ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES ASSESSMENT

BEACH AND ORANGETHORPE MIXED-USE SPECIFIC PLAN PROJECT, CITY OF BUENA PARK, ORANGE COUNTY, CALIFORNIA

Prepared for
City of Buena Park
Community Development Department
6650 Beach Boulevard
Buena Park, California 90622

Prepared by
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USGS 7.5’ Anaheim Topographic Quadrangle
Approximately 12.5 acres

Key Words: CEQA, Gabrielino, Archaeological Survey, No Resources

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# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Archaeological Database (NADB) Information Sheet</td>
<td>MS-1</td>
</tr>
<tr>
<td>Management Summary</td>
<td>MS-2</td>
</tr>
<tr>
<td>Section 1.0 Introduction</td>
<td>1</td>
</tr>
<tr>
<td>Section 2.0 Project Description</td>
<td>1</td>
</tr>
<tr>
<td>Section 3.0 Background</td>
<td>2</td>
</tr>
<tr>
<td>3.1 Environment</td>
<td>2</td>
</tr>
<tr>
<td>3.2 Prehistory</td>
<td>3</td>
</tr>
<tr>
<td>3.3 Ethnography</td>
<td>4</td>
</tr>
<tr>
<td>3.4 History</td>
<td>5</td>
</tr>
<tr>
<td>Section 4.0 Methodology</td>
<td>7</td>
</tr>
<tr>
<td>4.1 Cultural Resources</td>
<td>7</td>
</tr>
<tr>
<td>4.1.1 Archaeological/Historical Records Search</td>
<td>7</td>
</tr>
<tr>
<td>4.1.2 Native American Coordination</td>
<td>7</td>
</tr>
<tr>
<td>4.1.3 Project Area Pedestrian Survey</td>
<td>7</td>
</tr>
<tr>
<td>4.2 Paleontological Resources</td>
<td>8</td>
</tr>
<tr>
<td>Section 5.0 Results</td>
<td>8</td>
</tr>
<tr>
<td>5.1 Archaeological Resources</td>
<td>8</td>
</tr>
<tr>
<td>5.1.1 Archaeological/Historical Records Search Results</td>
<td>8</td>
</tr>
<tr>
<td>5.1.2 Native American Consultation Results</td>
<td>9</td>
</tr>
<tr>
<td>5.1.3 Archaeological Survey Results</td>
<td>10</td>
</tr>
<tr>
<td>5.2 Paleontological Resources</td>
<td>10</td>
</tr>
<tr>
<td>Section 6.0 Study Findings and Conclusions</td>
<td>10</td>
</tr>
<tr>
<td>6.1 Archaeological and Historical Resources</td>
<td>10</td>
</tr>
<tr>
<td>6.1.1 Legislative Framework</td>
<td>10</td>
</tr>
<tr>
<td>6.1.2 Summary of Results</td>
<td>12</td>
</tr>
<tr>
<td>6.1.3 Recommendations</td>
<td>13</td>
</tr>
<tr>
<td>6.2 Paleontological Resources</td>
<td>13</td>
</tr>
<tr>
<td>6.2.1 Legislative Framework</td>
<td>13</td>
</tr>
<tr>
<td>6.2.2 Summary of Results</td>
<td>13</td>
</tr>
<tr>
<td>6.2.3 Recommendations</td>
<td>13</td>
</tr>
<tr>
<td>Section 7.0 Certification</td>
<td>14</td>
</tr>
<tr>
<td>Section 8.0 References Cited</td>
<td>15</td>
</tr>
</tbody>
</table>
TABLES

Table  |  Page
---  |  ---
1  |  Beach and Orangethorpe Mixed-use Development Statistical Summary  ...........................................2
2  |  Previous Studies Conducted Within One Mile of the Project .......................................................8

EXHIBITS

Exhibit  |  Follows Page
---  |  ---
1  |  Regional Location ..................................................................................................................1
2  |  Local Vicinity ..........................................................................................................................1
3  |  Conceptual Site Plan................................................................................................................2

APPENDICES

Appendix A  |  Professional Qualifications
Appendix B  |  South Central Coastal Information Center Records Search Results
Appendix C  |  Native American Heritage Commission Correspondence and SB 18 Consultation with Native Americans
Appendix D  |  Natural History Museum of Los Angeles County Correspondence
National Archaeological Database (NADB)

Information Sheet

ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES ASSESSMENT
FOR THE BEACH AND ORANGETHORPE
MIXED-USE DEVELOPMENT SPECIFIC PLAN PROJECT,
CITY OF BUENA PARK, ORANGE COUNTY, CALIFORNIA

By
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January 2008
Revised July 2008

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Community Development Department
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Legislation: CEQA
USGS Quadrangle: Anaheim 7.5’
T3S/R11W/Section 35
Acreage: ~12.5 acres

Phase I Archaeological and Paleontological Resources Assessment Survey, City of Buena Park, Orange County, California

BonTerra Consulting
Project Number: BuenaPa J002

Key Words: CEQA, Gabrielino, Archaeological Records Search and Survey, Paleontological Records Search, No Resources
 MANAGEMENT SUMMARY

At the request of the City of Buena Park, BonTerra Consulting completed an Archaeological Resources Assessment for the proposed Beach and Orangethorpe Mixed-use Development Project (proposed project), which is located on the northeastern corner of Beach Boulevard and Orangethorpe Avenue in the city of Buena Park, Orange County, California. The proposed project area is located in a mixed commercial and residential environment less than one-quarter mile south of Interstate 5.

This study was conducted to identify any potentially significant archaeological or paleontological resources that might be adversely affected by the project. This study has been prepared in accordance with California Environmental Quality Act (CEQA) requirements and with guidelines recommended by the State of California Office of Historic Preservation (OHP 1990). A separate evaluation was prepared for historic (built environment) cultural resources.

The study included: (1) an archaeological/historical resources records search at the designated repository of the California Historical Resources Information System (CHRIS); (2) a search of the Native American Heritage Commission’s (NAHC) Sacred Lands File; and (3) a paleontological resources records search. BonTerra Consulting assisted the city of Buena Park in its Senate Bill (SB) 18 consultation with NAHC-listed Native Americans;

An archaeological/historical resources records search for the project area and the surrounding one-mile radius indicated that no archaeological field surveys had been previously conducted over the project area. No archaeological resources have been identified within the one-mile radius. The NAHC search of the Sacred Lands File “failed to indicate the presence of Native American cultural resources in the immediate area” (NAHC 2007).

An archaeological survey of the project area was conducted by BonTerra Consulting Cultural Resources Specialist Paul O. Shattuck on November 12, 2007. The survey focused on the central, undeveloped portion of the project area, though exposed ground in front yards of the surrounding structures was also examined.

The results of the survey indicated that the ground has previously been disturbed by disking in order to reduce vegetation. No prehistoric- or historic-period archaeological resources were identified during the survey. BonTerra Consulting concludes that the proposed project has a low potential to encounter subsurface archaeological sites and archaeological monitoring is, therefore, neither warranted nor recommended. In the event that archaeological resources are encountered during ground disturbances, work in the area should be diverted until a qualified Archaeologist has had an opportunity to evaluate the significance of the find. In the event that human remains are encountered during ground disturbances, work in the area shall be diverted and the County Coroner must be contacted immediately, in accordance with State law. Work in the area shall halt until the Coroner determines that all appropriate and lawful measures have been implemented.

A paleontological records search conducted by the Natural History Museum of Los Angeles County (NHMLAC) indicates that the surficial deposits within the project area consist of younger Quaternary Alluvium, which has been assigned a low paleontologic sensitivity. The younger fan deposits likely overlie older Quaternary Alluvium which is considered to be highly fossiliferous, (i.e., high paleontological sensitivity) in Orange County and the Santa Ana Basin. The older Quaternary Alluvium is likely present only at depths greater than six (6) feet below the existing ground surface within the project area. BonTerra Consulting concurs with the NHMLAC’s assessment that a paleontological treatment and mitigation plan is required if ground disturbance is to exceed a depth of six (6) feet to mitigate possible adverse impacts to paleontological resources within the project area.
SECTION 1.0 INTRODUCTION

BonTerra Consulting was retained by the City of Buena Park to conduct a cultural resources assessment for the proposed Beach and Orangethorpe Mixed-use Development Specific Plan Project (proposed project), which is located in the city of Buena Park in Orange County, California (Exhibit 1, Regional Location). This study was conducted in compliance with the requirements of the California Environmental Quality Act (CEQA) to identify the presence of significant archaeological, historic, or paleontological resources that may be adversely affected by the proposed project. At the request of the City, BonTerra Consulting also facilitated coordination between the City and Native American groups listed on the Native American Heritage Commission’s (NAHC) Senate Bill (SB) 18 list for the City of Buena Park.

BonTerra Consulting has prepared this Cultural Resource Assessment Report (Report) in accordance with the California Office of Historic Preservation guidelines (OHP 1990). This Report includes an overview of the project description; project setting; background information regarding the environmental and historical setting of the project site; sources consulted in regards to the identification of archaeological, historic, Native American, and paleontological resources; and archaeological field methods. Assessment findings, conclusions, and recommendations regarding cultural (archaeological and historic) and paleontological resources are provided.

This Report was prepared by BonTerra Consulting Cultural Resources Manager Mr. Brian K. Glenn, M.A. Mr. Glenn is a Registered Professional Archaeologist (RPA) qualified under Secretary of the Interior’s Professional Qualifications Standards (USDI 1983; Appendix A).

The paleontological records search was prepared by Dr. Samuel McLeod, Curator of Vertebrate Paleontology at the Natural History Museum of Los Angeles County (NHMLAC).

SECTION 2.0 PROJECT DESCRIPTION

The proposed Beach and Orangethorpe Mixed-use Development Specific Plan Project is located on the northeastern corner of the intersection of Beach Boulevard and Orangethorpe Avenue, generally north of State Route 91 (SR-91) and southwest of Interstate 5 (I-5) in the City of Buena Park, as shown on the U.S. Geological Survey (USGS) 7.5′ Anaheim Topographic Quadrangle (USGS 1965) in Section 35 of Township 3 South, Range 11 West, San Bernardino Baseline and Meridian (Exhibit 2, Local Vicinity). The project site is bound by Melrose Street to the north, Brenner Avenue to the east, Orangethorpe Avenue to the south, and State Route 39 (Beach Boulevard) to the west.

The project site encompasses approximately 12.5 acres and is primarily vacant. The site also includes single-family residential uses and commercial properties; the central portion of the site is vacant. The project site is flat with no distinguishing topographical features, and on-site vegetation is limited to ornamental trees, grass, and shrubs. The central, vacant portion is periodically disked to reduce vegetation. The project site is entirely surrounded by development as follows: single-family residential uses to the north and east; hotel, restaurant, and commercial/retail uses to the south; and commercial uses to the west.

According to the City of Buena Park General Plan (Exhibit 2-8, Land Use Plan: Central Planning Area), the existing land use designations for the project are Tourist Entertainment, Low Density Residential, and Commercial. Current zoning for the project site is Entertainment Corridor Specific Plan (ECSP), Single-Family Residential (RS-6), and Commercial General (CG). To better guide and stimulate the future success of the Entertainment Corridor, the ECSP was
created in 1986 and was last amended in 2000. The ECSP is also known as “the Beach Boulevard Entertainment Corridor.”

