

Ms. Cindi Alvitre
July 27, 1992
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Third, you asked about the status of the environmental impact report for the project. The City of Huntington Beach and the U.S. Army Corps of Engineers are jointly preparing an environmental impact statement/environmental impact report (EIS/EIR) for the project as the project includes both the annexation of the property to the City and approval of a local coastal program as well as the issuance of a Section 404 permit by the Corps to conduct work in waters of the United States. The City and Corps have estimated that the Draft EIS/EIR will be published sometime in August 1992. I will see to it that you receive a copy for your review.

Fourth, you asked about the ownership of the property. The property is owned by the Signal Bolsa Corporation. Signal Bolsa Corporation is a wholly-owned subsidiary of a corporation known as the Bolsa Chica Corporation. The Chief Executive Officer of the Bolsa Chica Corporation is Michael Dingman. Because the Bolsa Chica Corporation is headquartered on the East Coast, the Bolsa Chica Corporation has hired The Koll Company, an Orange County-based development company to oversee the day-to-day management of the project. The Chief Executive Officer of The Koll Company is Donald Koll. The President of The Koll Company is Ray Wirta and the President for Southern California Operations, under whose direction the Bolsa Chica project falls is Richard Ortwein. The project manager for the Bolsa Chica project is Lucetta Dunn who is Senior Vice President of The Koll Company. (Ms. Dunn was formerly an officer and general counsel to the Signal Bolsa Corporation.) Assisting Ms. Dunn in managing the project is Mr. Larry Brose, Vice President of The Koll Company.

In terms of the archaeology issues, Ms. Dunn will be the signatory on the reburial agreement for The Koll Company and the Bolsa Chica Corporation. The agreement negotiations and any issues arising in connection with the archaeological work, such as the retention of a Native American Monitor, will be handled by Mr. Brose or myself. Therefore, if you have any questions regarding the project or The Koll Company's involvement, please feel free to contact either Mr. Brose at 833-3030 or me.

If you have any questions, or if we can be of any further assistance, please do not hesitate to contact either of us. After you have completed your review of the enclosed materials, and have had an opportunity to discuss these issues with members of your tribal council and

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David Belardes or Phil Ibanez, we would like to meet with you and Mr. Belardes to finalize the agreement and discuss any other issues that you or he may have with respect to the excavations.

Very truly yours,



Susan K. Hori

Enclosures

cc: David Belardes (w/enclosures)
Nancy A. Whitney-Desautels, Ph.D. (w/reburial agreement)
Lucy Dunn (w/reburial agreement)
Darlene A. Shelley (w/reburial agreement)

CALIFORNIA COASTAL COMMISSION

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Filed: 3/11/05
Approved: 4/14/2005
Staff: TH-LB
Staff Report: 9/22/2005
Hearing Date: 10/13/2005
Commission Action:

**TH 11a****STAFF REPORT: REVISED FINDINGS**

APPLICATION NUMBER: 5-05-020

APPLICANT: Hearthside Homes/Signal Landmark

AGENT: Ed Mountford, Dave Neish, Donna Andrews, Susan Hori

PROJECT LOCATION: 17201 Bolsa Chica Road, Bolsa Chica, Orange County

PROJECT DESCRIPTION: Approval of Vesting Tentative Tract Map (VTTM) 15460 for the subdivision and development of two existing parcels into the 105.3-acre Brightwater community consisting of 349 residential lots on 67.9 acres and 37.1-acres of habitat restoration and public trail, located primarily on the upper bench of the Bolsa Chica Mesa. The project also includes the construction of 349 single-family homes and the construction of two local parks within the residential community. The 37.1-acre habitat area consists of a 29.2-acre coastal sage scrub and native grassland community located along the western and southern slope and bluff top edges and the construction of a 2.5-acre Los Patos Wetland and Southern Tarplant preserve. (The Los Patos Wetland and Southern Tarplant preserve is 2.5 gross acres and 2.9 net acres). The remaining 5 acres of the 37.1-acre habitat area is the existing Eucalyptus grove. Public access, including pedestrian, bicycle and vehicular access and public parking will be allowed throughout the community. Three vertical walkways providing resident access to the habitat trail will also be available to the public. The Los Patos Avenue frontage will also be widened, paved and landscaped creating 114 (unstriped) public parking spaces. The Tract Map also includes the creation of an 11.8-acre residual parcel located on the lower bench of the Bolsa Chica Mesa.

Grading consists of 440,000 cubic yards (220,000 c.y. cut, 220,000 c.y. fill). Infrastructure improvements include the construction of a 1.2-million gallon underground drinking water reservoir and aboveground pump station on 0.3 acres and a new 54" to 66" storm drain and rip-rap energy dissipater discharging treated runoff to the off-site Isolated Pocket Lowland area.

DATE OF COMMISSION ACTION: April 14, 2005

COMMISSIONERS ON PREVAILING SIDE: Burke, Iseman, Kram, Kruer, Neely, Potter, Reilly, Secord, Shallenberger, Wan, and Chair Caldwell.

ATTACHMENT NO. 5.44

I. CULTURAL RESOURCES

Section 30244 of the Coastal Act protects cultural resources in the coastal zone and states:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Coastal Act Section 30244 states that reasonable mitigation measures shall be required where development would adversely impact identified archaeological resources. The applicant contends that the Brightwater development project will not adversely impact either of the two on-site identified archaeological sites due to the fact that a series of measures to mitigate the impacts of future development have been implemented completely in the case of ORA-85, and at the time of the October 2004 hearing, 97% complete in the case of ORA-83¹² as approved by the County of Orange, and the Coastal Commission. The coastal development permits and other actions that have been taken by the Coastal Commission for ORA-83 and ORA-85 are reviewed below. Despite the fact that approvals were obtained from the County and the Commission for complete recovery of cultural resources, as proposed by the applicant, and archaeological testing and recovery work has been on-going since the mid-1980's, under these permits, there still remains considerable opposition to removal of the cultural resources of ORA-83.

During the preparation of the staff report for the October 2004 hearing, Commission staff received several letters from archaeologists, including university professors, and several letters from environmental groups, Native Americans, and individuals calling for the preservation of ORA-83, even though they are aware that a full recovery program for the site has long since been approved. Staff received a copy of a 1999 letter from the head of the archaeology division of the Smithsonian National Museum of Natural History supporting the preservation of what remains at ORA-83 and a 2001 letter from Congresswoman Loretta Sanchez supporting the listing of ORA-83 in the Federal Register as a National Historic Site. Some request that the site be capped and left as open space after the data has been recovered, instead of allowing residential development at the site of an identified prehistoric and historic cultural resource. While others suggest that further destruction of ORA-83 be avoided, relocation of proposed development away from ORA-83. Yet others assert that recent mechanical excavations at ORA-83 have revealed the presence of numerous semi-subterranean house pit features at the base of the site, beneath the midden deposit and contend that this feature represents a new, significant area of needed research. Although the Commission approved the full recovery of ORA-83 as proposed by the applicant in the previous permits listed below, the Commission finds no evidence in the record of those permits at the time of their approvals that the "semi-subterranean house pits" were known or expected to exist, beneath the shell midden.

¹² "Archaeological Site CA-ORA-83: The Cogged Stone Site, Synopsis: A History of Archaeological Investigations, Nancy Anastasia Desautels, PhD, Scientific Resources Surveys, Inc., Project No. 926, April 28, 2003.. "Archaeological Site CA-ORA-85: The Eberhart Site, Synopsis: A History of Archaeological Investigations, Nancy Anastasia Desautels, PhD, Scientific Resources Surveys, Inc., Project No. 926, September 2003.

The July 10, 2003 brief update statement by the applicant's archaeological consultant, signed by the three current peer reviewers stated that, "The Peer Review Committee members, over the last several years, have overseen the nature of the ongoing phases of the Ora-83 site investigation and had made recommendations on strategies appropriate to address the unusual breadth of the emergent field discoveries." The update further states that the "special new topics" evolving at Ora-83 include, "describing and evaluating the patterns of the multitude of semi-subterranean 'house pit' features revealed." Professor Pat Martz, a past member of the California State Historical Resources Commission states in revisions to her 2001 nomination of ORA-83 for listing on the National Register of Historic Places to the State Historic Preservation Officer, that house pit structural features are rarely found in Southern California and are extremely rare since the site was occupied during the Early Holocene/Millingstone Horizon of California prehistory. Semi-subterranean house pits are large circular depressions that were excavated below the surface a few feet and framed with poles and then thatched. Under normal climatic conditions (not consistently dry, or consistently wet) organic materials would not preserve. It is likely that the house pit structures would have a hard packed floor, post-holes and a hearth. Professor Martz contends that these house pit features are probably still present at the base of the site and that these semi-subterranean house pits have the potential to address important questions regarding village structure, social organization, settlement patterns, gender activities, and demographics, as well as relationship of the structures to astronomical features.

In November 2004 Commission staff accompanied the applicant and their consulting team on the project site to revisit a number of issues that had been raised at the October 2004 Commission meeting. At that time staff verified that the house pits had all been excavated and backfilled.

Archaeologists have recognized the astronomical significance of numerous archaeological sites in Southern California for more than 25 years and celestial observations have been conducted at several archaeological sites. Recently, among both scientists and Native Americans, there has been a growing interest in studying ORA-83 to determine if the site was a key location in the complex spiritual/philosophical system of knowledge regarding the Cosmos held by prehistoric Native Americans. Beginning in 1994, a Cogged Stone Site study team, made up of scientists and Native Americans, has tested its astronomical research design for ORA-83 several times. The According to Dr. Martz, the team proposed that the view from the elevated mesa encompasses geographic features that ethnographic data suggest may have functioned as cyclical astronomical alignments such as Catalina Island to the southwest and Point Fermin Heights to the west. The team discovered that the sun sets over West End Point of Santa Catalina Island for three days in late December, signaling the winter solstice, and that it rises directly over the Point Fermin Heights to indicate the spring and fall equinoxes. The Commission has found no evidence in the record of the previous permits that the approved mitigation measures were for impacts to archaeoastronomical resources.

A Native American from the Band of Luiseno Mission Indians, representing the Maritime Shoshone, Inc, a not-for-profit Native corporation, has sought to preserve a 7.4 acre portion of ORA-83 for its archaeoastronomical value. In Ms. Jeffredo-Warden's May 2004

nomination submittal to the State Historic Preservation Officer for listing of the site on the National Register of Historic Places she states that the archaeological and archaeoastronomical data obtained at the CA-ORA-83 site, dated from 8,660 to 1,098 RYBP, evidently constitutes, in addition to the earliest reliably dated observatory site in North America, one of the earliest fixed astronomical observation points in the world. At the time of the October 2004 hearing, Ms. Jeffredo-Warden was also requesting that the Coastal Commission preserve a 7.4-acre portion of ORA-83 in order to conduct additional astronomical tests and to do further research on the site as well as the preservation of the existing site contours to preserve the existing solstitial alignments and Ms. Jeffredo-Warden submitted a copy of the nomination to the Commission. A letter was received from Senator Diane Feinstein, dated August 4, 2004, urging the Commission to fully consider the concerns raised by Ms. Jeffredo-Warden regarding appropriate mitigation for cultural resources of ORA-83. Several letters of support of the archaeoastronomical resources preservation were received from, including but not limited to, professors of archaeology, the director of the Griffith Observatory and the International Indian Treaty Council (these letters were attached as exhibits as well as the public portion of Ms. Jeffredo-Warden's nomination of the site to the State Historic Resources Commission to the staff report for the October 2004 hearing).

