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## **3.5 CULTURAL RESOURCES**

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### **3.5.1 INTRODUCTION**

Archaeological Associates (AA) prepared a cultural resource assessment of the areas of the site that are proposed for development. The complete cultural resource report is included as Appendix G of this EIR.

The purpose of the Cultural Resource Assessment is to identify all potentially significant cultural resources located within the study area. The information is needed since adoption of the proposed development plan could result in adverse effects upon locations of archaeological or historical importance. The scope of the Cultural Resource Assessment consisted of: (1) a records search to determine whether any previously recorded historic or prehistoric material is present on the property; (2) literature review; (3) Native American Scoping; and (4) a field reconnaissance to identify any previously unrecorded cultural resources within the boundaries of the study area.

### **3.5.2 ENVIRONMENTAL SETTING**

The existing Country Club comprises a 27-hole championship golf course that was originally designed by William Bell, Jr. in 1957 and partially re-designed by Ted Robinson in 1998. In addition, the Country Club offers a practice facility with driving range, bunker and chipping area. Other amenities include a modern Clubhouse (for dining, hospitality and socializing), tennis courts, and fitness center (Los Coyotes Country Club 2013).

#### **Prehistory**

Data recovered from Delta and Bay Area archaeological sites indicate a widespread, but sparsely populated culture of hunters and gatherers in the region as early as 5,660 years ago (Henn and Schenk 1970; Henn et al. 1972). This culture was replaced around 3,950 years ago by one adapted to bay-shore and marshland habitation. The Berkeley Pattern describes this later culture, although there is considerable regional variation (Moratto 1984:207-211). By 3,400 years ago, this group had settled in the southern Bay Area. From there they spread northward to the peninsula, westward to the coast, and southward to the Santa Clara Valley. They would remain in these areas until historic times. By 1,920 years ago, the Berkeley Pattern was developing into the Augustine Pattern, with its characteristic bow and arrow, tubular tobacco pipe, cremation, intensive acorn utilization, and complicated exchange systems. It was this emerging pattern that was destroyed by the Spanish mission system and subsequent historical developments (Moratto 1984:283).

#### **Regional History**

The archival research included a review of the land patents that are on file with the Bureau of Land Management (BLM) in the Moreno Valley office. The BLM General Land Office records indicate that one land patent has been recorded for the study area. The patent, which covers all of fractional Section 24, was issued to Francesca Uribe Ocampo and Francisco Pico in 1875 as part of the larger, 48,885-acre Los Coyotes Rancho. The acreage was acquired under authority of the

Spanish/Mexican Land Grant dated March 3, 1851 (9 Stat. 631). The patent is recorded as Document # Plc 472 (Accession # CACAAA 084788).

### **Cultural Resources Records Search**

Archaeological Associates staff conducted an in-person records search for the project at the South Central Coastal Information Center (SCCIC) at California State University, Fullerton. The search entailed a review of all previously recorded prehistoric and historic archaeological sites situated within a one-mile radius of the study area. Additionally, the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), California Historical Landmarks (CHL), California Points of Historical Interest (CPHI), and the California Directory of Properties (DOP, aka the HRI) were reviewed to identify any historic properties.

### **Previous Cultural Resource Surveys**

The results of the records search indicated that the areas of the Los Coyotes Country Club that fall within the project area (Zones A-D) have not been previously surveyed for cultural resources. The area outside Zones A-D, include seventeen cultural resources studies have been conducted within a one-mile radius. These investigations cover approximately 35% of the surrounding acreage within a one-mile radius. They include studies for both small (less than 40 acres) and large (40 acres or more) scale projects, linear alignments (e.g. roadways, railroads and utilities), test excavations, monitoring projects, and cellular phone sites.

One survey was conducted within the boundaries of the Los Coyotes Country Club, but outside the proposed development Zones A-D. It includes a site visit for a cellular phone antenna site (T-Mobile USA) located at the extreme southern tip of the Country Club property adjacent to Malvern Avenue. No historic or prehistoric material was found (Johnson 2010). The majority of surveys performed within a one-mile radius of the study area occurred within the former oil fields of the Coyote Hills development project.

### **Archaeological Sites Located Within the Study Area**

The results of the records search indicated that no prehistoric or historic archaeological sites have been previously recorded within the boundaries of the study area Zones A-D.

