

4.4 Cultural and Tribal Cultural Resources

This section analyzes potentially significant impacts related to cultural and tribal cultural resources that could result from implementation of the project. This analysis relies upon the results of the Paleontological and Cultural Resources Assessment Report for the project (Appendix D).

4.4.1 Existing Conditions

Cultural resources in the city of Irvine (City) include both historical and archaeological elements, providing tangible links to the City's past. Historical sites dating back to post-1542 AD hold significance for their historical, architectural, or cultural value, while archaeological sites reveal traces of human activity predating 1750 AD. The largest concentrations of archaeological sites, primarily reflecting the presence of the Gabrieleno and the Acjachemen (Juaneño), are found in specific regions like Upper Newport Bay and the Santiago and San Joaquin Hills. Hundreds of cultural resources have been identified within or near the City, including some of Orange County's earliest sites, with additional records maintained by the Office of Historic Preservation in Sacramento.

4.4.1.1 Cultural Setting

a. Prehistoric Setting

Table 4.4-1 presents the chronology of cultural change within the City over time. Archaeological data has revealed that from 8,500 to 3,500 years Before Present (BP), settlement within the region consisted of what is known today as Topanga groups of the Encinitas Pattern, which were relatively small and highly mobile populations. These people tended to settle along the coast in wetlands, bays, coastal plains, near-coastal valleys, marine terraces, and mountains. The Topanga toolkit is dominated by manos and metates with projectile points scarce. Beginning in 3,500 BP, the Encinitas Pattern was replaced by the Angeles Pattern, which restricted to the mainland and appears to have been less technologically conservative and more ecologically diverse, with a largely terrestrial focus and greater emphases on hunting and nearshore fishing (see Appendix D).

Pattern	Phase	Dates (BP)	Material Traits	Other Traits
Encinitas	Topanga I	8,500 to 5,500	Abundant manos and metates, many core tools and scrapers, few but large points, charmstones, cogged stones, early discoidals, bone gorge fishhooks, faunal remains rare; Olivella spire/end lopped beads appear	Estuary/lagoon shellfish and sharks/rays common, hunting important, secondary burials under metate cairns (some with long bones only), some extended inhumations, no cremations
	Topanga II	5,000 to 3,500	Abundant but decreasing manos and metates, adoption of mortars and pestles, smaller points, cogged stones, late discoidals, fewer scraper planes and core tools, some stone balls and	Estuary/lagoon shellfish and sharks/rays common, addition of acorns, reburial of long bones only, addition of flexed

Table 4.4-1 Chronology of Cultural Change				
Pattern	Phase	Dates (BP)	Material Traits	Other Traits
			charmstones; inhumations common; Olivella Grooved Rectangular beads introduced	inhumations (some beneath metate cairns), cremations rare
Angeles	Angeles I	3,500 to 2,600	Appearance of Elko dart points and an increase in the overall number of projectile points from Encinitas components; beginning of large-scale trade in small steatite artifacts (effigies, pipes, and beads) and Olivella shell beads; appearance of single-piece shell fishhooks and bone harpoon points; Coso obsidian becomes important; appearance of donut stones; appearance of Mytilus beads	apparent population increase; fewer and larger sites along the coast; collector strategy; less overall dependence on shellfish but fishing and terrestrial hunting more important; appearance of flexed and extended inhumations without cairns, cremations uncommon
	Angeles II	2,600 to 1,600	Continuation of basic Angeles I material culture with the addition of mortuary features containing broken tools and fragmented cremated human bone; fishhooks become more common	Shellfish change to mudflat species, more emphasis on fish, birds and mammals, continuation of basic Angeles I settlement and subsistence systems; appearance of a new funerary complex
	Angeles III	1,600 to 1,250	Appearance of bow and arrow technology (e.g., Marymount or Rose Spring points); changes in Olivella beads; asphaltum becomes important; reduction in obsidian use; Obsidian Butte obsidian largely replaces Coso	Larger seasonal villages; flexed primary inhumations but no extended inhumations and an increase in cremations; appearance of obsidian grave goods
	Angeles IV	1,250 to 800	Cottonwood points appear; some imported pottery appears; birdstone effigies at the beginning of the phase and "spike" effigies dropped by the end of the phase; possible appearance of ceramic pipes, Mytilus shell disks	Change in settlement pattern to fewer but larger permanent villages; flexed primary inhumations continue, cremations uncommon
	Angeles V	800 to 450	Trade of steatite artifacts from the southern Channel Islands becomes more intensive and extensive, with the addition or increase in more and larger artifacts, such as vessels and comals; larger and more elaborate effigies; portable mortars and pestles	Strengthening of ties, especially trade, with southern Channel Islands; expansion into the northern Santa Ana Mountains and San Joaquin Hills
	Angeles VI	450 to 150	Addition of Euroamerican material culture (e.g., glass beads and metal tools), locally made pottery, metal needle-drilled Olivella beads	Change of settlement pattern, movement close to missions and ranches; use of domesticated species obtained from Euroamericans; flexed primary inhumations continue; apparent adoption of Chingichngish religion
SOURCE: Appendix D.				

b. Ethnography

The City is within the traditional tribal territory of the Gabrieleno with the Acjachemen (Juaneño) located immediately to the south. The traditional tribal territory of the Gabrieleno includes large portions of Los Angeles County, the northern part of Orange County, small sections of Riverside and San Bernardino counties as well as the southern Channel Islands of Santa Barbara, San Clemente, San Nicolas, and Santa Catalina. The traditional tribal territory of the Acjachemen includes northern San Diego County and southern Orange County. Tribal boundaries are fluid and the Acjachemen territory may have extended north to include the City. Background sections for both the Gabrieleno and Acjachemen are provided below.

Gabrieleno

The Gabrieleno are considered to have been one of the wealthiest tribes and to have greatly influenced tribes they traded with. Houses were domed, circular structures thatched with tule or similar materials. The best-known artifacts were made of steatite and were highly prized. Many common everyday items were decorated with inlaid shell or carvings reflecting an elaborately developed artisanship.

The main food zones utilized were marine, woodland, and grassland. Plant foods were, by far, the greatest part of the traditional diet. Acorns were the most important single food source. Villages were located near water sources necessary for the leaching of acorns, which was a daily occurrence. Grass seeds were the next most abundant plant food used along with chia. Seeds were parched, ground, and cooked as mush in various combinations according to taste and availability. Greens and fruits were eaten raw or cooked or sometimes dried for storage. Bulbs, roots, and tubers were dug in the spring and summer and usually eaten fresh. Mushrooms and tree fungus were prized as delicacies. Various teas were made from flowers, fruits, stems, and roots for medicinal cures as well as beverages.

The principal game animals were deer, rabbit, jackrabbit, woodrat, mice, ground squirrels, antelope, quail, dove, ducks, and other birds. Most predators were avoided as food, as were tree squirrels and most reptiles. Trout and other fish were caught in the streams, while salmon were caught when available in the larger creeks. Marine foods were extensively utilized. Sea mammals, fish, and crustaceans were hunted and gathered from both the shoreline and the open ocean, using reed and dugout canoes. Shellfish were the most common resource, including abalone, turban, mussels, clams, scallops, bubble shells, and others.