Ms. Jeffredo-Warden is also a trained anthropologist and folklorist. She has been working for several years with Mr. C. Thomas Hoskinson, among others, a mathematician, aerospace engineer/scientist, and author of numerous professional papers on rock art and Native American astronomy regarding the archaeoastronomical significance of ORA-83 and the project site. Mr. Hoskinson is nationally recognized and regarded as a founder of California archaeoastronomy (Exhibits 30 and 31). The credentials of the members and consultants of the Maritime Shoshone, Inc. are detailed in the Attachments to Exhibit 31. Based upon the research and investigations of Jeffredo-Warden and Hoskinson, Paul Kieven, on behalf of Ms. Jeffredo-Warden and Maritime Shoshone, Inc. submitted a letter dated April 6, 2005 challenging the statements made by Ms. Martz and the applicant's archaeological consultants, SRS, contained in the staff report, among other things (Exhibit 30).

On April 12, 2005 staff also received a letter from Amy Minter on behalf of Maritime Shoshone Inc. objecting to the appropriateness of the Brightwater development project without what they believe to be adequate feasible mitigation to the archaeoastronomical significance of ORA 83. The letter, Exhibit 32, included in this exhibit package, cites many of the same issues as Exhibits 30 and 31, including recommending additional mitigation measures and goes further to include a map asking for further protections. Staff also received a letter on April 12, 2005 from the State Office of Historic Resources, Exhibit 33. in which they clarified their conditional action on November 5, 2004.

On November 5, 2004 the State Historic Resources Commission conditionally moved to recommend that the State Historic Preservation Officer submit the nomination to the Keeper of the National Register for a determination of CA-Ora-83's eligibility for inclusion in that register (Exhibit 13). The November 5th action went on to say that, "The Commission agrees that the property is eligible at the national rather than the state level of significance" and then set out five conditions that need to be met, including the completion of the revisions and the submittal of the registration form to the Keeper no later than May

5, 2005. The third condition of the motion dealt specifically with the significance of the site as a prehistoric archaeoastronomical observation point, stating that the case should be made more of a consideration rather than a major aspect of the property's significance (Exhibit 13).

The applicant has submitted several letters in rebuttal to the statements of the archaeoastronomical significance of the site. The applicant contends that several studies, over a period of years, were done and no archaeoastronomical significance was found to exist on the site. The applicant's archaeologist has submitted a letter to this effect, signed by the three peer reviewers, agreeing that the project site was found to possess no archaeoastronomical significance. Ms. Jeffredo-Warden has countered that neither the applicant's archaeologist nor any of the three peer reviewers have expertise in this field.

Pursuant to Section 30244 of the Coastal Act the Commission must decide whether the proposed project would adversely impact identified archaeological resources. If such a finding is made, reasonable mitigation measures shall be required. As stated above, and as detailed below, the Commission has granted the applicant and previous land owners several coastal development permits to carry out extensive archaeological research, testing and full recovery of ORA-83 and ORA-85. Though some features were not specifically discussed in the research design application submittals, the peer review committee required by the Commission often requested that the applicant carry out additional investigations to ensure that no resources were overlooked in order to get a full understanding, as much as possible, of the past. The applicant is proposing to leave in open space that portion of ORA-83 that lies within their proposed Eucalyptus Tree and Burrowing Owl ESHA buffers. The area would become a part of the proposed coastal sage scrub and native grassland habitat creation and monitoring plan and include a public trail and fuel modification in the upper portions. Therefore if the Commission requires that this area be preserved as open space to protect the raptors that use the Bolsa Chica Mesa as detailed in Section D of this staff report, a portion of ORA-83 will be preserved. Further, Exhibits 18, 19, and 22 and 23 are letters from Native Americans, including the Acjachemem Nation, Ancestor Walk Coordinator, and from the president of the California Cultural Resources Preservation Alliance (CCRPA), an alliance of American Indian and scientific communities working for the preservation of archaeological sites and other cultural resources. They request the Commission impose a 100 meter setback or "the greatest open space possible". However, the Commission finds that the applicant's proposed 150 to 382 foot wide open space area for habitat protection purposes under Section 30240 of the Coastal Act can also serve to further protect the area previously used as a prehistoric and historic archaeological site and is therefore consistent with Section 30244 of the Coastal Act.

As stated above, and submitted in Exhibits 30, 31 and 32, Maritime Shoshone Inc. has submitted significant research and investigative material concerning the archaeoastronomical significance of a portion of the project site based on extensive experience in the field. They are requesting additional mitigation beyond that recommended by staff and is detailed in Exhibits 31 and 32. They further request access to the portion of ORA-83 inside of the fenced mesa area in order to verify the observation area. Additional mitigation includes, but is not limited to, no grading or changing of existing

Special
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elevations, and no benches, or public trails within the observation area. Exhibit 32 includes a map of additional area to be considered.

The Native American Heritage Commission sent a letter to the Commission during its October 2004 deliberations requesting that that the Brightwater project includes interpretive signage along the Mesa detailing the area's prehistoric and historic history. Finally, the above letters also request signage concerning the Native American past of the site as well as dissemination of the wealth of knowledge that has been gained over the two decades of study at the site and curation of the appropriate portions of the artifacts recovered from the site. Only as conditioned to place appropriate interpretive signage along the public trail informing the public of the cultural resources of the area, to disseminate the series of required final reports to institutions and interested groups, to curate the artifacts recovered from the site in a facility in Orange County meeting established standards, and to have an archaeologist and Native American monitor present when grading operations commence to ensure that if any additional cultural resources are found there are procedures in place to go about determining the significance of the resources and to ensure that work can proceed without adversely impacting archaeological or paleontological resources.

Description and Status of ORA-83

ORA-83 is 11.8 acres in size and is located at the southeastern bluff edge of the Brightwater. ORA-83 is commonly known as the Cogged Stone Site, and consists of a shell midden. Cogged Stones are unusual artifacts that are manufactured and used in ceremonial practices. More Cogged Stones, over 400 or roughly half of the total found, have been found on ORA-83 than any other site and are thought to have been distributed throughout coastal and near-coastal California. Similar stones have also been found on the coast of northern Chile. It is also believed that the Cogged Stone site served as a ceremonial center and a center for the manufacture of the Cogged Stones. ORA-83 has been twice found by the State Historical Resources Commission to be eligible for listing in the National Register of Historic Places. However, the listing has been declined by the property owner.

According to the applicant's archaeological consultant, the site was 97% recovered at the time of the application submittal for the October 2004 hearing. Based on staff observations in November 2004 the site appears to be virtually 100% recovered

Description and Status of ORA-85

ORA-85, the Eberhart Site is described by Dr. Desautels of Scientific Resource Surveys, Inc. (SRS), as a shell midden located on the western edge of the Bolsa Chica Mesa. Knowledge of the Eberhart site has existed since the 1920's. Based on the numerous investigations of the site carried out by other researchers beginning in the mid-1960's and by SRS beginning in the 1980's, the Eberhart site was determined to be a residential base or village and was not a limited special-purpose shellfish gather and processing station. No evidence of ceremonial or other structures were found. Other than four quartz crystals, which may be evidence of ceremonial utensil manufacture, no obvious objects associated with religious ceremonies were recovered. Finally, no evidence of human remains in the

form of burials or cremations was found. However, over 2,000 artifacts, more than 1,500 fire affected rock, and thousands of faunal remains have been recorded at the site. Although analysis of the recovered material had not been completed as of September 2003, the applicant states that the approved testing and data recovery program approved by the Coastal Commission concerning ORA-85 in 1989 was completed in 1991.

Past Coastal Commission Action Concerning Archaeological Resources on or Adjacent to the Brightwater Project Site

The Coastal Commission reviewed and approved several coastal development permits and permit amendments for archaeological activity on and adjacent to the project site beginning in the early 1980's. The Commission also acted on a revocation request of one of the coastal development permits for activities within ORA-83 in 1999. Additionally, in 1994, at the request of the City of Huntington Beach, the Executive Director undertook an investigation and made a report to the Commission concerning ORA-83. The Coastal Development Permit actions and Executive Director report are reviewed below:

5-83-984

The first coastal development permit for archaeological activity on the project site was permit 5-83-984, granted to Signal Landmark on April 11, 1984 for Phase I of "Final Research and Data Recovery Program" on ORA-83, known as the Cogged Stone Site. The archaeological testing program was a five-step program which involved (1) an extensive survey and evaluation of all recorded prehistoric sites (done in 1970); (2) a series of archaeological test excavations (done between 1971 and 1975); (3) an evaluative report based on a synthesized data from all test excavations (prepared in 1975); (4) an archival research focused on understanding the nature and extent of man's historic disturbances of the site with particular emphasis on delineating portions of the site likely to be least disturbed and worthy of further archaeological work (undertaken in 1981 and 1982); and (5) a final research and salvage program to define the remaining remnants of archaeological midden which still existed on the subject site. This permit was to allow the applicant to do further testing in order to determine the nature of the relationship between the surface concentration of cogged stones (that had been long since collected) and the underlying midden deposit (that had been heavily disturbed). The permit dealt with two main areas within ORA-83: the plowed field and the area around the eucalyptus grove. It was determined that the greatest amount of cultural material (which consists mostly of shell) was located within the eucalyptus grove since the presence of trees discouraged grading and plowing over the years. The narrow strip of land directly adjacent and north of the trees and a small area east of the grove were determined to contain shallow deposits of basal midden.

The Commission imposed one special condition on permit 5-83-984. The Commission required that the Archaeological Research Design be modified to provide (1) clarification that preservation of all or part of the site may be appropriate depending on the results of the exploratory phase of the investigation; (2) clarification that the augering program was principally for delineating site boundaries; (3) definition of the term "disturbed" as used in the research design, and (4) provision for Executive Director review and approval of the

work planned in subsequent tasks after Task 5 (Auger Program) and Task 7 (Hand Excavation Units – Initial series).

Prior to the issuance of this permit in 1984 the Research Design for the first phase of the project came under much scrutiny and opposition by the general public, several archaeologists and Native American groups as well.

5-83-702-A3¹³

85 *Trusa will get back to me.*

The first coastal development permit for archaeological activity at ORA-85 the Eberhart Site, and ORA-289. The Signal landmark permit amendment for a testing and evaluation program for the two archaeological sites became effective on August 23, 1988, after no objection was received of the Executive Director's determination that the permit amendment was consistent with the Coastal Act.

5-89-772

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This coastal development permit application, granted to Signal landmark Inc. on December 14, 1989 approved Phase II of the Final Research and Salvage Program for ORA-83, the Cogged Stone Site. This work represented the second half of the last stage of the five step archaeological program for ORA-83 that began with the work approved under permit 5-83-984 in 1984. One key element of the program was to ensure that it contributed to the understanding of history or prehistory through a carefully thought out research design. By the time of this application, ORA-83 had been nominated for inclusion in the National Register of Historic Places and was recommended for this designation by the State Historic Resources Commission on November 4, 1982, based on the significance of the archaeological artifacts the site had produced.

The coastal development permit approved the excavation of 17 two-meter by two-meter hand units in six areas within the eucalyptus grove of the upper bench of the Bolsa Chica Mesa. However, if features or in-place cogged stones were found during the approved excavations, the excavation of additional intervening units would be allowed, if needed, in order to fully expose, document and remove those resources. The excavation of up to 12 additional units was authorized by the permit. The Commission imposed one special

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Coastal development permit application 5-83-702 and permit amendments 702-A and 702-A2 did not involve activity within any archaeological site. They were approved between September, 1983 and September, 1987 authorizing geotechnical trenching and soil borings to determine the location of faults and to gather other geotechnical information on the Bolsa Chica Mesa and the Lowlands. The original 1983 permit was granted to Signal Landmark and the Huntington Beach Company. The first permit amendment was granted to Signal Landmark and the permittee of the second amendment was Signal Landmark Inc. On behalf of Signal Bolsa Corporation.

condition on the permit requiring the submittal of written evidence that the applicant had retained a County certified archaeologist to monitor the work approved by the permit and the submittal of evidence that a copy of the report on literature and records search and field survey for the site had been reviewed and approved by the Orange County manager of Harbors, Beaches and Parks. Further, the applicant was required to demonstrate that the proposed project had received review from the above designated County official, from members of the Pacific Coast Archaeological Society (PCAS), and from the Native American Groups (more particularly those who belong to the Juaneno and Gabrielino tribes).

