

## 4.4 CULTURAL RESOURCES

This section describes and evaluates the potential impacts to cultural resources associated with the proposed project.

### 4.4.1 EXISTING SETTING RELATED TO CULTURAL RESOURCES

The project site consists of 2.008 acres and is currently vacant. This site is flat with an approximate 0.6 percent grade. South of the site are residential units under construction as part of the City Place project. To the west are commercial, retail, and residential structures under construction as part of the City Place project. To the north is a six-story parking structure and sixteen-story office building, and to the east is a senior citizen retirement living facility.

An archival search for recorded materials of archaeological and/or historical significance was conducted on April 27, 1990, by the California Archaeological Inventory Regional Information Center at University of California, Los Angeles (UCLA) for the project area and within a one-mile radius of the project boundary. This records search was conducted in the preparation of the City of Santa Ana's FEIR 90-2 which was certified by the Santa Ana City Council in April 1992. As stated in the previously prepared FEIR 90-2 for the Main Street Concourse project, the records search did not locate any archaeological sites or historical structures on the project site or within a one-mile radius of the project boundary.

In addition, the records search conducted for the previous FEIR 90-2 included a review of archaeological investigations which consisted of recorded field surveys and reports. Four archaeological surveys and/or excavations were conducted near the southeastern boundary of the property. No prehistoric sites or historic structures have been identified within a one mile radius of the project site. Archaeological investigations have not been conducted on the project site.

### 4.4.2 THRESHOLDS OF SIGNIFICANCE RELATED TO CULTURAL RESOURCES

Based on Appendix G of the CEQA Guidelines, implementation of the proposed project would result in a significant adverse impact on the environment related to cultural resources if it would:

- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines.
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- Disturb any human remains, including those interred outside of formal cemeteries.

### 4.4.3 METHODOLOGY RELATED TO CULTURAL RESOURCES

Archaeological and historical resources are recognized as part of the environment under CEQA California Public Resources Code (PRC), Sections 21083.2 (g) and 15064.5. The California Register of Historical Resources is an authoritative guide to the state's historical resources and the properties listed are regarded as significant for the purposes of CEQA. As part of the determination made pursuant to Section 21083.2, "...the Lead Agency shall determine whether the proposed project may have a significant impact on archaeological resources." Section 21083.2 (g) further defines unique archaeological resources as an "archaeological artifact, object, or site" and it can be clearly demonstrated that it meets one or more of the following criteria: (1) it answers important scientific research questions; (2) possesses certain characteristics, such as, being the oldest of its type or the best available example of its type; and (3) is scientifically recognized as an important prehistoric or historic event or person.

The California Register, as instituted pursuant to the PRC, automatically includes all California properties already listed in the National Register of Historic Places (NRHP) and those formally determined to be NRHP eligible, as well as specific listings of State Historical Landmarks and State Points of Historical Interest. The California Register may also include various other types of historical resources which meet the criteria for eligibility, including properties of local significance that have been designated under a local preservation ordinance, or that have been identified in a local historical resources inventory. These resources may also be eligible for listing in the California Register and are presumed to be significant resources for the purpose of CEQA (PRC Section 5024.1, 14 California Code of Regulations (CCR) Section 4850).

In addition, the analysis in this section relies on the archival records search for archaeological resources and historical structures conducted on April 27, 1990, for FEIR 90-2.

#### 4.4.4 IMPACTS RELATED TO CULTURAL RESOURCES

According to the City's General Plan Land Use Element EIR, the City of Santa Ana has high probability for discovery of unknown cultural resources. The project site's proximity to Santiago Creek increases the likelihood that unknown archaeological resources could exist on the project site. The project site has already been subject to disruption and any surficial archaeological resources, which may have existed at one time, presumably have been previously disturbed. However, there is a possibility that archaeological resources could exist at deep levels. Construction operations associated with development of the project site could have an impact on any unknown cultural resources which might exist on the project site.

#### 4.4.5 MITIGATION RELATED TO CULTURAL RESOURCES

As stated above, the records search did not locate any archaeological sites or historical structures on the project site or within a one-mile radius of the project boundary. Any adverse impacts related to buried cultural resource materials would be reduced to less than significant with the incorporation of the following mitigation measures.

- C-1 If buried cultural material is encountered during project construction, the construction contractor shall immediately stop work within the immediate vicinity of the finding and the City's Environmental Coordinator shall be contacted for appropriate action.
- C-2 If human remains are encountered during construction activities, work shall cease and the Orange County Coroner's Office and the Native American Heritage Commission shall be notified. A course of action will be agreed upon regarding the treatment of said remains with the Orange County Coroner's Office or in compliance with the Native American Graves Protection and Repatriation Act (NAGPRA) and the Native American Heritage Commission if the remains are determined to be of Native American origin. This process can involve, but is not limited to, re-interment of said remains on- or off-site, donation to museums or schools for the promotion of archaeological body of record, or other arrangements as agreed upon by the consultation process with the Native American descendants or their representative.

#### 4.4.6 LEVEL OF SIGNIFICANCE AFTER MITIGATION RELATED TO CULTURAL RESOURCES

Implementation of the mitigation measures described above would reduce the impacts of the proposed project related to cultural resources to below a level of significance.