

APPENDIX B
CULTURAL RESOURCES RECORDS SEARCH

Report List

3SAN050100

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
OR-03096	Cellular -	2001	Thane, Michael D.	Review of Requirements Under the National Historic Preservation Act of 1966 Proposed Brannigan Tower Site 1440 E. Santa Clara Avenue Santa Ana, Orange County, California 92705 Law Project 70151-1-0190	Law Engineering and Environmental Services, Inc.	
OR-03529	Paleo -	2008	Padon, Beth and Judith Marvin	Cultural Study Report Empire Homes Project (Tentative Tract Map 17231), 1584 E. Santa Clara Avenue, Santa Ana, Orange County, California	Discovery Works, Inc.	30-179880
OR-04071	Cellular -	2010	Bonner, Diane F.	Records Search and Site Visit Results for the Proposed T-Mobile Site LA02933C (Edits Mini-Mart), located at 2151 East Santa Clara Avenue, Santa Ana, Orange County, California	W.H. Bonner Associates	

Resource List

3SAN050100

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-30-179880		Resource Name - Sexlinger Residence	Building	Historic	HP02; HP33	2008 (Marvin, Judith, Foothill Resources, Ltd.)	OR-03529

NATIVE AMERICAN HERITAGE COMMISSION

December 1, 2023

Charles Cisneros
Psomas

Via Email to: charles.cisneros@psomas.com

Re: Native American Tribal Consultation, Pursuant to the Assembly Bill 52 (AB 52), Amendments to the California Environmental Quality Act (CEQA) (Chapter 532, Statutes of 2014), Public Resources Code Sections 5097.94 (m), 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2 and 21084.3, 3SAN050100 Project, Orange County

Dear Mr. Cisneros:

Pursuant to Public Resources Code section 21080.3.1 (c), attached is a consultation list of tribes that are traditionally and culturally affiliated with the geographic area of the above-listed project. Please note that the intent of the AB 52 amendments to CEQA is to avoid and/or mitigate impacts to tribal cultural resources, (Pub. Resources Code §21084.3 (a)) ("Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource.")

Public Resources Code sections 21080.3.1 and 21084.3(c) require CEQA lead agencies to consult with California Native American tribes that have requested notice from such agencies of proposed projects in the geographic area that are traditionally and culturally affiliated with the tribes on projects for which a Notice of Preparation or Notice of Negative Declaration or Mitigated Negative Declaration has been filed on or after July 1, 2015. Specifically, Public Resources Code section 21080.3.1 (d) provides:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

The AB 52 amendments to CEQA law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction prior to receiving requests for notification of projects in the tribe's areas of traditional and cultural affiliation. The Native American Heritage Commission (NAHC) recommends, but does not require, early consultation as a best practice to ensure that lead agencies receive sufficient information about cultural resources in a project area to avoid damaging effects to tribal cultural resources.

The NAHC also recommends, but does not require that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the area of potential effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:



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Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
Nomlaki

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- A listing of any and all known cultural resources that have already been recorded on or adjacent to the APE, such as known archaeological sites;
- Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
- If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.

2. The results of any archaeological inventory survey that was conducted, including:

- Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code section 6254.10.

3. The result of any Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.

4. Any ethnographic studies conducted for any area including all or part of the APE; and

5. Any geotechnical reports regarding all or part of the APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive and a negative response to these searches does not preclude the existence of a tribal cultural resource. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the event that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our consultation list remains current.

If you have any questions, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

Attachment

Natural History Museum
of Los Angeles County
900 Exposition Boulevard
Los Angeles, CA 90007

tel 213.763.DINO
www.nhm.org

Research & Collections

e-mail: paleorecords@nhm.org

August 13, 2023

Psomas

Attn: Charles Cisneros

re: Paleontological resources for the McDonald's Project (3SAN050100)

Dear Charles:

I have conducted a thorough search of our paleontology collection records for the locality and specimen data for proposed development at the McDonald's project area as outlined on the portion of the Orange USGS topographic quadrangle map that you sent to me via e-mail on August 1, 2023. We do not have any fossil localities that lie directly within the proposed project area, but we do have fossil localities nearby from the same sedimentary deposits that occur in the proposed project area, either at the surface or at depth.

The following table shows the closest known localities in the collection of the Natural History Museum of Los Angeles County (NHMLA).

Locality Number	Location	Formation	Taxa	Depth
LACM VP 1652	Rio Vista Avenue south of Lincoln Avenue	Alluvium (Pleistocene)	Sheep (<i>Ovis</i>)	Unknown (excavations for housing project)
LACM VP 7867	former El Toro Marine Base	Unknown formation (Pleistocene)	Rodent (rodentia)	25 feet bgs
LACM VP 7712 - 7713	City of Irvine south of I-405 & northeast of Sand Canyon Reservoir	Vaqueros Formation (fine-grained siltstone)	Dugong clade (<i>Dugongidae</i>); Sloth (<i>Mylodontidae</i> ?)	Unknown
LACM VP 6370	near the intersection of Superior Avenue & Pacific Coast Highway; Newport Beach	Terrace deposits (Pleistocene, silty sandstones)	Horse (<i>Equus</i>), other unspecified mammals; Invertebrates: clam (<i>Tivela</i> , <i>Donax</i> , <i>Lucinisca</i>), scaphopod (<i>Dentalium</i> , <i>Antalis</i>), marine gastropods (<i>Glossaulax</i> , <i>Chlorostoma</i>)	Unknown (found during grading for parking lot construction)

VP, Vertebrate Paleontology; IP, Invertebrate Paleontology; bgs, below ground surface

This records search covers only the records of the NHMLA. It is not intended as a paleontological assessment of the project area for the purposes of CEQA or NEPA. Potentially fossil-bearing units are present in the project area, either at the surface or in the subsurface. As such, NHMLA recommends that a full paleontological assessment of the project area be conducted by a paleontologist meeting Bureau of Land Management or Society of Vertebrate Paleontology standards.

Sincerely,

A handwritten signature in black ink that reads "Alyssa Bell". The signature is written in a cursive style and is centered within a light gray rectangular box.

Alyssa Bell, Ph.D.
Natural History Museum of Los Angeles County

enclosure: invoice