



4.4 CULTURAL RESOURCES

This section provides a discussion of the existing cultural resource environment and an analysis of potential impacts from implementation of the Cypress City Center project (proposed project). Cultural resources are sites, buildings, structures, objects, and districts over 50 years old that may have traditional or cultural value for the historical significance they possess. This section summarizes information obtained from a record search at the South Central Coastal Information Center (SCCIC) of the California Historical Resources Information System (CHRIS) and an archaeological pedestrian survey of the project site. A cultural resources technical memorandum summarizing the results of the record search and archaeological pedestrian field survey are contained in a confidential appendix (Appendix D) of this Environmental Impact Report (EIR).

4.4.1 Methodology

A cultural resources record search was completed on January 9, 2020, at the SCCIC of the CHRIS at California State University, Fullerton. It included a review of all prehistoric and historic archaeological sites within a 0.25-mile radius of the project site, as well as a review of known cultural resource survey and excavation reports in that area. The California State Historic Resources Inventory (HRI), National Register of Historic Places (National Register), California Historical Landmarks (SHL), California Points of Historical Interest (SPHI), and various local historical registers were examined. An archaeological pedestrian field survey of the project site was conducted on January 14, 2020.

4.4.2 Existing Environmental Setting

The area that is now Cypress (including the project site) was prehistorically occupied by the Gabrielino Native American people. The project site is currently characterized by a paved parking lot with existing light poles and various electrical utility boxes and lines. Temporary existing uses on the project site include overflow parking and a variety of other temporary uses.

4.4.3 Regulatory Setting

4.4.3.1 Federal Regulations

No federal regulations are applicable to the proposed project.

4.4.3.2 State Regulations

California Health and Safety Code (HSC) Section 7050.5. California HSC Section 7050.5 states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the Coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the Coroner's authority. If the human remains are of Native American origin, the Coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of this identification. The NAHC will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.



Public Resources Code Section 5097.5. PRC Section 5097.5 provides for the protection of cultural resources and prohibits the removal, destruction, injury, or defacement of archaeological features on any lands under the jurisdiction of State or local authorities.

California Register of Historical Resources (PRC Section 5020 et seq.). State law also protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources in CEQA documents. A cultural resource is an important historical resource if it meets any of the criteria found in *State CEQA Guidelines* Section 15064.5(a). These criteria are nearly identical to those for the National Register, which are listed above.

The SHPO maintains the California Register. Properties listed, or formally designated eligible for listing, on the National Register are nominated to the California Register and then selected to be listed on the California Register, as are State Landmarks and Points of Interest.

The California Register criteria are based on National Register criteria. For a property to be eligible for inclusion in the California Register, one or more of the following criteria must be met:

1. It is associated with the events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
2. It is associated with the lives of persons important to local, California, or national history;
3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; and/or
4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to meeting one or more of the above criteria, the California Register requires that sufficient time has passed since a resource's period of significance to "obtain a scholarly perspective on the events or individuals associated with the resource." Fifty years is used as a general estimate of time needed to develop the perspective to understand the resource's significance (California Code of Regulations [CCR] 4852[d][2]).

The California Register also requires that a resource possess integrity, which is defined as "the authenticity of an historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance" (California Office of Historic Preservation [OHP] 1999:2). To retain integrity, a resource should have its original location, design, setting, materials, workmanship, feeling, and association. Which of these factors is most important depends on the particular criterion under which the resource is considered eligible for listing (OHP 1999).

4.4.3.3 Regional Regulations

There are no regional regulations that are applicable to cultural resources relevant to the proposed project.



4.4.3.4 Local Regulations

Cypress General Plan. The Conservation/Open Space/Recreation (COSR) Element of the Cypress General Plan identifies goals and policies related to cultural resources (and includes references to paleontological resources). Goal COSR-5 is to “preserve Cypress’ archaeologic and paleontologic resources” through implementation of two policies: COSR-5.1 and COSR-5.2. Policy COSR-5.1 is “to update records of resource finds and locations when required” and COSR-5.2 states that “Prior to development in previously undeveloped areas, [the City will] require strict adherence to the CEQA guidelines for environmental documentation and mitigation measures where development will affect archaeological or paleontological resources.”

4.4.4 Thresholds of Significance

The thresholds for cultural resources impacts used in this analysis are consistent with Appendix G of the *State CEQA Guidelines* and the City’s *Initial Study/Environmental Checklist*. The proposed project may be deemed to have a significant impact with respect to cultural resources if it would:

- Threshold 4.4.1: Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?**
- Threshold 4.4.2: Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**
- Threshold 4.4.3: Disturb any human remains, including those interred outside of dedicated cemeteries?**

4.4.5 Project Impacts

- Threshold 4.4.1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?**

No Impact. The SCCIC record search results and archaeological pedestrian field survey identified no previously recorded cultural resources on or in soils on the project site. As such, there are no historical resources as defined in Section 15064.5 of the *State CEQA Guidelines* located within the project site. The proposed project will not cause a substantial adverse change in the significance of a historical resource, and no mitigation is required.

