Cogstone Resource Management Inc.

Paleontology • Archaeology • History

# CULTURAL RESOURCES ASSESSMENT REPORT

# FOR

# HYATT REGENCY ADDITION,

# NEWPORT BEACH, CALIFORNIA

**Prepared for**

The Planning Center
1580 Metro Drive
Costa Mesa, CA 92626

**Authors**
Sherri Gust and Steven McCormick

**Principal Investigator**
Sherri Gust
Registered Professional Archaeologist and Qualified Paleontologist

**December 2006**

***Cogstone Project:*** 1311
***Type of Study:*** Archaeological and Paleontological Resources Assessment
***Sites:*** CA-ORA-50, CA-ORA-99
***USGS Quadrangle:*** Newport Beach 7.5
***Area:*** 25 Acres
***Key Words:*** Newport Beach, CEQA, NHPA, archaeological assessment, paleontological assessment, cultural resources

# TABLE OF CONTENTS

**EXECUTIVE SUMMARY** ..... **III**

**INTRODUCTION** ..... **1**

PURPOSE OF STUDY ..... 1
PROJECT DESCRIPTION ..... 2
PROJECT PERSONNEL ..... 4

**LAWS AND REGULATIONS** ..... **4**

*California Environmental Quality Act of 1970 (CEQA) (PRC § Section 21000 et seq.* ..... *4*
*California Register of Historical Resources (PRC § 5024.1)* ..... *5*

**BACKGROUND** ..... **7**

NATURAL SETTING ..... 7
*Geology* ..... *7*
*Vegetation* ..... *7*
PALEONTOLOGICAL SETTING ..... 7
*Quaternary Terraces* ..... *8*
*Monterey Formation* ..... *8*
CULTURAL SETTING ..... 9
CHRONOLOGY ..... 9
ETHNOGRAPHY ..... 9
*Historic Period* ..... *10*
*City of Newport Beach* ..... *11*

**RECORD SEARCHES** ..... **12**

PALEONTOLOGICAL RESOURCES ..... 12
ARCHAEOLOGICAL AND HISTORICAL RESOURCES ..... 13
NATIVE AMERICAN CONSULTATION ..... 17

**SURVEY** ..... **18**

**POTENTIAL PROJECT RESOURCES** ..... **20**

*Paleontological Resources* ..... *20*
*Archaeological Resources* ..... *20*
*Historical Resources* ..... *20*

**TESTING PLAN** ..... **22**

**MONITORING PLAN** ..... **24**

**REFERENCES CITED** ..... **26**

**APPENDIX A: QUALIFICATIONS OF PERSONNEL** ..... **27**

**APPENDIX B: PALEONTOLOGICAL RECORD SEARCH** ..... **31**

**APPENDIX C: ARCHAEOLOGICAL RECORD SEARCH** ..... **35**

**APPENDIX D: NATIVE AMERICAN CONSULTATION** ..... **40**

# LIST OF FIGURES

Figure 1. Regional Location Map ..... 1
Figure 2. Project Area Map..... 2
Figure 3. Project Plan..... 3
Figure 4. 1960s Terrace Ballroom slated for demolition..... 18
Figure 5. Shell Midden ..... 19
Figure 6. Zone of Known Archaeological Sites..... 21

# LIST OF TABLES

Table 1. Recorded fossil localities within a one-mile radius of the Project Area..... 12
Table 2. Recorded Sites One-Mile Radius of the Project Area ..... 13
Table 3. Projects completed within one-mile radius..... 14

# EXECUTIVE SUMMARY

The subject study is the archaeological and paleontological assessment of areas of demolition and construction impacts for timeshare buildings and a ballroom in the City of Newport Beach, California. The assessment was required by the City of Newport Beach to meet their responsibility as the lead agency under the California Environmental Quality Act (CEQA).

Research was conducted to identify previously studied and recorded paleontological and archaeological resources within the boundaries of the proposed project site and a one-mile radius of the project area. No paleontological localities and two archaeological sites are known within the project boundaries. There are numerous localities and sites within one mile of the project.

A reconnaissance survey was conducted throughout the proposed project area. No paleontological resources were observed. Although the ground surface was severely limited due to the hotel and supporting facilities, archaeological resources were observed in several areas.

Preconstruction archaeological testing is required to determine if the known archaeological sites which will be impacts possess integrity and potential to contribute new information to prehistory. The presence of a Native American observer is required during testing.

Full-time archaeological and paleontological monitoring and presence of a Native American observer is required during demolition and all earthmoving related to construction.

# INTRODUCTION

## PURPOSE OF STUDY

The subject study is the archaeological and paleontological assessment of areas of construction impacts for timeshare buildings and a ballroom in the City of Newport Beach, California. The work conducted during this study is in accordance with the California Environmental Quality Act (CEQA). The assessment was required by the City of Newport Beach to meet their responsibility as the lead agency under the California Environmental Quality Act (CEQA).

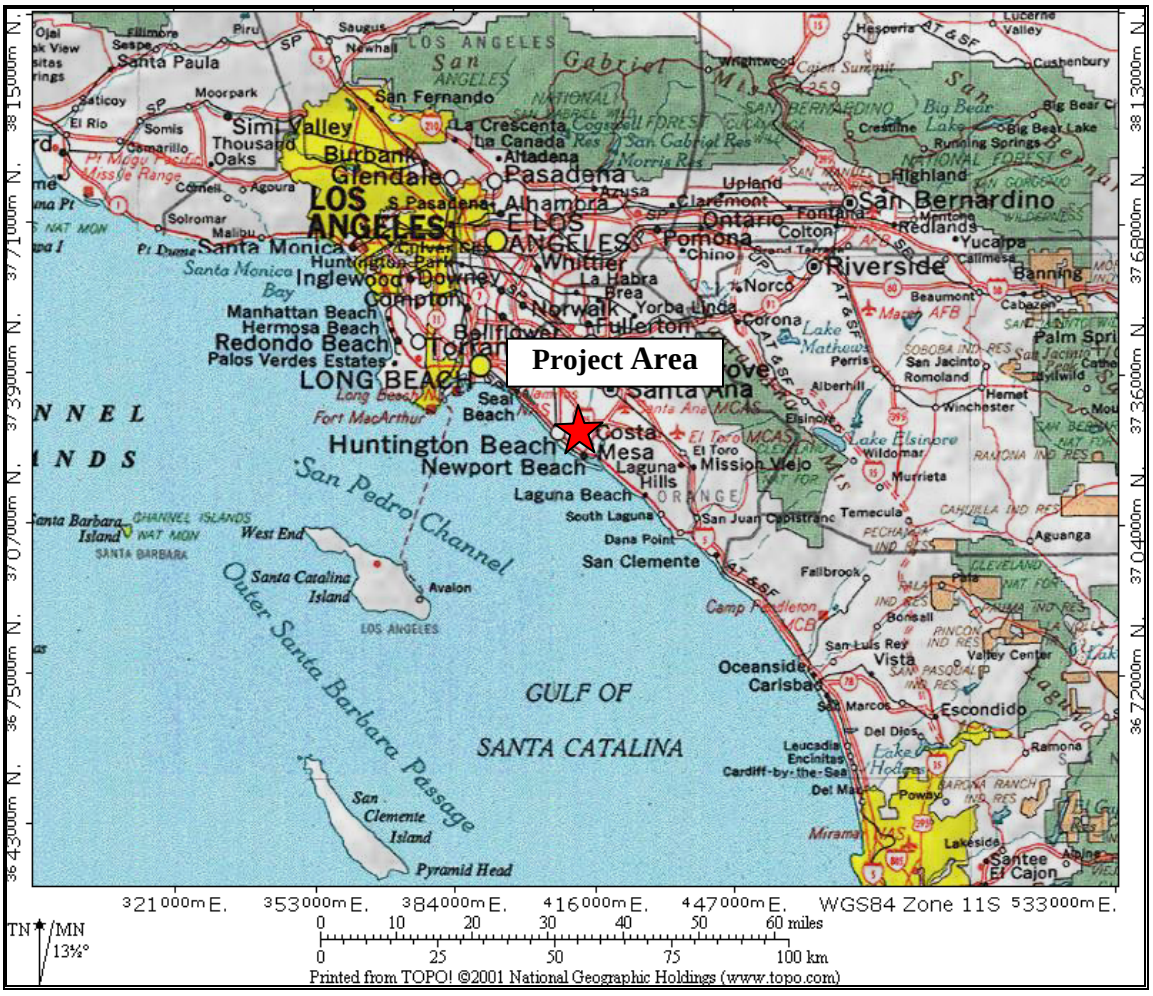



**Figure 1. Regional Location Map**

## PROJECT DESCRIPTION

The proposed project consists of the demolition of the terrace ballroom, villas and maintenance buildings and the golf course and the construction of a new ballroom and seven timeshare buildings within the current boundaries of the Hyatt Regency Newport Beach. This property is located at Jamboree Road and Back Bay Drive in Newport Beach in the SE ¼ of Section 26 Township 6S, R 10W of the Newport Beach 7.5' USGS quadrangle.