The proposed Beach and Orangethorpe Mixed-use Development Specific Plan Project would be constructed in two phases. The proposed project includes the following: up to 1,000 multi-family residential units, 355,000 square feet (sf) of retail development, a 300-room hotel with banquet/conference facilities and a possible timeshare component, and approximately 4,800 above ground and belowground parking spaces. A breakdown of the proposed land uses is provided in Table 1, and a conceptual site plan is provided in Exhibit 3.

### TABLE 1
**BEACH AND ORANGETHORPE MIXED-USE DEVELOPMENT STATISTICAL SUMMARY**

<table>
<thead>
<tr>
<th></th>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multi-family Residential</td>
<td>681 units*</td>
<td>319 units</td>
<td>1,000 units</td>
</tr>
<tr>
<td>Hotel</td>
<td>300 rooms/</td>
<td>0</td>
<td>300 rooms/</td>
</tr>
<tr>
<td></td>
<td>270,000 sf</td>
<td>0</td>
<td>270,000 sf</td>
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<tr>
<td>Retail</td>
<td>355,000 sf</td>
<td>0</td>
<td>355,000 sf</td>
</tr>
<tr>
<td>Parking</td>
<td>4,000 stalls</td>
<td>800 stalls</td>
<td>4,800 stalls</td>
</tr>
</tbody>
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*As an option, one of the 4 residential buildings in Phase 1 could be developed with office uses.*

Between 3 and 4 residential buildings, with a maximum height of 184 feet, are proposed in both Phases (for between 6 and 8 buildings total). As an option, one of the residential buildings in Phase 1 could be developed with office uses. This would represent a reduction of approximately 177 units in Phase 1 and the addition of approximately 195,000 sf of office space. The proposed hotel would be developed in Phase 1; would be approximately 270,000 sf; and would include 300 rooms. It should also be noted that retail uses could be developed as part of Phase 2; however, the maximum amount of retail developed as part of the project would not exceed 355,000 sf.

### SECTION 3.0 BACKGROUND

#### 3.1 ENVIRONMENT

The project area lies in the alluvial wash basin of the Transverse and Peninsular Ranges, which are located to the north and east, respectively. These ranges, which include the San Gabriel and the Santa Ana Mountains, comprise a broad ecological province, known as Cismontane Southern California. This province is dominated by scrub vegetation, also known as Chaparral (Schoenherr 1992:313–314). Fullerton Creek passes directly north of the project area and merges with Coyote Creek approximately 2.25 miles to the west and eventually flows into the San Gabriel River. The Santa Ana River is located slightly less than eight miles to the east; the alluvial plain slopes gently to the northwest. Topography in the area of proposed construction is characterized by a generally level surface with an average site elevation of approximately 75 feet above mean sea level.

None of the native scrub vegetation remains in the vicinity of the project site. Presently, the vegetation within or immediately adjacent to the project area consists entirely of non-native shrubs and trees (primarily palms), and ruderal species that are growing through the cracks of various paved areas.
3.2 PREHISTORY

The prehistory of much of Southern California is best described by a general chronology that was originally developed for the coastal region by William Wallace in 1955; it is applicable to many near-coastal and interior areas. Supported by radiocarbon dates from key archaeological sites, Wallace (1955, 1978) established a 4-stage sequence that, after nearly 50 years, remains widely applicable today. He identified four archaeological horizons based on types of artifacts and features that are diagnostic of broad periods in the prehistory of Southern California:

- Horizon I: **Early Man** (before 7,000 years ago)
- Horizon II: **Millingstone Assemblages** (7,000–3,500 years ago)
- Horizon III: **Intermediate Cultures** (3,500–1,500 years ago)
- Horizon IV: **Late Prehistoric Cultures** (1,500–historic contact, ca. 200 years ago)

Horizon I, **Early Man**, included a speculated, but at the time unsubstantiated, late Pleistocene occupation. Since Wallace formulated his chronology, sites on the central coast and at Buena Vista Lake, for example, have yielded radiocarbon ages between 9,500 and 8,000 years ago (Greenwood 1972; Fredrickson and Grossman 1977; Glassow 1997). Clovis-style fluted projectile points at least 11,000 years old have been found in the southern San Joaquin Valley, Mojave Desert, and Tehachapi Mountains (Moratto 1984:81, 87); these discoveries substantiate Wallace’s belief in a late Pleistocene period of occupation.

The Early Man Horizon is usually thought to have been characterized by small, highly mobile bands of hunters who were drawn to Late Ice Age resources (e.g., broad inland lakes and marshes and large game). Now known to correspond to the better-defined Western Pluvial Lakes Tradition (WPLT) of interior deserts or Paleo-Coastal Tradition (PCT) of the Pacific littoral zone (both 11,000–8,000 years ago), sites from this period show a greater diversity of ecological settings and approaches to subsistence (Moratto 1984:104). Sophisticated WPLT/PCT lithic technology featured finely crafted projectile points, crescents, scrapers, and knives.

Horizon II, **Millingstone Assemblages**, represents a long period of time characterized by small but less nomadic groups that probably relied on a seasonal round type of settlement that may have begun during earlier millennia (see Moratto 1984:109). In many areas, the seasonal round likely included both inland and coastal residential bases. Millingstone sites are marked by the appearance of seed-grinding tools (such as manos, metates, and hammerstones) usually in large numbers. These often occur in association with shell middens in coastal locations. Seeds from sage, buckwheat, and various grasses provided staple foods, and less emphasis appears to have been placed on hunting. Coarse-grained, durable, lithic materials (such as quartzite, rhyolite and other volcanic materials) are more common in flaked stone tools from this period than fine-grained, silicious materials such as chert and jasper.

During Horizon III, **Intermediate Cultures**, the first evidence of acorn processing appeared in the presence of mortars and pestles. As a high calorie, storable food, acorns contributed to an increasing sedentary and more complex social organization (Johnson and Earle 1987). The absence of small projectile points indicates that the bow and arrow—a hallmark of the Late Prehistoric period—had not yet been introduced, but elaborate dart points are a common artifact of this era. Along the coast, the Intermediate Period saw the use of more diverse marine resources, evident in bone and shell fishhooks, harpoon points, and net weights. It was during this time that the introduction of plank canoes is postulated. Shell and steatite beads and ornaments were produced in larger quantities and in a variety of styles. Regional exchange intensified with non-local materials such as steatite, serpentine, fused shale and obsidian, all of which were obtained through trade (McIntyre 1990:5).
The Horizon IV, **Late Prehistoric Cultures**, exhibited larger populations and a wider variety of material culture and social institutions than those of previous horizons. Storable surplus foods (such as acorns and dried meats, especially fish and shellfish) allowed populations to increase and social mechanisms to diversify. New artifact classes—such as small triangular projectile points and steatite shaft straighteners (indicating bow and arrow technology), some types of shell beads, and ceramics (in some areas)—are diagnostic of the Late Prehistoric era. The production of pictographs (rock paintings) is also thought to be a hallmark of this period. It is during this period that the Uto-Aztecan speaking emigrants from the Great Basin appeared in what is now Riverside, San Bernardino, Los Angeles, Orange, northern San Diego, northern Imperial and southern Kern Counties, as well as the southern Channel Islands. Among these peoples were the ethnohistoric Gabrielino (Tongva) who settled in the Los Angeles, Orange, and western San Bernardino County areas.

Late Prehistoric archaeology is generally better understood because the late nineteenth and early twentieth century descendants of these groups provided additional information to early anthropologists. Unfortunately, introduction of foreign diseases, displacement, and absorption into other groups caused by the arrival of the Spanish, Mexican, and American populations decimated native populations to such low numbers that by the mid- to late-1800s, they were a very minor portion of the overall population. For this reason, very little interest in native inhabitants and their prehistory was initially generated.

### 3.3 Ethnography

At the time of Spanish contact, the proposed project site was inhabited by the Gabrielino (Tongva) (see Kroeber 1925; Harrington 1942; Johnston 1962; Blackburn 1963; Heizer 1968; Bean and Smith 1978; McCawley 1996). The name “Gabrielino” identifies those people who came under the control of Misión San Gabriel Arcángel and included the inhabitants of most of current-day Los Angeles, Orange, and western San Bernardino and Riverside counties. According to the ethnographic evidence, the Gabrielino territory included the coastal plain of Los Angeles and Orange counties extending from Topanga Canyon in the north to Aliso Creek in the south; western San Bernardino County; and east of Mount Rubidoux in western Riverside County. Their territory also included Santa Catalina, San Clemente, and San Nicolas Islands.

Unfortunately, the Gabrielino are one of the least documented of the native peoples of California because they were one of the first groups to suffer the effects of foreign diseases brought by the Spanish and the subsequent migration of foreigners who arrived in the region (Bean and Smith 1978). Fortunately, ethnographic studies conducted by J.P. Harrington (1942), Alfred Kroeber (1925), and others in the early twentieth century provide some insight into the culture of the Gabrielino.

Linguists hypothesize that the Gabrielino language derived from one of the Cupan languages in the Takic family. The Takic family is part of the Uto-Aztecan linguistic stock (Bean and Smith 1978). Linguistic analysis suggests that at one time, the entire Southern California coastal region was populated entirely by Hokan speakers who were gradually separated and displaced by Takic speaking immigrants from the Great Basin area, among them the Gabrielino or their ancestors (Bean and Smith 1978; Cameron 1999). The timing and extent of the migrations and their impact on indigenous peoples is not well understood and any data related to it represents a valuable contribution to the understanding of local prehistory.

Gabrielino territory occupied one of the richest environmental habitats in all of California. The territory included four terrestrial macro-environments: the Interior Mountains/Adjacent Foothills, Prairie, Exposed Coast, and Sheltered Coast (Bean and Smith 1978). These diverse macro-environments and the resources contained within each enabled the Gabrielino to develop one of the most complex cultures of any of the native California groups. The abundance of
resources provided many opportunities for the Gabrielino to exploit native plants and animals. This, in turn, allowed the population to settle in small villages throughout the territory. Permanent villages evolved in resource-rich areas near rivers, streams, and along the coast. Secondary, or satellite, villages were also established nearby. At least four villages have been identified in Orange County. The closest of these is the village of *Pasbengna*. Ethnographic records indicate that the village was located near the center of the city of Santa Ana, approximately 14 miles to the southeast of the project area (Johnston 1962:87).

The Gabrielino traditionally constructed two types of dwellings: the subterranean pit house and the thatched lean-to (wickiup). The pit house was constructed by excavating approximately two feet below the surface and constructing the walls and roof with wooden beams and earth around the excavation pit. The lean-to, or wickiup, was constructed of thatched walls and a thatched roof, surrounded by large converging poles. A hearth located inside the structure provided warmth. Hearths used for cooking were located outside. Sweathouses, or *temescals*, were used as a meeting place for the men (Kroeber 1925; Bean and Smith 1978).

