

Appendix C

Cultural Resources Report

May 29, 2019

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200 South Anaheim Boulevard, Suite 162
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***Subject: Archaeological Resources Assessment for the 3175 Ball Road Project,
Anaheim, Orange County, California***

Dear Mr. Taylor:

This letter documents the archaeological resources assessment conducted by Dudek for the 3175 Ball Road Project (Project), located in the City of Anaheim, in Orange County, California. The Project proponent is the City of Anaheim (City). The City is the lead agency responsible for compliance with the California Environmental Quality Act (CEQA).

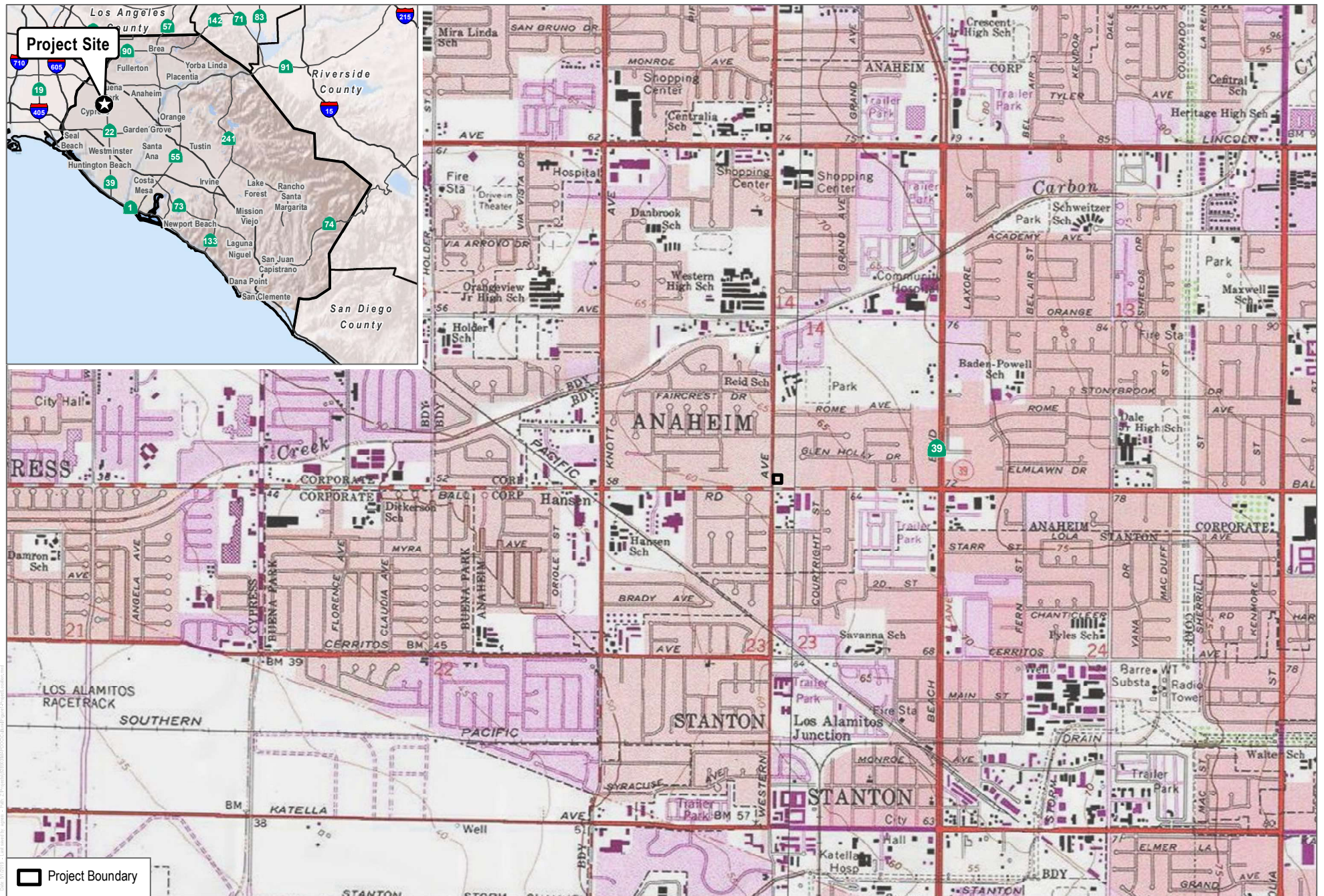
All cultural resources fieldwork and reporting for the proposed Project has been conducted by staff meeting the Secretary of the Interior's Professional Qualifications Standards. Heather McDevitt, MA, Registered Professional Archaeologist (RPA), is the Principal Investigator and provided senior review. Erica Nicolay, MA, authored the report, conducted Native American coordination, and completed the records search. Dudek archaeologist Linda Kry, BA, is the technical lead, contributed to the report, conducted the intensive pedestrian survey, and provided peer review and finalization of the report. The present study documents the results of a California Historical Resources Information System (CHRIS) records search conducted at the South Central Coast Information Center (SCCIC), a Native American Heritage Commission (NAHC) Sacred Lands File (SLF) search, the results of informal tribal consultation, and an intensive pedestrian survey.