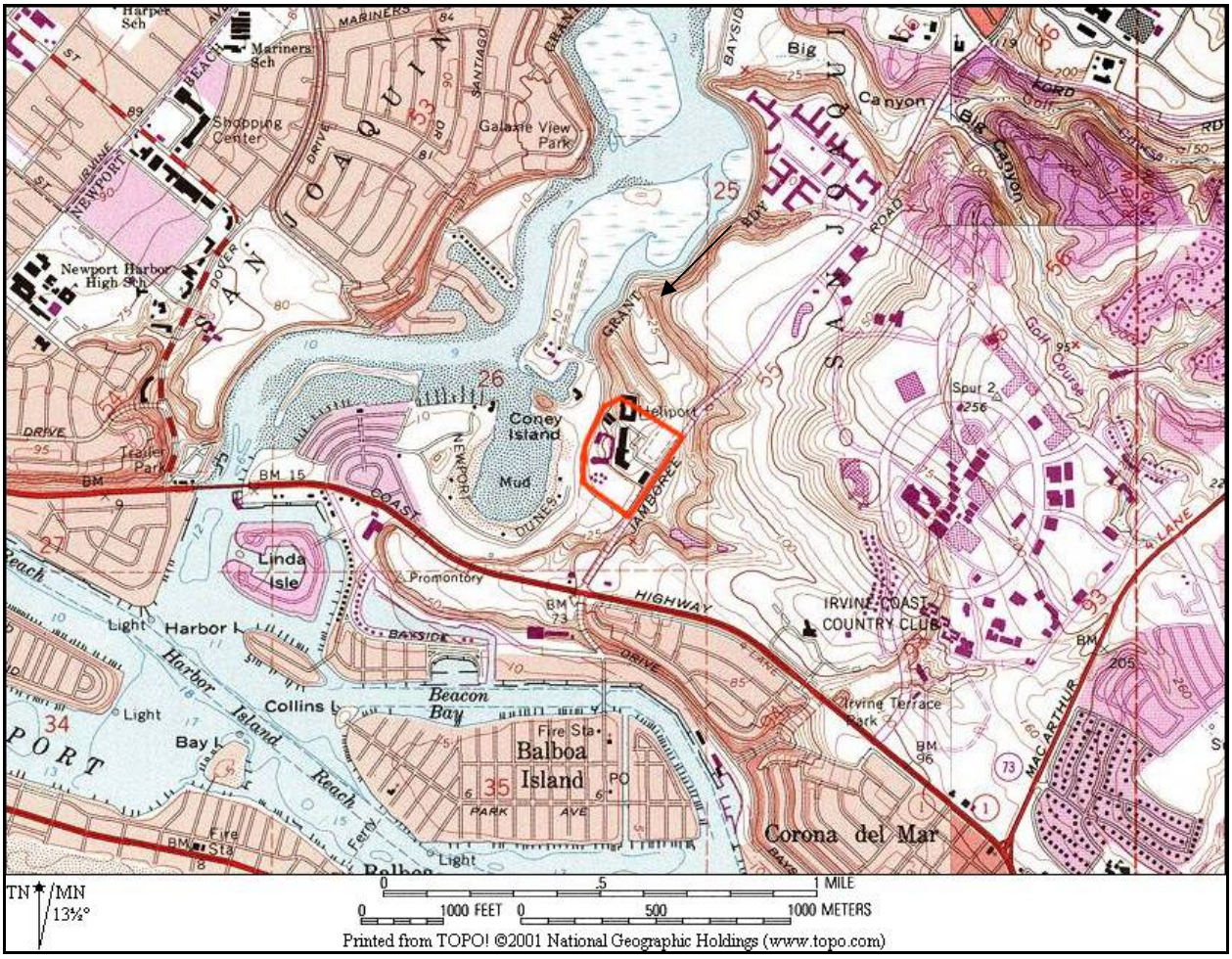



**Figure 2. Project Area Map**

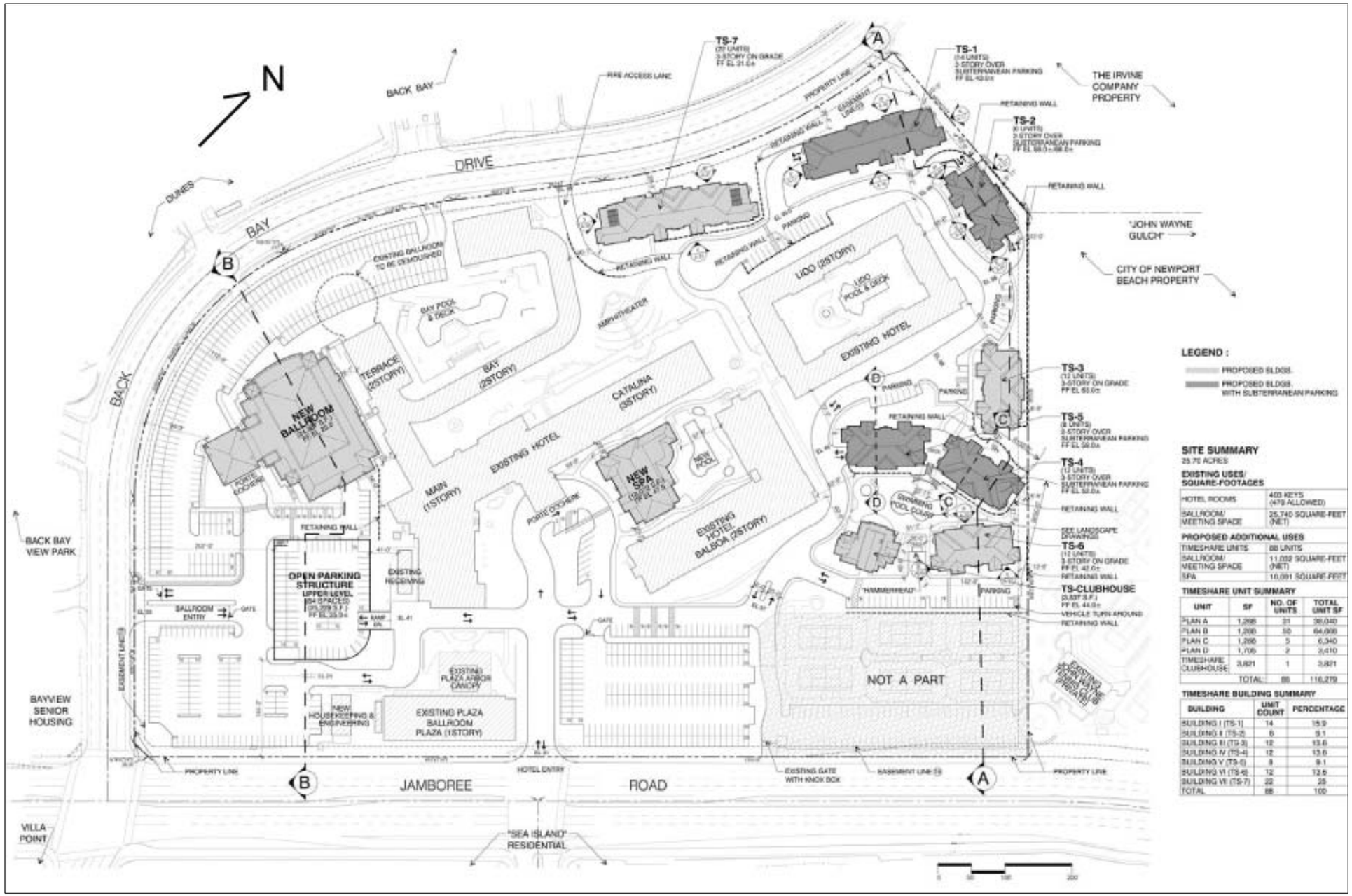



**Figure 3. Project Plan**

**PROJECT PERSONNEL**

Cogstone Resource Management, Inc. conducted the assessment for the project. Sherri Gust served as the Principal Investigator for the project, wrote the background sections, edited the report and prepared the mitigation plan. She is a Registered Professional Archaeologist and a Qualified Paleontologist with an M.S. in Anatomy (Evolutionary Morphology) from the University of Southern California, a B.A. in Anthropology from the University of California, Davis and over twenty-five years of experience in California. Steven McCormick performed the archaeological survey and wrote the survey results. He has a B. A. in Anthropology from California State University at Long Beach and ten years experience. Short resumes of project personnel are appended (Appendix A).