### **Archaeological Sites Located Within a One-Mile Radius**

One prehistoric archaeological site has been recorded within a one-mile radius of the project. The site (ORA-572, Primary # 30-000572) is approximately 1/2-mile northeast of the study area and within the City of Fullerton. The site is described as “Light surface scatter on ridge crest and SW slope: little midden apparent: artifacts on slope the result of slope wash: NW edge truncated by borrow pit: E edge obscured by cactus” (Briggs and Langenwalter 1975). The site was estimated to measure 300 x 125 meters and included artifacts such as a unifacial mano with pecking, a pestle fragment with asphaltum, obsidian and chert flakes, and polished stone fragments. One charred bone fragment was also recorded. A subsequent investigation of ORA-572 was conducted in 1982 and 1999. The 1999 site visit discovered that the former site known as Motorcycle Hill had been destroyed by construction (Maxon 1999). This archaeological site is mentioned in the Buena Park

2035 General Plan under “Archaeological and Paleontological Resources (City of Buena Park 2010:5-7 and 5-8). Based up the results of the records search conducted for this project, the SCCIC clearly shows the location of ORA-572 within the corporate boundary of Fullerton not Buena Park.

### **Heritage Properties**

No listed National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), California Historical Landmarks (CHL), or California Point of Historical Interest (CPHI) properties have been recorded within a one-mile radius of the project. Furthermore, the California State Directory of Properties (DOP) does not list any historic buildings in this part of Buena Park as having been previously evaluated for historical significance.

### **Historic Resources**

The records search did not identify any historic resources within the project boundary. However, during the field study two historic resources were identified. Both historic resources are briefly described below.

#### *Recreational/Facilities Management Building (Primary # 30-177496)*

Located immediately north of the Clubhouse are two, elongated buildings that have been joined to form one. According to historic maps and aerial photos, the vacant “joined” building was constructed circa 1955. As the structure is over 50 years of age, it merits consideration as a potentially historic structure. An architectural analysis of both wings of the building was performed by David Van Horn, Ph.D. (Architectural Historian). Below is a summary of the building architecture.

The westerly or recreational building formerly housed the tennis office, showers, locker rooms, and snack bar as early as the mid 1950s. It comprises a single-story, wood-framed structure that is constructed on a concrete slab. The building is clad in faux board-and-batten with panels of decorative Palos Verdes (PV) stone. Fenestration includes modern, aluminum sliders and fixed pane picture windows.

Located immediately to the east is a small snack bar area that has been partitioned from the locker room. Three short staircases lead down to the old pool area that originally included a wading pool, swimming pool, and diving pool. A low, semi-circular wall fashioned from red brick surrounded this area on the north, east, and south. The empty pools were filled and topped with concrete in the 1980s (McAuley 2013:pers. comm.). The building is currently vacant and in a state of disrepair.

The easterly building formerly housed the Administrative or Facilities Management offices. This elongated building is rectangular and wood-framed. It rests on a concrete slab and has a very low-pitched gable roof clad with rolled composition paper topped with pea gravel. Four sets of double entry doors range from solid metal, solid glass, or metal and glass. An exterior red brick chimney, which is obscured by vegetation, lies at the western end of the building. Fenestration on the south elevation includes fixed pane, picture windows flanked by one-over-one aluminum single hung sashes. A covered breezeway constructed from wooden timbers is supported by steel posts and covered with tongue and groove boards. Located above the breezeway and just below the

overhanging eaves are a series of fixed lights (clerestory) intended to provide natural lighting to the interior of the building. Attached to the east end of the building is a flat-roofed, mid 1970s addition constructed on a concrete slab. The entry door is identified as the Accounting Office. As the Administration/Facilities Management building (office building) was designed without an attic, all of the HVAC equipment and associated ducting is mounted on the roof of the building.

The two elongated buildings join each other where the pool patio area is covered with a large post and beam shade awning. Steel posts, lattice, and tongue-and-groove boards support the substantial shade cover. This patio adjoins the flat roofed covered entry to the Administration Building (Facilities Management). The building is presently vacant and in a state of disrepair. There have not been any exterior improvements to the office building in the past, other than routine maintenance.

### **Rock Monument (Primary # 30-177497)**

According to the Buena Park 2035 General Plan, one of the City's historic resources (Site 2-Los Coyotes Monument) lies within the study area at 8888 Los Coyotes Drive. It is said "to be located by the flag pole in front of the Los Coyotes Country Club. The Monument marks the exact location of Commodore Stockton's encampment, prior to the Battle of the San Gabriel River in 1847." (City of Buena Park 2010:5-2).