In an attempt to avoid the controversy that surrounded permit 5-83-984, Commission staff met with representatives of the Juaneno and Gabrielino Indian tribal groups and the applicant's consulting archaeologist to determine who would represent both tribal groups in monitoring the proposed excavations. The applicant also published a notice in a local newspaper of general circulation of its application for a coastal permit for the proposed project.

5-89-772-A1

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The first amendment to permit 5-89-772 was issued on March 8, 1991. The applicant requested an amendment to the special condition of the original permit requiring the review of the proposed archaeological testing and recovery plan by members of the Pacific Coast Archaeological Society (PCAS) because they had reached an impasse with the members of the group. The dispute was over the percentage and extent of ORA-83 that should be examined. The applicant proposed to excavate only 7 acres of the 11.9-acre site because it was the least disturbed. PCAS wanted 100% of ORA-83 to be sampled, including the plowed field area and suggested that it could be done using a fine-scale operation with heavy machinery, removing thin layers at a time, under archaeological supervision.

The Commission ultimately modified the special condition, not by removing PCAS, but by providing that any comments by PCAS be reviewed by a three member peer review team. Further, any conflicts between PCAS comments and the applicant's archaeologist's scope of work was to be resolved by the peer review team and by the State Office of Historic Preservation.

5-89-772-A2

83

This amendment request was to delete the requirement of review by the State Office of Historic Preservation (SOHP) from the special condition. The requirement for SOHP review had been added in 5-89-772-A1 to help mediate disputes between the applicant's archaeologist and the PCAS reviewers. The applicant requested this change because there was a delay in getting SOHP to review and comment on the project. Initially the Commission decided that review by SOHP should not be eliminated because the agency had continued to express a desire to do so. However, ultimately the State Office of Historic Preservation sent a letter stating that they would not be able to review and comment on the project due to staffing shortages. The Commission then approved the requested amendment.

Executive Director Report to the Commission

On February 28, 1994 the City of Huntington Beach requested that the Executive Director investigate and determine whether any of the Commission permits issued for testing and excavation within ORA-83 or the demolition of the adjacent World War II bunkers should remain in force or be rescinded. The Executive Director focused the investigation on whether there was any evidence that the permits were not in compliance with the terms and conditions of their approvals, and secondly, whether there was any merit to suspending any of the permits and processing a revocation request. The specific permits that were investigated were 5-89-772, as amended and 5-90-1143, a permit issued on September 27, 1991 for the demolition of the two World War II gun emplacements that were located adjacent to ORA-83.

The specific questions asked by the City to be investigated were: (1) was significant information concerning the presence of human remains on ORA-83 intentionally not disclosed; (2) why were the discovery of human remains not reported to the County Coroner over a year after the discovery, in violation of the applicable law that they be reported within 24 hours of discovery, (3) was there an attempt to circumvent the system and its definition of proper handling of human remains, (4) had proper procedures (daily logs, preservation techniques, disposition of artifacts and timely reports) been followed in the work conducted at ORA-83, (5) should ORA-83 be designated a cemetery and remain intact, (6) the scientific integrity and cultural sensitivity of personnel performing work at ORA-83 and whether their work had been monitored by appropriate State agencies on a regular basis, (7) should the Archaeological Information Center at UCLA receive the extensive information that had been obtained from the site, (8) should the site be placed on the National Register of Historic Places as was previously recommended, and (9) should there be better legislation to protect archaeological sites like ORA-83.

The Executive Director's response to many of the above questions was that they were beyond the purview of the Coastal Commission and that some of the issues raised should be addressed by the Native American monitors and/or peer review team that were required by the permits to be consulted in decisions regarding certain aspects of the development. The Executive Director concluded that the applicant was in compliance with the terms and conditions of both permits and that there was no merit to the grounds for processing a revocation request.

R5-89-772

Although Commission staff held meetings between the applicant and the affected Native American groups and required the review of the proposed work by PCAS, the controversy surrounding ORA-83 did not end. On November 3, 1999 the Bolsa Chica Land Trust filed a request with the Commission to revoke the Phase II approval of the final research and data recovery program permit. The contentions raised in the revocation request were: that further archaeological work, not in the immediate vicinity of the eucalyptus grove, and therefore beyond the approved scope of work was occurring; that the permitted work has been completed in its entirety for over five years, that the permit is also ten years old and

therefore should be revoked or suspended; that the work under the permit was not pursued with due diligence as required by the standard conditions of the permit; the additional scraping and clearing. The Commission denied the revocation request finding that it did not establish the grounds required to do so pursuant to Section 13105 of the Commissions' Regulations.

K. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of Title 14 of the California Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

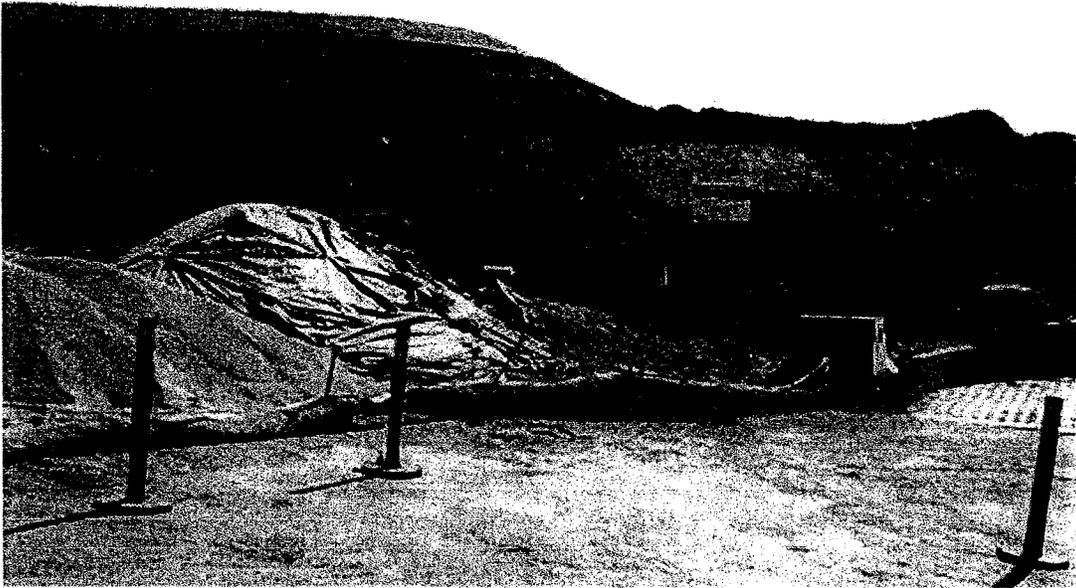
The proposed project has been conditioned to be found consistent with the biological resources, public access, water quality, and archaeology policies of the Coastal Act. The special conditions would require that 1) an open space restriction be placed on the habitat areas; 2) an offer to dedicate the proposed Coastal Sage Scrub and Native Grassland Creation habitat and Southern Tarplant and Seasonal Pond Environmental Protection Area be recorded; 3) a trail easement be offered over the public trail and over the portion of the grassland habitat area that will be subject to approved fuel modification; 4) a public access and habitat management program be developed and funding be identified to carry out these activities; 5) the applicant abide by the California Burrowing Owl Consortium guidelines for avoiding and mitigating impacts to burrowing owls during construction; 6) the CC&R's of the subdivision reflect certain requirements, primarily dealing with public access and habitat protection conditions; 7) construction and development phasing be carried out in a manner that is protective of the biological resources and assures that the public access and recreation are prioritized; 8) erosion control measures are in place to prevent impacts to the marine environment; 9) the fencing off of habitat areas and the identification of construction staging areas that will not adversely impact sensitive resources; 10) the preparation of a final habitat management plan with appropriately sized, planted and managed ESHA buffers, controls activities within those buffers, and the addition of the Southern Tarplant and Seasonal Pond Environmental Protection Area into the Plan; 11) native and non-native, non-invasive appropriate landscaping throughout the project area; 12) fuel modification within the ESHA buffer areas be regulated; 13) lighting be directed away from habitat buffer areas; 14) certain requirements relating to walls, fences, gates, safety devices and other habitat barriers be followed; 15) all subdivision streets, sidewalks, parking and trails and parks be open to the general public; 16) additional requirements on the proposed water quality management plan be observed; 17) a revised tentative tract map eliminating the proposed residual parcel on the lower bench, and revised plans showing the enlargement of the Eucalyptus Tree and Burrowing Owl ESHA buffers, public access signage and cultural resources interpretive plan along the habitat trail, revised stormdrain plan, and off-site raptor foraging habitat plans be submitted; 18) additional slope stability analysis for the revised grading plan be performed

and the developer conform development plans to geotechnical recommendations; 19) the developer assume the risks of development; 20) the developer treat the exterior appearance of structures visible from the public areas; 21) the height of the structures abutting and visible from the public trails be kept to no more than 31.5 feet, as proposed; 22) procedures for the review and approval of future development be followed; 23) requirements and procedures established herein to be followed regarding the possible discovery of additional archaeological resources during grading; 24) the reports required to be prepared in conjunction with the research, investigation and salvage of ORA-83 and curation of the artifacts recovered from the archaeological site be disseminated; 25) the applicant obtain all other necessary agency approvals; 26) the applicant perform work in strict compliance with all of the special conditions of this permit and 27) applicant be informed of the Commission staff's right to inspect the site.

5-05-020(Brightwater).RevisedFindings.doc.October05

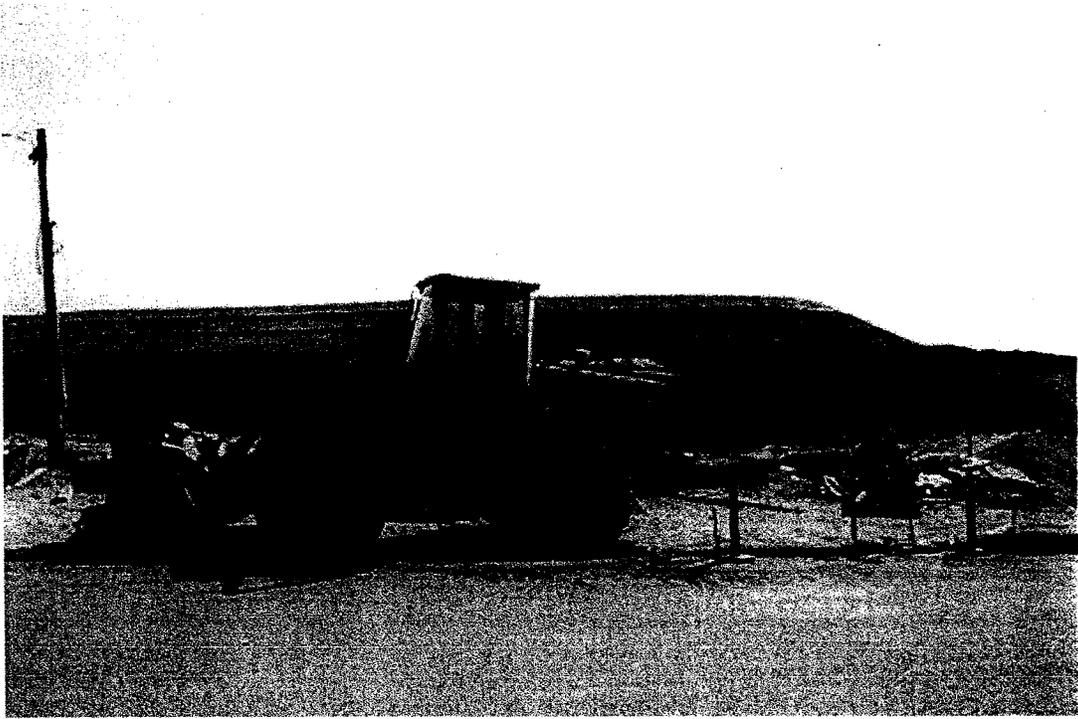
prior to issue
written agreed
with curation
established standards

D



7/1/11

ATTACHMENT NO. 5.56



Handwritten scribble or signature

IMG - 1385 - 1

ATTACHMENT NO. 5.57



9/11/06

ATTACHMENT NO. 5.58

E

2007

November 5th: Memo

To: Ed Mountford, Hearthside Homes
 David Belardes, Juaneno Band
 Anthony Morales, Gabrielino Band
 Prof. Paul Langenwalter

CC: Jeff Couch
 Tracy Stropes

This memo is to inform you that Ed Mountford has requested that only himself and the two most likely descendants attend the meeting on Tuesday the 6th. I will, therefore, not be attending. In accordance with a request from all three of you, I am submitting a tentative listing of concerns that should be resolved at this meeting.

