

# 5.3 Cultural Resources

## 5.3.1 INTRODUCTION

This section describes existing setting of the Project site and surrounding area related to historic resources. This section also addresses potential environmental effects of the proposed Project related to cultural resources, which include historic and archaeological resources. Information within this section includes data from the Geotechnical EIR Due-Diligence Level Report (Geotechnical Report) that was prepared by LGC Geotechnical (GEO 2019) (Appendix C) and the Phase I Environmental Site Assessment (ESA) prepared by Stantec in 2018 (Phase I 2018) (Appendix D).

### Definitions

- **Archaeological resources** include any material remains of human life or activities that are at least 100 years of age, and that are of scientific interest. A unique or significant archaeological resource is 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 (1) contains information needed to answer important scientific research questions and 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; and (3) is directly associated with a scientifically recognized important prehistoric or historic event or person.
- **Cultural resources** are defined as buildings, sites, structures, or objects, each of which may have historic, architectural, archaeological, cultural, or scientific importance, according to the California Environmental Quality Act (CEQA).
- **Historic building or site** is one that is noteworthy for its significance in local, state, or national history or culture, its architecture or design, or its works of art, memorabilia, or artifacts.
- **Historic context** refers to the broad patterns of historical development in a community or its region that is represented by cultural resources. A historic context statement is organized by themes such as economic, residential, and commercial development.
- **Historic integrity** is defined as “the ability of a property to convey its significance.”
- **Historical resources** are defined as “a resource listed or eligible for listing on the California Register of Historical Resources” (CRHR) (Public Resources Code, Section 5024.1; 14 CCR 15064.5). Under CEQA Guidelines Section 15064.5(a), the term “historical resources” includes the following:
  - (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 (Public Resources Code, Section 5024.1).
  - (2) A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, will 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, place, 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 resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Public Resources Code Section 5024.1) 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 California's 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.
- (4) The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in a historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be an historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1.

## 5.3.2 REGULATORY SETTING

### National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) established the National Register of Historic Places (National Register), which is the official register of designated historic places. The National Register is administered by the National Park Service, and includes listings of buildings, structures, sites, objects, and districts that possess historical, architectural, engineering, archaeological, or cultural significance at the national, state, or local level.

To be eligible for the National Register, a property must be significant under one or more of the following criteria per 36 Code of Federal Regulations Part 60:

- a) Properties that are associated with events that have made a significant contribution to the broad patterns of our history;
- b) Properties that are associated with the lives of persons significant in our past;
- c) Properties 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
- d) Properties that have yielded, or may be likely to yield, information important in prehistory or history.

In addition to meeting one or more of the aforementioned criteria, an eligible property must also possess historic "integrity," which is "the ability of a property to convey its significance." The National Register criteria recognize seven qualities that define integrity: location, design, setting, materials, workmanship, feeling, and association.

Structures, sites, buildings, districts, and objects over 50 years of age can be listed in the National Register as significant historical resources. Properties under 50 years of age that are of exceptional importance or are contributors to a district can also be included in the National Register.

Properties listed in or eligible for listing in the NRHP are also eligible for listing in the California Register of Historic Resources, and as such, are considered historical resources for CEQA purposes.

### California Register of Historical Resources

The California Register of Historical Resources (CRHR) is an inventory of significant architectural, archeological, and historical resources in the State of California. Resources can be listed on the California Register through a number of methods. State Historical Landmarks and National Register listed properties are automatically listed on the California Register. Properties can also be nominated to the California Register by local governments, private organizations, or citizens. The evaluative criteria used by the California Register for determining eligibility are closely based on those developed by the National Park Service for the National Register. In order for a property to be eligible for listing on the California Register, it must be found significant under one or more of the following criteria:

- (E) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- (F) Is associated with the lives of persons important in California's past;
- (G) 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
- (H) Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, resources eligible for the National Register of Historic Places are automatically listed on the California Register of Historical Resources.

### California Health and Safety Code, Section 7050.5

This code requires that if human remains are discovered on a project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and recognizes or has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

### City of Santa Ana General Plan

The City is currently undergoing a comprehensive update to the General Plan. The existing Conservation Element includes an objective to protect historic and archaeological resources, as listed below.