Located just northeast of the Los Coyotes Country Club guard building is a granite boulder resting on a concrete platform. The boulder lies between Los Coyotes Drive and a concrete golf cart path. Attached to the rock monument is a bronze plaque which reads "Commemorating the site of Los Coyotes House on the Old Trail where Commodore Stockton camped with the American Army on his way to meet General Fremont, Jan. 7, 1847" (Erected by Mojave Charter D.A.R. Fullerton, Cal. Feb 22, 1931). In his article on "The Mexican War and California: Los Angeles in the War with Mexico", Mark Denger of the California Center for Military History described the following account:

On January 7, Stockton's troops camped near the ranch house on Rancho Los Coyotes. Their resting spot was near a stream that is a tributary of Coyote Creek. The officers were entertained at the ranch house on Rancho Los Coyotes while the troops prepared to march on to Los Angeles the next day.

In the meantime, the *Californios* were planning an ambush at the San Gabrielle River. Flores prepared to ambush Stockton's men at La Jaboneria Ford on the river. Fortunately, during the night, Stockton's scouts discovered the Californians and he ordered his men to cross at a higher point-Bartolo Ford. Flores followed suit and was able to take up position before the slower-moving Americans reached the crossing. The American forces received word of the ambush and were prepared when they met Flores' forces at the river.

On the morning of January 8, about 350 Californios were not successful in facing Stockton's offensive. The Americans possessed superior firepower and a more professional military force. After two hours of artillery duels, infantry and cavalry charges, the Californians saw no chance of victory and conceded the Battle of the San Gabriel River by withdrawing (Denger 1998).

The granite boulder monument was originally located approximately 1/2-mile to the southwest near the corner of Malvern Avenue and Lockhaven Drive in Buena Park (McAuley 2013:pers. comm.). This is the approximate location where the Los Coyotes adobe house formerly stood (Southwest 1/4 of Section 25, Township 3 South, Range 11 West, SBBM). The Buena Park Historical Society stated that "...the old adobe house of Rancho Los Coyotes sat on the hill just above Malvern Avenue, at about where the south end of Lockhaven Drive is now in New Bellehurst. There are pepper and palm trees there that were around the old adobe in its last use late in the 19<sup>th</sup> century" (Buena Park Historical Society 2006).

Sometime in the late 1950s, the boulder monument was moved by a private party from the Malvern Avenue and Lockhaven Drive site and relocated onto the Los Coyotes Country Club property to allow for the Bellehurst project in Buena Park. The monument has remained on the Los Coyotes Country Club property for over 55 years.

### **Native American Consultation**

On February 22, 2013, a Sacred Lands File Check for the project area was requested. The search was conducted on February 25, 2013 by Mr. Dave Singleton, Program Analyst for the Native American Heritage Commission in Sacramento. The results of the search indicated that no sacred Native American sites have been recorded within the boundaries of the study area.

Letters of inquiry were sent to all fourteen Native American individuals and groups included on the NAHC consultation list. To date, three responses (2 written, 1 oral) have been received (see Appendix D of the cultural resources study).

### **Field Survey**

A pedestrian survey of the study area was conducted July 11, 2013 by Archaeological Associates staff. The purpose of the survey was to identify all potentially significant cultural resources situated within the boundaries of Zones A-D. Historic resources include places and structures relating to significant historic events or having historical or special aesthetic qualities in and of themselves and prehistoric resources, including Indian sites.

The surface visibility varied from 0 to 100% depending on the density of the low-lying vegetation and turf. Where feasible, the survey was conducted by walking parallel transects at 10-15 meter intervals across the study area. Where obstacles such as buildings or golfers rendered parallel transects impractical, meandering transects were utilized to complete a thorough examination of the study area.

The field survey did not identify any prehistoric resources. Two historic resources were identified and include the Recreational Facilities Management Building (Primary #30-177496) and the Rock Monument (Primary #30-177497). A complete description of each historic resource is included in the Cultural Resources Assessment in Appendix G.