- Threshold 4.4.2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

Less Than Significant with Mitigation Incorporated. The SCCIC record search included the project site and the areas within 0.25 mile of the project site. No archaeological resources have been previously recorded within the project site. There has been one archaeological resource previously recorded within 0.25 mile of the project site, the historic-period Navy Golf Course in Seal Beach (P-30-176854). One previous study (an archaeological pedestrian field survey) has included the project site.



Historic-period site P-30-176854 is located approximately 0.25 mile southeast of the project site and, as such, will not be impacted by project-related construction activities. The archaeological pedestrian field survey did not identify any surficial archaeological cultural deposits within the project site. The project site is located within pre-development floodplains of rivers and creeks, which are subject to erosion from seasonal flooding. As a result of this seasonal flooding, the floodplain containing the project site would not have been conducive to the accumulation and preservation of intact archaeological cultural deposits. As such, there is a low likelihood of encountering intact buried archaeological deposits during ground-disturbing construction activities. However, there is a possibility that isolated archaeological cultural resources may be encountered during construction activities.

Mitigation Measure CUL-1 requires that a qualified professional archaeologist provide cultural resources awareness training prior to the commencement of ground-disturbing activities and that a qualified professional archaeologist be retained on-call in the event that construction personnel encounter any archaeological deposits and/or human remains during construction activities. If construction personnel encounter any archaeological deposits during construction activities, the on-call qualified professional archaeologist will be contacted to assess the nature of the find. When archaeological resources are assessed and/or protected as they are discovered, impacts to these resources would be less than significant. As such, implementation of Mitigation Measure CUL-1 would reduce the impact of the proposed project on the significance of archaeological resources to less than significant.

Threshold 4.4.3: Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact. No previously identified human remains are present on the project site, and there are no facts or evidence indicating that Native Americans or people of European descent are buried on the project site. However, undiscovered human remains may be present below the ground surface on any property. Disturbing human remains could violate the State's Health and Safety Code as well as destroy the resource. Regulatory Compliance Measure CUL-1 requires compliance with the State's Health and Safety Code for the treatment of human remains. Adherence to regulatory standards included in Regulatory Compliance Measure CUL-1 would reduce the impact of the proposed project on human remains to less than significant. No mitigation is required.

4.4.6 Level of Significance Prior to Mitigation

No impacts to historical resources would occur. Prior to mitigation, the proposed project has the potential to result in significant impacts to unknown archaeological resources. With adherence to the regulatory standards in Regulatory Compliance Measure CUL-1, the project would result in less than significant impacts to previously undiscovered buried human remains.



4.4.7 Regulatory Compliance Measures and Mitigation Measures

4.4.7.1 Regulatory Compliance Measures

Regulatory Compliance Measure CUL-1

Human Remains. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to State PRC Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be Native American, the County Coroner would notify the Native American Heritage Commission (NAHC), which would determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The MLD recommendations may include scientific removal and nondestructive analysis of human remains and items associated with Native American burials, preservation of Native American human remains and associated items in place, relinquishment of Native American human remains and associated items to the descendants for treatment, or any other culturally appropriate treatment.

4.4.7.2 Mitigation Measures

Mitigation Measure CUL-1

Archaeological Resources. Prior to the issuance of a grading permit, a qualified professional archaeologist shall be retained by the Applicant/Developer to provide cultural resources awareness training to construction personnel. The qualified professional archaeologist shall also be retained by the Applicant/Developer on an on-call basis. This training shall be in the form of a presentation and handout describing the types of possible archaeological deposits that may be encountered during construction activities; and the procedures that shall be used in the event of inadvertent discoveries of cultural resources during construction. In the event that construction personnel encounter any archaeological deposits during construction activities, the retained qualified professional archaeologist shall be contacted immediately. If any such resources are discovered,



contractors shall stop work in the immediate area of the find and contact the retained archaeologist to assess the nature of the find and determine if future studies and/or monitoring is appropriate. Upon completion of any monitoring activities, the archaeologist shall prepare a report to document the methods and results of monitoring activities. This report shall be submitted to the South Central Coastal Information Center (SCCIC).

4.4.8 Level of Significance after Mitigation

No impacts to historical resources would occur. With adherence to the regulatory standards in Regulatory Compliance Measure CUL-1, the project would result in less than significant impacts to previously undiscovered buried human remains. Mitigation Measure CUL-1 would reduce potential impacts to unknown archaeological resources to a less than significant level. No significant unavoidable impacts to archaeological resources would occur with implementation of this mitigation measure.

4.4.9 Cumulative Impacts

Potential impacts of the proposed project to unknown cultural resources, when combined with the impacts of past, present, and reasonably foreseeable projects in the City of Cypress, could contribute to a cumulatively significant impact due to the overall loss of historical and archaeological artifacts unique to the region.

Each development proposal received by the City is required to comply with the requirements of CEQA, including an environmental review, if applicable. If there were any potential for significant impacts to archaeological resources as a result of present or reasonably foreseeable projects in Cypress, an investigation would be required to determine the nature and extent of the resources and identify appropriate mitigation measures. When archaeological resources are assessed and/or protected as they are discovered, impacts to these resources are less than significant.

As such, implementation of Regulatory Compliance Measure CUL-1 and Mitigation Measure CUL-1 would ensure that the proposed project, together with cumulative projects, would not result in a significant cumulative impact to unique archaeological and historical resources.