Juaneño Acjachemen

About 1,300 years ago the Acjachemen (Juaneño), who were hunters and gatherers of the San Luis Rey Cultural Pattern, moved into southern Orange County. The Acjachemen speak a language that is part of the Takic language family. Their traditional tribal territory was situated partly in northern San Diego County and partly in southern Orange County. The boundaries were Las Pulgas Creek (south), Aliso Creek (north), the Pacific Ocean (west) and the Santa Ana Mountains (east). Villages were mostly along San Juan Creek, Trabuco Creek, and San Mateo Creek.

In prehistory, the Acjachemen had a patrilineal society and lived in groups with other relatives. These groups had established claims to places including the sites of their villages and resource areas. Marriages were usually arranged from outside villages establishing a social network of related peoples in the region. There was a well-developed political system including a hereditary chief. Religion was an important aspect of their society. Religious ceremonies included rites of passage at puberty and mourning rituals.

Houses were typically conical in shape and thatched with locally available plant materials. Work areas were often shaded by rectangular brush-covered roofs (ramada). Each village had a ceremonial structure in the center enclosed by a circular fence where all religious activities were performed.

Women are known to have been the primary gatherers of plant foods, but also gathered shellfish and trapped small game animals. Men hunted large game and most small game, fished, and assisted with plant food gathering, especially of acorns. Adults were actively involved in making tools including nets, arrows, bows, traps, food preparation items, pottery and ornaments. Tribal elders had important political and religious responsibilities and were involved in education of younger members.

c. Historic Setting

Spanish Exploration

Juan Cabrillo was the first European to sail along the coast of California in 1542 and was followed in 1602 by Sebastian Vizcaino. The Spanish colonization of what was then known as Alta California began with the 1769 overland expedition led by Gaspar de Portolá, with a crew of 63 men exploring the land between San Diego and Monterey. Between 1769 and 1822, the Spanish had colonized California and established missions, presidios, and pueblos and documented the people and landscape along the way.

Portola and his expedition crossed the area north of Lake Forest in July 1769, naming the perennial creek that empties from the Santa Ana Mountains "aliso". During the Mission period, many of the trees along the creek, including alder, oak, sycamore, and other species were cut down for the construction of ships and structures, charcoal production, and other uses.

Portions of the City lie within the boundaries of Rancho Santiago de Santa Ana, which was given to Jose Antonio Yorba and his nephew Pablo Peralta in 1810 by Governor José Joaquin de Arrillaga on behalf of the Spanish Government. The grant consisted of the lands east of the Santa Ana River to the Santa Ana Mountains (see Appendix D).

Mexican Period

In addition to the land granted for the Rancho Santiago de Santa Ana under the Spanish Government, additional land grants were given by the Mexican government, including Rancho San Joaquin and Rancho Lomas de Santiago. The Rancho San Joaquín land grant was a combination of the Rancho Cienega de las Ranas and the Ranch La Bolsa de San Joaquín. This land grant was issued to José Antonio Andrés Sepúlveda in 1837 and 1842, respectively. Rancho Lomas de Santiago was

granted to Teodosio Yorba by the Mexican Governor Pío Pico in 1846. Teodosio was the son of Jose Antonio Yorba, who was granted Rancho Santiago de Santa Ana (see Appendix D).

American Period

Following the cession of California to the United States after the Mexican-American War, the Treaty of Guadalupe Hidalgo in 1848 ensured that the land grants would be honored. In 1864 Sepúlveda sold his lands to Benjamin and Thomas Flint, Llewellyn Bixby, and James Irvine. In 1876, James Irvine bought out his partners and became the sole owner of the Irvine Ranch, which continued largely a ranching operation for many years. When Irvine died in 1886, James Irvine II took control of the ranch and increased its agricultural production. In 1894, James Irvine II incorporated the land holdings as the Irvine Company.

In 1899, the newly formed San Joaquin School District approached James Irvine II with the intent to build a school for the children of his ranch tenant. In 1911, the school and land upon which it resided was donated by Irvine II to Orange County. By the beginning of the twentieth century, Irvine II set aside 320 acres at the intersection of the Santa Fe Railroad tracks and Central Avenue for the purpose of developing a town for the residence of both his permanent and seasonal workers. In 1914, the Orange County town of Myford was renamed "Irvine." The Irvine Ranch's bean production reached its zenith during the First World War. In 1918, the ranch contained 60,000 acres of lima bean fields which produced 900,000 sacks, which equated to a total value of \$6 million. After the First World War, significant changes occurred at the Irvine Ranch in the 1920s. The Irvine Service Station was enlarged to accommodate the area's growing car culture and the town initially planned by Irvine saw an increase in housing for workers. Seeking a site for the Navy's air operations, the Santa Ana Chamber of Commerce chose the Irvine Ranch's lima bean field. This resulted in the establishment of the El Toro Marine Corps Air Station and the Tustin Lighter-Than-Air base (see Appendix D).

Modern Period

As a result of the Second World War, pressure mounted towards the development of urban areas in California. Under the guidance of Myford Plum, Irvine, Cameo Highlands, Irvine Terrace, Harbor View Hills, Cameo Shores, Westcliff Batcrest, and Irvine Cove in Laguna were developed.

In 1960, the Irvine Company gifted 1,000 acres of land to the University of California with a provision for the sale of an additional 500 acres. The establishment of the university on the Irvine Ranch provided a central focus around which the company would create a master plan for Irvine Ranch, centering around both the City and University of California, Irvine. To create this master plan, the Irvine Company hired William Pereira & Associates, who divided the ranch into three sections (north, central, and south). The central section consisted of prime agricultural land, while the northern section consisted of a remote mountainous region, and the southern section consisted of a basin that was considered the top priority of urban development, as it ran from the coast to the alignment of the Interstate 405 (I-405; San Diego) Freeway. Development of each community underwent meticulous planning, as each "village" would include its own churches, shopping centers, and schools. The same attention to detail was utilized in master land-use plan in the development of the Irvine Industrial Complex and the Newport "downtown" Center. Pereira's plan for the university outlined the campus as a large wheel with a park at the center that would include a lake and an amphitheater as "the focus of university life". The University of California, Irvine was dedicated on June 20, 1964.

In 1965, much of the agricultural land on the ranch was being converted into housing tracts. Multiple electronic firms, aerospace companies, and research and development companies made their way to the Irvine Industrial Complex. In 1971, the City of Irvine was incorporated. The 1973 Irvine General Plan emphasized an increase in cycling, hiking, and equestrian trails, reduced car dependency, and an increase in access to recreational facilities (see Appendix D).

