

APPENDIX 4.5-1

CULTURAL RESOURCES ASSESSMENT



MEMORANDUM

To: Shea Properties
130 Vantis, Suite 200, Aliso Viejo, CA 92656

From: Jamie Nord, MA, RPA
Kimley-Horn and Associates, Inc.
3801 University Ave., Ste 300, Riverside, CA 92501

Date: February 8th, 2024

Subject: Cultural Resources Assessment for the Anaheim Hills Festival Project in the City of Anaheim, Orange County, California

To Whom It May Concern,

At the request of Shea Properties, Kimley-Horn and Associates, Inc. (KHA) conducted a Cultural Resources Assessment of the Anaheim Hills Festival Project (Project) site located in the City of Anaheim (City), Orange County, California. This study was completed to determine whether the Project contains or could reasonably contain, cultural resources and support the City's review of potential impacts to cultural resources within the property as a result of the proposed Project. A cultural resources records search, Sacred Lands File (SLF) search, and additional research was conducted to identify previously recorded and potential cultural resources within the proposed Project site.

Project Description

As proposed, the project would allow for the development of a 447-unit multi-family rental residential community. The development consists of a 4-story residential building wrapped around a 5-level parking structure with a subterranean level. Project amenities would include a clubhouse area, swimming pools, 5 courtyards, a fitness center, a leasing/mail area, and common open spaces. Parking would be provided in a garage structure with subsurface levels, and surface parking. The existing 62,676 sf movie theater would be demolished, and approximately 13,310 sf of remaining retail sf capacity would be transferred from DA 5 to DA 2. The retail within DA 5 includes the following existing uses, which would remain after Project implementation: 9,200 sf of office, 38,160 sf of Fitness/Gym, and 13,276 sf of tutor/retail space.

Project Location

The Project site is located in the northern portion of the Anaheim Hills community within City of Anaheim, Orange County, California (Figure 1). Specifically, the Project site is located along South Festival Drive on the south-western portion of the Festival Shopping Center area and south of East Santa Ana Canyon Road. (Figure 2).



Figure 1: Project Vicinity Map

Natural Setting

The Project site is located immediately south of the Santa Ana Canyon and the Santa Ana River. The river is the longest river within Southern California. It begins in the San Bernardino Mountains and flows southwest to the Pacific Ocean, crossing through San Bernardino, Riverside, and Orange Counties. The river supports a variety of plants and animals in its wetlands and riparian zones. The natural topography of the area is a marine terrace and mountainous backslope. Subsurface soil composition in the Project site consists of Myford sandy loam with eroded 2-30% slopes (SoilWeb 2024). Geologically, the northern half of the Project area is mapped as containing middle to early Pleistocene-aged alluvial fan deposits associated with the Santa Ana River (Qvof sa), while the southern half is mapped as Pliocene/Miocene aged sediments (Morton and Miller 2006). Multiple geologic fault lines are located in the vicinity, such as the Elsinore fault zone to the north and the Peralta Hills and El Modeno fault lines to the south (U.S. Geological Survey 2024).



Figure 2: Project Site Map

History

The history of Anaheim crosses numerous periods of human occupation, including precontact Native American occupation, the Spanish Mission Period, the Mexican Rancho Period, and the American Period. Specifically, the proposed Project area is located within the ancestral lands of the Juaneño/Acjachemen and Gabrieleño/Tongva. Kroeber (1925) recorded cultural territory information about southern California tribes, including the Gabrieleño/Tongva and Juaneño/Acjachemen. However, exact traditional territories remain unclear, especially in the coastal regions, for several reasons. First, traditional territories were dynamic and changing. Second, early European settlement in this region displaced Native Americans living here prior to significant ethnographic documentation of their occupation in this region. Although exact boundaries are undefined, a range of archaeological, ethnographic, and historic evidence still exists to support prehistoric occupation by Juaneño/Acjachemen and Gabrieleño/Tongva peoples in this part of the Santa Ana Valley (Gabrieleño [Tongva] Band of Mission Indians 2024; Juaneño Band of Mission Indians 2024)