### 3.5.3 IMPACTS AND MITIGATION MEASURES

#### *Thresholds of Significance*

CEQA Guidelines require that the project consider the significance of an undertaking's impacts to historic remains and archaeological sites determined to be historical resources under CEQA Section 15064.5. To properly evaluate the significance of impacts to such resources it is necessary to evaluate each resource in terms of the site significance criteria contained in this section of the CEQA Guidelines. In general, a resource shall be considered to be "historically significant" by the lead agency if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852). All significant resources must meet at least one of these basic criteria:

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

Even if a resource does not meet these criteria, it does not preclude a lead agency from determining that the resource may be a historical resource as defined in Public Resources Code sections 5020.1(j) or 5024.1.

CEQA Guidelines Section 15126.4(b)(3) direct public agencies to "avoid damaging effects" on cultural resources whenever it is feasible. If avoidance is not feasible, the significance of the resource shall be evaluated to determine impact and develop mitigation measures.

Generally speaking, a project's impacts may involve direct and/or indirect physical changes to a cultural resource. Examples of direct physical changes would be vegetation removal, vehicular travel over the surface, earth-moving activities, excavation, or alteration of the setting of a resource. Indirect impacts may result from increased erosion due to site clearance and preparation, inadvertent damage, or outright vandalism to exposed resources due to improved visibility or access.

Exposure of cultural resources during preconstruction site preparation or during construction excavation can also have a beneficial effect by making the data accessible for research. If these resources and their temporal and spatial context receive proper protection and analysis, they can add to the understanding of human adaptation to the environment and subsequent uses of the land and its resources. Analysis of cultural resources also can provide a very important key to prehistoric changes in population and human movement within and throughout a geographic region.

Thresholds of significance are criteria used to determine if the project creates damaging effects to cultural resources. Appendix G in the CEQA Guidelines provides the minimum "thresholds of significance" for impact assessment during the required CEQA review, and has been used as a standard for impact analysis. These guidelines are described in more detail in Section 15064.5 of the CEQA guidelines.

Substantial adverse change in the significance of a resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate setting such that the significance of the resource would be materially impaired. The significance of resources is materially impaired when a project:

- a. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources;
- b. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- c. Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.

Generally, a project that follows the Secretary of the Interior's *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* or the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (1995), shall be considered mitigated to a level that is less than a significant impact to the cultural resource.

A lead agency shall identify potentially feasible measures to mitigate adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures.

A threshold of significance is an identifiable quantitative, qualitative, or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency, and compliance with which means the effect normally will be determined to be less than significant.

### **3.5.3.1 CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF A HISTORICAL RESOURCE AS DEFINED IN §15064.5.**

#### **Historic Resources**

The records search did not identify the presence of any previously recorded historic resources within the study area. However, background research and field study resulted in the identification of two, previously undocumented potentially historic resources. Each is briefly discussed below.

*Joined Recreational/ Administration building (Primary # 30-177496)*

According to available information for Zone A “Residential,” the joined Recreational/Administration building and associated pool, tennis courts, and parking area will be

demolished prior to the construction of 125 private residences. A subsequent evaluation of the circa 1955 building for historic/architectural significance concluded that it does not appear eligible for the NRHP or the CRHR. Furthermore, a CRHR status code of 6Z “Found ineligible for NR, CR or Local designation through survey evaluation” has been assigned to the building. As a matter of course, the building was duly recorded with the SCCIC at Fullerton and assigned Primary # 30-177496 by the archaeologist of record. No additional work in conjunction with this historic resource is recommended.

*Rock Monument (Primary # 30-177497)*

It is believed that the existing rock monument (Primary # 30-177497) lies within Zone B. The project proposes to retain and not disturb the monument. It will remain in its existing location within the Country Club.

The CEQA threshold criteria for the two undocumented historical resources are discussed below.

### **Recreational/Facilities Management Building**

*Criterion A*

The joined Recreational/Facilities Management building does not meet any of the criteria for listing in the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR). Existing research indicates that the structure is not associated with any event important in the regional history of California or the United States. Therefore, the building is not eligible for listing in either the NRHP or the CRHR under Criterion A.

*Criterion B*

There is no known evidence that indicates or suggests that the Recreational/Facilities Management building was associated with any people who were prominent in national, state or local history. Therefore, the building does not meet Criterion B.

*Criterion C*

The joined Recreational/Facilities Management building is not unique in the sense that it was the first or the only one of its kind in Buena Park. Additionally, it is not the work of a master nor is there anything in the design, execution or choice of construction materials that would set it apart from similar buildings of similar age. Therefore, the building is not eligible for the NRHP or the CRHR under Criterion C.