1. Status of SRS Archaeological Work:

- a. There are 87 human bone concentrations that need to be reburied
 - 83 are completely removed from stretcher pedestals and pod
 - 4 remain to be removed from pods- completion expected mid-December
 - Prof. Langenwalter cannot complete his studies until the last 4 are done
 - Prof. Langenwalter will need 4-6 weeks to complete his work when the last four are done- completion expected mid-February
 - Coroner must see all 87 burials; last 4 must be completed for Coroner and examined by Langenwalter prior to Coroner's visit
 - All 87 will be laid out at once for Coroner, in all three bone trailers
- b. There are 83 prehistoric features that were uncovered with the burials
 - All 83 features have not been processed yet—
some have artifacts, some do not.
 - These include 4 cogged stones features
- c. There are 4217+/- artifacts that were found during the grading monitoring on Ora-83
 - Only the artifacts directly associated with the burials are in the processing of being processed and prepared for reburial.
 - These include cogged stones, discoidals, charmstones and beads
- d. There are 1622+/- artifacts that were found during the grading monitoring on Ora-85
 - Only the artifacts directly associated with the have been processed and reburied.
 - Artifacts to be processed include discoidals, charmstones and beads
- e. There are approximately 2,000 boxes of materials [including soils samples, rock features, shell features, shell samples and animal bone] from all 30 years of excavations on Bolsa Chica Mesa in a trailer on-site.
 - These have not been culled for distribution to the County of Orange or for reburial since there has not been any electricity in this trailer.
- f. There are over 100,000 artifacts [including debitage and other smaller items] that have been collected for the last 30 years on Bolsa Chica Mesa.
 - These have not been fully catalogued or fully analyzed.
 - Some were collected before computers were in common use and the information is not in the site database.
 - Some still have field numbers from surface collections, etc.
 - Includes cogged stones, discoidals, charmstones and beads.

ATTACHMENT NO. 5.59

2. Hearthsides Homes is requesting a December 1st Reburial of Human Bone only with whatever burials are completed. If some are not completed, they are requesting that the remaining pods be reburied at that time.
3. Hearthsides Homes is requesting a Second Reburial of all other materials at a later date- to be determined- when funding is available.
4. The Gabrielino are requesting that DNA be conducted on some artifacts and individual, isolated teeth gathered from the site.
 - The Juaneno are opposed to DNA studies.
 - The Native American Heritage Commission has approved the project.
 - Hearthsides has approved the project in concept only.
 - SRS is donating funds to aid in the artifact DNA studies.
5. The Juaneno are requesting that the artifacts be donated to the Blas Aguilar Adobe for safekeeping.
 - The Gabrielino prefer reburial of artifacts.
 - The County of Orange has a legal agreement for the artifacts from all excavations [Ora-83 only].
6. The Juaneno are requesting a donation of funds to help establish displays in the Blas Aguilar Adobe.
 - The County of Orange will display materials from the site for a full-year period with rotating displays.
 - SRS will donate the displays from the County Courthouse exhibits to the Blas Aguilar when they are rotated out.
 - SRS will donate slide shows and posters prepared for academic presentations about the site to the Blas Aguilar when completed.
7. SRS has legal obligations to the Native American Heritage Commission, California Coastal Commission and the County of Orange, the Native American Heritage Commission:
 - to complete the human bone analyses, feature analyses, artifact analyses, and other material analyses;
 - to cooperate with the Orange County Coroner's representative by fully disclosing all human bone from the Mesa and offering these materials for inspection;
 - to rebury the human remains and associated materials according to the wishes of the Native Americans;
 - and to produce a series of catalogues and final interpretative reports
 - [cf. CEQA, CCC Special Condition of Approval #23, County of Orange Development Requirements].

ORANGE COUNTY SHERIFF-CORONER

F

MICHAEL S. CARONA, SHERIFF- CORONER

JURISDICTIONAL INQUIRY REPORT

Report Date: 08/08/2002

NAME OF DECEASED (LAST, FIRST MIDDLE) Bones , Human Ancient		CALL DATE AND TIME 06/13/2002 16:30		TYPE Jurisdictional Inq.		CASE NUMBER 02-03972-GA	
CORONER INVESTIGATOR Alex C. Gassler		REPORTED BY Paul Langenwalter		REPORTING AGENCY Scientific Resource Surveyor		REFERENCE NUMBER	
LOCATION OF DEATH Dig site		ADDRESS (STREET, CITY, STATE, ZIP) AT RESIDENCE <input type="checkbox"/> 17201 Bolsa Chica Road, Huntington Beach, CA 92649				COUNTY Orange	
DATE AND TIME OF DEATH 06/12/2002 12:30 Found		DATE OF BIRTH		AGE		GENDER Unknown	
RESIDENCE (STREET, CITY, STATE, ZIP) N/A, , CA				COUNTY Orange		RACE Not Applicable	
MARITAL STATUS		LEGAL NEXT OF KIN				SOCIAL SECURITY NUMBER	
						TELEPHONE NO.	
ADDRESS (STREET, CITY, STATE, ZIP)				OCCUPATION			
NOTIFIED BY				METHOD		DATE AND TIME	
<input type="checkbox"/> FOUND BY <input checked="" type="checkbox"/> PRONOUNCED BY		AGENCY/RELATIONSHIP		PA CASE <input type="checkbox"/>			
IDENTIFIED BY Paul Langenwalter		METHOD Anthropology		DATE AND TIME 06/12/2002 12:30			
ATTENDING PHYSICIAN		ATTENDING PHYSICIAN ADDRESS /PHONE					
MORTUARY		RELEASE DATE		TIME			
CIRCUMSTANCES OF INQUIRY These are founds bones at a known OC archeological dig site found in close proximity to other previous finds.							

ATTACHMENT NO. 02-1 5.61

ORANGE COUNTY SHERIFF
CORONER DIVISION



CASE NOTES

Case Number: 02-03972 - GA

DECEDENT NAME: Bones, Human Ancient

DATE OF DEATH: 06/12/2002

Date, Time And Initials On All Entries

SUPV/MGT CASE REVIEWS: Reviewed cleared for filing

6/14/02:2320 LY

SCENE:

On 06/14/02 at 0850 hours I arrived at archaeological site ORA-83 and was met by archaeologist Paul Langenwalter. Per Langenwalter, the entire area was a known burial site within the precincts of ORA-83, and past discoveries included isolated human remains and burials. The isolates had been discovered in a large area that was currently under grading and controlled construction, and two bulldozers were observed working at the site. The overall area was labeled MAC (mechanically assisted collection) 6, and feature numbers had not yet been assigned to the isolates. Instead, each isolate was assigned a tentative MAC 6 number that will later be given a feature number. The material of each isolate was covered with a white cloth that was then covered and protected by a large black plastic container. The area around the isolate was taped off by bright orange tape, and per protocol the isolates were flagged and active grading continued around the material.

- MAC 6-1: Consisted of small limb bone fragments, with not a lot available for formal identification. Per Langenwalter, the pattern of diagenesis for the wall of the bone was typical of human burial remains from this area and time period, and manganese staining was observed on the bone fragments. An associated chert flake was found approximately 1-2 feet away.
- MAC 6-2: Consisted of a human skull, the top having been sheared off during grading. Associated shell fragments were scattered around the skull portion.
- MAC 6-3: Consisted of loose bone fragments, possibly a second portion of skull also sheared due to grading. The skull was still deeply embedded in the soil and it was not discernable if it was the top or bottom of the skull.
- MAC 6-4: Interesting because it was at a different level from the other discovered isolates and in different soil. These isolates were possibly from an earlier time period, and consisted of a portion of sheared skull with additional small, loose bone fragments. A contemporary swig of sage and yarn had been placed near the bones as an offering by Native American monitors present on the site.
- MAC 6-5: Consisted of bone fragments, tentatively identified by Langenwalter as human humeral shaft.
- MAC 6-6: Consisted of a bone fragment that was possibly mammal, not necessarily human, per Langenwalter. The cortical pattern was ambiguous and until the bone was cleaned in the lab Langenwalter was reluctant to give an opinion. A contemporary tobacco offering had been placed near the bone fragment by Native American monitors present on the site.
- MAC 6-7: [MAC 6-6 and MAC 6-7 were flagged together as one group, though considered separate isolates.] Consisted of small bone fragments exhibiting manganese staining. A contemporary tobacco offering had been placed near the fragments by Native American monitors at the site.
- MAC 6-8: Consisted of several small, loose, ambiguous bone fragments; very little material present. Per Langenwalter, preservation matched burial rather than non-burial characteristics.
- MAC 6-9: Consisted of very small bone fragments, not yet identified as human or non-human. (06/14/02 22:45 BU)

EVIDENCE COLLECTED BY / DISPOSITION:

CRIMINAL HISTORY/LAW ENFORCEMENT CONTACTS:

PMD(S): (NAME, ADDRESS, PHONE & DATES):

MEDICAL HX:

SURGERIES: (DATES):

INFORMANTS: (NAME, RELATIONSHIP, ADDRESS & PHONE):

Paul Langenwalter, Forensic Anthropologist, Scientific Research Surveyor, (562) 943-4813

CONTROLS DISPOSITION OF DECEDENT: (NAME, RELATIONSHIP, ADDRESS & PHONE):

ADDITIONAL KIN: (NAME, RELATIONSHIP, ADDRESS & PHONE):

ORANGE COUNTY SHERIFF
CORONER DIVISION



CASE NOTES

Case Number: 02-03972 - GA

DECEDENT NAME: Bones , Human Ancient

DATE OF DEATH: 06/12/2002

Date, Time And Initials On All Entries

STATEMENTS: (NAMES, DATES & TIMES):

~~6-13-02~~ @ 1625 hrs. Per P. Langenwalter. At est 1230 hrs today at dig site #ORA-83, during grading, the crew came across some ancient human bone remains. They consist 2 skull fragments and 3 individual bone features (long bones) and 2 probable with bone features. Today in the late morning and early afternoon 2 more bone fragments were found as well. This is a new area at an old excavation site that is currently being graded; no grid coordinates have been assigned. This new area is known to have human remains; previous remains have been found in this area and are preserved in the same manner as the previous remains have been found. The bones found today and yesterday were found an est 10-30 meters from the old known dig site. There is not a problem if Dep Burch wants to come out and evaluate the site. Her contact person is Kevin Hunt. 6-13-02 @ 1700 hrs (GA)

On 06/14/02 at 0730 hours I contacted Paul Langenwalter of Scientific Research Surveys. Per Langenwalter, the human bones were found at ORA-83, in an area currently being graded. At this point seven different bone isolates have been identified. One of the isolates includes a skull that had been sheared and exposed in the grading process. The other isolates contain fragments of large and small human limb bones. Each area has been flagged off and will be excavated using conventional archaeological techniques. Two of the isolates were discovered yesterday, and Langenwalter has not yet had a chance to examine them. Per Langenwalter, all the material is consistent with ancient human remains, and the monitors from the Most Likely Descendants have examined the material *in situ*. I arranged to meet Langenwalter at the site at approximately 0830 hours this morning. (06/14/02 07:43 BU)

PA STATEMENTS: (NAMES, DATES & TIMES):

FOLLOW UP REQUEST & ACTIONS TAKEN:

On 06/14/02 at 2320 hours I contacted the Native American Heritage Commission and left a message for Rob Wood on the answering machine; I notified him I had responded to the site and had not found anything of modern forensic significance. (06/14/02 23:24 BU)

CASE DEPUTY ACTIONS:

6-13-02 Case number was issued and Dep BU will respond to dig site location 6-14-02 in am hrs. (GA)

6-13-02 @ 2200 hrs. Native American Heritage Commission was contacted, left voice mail with Gloria. (GA)

NOTIFICATIONS (WHO NOTIFIED, DATE & TIME):



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ENDORSEMENTS

Amigos de Bolsa Chica
Algalita Marine Research
Foundation
Anza Borrego Foundation
Bolsa Chica Wetlands Land
Trust
City of Huntington Beach
Friends of Harbors,
Beaches and Parks
Huntington Beach
Wetlands Conservancy
Huntington Beach Tomorrow
Orange Coast League of
Women Voters
Orange County
Coastkeeper
Peninsula Open Space Trust
Sea and Sage Audubon
Sierra Club
Angeles Chapter
Surfrider Foundation

February 11, 2008

TO: Lelonnie
Orange County Coroner Office
714-647-6122

FROM: Flossie Horgan
Phone number 714-846-1001
Email bclandtrust@verizon.net

714-536-7262

RE: human remains from archeological site Bolsa Chica

This request is for the total number of human remains found on the Bolsa Chica mesa in Orange County, California and reported to the Coroner's office.