Juaneño/Acjachemen lived in villages and camps throughout Orange County and adjacent areas (Juaneño Band of Mission Indians 2024). Each clan was politically independent but maintained cultural ties to one another via economic, religious, and social networks. The cultural group became known as Juaneño due to their presence and forced labor at the San Juan Capistrano Mission. Juaneño/Acjachemen relied on a variety of natural resources within the oak woodlands, valley meadows, river marshes and ocean in their ancestral lands.

Gabrieleño is a Spanish word associated with the San Gabriel Mission. Kroeber (1925) noted the presence of Gabrieleño/Tongva in the Santa Ana Valley, southern Channel Islands and greater Los Angeles Basin (Kroeber 1925). Kroeber also reported that the Gabrieleño/Tongva were engaging in trade with other regional communities and exporting marine resources. Gabrieleño/Tongva established settlements throughout their traditional lands, while fostering long-distance trade that included the prominent shell bead network (Eerkens et al. 2010; Gabrieleño [Tongva] Band of Mission Indians 2024). Through the sophisticated trade network, the Gabrieleño/Tongva maintained close ties with neighboring communities, such as the Chumash, Serrano, Cahuilla, Luiseno, and Mojave (Strong 1929).

Numerous archaeological investigations have occurred in the southern California, which have contributed to a regional chronology. Early chronologies were developed by Wallace (1955) and Warren (1968) with modifications made by Rice (1976), Kearns (1979), and Koerper (1981). The results of previous investigations indicate that proximity to water was an important consideration for Native Americans living in the Santa Ana watershed (Altschul et al. 2007). Native Americans developed villages and camps along the banks of the river in this region (Cameron 1999; Koerper et al. 1994). Some archaeological sites close to the coast have been naturally capped by alluvial sediments as well as construction fill, leading to large-scale archaeological projects (Boxt 2021). Local bay and river habitats provided a plethora of shellfish resources, including snails and clams, for the subsistence of Native Americans (Boxt 2021). In addition to exploiting a variety of sea and estuarine resources, Gabrieleño/Tongva and Juaneño/Acjachemen communities hunted terrestrial

mammals, such as deer and antelope, and gathered and processed a variety of native plants (King 2011).

Many Native Americans living in the area were forcibly recruited into the Spanish Mission system (King 2011). Mission records indicate the presence of Gabrieleño/Tongva and Juaneño/Acjachemen communities at the San Juan Capistrano, San Gabriel, and San Fernando Missions. After the vast decimation of Gabrieleño/Tongva and Juaneño/Acjachemen communities in the region due to forced removal, disease, and forced labor, the Spanish missions ended with the Decree for the Secularization of the Missions of California. Mexico gained independence from Spain, and the program of Mexican Land Grants in California began.

The Treaty of Guadalupe Hidalgo in 1848 ended the Mexican-American War and the Mexican Rancho Period. California achieved statehood in the U.S. in 1850. Afterwards, this area was largely settled as farmland due to the rich, fertile soil. The arrival of the railroad in the 1880s brought new industry and increased development to the region.

The City of Anaheim began as a German colony of farmers and vintners (City of Anaheim 2024; Orange County Historical Society 2024). There were originally 200 acres surveyed for the historic downtown city area. A plague in the 1870s destroyed many of the successful grape crops, and as a result, citrus groves were planted as a replacement. The City was incorporated in 1876. The City experienced several population booms, and by the 1960s, Anaheim's population exploded. Some contributing factors to Anaheim's fast-growing population and expansion were post-WWII industrialization, the success of Disneyland, and the development of the I-5 freeway.