4.4.1.2 Existing Historic and Prehistoric Resources

A record search for archaeological and historical resources was completed on September 24 and 25, 2018 at the South Central Coastal Information Center (SCCIC) of the California Historical Resource Inventory System, located on the campus of the California State University, Fullerton. The record search covered the entire area within the boundaries of the City. The search radius included El Toro, San Juan Capistrano, Laguna Beach, Tustin, Orange, and Black Star Canyon 7.5-minute topographic quadrangle maps. The results of the record search indicated that 647 prior studies were located within the City. The records search also determined 379 previously recorded cultural resources are located within the City boundaries, which are summarized by resource type in Table 4.4-2 below.

In addition to the SCCIC records search, a variety of sources were consulted in October 2018¹ to obtain information regarding the cultural context of the City. Sources included the National Register of Historic Places (NRHP) and the California Register of Historic Resources (CRHR) which includes the California Historical Resources Inventory (CHRI),² California Historical Landmarks (CHL), and California Points of Historical Interest (CPHI). The Bureau of Land Management (BLM) General Land Office records were also searched.

Resource Type	Quantity
Prehistoric Site	216
Prehistoric Isolate	85
Multi-Component Site	9
Multi-Component Isolate	1
Unknown Isolate	1
Historic Resource	62
Historic Site	2
Historic Isolate	3
TOTAL	379

¹Most developed suburban areas have been previously surveyed. However, certain areas with significant open space may remain unassessed, particularly if there hasn't been any ground disturbance. Despite the timing of the 2018 record searches and consultations, results and efforts remain relevant given the development trends that have occurred up to this point and the absence of ground disturbance in open space areas.

²The CHRI has been replaced by the California Built Environment Resource Database.

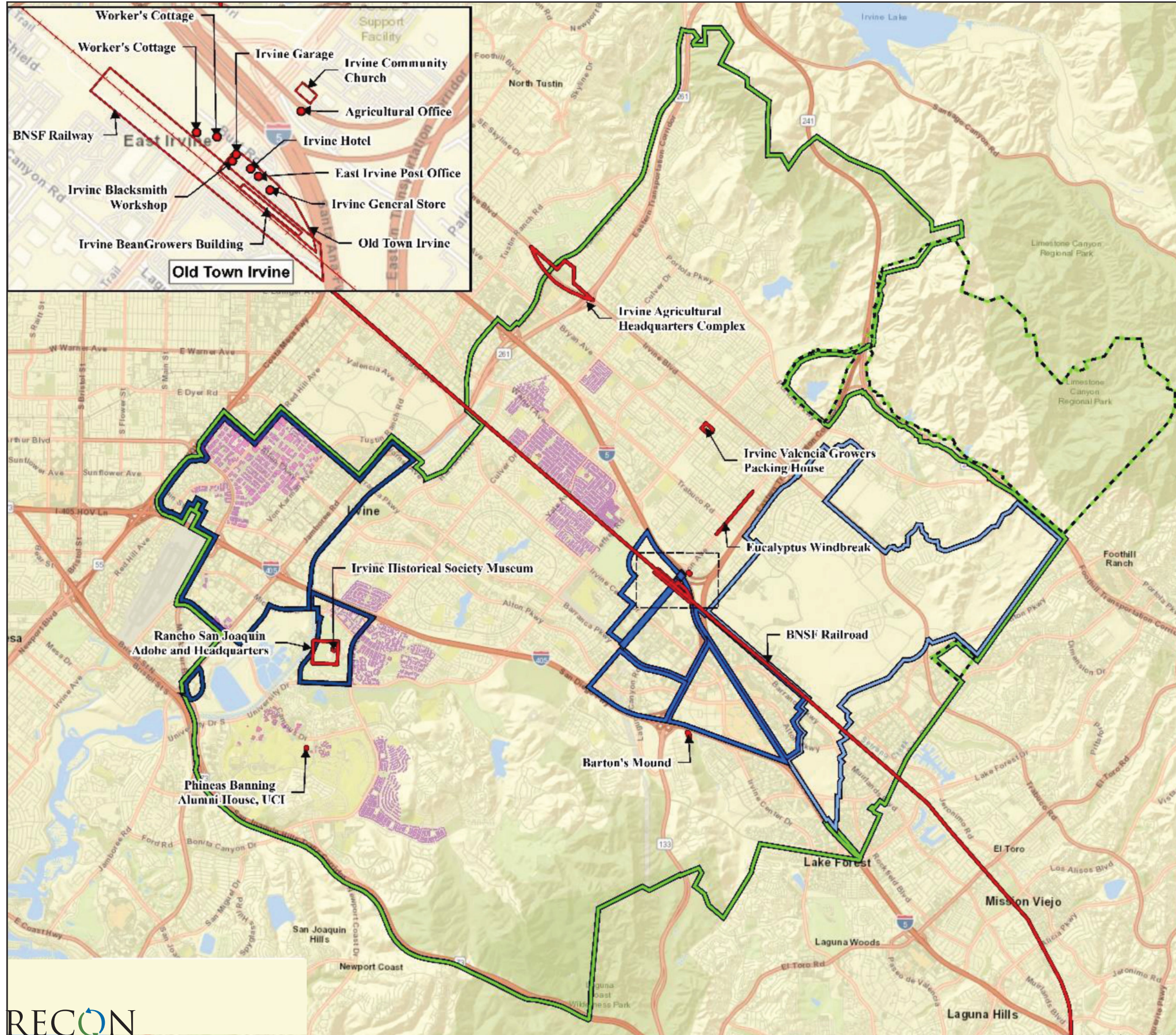
a. Historic Resources

Figure 4.4-1 presents the locations of historic resources within the City, and Table 4.4-3 provides a summary of these historic resources based on the type of historic designation.³ Historic resources listed in Table 4.4-3 include four buildings listed on the NRHP and the CRHR, eight properties listed on the CHRI, one area with a CHL plaque, and three areas with a CPHI plaque. The Orange County Parks lists the Irvine Ranch Historic Park as a historic resource, and the City lists 19 historically important properties. Historic resources within the City include current and former locations of historic buildings, historical archaeological sites (often near historic use areas), and the location of extant historic homes more than 45 years old. Old Town Irvine has the highest number of historic buildings. Other resources north of I-405 include the railroad, a eucalyptus windbreak, Valencia Growers Packing House, and the Irvine Agricultural Headquarters Complex. Historic resources south of I-405 include the Rancho San Joaquin Adobe, the San Joaquin Gun Club, Phineas Banning House, Bommer Canyon Cattle Camp, and Barton's Mound. Only those resources that have been determined to be significant under the California Environmental Quality Act (CEQA) are presented in Figure 4.4-1.

b. Archaeological Resources

The cultural resources assessment completed for the project mapped all known prehistoric sites to help establish sensitivity rankings. However, the locations of all sites must remain confidential. Archaeological sites are most abundant in the San Joaquin Marsh area and San Joaquin Hills, both of which are located south of I-405. Prehistoric sites are also abundant in areas that had been permanent water sources in prehistoric times, such as creeks and springs, northeast of Irvine Boulevard. Only 10 known sites are present on the plain between I-405 and Irvine Boulevard. Based on this distribution of prehistoric sites, areas south of I-405 and north of Irvine Boulevard have been designated as highly sensitive, and the plain in between I-405 and Irvine Boulevard has been designated as less sensitive (Figure 4.4-2). Only two historical archaeological sites have been recorded in City. Both are in the eastern portion of the City and consist of historic domestic refuse. Due to the low number of sites, no sensitivity map was created.

