

4.3 Cultural Resources

This section evaluates the potential for impacts relating to cultural resources resulting from implementation of the OC River Walk Project (project).

The analysis in this section is based in part on the OC River Walk Project Cultural Resources Survey Letter Report – Negative Findings prepared by Harris & Associates (2024). A complete copy of the report is included in Appendix E, Cultural Memo.

4.3.1 Environmental Setting

4.3.1.1 Regulatory Setting

The treatment of cultural resources is governed by federal and state laws and guidelines. Specific criteria exist to determine if prehistoric and historic sites or objects are significant or protected by law. Federal and state significance criteria generally focus on the resource's integrity and uniqueness, its relationship to similar resources, and its potential to contribute important information to scholarly research. Some resources that do not meet federal significance criteria may be considered significant under state criteria. The laws and regulations seek to mitigate impacts to significant prehistoric or historical resources. The federal and state laws and guidelines for protecting historical resources are summarized below.

Federal

National Historic Preservation Act (U.S. Code, Title 54, Section 300101 et seq.)

The National Historic Preservation Act of 1966 established the National Register of Historic Places (NRHP) as the official federal list of cultural resources that have been nominated by state offices for their historical significance at the local, state, or national level. Listing in the NRHP provides recognition that a property is significant to the nation, the state, or the community and assumes that federal agencies consider historical value in the planning for federal and federally assisted projects. Properties listed in the NRHP or determined eligible for listing must meet certain criteria for historical significance and possess integrity of form, location, and setting. Structures and features must usually be at least 50 years old to be considered for listing in the NRHP, barring exceptional circumstances. Criteria for listing in the NRHP, which are set forth in the Code of Federal Regulations, Title 36, Part 60.4, are as follows: the quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and that:

- A. Are associated with events that have made a significant contribution to the broad patterns of our history; or
- B. Are associated with the lives of persons significant in our past; or

- C. Embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values; represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded, or may be likely to yield, information important in prehistory or history.

Eligible properties must meet at least one of the criteria and exhibit integrity, which is measured by the degree to which the resource retains its historic properties and conveys its historic character, the degree to which the original fabric has been retained, and the reversibility of changes to the property. The fourth criterion is typically reserved for archaeological and paleontological resources. These criteria have largely been incorporated into the California Environmental Quality Act (CEQA) Guidelines.

Native American Graves Protection and Repatriation Act (U.S. Code, Title 25, Section 3001 et seq.)

The Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 provides a process for museums and federal agencies to return certain Native American cultural items—human remains, funerary objects, sacred objects, or objects of cultural patrimony—to lineal descendants and culturally affiliated Native American Tribes and Native Hawaiian organizations. NAGPRA includes provisions for unclaimed and culturally unidentifiable Native American cultural items, intentional and inadvertent discovery of Native American cultural items on federal and Tribal lands, and penalties for noncompliance and illegal trafficking. Implementation of the project would be conducted in compliance with NAGPRA.

Federal curation regulations are also provided in the Code of Federal Regulations, Title 36, Part 79, and apply to collections that are excavated or removed under the authority of the Antiquities Act (16 USC 431–433), the Reservoir Salvage Act (16 USC 469–469c), Section 110 of the National Historic Preservation Act (16 USC 470h-2), or the Archaeological Resources Protection Act (16 USC 470aa–mm). Such collections generally include those that are the result of a prehistoric or historical resources survey, excavation, or other study conducted in connection with a federal action, assistance, license, or permit.

State

Assembly Bill 52: Native Americans: California Environmental Quality Act

Assembly Bill (AB) 52 (Chapter 532, Statutes of 2014) establishes a formal consultation process for California Native American Tribes as part of CEQA and equates significant impacts on Tribal Cultural Resources (TCRs) with significant environmental impacts (California Public Resources Code, Section 21084.2). California Public Resources Code, Section 21074, defines TCRs as follows:

1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - a. Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1.

Sacred places can include Native American sanctified cemeteries, places of worship, religious or ceremonial sites, and sacred shrines. In addition, both unique and non-unique archaeological resources, as defined in California Public Resources Code, Section 21083.2, can be TCRs if they meet the criteria detailed above. The lead agency relies on substantial evidence to make the determination that a resource qualifies as a TCR when it is not already listed in the California Register of Historical Resources (CRHR) or a local register.

AB 52 defines a “California Native American Tribe” as a Native American Tribe in California that is on the contact list maintained by the Native American Heritage Commission (NAHC) (California Public Resources Code, Section 21073). Under AB 52, formal consultation with Tribes is required before determining the level of environmental document if a Tribe has requested to be informed by the lead agency of proposed projects and if the Tribe, upon receiving notice of the project, accepts the opportunity to consult within 30 days of receipt of the notice. AB 52 also requires that consultation, if initiated, address project alternatives and mitigation measures for significant effects if specifically requested by the Tribe. AB 52 states that consultation is considered concluded when the parties agree to measures to mitigate or avoid a significant effect on TCRs or when either the Tribe or the lead agency concludes that mutual agreement cannot be reached after making a reasonable, good-faith effort. Under AB 52, any mitigation measures recommended by the lead agency or agreed on with the Tribe may be included in the final environmental document and in the adopted Mitigation Monitoring and Reporting Program if the mitigation measures were determined to avoid or lessen a significant impact on a TCR.