PROJECT LOCATION AND DESCRIPTION

The proposed Project site is located within the City of Anaheim in northeastern Orange County, approximately 7.8 miles northeast of the Pacific Ocean (Figure 1). The approximately 0.36-acre, square-shaped site is currently vacant and is located on the northeast corner of Ball Road and Western Avenue at 3175 West Ball Road and encompasses one parcel, including Assessor's Parcel Number (APN) 078-882-034. The proposed Project site is bound by existing residential

development to the north and east, Western Avenue to the west, and Ball Road to the South (Figure 2).

The proposed Project includes the construction of an 11-unit, 3-story apartment building, consisting of a 28-space parking garage on the ground floor and two residential floors above. The residential units would all be two-bedroom units ranging between approximately 876 to 914 square feet. Project amenities include an interior common court area and a recreation room. The proposed Project site is within Public Land Survey System (PLSS) Township 4 South, Range 11 West, Section 23 as shown on the Los Alamitos, CA United States Geologic Survey (USGS) 7.5-minute Quadrangle.



SOURCE: USGS 7.5-Minute Series Anaheim, Los Alamitos Quadrangle

FIGURE 1

Project Location Map

3175 West Ball Road

*Subject: Archaeological Resources Assessment for the 3175 Ball Road Project, City of Anaheim,
Orange County, California*

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SOURCE: County of Orange 2018; Bing Maps

FIGURE 2
Aerial Map
3175 West Ball Road

*Subject: Archaeological Resources Assessment for the 3175 Ball Road Project, City of Anaheim,
Orange County, California*

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REGULATORY CONTEXT

This section includes a discussion of the applicable state laws, ordinances, regulations, and standards governing cultural resources, which must be adhered to before and during construction of the proposed Project.

State

The California Register of Historical Resources (CRHR)

In California, the term “historical resource” includes, but is not limited to, “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (California Public Resources Code (PRC), Section 5020.1(j)). In 1992, the California legislature established the CRHR “to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change” (PRC Section 5024.1(a)). The criteria for listing resources on the CRHR were expressly developed to be in accordance with previously established criteria developed for listing in the National Register of Historic Places (NRHP), enumerated below (NPS 1990). According to PRC Section 5024.1(c)(1–4), a resource is considered historically significant if it (i) retains “substantial integrity,” and (ii) meets at least one of the following criteria:

- (1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- (2) Is associated with the lives of persons important in our past.
- (3) 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.
- (4) Has yielded, or may be likely to yield, information important in prehistory or history.

In order to understand the historic importance of a resource, sufficient time must have passed to obtain a scholarly perspective on the events or individuals associated with the resource. A resource less than 50 years old may be considered for listing in the CRHR if it can be demonstrated that sufficient time has passed to understand its historical importance (see 14 California Code of Regulations [CCR] 4852(d)(2)).

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the NRHP, and

properties listed or formally designated as eligible for listing in the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

California Environmental Quality Act

As described further, the following CEQA statutes (PRC Section 21000 et seq.) and CEQA Guidelines (14 CCR 15000 et seq.) are of relevance to the analysis of archaeological, historic, and tribal cultural resources:

- PRC Section 21083.2(g) defines “unique archaeological resource.”
- PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a) defines “historical resources.” In addition, CEQA Guidelines Section 15064.5(b) defines the phrase “substantial adverse change in the significance of an historical resource”; it also defines the circumstances when a project would materially impair the significance of a historical resource.
- PRC Section 21074(a) defines “tribal cultural resources.”
- PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e) set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
- PRC Sections 21083.2(b) and 21083.2(c) and CEQA Guidelines Section 15126.4 provide information regarding the mitigation framework for archaeological and historic resources, including examples of preservation-in-place mitigation measures. Preservation in place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (PRC Section 21084.1; CEQA Guidelines Section 15064.5(b)). If a site is listed or eligible for listing in the CRHR, or included in a local register of historic resources, or identified as significant in a historical resources survey (meeting the requirements of PRC Section 5024.1(q)), it is an “historical resource” and is presumed to be historically or culturally significant for purposes of CEQA (PRC Section 21084.1; CEQA Guidelines Section 15064.5(a)). The lead agency is not precluded from determining that a resource is a historical resource even if it does not fall within this presumption (PRC Section 21084.1; CEQA Guidelines Section 15064.5(a)).

A “substantial adverse change in the significance of an historical resource” reflecting a significant effect under CEQA means “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (CEQA Guidelines Section 15064.5(b)(1); PRC Section 5020.1(q)). In turn, the significance of a historical resource is materially impaired when a project does any of the following:

- (1) 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; or
- (2) 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 PRC or its identification in an historical resources survey meeting the requirements of Section 5024.1(g) of the PRC, 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
- (3) 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 as determined by a lead agency for purposes of CEQA (CEQA Guidelines Section 15064.5(b)(2)).

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any “historical resources,” then evaluates whether that project will cause a substantial adverse change in the significance of a historical resource such that the resource’s historical significance is materially impaired.

If it can be demonstrated that a project will cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that they cannot be left undisturbed, mitigation measures are required (PRC Sections 21083.2(a)–(c)).

Section 21083.2(g) defines a unique archaeological resource as 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 historic event or person (PRC Section 21083.2(g)).

Impacts on nonunique archaeological resources are generally not considered a significant environmental impact (PRC Section 21083.2(a); CEQA Guidelines Section 15064.5(c)(4)). However, if a nonunique archaeological resource qualifies as a TCR (PRC Sections 21074(c) and 21083.2(h)), further consideration of significant impacts is required.

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. As described below, these procedures are detailed in PRC Section 5097.98.

California State Assembly Bill 52

Assembly Bill (AB) 52 of 2014 amended PRC Section 5097.94 and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 established that TCRs must be considered under CEQA and also provided for additional Native American consultation requirements for the lead agency. Section 21074 describes a TCR as a site, feature, place, cultural landscape, sacred place, or object that is considered of cultural value to a California Native American Tribe and that is either:

- On or determined to be eligible for the California Register of Historical Resources or a local historic register; or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1.

AB 52 formalizes the lead agency–tribal consultation process, requiring the lead agency to initiate consultation with California Native American groups that are traditionally and culturally affiliated with the project site, including tribes that may not be federally recognized. Lead agencies are required to begin consultation prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report.

Section 1 (a)(9) of AB 52 establishes that “a substantial adverse change to a tribal cultural resource has a significant effect on the environment.” Effects on TCRs should be considered under CEQA. Section 6 of AB 52 adds Section 21080.3.2 to the PRC, which states that parties may propose mitigation measures “capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural

resource.” Further, if a California Native American tribe requests consultation regarding project alternatives, mitigation measures, or significant effects to tribal cultural resources, the consultation shall include those topics (PRC Section 21080.3.2[a]). The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures that are adopted (PRC Section 21082.3[a]).

Senate Bill 18

The Local and Tribal Intergovernmental Consultation process, commonly known as Senate Bill (SB) 18 was signed into law September of 2004 and took effect March 1, 2005. SB 18 refers to PRC Section 5097.9 and 5097.995, which defines cultural places as:

- Native American sanctified cemetery place of worship, religious or ceremonial site, or sacred shrine (PRC Section 5097.9).
- Native American historic, cultural, or sacred site that is listed or may be eligible for listing in the California Register of Historic Resources pursuant to Section 5024.1, including any historic or prehistoric ruins, any burial ground, any archaeological or historic site (PRC Section 5097.993).

SB 18 established responsibilities for local governments to contact, provide notice to, refer plans to, and consult with California Native American tribes that have been identified by the NAHC and if that tribe requests consultation after local government outreach as stipulated in Government Code Section 65352.3. The purpose of this consultation process is to protect the identity of the cultural place and to develop appropriate and dignified treatment of the cultural place in any subsequent project. The consultation is required whenever a general plan, specific plan, or open space designation is proposed for adoption or to be amended. Once local governments have sent notification, tribes are responsible for requesting consultation. Pursuant to Government Code Section 65352.3(a)(2), each tribe has 90 days from the date on which they receive notification to respond and request consultation.