**Objective 3.1:** Minimize loss of natural aesthetic, historic, archeological and paleontological resources as land is developed.

### City of Santa Ana Municipal Code

**Section 30-3; Application of State Historical Building Code:** Any building or structure designated as having historical or architectural importance by inclusion in the city register of historical properties shall be deemed

a "qualified historical building or structure" for purposes of applying the state historical building code, as set forth in Part 2.7 (commencing with Section 18950) of Division 13 of the Health and Safety Code of the State of California and Part 8 of Title 24 of the California Administrative Code.

#### *Criteria for Selection*

- (a) Any person or group may request a building, or part thereof, structure, object or site, to be designated to be included on the city register of historical properties (called "register" in this section). The applicant must submit documentation that demonstrates how the nominated building, structure, object or site satisfies the criteria for designation. A building, structure, object, or site may be designated for inclusion on the register if the building, structure, object or site is 50 or more years old and if the commission finds that one or more of the following conditions are met:
- (1) Buildings, structures or objects with distinguishing characteristics of an architectural style or period, that exemplify a particular architectural style or design features; architectural development;
  - (2) Works of notable architects, builders, or designers whose style influenced architectural development;
  - (3) Rare buildings, structures, or objects or original designs;
  - (4) Buildings, structures, objects or sites of historical significance which include places:
    - a. Where important events occurred;
    - b. Associated with famous people, original settlers, renowned organizations and businesses;
    - c. Which were originally present when the city was founded; or
    - d. That served as important centers for political, social, economic, or cultural activity.
  - (5) Sites of archaeological importance;
  - (6) Buildings or structures that were connected with a business or use which was once common but is now rare.

#### *Categorization*

The historic resources commission shall, by resolution and at a duly noticed public hearing, place all buildings, structures, objects, or sites on the city register of historical properties in one of the following categories based upon one of the criteria in the following categories:

- (1) Landmark category.
  - a. The building, structure, object or site is on the national register or appears to be eligible to be placed on the register; or
  - b. The building, structure, object or site is on the state register or appears to be eligible to be placed on the register;
  - c. The building, structure, object or site has an historical/cultural significance to the city;
  - d. The building, structure, object or site has a unique architectural significance.
- (2) Key category.
  - a. The building, structure, object or site has a distinctive architectural style and quality;
  - b. The building, structure, object or site is characteristic of a significant period in the history of the city;
  - c. The building, structure, object or site is associated with a significant person or event in the city.

(3) Contributive category.

The building, structure, object or site contributes to the overall character and history of a neighborhood or district and is a good example of period architecture.

### 5.3.3 ENVIRONMENTAL SETTING

#### Historic

The Phase I Environmental Site Assessment that was prepared for the Project site (ESA 2018) describes that between the years of 1938 and 1972, prior to development of the existing site structures, the Project site and adjacent areas were used for agriculture, which resulted in shallow soil disturbances.

The Project site is currently developed with three industrial buildings that were developed in the early 1980s, less than 45 years ago. The buildings were previously occupied by Ricoh Electronics Inc. an imaging and electronics company. The onsite buildings are surrounded by loading docks, surface parking areas, and ornamental landscaping. The Project site does not include any historic structures or other resources.

In addition, the Project site is not adjacent to any historic structures. Areas surrounding the site consist of modern office, business park, modern public service facilities, and vacant land that is proposed for new development.

#### Archaeologic

Most researchers agree that the earliest occupation for the western Riverside County area dates to the early Holocene (11,000 to 8,000 years ago). The material culture related to this time included scrapers, hammer stones, large flaked cores, drills, and choppers, which were used to process food and raw materials.

Around 8,000 years ago, subsistence patterns changed, resulting in a material complex consisting of an abundance of milling stones (for grinding food items) with a decrease in the number of chipped stone tools. The material culture from this time period includes large, bifacially worked dart points and grinding stones, handstones and metates. This Encinitas Tradition includes the Sayles or Pauma cultures that were located in inland San Diego County and western Riverside County, where the Project is located. At approximately 3,500 years ago, Pauma groups in the general vicinity of the Project area adopted new cultural traits which transformed the archaeological site characteristics - including mortar and pestle technology. This indicated the development of food storage, largely acorns, which could be processed and saved for the leaner, cooler months of the year.