If the recommended measures are not included in the final environmental document, then the lead agency must consider the four mitigation methods described in California Public Resources Code, Section 21084.3(e). Any information submitted by a Tribe during the consultation process is considered confidential and is not subject to public review or disclosure. It will be published in a confidential appendix to the environmental document unless the Tribe consents to disclosure of all or some of the information to the public.

Assembly Bill 978: California Native American Graves Protection and Repatriation Act

The California NAGPRA, enacted in 2001, required the state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. California NAGPRA also provides a process for the identification and repatriation of these items to the appropriate Tribes.

California Government Code, Sections 6254(r) and 6254.10

Sections 6254(r) and 6254.10 of the California Government Code were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to “Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission.” Section 6254.10 specifically exempts from disclosure requests for “records that relate to archaeological site information and reports, maintained by, or in the possession of the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the NAHC, another state agency, or a local agency, including the records that the agency obtains through a consultation process between a Native American tribe and a state or local agency.”

California Health and Safety Code, Section 7050.5, and California Public Resources Code, Section 5097.9

California Health and Safety Code, Section 7050.5, addresses the protection of human remains discovered in any location other than a dedicated cemetery and makes it a misdemeanor for any person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law, except as provided in California Public Resources Code, Section 5097.99. It further states that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains will occur until the coroner of the county in which the human remains are discovered has determined that the remains are not subject to the provisions concerning investigation of the circumstances, manner, and cause of any death and that the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to their authorized representative, in the manner provided in California Public Resources Code, Section 5097.98. If the county coroner determines that the remains are not subject to their authority and if the county coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, they shall contact, within 24 hours by telephone, the NAHC. Whenever the NAHC receives notification of a discovery of Native American human remains from the county coroner, the agency shall immediately notify the most likely decedent if it believes them to be the most likely

descendant of the deceased Native American. The most likely descendant may inspect the site of the discovery and make recommendations on the removal or reburial of the remains.

California Register of Historical Resources

The CRHR is a state government program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The CRHR is the authoritative guide to the state's significant historical and archaeological resources and encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA.

The term "historical resource" includes but is not limited to any object, building, structure, site, area, place, record, or manuscript that is historically or archaeologically significant or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California (California Public Resources Code, Section 5020.1[j]). Historical resources may be designated as such through three different processes:

- Official designation or recognition by a local government pursuant to local ordinance or resolution (California Public Resources Code, Section 5020.1[k])
- A local survey conducted pursuant to California Public Resources Code, Section 5024.1(g)
- Listing in or eligibility for listing in the NRHP (California Public Resources Code, Section 5024.1[d][1])

To be eligible for listing in the CRHR, a building must satisfy at least one of the following four criteria:

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

Native American Historic Cultural Sites (California Public Resources Code, Section 5097 et. seq.)

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project;

and establishes the NAHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to 1 year in jail to deface or destroy a Native American historical or cultural site that is listed or may be eligible for listing in the CRHR.

Senate Bill 18: Traditional Tribal Cultural Places

As of March 1, 2005, Senate Bill (SB) 18 (California Government Code, Sections 65352.3 and 65352.4) requires that, before the adoption or amendment of a General Plan proposed on or after March 1, 2005, a city or county must consult with Native American Tribes with respect to the possible preservation of, or the mitigation of impacts to, specified Native American places, features, and objects within that jurisdiction. The consultation intends to establish a meaningful dialogue regarding potential means to preserve Native American places of importance. It allows for Tribes to hold conservation easements and for Tribal Cultural Places to be included in open space planning.

Local

City of Anaheim General Plan

The General Plan includes the following goals and policies related to historical resources that are specific to residential areas of the Anaheim Colony. However, those goals and policies do not apply to this project. No goals or policies are included in the General Plan related to archaeological resources or human remains.

City of Anaheim Citywide Historic Preservation Plan

In May 2010, the Anaheim City Council approved the Citywide Historic Preservation Plan, a list of contributors in the local historic districts, and a complete list of citywide historic structures. This plan provides procedures and criteria for designating historical resources. The Preservation Plan provides criteria for selecting special properties that merit historic designation. Official designation does not occur until the Planning and Building Director or the City Council certifies at the end of the application process that a building, structure, object, or district meets the criteria for designation. The City of Anaheim has three levels of recognition: (1) Historic Districts; (2) Historically Significant Structures; and (3) List of Structures of Historical Interest. “Historic Districts” are usually contiguous groups of buildings that are best evaluated together due to their common history and physical characteristics that contribute to the significance of the district.

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“Historically Significant Structures” are single properties outside historic districts that are visually identifiable reminders of the City’s history and the development of its built environment.

The City maintains a “List of Structures of Historical Interest” to track properties outside existing districts that have been identified by City staff or the public. These properties are simply a part of the City’s record for planning purposes. With further research, many of the properties on the list may be considered eventually for the higher designation of Historically Significant Structure.

The plan supplements the 1999 Anaheim Colony Historic District Preservation Plan and applies to the four historic districts (Anaheim Colony, Five Points, Historic Palm, and Hoskins) within the City. The plan does not apply to this project.