In addition to the requirements stipulated previously, SB 18 amended Government Code Section 65560 to “allow the protection of cultural places in open space element of the general plan” and amended Civil Code Section 815.3 to add “California Native American tribes to the list of entities that can acquire and hold conservation easements for the purpose of protecting their cultural places.”

California Health and Safety Code Section 7050.5

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner has examined the remains (Section 7050.5(b)). PRC Section 5097.98 also outlines the process to be followed in the event that remains are discovered. If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact NAHC within 24 hours (Section 7050.5(c)). NAHC will notify the “most likely descendant.” With the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 48 hours of notification of the most likely descendant by NAHC. The most likely descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

Local

Orange County

Orange County has two sections within its municipal code pertaining to the protection of archaeological and cultural resources. These sections include Section 2-5-27(Ord. No. 99-21, § 2, 8-31-99) and Section 2-5-227 (Ord. No. 99-22, § 1, 8-31-99) the aspects of these sections which relate to archaeological and cultural resources are as follows:

Section 2-5-27 and Section 2-5-227. - Protection of natural, cultural, structural, and archaeological resources.

- a) *Artifacts.* No person shall possess, destroy, injure, deface, remove, dig, or disturb from its natural state any fossilized or nonfossilized paleontological specimens, cultural or archaeological resources, or the parts thereof in any park, beach or recreational facility.

ARCHAEOLOGICAL BACKGROUND RESEARCH

SCCIC Records Search

On April 24, 2019, Dudek completed a CHRIS records search at the SCCIC, located on the campus of California State University, Fullerton of the proposed Project site and a 1-mile (1608 feet) record search area. This search included their collections of mapped prehistoric, historic, and built environment resources, Department of Parks and Recreation Site Records, technical reports,

and ethnographic references. Additional consulted sources included historical maps of the study area, the NRHP, the CRHR, the California Historic Property Data File, the lists of California State Historical Landmarks, California Points of Historical Interest, and the Archaeological Determinations of Eligibility. The results of the records search are presented in Confidential Appendix A.

Previously Conducted Cultural Resource Studies

The SCCIC records indicate that 13 previous cultural resources technical studies have been conducted within 1-mile of the proposed Project site between 1978 and 2016. Of these, none intersect the proposed Project site. All 13 cultural resource investigations are summarized in Table 1, below.

Table 1. Previous Technical Studies Within 1-Mile of the Proposed Project Site

SCCIC Report No. (OR-)	Authors	Date	Title	Proximity to Proposed Project Site
01810	Mason, Roger D. and Bonner, Wayne H.	1998	Cultural Resources Records Search and Literature Review Report for a Pacific Bell Mobile Services Telecommunications Facility: Cm 137-09, in the City of Anaheim, California	Outside
02515	McKenna, Jeanette A.	2002	Historic Property Survey Report- Highway Project	Outside
02771	Duke, Curt	2002	Revised Cultural Resource Assessment at & T Wireless Services Facility No. 13254b Orange County, California	Outside
02780	Duke, Curt	2002	Cultural Resource Assessment at & T Wireless Services Facility No. 13254a Orange County, California	Outside
02900	Shepard, Richard S.	2005	Cultural Resources Assessment: Lincoln Avenue Relief Improvements Project, City of Anaheim, Orange County	Outside
03304	Taniguchi, Christeen	2006	Historic Architectural Report for the Proposed Development of Hobby City in the Cities of Anaheim and Stanton, Orange County	Outside
03338	McKenna, Jeanette A.	2002	Project Located in the City of Anaheim, Orange County, on Dale Avenue Between Lincoln and Broadway. Street Rehabilitation Will Grind and Replace the Top 2 Inches of the Existing 6 Inches Ac Over 8 Inches Ab.	Outside
03491	Sorrell, Tanya and Shannon Carmack	2007	Draft Cultural Resource Assessment Report the Hobby City Development Project, Cities of Stanton and Anaheim, Orange County, California	Outside
03599	Scott Billat	2009	New Tower Submission Packet: A-American, LA0682C	Outside
04001	Anthofer, Joseph and Regier, Jeanna	1998	Union Pacific Railroad Company, Abandonment and Discontinuance Exemption, in Orange County, CA (Los Alamitos Branch) Combined Environmental and Historic Report	Outside

