a Finding of **No Historic Properties Affected**, according to Section 106 PA Stipulation IX.A and 36 CFR 800.4(d)(1), is appropriate for this undertaking, and is hereby notifying the SHPO of this finding.

### 9. Findings for State-Owned Properties

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

### 10. CEQA IMPACT FINDINGS

Not applicable; Caltrans is not the lead agency under CEQA.

### 11. HPSR PREPARATION AND DEPARTMENT APPROVAL

Prepared by: *(sign on line)*  
Consultant / discipline:

  
Ivan H. Strudwick, Principal Investigator—  
Prehistory and Historical Archaeology

\_\_\_\_\_ Date

Affiliation

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Irvine, CA 92614-4731

Reviewed for approval by:  
*(sign on line)*

District 12 Caltrans PQS  
discipline/level:

Jonathan Wright, PQS

\_\_\_\_\_ Date

Approved by: *(sign on line)*

District 12 EBC:

Chris Flynn, Branch Chief

\_\_\_\_\_ Date

Caltrans HQ PQS:

Caltrans HQ (PQS)

\_\_\_\_\_ Date

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## Attachment A

### MAPS

Map 1: Project Vicinity

Map 2: Project Location

Map 3: Area of Potential Effects









