

## 4.4 CULTURAL RESOURCES

This section evaluates the potential for significant impacts on Cultural Resources due to the proposed project. Consistent with the discussion in Section 4.0 (Introduction to the Analysis), based on a preliminary environmental analysis of the proposed project prepared prior to commencement of this EIR and analysis already completed for the BECSP Program EIR, substantial additional analysis of Cultural Resource impacts is not required. Rather, this section includes a discussion of the current environmental setting, the proposed project and its relationship to the BECSP, where applicable; a discussion of consistency with the environmental analysis prepared for the BECSP, where applicable; any new information or analysis pertinent to the current analysis and identification of impacts; identification of mitigation measures required to address potential impacts of the proposed project; and significance conclusions regarding the proposed project after mitigation incorporation. Mitigation measures included applicable measures from the BECSP EIR as well as any new or additional mitigation measures required to reduce potential impacts. All impacts are considered to be less than significant with incorporation of mitigation.

Data used to prepare this section were obtained from the BECSP EIR and City of Huntington Beach General Plan. Full bibliographic entries for all reference materials are provided in Section 4.4.4 (References) at the end of this section.

### 4.4.1 Environmental Setting

#### ■ Cultural Resources

According to the Historic and Cultural Resources Element of the City's General Plan, one local landmark is located within the boundaries of the overall BECSP—the Early Fire Station. This structure is located at 17211 Beach Boulevard, 1.3 miles north of the proposed project site, and is currently occupied by a Subway Restaurant.

During analysis of the BECSP area, of which the proposed project site is a part, a total of six archaeological sites were identified within a 0.25-mile radius of the BECSP area. Two of these sites, CA-ORA-296 (located on the west side of Newland Avenue between Slater Avenue and Talbert Avenue) and CA-ORA-358 (corner of Indianapolis and Beach Boulevard), were located within the BECSP area; neither of which incorporate the proposed project site. No previously undiscovered cultural resources were encountered during surveys prepared for the BECSP EIR; including on the proposed project site.

Additionally, PBS&J cultural resources staff requested that the Native American Heritage Commission (NAHC) search its sacred lands database to determine if any Native American cultural resources were located on or near the BECSP area. The NAHC response letter stated that the search of the sacred lands database indicated the presence of Native American cultural resources in the immediate BECSP area; however, none of these areas are located within the proposed project site.

## 4.4.2 Regulatory Framework

Refer to Section 4.4.2 (Regulatory Framework) of the BECSP Program EIR, for applicable federal, state, and local regulations that would apply to the proposed project. No new regulations have been implemented since the certification of the Program EIR.

The BECSP Development Code, which includes development standards, development regulations, and guidelines, governs all development actions with the BECSP area, including the proposed project site. The proposed project would be subject to development standards specific to the proposed project site's BECSP designation of Town Center Neighborhood, included as BECSP Section 2.1.4 (Town Center Neighborhood).

### ■ General Plan and BECSP Consistency Analysis

Built in 1965, the existing Town and Country Plaza, restaurant and gas station buildings located on the proposed project site are at least 45 years old, and are therefore subject to mitigation measure BECSP MM4.4-1 that requires buildings or structures 45 years or older to be investigated by a cultural resource professional to ensure that development does not adversely affect previously unrecorded historic-period resources. Archeological and paleontological resources would be protected through compliance with mitigation measure BECSP MM4.4-2(b) and BECSP MM4.4-3(b). These mitigation measures require that in the event that cultural or paleontological materials are encountered during site development, these materials would be identified, assessed as to significance, and, if necessary, appropriate action taken. Therefore, the proposed project would not conflict with Objective HRC 1.1 of the City's General Plan, which requires historically and archaeologically significant resources to be identified and protected in order to preserve sites, structures, and districts that have architectural, historical, and/or archaeological significance to the City of Huntington Beach.

## 4.4.3 Project Impacts and Mitigation

This section provides a discussion of impacts related to cultural resources based on the thresholds of significance provided in Appendix G of the 2011 CEQA Guidelines: as follows:

- Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5
- 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

### ■ Historical Resources

According to the historic resources study prepared for the BECSP area, of which the project site is a part, there are no recorded historic resources on the project site or in the immediate vicinity. However, all three structures occupying the project site were built in 1965, making them at least 45 years in age, and are therefore subject to mitigation measure BECSP MM4.4-1. Mitigation measure BECSP MM4.4-1,

requires buildings or structures 45 years or older to be investigated by a cultural resource professional to ensure that development of the project site would not adversely affect previously unrecorded historic-period resources. Investigation of existing buildings on the project site, as required by BECSP MM4.4-1 would ensure that the proposed project would not result in a significant impact to historic resources. This is considered a *less than significant* impact.

## ■ Archaeological Resources

As part of the analysis prepared for the BECSP EIR with respect to archaeological resources, a records search was conducted by the South Central Coastal Information Center (SCCIC) of the BECSP area. This search indicated that archaeological resources are present within the BECSP area, though not on the project site. These sites have likely been destroyed or capped since they were first discovered. The exact depth of the sites was never established, but other sites in the vicinity had at least moderately deep deposits, meaning that a project like the proposed that does not include subterranean levels is not likely to disturb previously unidentified archaeological resources. In addition, the NAHC identified the presence of Native American cultural resources in the immediate BECSP area and noted that the general area was considered sensitive for cultural resources. Finally, representatives from the Gabrieliño Tongva Nation contacted PBS&J to express their concerns about the sensitivity of the BECSP area for Native American resources and burial grounds. Therefore, the BECSP area is considered to be sensitive for the presence of Native American cultural resources, including human remains. However, because the proposed project site has been previously disturbed and is considered to be entirely developed, and the records search conducted by the SCCIC did not identify archeological resources on the project site, archaeological resources are not likely to be encountered as a result of the proposed project and mitigation measure BECSPMM4.4-2(a) would not be applicable. However, earthmoving activities could result in the uncovering of previously unidentified resources. Incorporation of mitigation measure BECSP MM4.4-2(b) would reduce any impacts from this occurrence to a *less than significant* level.