City of Anaheim Colony Historic District Preservation Plan

The Anaheim Colony Historic District Preservation Plan (Preservation Plan) (City of Anaheim 1999) provides basic guidelines and encourages property owners to take special care in preserving, protecting, or enhancing historic buildings. This plan does not apply to this project.

City of Anaheim Preservation Program

When the owner of a designated historic property or a potentially historic property (i.e., one included on the Structures of Historical Interest list) applies to the Building Division for a building permit, the property is flagged for consultation with historic preservation program staff.

All buildings identified as contributors to historic districts, Qualified Historic Structures in districts, Historically Significant Structures, and buildings on the citywide Structures of Historical Interest list that have been surveyed using a California Department of Parks and Recreation Form 523a require review prior to issuance of a demolition permit by the City’s Building Division. This process is not intended to apply to demolitions ordered by the Building Division Official or Fire Chief of the City of Anaheim to remedy conditions determined to be dangerous to life, health, safety, or property.

City of Orange General Plan

The General Plan includes goals and policies related to Cultural Resources and Historic Preservation. The Cultural Resources and Historic Preservation Element (Element) is based on prior actions taken to recognize historical resources and is an effort to expand the City’s historic preservation program to ensure recognition and preservation of the City’s resources. The Element provides guidelines to preserve those resources that represent the history and culture of Orange. Specifically, its purpose is to provide guidance in developing and implementing programs that ensure the identification, designation, and protection of cultural resources in the City’s planning, development, and permitting process. The Element also identifies ways in which the City can encourage and coordinate with private property owners in support of historic preservation. The following goals and policies are identified in the Element:

- **Goal 1.0 – Architecture and Community Resources:** Identify and preserve potential and listed historic resources, including buildings, structures, objects, sites, districts, and archaeological resources citywide.
 - **Policy 1.1:** Maintain an accessible inventory of designated and potential historic resources.
 - **Policy 1.2:** Promote community education and awareness of the significance of Orange’s potential and listed historic resources.
 - **Policy 1.3:** Provide long term assurance that potential and listed historic resources will be used, maintained, and rehabilitated in conformance with Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Preserving Historic Buildings (Secretary’s Standards).
 - **Policy 1.4:** Encourage alternatives to demolition such as architecturally-compatible rehabilitation, adaptive re-use, new construction, and relocation.
 - **Policy 1.5:** Require that no permit for alteration or demolition of properties identified in the Orange Historic Resources Inventory as potential historic resources shall be issued until alternatives to demolition have been duly considered.
 - **Policy 1.6:** Promote the preservation of cultural and historical resources controlled by governmental agencies, including those related to City, School District, and other agencies.
- **Goal 2.0 – Preserving Historic Neighborhood Character:** Identify and preserve neighborhoods that are culturally and historically significant but do not retain sufficient integrity for eligibility as a local, state, or national district.
 - **Policy 2.1:** Encourage identification and listing of Neighborhood Character Areas within the El Modena, Cypress Street Barrio, Railroad/Packinghouse Corridor, and Orange Park Acres neighborhoods.
 - **Policy 2.2:** Promote community and visitor awareness and education concerning the unique and special history and architecture found in Neighborhood Character Areas.
 - **Policy 2.3:** Ensure that those qualities that contribute to the historic character of designated Neighborhood Character Areas are retained through application of design guidelines consistent with the local context and key physical attributes of each neighborhood.
- **Goal 3.0 – Incentives and Education:** Provide incentives and expand education efforts for historic preservation.
 - **Policy 3.1:** Expand education efforts to facilitate and encourage historic preservation and recognition of the City’s historic resources.
 - **Policy 3.2:** Provide incentives to encourage and support historic preservation.
 - **Policy 3.3:** Actively seek funding for historic preservation activities.

- **Policy 3.4:** Leverage recognition of the City’s historic preservation program, participate directly in federal and state historic preservation programs, and gain access to designated historic preservation funding.
- **Policy 3.5:** Explore additional funding sources for maintenance and rehabilitation of historic resources.
- **Goal 4.0 – Archaeological and Cultural Resources:** Identify and preserve archaeological and cultural resources.
 - **Policy 4.1:** Identify, designate, and protect historically and culturally significant archaeological resources or sites.
 - **Policy 4.2:** Recognize the importance of Santiago Creek as an archaeological resource.
 - **Policy 4.3:** Encourage curation of any cultural resources and artifacts recovered in the City for public education and appreciation.
 - **Policy 4.4:** Celebrate the cultural history of the community by increasing community awareness through the design features of public projects and facilities such as parks, plazas, and community buildings.
 - **Policy 4.5:** Encourage private development to celebrate the cultural history of the community through project design.
 - **Policy 4.6:** Provide additional resources and promotion for the Orange Public Library Historic Collection.

4.3.1.2 Existing Conditions

The following sections describe the history of the project site and discuss known cultural resources, archaeological resources, and build environment resources in or around the project’s area of potential effect (APE). The APE includes an area within a half-mile radius of the project site.

Cultural resources are the tangible or intangible remains or traces left by prehistoric or historical people who inhabited the river adjacent region. They encompass both the built (post-1769) and archaeological environments. Cultural resources are typically in protected areas near water sources and multiple ecoregions and can include Traditional Cultural Places, such as gathering areas, landmarks, and ethnographic locations.