This request is for the following time frames
January 1, 1990- February 1994
And
January 1994-January 2000
And
January 2000- January 2002
And
January 2002- present

This request includes but is not limited to all records of human remains found on the archeological sites known as ORA 83 and ORA 85. ORA 85 information may be under a housing development called Sandover by Hearthside homes ORA 83 information may be under a housing development called Brightwater by Hearthside Homes

Please respond by email (bclandtrust@verizon.net)
Or
Address below

Thank you for prompt attention to this matter.

ORANGE COUNTY SHERIFF – CORONER DEPARTMENT

FAX COVER SHEET

TO: Flossie Horgan PHONE: _____ FAX: 714 536-7262

ORGANIZATION Bolsa Chica Land Trust

FROM: Le'Lonnie PHONE: (714) 647-7400 FAX: (714) 647-6122

DATE: 02/21/08 NUMBER OF PAGES (+COVER) 7

CORONER CASE/NAME: Several Indian or ancient bones *Cases*

CLASSIFICATION OF DEATH: *02 03972-6A*

ITEM(S) FAXED: TOX ___ MICRO ___ VOD ___ NEURO ___

NEUROMICRO ___ CI ___ SUMMARY X

NOTES:

WARNING/CONFIDENTIAL

This facsimile transmission constitutes a confidential communication intended **only** for the addressee indicated above. Please notify us as soon as possible at the telephone number shown above of any error in transmission. Thank you for your cooperation.

ATTACHMENT NO. *REF 5.65*

ORANGE COUNTY SHERIFF-CORONER

CORONER DIVISION

INVESTIGATIVE WORKSHEET

Report Date: 4/14/2008

NAME OF DECEASED (LAST, FIRST MIDDLE) BONES, Human - ancient indian		CALL DATE AND TIME 04/27/2000 20:35		MANNER Jurisdictional Inq.		CASE NUMBER 00-02791-LY	
CORONER INVESTIGATOR Joseph D. Luckey		REPORTED BY		REPORTING AGENCY		REFERENCE NUMBER	
LOCATION OF DEATH FND <input type="checkbox"/> ER/OP <input type="checkbox"/> IP <input type="checkbox"/> ORA#83		ADDRESS (STREET, CITY, STATE, ZIP) AT RESIDENCE <input type="checkbox"/> Bolsa Chica Ecological Reserve, , California				PHONE	
DATE AND TIME OF DEATH 04/27/2000 14:00 Found		DATE OF BIRTH	AGE	GENDER Unknown		RACE Not Applicable	
NAME AKA:		RESIDENCE (STREET, CITY, STATE, ZIP)				RESIDENCE PHONE	
MARITAL STATUS		SOCIAL SECURITY NUMBER		OCCUPATION / EMPLOYER			
<input type="checkbox"/> FOUND BY <input type="checkbox"/> PRONOUNCED BY		AGENCY/RELATIONSHIP		PROPERTY COLLECTED? <input type="checkbox"/>		PA CASE <input type="checkbox"/>	
IDENTIFIED BY		METHOD		DATE AND TIME		DL STATE / NUMBER	
LOCATION OF INCIDENT AT WORK <input type="checkbox"/>		ADDRESS (STREET, CITY, STATE, ZIP)				COUNTY Orange	
INJURY DESCRIPTION				INJURY DATE/TIME			
INVESTIGATING/LAW ENFORCEMENT AGENCY		REFERENCE NUMBER		OFFICER			
MORTUARY		CORONER AUTOPSY? No		BODY EXAMINATION DATE/TIME		RELEASE DATE AND TIME	
ATTENDING PHYSICIAN		ATTENDING PHYSICIAN ADDRESS				ATTENDING PHYSICIAN PHONE	
PHOTOS TAKEN? No	ADMITTED FROM					ADMITTED FROM DATE/TIME	
HEIGHT	WEIGHT	EYE COLOR	GLASSES	COMPLEXION		TEETH	
HAIR COLOR	HAIR TYPE	HAIR LENGTH	FACIAL HAIR	ENVIRON. TEMP.		CALOR	
LIVIDITY			RIGOR				
SCARS			MARKS				
TATTOOS			CLOTHING				
SUMMARY Received a call reporting the discovery of ancient human bones at the ORA#83 site. Case number issued.							

ATTACHMENT NO. 5.66

4/27/00 1

ORANGE COUNTY SHERIFF
CORONER DIVISION



FOLLOW-UP NOTES

Case Number: 00-02791 - LY

DECEDENT NAME: Bone, Bone

DATE OF DEATH: 04/27/2000

Date, Time And Initials On All Entries

SUPV/MGT CASE REVIEWS: Reviewed/cleared for filing
5/10/00 1810 LY

SCENE: ORA#83

INFORMANTS: (NAME, RELATIONSHIP, ADDRESS & PHONE): Paul Langenwalter ph# 562-943-4813; ORA#83.

CONTROLS DISPOSITION OF DECEDENT: (NAME, RELATIONSHIP, ADDRESS & PHONE):

STATEMENTS: (NAMES, DATES & TIMES): 4/27/00 2035 hrs. I received a call from Mr. Paul Langenwalter at the site of the discovery of ancient human bones. He stated the discovery was approx 100 meters from the last such find in the area, but it is much closer to ancient human remains discovered in 1980's and last year 1999. He was unable to examine the bones and determine if they were infact human until this hour. The subject bone was described as a dislodged femur shaft. The bone was left in the possession of Mr. William Larson at the site. LY

4/27/00 2050 hrs. I contacted MA and notified him. He requested I leave word for the day shift WC to contact Larson in the morning in regards to rolling out to the site. LY

4/27/00 2100 hrs. I attempted to recontact both Paul Langenwalter at 562-943-4813 (busy signal) and William Larson at 562-967-9976 (bad phone #) and was unable to. LY

FOLLOW UP REQUEST & ACTIONS TAKEN: Contact Paul Langenwalter or William Larson about responding to the discovery site. LY.

4/28/00 @ 0820

I attempted to contact Paul Langenwalter but his daughter answered the phone. She told me that her father was busy at the moment. I left my name and phone number with her. (TO 4/28/00 @ 0825)

4/28/00 @ 0825

I attempted to reach William Larson but found that the number listed above was a bad number. (TO 4/28/00 @ 0825)

4/28/00 @ 0830

I spoke to Gayle McNolty of the Native American Heritage Commission and notified her of this find. I told her that we would more than likely role out to the site but we are awaiting a call back from Paul Langenwalter to confirm the accessibility to the find. She asked that we call her back once we confirmed that the remains were indeed of Native American Origin. (TO 4/28/00 @ 0830)

4/28/00 @ 1135

I attempted to call Paul Langenwalter at the number provided above and received only a busy signal. (TO 4/28/00 @ 1135)

4/28/00 @ 1205

I left a voice message at Paul Langenwalter's residence requesting that he call this division in reference to the find. (TO 4/28/00 @ 1210)

4/28/00 @ 1215

I attempted to contact Dr. Judy Suchey. I received no answer at her cell phone. Her pager was no longer in service. So I left a voice message on her voice mail system at her residence. (TO 4/28/00 @ 1215)

ATTACHMENT NO. 5.67

4/27/00 -2

ORANGE COUNTY SHERIFF
CORONER DIVISION



FOLLOW-UP NOTES

Case Number: 00-02791 - LY

DECEDENT NAME: Bone, Bone

DATE OF DEATH: 04/27/2000

Date, Time And Initials On All Entries

4/28/00 @ 1225

I attempted to contact Scientific Resource Surveys (SRS) at 909 767-2555 but only got an answering machine. I left a voice message requesting a call back on accessibility to the remains. (TO 4/28/00 @ 1230)

4/28/00 @ 1315

I received a telephone call from William Larson (562 697-9976) who informed me that the remains were currently locked in an office onsite at ORA#83. The site had been closed down after the find last evening and would not be reopened until 5/1/00 at 0700 hours. I told him that we wanted to have our Forensic Anthropologist and a Deputy Coroner respond to the site on Monday 5/1/00 and exam the find.

He indicated that the find consisted of a femur/long bone. The site where the remains were found appears to have more remains just below the location where the long bone was found. (TO 4/28/00 @ 1315)

Awaiting a call from Dr. Judy Suchey concerning availability to view the site and the find. Ask her if she would be available to go to the site on Monday 5/1/00 morning. (TO 4/28/00 @ 1330)

4/28/00 @ 1550

I received a call back from Dr. Suchey who indicated that she would be able to respond to the site 5/1/00 @ 1100 hours. She said that she would come to FSC and drive to the site with the assigned Deputy Coroner. (TO 4/28/00 @ 1555)

5/1/00 @ 1130 hrs - Dr. Suchey and I drove to site ORA#83 and arrived at 1200 hrs. We spoke with Mathew Dorame and Joyce Perry and they told us the bones were uncovered on 4/27/00 at 1430 hrs by Chuck Burnette (field tech). The bones were found near the site where, previously, other bones had been located. Dr. Suchey took several pictures and examined the bones and deemed them to be of no forensic value. (5/6/00 @ 1055 hrs HO)

5/17/00 @ 1605 hrs. A call was received from Paul Langenwalter reporting a discovery at 14:30 at ORA#83 of A femur shaft and long bone fragments approx. 5-7 meters from the discovery on 4/27/00 at this site. Information of this find was documented on the ancient discovery log in public records. LY

On 5/18/00 @ 0840 hours I spoke with Cathy at the Native American Heritage Commission and notified her of yesterday's find. (TO 5/18/00 @ 0840)

CASE DEPUTY ACTIONS: Entry made on the **DESIGNATED ARCHEOLOGICAL SITES** log, 5/10/00 1809 LY.

NOTIFICATIONS (WHO NOTIFIED, DATE & TIME): MA 4/27/00 2050 hrs.

ATTACHMENT NO. 5.68

4/27/00-3

DATE
&
TIME

5-1-00 Examination of Skeletal Remains at ORA #83

1400

Investigator Hoag and I went to the Bolsa Chica site (ORA #83) to examine bones found in Unit Alpha 4. A femoral midshaft was found which was heavily mineralized. The bone was (1) human and (2) prehistoric.

Additional bones may be present; one fragment did show exposure right underneath the femoral shaft. We requested a map of the Bolsa Chica site/area and were told to contact:

Ed Mountford, Senior V.P.

Hearthside Homes, Inc.

6 Executive Circle, Suite 250

Irvine, CA 92614

949-250-7700

Direct 949-250-7760

FAX 949-250-7770.