³It should be noted that some sites have received multiple designations, and therefore are listed multiple times in Table 4.4-3.



- Historic Resource
- Historic Resource
- ▭ Historic Resource
- Building 45 years or older
- ▭ Focus Area 1
- ▭ Focus Area 2
- ▭ Focus Area 3
- - - Sphere of Influence
- ▭ City Boundary
- ▭ Old Towne Irvine Inset Map

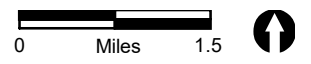
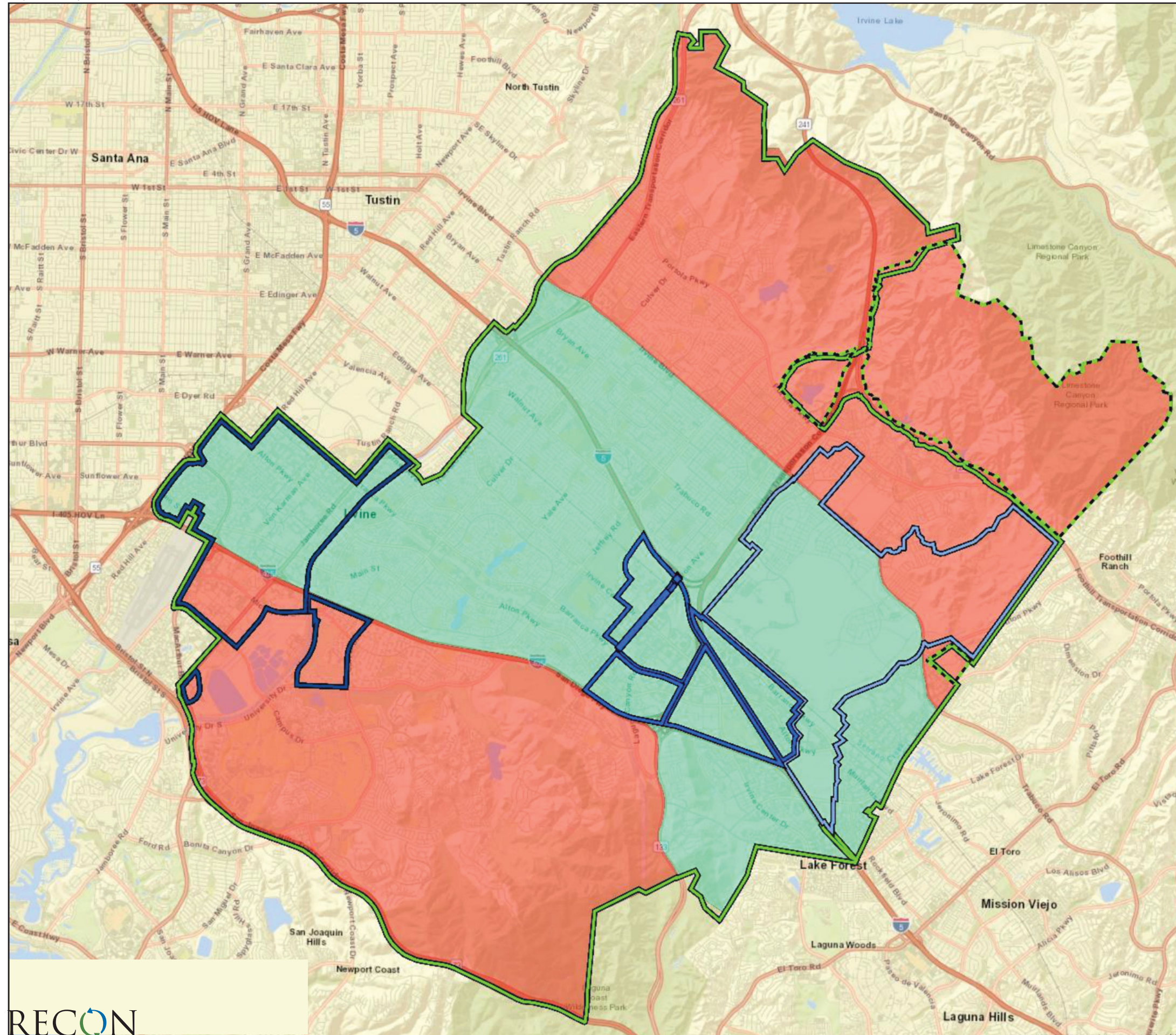


FIGURE 4.4-1
Historic Resources



-  Focus Area 1
-  Focus Area 2
-  Focus Area 3
-  Sphere of Influence
-  City Boundary
- Prehistoric Sensitivity**
-  Highly Sensitive
-  Less Sensitive

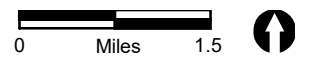


FIGURE 4.4-2
Prehistoric Resources

Table 4.4-3 Historic Resources	
Source	Results
Historic USGS Topographic Maps	Positive
Historic U.S. Department of Agriculture Aerial Photographs	Positive
National Register of Historic Places (NRHP)	Positive: <ol style="list-style-type: none"> 1. NRL#:77000319, Frances Packing House, Listed 8/2/1977. 2. NRL#: 86000068, Irvine Bean and Growers Association Building, Listed 1/13/1986 3. NRL#: 86000452, Irvine Blacksmith Shop, 3/20/1986 4. NRL#: 93000300, Christ College Site, 4/16/1993
California Register of Historic Resources (CRHR)	Positive: <ol style="list-style-type: none"> 1. Frances Packing House 2. Irvine Bean and Growers Association Building 3. Irvine Blacksmith Shop 4. Christ College Site
California Historical Resource Inventory (CHRI)	Positive: <ol style="list-style-type: none"> 1. Tustin USAR Center, 1963 2. Christ College Site 3. Val Verde Sportsmen's Club, 1924 4. The Echberria Home, 1925 5. Buffalo Ranch/Urnabus Square, 1962 6. Agricultural Shed, 1930 7. Transi Housing; Irvine Hotel, 1913 8. South Coast Gun Club, 1945
California Historical Landmarks (CHL)	Positive: <ol style="list-style-type: none"> 1. Plaque #: 1004 Old Town Irvine, Listed 11/8/1991
California Point of Historical Interest (CPHI)	Positive: <ol style="list-style-type: none"> 1. Plaque #: P753, Irvine Bean and Grain Growers Building, Listed 8/8/1991 2. Plaque #: P630, Irvine Historical Society Museum/ Rancho San Joaquin Headquarters, Listed 5/31/1984 3. Plaque #: P485, Irvine Park, Listed 9/1/1976
County of Orange	Positive: OC Parks <ol style="list-style-type: none"> 1. Irvine Ranch Historic Park
Irvine Historic Resources List	<ol style="list-style-type: none"> 1. Lambert Reservoir 2. First Irvine Office/ Ranch Headquarters 3. Irvine Family Home Site and Gardens 4. C.F. Kraus Residence 5. Irvine Employee Housing 6. Irvine Community Center/ Public School 7. Irvine Bean Warehouse 8. East Irvine Garage and Service Station 9. A.T.S.F. Station 10. East Irvine Post Office/ General Store/ Blacksmith Shop 11. Dirigible Hangars "Lighter Than Air" Base