Prehistory

The generally accepted framework recognizes four broad temporal periods or cultural horizons. These are the Paleo-coastal or Early Man period dated to more than 10,000 years ago; the Millingstone Period, falling between 10,000 years ago and 3,000 years ago; the Intermediate Period from 3,000 years to 1,350 years ago, and the Late Prehistoric from 1,350 to 650 years ago.

Early Man/Initial Occupation: Initial occupation is thought to have occurred between 8,500 and 11,000 years ago (6,500–9,000 B.C.) in Southern California. One recent radiocarbon date from Santa Rosa Island suggests human occupation as early as 11,500 years ago and future research may prove even earlier occupation. Early occupants were viewed as mobile foragers primarily dependent on hunting terrestrial game. This period is characterized by the presence of large projectile points and scrapers, which is an indicator of a reliance on hunting. However, recent archaeological evidence from some coastal sites indicates the systematic and intensive use of marine resources, including shellfish, during this period.

Millingstone Period: Sites dating from around 8,000 years before present (6,000 B.C.) are far more common than those from the Initial Occupation period. They typically include groundstone assemblages, indicating a probable dependence on hard seeds. At coastal sites, there is continued evidence of a wide variety of marine resource exploitation, most commonly shellfish. Some archaeologists believed that terrestrial game still provided the foundation of the diet. Some archaeologists note that the abundance of Millingstone Horizon sites suggests a sedentary settlement system, rather than a mobile foraging pattern, with central settlements and a logistically based economy supplied from special purpose camps and task sites. Sites of this time period typically yield large numbers of metates and manos, as well as unique artifacts of unknown use, called cogged stones or discoidals.

Intermediate Period: This period, from 1,000 B.C. to A.D. 750, reflects the transitional period between the Milling Stone and Late Prehistoric Horizons. At the beginning of this period important changes began to occur in settlement, technology, and subsistence intensification caused by a growing population. Changes included the increased use of acorns, elaborate fishing technology, such as the introduction of the shell fishhook, and a diverse amount of hunting tools. The apparent disuse of the Newport Coast area during this period is thought to have indicated the arrival of Shoshonean-speaking groups from the deserts to the east. Archaeologists believe these people were proto-Gabrielino and Luiseño who were not yet familiar with marine resources.

Late Prehistoric Period: The Late Prehistoric Period, beginning approximately 1,350 years B.P. (650 A.D.), reflects high population densities and complex political, social, technological, and religious systems throughout the Los Angeles Basin. Economic systems, primarily based around the growing marine fisheries, became more diverse and intensive. The growing geographic complexity of trade networks is reflected in shell-bead currency and a variety of materials traded or acquired from remote locations. Technological improvements are seen in the appearance of the bow and arrow, the plank canoe in coastal sites, and a broad variety of marine resources including mammals and fish taken in deep sea environments. Settlements became permanent towns supported by temporary camps set up at resource procurement sites. Archaeological evidence of this time period includes the presence of projectile points, soapstone bowls, callus shell beads, steatite effigies, and cremations. This period ended abruptly when Spanish colonists began establishing missions along the California coast.

Ethnohistory

The project is situated within the ethnographic territory of the Gabrielino Indians of California. Gabrielino lands included most of present-day Los Angeles and Orange counties, and several offshore islands. The Gabrielino spoke a Cupan language in the Takic family, which in turn is a member of the Uto-Aztecan linguistic stock. The Gabrielino people lived in either permanent or semi-permanent villages. Known settlement locations seem to have favored two different locales: coastal estuaries and major inland watercourses. Villages are thought to have been the focus of family life, with each individual group linked to others by paternal kinship relations. Coastal Gabrielino exploited bay and kelpbed fish, shellfish, and occasionally sea mammals. Inland groups collected and processed plants and hunted deer, bear, quail, and other terrestrial game.

Gabrielino culture was heavily affected by colonial Spanish missionary efforts long before systematic ethnographic studies could be conducted. Disease and forced participation in the mission system disrupted most traditional cultural lifeways and resulted in a catastrophic reduction of the native population. Information about their material culture and life ways is very limited and derived largely from historical sources, such as the diaries and records of early missionaries, soldiers, and explorers. While traveling through the area in 1769, Father Crespi noted the presence of a large village, Hotuuknga, upstream from present-day Olive on the north side of the Santa Ana River. Crespi wrote that 52 Indians came to greet them and accepted blankets, beads, and other goods. When he returned 2 years later the group was hostile, and the Spaniards quickly continued on their way. A small “Indian camp” was visible on the north side of Santiago Creek just west of the Glassell Street crossing as late as the 1870s.

What little ethnographic information is available suggests that the Late Prehistoric Gabrielino settlement pattern may have been characterized by a complex of central villages occupied by patrilineally constructed family lineages and smaller special purpose sites where specific resources were extracted or where food or other resources were collected for transportation back to central villages. Such a pattern is consistent with the “collector” economic model for complex hunter-gatherer societies such as the Gabrielino.

A discussion of the ethnohistoric and ethnographic background of the project site and surrounding areas is provided in Section 4.10, Tribal Cultural Resources, of this environmental impact report.

History

The earliest known records of European contact with Southern California Native Americans date to the mid-1500s, representing the early explorations of the Spanish. These explorations included the identification of populations from ships, but did not include direct contact. Personal contact was not made until the 1770s, when Father Garces traversed the Mojave Desert and entered coastal Southern California through the Cajon Pass.