The Coroner needs this map for ^{burial} site locations. Joyce Perry (949-493-0959) asked for information regarding several Native American cases held at the Orange Co Coroner facility.

I explained that these cases had record of Coroner notification of the Native American Heritage Commission. I discussed the situation with Richard Rodriguez and Mr. Hoag, and R. McAally; further research and action will occur.

Judy Myers Bushey, Ph.D.
Forensic Anthropologist

4/27/00-4

ATTACHMENT NO. 5.69



THE GABRIELINO TONGVA INDIANS
OF CALIFORNIA TRIBAL COUNCIL

MATHEW DORAME
TRIBAL SECRETARY

3450 SLAUBON AVENUE SUITE 151
CULVER CITY, CALIFORNIA 90230
PHONE: 714-879-4456 FAX: 562-920-9449

ATTACHMENT NO. 5.70

4/27/00-5

ORANGE COUNTY SHERIFF – CORONER DEPARTMENT

FAX COVER SHEET

TO: Flossie Horgan PHONE: _____ FAX: 714 536-7262

ORGANIZATION Bolsa Chica Land Trust

FROM: Le'Lonnie PHONE: (714) 647-7400 FAX: (714) 647-6122

DATE: 02/21/08 NUMBER OF PAGES (+COVER) 7

CORONER CASE/NAME: Several Indian or ancient bones *CASCS*

CLASSIFICATION OF DEATH: *00-02791-L4*

ITEM(S) FAXED: TOX _____ MICRO _____ VOD _____ NEURO _____

NEUROMICRO _____ CI _____ SUMMARY X

NOTES:

WARNING/CONFIDENTIAL

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4/27/00 -6
ATTACHMENT NO. 5.71

ORANGE COUNTY SHERIFF-CORONER

CORONER DIVISION

3/30/00

INVESTIGATIVE WORKSHEET

Report Date: 4/14/2008

NAME OF DECEASED (LAST, FIRST MIDDLE) BONES, Human - ancient indian		CALL DATE AND TIME 04/04/2000 12:30		MANNER Jurisdictional Inq.		CASE NUMBER 00-02277-RO	
CORONER INVESTIGATOR Richard L. Rodriguez		REPORTED BY Dr. Paul Langenwalter		REPORTING AGENCY Archeologist for SRS Const.		REFERENCE NUMBER	
LOCATION OF DEATH FND <input checked="" type="checkbox"/> ER/OP <input type="checkbox"/> IP <input type="checkbox"/> Construction site		ADDRESS (STREET, CITY, STATE, ZIP) AT RESIDENCE <input type="checkbox"/> ORA #83 at Bolsa Chica Mesa, Irvine, California				PHONE	
DATE AND TIME OF DEATH 03/30/2000 0:00 Found		DATE OF BIRTH	AGE	GENDER Unknown		RACE Not Applicable	
NAME AKA:		RESIDENCE (STREET, CITY, STATE, ZIP)				RESIDENCE PHONE	
MARITAL STATUS		SOCIAL SECURITY NUMBER		OCCUPATION / EMPLOYER			
<input checked="" type="checkbox"/> FOUND BY <input type="checkbox"/> PRONOUNCED BY SRS		AGENCY/RELATIONSHIP		PROPERTY COLLECTED? <input type="checkbox"/>		PA CASE <input type="checkbox"/>	
IDENTIFIED BY Dr. Suchey		METHOD Anthropology		DATE AND TIME 04/07/2000 15:15		DL STATE / NUMBER	
LOCATION OF INCIDENT AT WORK <input type="checkbox"/>		ADDRESS (STREET, CITY, STATE, ZIP)				COUNTY Orange	
INJURY DESCRIPTION				INJURY DATE/TIME			
INVESTIGATING/LAW ENFORCEMENT AGENCY		REFERENCE NUMBER		OFFICER			
MORTUARY		CORONER AUTOPSY? No		BODY EXAMINATION DATE/TIME		RELEASE DATE AND TIME	
ATTENDING PHYSICIAN		ATTENDING PHYSICIAN ADDRESS				ATTENDING PHYSICIAN PHONE	
PHOTOS TAKEN? No	ADMITTED FROM					ADMITTED FROM DATE/TIME	
HEIGHT	WEIGHT	EYE COLOR	GLASSES	COMPLEXION		TEETH	
HAIR COLOR	HAIR TYPE	HAIR LENGTH	FACIAL HAIR	ENVIRON. TEMP.		CALOR	
LIVIDITY			RIGOR				
SCARS			MARKS				
TATTOOS			CLOTHING				
<p>SUMMARY The Coroner's Office was notified of possible human remains discovered at a construction site. Dr. Suchey, Forensic Anthropologist, responded to the site with Deputy Coroner Rodriguez and determined the remains were of non forensic value and consistent with ancient human remains. The bones were released to the Native American Heritage Commission.</p>							

ATTACHMENT NO. 5.72 ⁰¹⁻¹

**ORANGE COUNTY SHERIFF
CORONER DIVISION**



FOLLOW-UP NOTES

Case Number: 00-02277 - RO

DECEDENT NAME: BONES, Human

DATE OF DEATH: 03/30/2000

Date, Time And Initials On All Entries

SUPV/MGT CASE REVIEWS:

04/08/00: I reviewed this case and noted a handwritten report from Dr. Suchey. She indicates that human determination was made from molar morphology, long bone shafts that were present. Prehistoric status was determined from extreme wear on the molars. She also indicated that additional information will be provided by Dr. Langenwalter following completion of the excavation. This inquiry is complete, as the remains have no forensic value and the Native American Heritage Commission has been notified. (MA)

SCENE:

EVIDENCE:

PMD(S): (NAME, ADDRESS, PHONE & DATES):

MEDICAL HX:

SURGERIES: (DATES):

INFORMANTS: (NAME, RELATIONSHIP, ADDRESS & PHONE):

CONTROLS DISPOSITION OF DECEDENT: (NAME, RELATIONSHIP, ADDRESS & PHONE):

ADDITIONAL KIN: (NAME, RELATIONSHIP, ADDRESS & PHONE):

STATEMENTS: (NAMES, DATES & TIMES):

On 03-30-00 1755 Dep. Luckey received a call from Paul Langenwalter, reporting findings of possible Native American Human Remains, which consisted of long bone fragment and a vertebra. Paul was calling from ORA #83 at Bolsa Chica Mesa. The bones were found in the side wall of trench #8 of the site. The site that day was dark until Monday 04-03-00. He had not made an inspection of the bones yet to determine if they were human or animal. The find is approximately 100 yards north of the most recent find at ORA #83. Asst. Chief McAnally was notified of the circumstances. 04-04-00 1458 ES

On 04-04-00 1220 hours, Asst. Chief McAnally requested I follow-up on the above circumstances. I contacted Paul Langenwalter(562-943-4813) who did a preliminary examination of the remains at the site. He was able to observe the inner part of the bone that appeared to be a long bone. He stated, based on his examination, that it was a large mammal, but could not rule out a deer. He stated the diagnosis is consistent with the preservation of other human remains found at the site. He feels they are consistent with the other Indian Remains found at the site. He did not disturb the site, and planned on a more extensive examination on 04-05-00. 04-04-00 1510 ES

04-04-00 1430 hours, I advised Asst. Chief McAnally of the above circumstances. He requested further inquiry into the initial exam and that Dr. Suchey be advised of the situation. 04-04-1511 ES

04-04-00 1500 hours, I contacted Dr. Suchey regarding the above circumstances. She received a call from Paul Langenwalter regarding his initial examination. She understood it was presumed human, but that he should continue with his excavation if there is any question. Dr. Suchey stated Paul is very competent regarding the distinction between human vs non-human, and encouraged further examination. She will contact Paul regarding the findings. She agreed with Asst. Chief McAnally decision regarding coroner involvement if any question. She will contact Paul regarding his findings and call the Coroner's division back once she has spoken with him. 04-04-00 1518 ES

4/4/00 @ 16:35 received call from J. Suchey she has been of the phone with Paul Langenwalter who she says is a very capable. He is going to the site Wednesday morning. Judy will fax a copy of what Langenwalter's procedure will be to the office. I received this fax and gave it to the Asst. Chief McAnally who will follow-up with Dr. Suchey. 4/4/00 17:21 (EL)

04/04/00 1720: I spoke to Dr. Suchey by phone. She said her recommendation is that Dr. Langenwalter continue with the excavation to the point he is able to determine if human. If the bones are human, he should stop and notify coroner. Dr. Suchey is available to

ATTACHMENT NO. 00-2
5.73

ORANGE COUNTY SHERIFF
CORONER DIVISION



FOLLOW-UP NOTES

Case Number: 00-02277 - RO

DECEDENT NAME: BONES, Human

DATE OF DEATH: 03/30/2000

Date, Time And Initials On All Entries

respond any time Thursday with a deputy coroner if necessary. (MA)

FOLLOW UP REQUEST & ACTIONS TAKEN:

Contact Dr. Langenwalter and advise him to stop the dig and notify us if he recognizes the bones are human. A deputy coroner and Dr. Suchey will respond if human and handle per established policy. 04/04/00 1730 (MA)

4/7/00 @ 1000

I attempted to contact Paul Langenwalter per Assistant Chief's directive. I left a voice message requesting he contact this division with an update on the remains. (TO 4/7/00 @ 1005)

4/7/00 @ 12196

I received a call back from Paul Langenwalter who said that he has determined that the remains discovered on 3/30/00 were indeed human. Wednesday 4/5/00 crews excavated and exposed a skull, limb bone, a jaw with teeth and a left foot. There were prehistoric artifacts uncovered along with the remains which included an abrading stone. The wear on the teeth were consistent with prehistoric specimens. It was determined that the remains were prehistoric Native American remains. ~~The Native American Commission was advised and has had representatives on sight the past few days.~~ The remains were in the process of being further exposed. There is no building construction ongoing. The excavation at this point is purely of an archeological nature. He anticipates that the excavation will conclude this afternoon along with the removal of the remains by the Native American Council members. Dr. Judy Suchey has been made aware of the situation. (TO 4/7/00 @ 1245)

4/7/00 @ 1300

I spoke to Dr. Judy Suchey via her cell phone and requested she respond with one of our Deputies to the excavation site. She agreed but said that she would meet the responding Deputy at FSC and proceed with them to the site. (TO 4/7/00 2 1305)

4/13/00 @ About 0830

I received a telephone call from Gayle of the Native American Heritage Commission inquiring into the status of site ORA#83. I told her that Dr. Suchey and a Deputy from our division went out to the site last week and confirmed that the remains were of no Forensic Value. She seemed upset and asked why she was not notified of the findings. I told her that Paul Langenwalter relayed to me during my conversation with him on 4/7/00 that Native American Commission representatives were at the site during the excavation and were aware of the findings. (TO 4/13/00 @ 0950)

4/13/00 @ 0955

Per MA's direction, I called Paul Langenwalter to get the names of the individuals he notified and were present from the Native American Commission. Paul's daughter answered and said that Mr. Langenwalter was not available at the time and would not be in until sometime this afternoon. I left a message for Mr. Langenwalter to contact FSC and ask for the Watch Commander. (TO 4/13/00 @ 0955)

4/13/00 @ 1055

I received a call back from Paul Langenwalter who said that he had contacted and was dealing with the following "tribal" representatives: Joyce Perry, David Bollardy, Nation Ponva representative Gabriel Alenia, and the onsite representative was Robert Dorme. I asked specifically if he had contacted the Native American Heritage Commission and he said he had spoken only to those individuals listed above. He knows nothing about the Native American Heritage Commission. (TO 4/13/00 @ 1100)

CASE DEPUTY ACTIONS:

On 04/07/00 Deputy Rodriguez responded to the scene with Dr. Suchey. Dr. Suchey examined the remains and confirmed they were of no forensic value and consistent with ancient human. (MA)

04/07/00 @ 1355

I received instructions from Assistant Chief R. MacAnally to assist and escort Dr. Judy Suchey, Forensic Anthropologist to a site know as Bolsa Chica Mesa, where skeletal remains had been unearthed during construction. Prior information had been received in the coroner's office on 03-30-00 of this find that the remains were of possible Native American Indian. A case number was assigned, however, the case had not been assigned an investigator, pending the examination of Dr. Suchey. This area has been given a site area

ATTACHMENT NO. 00-3
5.74

ORANGE COUNTY SHERIFF
CORONER DIVISION



FOLLOW-UP NOTES

Case Number: 00-02277 - RO

DECEDENT NAME: BONES, Human

DATE OF DEATH: 03/30/2000

Date, Time And Initials On All Entries

code # ORA #83 site trench # 8.