Table 4.4-3 Historic Resources	
Source	Results
	12. Live Oaks-Laguna Canyon Road 13. Site of Michelson Vacuum Tube (Speed of Light Experiments) 14. First Home in University Park 15. French Hill-AKA, Turtle Rock 16. Martin Airport (original site of Orange County Airport) 17. San Joaquin Marsh/Peat Bogs 18. Bommer Canyon Cattle Camp 19. Urbanus Square (Old Buffalo Ranch).
SOURCE: Appendix D.	

4.4.2 Applicable Regulatory Requirements

4.4.2.1 Federal

a. National Historic Preservation Act of 1966

The National Historic Preservation Act of 1966 established the NRHP as the official federal list of cultural resources that have been nominated by state offices for their historical significance at the local, state, or national level. The NRHP, which is administered by the National Park Service, is “an authoritative guide to be used by federal, state, and local governments, private groups, and citizens to identify the nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment.” Listing in the National Register assists in preservation of historic properties through the following actions: recognition that a property is of significance to the nation, the state, or the community; consideration in planning for federal or federally assisted projects; eligibility for federal tax benefits; consideration in the decision to issue a federal permit; and qualification for federal assistance for historic preservation grants, when funds are available.

Properties may qualify for NRHP listing if they qualify under the following criteria:

- Criterion A: Associated with events that have made a significant contribution to the broad patterns of history;
- Criterion B: Associated with the lives of persons significant in the past;
- Criterion C: Embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values, represent a significant and distinguishable entity whose components may lack individual distinction; or
- Criterion D: Have yielded, or may be likely to yield, information important in prehistory or history.

Structures and features must usually be at least 50 years old to be considered for listing on the NRHP, barring exceptional circumstances. According to the NRHP guidelines, a resource must retain its integrity, or the “ability to convey its significance.” The seven aspects of integrity are location, design, setting, materials, workmanship, feeling, and association.

b. Federal Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act (NAGPRA) is a federal law that was established in 1990. NAGPRA provides a process for museums and federal agencies to return certain Native American cultural items – human remains, funerary objects, sacred objects, or objects of cultural patrimony – to lineal descendants, and culturally affiliated Indian tribes and Native Hawaiian organizations. NAGPRA includes provisions for unclaimed and culturally unidentifiable Native American cultural items, intentional and inadvertent discovery of Native American cultural items on federal and tribal lands, and penalties for noncompliance and illegal trafficking in these items. Implementation of the project would be conducted in compliance with NAGPRA. On March 15, 2010, the Department of the Interior issued a final rule on 43 Code of Federal Regulations (CFR) Part 10, of the NAGPRA Regulations – Disposition of Culturally Unidentifiable Human Remains. The final rule implements NAGPRA by adding procedures for the disposition of culturally unidentifiable Native American human remains in the possession or control of museums or federal agencies. The rule also amends sections related to purpose and applicability of the regulations, definitions, inventories of human remains and related funerary objects, civil penalties, and limitations and remedies. The rule became effective on May 14, 2010.

Federal curation regulations are also provided in 36 CFR 79, which apply to collections that are excavated or removed under the authority of the Antiquities Act (16 United States Code [USC] 431-433), the Reservoir Salvage Act (16 USC 469-469c), Section 110 of the National Historic Preservation Act (NHPA) (16 USC 470h-2), or the Archaeological Resources Protection Act (16 USC 470aa-mm). Such collections generally include those that are the result of a prehistoric or historic resources survey, excavation or other study conducted in connection with a federal action, assistance, license or permit.

4.4.2.2 State

a. CEQA Guidelines and California Register of Historical Resources

The California Code of Regulations (CCR), Title 14, Chapter 3, Section 15064.5 (the State CEQA Guidelines) establishes the procedure for determining the significance of impacts to archeological and historical resources, as well as classifying the type of resource. Cultural resources are aspects of the environment that require identification and assessment for potential significance. The evaluation of cultural resources under CEQA is based upon the definitions of resources provided in State CEQA Guidelines Section 15064.5, as follows:

- A resource listed in, or determined to be eligible by, the State Historical Resources Commission, for listing in the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4850 et seq.).

- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code (PRC), or identified as significant in a historical resource survey pursuant to the requirements of section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be an historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record.

Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4852) including the following:

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

The fact that a resource is not listed in, or determined to be eligible for listing in, the CRHR, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the PRC), or identified in a historical resources survey (meeting the criteria in Section 5024.1(g) of the PRC) does not preclude a lead agency from determining that the resource may be a historical resource as defined in PRC Sections 5020.1(j) or 5024.1.

The California Register may also include properties listed in local registers of historic properties. A "local register of historic resources" is broadly defined in Section 5020.1(k) as "a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution." Local registers of historic properties come in two forms: (1) surveys of historic resources conducted by a local agency in accordance with Office of Historic Preservation procedures and standards, adopted by the local agency and maintained as current and (2) landmarks designated under local ordinances or resolutions (PRC Sections 5024.1, 21804.1, and 15064.5). The minimum age criterion for the California Register is 50 years. Properties less than 50 years old may be eligible for listing on the California Register, if "it can be demonstrated that sufficient time has passed to understand its historical importance" [Chapter 11, Title 14, Section 4842(d)(2)].

A tribal cultural resource may be considered significant if it is included in a local or state register of historical resources or determined by the Lead Agency to be significant pursuant to criteria set forth

in PRC Section 5024.1; is a geographically defined cultural landscape that meets one or more of these criteria; or is a historical resource described in PRC Section 21084.1 or a unique archaeological resource described in PRC Section 21083.2, or a non-unique archaeological resource if it conforms with the above criteria.

b. California Health and Safety Code Sections 7050.5, 7051, and 7054

These sections collectively address the illegality of interference with human burial remains, as well as the disposition of Native American burials in archaeological sites. The law protects such remains from disturbance, vandalism, or inadvertent destruction, and establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, including the treatment of remains prior to, during, and after evaluation, and reburial procedures. Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has determined the origin and disposition pursuant to PRC Section 5097 et seq. described in Section 4.4.2.2.c below. The County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric (Native American), the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and non-destructive analysis of human remains and items associated with Native American burials.

c. Native American Historic Cultural and Sanctified Cemetery Sites (PRC Section 5097 et seq.)