The material culture of the Gabrielino reflected an elaborately developed artistic style and an adaptation to the various environments within their territory. This artistic style was often manifested in elaborate shell bead and asphaltum ornamentation on many utilitarian items, (such as bone awl handles and bowl or mortar rims). Spear, bow and arrow, throwing sticks, nets and snares were used for hunting, while manos and metates, as well as mortars and pestles, were used for processing plant and animal material into food items. The Gabrielino were also known for their high quality of basketry, made from rush stems (*Juncus* sp.), native grass (*Muhlenbergia rigens*), and squawbush (*Rhus trilobata*) (Bean and Smith 1978:542).

### 3.4 HISTORY

The major historic periods for the greater Southern California area are defined by key events documented by participants, witnesses, historians, and cartographers. Paramount among these was the transfer of political control over *Alta California*, including the project area specifically.

- **Spanish Period** (1769–1821)
- **Mexican Period** (1821–1848)
- **American Period** (1848–Present)

Spanish explorer Juan Rodriguez Cabrillo made a temporary landfall at the Chumash village of *Sisolop* (present-day Ventura) on October 12, 1542 (Grant 1978:518). He was the first of several early explorers, representing several nations, to explore the Alta California coast. However, the end of the prehistoric era in Southern California is marked by the arrival of the Gaspar de Portolá Overland Expedition from New Spain (Mexico) and the subsequent founding of the first Spanish settlement at San Diego on July 16, 1769 (Johnston 1962). With the onset of the **Spanish Period**, the Gabrielino first came into direct contact with Europeans when the Portolá Expedition passed through present day Orange County in late 1769, stopping in the San Gabriel Valley where the expedition camped briefly as they continued west toward Ventura (Kyle 2002:151).

The **Misión San Gabriel Arcángel** and the **Misión San Fernando Rey De España**, 2 of the 21 Franciscan missions established by the Spanish in Alta California, impacted Gabrielino people profoundly; **Misión San Gabriel Arcángel** and **Misión San Fernando Rey De España**, both in Los Angeles County, were founded in September 1771 and September 1797, respectively. The Gabrielino were persuaded to settle in the vicinity of the missions, ranchos, and asistencias. The missions were charged with administering to the natives within their areas. Mission life did
give the Native Americans skills needed to survive in their rapidly changing world, but the population was decimated by the introduction of European diseases such as measles and smallpox for which they had no immunity. After 1810, mission populations declined faster than they could be replenished.

In 1783 California belonged to Spain, and Pedro Fages was the Governor of this part of the country. He was given permission from the King of Spain to make land grants in California, and gave one such piece of land to Manuel Nieto, ex-corporal of the “Leather Jacket” guards of the Portolá Expedition. This piece of land extended from the San Gabriel River to the Santa Ana River and from the ocean to the road from San Gabriel Mission (Buena Park 2007).

Mexico’s independence from Spain in 1821 brought the Mexican Period to California. The new government of Mexico had a very different outlook on mission activities. Secularization of the missions, which was planned under the Spanish, was greatly accelerated by the Mexican government. Mexico secularized the missions in 1833 and expanded on the Spanish practice of granting large tracts of ranch land to soldiers, civil servants, and pioneers (Cleland 1951, 1962). Plans to provide land, training, and living quarters for the Native American population never developed and the mission lands were soon under the control of relatively few influential Mexican families.

In 1834, Manuel Nieto’s land was divided into five ranchos. One of the five ranchos was named Rancho Los Coyotes and totaled 48,806 acres. Buena Park is located near the center of this rancho. Rancho Los Coyotes is a center of California and American history, for it was here in January 1847, that Commodore Robert S. Stockton and his band of Americans rested in preparation for the battle of the San Gabriel River. The battle was won and the outcome of the Mexican War (1846–1848) was settled in this area. The exact location of Stockton’s encampment is historically marked near the Los Coyotes Country Club in the Bellehurst area of Buena Park.

The Mexican-American war officially ended on February 2, 1848, with the signing of the Treaty of Guadalupe Hidalgo (Rolle 1998:91). The treaty established California as a United States possession, beginning the American Period with Mexico’s concession of Alta California to the United States. The discovery of gold in 1849 catapulted California to the forefront of American commerce and politics. The transition to the American Period was more apparent in 1850, when the new state of California was apportioned into 27 original counties (Coy 1973:140; Marschner 2000:43).

In the period between the 1870s and the turn of the twentieth century, the northern Orange County area was home to farmers who grew a variety of crops, including oranges, lemons, walnuts, strawberries and apricots, to name a few. The increased commercial development in the area helped fuel a land boom that was already underway in Southern California (Hallan-Gibson 1986; Dumke 1944).

Americanization further expanded in the area after completion of the transcontinental railroad in 1869 and its connection to Los Angeles in 1875. By then, Abel Steams had acquired Rancho Los Coyotes in consideration for loans made to Pio and Adres Pico. In 1885, James A. Whitaker purchased 690 acres of this land from Steams, and in 1887 he founded the City of Buena Park in conjunction with the railway development of what is now known as Orange County (Buena Park Historical Society 2007). Whitaker intended to create a cattle ranch, but Santa Fe Railway officials convinced him to use the land for a new town. Whitaker filed his township papers in 1887 in Los Angeles County—Orange County had not been formed—to create the town of Buena Park. Buena Park first became known as a dairy center, and both the Santa Fe and Southern Pacific Railroads built depots. The Lily Creamery started operations in Buena Park in 1889. With the exception of a few wineries, the creamery was the first industry in the city. It was
during the early part of the twentieth century (1920) that Walter Knott with his wife Cordelia moved to Buena Park. The Knott family purchased property in 1927. They developed the land with an adobe that housed a tea-room, berry market, and berry nursery. The business was expanded to include a restaurant and eventually a small ghost town theme park to amuse waiting customers, the first of six theme areas (Knott’s Berry Farm 2007).

The City of Buena Park was incorporated in 1953. The post-World War II population boom that began in the late 1940s and early 1950s, the construction of Interstate 5 (I-5), and the opening of Disneyland in nearby Anaheim have had a profound effect on the development of Buena Park. The influx of people into Southern California post-World War II created a huge demand for single-family suburban residential tracts and commercial businesses to service the new residents and tourists.

SECTION 4.0 METHODOLOGY

4.1 CULTURAL RESOURCES

4.1.1 ARCHAEOLOGICAL/HISTORICAL RECORDS SEARCH

An archaeological/historical resources records search for the project area and the surrounding one-mile radius was completed by BonTerra Consulting staff at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton on November 1, 2007 (Appendix B). The SCCIC is the designated repository of the California Historical Resources Information System (CHRIS) for records concerning archaeological and historic resources and associated studies in Orange County.

The records search provided data on known archaeological and constructed resources, as well as previous studies within one mile of the project area. Data sources consulted at the SCCIC include archaeological records, Archaeological Determinations of Eligibility, historic maps, and the Historic Property Data File (HPDF) maintained by the California Office of Historic Preservation (OHP). The HPDF contains listings for the National Register of Historic Places (National Register) and/or the California Register of Historical Resources (California Register), California Historical Landmarks (CHL), and California Points of Historical Interest (CPHI).

BonTerra Consulting also consulted published references on Orange County historical sites for lists of locally designated historical resources (Orange County 2007).

4.1.2 NATIVE AMERICAN COORDINATION

The resource identification effort included a request of a Sacred Lands file check by the Native American Heritage Commission (NAHC) in Sacramento regarding the possibility of Native American cultural resources in the project vicinity. In addition, the project is subject to the requirements of SB 18 (Government Code §65352.3). The NAHC provided a list of Native American representatives corresponding to the project area that were to be given the opportunity to consult in a government-to-government capacity with the City of Buena Park regarding the proposed project (Appendix C). The City of Buena Park initiated the 90-day period for Native American groups to request SB 18 consultation by mailing letters to the representatives on the NAHC list.

4.1.3 PROJECT AREA PEDESTRIAN SURVEY

An archaeological survey of the project area was conducted by BonTerra Consulting Cultural Resources Specialist Paul O. Shattuck on November 12, 2007. The survey focused on the
central, undeveloped portion of the project area, though exposed ground in front yards of the surrounding structures was also examined. Survey of the undeveloped area consisted of a series of parallel pedestrian transects spaced no greater than 15 meters (approximately 49 feet) apart. Photographs of existing buildings and the surrounding area were taken with an Olympus C-740 digital camera. No GPS data were collected.

4.2 PALEONTOLOGICAL RESOURCES

A paleontological resources records search and scientific literature review for the project area was conducted by Dr. Samuel McLeod, Curator of Vertebrate Paleontology at the Natural History Museum of Los Angeles County (NHMLAC) on October 6, 2007 (McLeod 2007; Appendix D). Dr. McLeod is a qualified Paleontologist with extensive experience in Orange County. The records search and literature review provided information on geologic formations, known fossil types and localities, any published studies within the project area and in the general vicinity, and recommendations to mitigate impacts to significant non-renewable paleontological resources.

SECTION 5.0 RESULTS

5.1 ARCHAEOLOGICAL RESOURCES

5.1.1 ARCHAEOLOGICAL/HISTORICAL RECORDS SEARCH RESULTS

The results of the archaeological/historical records search indicate that thirteen archaeological and/or historical studies have been conducted within one mile of the project area (Table 1; see Appendix B for the complete bibliography). None of these studies include any portion of the project area, although surveys OR1569 and OR2743 border the project area along Orangethorpe Avenue. This indicates that the project area has likely never been surveyed for archaeological resources. Brief summaries of each of the studies are provided in the table below.

<table>
<thead>
<tr>
<th>SCCIC Report No.</th>
<th>Author(s) and Year</th>
<th>Coverage/Type of Study</th>
</tr>
</thead>
<tbody>
<tr>
<td>OR1512</td>
<td>Allen 1996</td>
<td>1 acre, Phase I assessment, no resources</td>
</tr>
<tr>
<td>OR1596</td>
<td>Clewlow 1974</td>
<td>37 linear miles, Phase I assessment, 1 resource</td>
</tr>
<tr>
<td>OR1657</td>
<td>Mason 1997</td>
<td>Less than 1 acre, Phase I assessment, no resources</td>
</tr>
<tr>
<td>OR2094</td>
<td>Ashkar 1999</td>
<td>23.5 linear miles, Phase I assessment, three resources</td>
</tr>
<tr>
<td>OR2204</td>
<td>McKenna 2001</td>
<td>Less than 1 acre, Phase I assessment, no resources</td>
</tr>
<tr>
<td>OR814</td>
<td>Romani 1982</td>
<td>30 linear miles, Phase I assessment, no resources</td>
</tr>
<tr>
<td>OR2743</td>
<td>Duke 2002</td>
<td>Less than 1 acre, Phase I assessment, no resources</td>
</tr>
<tr>
<td>OR2758</td>
<td>Duke 2001</td>
<td>Less than 1 acre, Phase I assessment, no resources</td>
</tr>
<tr>
<td>OR3076</td>
<td>Bonner 2005</td>
<td>Less than 1 acre, Phase I assessment, no resources</td>
</tr>
<tr>
<td>OR3276</td>
<td>Kane 1998</td>
<td>17 linear miles, Phase I assessment, no resources</td>
</tr>
<tr>
<td>OR3373</td>
<td>Arrington and Sikes 2006</td>
<td>1,431 linear miles, Final Monitoring and Findings Report, number of resources is unspecified, See report (same as LA8255 and VN2504)</td>
</tr>
</tbody>
</table>
TABLE 2
PREVIOUS STUDIES CONDUCTED WITHIN ONE MILE OF THE PROJECT
(Continued)

<table>
<thead>
<tr>
<th>SCCIC Report No.</th>
<th>Author(s) and Year</th>
<th>Coverage/Type of Study</th>
</tr>
</thead>
<tbody>
<tr>
<td>OR3376</td>
<td>Wlodarski 2007</td>
<td>Less than 1 acre, Phase I assessment, no resources</td>
</tr>
<tr>
<td>OR3436</td>
<td>Bonner 2007</td>
<td>Less than 1 acre, Phase I assessment, no resources</td>
</tr>
</tbody>
</table>

No previously recorded archaeological resources have been identified within one mile of the project area though some of the surveys noted did identify resources outside the search radius.