On April 7, 2000 Dr. Suchey and myself responded to the above mentioned location at 1435 hours, arriving at Bolsa Chica Mesa at 1505 hours. Upon our arrival we were met by Nancy A. Whitney-Desautels, Director of Research, Scientific Resource Surveys, Inc. Phone # (714) 625-3487, who subsequently directed us to site trench #8 and at which time I noted a partially excavated site which contained partial skeletal remains. Also, present was Mr. Robert F. Dorame, Tribal Chairperson, of the Gabrielino Tongva Indians of California Tribal Council, c/b# (714) 879-4456.

Dr. Suchey examined the partially exposed remains and determined the remains were prehistoric. This was based on the examination of the molars which revealed extreme wear. For further details, refer to Dr. Judy Suchey's handwritten report cc# 00-02277-RO, page 1 of 1, 1615 hours, (Analysis of Human Skeletal Remains) 35mm Photographs of the site were taken by Dr. Suchey. We were 10-98 at 1540 hours. (RO)

On 4/13/00 at 1425 hours I officially notified Gail McNulty of the presence of native american remains.(4/13/00 1430h LL)

NOTIFICATIONS (WHO NOTIFIED, DATE & TIME):

ATTACHMENT NO. 5.75 00-4



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Vice President
Paul Arms
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Jim Anderson
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Mary Urashima
Grace Winchell

ENDORSEMENTS

Amigos de Bolsa Chica
Algalita Marine Research
Foundation
Anza Borrego Foundation
Bolsa Chica Wetlands Land
Trust
City of Huntington Beach
Friends of Harbors,
Beaches and Parks
Huntington Beach
Wetlands Conservancy
Huntington Beach Tomorrow
Orange Coast League of
Women Voters
Orange County
Coastkeeper
Peninsula Open Space Trust
Sea and Sage Audubon
Sierra Club
Angeles Chapter
Surfrider Foundation

February 11, 2008

TO: Lelonnie
Orange County Coroner Office
714-647-6122

FROM: Flossie Horgan
Phone number 714-846-1001
Email bclandtrust@verizon.net

714-536-7262

RE: human remains from archeological site Bolsa Chica

This request is for the total number of human remains found on the Bolsa Chica mesa in Orange County, California and reported to the Coroner's office.

This request is for the following time frames
January 1, 1990- February 1994
And
January 1994-January 2000
And
January 2000- January 2002
And
January 2002- present

This request includes but is not limited to all records of human remains found on the archeological sites known as ORA 83 and ORA 85. ORA 85 information may be under a housing development called Sandover by Hearthside homes ORA 83 information may be under a housing development called Brightwater by Hearthside Homes

Please respond by email (bclandtrust@verizon.net)
Or
Address below

Thank you for prompt attention to this matter.

5200 Warner Avenue - Suite 108 - Huntington Beach, CA 92649 - (714) 846-1001
www.bolsachicalandtrust.org

ATTACHMENT NO. 5.76

00-5

ORANGE COUNTY SHERIFF – CORONER DEPARTMENT

FAX COVER SHEET

TO: Flossie Horgan PHONE: _____ FAX: 714 536-7262

ORGANIZATION Bolsa Chica Land Trust

FROM: Le'Lonnie PHONE: (714) 647-7400 FAX: (714) 647-6122

DATE: 02/21/08 NUMBER OF PAGES (+COVER) 7

CORONER CASE/NAME: Several Indian or ancient bones *CASCS*

CLASSIFICATION OF DEATH: *00-02277-R0*

ITEM(S) FAXED: TOX ___ MICRO ___ VOD ___ NEURO ___

NEUROMICRO ___ CI ___ SUMMARY X

NOTES:

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ATTACHMENT NO. 5.77

00-0

11-99-2

99-07108-LL

Scientific Resource Surveys, Inc.
P.O. Box 2349
Temecula, CA 92593
(909) 767-2555
(909) 767-0305 (Fax)



TRANSMITTAL

DATE: Nov. 4, 1999

TO: Bruce Lyle
Investigation Unit
Crimes Office
(714) 647-7426

FROM: Nancy Desautels (SRS - Scientific Resource
Surveys, Inc.)

VIA: FAX MAIL

SUBJECT: Human Bone Fragments from ORA-83,
The Logged Store Site:
17201 Bolsa Chica Road
Huntington Beach, CA 92647

NOTES: Human bone fragments are within the
 confines of the archaeological site and
 include 1 ca. 3" fragment of a femur;
 1 ca. 3" fragment of a tibia and 48"-44"
 shatter from a tibia. Id's were made
 at ca. 10:30 A.M. on Nov. 4, 1999. Remains were
 found ca. mid-day on Nov. 3, 1999. Id's
 were made by Paul Largent at his
 earliest availability which was today. Paul is
 identifying all bone from this site: human &

NO. OF PAGES: 1 OTHER.
(Including this page)

Huntington Beach Phone#: 625-3487

Fax#: 625-3486 ATTACHMENT NO. 5.11

C-00-11

DATE & TIME

PAGE # _____

CASE # _____



ROBERT M. BEER
Vice President
Environmental Operations

Scientific Resource Surveys, Inc.

ARCHAEOLOGY • PALEONTOLOGY • HISTORY • GEOSCIENCES
P.O. Box 2349, Temecula, CA 92593-2349
Phone 909/767-2555 Fax 909/767-0305



NANCY A. WHITNEY-DESAUTELS, PH.D.
President / Director of Research

Scientific Resource Surveys, Inc.

ARCHAEOLOGY • PALEONTOLOGY • HISTORY • GEOSCIENCES
P.O. Box 2349, Temecula, CA 92593-2349
Phone 909/767-2555 Fax 909/767-0305



HEARTHSIDE HOMES, INC.

ED MOUNTFORD
SENIOR VICE PRESIDENT

6 EXECUTIVE CIRCLE, SUITE 250, IRVINE, CA 92614
(949) 250-7700 DIRECT (949) 250-7760 FAX (949) 250-7770

ATTACHMENT NO. 570



**SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE, CALIFORNIA
INVESTIGATOR'S CASE NOTES**

Case No. 99-07108-LL Dictate
 Investigator LYLE Reviewed By _____
 Billing: YES NO

CLASSIFICATION

Natural - A Homicide Accident Officer Involved
 Natural - NA Suicide SIDS In Custody
 Natural - Dual Traffic Undetermined Refer to PA
 Consult Donor: Approached Declined Cornea Other
 Decedent's Name BONES, HURAN
 AKA HURAN, ANNEAT
 Tentative I.D. _____

Address _____ Zip Code: _____
 City _____ Telephone _____ Age _____ DOB _____
 Sex _____ Race _____ HT _____ WT _____ Hair _____ Eyes _____
 Married Divorced Never Married Widowed Children
 Occupation (Before Retirement) _____

Date of Death 11/18/99 Time 1030 Day THURS
 Place of Death 17201 BOLSA CHICA RD, HA.
92647 (ORA 83)

Hospital ERO/P IP DOA Convalescent Hosp Board & Care
 Pronounced By _____ Phone _____ Relationship _____
 Reporting Party NANCY DESARTELS Time 1720
 Date 11/18/99 10-8 10-97 10-98
 Placed Received FSC

Mortuary _____ Phone _____
 Requested By _____ Relationship _____
 Transport by _____ Time Called _____
 Autopsy: No Coroner Private Tox Cultures SO-ID
 MD Cause of Death _____

Per MD _____ Lic No: _____
 Investigator _____ Date _____

SUICIDE HOMICIDE
 TRAFFIC INDUSTRIAL OTHER
 Type _____
 Place _____
 Date _____ Time _____ Zip Code: _____
 Weapon _____ Dispo _____
 Ser. No. _____ Dispo _____
 Registered Owner _____
 Suicide Note Yes No Dispo _____
 Type of Vehicle _____ License _____
 Reg. Owner _____ Phone _____
 Tow Company _____ Pedestrian _____
 Decedent: Driver _____
 Restraints Yes No Unk Helms(s) Yes No Unk
 Deployed Air Bag Yes No Ejected Yes No
 Travel Direction _____ on _____
 Position in Vehicle _____
 Other Vehicle _____ License _____
 Travel Direction _____ on _____ Other Vehicle _____
 Number of Persons in Decedent's Vehicle _____

Police Agency _____ Time PD Called _____
 Officer _____ File No. _____
 Investigator _____ Charges Yes No

REPORT DATE
 Time PD Called _____
 File No. _____
 Charges Yes No

NOTIFICATIONS
 CAR Record Yes No
 CDC DA Sids OSHA State Lic NTSB Name: _____
 Name _____ Dept _____ Date _____ Time _____

AL Autopsy _____
 I.D. Case # _____
 Number of Polaroid(s) Submitted _____ By _____
 Physical Evidence _____ GSR Kit # _____
 Position/Taken by _____
 Food & Tox. Taken _____ Disposition _____
 Fingerprints Taken _____ By _____
 Identified By _____

NEXT OF KIN MINOR CHILD
 Name _____ Relationship _____
 Address _____ Zip Code: _____
 Home Phone _____ Bus. Phone _____
 Name _____ Relationship _____
 Address _____ Zip Code: _____
 Home Phone _____ Bus. Phone _____
 Identified By _____ Date _____ Time _____
 Billing Party _____
 Address _____

WITNESS/INFORMANTS
 Name NANCY DESARTELS Phone (714) 625-3487
 Address SCIENTIFIC RESOURCE SURVEYS, INC
 Name _____ Phone _____
 Address _____ Phone _____
 Name _____ Phone _____
 Address _____

PROPERTY YES NO
 NOK Mortuary FSC Safe OCSD Property
 Position: _____ Relationship _____
 P.A. _____ P.A. Investigator _____
 Reported _____

ATTACHMENT NO. 5.81

11-99-4

DATE
&
TIME

11-5-99

Analysis of Human Remains (ORA-93)

Human remains were found in back dirt in the digging of trenches (? geological survey or exploration of site). Two midshafts of adult long bone (femur, tibia) were found and photographed. Both were clearly prehistoric, as determined by mineralization. The bone appeared similar to the remains viewed in 1993.