In 1771, the Mission San Gabriel Archangel was founded. It soon became one of the richest missions controlling all of the property in Orange County north of Aliso Creek and a large portion of Los Angeles County. The Gabrielino Indians are named after the mission.

In the late 18th Century, Felipe de Neve, Spanish Governor of California, saw the opportunity to establish a pueblo along the River Los Angeles north of the San Gabriel Mission. The primary purpose of the pueblo was to reaffirm Spain's claim over the territory in the face of encroachments by Russia in the north and Britain from the sea. The pueblo would also help to keep Spain's California military garrisons supplied and fed.

In August 1781, Governor de Neve, the settlers (11 men, 11 women, and 22 children), soldiers, mission priests, and a few Native Americans arrived at the new pueblo alongside the Los Angeles River. Governor de Neve recorded the date of September 4, 1781, as the official date of establishment of El Pueblo de la Reina de Los Angeles.

Americans first arrived in Los Angeles by way of nearby San Pedro, then an unimproved port. Beginning in 1805, U.S. vessels kept up an intermittent trade with the area's farmers, and in 1818 a crewmember, Joseph Chapman, helped construct the town's first church. In 1826, Jedidiah Smith, a fur trapper, became the first white man to reach Los Angeles by traveling overland from the Missouri frontier.

Los Angeles was little affected by the revolution that replaced Spanish rule with that of an independent Mexican government in 1821. Mexico's Congress declared Los Angeles the capital of California in 1835, but the provincial governor refused to move south from San Francisco. Therefore, the City's relative isolation and the local authority of farmers and ranchers remained unthreatened. By the 1840s, Los Angeles had become the largest settlement in Southern California.

General History of the City of Orange

The City of Orange was incorporated on April 6, 1888, under the general laws of the State of California; however, Orange dates back to 1869 when Alfred Chapman and Andrew Glassell, both lawyers, accepted 1,385 acres of land from the Rancho Santiago de Santa Ana as legal fees.

Soon thereafter, the men laid out a one square mile town with ten-acre farm lots surrounding a forty-acre central town site. The center of the town site became known as the Plaza, which has become the symbol of the community. Today, the Plaza and the majority of the original one square mile town site contain many homes and buildings dating to the early days of the City; the site is registered on the NRHP.

General History of the City of Anaheim

The historic period in Orange County began when Don Gaspar de Portola led 62 men from San Diego north toward San Francisco. On the night of July 29, 1769, the men camped at the mouth of Brea Canyon. Along on the expedition were two Franciscan missionaries, Fathers Crespi and Gomez.

Anaheim was founded in 1857 as a colony of German farmers and vintners. George Hansen, a founding member, identified the original 1,165 acres. The City's name is a composition of “Ana” from the nearby Santa Ana River and “heim,” German for home. Those early pioneers considered this location their “home by the river.” The early settlers constructed walls and fences made from willow poles to mark the boundaries of their settlement and to keep out herds of wild cattle. Some of these fence poles took root and became gates into the colony. These first settlers were farmers, and also writers, artists, and musicians. The first public buildings were not administrative facilities, but a school and an opera house. The North Gate is still preserved today at 775 N. Anaheim Boulevard and has been designated as a California State Landmark. Today this area comprises the City’s downtown area and surrounding historic neighborhoods bound by North, South, East, and West Streets.

Among the crops cultivated for the first few decades were grapes grown for wine. A plague in the 1870s wiped out the vineyards and, in their place, groves of citrus trees were planted. The first commercially grown oranges in Orange County were grown in Anaheim, where the growers attributed their success to the local hills which protected the fruit against the cold winds coming down from the mountains. Other crops included walnuts and chili peppers.

The City was incorporated in 1876 with a population of 881. The community grew slowly, but steadily for the next several decades. By 1920, the population was 5,526 and had become a tight-knit agricultural community. In 1887, the construction of the Santa Fe depot linked Anaheim's citrus growers with the eastern United States, providing vital markets for their golden crops. The beginning of a local tradition began in 1924 with the first Anaheim Halloween Parade. Billed as the “Greatest Night Pageant West of Mardi Gras,” the annual event drew some 150,000 spectators at the height of its popularity. Visitors lined the downtown streets and thousands more viewed the pageant from the La Palma Park grandstand.

Anaheim's small-town lifestyle continued through the first half of the 20th century. Center Street was the hub of community activity, where people gathered to celebrate local events and festivities and to mark such national and international events as the end of both World Wars, the assassination of President John Kennedy, and the first steps on the moon. In 1950, the town's population had grown to 14,556.

Project Site

Results of Records Search

Staff conducted a records search of the surrounding area using the California Historic Resources Inventory System. Data reviewed included identified reports and resources, historic maps, the NRHP, CRHR, and Built Environment Resources Directory.

Thirty-seven studies have been conducted within a 0.50-mile radius. Of those, 15 intersect with portions of the project site (Table 4.3-1, Prior Studies within 0.50-Mile Buffer).