# LAWS AND REGULATIONS

The following discussion of applicable state laws has been excerpted and reordered from the California Department of Transportation's (Caltrans) on-line Environmental Handbook, Volume 2, Exhibit 3, on Cultural Resources (Caltrans 2001). The proposed project is subject to state and local legislation regarding cultural resources.

**California Environmental Quality Act of 1970 (CEQA) (PRC § Section 21000 et seq.**)

CEQA declares that it is state policy to "take all action necessary to provide the people of this state with...historic environmental qualities." It further states that public or private projects financed or approved by the state are subject to environmental review by the state. All such projects, unless entitled to an exemption, may proceed only after this requirement has been satisfied. CEQA requires detailed studies that analyze the environmental effects of a proposed project. In the event that a project is determined to have a potential significant environmental effect, the act requires that alternative plans and mitigation measures be considered.

CEQA includes historic and archaeological resources as integral features of the environment. If paleontological resources are identified as being within the proposed project area, the sponsoring agency (Caltrans or local) must take those resources into consideration when evaluating project effects. The level of consideration may vary with the importance of the resource.

**California Register of Historical Resources (PRC § 5024.1)**

Public Resources Code § 5024.1 establishes the California Register of Historical Resources. The register is listing of all properties considered to be significant historical resources in the state. The California Register includes all properties listed or determined eligible for listing on the National Register, including properties evaluated under Section 106, and State Historical Landmarks from No. 770 on. The criteria for listing are the same as those of the National Register. The California Register statute specifically provides that historical resources listed, determined eligible for listing on the California Register by the State Historical Resources Commission, or resources that meet the California Register criteria are resources which must be given consideration under CEQA (see above). Other resources, such as resources listed on local registers of historic registers or in local surveys, may be listed if they are determined by the State Historic Resources Commission to be significant in accordance with criteria and procedures to be adopted by the Commission and are nominated; their listing in the California Register, is not automatic.

Resources eligible for listing include buildings, sites, structures, objects, or historic districts that retain historic integrity and are historically significant at the local, state or national level under one or more of the following four criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;

2. It is associated with the lives of persons important to local, California, or national history;

3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or

4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

In addition to having significance, resources must have integrity for the period of significance. The period of significance is the date or span of time within which significant events transpired, or significant individuals made their important contributions. Integrity is the authenticity of a historical resource's physical identity as evidenced by the survival of characteristics or historic fabric that existed during the resource's period of significance. Alterations to a resource or changes in its use over time may have historical, cultural, or architectural significance. Simply, resources must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register, if, under Criterion 4, it maintains the potential to yield significant scientific or historical information or specific data.

# BACKGROUND

## NATURAL SETTING

### Geology

The proposed project area lies within the Los Angeles Basin. The basin is formed by the Santa Monica Mountains on the northwest, the San Gabriel and Santa Ana Mountains on the north and east, and the San Joaquin Hills on the south.

The north coastal area of Orange County had been ocean bottom until the Santa Ana River area uplifted, forming the Santa Ana Canyon. As it fanned out, the river isolated Newport Mesa, cutting it off from the San Joaquin Hills to the south. Heavy clays, silts and shell deposits are evidence of that ancient ocean bottom.

Surface deposits in the proposed project area consist of exposures of Quaternary terrace deposits, both marine and terrestrial, in the low-lying areas to the west and south. In the east-central area of the project, there are exposures of the marine Miocene Monterey Formations that underlie the Quaternary terrace deposits (Jennings 1962).

### Vegetation

In the San Joaquin Hills to the southeast, a southern Oak Woodland Community exists. To the north is the Upper Newport Bay which is comprised of approximately 1000 acres of tidelands and salt white marsh, bordered by steep cliffs and cliffs at heights of up to 100 feet above the waterway. The marshes are inhabited by various species, including amphibians (frogs and salamanders, etc.), and birds (raptors, marsh wrens, flycatchers, red-winged blackbird, king fisher, etc.). To the north of the project area is a valley grassland environment.

## PALEONTOLOGICAL SETTING

Surface deposits in the proposed project area consist of exposures of Quaternary terrace deposits, both marine and terrestrial, in the low-lying areas to the west and south. In the east-central area

of the project, there are exposures of the marine Miocene Monterey Formations that underlie the Quaternary terrace deposits.

### *Quaternary Terraces*

Quaternary Terrace deposits date from 1.8 million to 10,000 years before present and contain Pleistocene fossils. In Orange County these sediments yield marine mammals and fishes plus terrestrial fossils such as sloth (*Glossotherium harlani*), bison (*Bison antiquus*), and horse (*Equus* sp. cf. *E. occidentalis*), camel (*Camelops hesternus*), and mammoth (*Mammuthus*) (Jefferson & others 1992). These sediments contain significant, non-renewable, paleontological resources and are considered to have high paleontological significance.

### *Monterey Formation*

The Miocene (17 to 13.5 million years before present; Barron and Isaacs 2001) Monterey Formation is mapped as the deep sediments in the project area. The Monterey Formation is well known for its rich fossil assemblage of marine algae, plankton (diatoms, foraminifera, fusilinids, etc.), leaves, invertebrates, bony fish, marine turtles, birds, and marine mammals. These sediments contain significant, non-renewable, paleontological resources and are considered to have high paleontological significance.

# CULTURAL SETTING

## CHRONOLOGY

The prehistoric cultural chronology is based on coastal chronological information provided by Mason, Koerper and Langenwalter (1997) and Koerper, Mason and Peterson (2003). Three prehistoric periods are defined.

*Milling Stone Period.* This period dates from 8,000-3,000 RYBP (radiocarbon years before present). Sites from this period appear to be part of an expansion of settlement to take advantage of new habitats and resources that became available as sea levels stablilized between about six to five thousand years ago. Gorges were used for fishing and mano/metate pairs were used to process plant materials. Most sites were in coastal areas.

*IntermediatePeriod.* This period dates from 3,000 to 1.350 RYBP (2000 BC to AD 600). The first circular fish hooks appear in the tool kit in this period and use of plant grinding tools increases. Hunting tools consist of the atlatl and dart. Most sites were in coastal areas.

*Late Prehistoric Period.* The period dates from 1, 350 RYBP to 150 RYBP (AD 600 to AD 1769). In this period the atlatl and dart hunting tools are replaced by the bow and arrow. Manos/metates were gradually replaced by pestle/mortars. Use of other traditional tools continues. Settlement was expanded into the hills and canyons inland.

## ETHNOGRAPHY

Orange County is within ethnographic territory occupied, at the influx of Spanish missionaries, by the Native American group who called themselves the Tongva. They were renamed the Gabrielino by missionaries. Their settlement and subsistence systems may extend back in time to the beginning of the Late Prehistoric period about A.D. 750. The Gabrielino were semi-sedentary hunters and gatherers. One of the most important food resources for inland groups was

acorns gathered from oak groves in canyons, drainages, and foothills. The nuts were pounded into flour using stone mortars and pestles, and then cooked as soup or gruel. Seeds from sage, grasses, goosefoot, and buckwheat were collected and ground with stone manos and metates. Protein was supplied by hunting deer, rabbits, and other animals using the bow and arrow, as well as with various traps and snares. Coastal Gabrielino collected shellfish and fished for estuary, near shore, and kelp bed species. Dried fish and shellfish were exchanged for inland products such as acorns.