Cultural Resources Records Search

A cultural resources records search was requested through the South Central Coastal Information Center (SCCIC) for the Project site and a 0.5-mile buffer. The results were provided on January 29th, 2024, and indicated that four (4) cultural studies have been conducted within the Project site, but that no cultural resources have been previously recorded (Attachment A). Results noted that an additional 21 cultural studies have been conducted within 0.5-mile of the Project site that resulted in the recordation of four (4) cultural resources. These four (4) cultural resources consist of prehistoric archaeological sites. Specifically, three resources are lithic scatters, and one resource contains habitation debris with a lithic scatter. The resources are generally located north and east of the Project site. Specifically, P-30-00819 is located 0.10 miles to the north, P-30-01067 is 0.30 miles northeast, P-30-00818 is 0.40 miles northeast, and P-30-001244 is 0.40 miles southeast. No cultural resources have been identified within the Project site, inclusive of the proposed development area (DA 5).

Sacred Lands File Search

A Sacred Lands File (SLF) search was requested through the Native American Heritage Commission (NAHC) for the proposed Project area. The NAHC responded on January 10th, 2024, and indicated that the results were positive (Attachment B). The NAHC also indicated that the Juaneño Band of

Mission Indians Acjachemen Nation-Belardes should be contacted for further information. The City of Anaheim will conduct Tribal consultation under AB 52 for the proposed Project.

Additional Research

A review of available historical and topographic maps, aerial imagery, historic resource repository data, and literature was conducted to ascertain the level of existing disturbance and potential for cultural resources. A review of resource databases and repositories did not result in the identification of any present cultural resources in the Project site. The Bixby Bryant Ranch House, which is listed on the National Register, is located 3.5 miles east of the Project site. The house was one of the main ranch houses from the Rancho Santa Ana (National Park Service 2024).

Historic topographic maps of the proposed Project site date to 1896 (Historic Aerials 2024). The earliest maps only portray half of the Project site, displaying undeveloped land. The first map to cover the entire Project site dates to 1950 and also displays undeveloped land with the SR-91 to the north. Similarly, historic aerial images of the proposed Project site from 1946 indicate that the Project site was undeveloped at this time. Residential communities were developed in the mid-1980s adjacent to the Project site. In 1992, the Project site was mass graded, and by 1993, the Project site had been developed with commercial buildings and a parking lot. A few additional buildings were built after 1993.

Results

The archaeological sensitivity of the proposed Project site is considered high given its proximity to the Santa Ana River and adjacent resource-rich mountains and hillsides. Native Americans often developed settlements along major rivers and it is well-known that the Santa Ana River served many major utilitarian and culturally significant uses to the indigenous population. This use is evidenced by the recordation of four (4) previously recorded precontact archaeological sites within 0.5 miles of the Project site. Notably, the site P-30-00819 with recorded habitation debris was recorded in the vicinity, specifically 0.10 miles north of the Project site. In addition, the northern half of the Project site is mapped as Pleistocene-aged alluvial deposits, which have high potential for burying Holocene-aged (i.e. era of human occupation) cultural materials at varying depths. In contrast, the southern portion of the Project site contains much older and more static soils with very little potential for buried resources. As the Project site has been developed in the past, it is unlikely the southern portion of the Project site, where cultural materials would have been on or very near the ground surface, contains any intact cultural resources. However, as the northern half of the Project site has high potential for buried resources at various depths, and as the depth of prior disturbance in the northern half of the Project site is unknown, the northern half of the Project site retains a moderate-to-high potential for buried cultural resources.

Recommendations

As a result of the research efforts in this memo report, Kimley-Horn and Associates, Inc. (KHA) did not identify any cultural resources within the Project site. However, based on the natural and geological setting, as well as known cultural uses of the site and nearby archaeological resources, the likelihood of buried archaeological resources within the northern half of the Project site remains high.