Table 4.3-1. Prior Studies within 0.50-Mile Buffer

Study #	Title	Author	Year
OR-00270	Description and Evaluation of Cultural Resources Within the U.S. Army Corps of Engineers' Santa Ana River Project	Leonard, Nelson N. III and Matthew C. Hall	1975
OR-00609	Cultural Resources Report on 5 Proposed Hazardous Waste Storage Sites Located in Northern Orange County, California	Desautels, Mark	1981
OR-00801	Phase II Archaeological Studies Prado Basin and the Lower Santa Ana River	Langenwalter, Paul E. and James Brock	1985
OR-00814	ARCHAEOLOGICAL SURVEY REPORT for the 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	Romani, John F.	1982
OR-00894	An Archaeological Survey of the Orange Drive-in Theater Property Orange, California	McKenna, Jeanette A. and Hatheway, Roger G.	1988
OR-00895	Archaeological Survey Report: Villa Park-Lewis 230 Kv Transmission Line Right-Of-Way Orange County, California	Taylor, Thomas T.	1988
OR-01162	Monitoring Report for the Sports Arena in the City of Anaheim	Brown, Joan C.	1991
OR-01806	Cultural Resources Records Search and Literature Review Report for a Pacific Bell Mobile Services Telecommunications Facility Cm 069-12, Anaheim, Orange County, California	Mason, Roger D.	1998
OR-01836	Cultural Resource Review for Groundwater Replenishment System Program EIR/Tier I/EIS, Orange County Water District and County Sanitation Districts of Orange County	Padon, Beth	1998
OR-01900	Historical and Architectural Evaluation of Four Railroad Bridges, Lower Santa Ana River and Santiago Creek Orange County, California	Hatheway, Roger G.	1987
OR-02091	Cultural Resources Assessment for Pacific Bell Wireless Facility CM 282-02, County of Orange, California	Lapin, Philippe	2000
OR-02141	Inspection of Kinder Morgan Energy Partners Electrical Substation and Control Building Proposed Sites, Orange County	Self, William	2000
OR-02200	Cultural Resources Investigation for the Nextlink Fiber Optic Project, Los Angeles and Orange Counties, California	Atchley, Sara M.	2000
OR-02256	Cultural Resources Assessments for Orange County Sanitation Districts	Demcak, Carol R.	1999
OR-02354	Review of Cultural Resource Assessment/Evaluation for Cingular Wireless Site CM-282-03, Orange County, California	McKenna, Jeanette A.	2001

Table 4.3-1. Prior Studies within 0.50-Mile Buffer

Study #	Title	Author	Year
OR-02503	Construction of a Vehicular Parking Area Within a Portion of Caltrans Right-of-way Near the Southeasterly Corner of the Orange Freeway (State Route 57) Interchange at Ball Road in Anaheim	Shepard, Richard S.	2001
OR-02587	Revised Archaeological/Paleontological Monitoring Report for Arena Corporate Center Project, Contract Number PO#1058, Project #714375-01	Brown, Joan C.	2002
OR-02765	The Pinnacle at Uptown Orange	McKenna, Jeanette A.	2002
OR-02828	Archaeological Monitoring During Excavations for the Westwood College Project, Anaheim, California	Brown, Joan C.	2003
OR-02911	Sunkist Gardens, City of Anaheim, Orange County, California	Garcia, Kyle H.	2005
OR-03090	Taft/CA-8214 1320 South Sanderson Avenue, Anaheim, Orange County, California	Thal, Sean and Lorna Billat	2004
OR-03097	Cultural Resources Records Search Results and Site Visit for Sprint Nextel Candidate Ca7061 (monterey), 2023 West Collins Avenue, Orange, Orange County, California	Bonner, Wayne H.	2006
OR-03108	Cultural Resource Records Search and Site Visit for Cingular Telecommunications Facility Candidate Sc-043-02 (Calvary Baptist Church), 2780 East Wagner Avenue, Anaheim, Orange County, California	Bonner, Wayne H.	2003
OR-03287	Historic Property Survey Report for Tustin Branch Trail Network, City of Orange, Orange County, California	Mason, Roger D.	2002
OR-03373	Cultural Resources Final Report of Monitoring and Findings for the Qwest Network Construction Project State of California: Volumes I and II	Arrington, Cindy and Nancy Sikes	2006
OR-03651	Cultural Resources Records Search and Site Visit Results for Royal Street Communications, LLC Candidate LA2658A (SCE Barre Villa Park M6-T6), 1511 North Main Street, Orange County, California	Bonner, Wayne H. and Kathleen A. Crawford	2007
OR-03654	Direct APE Historic Architectural Assessment for Royal Street Communications, LLC Candidate LA2658A (SCE Barre Villa Park M6-T6), 1511 North Main Street, Orange, Orange County, California	Bonner, Wayne H. and Kathleen A. Crawford	2007
OR-04017	Cultural Resources Records Search and Site Visit Results for T-Mobile USA Candidate LA33523-A (Dupont Commercial), 2165 Dupont Drive, Anaheim, Orange County, California	Bonner, Wayne H.	2011
OR-04087	Program EIR/Tier 1 EIS, for the Groundwater Replenishment System	Salenius, Sylvia	1998
OR-04091	Cultural Resources Assessment for the Burris Basin Interpretive Loop Trail and the Lincoln Avenue Multi-Use Staging Area, City of Anaheim, Orange County, California	Fulton, Terri	2009
OR-04113	Cultural Resources Study of the Anaheim Stadium Project, AT&T Site No. OC0360, 2000 E. Gene Autry Way, Anaheim, Orange County, California 92806	Supernowicz, Dana E.	2010
OR-04156	Draft, Phase I Archaeological Resources Survey Report, Anaheim Regional Transportation Intermodal Center Project City of Anaheim, Orange County, California	Wood, Catherine M.	2009