At approximately 1,500 years ago, bow and arrow technology started to emerge, and the Palomar Tradition is attributed to this time. The Palomar Tradition is characterized by soapstone bowls, arrowhead projectile points, pottery vessels, rock paintings, and cremation sites. The shift in material culture assemblages is largely attributed to the emergence of Shoshonean (Takic-speaking) people who entered California from the east.

The Geotechnical Report that was prepared for the Project describes that the previous excavation for development of the existing 3 buildings and removal of previous underground storage tanks involved removal of soils and backfill with artificial compacted fill soils ranging between 5 feet and 13 feet in depth, as described below (GEO 2019):

- During development of the 2300 South Redhill Avenue building, soils were excavated to depths of approximately 5 feet below existing grade and compacted fill soils were used to backfill the excavation area for the building foundation.

- During development of the 2310 South Redhill Avenue building, approximately 9 feet of fill was placed in the building pad area and fill soils were backfilled up to 15 feet beyond the limit of the building foundation (GEO 2019).
- The area of the 2320 South Redhill Avenue building pad was excavated to approximately 10 to 13 feet below the existing grade. The foundation was stabilized with approximately 24 inches of gravel and approximately 13 feet of artificial fill was placed under the building and up to 5 feet beyond the building foundations.
- During removal of an underground storage tank located between 2310 and 2320 South Redhill Avenue buildings, approximately 10 feet of crushed miscellaneous base and approximately 5 feet of onsite soils were backfilled into the previous underground storage tank location.

### 5.3.4 THRESHOLDS OF SIGNIFICANCE

Appendix G of State CEQA Guidelines indicates that a project could have a significant effect if it were to:

- CUL-1 Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.
- CUL-2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.
- CUL-3 Disturb any human remains, including those interred outside of formal cemeteries.

#### Historic Resources Thresholds

Historic resources are usually 50 years old or older and must meet at least one of the criteria for listing in the California Register (such as association with historical events, important people, or architectural significance), in addition to maintaining a sufficient level of physical integrity (CEQA Guidelines Section 15064.5[a][3]). Additionally, CEQA Guidelines Section 15064.5(b), states that a project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that would have a significant effect on the environment. A substantial adverse change in the significance of a historical resource means 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 significance of a historical resource is materially impaired when a project:

- a) Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or
- b) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to Section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- c) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

### 5.3.5 METHODOLOGY

To determine whether a historic related impact would result from the proposed Project, the analysis includes consideration of the history of use and development of the Project site, and whether any of the existing structures are older than 45-50 years of age. The analysis combines these factors to identify the potential of Project to impact any historic resources on the site.

In determining whether an archaeological related impact would result from the proposed Project, the analysis includes consideration of the archaeological sensitivity of the Project area, the past disturbance on the site, and the proposed excavation. The analysis combines these factors to identify the potential of Project construction to impact any unknown archaeological resources.

### 5.3.6 ENVIRONMENTAL IMPACTS

#### **IMPACT CUL-1: THE PROJECT WOULD NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE PURSUANT TO CEQA GUIDELINES SECTION 15064.5.**

**No Impact.** The Project site does not contain any historic resources. As described in the Phase I Environmental Site Assessment that was prepared for the Project site (Phase I 2018), aerial photographs between 1938 and 1977 show the site being used for agriculture or being vacant. The existing industrial buildings was constructed in the early 1980s, which are not more than 39 years old and are not historic resources. The industrial buildings were previously used by Ricoh Electronics Inc. for imaging and electronics manufacturing. No historically important activities previously occurred within the existing buildings. Overall, the site does not include any historic resources and implementation of the proposed Project would not impact a historic resource.

In addition, the Project site is not adjacent to any historic structures. Areas surrounding the site consist of modern office buildings, business park buildings, modern public service facilities, and vacant land that is proposed for new development. Therefore, redevelopment of the Project site would not result in an indirect effect to any off-site historic resources. Overall, no impacts related to historic resources would occur from implementation of the proposed Project.