*Criterion D*

The Recreational/Facilities Management building is not archaeological in nature, thus it is not eligible for listing in the NRHP or CRHR under Criterion D.

The Recreational/Facilities Management building does not meet any of the criteria for classification with the National Register of Historic Places or the California Register of Historical Resources

(CRHR). This resource is not significant under CEQA and no further analysis is required. The project will not have any significant historical impacts.

### **Rock Monument**

The Rock Monument will remain in place and not be moved or disturbed by the project. Thus, the Rock Monument will not be impacted by the project.

#### Mitigation Measures

Since no significant historical resources impacts have been identified no mitigation measures are required.

### **3.5.3.2 CAUSE A SUBSTANTIAL ADVERSE CHANGE IN THE SIGNIFICANCE OF AN ARCHAEOLOGICAL RESOURCE PURSUANT TO §15064.5.**

The records search failed to indicate the presence of any previously recorded prehistoric archaeological resources within the study area. The results of the focused field survey also did not identify any archaeological resources. Due to the highly disturbed nature of the study area, no additional work in conjunction with prehistoric resources is recommended including monitoring of any future earth-disturbing activities.

In the event that human remains are encountered during the course of the project, the following measure is recommended to reduce the impact to less-than-significant.

#### Mitigation Measures

**Mitigation Measure 3.5-1** If human remains are encountered during project grading or construction, all construction activity shall cease immediately as required by and in compliance with California State Law (*Health and Safety Code Section 7050.5 and Section 5079.98 of the Public Resources Code*) and the project contractor shall contact the Orange County Coroner. 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). The MLD shall complete inspection of the find within 24 hours of notification by the NAHC. The MLD will consult with the landowner or its authorized representative as to possible scientific removal and analysis of the human remains and reburial protocols.

### **3.5.3.3 DIRECTLY OR INDIRECTLY DESTROY A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE OR UNIQUE GEOLOGIC FEATURE.**

The Emery Borrow Pit Fossil site is located at the Ralph B. Clark Regional Park that is adjacent to and north of the Los Coyotes Country Club. The Emery Borrow Pit Fossil was a marsh inhabited by many forms of life that are now extinct, including the ancient mammoth, ground sloth, and ring tailed cat. These important scientific and prehistoric resources are preserved in fossil beds at the

Ralph B. Clark Regional Park. The Buena Park General Plan suggests that the discovery of additional paleontological resources within this area is possible.

The areas on the site that are proposed for development have been disturbed in the past with grading and construction of the existing uses. Because the areas have been graded and disturbed it is unlikely that any paleontological resources still remain. If paleontological resources are encountered during grading or construction, the following measure is recommended to reduce potential impacts to less than significant. The compliance by the project contractor with CEQA Guidelines Section 15064.5 (f) will reduce potential paleontological impacts to less than significant.

Mitigation Measures

**Mitigation Measure 3.5-2** If paleontological resources are encountered during project grading or construction, all construction activity shall cease immediately. The project contractor shall contact the City and as required by CEQA Guidelines Section 15064.5(f) the City along with a qualified paleontologist shall make an immediate evaluation of the resource and whether or not to recover the resource, protect the resource, or continue with construction.

**3.5. DISTURB ANY HUMAN REMAINS, INCLUDING THOSE INTERRED OUTSIDE OF FORMAL CEMETERIES.**

There are no known formal cemeteries within the boundary of the Los Coyotes Country Club, including Zones A-D that are proposed for development. The records search and contact with the Native American Indians (Appendix G, Cultural Resources Assessment) known to frequent the area also have not identified any formal cemeteries or suspected cemeteries on the site. In the event that human remains or suspected human remains are encountered during the course of the project, all work in the immediate vicinity of the find(s) shall stop and the Orange County Coroner notified within 24 hours (Section 5079.98 of the Public Resources Code) as required in Mitigation Measure 3.5-1. The project will not impact any cemeteries or disturb any human remains.

Mitigation Measures

The implementation of Mitigation Measure 3.5-1 above will mitigate any human remains or suspected human remains uncovered during the course of the project to less-than-significant.

**3.5.4 UNAVOIDABLE ADVERSE IMPACTS**

The project will not have any unavoidable adverse cultural resource impacts.