A review of the SCCIC literature indicates no archaeological resources listed in the National Register or the California Register within one mile of the project area. No archaeological resources are listed as California Historical Landmarks or California Points of Historical Interest within the one-mile radius.

The historic USGS 15′ Anaheim topographic quadrangle (1896) depicts several roads, including Orangethorpe Avenue within the one-mile radius. No buildings are depicted in the immediate vicinity of the project area during this period. The historic USGS 15′ Anaheim topographic quadrangle (Department of the Army 1942) depicts buildings along the project perimeter within the project area. These represent extant structures and/or locations currently occupied by structures that are either historic or of a more recent nature. Review of the maps with regard to the central undeveloped portion of the project area indicates the area has never been developed.

5.1.2 NATIVE AMERICAN CONSULTATION RESULTS

Two separate inquiries were made of the Native American Heritage Commission (NAHC). The first requested a review of the Sacred Lands File Database regarding the possibility of Native American cultural resources in the project vicinity that are not documented on other databases. The NAHC review of the Sacred Lands File on October 10, 2007 “failed to indicate the presence of Native American cultural resources in the immediate area” (Singleton 2007, see Appendix C).

The second request was for the NAHC list of Native American groups for which SB 18 (Government Code §65352.3) government-to-government consultation between the lead agency and NAHC-listed Native American groups for specific plan and general plan amendments would be required. The NAHC listed five groups (Appendix C).

The City of Buena Park prepared and distributed the SB 18 consultation requests to the five NAHC-listed Native American groups. The SB 18 consultation requests informed the recipients of the nature of the project; known Native American resources on and adjacent to the project area; the status of prehistoric cultural resources within the project area; and steps to be undertaken in order to reduce impacts to a level considered less than significant (Attachment C).

On behalf of the City, BonTerra Consulting Environmental Planner Justin Partridge followed up with phone calls to these Native American representatives on April 4, 2008 (Appendix C).

Mr. Partridge left messages for three representatives and spoke with one representative, who requested that the information be emailed to him; this was done the same day (the fifth phone number was out of order). The City did not receive any requests from Native American
representatives for consultation. Please see Appendix C for complete information regarding the Native American consultation process.

5.1.3 ARCHAEOLOGICAL SURVEY RESULTS

The central, undeveloped portion of the project area was surveyed by BonTerra Consulting Cultural Resources Specialist Paul O. Shattuck on November 12, 2007. In addition, a cursory examination of the developed project perimeter was made. Given what appears to be routine diskng as part of an active weed-abatement program, ground visibility was excellent overall in the undeveloped area; the existing vegetation was low and sparse, consisting primarily of non-native ruderal species. The results of the survey indicate that the central portion of the project area is currently undeveloped with no indications of development in the past. No prehistoric or historic cultural resources were observed as a part of the survey. The surrounding developed property contains both commercial and residential structures. Examination of these parcels was limited to inspection from the street. Among these parcels is a circa 1930 residential structure at 7851 Orangethorpe Avenue. Because of its age, there is an increased likelihood of encountering buried deposits, although no evidence of deposits was noted.

5.2 PALEONTOLOGICAL RESOURCES

The NHMLAC reported that the project area is situated on terrestrial Quaternary Alluvium. The surficial deposits consist of younger Quaternary Alluvium, which has a low potential to contain significant non-renewable paleontological resources. The younger alluvium likely overlies older Quaternary Alluvium and possibly La Habra Formation deposits, both of which have a high potential to contain significant non-renewable paleontological resources throughout Orange County and the Santa Ana Basin. The NHMLAC has indicated that older Quaternary Alluvium will likely be encountered at depths greater than six feet below ground surface within the project area. The NHMLAC reported that no fossil localities have been recorded within the project area. However, a fossil horse (Equus sp.) was found within similar older Quaternary Alluvium at a depth of 8–10 feet below the ground surface; this fossil locality is approximately 10 miles to the east-southeast in the city of Orange (McLeod 2007).

SECTION 6.0 STUDY FINDINGS AND CONCLUSIONS

6.1 ARCHAEOLOGICAL AND HISTORICAL RESOURCES

6.1.1 LEGISLATIVE FRAMEWORK

State of California

Under CEQA, “[a] project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment” (CEQA Guidelines §15064.5[b]). Substantial adverse change is defined as “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 §15064.5[b][1]). CEQA has established statutory requirements for the formal review and analysis of projects.

Historical Resources (Archaeological and Historic)

A “historical resource” is defined as a resource that is listed in or eligible for listing in the California Register. The criteria applied to evaluate resources for the California Register are listed below. These criteria are worded in a manner to provide for a wide diversity of resources
and resource types. The following criteria shall be used in evaluating resources for eligibility for listing in the California Register. The California Register criteria closely mirror the criteria for evaluating a resource for the National Register. Guidance in applying the National Register criteria is further discussed in “How To” publications, Standards and Guidelines sheets, and Keeper’s opinions of the National Register. Such materials are available upon request.

**California Register of Historical Resources Criteria for Evaluation (Public Resources Code §5024.1)** states that a resource may be listed as a historical resource in the California Register if it meets any of the following National Register criteria:

1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage; and/or
2. Is associated with the lives of persons important in our past; and/or
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, possesses high artistic values; and/or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

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

**Public Resources Code §5024.1** further defines properties that may be eligible for the California Register as:

1. Properties formally determined eligible for, or listed in the National Register of Historic Places;
2. State Historical Landmarks consecutively numbered from No. 770 and higher;
3. Points of Historical Interest which have been reviewed by the California Office of Historic Preservation and recommended for listed by the State Historical Resources Commission for inclusion;
4. Historical resources identified as significant in historical resource surveys; and
5. Local landmarks or historic properties designated under any municipal or county ordinance.

The fact that a resource is not listed in, or determined to be eligible for listing in the California Register, not included in a local register of historical resources (pursuant to Public Resources Code §5020.1(k)) or identified in a historical resources survey (meeting the criteria in Public Resources Code §5024.1(g)) does not preclude a lead agency from determining that the resource may be a historical resource as defined in the Public Resources Code §5020.1(j) or §5024.1.

CEQA also contains a section that addresses “unique” archaeological resources and provides a definition of such resources in §21083.2; this section establishes limitations on the cost of mitigation and prohibits imposition of mitigation measures for impacts on archaeological resources that are not unique. Title 14, §15064.5(c)(2) of the CEQA Guidelines, however, states...
that the limitations in this section do not apply when an archaeological resource has already met the definition of a “historical resource” under Public Resources Code §5024.1.

**City of Buena Park**

The *City of Buena Park General Plan’s* Conservation Element Goals and Policies (Buena Park 1994) state: “The City’s rich history and the preservation of that history is the focus of the following goal and supporting policies that call for continued efforts in saving the past for future generations. Goal 1: The City will continue to preserve sites of significant paleontological importance for future scientific study and to encourage the identification and preservation of historically significant sites in the City.” The City sets forth five policies to aid in accomplishing this goal:

Policy 1.1 Support the preservation of sites containing significant paleontological resources.

Policy 1.2 Encourage the preservation of buildings which have historic significance and/or architectural merit.

Policy 1.3 Consider, as appropriate, permitting non-conforming use of buildings of architectural merit or historic significance for the life of the building.

Policy 1.4 Encourage preservation and awareness of significant natural resources within the City.

Policy 1.5 Encourage citizen awareness of the City's historic and cultural resources.

In addition, the City acknowledges that the likelihood of encountering archaeological resources is low, but requires implementing CEQA statutes should these resources be encountered during development, including evaluation of eligibility for the California Register of Historical Resources and mitigation of impacts to eligible sites through preservation and/or data recovery programs (Buena Park 1994:6-6 through 6-8).

**6.1.2 SUMMARY OF RESULTS**

**Archaeological Resources**

The SCCIC conducted an archaeological/historical resources records search for the project area and the surrounding one-mile radius. The records search indicated that no archaeological or historic resource assessments had been previously conducted over the project area and no archaeological resources have been identified within the one-mile radius. In addition, the NAHC search of the Sacred Lands File Database failed to identify Native American sacred cultural resources in the immediate project vicinity. Based on the City’s notification of Native American representatives as a part of the SB 18 consultation process between the City of Buena Park and NAHC-listed Native American groups, no information was provided by these groups pertaining to previously unidentified cultural resources.

Survey of the central, undeveloped portion of the project area was undertaken on November 12, 2007, by BonTerra Consulting Cultural Resources Paul O. Shattuck. The results of the survey indicated that the project area is relatively flat with a central undeveloped core and surrounding commercial and residential structures. No prehistoric- or historic-period archaeological resources were identified during the survey.
6.1.3 RECOMMENDATIONS

Archaeological Resources

BonTerra Consulting concludes that the proposed project has a low potential to encounter subsurface archaeological sites and archaeological monitoring is neither warranted nor recommended. Although no archaeological resources were identified within or immediately adjacent to the project area, the presence of significant subsurface archaeological resources is always a possibility in areas where only surface inspection has taken place. If archaeological evidence (e.g., stone artifacts, dark ashy soils or burned rocks, or old glass, metal, or ceramic artifacts) becomes apparent during ground disturbances, work in that location should be diverted and a qualified Archaeologist should be contacted immediately to evaluate the nature and significance of the find.

If human remains are discovered, the Orange County Coroner's office must be notified immediately under State law (California Health and Safety Code §7050.5) and all activities in the immediate area of the find must cease until appropriate and lawful measures have been implemented. If the Coroner determines that the remains are Native American, the NAHC must also be contacted (California Public Resources Code §5097.98). The NAHC will designate a Most Likely Descendent (MLD) who will make recommendations concerning the reassignment of the remains in consultation with the City of Buena Park and the Project Archaeologist.

6.2 PALEONTOLOGICAL RESOURCES

6.2.1 LEGISLATIVE FRAMEWORK

Paleontological resources are non-renewable scientific and educational resources. The legislative framework applicable to paleontological resources pursuant to the proposed project includes Public Resources Code §5097.5. §5097.5 prohibits the removal or destruction of vertebrate paleontological sites or any other paleontological feature situated on public lands without prior approval of the public agency in control of those lands. Projects subject to CEQA must determine whether the project would “directly or indirectly destroy a unique paleontological resource.”