The Gabrielino lived in villages of up to 150 people located near permanent water sources and a range of food resources. The village acted as the center of a territory from which resources were gathered. Small groups left the village for short periods to hunt, fish, and gather plants foods, as well as collect raw materials for tools, housing, and other utilitarian needs. While away from the village, they established temporary camps and resource processing locations. Archaeologically, such locations are marked by bedrock mortars for acorn processing, manos and metates for seed processing, and flaked lithic scatters indicating the manufacturing or maintenance of stone tools (usually of chert) used in hunting or butchering. Overnight stays in these field camps are indicated by fire-affected rock resulting from hearths.

**Historic Period**

In 1769, Spanish settlers began to enter and colonize Alta California. Thus began the Spanish Period (1769-1821). These initial settlers introduced the missions, presidios, pueblos and ranchos to this area. Starting in 1784, the government of “New Spain” as California was called at the time began handing out private land grants called “ranchos”. This land was assigned to the colonists regardless of the presence of Native Americans.

The Mexican Period (1821-1848) included the retention of many Spanish institutions and laws. The mission system was secularized in 1834, which dispossessed many Native Americans and increased Mexican settlement. After secularization, mission lands were granted to individuals and families in large tracts, greatly enlarging the rancho system. Cattle ranching dominated other agricultural activities and the development of the hide and tallow trade with the United States of America to the east increased during the early part of this period. The Mexican Period

ended when Mexico ceded California to the United States after the Mexican-American War of 1846-48.

Soon after American control was established (1848-present), gold was discovered in California. The tremendous influx of American and Europeans that resulted quickly drowned out much of the Spanish and Mexican cultural influence and eliminated the last vestiges of de facto Native American control. Few Mexican ranchos remained intact due to land claim disputes.

**City of Newport Beach**

Newport Bay was named Bolsa de San Joaquin in early historic times and the Lower Bay was the estuary of the Santa Ana River. In the 1870s a landing was established for offloading supplies from boats and the place officially renamed Newport. Navigation was difficult in the shallow waters and in 1888 a wharf was built out into the bay so that large ships could dock. There were only a few residents of Newport until the turn-of-the-century when the railroad and Red Cars made Newport a beach destination. The communities of West Newport, East Newport, Bay Island and Balboa were laid out. In 1906 these communities with a combined total population of 205 were incorporated as the City of Newport Beach. The reclamation of lower Newport bay, a large scale municipal project of the 1930s, gave the City its present contours. Fishing and canning were the major industry until World War II when Newport became an important center for repairing and refurbishing Navy vessels. The building of the Santa Ana freeway in the 1950s opened Newport Beach and other areas of Orange County up for permanent residents, rather than just summer beach goers. The 1970s saw explosive growth and the development of Newport Beach as a prestige address for residents and businesses.

# RECORD SEARCHES

## PALEONTOLOGICAL RESOURCES

A search of in-house vertebrate paleontology collection records was conducted by the Natural History Museum of Los Angeles County. Research included a review of the locality and specimen data for the proposed project area. Dr. Sam McLeod, Collection Manager, Vertebrate Paleontology, Natural History Museum conducted the record review and submitted his recommendations accordingly (Appendix B).

There are no vertebrate fossil localities known directly within the proposed project boundaries. However, there are four nearby fossil vertebrate localities from the same rock units as occur in the proposed project area.

**Table 1. Recorded fossil localities within a one-mile radius of the Project Area**

| Fossil | Formation | Source |
|---|---|---|
| **Thrasher Shark** (*Alopias superciliosus),* **White Shark** *(Carcharodon carcharias),* **Sheephead Fish** *(Pimelometopon pulchrum),* **Duck** *(Chendytes lawi),* **Tapir** *(Tapirus sp.),* **Horse** *(Equus sp.)* | Quaternary Terraces | LACM 1240/3408 |
| **Horse** *(Equus sp.)* | Quaternary Terraces | LACM 6370 |
| **Sea Otter** *(Enhydra lutris),* **Elephant Seal** *(Mirounga angustirostris),* **Sharks & Rays** *(Chondrichthyes),* **Bony Fishes** *(Osteichthyes),* **marine turtle** (Chelonidae), **Mammoth** *(Mammuthus sp.),* **Mastodon** *(Mammut americanum),* **Jefferson's ground sloth** *(Megalonyx jeffersoni),* **Shasta ground sloth** *(Nothrotheriops shastense),* **Horse** *(Equus sp.),* **giant bison** *(Bison latifrons),* camel *(Camelops hesternus),* **llama** *(Tanupolama sp.),* **dire wolf** (Canis dirus), over 20 species of marine birds, numerous species of rodents, **Audubon's rabbit** (Sylvilagus audubonii) | Quaternary Terraces | LACM 1066 (Newport Mesa) |
| **bony fish** (Osteichthyes), baleen whales (Mysticeti) | Monterey Formation | LACM 1160/7139 |

## ARCHAEOLOGICAL AND HISTORICAL RESOURCES

The literature search and review for archeological and historic records was completed at the South Central Coastal Information Center at California State University, Fullerton. The research included a review of site maps, site records, survey reports, mitigation reports, historic maps, California Points of Historical Interest, the California Historical Landmarks, the California Register of Historical Places, the National Register of Historic Places, and the California State Historic Resources Inventory.

Two archaeological sites are known within the project boundaries, CA-ORA-99 and CA-ORA-50. CA-ORA-99 will be impacted by the proposed project. There are 38 recorded archaeological sites within a one-mile radius of the project area (Table 2). The literature search of projects within the one-mile radius yielded forty-six previous studies (Table 3).

**Table 2. Recorded Sites One-Mile Radius of the Project Area**

| Trinomial | Site Type | Date |
|---|---|---|
| CA-ORA-46 | Shell Midden | 1949 |
| CA-ORA-47 | Shell Midden | 1949 |
| CA-ORA-48 | Shell Midden | 1949 |
| CA-ORA-49 | Shell Midden | 1949 |
| **CA-ORA-50** | Shell Midden | 1949 |
| CA-ORA-51 | Shell Midden | 1949 |
| CA-ORA-52 | Shell Midden | 1949 |
| CA-ORA-64 | Habitation Site | 1965 |
| CA-ORA-65 | Historic and Prehistoric Artifact Scatter | 1980 |
| CA-ORA-66 | Shell Scatter | 1985 |
| CA-ORA-68 | Shell Midden | 1966 |
| CA-ORA-70 | Shell Midden | 1966 |
| CA-ORA-98 | Shell Midden | 1965 |
| **CA-ORA-99** | Shell Scatter | 1965 |
| CA-ORA-100 | Shell Scatter | 1965 |
| CA-ORA-137 | Shell Midden | 1965 |
| CA-ORA-138 | Shell Midden | 1965 |
| CA-ORA-139 | Shell and Artifacts Scatter | 1965 |
| CA-ORA-140 | Shell Midden | 1965 |
| CA-ORA-141 | Shell Midden | 1965 |
| CA-ORA-146 | Habitation Site | 1965 |
| CA-ORA-150 | Shell Midden | 1965 |

| Trinomial | Site Type | Date |
|---|---|---|
| CA-ORA-151 | Shell Midden | 1965 |
| CA-ORA-152 | Shell Midden | 1965 |
| CA-ORA-153 | Shell Midden | 1965 |
| CA-ORA-154 | Shell Midden | 1965 |
| CA-ORA-155 | Shell Midden | 1965 |
| CA-ORA-156 | Shell Scatter | 1965 |
| CA-ORA-158 | Shell Midden | 1966 |
| CA-ORA-186 | Shell Scatter | 1965 |
| CA-ORA-187 | Shell Scatter | 1965 |
| CA-ORA-518 | Shell Midden | 1976 |
| CA-ORA-1098 | Shell Midden | 1985 |
| CA-ORA-1117 | Shell Midden | 1980 |
| CA-ORA-1451 | Artifact Scatter | 1995 |