Table 1. Previous Technical Studies Within 1-Mile of the Proposed Project Site

SCCIC Report No. (OR-)	Authors	Date	Title	Proximity to Proposed Project Site
04010	Fulton, Phil and Terri Fulton	2008	Cultural Resource Assessment, Verizon Wireless Services, West Ball Facility, City of Stanton, Orange County, California	Outside
04127	Puckett, Heather R.	2010	Cypress Relo, 138 S. Knott Avenue, Anaheim, CA 92804	Outside
04213	Fulton, Phil	2012	Cultural Resources Assessment Verizon Wireless Services West Ball Facility City of Anaheim, Orange County, California	Outside

Previously Recorded Cultural Resources

SCCIC records indicate that 23 previously recorded cultural resources are located within 1-mile of the proposed Project site. All 23 resources are built-environment resources, none of which intersect or overlap the proposed Project site. No prehistoric or historic archaeological resources were identified within 1-mile of the proposed Project site through the records search. Table 2, below, summarizes all 23 resources identified.

Table 2. Previously Recorded Cultural Resources Within 1-Mile of the Proposed Project Site

Primary (P-30-)	Trinomial	Age/Type	Description	Recorded By / Year	NRHP Eligibility	Proximity to Proposed Project Site
176810	--	Historic/ Built-Environment	Gems and Opals, Hobby City	2005 (Horak, Tanaguchi, Galvin Preservation Associates, Inc.); 2006 (T. Sorrell, LSA Associates, Inc.)	Not evaluated	Outside
176811	--	Historic/ Built-Environment	Stamps & Coins, Hobby City	2006 (Horak, Tanaguchi, Galvin Preservation Associates, Inc.); 2006 (T. Sorrell, LSA Associates)	Not evaluated	Outside
176812	--	Historic/ Built-Environment	Hobby City District	2006 (Horak, Tanaguchi, Galvin Preservation Associates); 2006 (T. Sorrell, LSA Associates, Inc.)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176813	--	Historic/ Built-Environment	The Bear Tree, Hobby City	2006 (Horak, Tanaguchi, Galvin Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside

Table 2. Previously Recorded Cultural Resources Within 1-Mile of the Proposed Project Site

Primary (P-30-)	Trinomial	Age/Type	Description	Recorded By / Year	NRHP Eligibility	Proximity to Proposed Project Site
176814	--	Historic/ Built-Environment	Sunshine Dollhouse & Miniatures, Hobby City	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176815	--	Historic/ Built-Environment	Royal Antiques, Hobby City	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176816	--	Historic/ Built-Environment	Prestige Hobbies, Hobby City	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176817	--	Historic/ Built-Environment	Sports Cards Dugout, Hobby City	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176818	--	Historic/ Built-Environment	Deco Facil Cake Decorating, Hobby City	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176819	--	Historic/ Built-Environment	The Indian Store, Hobby City	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176820	--	Historic/ Built-Environment	Dolly & Toy Museum, Hobby City	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside

Table 2. Previously Recorded Cultural Resources Within 1-Mile of the Proposed Project Site

Primary (P-30-)	Trinomial	Age/Type	Description	Recorded By / Year	NRHP Eligibility	Proximity to Proposed Project Site
176821	--	Historic/ Built-Environment	8041 Starr St	2006 (Horak, Tanaguchi, Galvin Preservation Associates, Inc.)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176822	--	Historic/ Built-Environment	8042 Starr St	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176823	--	Historic/ Built-Environment	8062 Starr St	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176824	--	Historic/ Built-Environment	Building L, Hobby City Complex	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176825	--	Historic/ Built-Environment	8082 Starr St	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176826	--	Historic/ Built-Environment	Building O, Hobby City Comple	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176827	--	Historic/ Built-Environment	Radical Reptiles, Hobby City	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside

Table 2. Previously Recorded Cultural Resources Within 1-Mile of the Proposed Project Site