6.2.2 SUMMARY OF RESULTS

The results of the paleontological records search indicate that the upper sediments within the project area consist of younger Quaternary Alluvium, which has been assigned a low paleontologic sensitivity. These younger sediments likely overlie older Quaternary Alluvium which is considered to be highly fossiliferous in Orange County and the Santa Ana Basin. Older Quaternary Alluvium is considered sensitive, but likely present only at depths greater than six feet below the existing ground surface in the project area.

6.2.3 RECOMMENDATIONS

Review of the paleontological records on file at the NHMLAC indicates the presence of significant fossils within older deposits. Current construction plans indicate that ground disturbance will extend to depths greater than six feet and may occur within the older Quaternary Alluvium. Therefore, the preparation and implementation of a Paleontology Treatment Program and Mitigation Plan is warranted and should be prepared. The Paleontology Treatment Program and Mitigation Plan may include monitoring during excavation into sensitive strata; recovery of significant fossils; and evaluation, preparation and permanent curation of significant specimens by a qualified Paleontologist and/or institution.
No paleontological mitigation monitoring program is recommended for ground disturbance associated with grading or shallow excavations (i.e., to a maximum depth of six feet below the existing ground surface). However, in the event that paleontological resources are encountered during ground disturbances within the upper six feet, work in the area(s) should be diverted until a qualified Paleontologist has had an opportunity to evaluate the significance of the find.

SECTION 7.0 CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this Cultural Resource Assessment Report, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

DATE: January 29, 2008

SIGNED: Brian K. Glenn, M.A., RPA
Cultural Resources Manager
SECTION 8.0 REFERENCES CITED

Bean, Lowell John, and Charles R. Smith

Buena Park, City of

Buena Park Historical Society

Blackburn, Thomas

Cameron, Constance

Cleland, Robert Glass


Coy, Owen C.

Department of the Army, United States, Corps of Engineers

Dumke, Glenn S.

Frederickson, David A., and Joel Grossman

Glassow, Michael A.
1997 Middle Holocene Cultural Development in the Central Santa Barbara Channel Region. *Perspectives in California Archaeology* 4:73–90. Institute of Archaeology, University of California, Los Angeles.
Grant, Campbell  

Greenwood, Roberta S.  

Hallan-Gibson, Pamela  

Harrington, John P.  

Heizer, Robert F. (ed.)  

Johnson, Allen W. and Timothy Earle  

Johnston, Bernice Eastman  

Knott’s Berry Farm  

Kroeber, Alfred L.  

Kyle, Douglas E.  

Marschner, Janice  

McCawley, William  

McIntyre, Michael  
McLeod, Samuel

Moratto, Michael

Office of Historic Preservation (OHP)

Orange, County of

Rolle, Andrew

Schoenherr, Allan A.

United States Department of the Interior (USDI)
1983  *Archaeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines.* Federal Register, National Park Service, Washington, D.C.

United States Geological Survey (USGS)


Wallace, William, J.

APPENDIX A

PROFESSIONAL QUALIFICATIONS
BRIAN K. GLENN, M.A., RPA  
CULTURAL RESOURCES MANAGER

M.A., Archaeology, University of California, Los Angeles, 1991  
B.A., Anthropology, University of California, Santa Barbara, 1986  
B.A., Geography, University of California, Santa Barbara, 1986

Brian Glenn specializes in Cultural Resources Management (CRM) under California Environmental Quality Act (CEQA), National Historic Preservation Act (NHPA), and local regulations. Mr. Glenn is a Registered Professional Archaeologist (RPA) qualified under Secretary of the Interior’s standards. During more than 25 years of experience, he has directed or contributed to projects throughout southern California. He is skilled in a wide range of field and administrative tasks fundamental to CRM and has authored numerous technical reports. His professional foci concern the graphic display of data with emphases in exploratory data analyses and geographical information systems (GIS) with emphases on southern California's Early Period (10,000 to 2,000 B.P.), artifact morphology as an indicator of function, and coastal environmental reconstruction through the analysis of fish and shellfish remains.

Orange County Selected Experience:

**FEMA Harbors, Beaches & Parks Storm Repair Projects, Orange County, CA.** BonTerra Consulting prepared a cultural resources assessment report in support of the FEMA-sponsored repair projects within Aliso and Wood Canyons Wilderness Park and O’Neill Regional Park.

Client: County of Orange, 2007

**Los Alamitos Retarding Station, Cities of Seal Beach and Long Beach, CA.** BonTerra Consulting prepared a cultural resources management plan for the installation of a replacement pump assembly adjacent to the San Gabriel River in the Cities of Seal Beach and Long Beach.

Client: County of Orange, 2007

**O’Neill Regional Park Cultural Resources Monitoring, County of Orange, CA.** BonTerra Consulting conducted cultural resources construction monitoring as part of a sewer conversion project.

Client: County of Orange, 2007

**Scully Adobe, County of Orange, CA.** BonTerra Consulting managed National Register evaluation excavations of a middle- to late-19th Century adobe within the State Route 90 right-of-way.

Client: Caltrans, 2006

**State Route 57 Widening Project, Orange County, CA.** BonTerra Consulting prepared Caltrans cultural resources documents which included a Historic Properties Survey Report, bridge study, and an Archaeological Survey Report which included historic archives review, pedestrian survey, Native American consultation, and paleontological literature review.

Client: RBF Consulting, 2005

**Piccadilly Place Sound Wall, City of Fullerton, CA.** BonTerra Consulting prepared the cultural resources element of the Preliminary Environmental Assessment Report prior to
sound wall installation at the Interstate 5/State Route 91 interchange, for submission to Caltrans.

Client: Washington Infrastructure, 2007

**Hoag Hospital SB 18 Consultation, City of Newport Beach, CA.** BonTerra Consulting prepared and distributed consultation request letters to Native American groups on behalf of the City of Newport Beach in compliance with SB 18 requirements for government-to-government consultation.

Client: City of Newport Beach, 2007

**Talbert Lake Restoration Project, Huntington Beach, CA.** BonTerra Consulting conducted a cultural resources assessment of the proposed restoration project area of potential effects in compliance with Section 106 and CEQA for submission to the U.S. Army Corps of Engineers.

Client: PACE, 2007

**Highland Reservoir Project, Yorba Linda, CA.** BonTerra Consulting conducted a Phase I cultural resources assessment of an 8.76-acre reservoir property in the City of Yorba Linda which included historic archives review and architectural evaluation, pedestrian survey and paleontological literature review.

Client: Carollo Engineers, 2006

**State Route 73/Jamboree Avenue Bridge Improvement Project, Newport Beach, CA.** BonTerra Consulting prepared Caltrans-approved cultural resources documents which included a Historical Resource Compliance Report, bridge study, and an Archaeological Survey Report which included historic archives review, pedestrian survey, Native American consultation, and paleontological literature review.

Client: RBF Consulting, 2005

**Professional Experience:**

BonTerra Consulting, Cultural Resources Manager–2005 to Present
Pacific West Archaeology, Owner/Principal Investigator–1996 to 2005
Ogden Environmental & Energy Services, Senior Archaeologist–1991 to 1996
UCLA Institute of Archaeology Information Center, Acting Coordinator–1988 to 1991
UCSB Center for Archaeological Studies, Archaeological Technician–1984 to 1988

**Registrations, Certifications, and Affiliations:**

Register of Professional Archaeologists (RPA, formerly SOPA), 1992

County of San Diego Certification, 1992
County of Riverside Certification, 2002
County of Orange Certification, 2006
Various County and City Consultant Lists

Society for American Archaeology (SAA)
Society for California Archaeology (SCA)
APPENDIX B

SOUTH CENTRAL COASTAL INFORMATION CENTER
RECORDS SEARCH RESULTS
November 1, 2007

Mr. Brian K. Glenn
Bonterra Consulting
151 Kalmus Drive
Suite E-200
Costa Mesa, CA 92626-7969
(714) 444-9199

RE: Records Search for BuenaPA J002: M+D Properties Project located in the City of Buena Park, California

Dear Mr. Glenn,

As per your request received on October 8, 2007, a records search was conducted for the above referenced project. The search includes a review of all recorded archaeological sites within a 1-mile radius of the project site as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest (PHI), the California Historical Landmarks (CHL), the California Register of Historical Resources (CR), the National Register of Historic Places (NR), and the California State Historic Resources Inventory (HRI) listings were reviewed for the above referenced project. The following is a discussion of the findings.

Anaheim, La Mirada, Los Alamitos, and Whittier, USGS 7.5' Quadrangles

ARCHAEOLOGICAL RESOURCES:

No archaeological sites have been identified within a 1-mile radius of the project site. No isolates have been identified within a 1-mile radius of the project site.

HISTORIC RESOURCES:

One additional cultural resource (30-176630) has been identified within a 1-mile radius of the project site. This cultural resource is not located within the project site.

Copies of our historic maps – Anaheim and Downey (1896 and 1942) 15’ USGS - are enclosed for your review.
The California Point of Historical Interest (2006) of the Office of Historic Preservation, Department of Parks and Recreation, lists one property within a 1-mile radius of the project site (see below).

Anaheim, CA. 7.5' USGS Quadrangle

ORA-012 Lily Creamery
6586 Beach Boulevard, Buena Park
#30-162286

The California Historical Landmarks (2006) of the Office of Historic Preservation, Department of Parks and Recreation, lists one property within a 1-mile radius of the project site (see below).

Anaheim, CA. 7.5' USGS Quadrangle

No. 729 Old Maizeland School (Rivera School)
Constructed in 1868, this was the first school in the Rivera District. It was previously located on Shugg Lane, now Slauson Avenue. Located at Knott's Berry Farm at 8039 Beach Blvd, in the Ghost Town area at the North side of Motts Miniatures, Buena Park.
30-156067

The California Register of Historic Places (2006) lists one property within a 1-mile radius of the project site (see HRI property marked with a star). These are properties determined to have a National Register of Historic Places Status of 1 or 2, a California Historical Landmark numbering 770 and higher, or a Point of Historical Interest listed after 1/1/1998.

The National Register of Historic Places (2006) lists one property within a 1-mile radius of the project site (see HRI property marked with a star).

The California Historic Resources Inventory (2006) lists sixteen properties that have been evaluated for historical significance within a 1-mile radius of the project site (see enclosed list).

PREVIOUS CULTURAL RESOURCES INVESTIGATIONS:

Thirteen studies (OR814, OR1512, OR1596, OR1657, OR2094, OR2204, OR2743, OR2758, OR3076, OR3276, OR3373, OR3376, and OR3436) have been conducted within a 1-mile radius of the project site. Of these, none are located within the project site. There are sixteen additional investigations located on the Anaheim, La Mirada, Los Alamitos, and Whittier 7.5' USGS Quadrangles that are potentially within a 1-mile radius of the project site. These reports are not mapped due to insufficient locational information.

Please forward a copy of any reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include records search maps in your report. If you have any questions regarding the results presented herein, contact the office at 714.278.5395 Monday through Thursday 8:00 am to 3:30 pm.