State law addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains. In addition, the Native American Historic Resource Protection Act makes it a misdemeanor punishable by up to a year in jail to deface or destroy an Indian historic or cultural site that is listed or may be eligible for listing in the CRHR. In 2006, the law was amended to revise the process for the discovery of Native American remains during land development. The revisions encourage culturally sensitive treatment of Native American remains, and to require meaningful discussions and agreements concerning treatment of the remains at the earliest possible time. The intent is to foster the preservation and avoidance of human remains during development. The changes in the law allow additional time to notify, consult, and confer with the MLD/Native American representatives on any given project. In addition, the new language provides more protection for re-interment sites.

Specifically, PRC Section 5097.9 states that no public agency, and no private party using or occupying public property or operating on public property, shall interfere with the free expression or exercise of Native American religion, nor shall any such agency cause severe or irreparable damage to any Native American Sanctified Cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property, except on a clear and convincing showing that the public interest and necessity so require.

d. Assembly Bill 52

California Assembly Bill (AB) 52 specifies that a project that causes a substantial adverse change in the significance of a tribal cultural resources may have a significant effect on the environment. AB 52 requires that a lead agency consult with California Native American tribes that are traditionally and culturally affiliated with geographic areas and that request notification. AB 52 applies to projects that have a notice of preparation or a notice of negative declaration or mitigated negative declaration on or after July 1, 2015. This bill also required the separate consideration of tribal cultural resources in the CEQA thresholds.

AB 52 Consultation Process

1. Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to California Native American tribes that are traditionally and culturally affiliated with the geographic area of the proposed project and have requested to the lead agency, in writing, to be informed of projects.
2. Such California Native American tribes have 30 days of receipt of formal notification to request consultation. Prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project, the lead agency must begin consultation with the tribe who requested consultation.

Any project within the City that requires a notice of preparation, mitigated negative declaration, or negative declaration requires AB 52 consultation.

e. Senate Bill 18

California Senate Bill (SB) 18 helps tribes and jurisdictions define resources and sacred areas and incorporate protection of these places into the General Plan process. It is the first law in the nation to mandate tribal consultation at the local level. SB 18 consultation applies to the adoption and amendment of general plans proposed on or after March 1, 2005. SB 18 consultation is a “government to government” interaction between tribal representatives and representatives of the local jurisdiction.

SB 18 Consultation Process

1. Once a local government initiates a proposal to adopt or amend a general plan, the local government must send a written request to the Native American Heritage Commission asking for a list of tribes to consult.
2. Requests should clearly state that the local government is seeking information about tribes that are on the “SB 18 Tribal Consultation List.”
3. The Native American Heritage Commission is mandated to provide local governments with a written contact list of tribes in the local government’s jurisdiction in 30 days.

Since most of the development in the City is within an existing Planning Area, there would be few development proposals that would require SB 18 consultation. However, a general plan amendment triggers SB 18 consultation.

4.4.2.3 Local Regulations

a. Existing General Plan (2000)

The Cultural Resources Element of the existing General Plan includes goals and policies that would serve to preserve historical resources within the City. The goal is to facilitate the proper disposition of cultural resources, while fostering an increased understanding and appreciation for the community's heritage and region's history. The Cultural Resources Element's two main objectives are outlined below:

Cultural Resources Element

Objective E-1: Historical, Archaeological, and Paleontological Surveys: Identify and obtain information on the existence and significance of historical, archaeological, and paleontological sites and encourage land use planning which incorporates this information.

Objective E-2: Hazard Occurrence: Evaluate surveyed sites for their present and potential cultural, educational, recreational, and scientific value to the community and the region, and determine their proper disposition prior to the approval of any project which could adversely affect them.

b. Municipal Code

The Municipal Code contains the following policies relating to cultural resources:

Title 3 (Community Services), Division 4 (Parks), Chapter 1 (In General).

Section 3-4-132 (Protection of Natural, Cultural, Structural and Archaeological Resources) of Chapter 1 prohibits any person from possessing, destroying, injuring, defacing, removing, digging or disturbing from its natural state any of the following: plants, wildlife, artifacts, minerals, landscape structures, improvements, wood, and natural products.

c. Zoning Ordinance

Chapter 9-10 (Planning Area 10 (Walnut))

Section 9-10-7 (Special development standards) of Chapter 9-10 (Planning Area 10 (Walnut)) indicates that before obtaining grading permits for park or open space development proposals, the City's Historical, Archaeological, and Paleontological Committee evaluates them to protect archaeological sites. The Director of Community Development verifies developer notification of qualified archaeologists and paleontologists, who must oversee grading activities. These experts attend pre-grade meetings to discuss the importance of avoiding preserved areas and ensuring compliance.

Any additional sites discovered during grading must adhere to the City's historical, archaeological, and paleontological regulations.

d. Commission Resolution No. 09.2968

Standard conditions are adopted by Planning Commission Resolution No. 09-2968 that assist staff in applying standardized wording for frequently used conditions of approval to discretionary and subdivision applications. Standard conditions are applied on a case-by-case basis depending upon the specifics of the application. Companion conditions are cross-referenced and are required to be used together.

Standard Condition 2.5 (Archaeologist/Paleontologist)

Prior to the issuance of the first preliminary or precise grading permit for a project that is located on land that includes potentially significant archaeological and/or paleontological sites, and for any subsequent permit involving excavation to increased depth, the applicant shall provide letters from an archaeologist and a paleontologist. The letters shall state that the applicant has retained these individuals, and that the consultant(s) will be on call during all grading and other significant ground disturbing activities. Determination of the need for these consultants shall be based on the environmental analysis for the project. These consultants shall be selected from the roll of qualified archaeologists and paleontologists maintained by the County of Orange (OC Public Works/OC Planning). The archaeologist and paleontologist shall meet with Community Development staff, and shall submit written recommendations specifying procedures for cultural/scientific resource surveillance. These recommendations shall be reviewed and approved by the Director of Community Development prior to issuance of the grading permit and prior to any surface disturbance on the project site. Should any cultural/scientific resources be discovered during grading, no further grading shall occur in the area of the discovery until the Director of Community Development is satisfied that adequate provisions are in place to protect these resources. This condition and the approved recommendations shall be incorporated on the cover sheet of the grading plan under the general heading: "Conditions of Approval."

e. Existing Plans, Programs, and Policies

Compliance measures are regulations imposed uniformly by the approving agency based on the proposed action taken and are required of the project to reduce its potential environmental effects. Because these features are standard requirements, they do not constitute mitigation measures. The following measures are existing plans, programs, or policies (PPP) that apply to the project and will help to reduce and avoid potential impacts related to cultural and tribal cultural resources:

- PPP CUL-1: Compliance with the NHPA
- PPP CUL-2: Compliance with CEQA
- PPP CUL-3: Compliance with AB-52/SB-18
- PPP CUL-4: Compliance with Municipal Code Sections 3-4-132 (Protection of Natural, Cultural, Structural and Archaeological Resources) and 9-10-7 (special development standards)
- PPP CUL-5: Compliance with Standard Condition 2.5 (construction monitoring)

- PPP CUL-6: Compliance with California Health and Safety Code Sections 7050.5, 7051, and 7054
- PPP CUL-7: Compliance with Native American Historic Cultural and Sanctified Cemetery Sites (PRC Section 5097 et seq.)