Primary (P-30-)	Trinomial	Age/Type	Description	Recorded By / Year	NRHP Eligibility	Proximity to Proposed Project Site
176828	--	Historic/ Built-Environment	Living Nature Children's Museum , Hobby City	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176829	--	Historic/ Built-Environment	Ansdell Piano; Annie & Friends; Restaurant next door to White House, Hobby City	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
176830	--	Historic/ Built-Environment	8111 Starr St	2006 (Horak, Tanaguchi, Galving Preservation Associates); 2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
179853	--	Historic/ Built-Environment	8132 Starr St	2006 (T. Sorrell, LSA Associates)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside
179854	--	Historic/ Built-Environment	8112 Starr St	2006 (T. Sorrell, LSA Associates, Inc.)	6Z;Determined ineligible during survey evaluation; Pending SHPO Concurrence	Outside

NAHC and Tribal Correspondence

Dudek contacted the NAHC on April 19, 2019 and requested a review of the SLF. The NAHC replied via email on April 24, 2019 stating that the SLF search was completed with negative results. Because the SLF search does not include an exhaustive list of Native American cultural resources, the NAHC suggested contacting six Native American individuals and/or tribal organizations who may have direct knowledge of cultural resources in or near the proposed Project. On May 1, 2019, Dudek contacted all groups and/or individuals identified by the NAHC (Table 3; see Appendix B). To date, one response was received from a representative of the Gabrielino Band of Mission Indians – Kizh Nation requesting formal AB 52 consultation. This outreach was conducted for

informational purposes only and did not constitute formal government-to-government consultation as specified by AB 52 or SB 18, which is discussed in the following sections.

Table 3. Native American Heritage Commission-Listed Native American Contacts

Native American Tribal Representatives	Method of Notification/Date	Response Received
Andrew Salas, Chairperson Gabrielino Band of Mission Indians-Kizh Nation	Certified Mail; May 1, 2019	Responded via email on May 22, 2019 requesting AB 52 consultation with the Lead Agency
Anthony Morales, Chairperson Gabrielino/Tongva San Gabriel Band of Mission Indians	Certified Mail; May 1, 2019	None to date
Sandonne Goad, Chairperson Gabrielino/Tongva Indians of California Tribal Council	Certified Mail; May 1, 2019	None to date
Robert F. Dorame, Chairman Gabrielino Tongva Indians of California Tribal Council	Certified Mail; May 1, 2019	None to date
Linda Candelaria, Chairperson Gabrielino-Tongva Tribe	Certified Mail; May 1, 2019	None to date
Charles Alvarez, Councilmember Gabrielino-Tongva Tribe	Certified Mail; May 1, 2019	None to date

Record of Assembly Bill 52 Consultation

The proposed Project is subject to compliance with AB 52 (PRC 21074), which requires consideration of impacts to TCRs as part of the CEQA process, and that the lead agency notify California Native American Tribal representatives (that have requested notification) who are traditionally or culturally affiliated with the geographic area of the proposed Project. All NAHC-listed California Native American Tribal representatives that have requested project notification pursuant to AB 52 were sent letters by the City. The letters contained a project description, outline of AB 52 timing, request for consultation, and contact information for the appropriate lead agency representative. Documents related to AB 52 consultation are on file with the City.

Record of Senate Bill 18 Consultation

The proposed Project is subject to compliance with SB 18 (Government Code Section 65352.3), which requires local governments to invite California Native American Tribal representatives to participate in consultation about proposed General Plan and Specific Plan adoptions or amendments. The City is considering an amendment to the General Plan Land Use Designation for the parcel within the proposed Project site and as such, initiated SB 18 consultation. All NAHC-listed California Native American Tribal representatives were sent notification letters via email by

the City. The letters contained a project description, request for consultation, and contact information for the appropriate lead agency representative. Documents related to SB 18 consultation are on file with the City.

Review of Historic Aerials and Topographic Maps

Dudek consulted historic topographic maps and aerial photographs to understand development of the proposed Project site and surrounding properties. Topographic maps are available for the years 1896, 1899, 1902, 1906, 1911, 1916, 1923, 1924, 1925, 1926, 1929, 1932, 1934, 1935, 1942, 1945, 1950, 1957, 1960, 1963, 1966, 1975, 1977, 1982, 2012, and 2015 (NETR 2019a). Historic aerials are available for the years 1953, 1963, 1972, 1980, 1994, 2012, 2003, 2004, 2005, 2009, 2010, 2012, and 2014 (NETR 2019b).