**Table 3. Projects completed within one-mile radius**

| Author | Title | Date |
|---|---|---|
| Malery, Theo et. al | *Newport north Archaeology Phase I Report* | 1977 |
| WESTEC SERVICES | *Draft Environmental Impact Report Newport Dunes Redevelopment* | 1979 |
| Padon, Beth | *Back Bay Archaeology Site Inventory Status Evaluation* | 1982 |
| Cottrell, Marie G. | *Archaeological Sites of Upper Newport Bay* | 1976 |
| Gross, G. Timothy Mary Robbins-Wade | *Cultural Resources Assessment: Villa Point Condominiums II Newport Beach, California* | 1989 |
| Breece, Williams H. | *Archaeological Monitoring for the Villa Point Phase II Project in Newport Beach* | 1990 |
| Breece, William H. | *Results of the Geological Trenching and Bore Holes Program Conducted at the Newporter North Site, Newport Beach* | 1991 |
| Dillon, Brian D. | *Archaeological Record search for the Green Acres Phase II Project, Orange County Water District, Cities of Huntington Beach and Newport Beach, Orange County, California* | 1990 |
| Brown, Joan C. | *Cultural Resources Reconnaissance of a 138 Acre Section of Upper Newport Bay Regional Park Located in Newport Beach, Orange County, California* | 1991 |
| Brown, Joan C. | *Cultural Resources Reconnaissance of 11 Parcels of Land Located in Newport Beach, Orange County, California* | 1992 |
| Koerper, Henry C. and Clay A Singer | *Two Unusual Perforated Stones From The Newport Bay Area* | 1988 |
| Strudwick, Ivan H. et. al | *Results of Archaeological Testing at Sites CA-ORA-167/1117 and CA-ORA-1461, For The MacArthur* | 1996 |

| Author | Title | Date |
|---|---|---|
| | *Boulevard Widening in The City of Newport Beach, Orange County, California* | |
| Brown, Joan C. | *Archaeological Monitoring During Grading of The Castaways Parcel, Located in Newport Beach, Orange County, California* | 1996 |
| Jertberg, Patricia | *Final Letter Report Archaeology and Historical Monitoring, Corona Del Mar Plaza, City of Newport Beach, California* | 1997 |
| Bissell, Ronald M. | *Cultural Resources Investigation and Monitoring of Grading for the Upper Castaways View Park, Newport Beach, Orange County, Ca.* | 1997 |
| Drover, Christopher E. | *Archaeological Site Survey and Assessment Corporate Plaza-Phase One Newport Beach, California* | 1997 |
| Gordon, James R. | *Replacement of The Existing Upper Newport Bay Bridge on The Pacific Coast Highway, State Route 1, in The City of Newport Beach Orange County, With a New 6-Lane Structure* | 1975 |
| Goddard, Timothy A. | *Cultural Resources Reconnaissance of The Newport Dunes Hotel in Newport Beach California* | 1998 |
| Drover, Christopher E. | *Archaeological Site Survey and Assessment Corporate Plaza West, Newport Beach, California* | 1998 |
| Macko, Michael E. | *Results of Implementing Mitigation measures Specified in The Operation Plan and Research Design for The Proposed Newport North Residential Development at ORA-64* | 1998 |
| Bissell, Ronald | *Test Excavation of a Portion of CA-ORA-48, Newport Beach Orange County, California* | 1990 |
| Becker, Kenneth | *Cultural Resources Reconnaissance of The Proposed Castaways Marina Newport Beach, Orange County, California* | 1989 |
| Rosenthal, Jane | *LSA Letter Report re: CA-ORA-48, December 1990* | 1990 |
| Drover, Christopher and David Smith | *Cultural Resources Inventory, Office Building and Parking Structure, Civic Plaza, Newport Beach, California* | 1989 |
| Van Horn, David M. | *Archaeological Survey Report for The Proposed Jamboree Pump Station and Jamboree Truck Project Near Newport Beach, California* | 1978 |
| Duke, Curt and Steven Conkling | *Results of The Cultural Resource Assessment, Native American Consultation and Extended Subsurface Assessment for Pacific Bell Mobile Services, CM 481-01, in The City of Newport Beach, Orange County* | 1999 |
| Douglas, Ronald | *Historic Property Survey Pacific Coast Highway Widening Project, Newport Beach* | 1981 |
| Hale, Alice | *Archaeological Monitoring at The Capistrano Valley Water District at Camino Capistrano and La Zanja* | 2000 |

| Author | Title | Date |
|---|---|---|
| | *Street, San Juan Capistrano* | |
| Breece, William | *Project Maps Only Negative Declarations by WESTEC Services in Orange County* | 1978 |
| Douglas, Ronald D. | *Archaeological Survey Report on Five Development Parcels in Newport Center, Newport Beach, Orange County, California* | 1980 |
| Anonymous | *Report on Archaeological Field Survey and Subsurface Testing, Pacific Mutual Plaza Development Site, Newport Beach, California* | 1980 |
| Desautels, Roger | *Archaeological Survey Report on The Big Canyon Site 10 (22.5 Acres) Located in Newport Beach, California* | 1980 |
| Desautels, Roger | *The Survey Inventory, and Assessment of The Proposed County Canitation Districts of Orange County Back Bay Trunk Sewer From Newport Dunes to Jamboree Pump Station and The Big Canyon Marsh Restoration Project, Upper Newport Bay, Newport Beach* | 1981 |
| Warren, Claude | *The Sea Island Apartments Site Was Investigated for Archaeological Resources* | 1976 |
| Breece, Williams | *Conclusion of Archaeological Monitoring For The Jamboree Road Widening* | 1989 |
| Becker Kenneth B. | *Cultural Resources of The Proposed Castaway Marina Newport Beach, Orange County, California* | 1989 |
| McKenna, Jeanette A. | *A Phase I Cultural Resources Investigation of The Bayview Landing Project Area, Newport Beach, Orange County, California* | 2001 |
| Crabtree, Robert H. | *Project Interhope Inc. and Golden Construction Company Residential Development* | 1973 |
| Anonymous | *Testing and Evaluation of CA-ORA-1098* | 2003 |
| Smith, Brooks | *Results of Archaeological and Paleontological Monitoring Upper Bommer Trail Emergency Access Road Improvements and Habitat Restoration Area Bommer Canyon , City of Irvine Orange County, California* | 2003 |
| Fulton, Terry | *Cultural Resources Assessment for Verizon Wireless Balboa Island Facility CYG530 City of Newport Beach, Orange County, CA.* | 2005 |
| Billat, Lorna | *Nextel Communications Wireless Telecommunications Services Facility-Orange County* | 2000 |
| Duke, Curt | *Cultural Resource Assessment AT&T Wireless Services Facility No. 13060A, Orange County, California* | 2002 |

## NATIVE AMERICAN CONSULTATION

The Native American Heritage Commission (NAHC) was consulted to determine if any known sacred lands exist in or near the project area. The NAHC responded that no sacred lands are known in the vicinity (Appendix C). Letters were then sent to each tribe or person recommended by the NAHC. Ms. Joyce Perry, a Juaneño, phoned to say that she believed the area to be sensitive for prehistoric archaeological resources and to state that the tribe has a reburial area nearby. No other responses were received.

# SURVEY

Cogstone Resource Management Inc. conducted the cultural resources reconnaissance survey of the proposed project area. Steven McCormick conducted the survey on Monday, November 6th, 2006. The project area has numerous buildings and facilities associated with the current use of the Hyatt Regence Hotel. An opportunistic survey method was used during the fieldwork.

None of the existing structures slated for demolition meet significance criteria under CEQA (Figure 3, 4) and there are no known historical resources in the project area.

**Figure 4. 1960s Terrace Ballroom slated for demolition**

Shell midden, indicative of potential archaeological sites, was observed in a roadway near the existing ballroom (Figure 5) and in landscape areas and rodent holes on the future sites of Timeshare Bldgs. 1-4. No other types of archaeological resources and no paleontological resources were observed during the survey.