As such, this report recommends mitigation measures be included for a Cultural Resources Management Plan (CRMP), cultural resources-specific Worker's Environmental Awareness Program (WEAP) training, initial archaeological monitoring within the northern half of the Project site, and process for archaeological resources and human remains that may be inadvertently discovered during Project implementation. With such mitigation measures in place, impacts to cultural resources would be less than significant. An example of such measures are included below:

- **Cultural Resources Management Plan (CMRP):** Prior to issuance of any permit for ground-disturbing activities, the project applicant shall provide evidence to the City of Anaheim that a qualified professional archaeologist meeting Secretary of the Interior professional qualifications (Project Archaeologist) has been retained. The Project Archaeologist shall prepare a Cultural Resources Management Plan (CRMP) that discusses requires outlined in project mitigation related to cultural resources and Tribal Cultural Resources (TCRs), as appropriate. Specifically, the CRMP shall outline monitoring requirements (i.e. locations/depth, process to decrease/eliminate, etc.) and the process for inadvertent discoveries (i.e. notifications, recordation, treatment, etc.). The CRMP will be prepared in coordination with consulting Tribes, if any, and reviewed/approved by the City of Anaheim.
- **WEAP Training:** The Project Archaeologist will conduct a Worker Environmental Awareness Program (WEAP) training for all on-site personnel related to cultural resources for the Project. The training will provide an overview of how to identify cultural resources within the Project site and the process to follow in the case of inadvertent discovery, as outlined in the CRMP. All personnel that access the site must undergo this training, to include any personnel that engage with the Project after the initial WEAP training is provided.
- **Archaeological Monitoring:** The Project Archaeologist will be present, or supervise archaeological monitors (Monitors) who will be present, for initial ground-disturbing activities within the northern portion of the Project site, as identified within the CRMP (such as archaeological testing, surveys, grading, and excavation activities). After initial grading, should no cultural resources be present and/or subsurface soils indicate a low likelihood for intact resources, the Project Archaeologist will have the ability to recommend monitoring be decreased or eliminated after initial ground-disturbing activities are complete, which will be approved by the Lead Agency. In the event that cultural resources (archaeological or historical) are inadvertently unearthed or encountered during excavation and grading activities, the Project Archaeologist/Monitors may request that construction halt within 50 feet of the find and the Project Archaeologist shall review the resource to record and evaluate for potential significance. Should the Project Archaeologist have concerns that the find is potentially significant, the Project Archaeologist shall prepare a mitigation plan for review and approval by the City and any Consulting Tribes. If avoidance of the resource(s) is not feasible, salvage operation requirements pursuant to State CEQA Guidelines Section 15064.5 shall be followed.

- **Inadvertent Discovery of Human Remains:** If human remains are encountered during the undertaking, California State Health and Safety Code Section 7050.5 states that excavation shall stop and no further disturbance shall occur within 100 feet of the discovery until the County Coroner has made a determination of origin and disposition of the remains pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery within 48 hours of notification. If the NAHC is unable to identify an MLD, the MLD fails to make a recommendation, or the landowner or his/her authorized representative rejects the recommendation, the human remains and associated items will be interred on the property with appropriate dignity in a location that will not be subject to future disturbance.

It is important to note that this report does not include discussion related to the presence of Tribal Cultural Resources (TCR), as defined by CEQA, as this is determined via government-to-government consultation between the City of Anaheim and Native American Tribes. As such, recommendations made within this report as it relates to cultural resources of Native American origin, including draft mitigation measures, should be considered alongside the results of Tribal consultation.

Sincerely,

Jamie Nord, MA, RPA
Kimley-Horn and Associates, Inc.

RPA Number: 5502

Enclosures

Attachment A: Cultural Resources Records Search Results from the South Central Coastal Information Center

Attachment B: Sacred Lands File Search Results from the Native American Heritage Commission

References:

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Attachment A: Cultural Resources Records Search Results from the South Central Coastal Information Center

Attachment B: Sacred Lands File Search Results from the Native American Heritage Commission