Should you require any additional information for the above referenced project, reference the SCCIC number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.
Enclosures:

(X) Maps – Anaheim, La Mirada, Los Alamitos, and Whittier 7.5' USGS Quadrangle, Anaheim and Downey 15' USGS Quadrangle – 11 pages
(X) Bibliography – 3 pages
(X) HRI – 2 pages
(X) National Register Status Codes – 3 pages
(X) Site Records – (30-176630) – 10 pages
(X) Confidentiality Form
(X) Invoice # 8030.5097

Sincerely,
SCCIC

[Signature]

Thomas David Shackford
Lead Staff Researcher
Bibliography: BuenaPa J002: M+D Properties Project

IC ID#: OR1512         DATE: 1996         PAGES: 5
AUTHOR: Allen, Kathleen C.
FIRM: Archaeological Resource Management Corporation
TITLE: Archaeological Assessment of L.A. Cellular Site #727.5, Near 7171 Eighth Street, Buena Park, Orange County, California
AREA: 1 ac
SITES:
QUADNAME: Los Alamitos
MEMO:

IC ID#: OR1596         DATE: 1974         PAGES: 13
AUTHOR: Clewlow, William C.
FIRM: University of California, Los Angeles
AREA: 37 li mi
SITES: 30-000277
QUADNAME: San Pedro, Long Beach, Los Alamitos, Anaheim, Orange, Yorba Linda
MEMO:

IC ID#: OR1657         DATE: 1997         PAGES: 26
AUTHOR: Mason, Roger D.
FIRM: Chambers Group, Inc.
TITLE: Cultural Resources Records Search and Literature Review Report for a Pacific Bell Mobile Services Telecommunications Facility: CM 019-19, in the City of Buena Park, Ca.
AREA:
SITES: none
QUADNAME: Anaheim
MEMO:
Bibliography: BuenaPa J002: M+D Properties Project

IC ID#: OR2094  DATE: 1999  PAGES: 37

AUTHOR: Ashkar, Shahira
FIRM: Jones & Stokes Associates, Inc.
TITLE: Cultural Resources Inventory Report for Williams Communications, Inc. Proposed Fiber Optic Cable System Installation Project, Los Angeles to Anaheim, Los Angeles and Orange Counties
AREA: 23.5 line miles
SITES: 19-186110, 19-186111, 30-176630

QUADNAME: Hollywood, Los Angeles, South Gate, Whittier, Los Alamitas, Anaheim, Long Beach, La Habra
MEMO:

IC ID#: OR2204  DATE: 2001  PAGES: 16

AUTHOR: McKenna, Jeanette A.
FIRM: McKenna et al.
TITLE: Historic Property Survey Report-Negative Findings: 7575 Beach Blvd.
AREA: <1 li mi
SITES: none

QUADNAME: Anaheim
MEMO:

IC ID#: OR814  DATE: 1982  PAGES: 20

AUTHOR: Romani, John
FIRM: CALTRANS
TITLE: HISTORIC PROPERTY Survey ROUTE I-5 SANTA ANA TRANSPORTATION CORRIDOR, ROUTE 405 in ORANGE COUNTY TO ROUTE 605 in Los Angeles County PM 21.30/44.38; 0.00/6.85
AREA: 30 li mi
SITES: none

QUADNAME: El Toro
Tustin
MEMO:
Bibliography: BuenaPa J002: M+D Properties Project

IC ID#: OR2743     DATE: 2002     PAGES: 8
AUTHOR: Duke, Curt
FIRM: LSA Associates, Inc.
TITLE: Cultural Resource Assessment AT & T Wireless Services Facility No. 13044A Orange County, California
AREA: .25 ac
SITES:

QUADNAME: Anaheim
MEMO:

IC ID#: OR2758     DATE: 2001     PAGES: 8
AUTHOR: Duke, Curt
FIRM: LSA Associates, Inc.
TITLE: Cultural Resource Assessment Cingular Wireless Facility No. SM 149-01 Orange County, California
AREA: .25 ac
SITES:

QUADNAME: Los Alamitos
MEMO: 30-176630 is located .25 mile south from facility/30-000012 located .5 mile away

IC ID#: OR3076     DATE: 2005     PAGES: 11
AUTHOR: Bonner, Wayne H.
FIRM: Michael Brandman Associates
TITLE: Cultural Resources Records Search Results and Site Visit for T-Mobile Candidate LA03002F (Ngon Restaurant), 10522 McFadden Avenue, Garden Grove, Orange County, California
AREA: <1 ac
SITES: None

QUADNAME: Newport Beach
MEMO:
Bibliography: BuenaPa J002: M+D Properties Project

IC ID#: OR3276  DATE: 1998  PAGES: 45
AUTHOR: Kane, Diane
FIRM: California Department of Transportation, District 7
TITLE: Historic Architectural Survey Report For I-5 HOV Lane Improvement Project
AREA: 17 li mi
SITES: None
QUADNAME: Anaheim, Whittier, Los Alamitos
MEMO:

IC ID#: OR3373  DATE: 2006  PAGES: 1368
AUTHOR: Arrington, Cindy, Nancy Sikes
FIRM: SWCA
TITLE: Cultural Resources Final Report of Monitoring and Findings for the Qwest Network Construction Project State of California: Volumes I and II
AREA: 1431 li mi
SITES: See Report
QUADNAME: White Ledge Peak, Pitas Point, Ventura, Saticoy, Oxnard, Moorpark, Santa Susana, Si San Fernando, Van Nuys, South Gate, Long Beach, Whittier, Los Alamitos, Anaheim, Inglewood, Venice Hollywood, Los Angeles, Orange, Newport Beach, Tustin, El Toro, San Juan Capistrano, Dana Point, San Clemente
MEMO: Same as LA8255, VN2504

IC ID#: OR3376  DATE: 2007  PAGES: 19
AUTHOR: Wlodarski, Robert J.
FIRM: Cellular Archaeological Resource Evaluations (C.A.R.E.)
TITLE: Record Search and Field Reconnaissance for the Proposed Royal Street Communications, LLC, Wireless Telecommunications Site LA0878A (Bellis Park), located at 7171 8th Street, Buena Park, California 90621
AREA: <1 ac
SITES: 30-176630
QUADNAME: Los Alamitos
MEMO:
IC ID#: OR3436        DATE: 2006        PAGES: 11

AUTHOR: Bonner, Wayne H.
FIRM: Michael Brandman Associates

TITLE: Cultural Resource Records Search Results and Site Visit for T-Mobile Candidate LA02887K (SC182 SCE Tower Alamitos Barry), 7225 El Dorado Drive, Buena Park, Orange County, California

AREA: <1 ac
SITES: None

QUADNAME: Los Alamitos

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**THE WARREN BUILDING**

- **LILY CREEMSY**
- **WILLIAM TICE HOME**
- **STAGE STOP HOTEL**
- **WHITAKER-JATKES HOUSE AND BACON HOUSE**
- **RIVERA SCHOOL; OLD MAISLAND SCHOOL**
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APPENDIX C

NATIVE AMERICAN HERITAGE COMMISSION CORRESPONDENCE AND SB 18 CONSULTATION WITH NATIVE AMERICANS
TRANSMITTAL

DATE:   October 4, 2007

TO:      Ms. Dave Singleton   FAX NUMBER:   (916) 657-5390
         Program Analyst   TEL NUMBER:   (916) 653-4082
         Native American Heritage Comm.   CLIENT CODE:   BuenaPa
         915 Capitol Mall, Rm. 364   PROJECT CODE:   J002
         Sacramento, CA 95814   FROM:   Brian Glenn, M.A., RPA

REGARDING: Sacred Lands File Search and Contact List Request

Dear Ms. Singleton:

At your earliest convenience, please conduct a search of the Sacred Lands File for the BuenaPa J002: M+D Properties Project in the City of Buena Park, Orange County. The project location is shown on the USGS Anaheim 7.5 Minute Quadrangle in Section 35 of Township 3S/Range 11W (S.B.B.M).

Please fax or e-mail the results to me at (714) 444-9599, referencing your letter to “BuenaPa J002: M+D Properties Project”.

If you have any questions or require any additional information, please do not hesitate to contact me at (714) 444-9199 or via email at bglenn@bonterraconsulting.com.

Sincerely,

BONTERRA CONSULTING

Brian K. Glenn, M.A., RPA
Cultural Resources Manager
October 10, 2007

Mr. Brian K. Glenn, M.A., RPA
BONTERRA CONSULTING
151 Kalmus Drive, Suite E-200
Costa Mesa, CA 92626

Sent by FAX to: 714 444-9599
Number of pages: 3

Re: Cultural Resource Identification Study/Sacred Lands File Search for BuenaPark, J002 Project:
City of Buena Park, Orange County, California

Dear Mr. Glenn:

The Native American Heritage Commission was able to perform a record search of its Sacred Lands File (SLF) for the affected project area. The SLF failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the Sacred Lands File does not guarantee the absence of cultural resources in any ‘area of potential effect (APE).’

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the nearest tribes that may have knowledge of cultural resources in the project area. A List of Native American contacts are attached to assist you. The Commission makes no recommendation of a single individual or group over another. It is advisable to contact the person listed; if they cannot supply you with specific information about the impact on cultural resources, they may be able to refer you to another tribe or person knowledgeable of the cultural resources in or near the affected project area (APE).

Lack of surface evidence of archeological resources does not preclude the existence of archeological resources. Lead agencies should consider avoidance, as defined in Section 15370 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a ‘dedicated cemetery. Discussion of these should be included in your environmental documents, as appropriate.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

[Signature]
Dave Singletary
Program Analyst

Attachment: Native American Contact List
Native American Contacts
Orange County
October 10, 2007

Ti'At Society
Cindi Alvitre
6602 Zelzah Avenue, Reseda, CA 91335
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino/Tongva Council / Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
761 Terminal Street, Bldg 1, 2nd floor, Gabrielino Tongva
Los Angeles, CA 90021
office @tongvatribenet
(213) 489-5001 - Officer
(909) 262-8351 - cell
(213) 489-5002 Fax

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
31742 Via Belardes, San Juan Capistrano, CA 92675
(949) 493-0959
(949) 493-1601 Fax

JRNNO Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411 A La Matanza Street, San Juan Capistrano, CA 92675-2674
arivera@juaneno.com
949-488-3484
949-488-3294 Fax

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Administrator
4712 Admiralty Way, Suite 172, Marina Del Rey, CA 90292
310-570-6567

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Tribal Chair/Cultural Resources
5450 Slauson, Ave, Suite 151 PMB, Culver City, CA 90230
gtongva@verizon.net
562-761-6417 - voice
562-920-9449 - fax

Gabrieleno/Tongva Tribal Council
Anthony Morales, Chairperson
PO Box 693, San Gabriel, CA 91778
ChiefRBwife@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 Fax

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry, Tribal Manager & Cultural Resources
31742 Via Belardes, San Juan Capistrano, CA 92675
(949) 493-0959
(949) 293-8522 Cell
(949) 493-1601 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7060.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.99 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed BuenaPa J002: MAD Properties Project; City of Buena Park; Orange County, California for which a Sacred Lands File search and Native American Contact list was requested.
Native American Contacts
Orange County
October 10, 2007

Juaneno Band of Mission Indians
Alfred Cruz, Cultural Resources Coordinator
P.O. Box 25628, Juaneno
Santa Ana, CA 92799
alfredcruz@sbcglobal.net
714-998-0721
stfredcruz@sbcglobal.net

Juaneno Band of Mission Indians
Adolph "Bud" Sepulveda, Chairperson
P.O. Box 25828, Juaneno
Santa Ana, CA 92799
bssepul@yahoo.net
714-838-3270
714-914-1812 - CELL
bsepul@yahoo.net

Sonia Johnston, Tribal Vice Chairperson
Juaneno Band of Mission Indians
P.O. Box 25628, Juaneno
Santa Ana, CA 92799
(714) 323-8312
sonia.johnston@sbcglobal.net

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American with regard to cultural resources for the proposed BuenaPa J002: M+E Properties Project; City of Buena Park; Orange County, California for which a Sacred Lands File search and Native American Contact list was requested.
Project Title: Buena Park: M+D Properties Beach & Orangethorpe Project

Local Government/Lead Agency: __City of Buena Park________ Contact Person: __Brian Glenn________
__BonTerra Consulting_______________________________________ Phone: __(714) 444-9199____________

Street Address: __151 Kalmus Dr. Suite E-200____________ Fax: ____(714) 444-9599______________

City: ___Costa Mesa, CA __________________ Zip: __92626__________

Project Location:

County: __Orange________________________ City/Community: ___Buena Park________________________

Local Action Type:

___ General Plan __ General Plan Element ___XX_ Specific Plan

_XX_ General Plan Amendment ___ Specific Plan Amendment

___ Pre-planning Outreach Activity

Project Description:

The proposed project is a multi-use development on approximately 14 acres in the City of Buena Park. The proposed development includes a hotel, retail commercial and high-rise residences on the northeast corner of Beach Boulevard and Orangethorpe Avenue.