## ■ Paleontological Resource or Site Unique Geologic Feature

According to a paleontological records search performed by the Natural History Museum of Los Angeles County in September 2008 for the BECSP area, no previously recorded paleontological resources are located within the BECSP area, including the proposed project site. However, the search did identify several paleontological resources in the BECSP vicinity, as well as soils that often contain vertebrate and invertebrate fossils. As such, the BECSP EIR concluded that the entire plan area, including the project site is considered sensitive for paleontological resources. In compliance with mitigation measure BECSP MM4.4-3(a), a records search for the project site was conducted, and turned up negative for the presence of paleontological resources on the project site. However, because of the area's sensitivity, the proposed project is required to comply with mitigation measure BECSP MM4.4-3(b) in the event that a previously unidentified unique paleontological resource or geological feature is discovered during ground disturbing activities. As such, the proposed project would result in a *less than significant* impact to paleontological resources.

Potentially significant impacts related to cultural resources have been mitigated through implementation of mitigation measures BECSP MM4.4-2(b) and MM4.4-3(b), and all impacts were determined to be less than significant in this or the BECSP EIR analysis.

### **Applicable Mitigation of the BECSP EIR**

*BECSP MM4.4-1 Prior to development activities that would demolish or otherwise physically affect buildings or structures 45 years old or older or affect their historic setting, the project applicant shall retain a cultural resource professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History to determine if the project would cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the CEQA Guidelines. The investigation shall include, as determined appropriate by the cultural resource professional and the City of Huntington Beach, the appropriate archival research, including, if necessary, an updated records search of the South Central Coastal Information Center (SCCIC) of the California Historical Resources Information System and a pedestrian survey of the proposed development area to determine if any significant historic-period resources would be adversely affected by the proposed development. The results of the investigation shall be documented in a technical report or memorandum that identifies and evaluates any historical resources within the development area and includes recommendations and methods for eliminating or reducing impacts on historical resources. The technical report or memorandum shall be submitted to the City of Huntington Beach for approval. As determined necessary by the City, environmental documentation (e.g., CEQA documentation) prepared for future development within the project site shall reference or incorporate the findings and recommendations of the technical report or memorandum. The project applicant shall be responsible for implementing methods for eliminating or reducing impacts on historical resources identified in the technical report or memorandum.*

*BECSP MM4.4-2(b) If evidence of an archaeological site or other suspected historical resource as defined by CEQA Guidelines Section 15064.5, including darkened soil representing past human activity ("midden"), that could conceal material remains (e.g., worked stone, fired clay vessels, faunal bone, hearths, storage pits, or burials) are discovered during any project-related earth-disturbing activities (including projects that would not encounter undisturbed soils), all earth-disturbing activity within 100 feet of the find shall be halted and the City of Huntington Beach shall be notified. The project applicant shall retain an archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards for Archaeology to assess the significance of the find. Impacts to any significant resources shall be mitigated to a less than significant level through data recovery or other methods determined adequate by the archaeologist and that are consistent with the Secretary of the Interior's Standards for Archaeological Documentation. Any identified cultural resources shall be recorded on the appropriate DPR 523 (A-L) form and filed with the appropriate Information Center.*

*BECSP MM4.4-3(b) Should paleontological resources (i.e., fossil remains) be identified at a particular site during project construction, the construction foreman shall cease construction within 100 feet of the find until a qualified professional can provide an evaluation. Mitigation of resource impacts shall be implemented and funded by the project applicant and shall be conducted as follows:*

- 1. Identify and evaluate paleontological resources by intense field survey where impacts are considered high*
- 2. Assess effects on identified sites*
- 3. Consult with the institutional/academic paleontologists conducting research investigations within the geological formations that are slated to be impacted*

4. *Obtain comments from the researchers*
5. *Comply with researchers' recommendations to address any significant adverse effects where determined by the City to be feasible*

*In considering any suggested mitigation proposed by the consulting paleontologist, the City of Huntington Beach staff shall determine whether avoidance is necessary and feasible in light of factors such as the nature of the find, project design, costs, applicable policies and land use assumptions, and other considerations. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery) shall be instituted. Work may proceed on other parts of the project site while mitigation for paleontological resources is carried out.*

## ■ Cumulative Impacts

Project-related impacts for environmental issue areas that did not require substantial additional analysis from what was provided in the BECSP EIR are considered to be less than significant with mitigation. In addition, the proposed project would not result in impacts different from or greater than previously analyzed in the BECSP EIR. Therefore, additional cumulative impact analysis is not required for these issue areas, including Cultural Resources.

### 4.4.4 References

Huntington Beach, City of. *Beach and Edinger Corridors Specific Plan Environmental Impact Report*, August 2009.

———. *City of Huntington Beach General Plan*, May 13, 1996.