The first USGS topographic map showing the proposed Project site dates to 1896 and shows that the area and general vicinity were largely undeveloped at this time. There were sparse developments throughout the area; however, none within the proposed Project site. Topographic maps do not show any changes to the area until 1935, when the major streets had been laid out and several small developments were present within the general vicinity. The 1935 map shows that the community of Hansen, to the west of the proposed Project site, and Stanton, to the south of the proposed Project site, had been developed. The 1935 topographic map does not show any developments within the proposed Project site. There are no changes on the topographic maps from the 1940s. The topographic map from 1950 shows essentially the same level of development in the general area and also indicates that much of the area was dedicated to agricultural activity. The 1950 topographic map also shows one structure within or just along the northern border of the proposed Project site. There are no discernible changes on the topographic maps until 1966, which indicates that the area had undergone extensive redevelopment during the 1950s and 1960s as much of the City of Anaheim had been developed, replacing the agricultural fields that had existed there. The proposed Project site was developed by 1966. Topographic maps from the remainder of the twentieth century do not indicate any discernible changes to the proposed Project site, though they do indicate a general increase in development throughout the area.

The first historic aerial showing the proposed Project site dates to 1953 and shows that at this time the proposed Project site and much of the general area were being used for agricultural purposes. Between 1953 and 1963, the proposed Project site was redeveloped with what appears to be two rectangular structures. These structures are associated with the E-Z Service Gas Station which existed within the site until 1988, when the entire station was demolished. The 1963 aerial also shows that many of the agricultural fields surrounding the proposed Project site had been redeveloped for residential purposes. The 1972 aerial shows no changes to the proposed Project

site, however, the general area had experienced an increase in development at this time and all of the agricultural fields in the immediate vicinity had been redeveloped. The structures within the proposed Project site were demolished in 1988. There are no new developments within the proposed Project site visible on the 1994 aerial. Historic aerials from the remainder of the twentieth century do not show any significant changes to the proposed Project site, which has not been redeveloped since 1988.

Review of Previously Conducted Technical Studies

As previously stated, the proposed Project site contained the E-Z Service Gas Station which was developed in the early 1960s and demolished in 1988. In October 2017, Dudek prepared a Soil Vapor Report for the proposed Project site to determine the concentrations of volatile organic compounds within the proposed Project site (Peacock 2017). This study summarized the previous construction work which has been conducted within the proposed Project site as part of the remediation efforts associated with the E-Z Service Gas Station and the Underground Storage Tanks (USTs) that were present. These efforts involved a large amount of ground disturbance, and are therefore pertinent to the discussion of archaeological sensitivity within the proposed Project site. The remediation efforts are briefly described below.

During removal of three 10,000-gallon capacity USTs and one 500-gallon capacity used oil UST, the tanks were found to be corroding and leaking. Between 1988 and 2000 the proposed Project site was then subject to remediation efforts to mitigate for the petroleum leakage; this included soil borings, hydropunch sampling, installation and sampling of groundwater monitoring wells, and a dual-phase vapor extraction/air sparge pilot test. In 2000, over 3,000 tons of petroleum-contaminated soil, over 1,000-gallons of free product, and nearly 60,000-gallons of impacted groundwater were removed from the proposed Project site. Between 2006 and 2011 additional remedial efforts were performed at the proposed Project site including high vacuum dual-phase extraction and continued groundwater monitoring. The remediation efforts were discontinued in 2012. The 2017 study involved 16 soil vapor probes within the proposed Project site. As a result of the 2017 study, the proposed Project site was found to have risk hazards within the acceptable level.

INTENSIVE PEDESTRIAN SURVEY

A qualified Dudek archaeologist conducted a survey of the proposed Project site on March 25, 2019. The survey was conducted to identify and record any cultural resources that may occur in the proposed Project site. The survey was conducted using standard archaeological procedures and techniques that meet the Secretary of Interior's standards and guidelines for cultural resources inventory. Survey transects were spaced 15 meters wide and oriented north-south across the

proposed Project site. The ground surface was examined for the presence of prehistoric artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools), historical artifacts (e.g., metal, glass, ceramics), sediment discolorations that might indicate the presence of a cultural midden, and depressions and other features that might indicate the former presence of structures or buildings.

Results

Ground visibility throughout the proposed Project site was good (<50%). Soils within the proposed Project site are characterized by brown loamy sand. The proposed Project site appears to have been graded, indicating by grading scars throughout the area. Vegetation within the proposed Project site consists of grasses and weeds. No cultural resources were observed within the proposed Project site during the intensive pedestrian survey. Figures 3 through 6, show overviews and the current site condition of the proposed Project site.