Proposed General Plan Strategies and Policies

In addition to the above-listed PPPs, the following proposed Goals, Objectives, Policies, and Implementation Actions are applicable to the analysis of cultural and tribal cultural resources and would replace existing goals, strategies, and policies outlined in the City's existing General Plan following project approval:

Conservation and Open Space Element

Goal 4: Use and maintain societal resources, including, but not limited to, archaeological, historical, and paleontological resources, as part of the City's land use pattern.

Objective COS-4. To effectively utilize and preserve societal resources, encompassing archaeological, historical, and paleontological assets, within the City's land use framework, ensuring their integration and maintenance in alignment with conservation and open space goals.

- **Policy (a):** Continue to coordinate General Plan level resource information to determine the level and type of resource(s) potentially impacted by proposed development.
- **Policy (b):** Consider land that contains significant resource(s) for an open space use.
- **Policy (c):** Promote public awareness and appreciation of cultural resources by participating in educational programs and by helping to display artifacts that illuminate past cultures and by encouraging private development to include historic and archaeological displays where feasible and appropriate.

4.4.3 Significance Determination Thresholds

The City has adopted Appendix G of the State CEQA Guidelines as the significance thresholds for cultural resource impacts. A significant impact related to cultural resources would occur if the project would:

- 1) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5;
- 2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; or
- 3) Disturb any human remains, including those interred outside of dedicated cemeteries.

Additionally, a significant impact related to tribal cultural resources would occur if the project would:

- 4) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically

defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a) Listed or eligible for listing in the CRHR, or in a local register of historical resources as defined in PRC Section 5020.1(k), or
- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American.

4.4.4 Methodology

A cultural resources assessment was prepared for the project to review and summarize available information regarding known archaeological and historical resources within the City (see Appendix D). Preparation of the report included conducting a records search to identify all previously recorded cultural resources (prehistoric and historic archaeological sites, historic buildings, structures, objects, or districts) within the City. All cultural resources, as well as cultural resource surveys, performed within the City boundaries were reviewed. This existing data was used to develop a cultural resources sensitivity map that was compared to the focus areas to determine the proximity of existing historic resources.

4.4.5 Topic 1: Historic Resources

Would the project cause a substantial adverse change in the significance of a historic-era resource pursuant to CEQA Section 15064.5?

4.4.5.1 Impact Analysis

The project would facilitate future development consisting of residential uses required to meet the City's RHNA requirement, nonresidential uses within the Great Park, continued development of nonresidential uses at the same intensities as permitted under the existing General Plan, and the extension of Ada roadway.

As shown in Figure 4.4-1 above, all focus areas have historical resources located within their boundaries. Focus Area 2 has the most resources, due to the presence of Old Town Irvine within its boundary, and Focus Area 1 includes concentrated areas of buildings 45 years or older.⁴ Although there are no site-specific plans that would affect an identified historic resource, future developments, both within the focus areas and outside of those areas, may have the potential to affect a historic resource at the project level. As required by mitigation measure CUL-1, any project proposing to

⁴While the NRHP and California Register indicate that a building must be 50 years or older to be listed under their designation, overall, structures 45 years or older are eligible to be considered historic resources because there are more ways to be considered historic than just those two listings.

renovate, alter, or demolish intact extant building(s) more than 45 years old or otherwise qualifying as a historic structure or site shall provide a historic resource technical study evaluating the significance and data potential of the resource. If significance criteria are met, detailed mitigation recommendations are required as part of the technical study, which must be implemented to reduce impacts on the historical resource(s) to a less than significant level. All work shall be performed by a qualified architectural historian meeting Secretary of the Interior Standards. Future development and redevelopment would also be required to adhere to the PPPs listed above, where applicable, which provide guidance for the avoidance of potential impacts to historic resources. Additionally, the City's updated Conservation and Open Space Element includes Goal 4, which aims to maintain historical resources as part of the City's land use pattern. Compliance with this goal would further support the City's goal of considering and preserving historic resources. Nonetheless, the potential to have a significant impact on historic resources remains for future site-specific development to impact historic resources and mitigation would be required.

4.4.5.2 Significance of Impacts

At a program level of analysis, it cannot be known with certainty that impacts to historic resources could be fully avoided, which would be considered a potentially significant impact requiring implementation of mitigation measure CUL-1.

4.4.5.3 Mitigation

CUL-1: The City of Irvine Director of Community Development, or designee, shall require applicants for future proposed projects proposing to renovate, alter, or demolish intact extant building(s) more than 45 years old or otherwise qualifying as a historical resource under CEQA Guidelines Section 15064.5 to provide a historic resource technical study evaluating the significance and data potential of the resource. If significance criteria are met, detailed mitigation recommendations are required as part of the technical study, which must be implemented to reduce impacts on the historical resource(s) to a less than significant level. All work shall be performed by a qualified architectural historian meeting Secretary of the Interior Standards.

4.4.5.4 Significance of Impacts after Mitigation

Implementation of the mitigation measure CUL-1 described above would potentially reduce impacts on historic resources to a level less than significant. However, as no specific development projects have been identified at this time, it is not possible to ensure that every future project could fully mitigate potentially significant impacts. Therefore, impacts to historic resources would remain significant and unavoidable at this program level of review.

4.4.6 Topic 2: Archaeological Resources

Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?

4.4.6.1 Impact Analysis

The project would facilitate future development consisting of residential uses required to meet the City's RHNA requirement, nonresidential uses within the Great Park, continued development of nonresidential uses at the same intensities as permitted under the existing General Plan, and the extension of Ada roadway.

Future development would primarily be in urbanized areas that have previously been disturbed, and therefore are unlikely to possess native soil with buried prehistoric resources. Additionally, future development under the project would be required to adhere to Section 3-4-132 of the City's Municipal Code, which prohibits the destruction of cultural resources. Similarly, Standard Condition 2.5 requires an archaeological monitoring report to be prepared prior to grading permit issuance for projects that are located on land that includes potentially significant archeological resources. Nonetheless, construction of future development would have the potential to unearth unknown cultural resources, including religious or sacred uses, particularly within areas that have been categorized as high sensitivity. As shown in in Figure 4.4-2 above, the portion of Focus Area 1 south of I-405 and the northeastern portion of Focus Area 3 located north of Irvine Boulevard have been designated as having high sensitivity for prehistoric resources. Additionally, land south and west of Focus Areas 1 and 2 and land north and east of Focus Area 3 are also classified as highly sensitive. Additionally, the City's updated Conservation and Open Space Element includes Goal 4, which aims to maintain archaeological resources as part of the City's land use pattern. Compliance with this goal would further support the City's goal of considering and preserving archaeological resources. Nonetheless, future development within areas with high sensitivity would have the potential to disturb native soils, and therefore may impact cultural resources. Mitigation measure CUL-2, which requires a cultural resources assessment and/or full-time monitoring for projects proposing ground disturbing activities, would be required to minimize potential impacts to archaeological resources.