Table 4.3-1. Prior Studies within 0.50-Mile Buffer

Study #	Title	Author	Year
OR-04259	Cultural Resources Monitoring Report, Orange County Water District Groundwater Replenishment System, Orange County, California	Becker, Kenneth, Goodman, John, Sewell, Kristin, and Van Galder, Sarah	2007
OR-04266	Cultural Resources Reconnaissance for the Groundwater Replenishment System, Orange County, California	Bissell, Ronald M.	2000
OR-04291	Results of Rough Grade Monitoring for the Artic Project in the City of Anaheim, California	Taft, Ryan	2012
OR-04367	Cultural Resources and Paleontological Resource -- Phase I Assessment for the Orange County Water District's Ball Road Basin General Plan Amendment and Zone Change Project, City of Anaheim, Orange County, California	Akyuz, Linda	2013
OR-04470	Cultural Resources Records Search and Site Visit Results for T-Mobile West, LLC Candidate LA02069A (CM069 Anaheim Auto Center Sign) 1383 South Auto Center Drive, Anaheim, Orange County, California	Bonner, Wayne H.	2013

Notes: **Bold** = Studies that intersect with the project site.

As shown in Table 4.3-2, Previously Recorded Cultural Resources within 0.50-Mile Buffer, five resources (four historic structures and one prehistoric isolate) were previously recorded within the 0.50-mile radius. One resource, the Atchison, Topeka & Santa Fe Railroad Bridge (ATS Bridge) a.k.a. Burlington Northern Santa Fe Railroad (P-30-176663) crosses over the project site.

Table 4.3-2. Previously Recorded Cultural Resources within 0.50-Mile Buffer

Primary Number	Chronological Placement ¹	Resource Type	Resource Name
P-30-100402	Prehistoric	Isolate – Mano	Isolate
P-30-176663	Historic	Structure – Railroad	Atchison, Topeka & Santa Fe Railroad (ATS Bridge) a.k.a. Burlington Northern Santa Fe Railroad
P-30-177113	Historic	Structure- Stadium	Angel Stadium of Anaheim
P-30-177465	Historic	Structure- Basin and Channel	Fletcher Retarding Basin and Channel
P-30-177610	Historic	Structure- Transmission Tower	SCE M6 T6 Barre Villa Park Transmission Tower

Note: **Bold** = Resources that intersect with the project site.

¹ This column indicates the time period for each resource type but does not determine whether a resource qualifies as a historical resource under CEQA Guidelines, Section 15064.5.

Site Survey

A survey was conducted by Harris & Associates on July 30, 2024. The goal of this survey was to provide a constraints-level survey to identify the location of any cultural resource that may be present on site.

The survey was conducted in 5- to 10-meter transects. The project site is developed and is primarily developed and covered in disturbed habitat. Dumping on site is evident, and visibility was high due to the paved concrete walkways, dirt patches, and dried vegetation. The survey area was relatively level, and greater assessment was focused on open areas.

Historical topographic maps and historical aeriels were reviewed from 1946 to 2022 (1946, 1952, 1963, 1972, 1980, 1985, 1987, 1988, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2002, 2003, 2004, 2005, 2009, 2010, 2012, 2014, 2016, 2018, 2020, and 2022). From 1946 through 1952, the project site was undeveloped except for the presence of railroad tracks, agricultural uses, and Interstate 5 nearby. By 1963, major roads (Katella Avenue, Struck Avenue, Ball Road, and Taft Avenue) are present or under construction. By 1972, residential and commercial development is present in the surrounding areas including Angels Stadium. State Route 57 is present by 1980. Development in the area remains essentially static through 2022.

The Santa Ana River has been heavily modified on both its east and west banks. The river channel was constructed in 1995 (PACE 2025) as a trapezoidal soft-bottom storm drain channel and its bottom is routinely graded for maintenance reasons such as flood control, sediment and erosion management, and stormwater conveyance.

Historical Resources

Harris & Associates conducted a survey on July 30, 2024, to provide a constraints-level survey to identify the location of any cultural resource that may be present on site. No historical resources were identified during the cultural survey. The APE is developed and has been historically disturbed.

Archaeological Resources

The survey conducted by Harris & Associates on July 30, 2024, did not identify any archaeological resources on site.

Tribal Cultural Resources

The NAHC was contacted for a Sacred Lands File Check to determine if sacred lands are present on site. The NAHC responded that the check yielded no previously known Native American sacred sites. Outreach has been conducted to the list of Tribes listed in the NAHC response letter (refer to Appendix E). No responses were received from the Tribes for the preparation of the Cultural Resources Survey Letter Report. A detailed discussion of the TCRs is provided in Section 4.10 of this EIR.

4.3.2 Thresholds of Significance

According to Appendix G of the CEQA Guidelines, the project would have a significant impact on cultural resources if it would:

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

The Initial Study (Appendix A to the EIR) determined that the following thresholds would have less than significant or no impact, and this environmental topic will not be addressed further in this section of the Draft EIR:

- Threshold CUL-3

4.3.3 Plans, Programs, and Policies

This section addresses plans, programs, and policies relevant to the project.