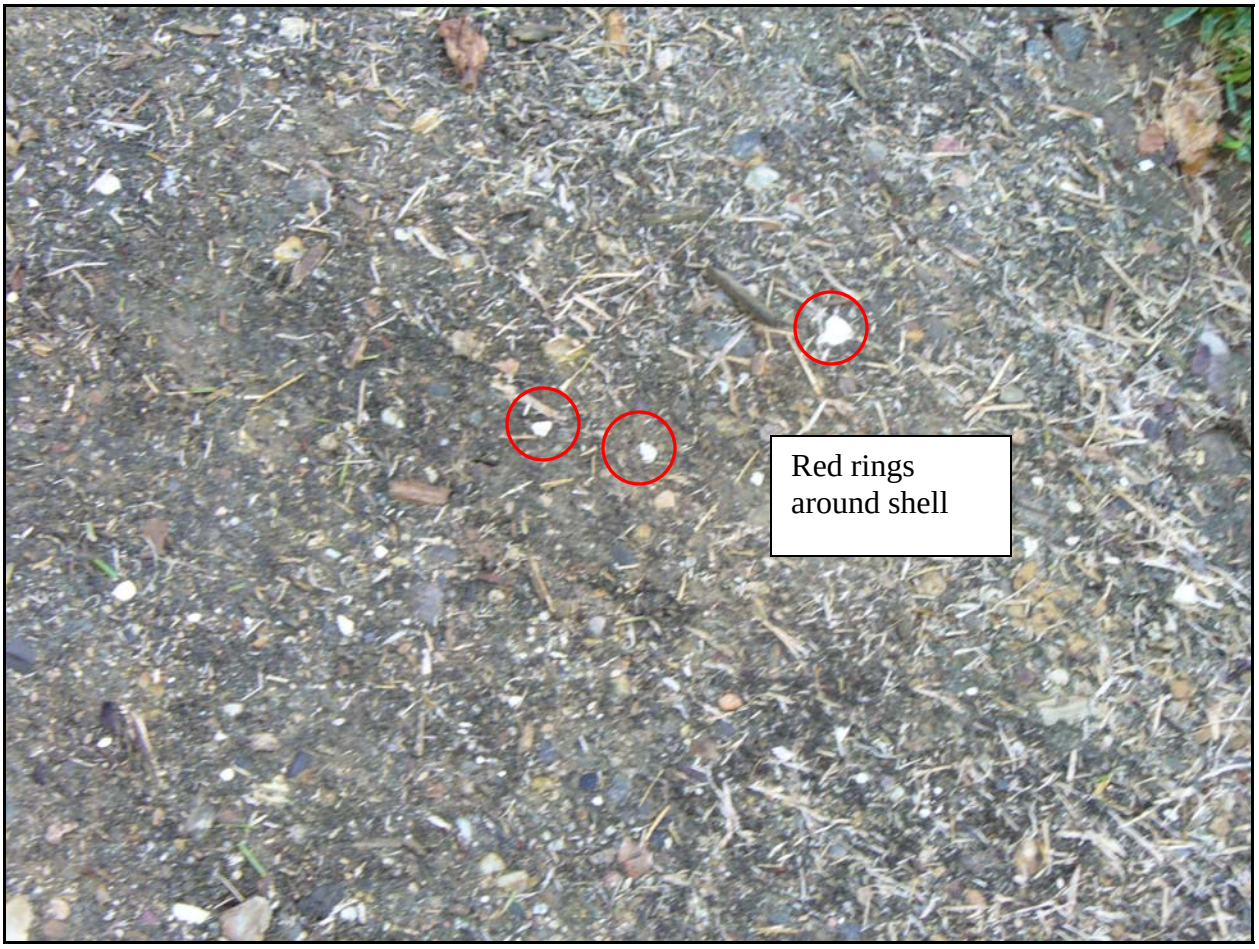



**Figure 5. Shell Midden**

# POTENTIAL PROJECT RESOURCES

Paleontological, archaeological, and historical resources are considered to be significant if they possess integrity and may contribute information important in prehistory or history. Based on the prior research and survey results, the potential to impact resources is discussed below.

## Paleontological Resources

While no paleontological resources were observed during this survey, the project sediments are well known to contain significant non-renewable paleontological resources. Excavations anywhere in the proposed project area may well encounter significant fossil vertebrates from the marine (and terrestrial) Quaternary Terrace deposits.

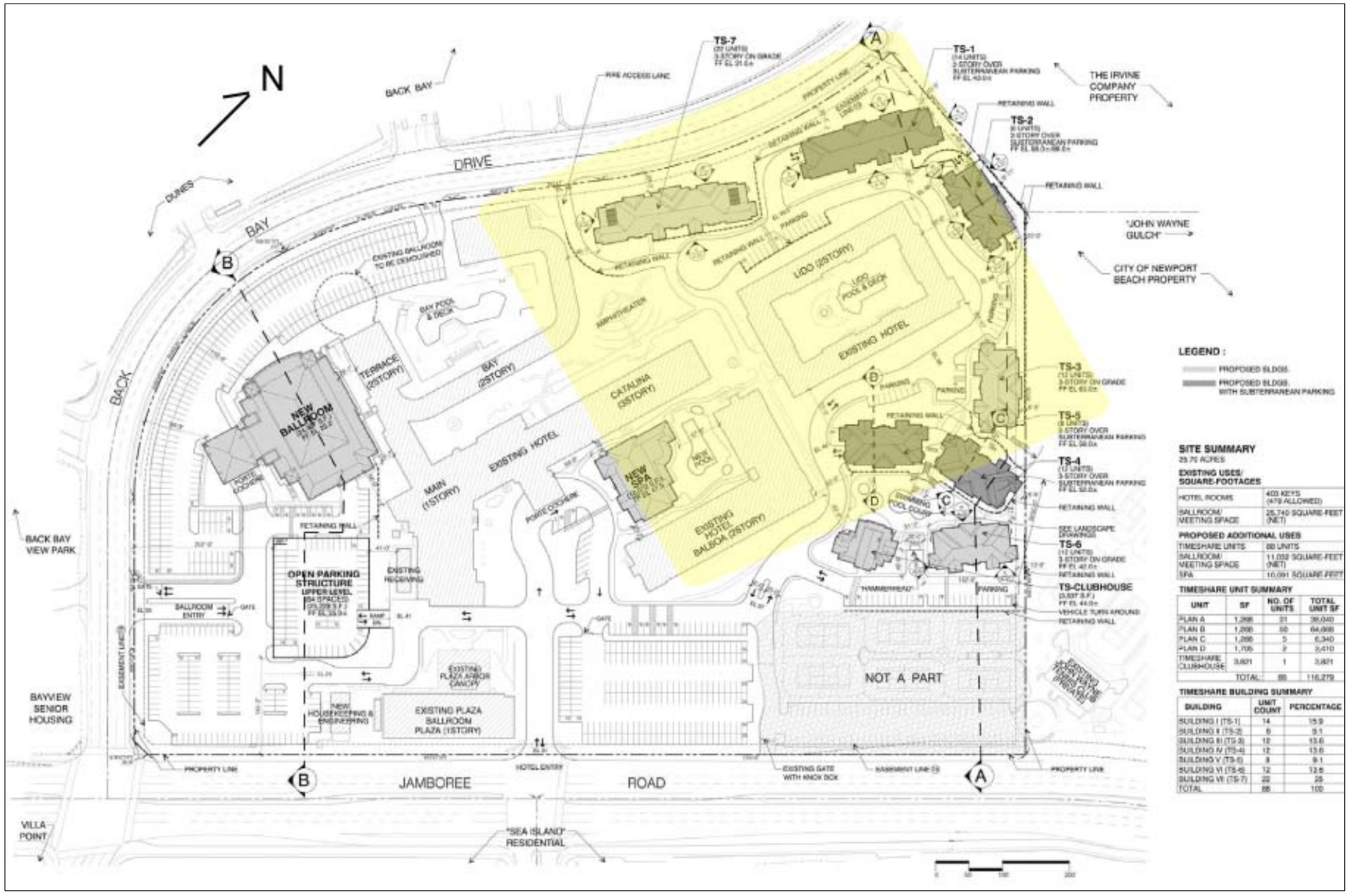
## Archaeological Resources

There is substantial potential to impact known and unknown archaeological sites during the project. Existing archaeological sites will be impacted by demolition of the Terrace Ballroom, Villas and maintenance buildings, by shallow grading for the new spa and timeshare buildings 3, 6, 7 and the timeshare clubhouse and by deep grading for subterranean parking under timeshare buildings 1,2, 4 and 5 (Figure 6). Possible unknown archaeological sites may be impacted by shallow grading for the new ballroom.