Judy Myers Suckey, PhD
Forensic Anthropologist



CASE NOTES

Case Number: 99-07108

11-09-7

DECEDENT NAME: BONES, Human

DATE OF DEATH: 11/03/1999

Date	Time	Initials	Comments
11/5/99	0940	LY	Spoke to Nancy Desautels at the site and she will not be there the remainder of the day. She also stated no one will be at the site until Mon. 11/8, d/t they work M-F, 10 hours shifts. I left another message on Judy Suchey's answering machine to this fact. LY
11/5/99	11:00	LY	BE informed me that Judy Suchey would be responding to the FSC and accompanying RA to the site of the dig. RA & Judy left for HB at approx 1145 hrs..LY PA
11-5-99	1633	Ra	At the direction of CDC Berndt, I and Dr. J Suchey went out to 17201 Bolsa Chica Ave. leaving at 1200 hours and arriving at 1231 hours. We spoke to Robert Beer Scientific Resource Surveys, Inc 909)767-2555. He showed us the bone specimens and directed us out to site where an additional bone was in-situ. There were 3 bones along with a few fragment out and another one exposed in side wall of trench. The bone in trench wall has about 2" exposed and is about 1 1/2' - 2' down from surface. Although surrounded by browner dirt it extends into redish dirt which, R. Beer said is pre ice age. Trench was about 50 yards long about 3' wide and about 5' deep. Dr. Suchey examined the bones and determined them to be ancient PA
			R. Beer said he thought this find was not with in the boundies of ORA83 but was not sure of it. Also there were no other artifacts or tools found with the bones or in the immediate area. The normal process of digging is scooping aout 15 cm at a time. The trench was dug as a geologic survey for soil conditions. The bones were found on Wednesday(11-3-99) at unknown time. The bones were first found by an archeologist and a native american monitor at the same time. The loose bones were collected from the loose dirt next to the trench. He was unaware of who the native american monitors were. The "nearest decendent" for this site is David Belardes. The area over the find has been used as agriculture land for some 75 +/- years. PA
			I spoke to Edward Mountford with Hearthsides Homes Inc. 949)250-7700. He said the area is planed to be single family homes eventually. He said that although he did not try to call the coroners office his staff member Lucy Dunn (spelling?) called the Sheriff's office yesterday "AM" (11-4-99) to report the find, A message was left for the Sheriff to call back. After a couple hours a second call was put into the Sheriff re: the bones R/P was unaware of what transpired from then PA
			I spoke to Nancy Whitney-Desautels Scientific Resource Surveys (909)767-2555, she said the find was with in ORA83. The bones were found in the loose fill dirt about noon by native american monitor Matt Doame and SRS employee Bill Larson. SRS will now perform an excavation of area for recovery of existing bone. I instructed her that if there are any more bones found that they should call the Coroners office not the Sheriff. She seemed to understand this PA
			The three loose bones and fragments were released to Robert Beer for transfere to the Native American Heritage PA
11-5-99	1648	Ra	I called the Native American Heriatge and left a message on voice mail of "Gloria" (916)653-4082 informing her of the find and of our determination of "ancient" PA

ATTACHMENT NO. 5.84

8-69-11

ORANGE COUNTY SHERIFF – CORONER DEPARTMENT

FAX COVER SHEET

TO: Flossie Horgan PHONE: _____ FAX: 714 536-7262

ORGANIZATION Bolsa Chica Land Trust

FROM: Le'Lonnie PHONE: (714) 647-7400 FAX: (714) 647-6122

DATE: 02/21/08 NUMBER OF PAGES (+COVER) 7

CORONER CASE/NAME: Several Indian or ancient bones *CASCS*

CLASSIFICATION OF DEATH: *99-07108-LL*

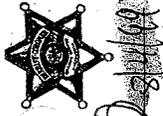
ITEM(S) FAXED: TOX ___ MICRO ___ VOD ___ NEURO ___
NEUROMICRO ___ CI ___ SUMMARY X

NOTES:

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ATTACHMENT NO. 5.85



COUNTY OF ORANGE, CALIFORNIA
INVESTIGATOR'S CASE NOTES

Case No. 99-05178 ME

Investigator MEADER Reviewed By [Signature]

Billing: YES NO

CLASSIFICATION

- Natural - A
- Natural - A
- Natural - Dual
- Consult
- Donor
- Decedent's Name BONES, HUMAN/PAVIA
- AKA
- Tentative I.D.
- Homicide
- Suicide
- Traffic
- Approached
- Declined
- Cornea
- Officer Involved
- SIDS
- Undetermined
- Refer to PA
- Other

Address _____ Zip Code: _____
 City _____ Age _____ DOB _____
 Telephone _____
 Sex _____ Race _____ HT _____ WT _____ Hair _____ Eyes _____
 Married Divorced Never Married Widowed Children
 Occupation (Before Retirement) _____

Date of Death FD 08/05/99 Time 1130 Day THUR
 Place of Death FD Construction site @ S/O CORNU
@ Bones Check St + Los Potos Ave, Hunt Beach
 Hospital ER/OP IP DOA Convalescent Hosp Board & Care

Pronounced By _____
 Reporting Party Robert Bear Scientific Services Time 1345
 Date 8/13/99 10-8 - 10-97 - 10-98
 Placed Received FSC

Mortuary _____ Phone _____
 Requested By _____ Relationship _____
 Transport By _____ Time Called _____
 Autopsy: No Coroner Private Tox Cultures SO-ID
 MD Cause of Death _____

Per MD _____ Lic No: _____
 Investigator _____ Date _____

99-1

TRAFFIC INDUSTRIAL OTHER
 Type _____
 Place _____

Date _____ Time _____ Zip Code: _____
 Weapon _____
 Ser. No. _____ Dispo. _____
 Registered Owner _____
 Suicide Note Yes No Dispo. _____
 Type of Vehicle _____ License _____

Reg. Owner _____
 Tow Company _____ Phone _____
 Decedent: Driver _____ Pedestrian _____
 Restraints Yes No Unk Yes No Unk
 Deployed Air Bag Yes No Ejected Yes No
 Travel Direction _____ on _____
 Position in Vehicle _____
 Other Vehicle _____ License _____
 Travel Direction _____ on _____ Other Vehicle _____
 Number of Persons in Decedent's Vehicle _____

REPORT DATE

Police Agency _____ Time PD Called _____
 Officer _____ File No. _____
 Investigator _____ Charges Yes No

NOTIFICATIONS

CAR Record Yes No
 CDC DA Sids OSHA State Lic NTSB Name: _____
 Name _____ Dept _____ Date _____ Time _____

Autopsy _____ I.D. Case # _____
 Im _____
 Number of Polaroid(s) Submitted _____ By _____
 Physical Evidence _____ GSR Kit # _____
 Specimen/Taken by _____ Disposition _____
 Food & Tox. Taken NO Disposition _____
 Fingerprints Taken NO By _____
 Infiltrated By J. Suckey as Native American Human

NEXT OF KIN MINOR CHILD

Name _____ Relationship _____
 Address _____
 s. Phone _____ Bus. Phone _____ Zip Code: _____
 Name _____ Relationship _____
 Address _____ Zip Code: _____
 s. Phone _____ Bus. Phone _____
 notified By _____ Date _____ Time _____
 Billing Party _____
 Address _____

WITNESS/INFORMANTS

Name LISA WOODWARD Phone _____
 Address MEXICANS AT SITE
 Name _____ Phone _____
 Address _____
 Name _____ Phone _____
 Address _____

PROPERTY YES NO

position: NOK Mortuary FSC Safe OCSD Property
 Relationship _____
 P.A. _____
 P.A. Investigator _____

ATTACHMENT NO. 586

PRELIMINARY EXAMINATION OF BODY

Name Made _____ Time _____
Position of Body _____
Clothing _____
Tattoo _____
Vitals _____
Injury/Scars _____
Body Temperature _____ Viewable: I.D. Service No
Mental Status (describe) _____

MEDICAL HISTORY

Attending Physician _____ M.D. Lic. # _____ Last Visit _____
Address _____ Telephone _____
Admitted For _____
Date of Operation _____ Date _____
Admitted Date _____ Time _____
Admitted By _____ From _____
Address _____
Admitted By _____
Complaints/Admit/DX/Symptoms _____

Admitted Yes No B.A. Level _____
Mental Status Yes No Date/Time Drawn _____
Signature _____ Date/Time _____

ATTACHMENT NO. 5.87

NOTES

I received a call from Robert Beer who identified himself as Vice Pres. of Scientific Resources (909/767-2555). He was reporting the discovery of bones at a construction site at the southwest corner of Bolsa Chica + Los Patos in Huntington Beach. This property is owned by a developer + was not known to BE A BURIAL GROUND. This was not an archaeological site + the discovery of these bones was unexpected. The bones were discovered at about 1130hrs. today. Site monitors are Bill Larson + Lisa Woodward. The bones were found in soil deposit that is about 11,000 yrs old. Construction has been diverted to another area until determination can be made on these bones. UNK if they are even human. 1400hrs. I paged Judy Suchey Forensic Anthropologist + left a message on her home phone to call FSC regarding bones at construction site. Call back to Robert Beer. The construction site is not enclosed + able to be secured after 1700hrs. They plan to remove the large chunk of dirt that the bones fragments are in if determination

is not made by 1700hrs. He said the if they do not do this, the bones will be taken by "activists" by morning + no one would be able to prevent this. He has tried to contact Paul Lageman (the kp?) to examine bones. He would be able to identify the bones + would be able to identify the bone I told him to not disturb area of bone until further word from FSC. Call to HBPD w/c Linker + advised of this circumstance. They will not be sending an officer out at this time. We are to keep w/c posted of progress. 1430 - paged Judy Suchey again. 1515 - paged Judy Suchey again.

SEE BLUE NOTES

F0880-58 (R5/05)

9/10

DATE & TIME

6:399
1625
1700

CI called for Robert Beer - Karen Williams, Admin. Ast. to Beer told me Beer had already gone for the day. At 1700 HOURS the bones w/ surrounding dirt will be moved to a secured shed. NO one will have access to the shed after 1700 HOURS. D/T the drive / traffic time I explained I could not be at the location in 30 minutes Williams directed that the Coroner's Office call Lisa Woodward - Archaeologist at 909-323-9340 she will be on site 8.4.99 at 0730-0745 HOURS. Bones = (1) Skull (1) Tooth

1950
8/3/99

Judy Suchey called - she was in the San Bernardino mountains and her cell could not get out. I saw the cres by her and she will call Lisa Woodward in the morning - Dr. Suchey has an early morning appointment and will be in around noon. to pickup a copy of the work card, etc.

(cc)

8-3-99
1738

CALL FROM J. SUCHEY SHE IS TRYING TO REACH LISA WOODWARD + upon REACHING HER will RESPOND TO SCENE + CALL US FROM THERE. (BA)

CORONER INVESTIGATION
CASE NOTES

99-4

PAGE # 2

CASE # 99-05178ME

DATE
&
TIME

08/04/99
1355 hrs.

I received a call from Judy Suchey and she gave me the following information; She went to the site where the bone fragments were found and examined them. She determined the bones to be Native American Human. SRS will take the remains to their lab to hold for the Native American Heritage Council. Suchey told SRS to call the coroner if any more bone fragments are found. SRS told Suchey the operation at that site is complete and there will be no more work done. Suchey will fax a copy of her report to FSC this evening. Suchey asked that I contact the Native American Heritage Council to advise them of her determination. SRS had contacted the Native American Heritage Council yesterday about the possibility of Native American Indian remains. *pe*

1405 hrs.

I contacted Gail Mc Nolte at the Native American Heritage Council (916)653-4082 and advised her of the above. She will contact Robert Beer at SRS regarding the bones. *pe*

ATTACHMENT NO. 5.89

DATE
&
ME

3/10/99 I received a call from J. Suchey, Forensic
KOD Anthropologist regarding this case. She was
reporting that SRS had reburied the bones.
She said this violated the previous agreement
by SRS to hold the bones in their lab.
I asked if the Native American Heritage
had been consulted & Suchey said she did
not know. Her concern was that the bones
were re-interred w/out the coroners
permission. She will send a memo to FSC
w/ her concerns. (u)

5:50 Call to Gail McNette at Native American
Heritage. She was aware of the reinterment
& it was done with her knowledge. They
have no concerns. (u)

996

CORONER INVESTIGATION
CASE NOTES

PAGE # _____

CASE # 99-05178-ME _____

DATE
&
TIME

08/13/99
1030 hrs

I spoke to Gale McNulty of the Native American Heritage Commission (916) 653-4040. She told me the Commission does not want the burial site further disturbed. They are arranging for the bones to be reinturred in a manner consistent with the involved tribal customs. The Commission's position, is the Coroner has met the responsibility of determining the bones in question have no forensic value and are prehistoric. Therefore, the Coroner has no jurisdiction to proceed in this matter.

I informed her that the Coroner has concluded his inquiry into this matter and would not be returning to the construction site.



R. McNally
Asst. Chief Deputy

ATTACHMENT NO. 5.91