PPP CUL-1: The project shall comply with Section 7050.5 of the California Health and Safety Code in the event of discovery or recognition of any human remains in the project site. This provision states that no further disturbance would occur until the County Coroner makes a determination of origin and disposition pursuant to California Public Resources Code, Section 5097.98.

4.3.4 Environmental Impacts

The following sections address various potential impacts relating to cultural resources that could result from implementation of the project.

4.3.4.1 Threshold CUL-1: Historical Resources

Impact Analysis

The project site is not designated as a historic resource nor is the site proposed as a historic resource. Additionally, no listed or designated historical resources are in proximity to the site.

According to the records search using the California Historic Resources Inventory System, five resources (four historic structures and one prehistoric isolate) were previously recorded within the 0.50-mile radius. One resource, the ATS Bridge, crosses over the project site. The ATS Bridge was evaluated in 1987 by Roger Hatheway. According to the study:

The existing structure is not the original Santa Fe railroad bridge built to cross the Santa Ana River at this point. The earlier structure was replaced in 1916 and again in 1938 as a result of flood damage. The present structure is interesting, however, in that it is of a seemingly inordinate length. An answer to this problem is found through an examination of additional U.S. Geological Survey Maps. The 1950 edition clearly shows that the river channel widened considerably at this point. This may have been a result of either the 1916 or 1938 floods. The river channel has since been narrowed considerably, hence the anomaly between the bridge length and width of the river channel. The present bridge is, therefore, of engineering interest, although it is not of a unique design, method of construction, or of outstanding historical interest.

The bridge does not possess a high degree of integrity as the original structure was replaced more than once. The present structure contains portions of a 1916 bridge but is primarily a 1938 structure. The setting has also been altered, including the narrowing of the river channel. The majority of the structure is not more than 50 years old. This fact should, however, not be a major determining factor as the bridge is only one year less old than the 50-year eligibility date. The structure does not possess high artistic or design value as it is a simple standardized well deck girder common throughout California. The structure itself does not have significant historical associations. It is part of a major and historical transportation system but was not one of the first or most significant elements of this system. The structure does represent unusual scale in terms of its overall length. The structure is not an unusual or rare surviving example of its type.

The study determined that the ATS Bridge did not meet criteria for eligibility to the NRHP.

During the survey conducted by Harris & Associates on July 30, 2024. Additionally, historic topographic maps and historical aeriels were reviewed. The ATS Bridge is present in the southern portion of the project site. No changes to the bridge were identified (refer to photos 21, 39, and 44 in the Cultural Resources Survey Letter Report, included as Appendix E) and no new information was identified during the survey. The ATS Bridge is not eligible for listing to either the NRHP or CRHR; as such, it is not significant under CEQA. It will not be impacted by the project because it crosses over the project site. No historical resources were identified during the pedestrian survey.

The project includes development of 17 multi-purpose improvements that include Active Transportation (AT), River Activation (RA), and Community Amenities (CA) improvements, which will work to re-establish the river corridor as a place of interconnectivity and maximize its use. The site does not contain any existing structures that are 50 years old that would meet the criteria listed above. Therefore, redevelopment of the project site would not impact historical resources; no impacts would occur.

Level of Significance Before Mitigation: No impact.

Mitigation Measures: No mitigation measures are required.

4.3.4.2 Threshold CUL-2: Archaeological Resources

Impact Analysis

An archaeological field survey was conducted on July 30, 2024, to determine if cultural resources exist on the project site. The survey was completed in accordance with CEQA significance evaluation criteria. According to the Cultural Resources Survey Letter Report, included as Appendix E, no resources were recorded on the project site. There is little potential for archaeological resources to be present or disturbed by the proposed development. Based on the records search and the results of the field survey, archaeological resources are not expected to occur on the project site.

Level of Significance Before Mitigation: Less than significant.

Mitigation Measures: No mitigation measures are required.

4.3.5 Cumulative Impacts

This section addresses various potential cumulative impacts relating to cultural resources that could result from implementation of the project.

4.3.5.1 Cumulative Thresholds CUL-1 and CUL-2: Historical and Archaeological Resources

Direct impacts to on-site cultural resources are site-specific. Each development proposal received by the City undergoes environmental review and would be subject to the same resource protection requirements as the project as outlined in the City of Orange General Plan and the City of Anaheim General Plan, as applicable. If there is a potential for significant impacts on cultural resources, an investigation will be required to determine the nature and extent of the resources and to identify appropriate mitigation measures, including requirements such as those identified in this section. Based on the information presented in the required site-specific cultural resource studies, construction activities associated with the project would not impact any known prehistoric archaeological resources and the likelihood of uncovering previously unknown archaeological resources during project construction are low. As such, the project would not result in a cumulatively considerable contribution to a significant cumulative impact to archaeological resources.

4.3.6 Level of Significance Before Mitigation

The following thresholds would be less than significant:

- **Threshold CUL-1:** Implementation of the project would not adversely impact historical resources.
- **Threshold CUL-2:** Implementation of the project would not adversely impact archaeological resources.

4.3.7 Mitigation Measures

No mitigation measures are required.

4.3.8 Level of Significance After Mitigation

Not applicable.

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