Under CEQA, testing to determine if the known sites have intact stratigraphy and potential to contribute new information on prehistory must be completed prior to advent of construction. Ample time should be allowed for the results of the testing to be evaluated and for possible redesign to avoid the sites or mitigation of the sites. We also recommend limited testing of the new ballroom area to determine if resources exist in that area and avoid construction delays caused by unanticipated presence of resources.

## Historical Resources

There is no potential to impact historical resources. Existing buildings that will be demolished are younger than 50 years and thus do not merit protection as cultural resources.




**LEGEND :**

- PROPOSED BLDGS.
- PROPOSED BLDGS. WITH SUBTERRANEAN PARKING

**SITE SUMMARY**

25.70 ACRES

**EXISTING USES/ SQUARE-FOOTAGES**

| | |
|---|---|
| HOTEL ROOMS | 400 KEYS (479 ALLOWED) |
| BALLROOM/ MEETING SPACE | 25,740 SQUARE-FEET (NET) |

**PROPOSED ADDITIONAL USES**

| | |
|---|---|
| TIMESHARE UNITS | 88 UNITS |
| BALLROOM/ MEETING SPACE | 11,032 SQUARE-FEET (NET) |
| SPA | 10,091 SQUARE-FEET |

**TIMESHARE UNIT SUMMARY**

| UNIT | SF | NO. OF UNITS | TOTAL UNIT SF |
|---|---|---|---|
| PLAN A | 1,268 | 31 | 39,040 |
| PLAN B | 1,268 | 50 | 64,008 |
| PLAN C | 1,268 | 5 | 6,340 |
| PLAN D | 1,705 | 2 | 3,410 |
| TIMESHARE CLUBHOUSE | 3,821 | 1 | 3,821 |
| | TOTAL: | 88 | 116,279 |

**TIMESHARE BUILDING SUMMARY**

| BUILDING | UNIT COUNT | PERCENTAGE |
|---|---|---|
| BUILDING I (TS-1) | 14 | 15.9 |
| BUILDING II (TS-2) | 6 | 9.1 |
| BUILDING III (TS-3) | 12 | 13.6 |
| BUILDING IV (TS-4) | 12 | 13.6 |
| BUILDING V (TS-5) | 8 | 9.1 |
| BUILDING VI (TS-6) | 12 | 13.6 |
| BUILDING VII (TS-7) | 22 | 25 |
| TOTAL | 88 | 100 |

**Figure 6. Zone of Known Archaeological Sites**

# TESTING PLAN

Preconstruction testing in the area of the known archaeological sites that will be impacted is required prior to advent of construction. Testing may be conducted during the same time period as demolition. Ample time should be allowed for the results of the testing to be evaluated and for possible redesign to avoid the sites or mitigation of destructive construction impacts the sites. We also recommend limited testing of the new ballroom area to determine if resources exist in that area and avoid construction delays caused by unanticipated presence of resources. Proposals to conduct the testing work should include construction fencing and warning signs to protect patrons of the Hyatt Regency and shoring of deep units and/or trenches to meet OSHA standards. A Native American observer with a Tongva/Gabrielino lineage recognized by the Native American Heritage Commission is required during testing.

We recommend the following:

1. A trench with minimum dimensions of 20 meters in length within the footprint of Timeshare Bldgs. 1, 2, 4 and 5 for a total of 4 trenches. The trenches should be dug to a depth a minimum of 20 centimeters below any cultural or potential cultural levels and must be sufficient to determine site stratigraphy. Soil profiles and stratigraphic columns are required to document the site integrity or lack thereof.

2. If intact site deposits are demonstrated to be present within the footprints of Timeshare Bldgs. 1-4 then a minimum of 2 one meter square units must be placed in intact site areas, to be determined by the principal investigator. The units should be dug in natural stratigraphic levels if possible and in 10 centimeter levels otherwise. These units will document the potential of the site to contribute new information to prehistory. Documentation should be thorough and detailed.

3. In addition, a minimum of 10 to a maximum of 50 test pits should be utilized to determine the boundaries of the site(s). These should test the limits of the site along the

project footprint in the vicinity of Timeshare Bldgs. 1-7, Timeshare Clubhouse, new ballroom and new spa.

4. Artifacts recovered will be in the custody of the principal investigator until they are transported to the designated accredited repository and will be prepared, identified, and cataloged prior to curation.

5. Potential human remains and any associated artifacts will be treated as an archaeological feature, left in place and cordoned off until the project osteologist determines if the remains are in fact human. The presence of identified human remains will trigger response in compliance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and SB 447 (Chapter 44, Statutes of 1987). Section 7050.5 (c) will guide potential Native American involvement, in the event of discovery of human remains. Section 7050.5 (c) states: "If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she will contact by telephone within 24 hours the Native American Heritage Commission." Under typical circumstances, a Most Likely Descendent(s) (MLD) of the discovered remains would be designated by the Native American Heritage Commission. The MLD has 24 hours to make recommendations to the project owner regarding treatment and disposition of the identified remains.

6. The principal investigator will prepare a testing report to be filed with the client, the lead agency, the repository and the California Historic Resources Information System. The report will evaluate the integrity of the site(s) and the potential to contribute new information to prehistory. It will include a map of the testing trenches, units and test pits, all stratigraphic profiles, a catalog of resources recovered, documentation of each site/locality, interpretation of resources recovered, make recommendations for project redesign if appropriate, make recommendations for mitigation if appropriate and will include all specialist's reports as appendices. All project documents, including all field

records and the report itself, should be included on a compact disc in portable document format. The compact disc should be in a pocket at the rear of each copy of the report.

## MONITORING PLAN

The following mitigation measures have been developed to reduce the adverse impacts of project construction on paleontological and cultural resources to an acceptable level. The measures are derived from current professional guidelines and the meet requirements of the City of Newport Beach, CEQA and NEPA. These general mitigation measures have been used throughout southern California and have been demonstrated to be successful in protecting resources while allowing timely completion of construction.

1. A qualified principal investigator for archaeology and paleontology will be retained to provide professional services. The principal investigator will be responsible to implement the mitigation plan and maintain professional standards of work.

2. Qualified archaeological and paleontological monitors will perform full-time monitoring of all planned demolition work and all earthmoving of any kind including grading and trenching. Monitoring will include inspection of exposed surfaces and microscopic examination of matrix. The monitor will have authority to divert grading away from exposed resources temporarily in order to recover the specimens. Only qualified archaeological or paleontological professionals are authorized to collect data and recover specimens (artifacts or fossil). All recovered materials will remain in the custody of the principal investigator until completion of the project. Cooperation and assistance from on-site personnel will greatly assist timely resumption of work in the area of the discovery.

3. All demolition and earthmoving in the zone of known archaeological sites as defined in this report will also require monitoring by a Native American monitor with a Tongva/Gabrielino lineage recognized by the Native American Heritage Commission. Native American monitors are observers present to insure proper respect and treatment of recovered artifacts, features and sites. Native American monitors are not authorized to recover any materials and such actions will be grounds for termination from the project and replacement.

4. If the discovery meets the criteria for an archaeological site or a fossil locality, then work should be diverted until the Cultural Resources Field Supervisor or Principal Investigator evaluates the discovery. Sites and localities require documentation including location and stratigraphic information. Decisions about testing and data recovery will be made in consultation with the client and the lead agency.

5. Potential human remains and any associated artifacts will be treated as an archaeological feature, left in place and cordoned off until the project osteologist determines if the remains are in fact human. The presence of identified human remains will trigger response in compliance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and SB 447 (Chapter 44, Statutes of 1987). Section 7050.5 (c) will guide potential Native American involvement, in the event of discovery of human remains. Section 7050.5 (c) states: "If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she will contact by telephone within 24 hours the Native American Heritage Commission." Under typical circumstances, a Most Likely Descendent(s) (MLD) of the discovered remains would be designated by the Native American Heritage Commission. The MLD has 24 hours to make recommendations to the project owner regarding treatment and disposition of the identified remains.