4.4.6.2 Significance of Impacts

At a program level of analysis, it cannot be known with certainty that impacts to cultural resources could be fully avoided, which would be considered a potentially significant impact.

4.4.6.3 Mitigation

CUL-2: Prior to project approval or the issuance of grading permits (whichever is applicable and comes first), the City of Irvine Director of Community Development, or designee, acting in a similar capacity shall require applicants for future proposed ground disturbing projects to either (1) provide a technical cultural resources assessment consisting of a record search, survey, background context and project specific recommendations performed by a qualified archaeologist meeting Secretary of the Interior Standards and certified by the County of Orange or (2) agree to full-time monitoring by an archaeologist and a designated representative from the tribe/group(s) who is culturally linked to the site. If resources are known or reasonably anticipated, the applicant shall be required to provide and follow a detailed mitigation plan which shall require monitoring during grading and other earthmoving activities in undisturbed sediments. The plan will provide a treatment plan for

potential resources that includes data to be collected, requires professional identification, other special studies as appropriate, and requires curation at a repository for artifacts meeting significance criteria. A comprehensive final mitigation compliance report including a catalog of specimens with museum numbers and an appendix containing a letter from the museum stating that they are in possession of the materials shall be required and shall be submitted to the City.

4.4.6.4 Significance of Impacts after Mitigation

Implementation of mitigation measure CUL-2 would reduce impacts on cultural resources to a less than significant level.

4.4.7 Topic 3: Human Remains

Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

4.4.7.1 Impact Analysis

There are no known burial sites or cemeteries within the focus areas or any other locations within the City. However, future development associated with the project could disturb native soils and therefore could have the potential to encounter human remains, especially within areas that have been categorized as having a high sensitivity for cultural resources. Therefore, although considered unlikely, the project would have the potential to impact human remains. All development in the City must comply with all applicable laws related to the discovery of human remains, including but not limited to Health and Safety Code Section 7050.5 (PPP: CUL-6) and Public Safety Code Section 5097.98 (PPP: CUL-7). Health and Safety Code Section 7050.5 protects such remains from disturbance, vandalism, or inadvertent destruction, and establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, including the treatment of remains prior to, during, and after evaluation, and reburial procedures. Similarly, Public Safety Code Section 5097.98 establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains.

4.4.7.2 Significance of Impacts

At a program level of analysis, it cannot be known with certainty that impacts to human remains could be fully avoided, which would be considered a potentially significant impact. Compliance with Health and Safety Code Section 7050.5 (PPP: CUL-6) and Public Safety Code Section 5097.98 (PPP: CUL-7) would ensure that inadvertent discovery of human remains would be handled properly. Therefore, the project would not disturb any human remains, including those interred outside of dedicated cemeteries, and impacts would be less than significant.

4.4.7.3 Mitigation

Impacts would be less than significant. No mitigation is required.

4.4.7.4 Significance of Impacts after Mitigation

Impacts would be less than significant. No mitigation is required.

4.4.8 Topic 4: Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, features, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i) *Listed or eligible for listing in the CRHR, or in a local register or*
- ii) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision c of PRC Section 5024.1?*

4.4.8.1 Impact Analysis

The project would facilitate future development consisting of residential uses required to meet the City's RHNA requirement, nonresidential uses within the Great Park, continued development of nonresidential uses at the same intensities as permitted under the existing General Plan, and the extension of Ada roadway.

While much of the project areas have been developed, there is a potential for encountering buried resources associated within the cultural territory that was utilized for over thousands of years by indigenous persons. The potential for intact tribal cultural deposits at depth is probable at many locations where undocumented fill or alluvial deposition may mask buried resources, or in proximity to known recorded archaeological resources, which can also be tribal cultural resources as defined in CEQA (PRC Section 21074).

To determine the potential for tribal cultural resources to be impacted because of project implementation, Native American tribes were engaged. Consistent with the requirements of AB 52, the City sent notification letters to 26 Native America tribes that are traditionally and culturally affiliated with the geographic scope of the City on June 22, 2022, and again on August 8, 2023. The City received six responses to the notification letter dated June 22, 2022, and three responses to the letter dated August 8, 2023.

As described in Section 4.4.6.1 above, construction of future development associated with the project would have the potential to unearth unknown cultural resources, including religious or sacred uses, particularly within areas that have been categorized as high sensitivity. Additionally, where required under AB 52, future site-specific development under the project would be subject to further consultation, which may identify unknown tribal cultural resources that have not been formally

recorded during the consultation for the project. Furthermore, grading or excavation within native soils could also expose unknown buried tribal cultural resources and features, including sacred sites. Additionally, the City's updated Conservation and Open Space Element includes Goal 4, which aims to maintain cultural resources as part of the City's land use pattern. Compliance with this goal would further support the City's goal of considering and preserving cultural resources. Future projects would also be required to comply with mitigation measure CUL-2, which require site-specific evaluations for culturally significant resources and/or monitoring of ground-disturbing activities.

4.4.8.2 Significance of Impacts

At a program level of analysis, it cannot be known with certainty that impacts to tribal cultural resources could be fully avoided, which would be considered potentially significant.

4.4.8.3 Mitigation

Implementation of the regulations described above and mitigation measure CUL-2 would reduce impacts on tribal cultural resources to a less than significant level.

4.4.8.4 Significance of Impacts after Mitigation

Implementation of the regulations described above and mitigation measure CUL-2 would reduce impacts on tribal cultural resources to a level less than significant.

4.4.9 Cumulative Analysis

As defined in Section 15130 of the State CEQA Guidelines, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects within the cumulative impact area for cultural resources. The study area for the assessment of cumulative impacts related to cultural and tribal cultural resources is defined as the City. However, implementation of mitigation measure CUL-2 would reduce impacts on cultural resources to a level less than significant. Compliance with Health and Safety Code Section 7050.5 (PPP: CUL-6) and Public Safety Code Section 5097.98 (PPP: CUL-7) would ensure that inadvertent discovery of human remains would be handled properly. Therefore, the project would not disturb any human remains, including those interred outside of dedicated cemeteries. Similarly, implementation of mitigation measure CUL-2, along with AB 52 consultation early during the development review process when applicable, would reduce impacts on tribal cultural resources to a level less than significant. Additionally, the City's updated Conservation and Open Space Element includes Goal 4, which aims to maintain historical resources as part of the City's land use pattern. Compliance with this goal would further support the City's goal of considering and preserving historic, archaeological, cultural and tribal cultural resources. The project would implement mitigation measure CUL-1, which would potentially reduce impacts on historic resources to a level less than significant. However, as no specific development projects have been identified at this time, it is not possible to ensure that every future project could fully mitigate potentially significant impacts on historic resources. Therefore, impacts to historic resources would remain significant and unavoidable. Therefore impacts on historic resources would be cumulatively considerable.