#### **IMPACT CUL-2: THE PROJECT WOULD NOT CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO CEQA GUIDELINES SECTION 15064.5.**

**Less than Significant.** As described previously, the site has a long history of ground disturbance from previous agricultural uses and development. The Geotechnical Report describes that artificial fill was observed in field explorations up to 7.5 feet below existing grade and previous excavation and recompaction ranged from 5 feet to 13 feet for development of the existing buildings and removal of underground storage tanks. It is likely that the site disturbance included the undeveloped portion of the site at the corner of Red Hill and Warner Avenue. The extensive previous excavation, recompaction, and fill soils onsite have limited the potential of the site to contain archaeological resources.

Also, as described in Section 3.0, *Project Description*, the proposed Project would excavate onsite soils to a minimum of 5 feet below the bottom of the building foundations and 5 feet beyond the building perimeters. The soils would be reconditioned and recompacted as engineered fill to support the proposed building structures. The depth of the excavation is within the previously disturbed soil depths, which further reduces the potential of the Project to result in impacts related to archaeological resources.

Overall, due to the extent and depth of previous ground disturbances throughout the site, the potential for archaeological resources is limited. Therefore, the Project would not cause a substantial adverse change in the significance of an archaeological resources; and impacts would be less than significant.

**IMPACT CUL-3: THE PROJECT WOULD NOT DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES.**

**Less than Significant.** The Project site has been extensively disturbed, as described above, and has not been previously used as a cemetery. Thus, impacts related to human remains are less than significant. However, in the unanticipated event that human remains are found during project construction activities compliance with California Health and Safety Code Section 7050.5 would ensure that human remains are treated with dignity and as specified by law, which would reduce the impact to a less than significant level.

As specified by California Health and Safety Code Section 7050.5, if human remains are found on the Project site, the County Coroner's office shall be immediately notified and no further excavation or disturbance of the discovery or any nearby area reasonably suspected to overlie adjacent remains shall occur until the Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code 5097.98. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will make a determination as to the Most Likely Descendent. Compliance with the existing California Health and Safety Code regulations, would ensure impacts related to potential disturbance of human remains are less than significant.

### 5.3.7 CUMULATIVE IMPACTS

**Historic Resources:** Because all historical resources are unique and nonrenewable members of finite classes, all adverse effects or negative impacts erode a dwindling resource base. Federal, state, and local laws and regulations protect historic resources when feasible. However, it is not always feasible to protect historical resources. As described previously, the Project site does not include any historic resources and is not located adjacent to any historic resources. Therefore, implementation of the proposed Project would not impact, either directly or indirectly, any historic resources. Because no impacts related to historic resources would occur from implementation of the Project, the Project would not result in any cumulative impacts to historic resources.

**Archaeologic Resources:** The cumulative study area for archaeological resources includes the southern California region, which contains the same general prehistoric uses and migration trends as the Project area. As described previously, the disturbance associated with the development and agricultural activities within the Project area have likely eradicated any archaeological resources and the Project would excavate and grade within soils depths that have already been disturbed. Therefore, the Project has a less than significant potential to impact archaeological resources, and similarly, impacts would be less than cumulatively significant.

### 5.3.3 EXISTING STANDARD CONDITIONS AND PLANS, PROGRAMS, OR POLICIES

- California Health and Safety Code Section 7050.5



### 5.3.4 LEVEL OF SIGNIFICANCE BEFORE MITIGATION

Upon implementation of regulatory requirements, Impacts CR-1 through CR-3 would be less than significant.

#### 5.3.10 MITIGATION MEASURES

Impacts related to cultural resources would be less than significant and no mitigation measures are required.

### 5.3.5 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts related to historic resources, archaeological resources, and human remains would be less than significant.

## REFERENCES

City of Santa Ana General Plan. Accessed: <http://www.santa-ana.org/generalplan/default.asp#CurrentGPDocs>

City of Santa Ana Municipal Code. Accessed:  
[https://library.municode.com/ca/santa\\_ana/codes/code\\_of\\_ordinances?nodeId=14452](https://library.municode.com/ca/santa_ana/codes/code_of_ordinances?nodeId=14452)

Geotechnical EIR Due-Diligence Level Report (Geotechnical Report). Prepared by LGC Geotechnical. 2019 (GEO 2019).

Phase I Environmental Site Assessment Report, 2018. Prepared by Stantec (Phase I 2018).

*This page intentionally left blank.*