NAHC Use Only

Date Received: _______________
Date Completed ______________

Native American Tribal Consultation lists are only applicable for consulting with California Native American tribes per Government Code Section 65352.3.
October 10, 2007

Mr. Brian Glenn, M.A., RPA, Cultural Resources Manager
BONTERRA CONSULTING for the
CITY OF BUENA PARK
151 Kalmus Drive, Suite E-200
Costa Mesa, CA 92626

Sent by FAX to: 714-444-9599
Number of pages: 2

Re: Tribal Consultation Per SB 18/Sacred Lands File Search for Project- General Plan Amendment for 14-acre Development, Mixed-Use Project City of Buena Park, Orange County, California

Dear Mr. Glenn:

Government Code §65352.3 and .5 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places. Attached is a Native American Tribal Consultation list of tribes with traditional lands or cultural places located within the requested plan boundaries.

As a part of consultation, the NAHC recommends that local governments conduct record searches through the NAHC and California Historic Resources Information System (CHRIS) to determine if any cultural places are located within the area(s) affected by the proposed action.

A NAHC Sacred Lands File search was conducted based on the township, range, and section information included in your request and no sites were found within the area of potential effect you identified. However, local governments should be aware that records maintained by the NAHC and CHRIS are not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a cultural place. I suggest you consult with all of those on the accompanying Native American Contacts list, which has been included separately. If they cannot supply information, they might recommend others with specific knowledge about cultural resources in your plan area. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from Tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

If you have any questions, please contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Attachment: Native American Contacts
Native American Tribal Consultation List
Orange County
October 10, 2007

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
31742 Via Belardes, Juaneno
San Juan Capistrano, CA 92675
(949) 493-0959

Gabrieleno/Tongva Tribal Council
Anthony Morales, Chairperson
PO Box 693, Gabrieleno Tongva
San Gabriel, CA 91778
ChiefRBwife@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 483-3564 - cell
Gabrieleno/Tongva Council / Gabrieleno Tongva Nation
Sam Dunlap, Tribal Secretary
761 Terminal Street, Bldg 1, 2nd floor, Gabrieleno Tongva
Los Angeles, CA 90021
office@tongvatribe.net
(213) 489-5001 - Officer
(909) 262-9351 - cell

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street, Juaneno
San Juan Capistrano, CA 92675-2674
arivera@juaneno.com
949-488-3484
949-488-3294 Fax

Juaneno Band of Mission Indians
Adolph "Bud" Sepulveda, Chairperson
P.O. Box 25828, Juaneno
Santa Ana, CA 92799
bssepub@yahoo.net
714-838-3270
714-914-1812 - CELL

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5057.94 of the Public Resources Code and Section 5057.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.
December 11, 2007

Mr. David Belardes  
Juenefo Band of Mission Indians  
31742 Via Belardes  
San Juan Capistrano, CA 92675

Subject: SB 18 Consultation (Government Code §65352.3): Beach and Orangethorpe Mixed-Use Development Project Specific Plan, City of Buena Park, Orange County, California

Dear Mr. Belardes:

Pursuant to Government Code §65352.3 (SB 18) and in an effort to fully evaluate potential adverse effects to cultural resources, the City of Buena Park is contacting you to elicit information not contained in the present database and offer to initiate government-to-government consultation should you choose.

Project Description

The proposed Beach and Orangethorpe Mixed-Use Development involves the development of approximately 1,000 residential units within high-rise buildings, 355,000 square feet of retail, a hotel (300 rooms) with a possible timeshare component and banquet/conference facilities, and approximately 4,800 above and below-ground parking spaces. The proposed project would be developed in two phases. As an option for the first phase of development, one of the proposed residential buildings may be developed as an office building. Additional project description information is attached.

The project site is predominantly flat with no distinguishing topographical features. Generally, the center and southeastern portions of the site are undeveloped. Residential uses are located along the northern and eastern perimeters and commercial and restaurant uses are located along the northwestern and southwestern corners of the site. There is also one single-family residence in the southern portion of the site. Single-family residential uses lie north and east of the project site. West and south of the project site are various commercial uses.

Cultural Resources Data

A records search conducted by the South-Central Coastal Information Center at California State University, Fullerton on November 1, 2007 indicates the project area has not been previously surveyed. No cultural resource sites have been previously identified within the project area.

The central open portion of the project area was inspected for prehistoric and historic period cultural resources by Mr. Paul O. Shattuck on November 12, 2007 under the supervision of Mr. Brian K. Glenn, M.A., a Registered Professional Archaeologist approved by the County of Orange to conduct cultural resources investigations. Residential front yards were visually, though not systematically inspected. Back yards were not inspected, though aerial photography indicates the majority of the yards are covered by lawns.
Pedestrian survey of the central portion of the project area was conducted using transects spaced no greater than 15 meters apart. The survey failed to identify any prehistoric or historic period cultural resources.

Review of the Sacred Lands File by the Native American Heritage Commission (NAHC) on October 10, 2007 “failed to indicate the presence of Native American cultural resources in the immediate project area.” A separate request to the NAHC resulted in a California Tribal Consultation List for the City of Buena Park.

Proposed Treatment

Given the results of survey and the lack of previously identified Native American cultural resources within the one-mile search radius, cultural resources monitoring will not be recommended. However, recommendations will include a provision to halt work and contact a qualified archaeologist in the event any cultural resources are encountered during construction, as well as interested Native American groups if the resources are prehistoric in nature. In addition, if human remains are discovered, the Orange County Coroner’s office must be notified immediately under state law (California Health and Safety Code §7050.5) and all activities in the immediate area of the find must cease until appropriate and lawful measures have been implemented. If the Coroner has reason to believe that the remains are Native American, the Coroner shall contact the NAHC within 48 hours.

The NAHC will designate a Most Likely Descendent who will make recommendations concerning the disposition of the remains in consultation with the lead agency and project archaeologist (California Public Resources Code §5097.98). If the Landowner/Agency fails to accept the MLD’s recommendation or if no MLD is available for whatever reason, the Landowner/Agency or the culturally appropriate Native American group may ask the Native American Heritage Commission for assistance under California Public Resources Code Section 5097.4, subsection (k) and/or (l).

If there are specific resources in or near this location of which we should be aware or you wish to initiate government-to-government consultation, please contact Mr. Saltzberg within 90 days of the date of this letter:

Jay Saltzberg
Planning Manager
Community Development Department
6650 Beach Blvd.
Buena Park, CA 90622

P - 714 562 3615
F - 714 562 3770
jsaltzberg@buenapark.com

Thank you for your consideration.

Sincerely,

Jay Saltzberg, Planning Manager
December 11, 2007

Mr. Samuel H. Dunlap
Gabrielnino/Tongva Council / Gabrielnino Tongva Nation
761 Terminal Street, Bldg. 1, 2nd Flr.
Los Angeles, CA 90021

Subject: SB 18 Consultation (Government Code §65352.3): Beach and Orangethorpe Mixed-Use Development Project Specific Plan, City of Buena Park, Orange County, California

Dear Mr. Dunlap:

Pursuant to Government Code §65352.3 (SB 18) and in an effort to fully evaluate potential adverse effects to cultural resources, the City of Buena Park is contacting you to elicit information not contained in the present database and offer to initiate government-to-government consultation should you choose.

Project Description

The proposed Beach and Orangethorpe Mixed-Use Development involves the development of approximately 1,000 residential units within high-rise buildings, 355,000 square feet of retail, a hotel (300 rooms) with a possible timeshare component and banquet/conference facilities, and approximately 4,800 above and below-ground parking spaces. The proposed project would be developed in two phases. As an option for the first phase of development, one of the proposed residential buildings may be developed as an office building. Additional project description information is attached.

The project site is predominantly flat with no distinguishing topographical features. Generally, the center and southeastern portions of the site are undeveloped. Residential uses are located along the northern and eastern perimeters and commercial and restaurant uses are located along the northwestern and southwestern corners of the site. There is also one single-family residence in the southern portion of the site. Single-family residential uses lie north and east of the project site. West and south of the project site are various commercial uses.

Cultural Resources Data

A records search conducted by the South Central Coastal Information Center at California State University, Fullerton on November 1, 2007 indicates the project area has not been previously surveyed. No cultural resource sites have been previously identified within the project area.

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Review of the Sacred Lands File by the Native American Heritage Commission (NAHC) on October 10, 2007 "failed to indicate the presence of Native American cultural resources in the immediate project area." A separate request to the NAHC resulted in a California Tribal Consultation List for the City of Buena Park.

**Proposed Treatment**

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If there are specific resources in or near this location of which we should be aware or you wish to initiate government-to-government consultation, please contact Mr. Saltzberg within 90 days of the date of this letter:

Jay Saltzberg  
Planning Manager  
Community Development Department  
6650 Beach Blvd.  
Buena Park, CA 90622

P - 714 562 3615  
F - 714 562 3770  
jsaltzberg@buenapark.com

Thank you for your consideration.

Sincerely,

Jay Saltzberg, Planning Manager
December 11, 2007

Mr. Anthony Morales  
Gabrieleno/Tongva Tribal Council  
P.O. Box 693  
San Gabriel, CA 91778  

Subject: SB 18 Consultation (Government Code §65352.3): Beach and Orangethorpe Mixed-Use Development Project Specific Plan, City of Buena Park, Orange County, California

Dear Mr. Morales:

Pursuant to Government Code §65352.3 (SB 18) and in an effort to fully evaluate potential adverse effects to cultural resources, the City of Buena Park is contacting you to elicit information not contained in the present database and offer to initiate government-to-government consultation should you choose.