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Figure 3. Project site overview from northwest corner towards Ball Road. View to the south.



Figure 4. Project site overview from northwest corner. View to the southeast.

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Figure 5. Project site overview from northwest corner. View to the east.



Figure 6. Visible grading scars within the proposed Project site from the southwest corner of the site. View to the east.

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SENSITIVITY ANALYSIS

Archaeological Sensitivity

No archaeological resources were identified within the proposed Project site through the SCCIC records search, an intensive pedestrian survey, through a NAHC SLF search or informal tribal consultation, or through AB 52 and SB 18 consultation conducted by the City. Additionally, no prehistoric or historic archaeological resources have been identified within a 1-mile of the proposed Project site. The proposed Project site was initially developed in the early 1960s for the E-Z Service Gas Station, which was demolished in 1988. The E-Z Service Gas station contained three USTs, including two 10,000-gallon tanks and one 500-gallon tank, which were also removed in 1988. Remediation efforts took place within the proposed Project site between 1988 and 2000, involving extensive ground disturbance, including the removal of over 3,000 tons of petroleum-contaminated soil. The extensive amount of ground disturbance that has occurred within the proposed Project site, for the construction and the demolition of the E-Z Service Gas Station as well as the remediation efforts have likely destroyed any archaeological deposits that may have been present. Considering these factors, the likelihood that there are prehistoric or historic archaeological deposits within the proposed Project site is considered to be low.

SUMMARY AND MANAGEMENT RECOMMENDATIONS

No archaeological resources were identified within the proposed Project site or immediate vicinity as a result of the SCCIC records search, the NAHC SLF search, informal tribal consultation, or the pedestrian survey. Based on the results of the cultural study, the area within the proposed Project site has a low potential to contain archaeological resources. No additional archaeological efforts are recommended to be required beyond standard considerations for the management of unanticipated resources. Management recommendations to reduce potential impacts to unanticipated archaeological resources and human remains during construction activities are provided below. With the implementation of these measures, the proposed Project will have a less than significant impact on cultural resources.

Unanticipated Archaeological Resources

All construction crews shall be alerted to the potential to encounter archaeological resources. In the event that archaeological resources (sites, features, and artifacts) are exposed during construction activities involving ground disturbance for the proposed Project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified specialist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the

significance of the find and determine whether additional study is warranted. This avoidance buffer may be adjusted following inspection of this area by that qualified specialist. Prehistoric archaeological deposits may be indicated by the presence of discolored or dark soil, fire-affected material, concentrations of fragmented or whole shell, burned or complete bone, non-local lithic materials, or the characteristic observed to be atypical of the surrounding area. Common prehistoric artifacts may include modified or battered lithic materials; lithic or bone tools that appeared to have been used for chopping, drilling, or grinding; projectile points; fired clay ceramics or non-functional items; and other items. Historic-age deposits are often indicated by the presence of glass bottles and shards, ceramic material, building or domestic refuse, ferrous metal, or old features such as concrete foundations or privies. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. Feasible options for avoidance must also be considered. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.

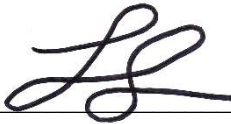
Unanticipated Human Remains

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the county coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the county coroner has determined, within 2 working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the county coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the NAHC in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete his/her inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

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Please do not hesitate to contact me if you have any questions about this report. I may be reached via email at lkry@dudek.com.

Sincerely,



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*Att: Appendix A: (Confidential): SCCIC Records Search Results
Appendix B: (Confidential): Native American Communication*

REFERENCES

- Peacock, Nicole. 2017. Subject: Submittal – Soil Vapor Investigation Report for Former E-Z Service Station, 3175 West Ball Road, Anaheim, CA, Development Case No. 2016-00074. Prepared by Dudek. Prepared for City of Anaheim.
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- NPS (National Park Service, U.S. Department of the Interior). 1990. *National Register Bulletin: Technical Information on the National Register of Historic Places: Survey, Evaluation, Registration, and Preservation of Cultural Resources*. How to Apply the National Register Criteria for Evaluation. <https://www.nps.gov/nr/publications/bulletins/pdfs/nrb15.pdf>.

APPENDIX A (CONFIDENTIAL)

SCCIC Records Search Results

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APPENDIX B (CONFIDENTIAL)

Native American Communication

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