Project Description

The proposed Beach and Orangethorpe Mixed-Use Development involves the development of approximately 1,000 residential units within high-rise buildings, 355,000 square feet of retail, a hotel (300 rooms) with a possible timeshare component and banquet/conference facilities, and approximately 4,800 above and below-ground parking spaces. The proposed project would be developed in two phases. As an option for the first phase of development, one of the proposed residential buildings may be developed as an office building. Additional project description information is attached.

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Review of the Sacred Lands File by the Native American Heritage Commission (NAHC) on October 10, 2007 "failed to indicate the presence of Native American cultural resources in the immediate project area." A separate request to the NAHC resulted in a California Tribal Consultation List for the City of Buena Park.

Proposed Treatment

Given the results of survey and the lack of previously identified Native American cultural resources within the one-mile search radius, cultural resources monitoring will not be recommended. However, recommendations will include a provision to halt work and contact a qualified archaeologist in the event any cultural resources are encountered during construction, as well as interested Native American groups if the resources are prehistoric in nature. In addition, if human remains are discovered, the Orange County Coroner’s office must be notified immediately under state law (California Health and Safety Code §7050.5) and all activities in the immediate area of the find must cease until appropriate and lawful measures have been implemented. If the Coroner has reason to believe that the remains are Native American, the Coroner shall contact the NAHC within 48 hours.

The NAHC will designate a Most Likely Descendent who will make recommendations concerning the disposition of the remains in consultation with the lead agency and project archaeologist (California Public Resources Code §5097.98). If the Landowner/Agency fails to accept the MLD’s recommendation or if no MLD is available for whatever reason, the Landowner/Agency or the culturally appropriate Native American group may ask the Native American Heritage Commission for assistance under California Public Resources Code Section 5097.4, subsection (k) and/ or (l).

If there are specific resources in or near this location of which we should be aware or you wish to initiate government-to-government consultation, please contact Mr. Saltzberg within 90 days of the date of this letter:

Jay Saltzberg
Planning Manager
Community Development Department
6650 Beach Blvd.
Buena Park, CA 90622

P - 714 562 3615
F - 714 562 3770
jsaltzberg@buenapark.com

Thank you for your consideration.

Sincerely,

Jay Saltzberg, Planning Manager
December 11, 2007

Mr. Anthony Rivera
Juaneno Band of Mission Indians
31411-A La Matanza Street
San Juan Capistrano, CA 92675-2674

Subject: SB 18 Consultation (Government Code §65352.3): Beach and Orangethorpe Mixed-Use Development Project Specific Plan, City of Buena Park, Orange County, California

Dear Mr. Rivera:

Pursuant to Government Code §65352.3 (SB 18) and in an effort to fully evaluate potential adverse effects to cultural resources, the City of Buena Park is contacting you to elicit information not contained in the present database and offer to initiate government-to-government consultation should you choose.

Project Description

The proposed Beach and Orangethorpe Mixed-Use Development involves the development of approximately 1,000 residential units within high-rise buildings, 355,000 square feet of retail, a hotel (300 rooms) with a possible timeshare component and banquet/conference facilities, and approximately 4,800 above and below-ground parking spaces. The proposed project would be developed in two phases. As an option for the first phase of development, one of the proposed residential buildings may be developed as an office building. Additional project description information is attached.

The project site is predominantly flat with no distinguishing topographical features. Generally, the center and southeastern portions of the site are undeveloped. Residential uses are located along the northern and eastern perimeters and commercial and restaurant uses are located along the northwestern and southwestern corners of the site. There is also one single-family residence in the southern portion of the site. Single-family residential uses lie north and east of the project site. West and south of the project site are various commercial uses.

Cultural Resources Data

A records search conducted by the South Central Coastal Information Center at California State University, Fullerton on November 1, 2007 indicates the project area has not been previously surveyed. No cultural resource sites have been previously identified within the project area.

The central open portion of the project area was inspected for prehistoric and historic period cultural resources by Mr. Paul O. Shattuck on November 12, 2007 under the supervision of Mr. Brian K. Glenn, M.A., a Registered Professional Archaeologist approved by the County of Orange to conduct cultural resources investigations. Residential front yards were visually, though not systematically inspected. Back yards were not inspected, though aerial photography indicates the majority of the yards are covered by lawns.
Mr. Anthony Rivera  
December 11, 2007  
Page 2  

Pedestrian survey of the central portion of the project area was conducted using transects spaced no greater than 15 meters apart. The survey failed to identify any prehistoric or historic period cultural resources.

Review of the Sacred Lands File by the Native American Heritage Commission (NAHC) on October 10, 2007 “failed to indicate the presence of Native American cultural resources in the immediate project area.” A separate request to the NAHC resulted in a California Tribal Consultation List for the City of Buena Park.

Proposed Treatment

Given the results of survey and the lack of previously identified Native American cultural resources within the one-mile search radius, cultural resources monitoring will not be recommended. However, recommendations will include a provision to halt work and contact a qualified archaeologist in the event any cultural resources are encountered during construction, as well as interested Native American groups if the resources are prehistoric in nature. In addition, if human remains are discovered, the Orange County Coroner’s office must be notified immediately under state law (California Health and Safety Code §7050.5) and all activities in the immediate area of the find must cease until appropriate and lawful measures have been implemented. If the Coroner has reason to believe that the remains are Native American, the Coroner shall contact the NAHC within 48 hours.

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Jay Saltzberg  
Planning Manager  
Community Development Department  
6650 Beach Blvd.  
Buena Park, CA 90622

P - 714 562 3615  
F - 714 562 3770  
jlsaltzberg@buenapark.com

Thank you for your consideration.

Sincerely,

Jay Saltzberg, Planning Manager
December 11, 2007

Mr. Bud Sepulveda
Juaneno Band of Mission Indians
P.O. Box 25828
Santa Ana, CA 92799

Subject: SB 18 Consultation (Government Code §65352.3): Beach and Orangethorpe Mixed-Use Development Project Specific Plan, City of Buena Park, Orange County, California

Dear Mr. Sepulveda:

Pursuant to Government Code §65352.3 (SB 18) and in an effort to fully evaluate potential adverse effects to cultural resources, the City of Buena Park is contacting you to elicit information not contained in the present database and offer to initiate government-to-government consultation should you choose.

Project Description
The proposed Beach and Orangethorpe Mixed-Use Development involves the development of approximately 1,000 residential units within high-rise buildings, 355,000 square feet of retail, a hotel (300 rooms) with a possible timeshare component and banquet/conference facilities, and approximately 4,800 above and below-ground parking spaces. The proposed project would be developed in two phases. As an option for the first phase of development, one of the proposed residential buildings may be developed as an office building. Additional project description information is attached.

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Proposed Treatment

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If there are specific resources in or near this location of which we should be aware or you wish to initiate government-to-government consultation, please contact Mr. Saltzberg within 90 days of the date of this letter:

Jay Saltzberg
Planning Manager
Community Development Department
6650 Beach Blvd.
Buena Park, CA 90622

P - 714 562 3615
F - 714 562 3770
jsaltzberg@buenapark.com

Thank you for your consideration.

Sincerely,

Jay Saltzberg, Planning Manager
The NAHC failed to indicate the presence of Native American cultural resources in the immediate Project Area.

<table>
<thead>
<tr>
<th>Individual</th>
<th>Native American Group</th>
<th>Date Letter Mailed</th>
<th>Certified Mail Rec'd</th>
<th>Date Telephoned</th>
<th>Comments</th>
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<td>David Belardes</td>
<td>Juaneno Band of Mission Indians, Achanemen Nation</td>
<td>12/11/07</td>
<td></td>
<td>04/04/08</td>
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<tr>
<td>Anthony Rivera</td>
<td>Juaneno Band of Mission Indians, Achanemen Nation</td>
<td>12/11/07</td>
<td></td>
<td>04/04/08</td>
<td>Spoke with Rivera, sent email with project letter and map to Rivera and Jim of nativeenvirosolutions.</td>
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<tr>
<td>Samuel H. Dunlap</td>
<td>Gabrieleno-Tongva Council / Gabrieleno Tongva Nation</td>
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<td>Anthony Morales</td>
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<td></td>
<td>04/04/08</td>
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</table>

BuenaPa J002 list of SB18 Calls
APPENDIX D

NATURAL HISTORY MUSEUM OF LOS ANGELES COUNTY CORRESPONDENCE
BonTerra Consulting  
151 Kalmus Drive, Suite E-200  
Costa Mesa, CA  92626-7969

Attn: Brian K. Glenn, Cultural Resources Manager

re: Paleontological Resources for the proposed BuenaPa J002: M+D Properties Project, in the City of Buena Park, Orange County, project area

Dear Brian:

I have conducted a thorough search of our Vertebrate Paleontology records for the proposed BuenaPa J002: M+D Properties Project, in the City of Buena Park, Orange County, project area as outlined on the section of the Anaheim USGS topographic quadrangle map that you sent to me on 4 October 2007. We do not have any vertebrate fossil localities that occur directly within the project boundaries, but we do have localities nearby from the similar sedimentary deposits as occur in the proposed project area.

Surficial sediments in the proposed project site and in the surrounding area consist of younger terrestrial Quaternary Alluvium, with older terrestrial Quaternary sediments occurring at various depths, as part of the general floodplain or fan deposits in the Santa Ana Basin. We have no localities anywhere nearby from the younger Quaternary Alluvium, which is unlikely to contain significant vertebrate fossils, at least in the uppermost layers. Our closest fossil vertebrate locality to the proposed project area is LACM 3524, situated northeast of the proposed project area north of Malvern Avenue and Brea Creek west of Gilbert Street, that produced fossil ungulates from the Late Pleistocene terrace deposits of the La Habra Formation that outcrop extensively in the Coyote Hills. We have numerous localities within the La Habra Formation northwest of the proposed project area distributed along Coyote Creek and the southwestern portion of the West Coyote Hills. It is unclear whether deposits of the La Habra Formation occur at depth at the proposed project area. Our closest vertebrate fossil locality that occurs in Quaternary sediments similar to those in the proposed project area is LACM 4943, situated east-southeast of the proposed project area in the City of Orange between the Newport Freeway (Highway 55) and the...
Santa Ana River near the intersection of Glassell Street and Fletcher Avenue. LACM 4943 is higher in elevation that the proposed project site area, but produced fossil horse, Equus, at a depth of 8-10 feet below the surface.

Surface grading or shallow excavations in the uppermost few feet of the younger Quaternary alluvial sediments in the proposed project area are unlikely to uncover significant fossil vertebrate remains. Deeper excavations that extend down into older Quaternary sediments, however, may well encounter significant vertebrate fossils. Any substantial excavations in the proposed project area below the uppermost layers, probably at least six feet below the surface, therefore, should be closely monitored to quickly and professionally collect any specimens without impeding development. Any fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

This records search covers only the vertebrate paleontology records of the Natural History Museum of Los Angeles County. It is not intended to be a thorough paleontological survey of the proposed project area covering other institutional records, a literature survey, or any potential on-site survey.

Sincerely,

[Signature]

Samuel A. McLeod, Ph.D.
Vertebrate Paleontology

enclosure: invoice