6. If microfossil localities are discovered, the monitor will collect matrix for processing. In order to limit downtime, the monitor may request heavy machinery assistance to move large quantities of matrix out of the path of construction to designated stockpile areas. Testing of stockpiles will consist of screen washing small samples (200 pounds) to determine if fossils are present. Productive tests will result in screen washing of additional matrix from the stockpiles to a maximum of 6000 pounds per locality.

7. The principal investigator will prepare monthly progress reports to be filed with the client and the lead agency.

8. Artifacts, specimens and fossils recovered will be prepared, identified, and cataloged before donation to the accredited repository designated by the lead agency. Any resources determined not to meet significance criteria will be offered to local schools for use in educational programs.

9. The principal investigator will prepare a final report to be filed with the client, the lead agency and the California Historic Resources Information System. The report will include a list of resources recovered, documentation of each site/locality, interpretation of resources recovered and will include all specialist's reports as appendices. All project documents, including all field records and the report itself, should be included on a compact disc in portable document format. The compact disc should be in a pocket at the rear of each copy of the report.

# REFERENCES CITED

California Department of Transportation
2001 Cultural Resources, Online Environmental Handbook, Vol. 2. http://www.dot.ca.gov/ser/vol2/vol2.htm

2003 Paleontology, Online Environmental Handbook, Vol. 1, Chapter 8. http://www.dot.ca.gov/ser/vol1/sec3/physical/Ch08Paleo/chap08paleo.htm

Jennings, C. W.
1977 *Santa Ana Sheet, Geological Map of California*. California Division of Mines and Geology, Sacramento.

Koerper, Henry, Roger Mason and Mark Peterson
2003 Complexity, Demography and Change in Late Holocene Orange County. In Erlandson, J. and T. Jones (eds), *Catalysts to Complexity: The Late Holocene on the California Coast*. Perspectives in California Archaeology, Institute of Archaeology, University of California, Los Angeles.

Lee, Ellen
1988 Newport. *In A Hundred Years of Yesterdays: A centennial history of the people of Orange County and their communities*, pages 143-146. Orange County Centennial, Santa Ana.

Mason, Roger, H. Koerper and P. Langenwalter
1997 Middle Holocene adaptations on the Newport Coast of Orange County. In Erlandson, J. and M. Glassow, *Archaeology of the California Coast during the Middle Holocene, Perspectives in California Archaeology*, Institute of Archaeology, University of California, Los Angeles.

McCawley, William
1996 *The First Angelinos: The Gabrielino Indians of Los Angeles.* A Malki Museum Press/Ballena Press Cooperative Publication, Banning, CA.

McLeod, Dr. Samuel A.
2006 Vertebrate Paleontology Records Search for paleontological resources for the proposed Hyatt Regency Ballroom in Newport Beach Orange County. (Appendix B)

Rogers, Thomas H.
1965 *Geologic Map Of California, Santa Ana Sheet*. Division of Mines and Geology, State of California.

Romani, John
1982 *Archaeological Survey Report for the ORA-55 Corridor*. On file, Information Center, California State University, Fullerton.

# APPENDIX A: QUALIFICATIONS OF PERSONNEL

# SHERRI GUST
## Qualified Paleontologist and Registered Professional Archaeologist

### EDUCATION

1994 M. S., Anatomy and Cell Biology (Evolutionary Morphology), University of Southern California, Los Angeles
1979 B. S., Anthropology (Physical), University of California, Davis

### SELECTED PROJECTS

Research, survey and report on cultural resources from a property with a prehistoric site and historic ranching in San Juan Capistrano.

Literature review, survey and report on paleontological resources from a housing development project in Arroyo Grande.

Research, testing and report on the Zanja Madre, the original water sources of Los Angeles for MTA.

### SELECTED REPORTS AND PUBLICATIONS

2005 Gust, S. Paleontological Evaluation Report for the Shandon Community Plan Update Constraints Analysis Project, San Luis Obispo County, California. On file, Cogstone Resource Management Inc.

2005 Scott, K. and S. Gust. Archaeological and Paleontological Resource Assessment Report for the Rich Haven Project, Ontario, California. On file, Cogstone Resource Management Inc.. Eastern Information Center and San Bernardino Archaeological Information Center.

2005 Gust, S. and A. Van Wyke. Archaeological Assessment Report for Certificate Parcels 1-4 of the Heritage Ranch Project, San Luis Obispo County, California. On file, Cogstone Resource Management Inc. and Central Coastal Information Center.

2005 Scott, K. and S. Gust. Paleontological Survey and Evaluation of Camp Roberts and Camp San Luis Obispo, California Army National Guard Facilities, Central California. On file, Cogstone Resource Management Inc. and California Army National Guard Environmental Division.

### PROFESSIONAL AFFILIATION & RECOGNITION

Member, Register of Professional Archaeologists
Member, Society for California Archaeology
Member, Society for Historical Archaeology
Member, Pacific Coast Archaeological Society
Member, Society for Archaeological Science
Associate, Vertebrate Paleontology LA County Museum of Natural History
Qualified Paleontologist, Bureau of Land Management
Qualified/Certified Paleontologist, Counties of Orange, LA, SLO, Ventura, Riverside, Santa Barbara

## STEVEN MCCORMICK
**Field Director/Supervisor**

### EDUCATION

Exp. 2007 M. A. Anthropology, California State University, Long Beach.

2000 B. A., Anthropology, California State University, Long Beach.

### SELECTED PROJECTS

2005 Geophysical survey Ely Airport and Sunshine Locality, Ely, Nevada.

2004 Geophysical survey California State University Geophysical Research, Kennett, Missouri

2002 Excavation and monitoring CA-ORA-1617 Costa Mesa, California. Responsible for overseeing excavations and monitoring activities, data recovery activities, client consultation, field reports, analysis, and report.

2001 Paleontological & Archaeological monitoring Pacific Commerce Center Lake Forest California. Responsible for overseeing monitoring activities and data recovery activities, client consultation, artifacts analysis and report.

2000-02 Archaeological monitoring Talega Development, San Clemente, California. Responsible for monitoring, data recovery, analysis and reports.

2000 Paleontological & Archaeological monitoring Harveston Development Temecula, California. Responsible for monitoring, data recovery, fossil salvage and field reports.

1998 Excavation Santa Barbara Presidio, Santa Barbara, California. Responsible for excavation, in field artifact analysis, mapping, data recovery and field reports.

### REPORTS AND PUBLICATIONS

2006 Dr. Hector Neff and Steven McCormick, *Chemical Characterization of Obsidian from CA ORA-907 and ORA 711* unpublished report prepared by IIRMES for SWCA Mission Viejo, California.

2001 Joan Brown, RPA *and* Steven McCormick, *Cultura*l *Resource Monitoring for Water Tank Access Road, Laguna Niguel, California.* Prepared by RMW Paleo Associates Mission Viejo, California.

2001 Joan Brown, RPA *and* Steven McCormick,, *Cultural Resources Literature and Records Review, and Reconnaissance for the Capistrano Valley Water District Domestic, Non-Domestic, and Brackish Water Wells Project.* Prepared by RMW Paleo Associates Mission Viejo, California.

# APPENDIX B: PALEONTOLOGICAL RECORD SEARCH

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

Vertebrate Paleontology Section
Telephone: (213) 763-3325
FAX: (213) 746-7431
e-mail: smcleod@nhm.org

27 October 2006

Cogstone Resource Management, Inc.
1801 East Parkcourt Place, Bldg. B, Suite 102
Santa Ana, CA 92701

Attn: Steven McCormick, Field Supervisor / Crew Chief

re: Vertebrate Paleontology Records Check for paleontological resources for the proposed Hyatt Regency, Newport Beach, Orange County, Cosgstone project # 1311, project area

Dear Steven:

I have conducted a thorough search of our paleontology collection records for the locality and specimen data for the proposed Hyatt Regency, Newport Beach, Orange County, Cosgstone project # 1311, project area as indicated on the section of the Newport Beach USGS topographic quadrangle map that you sent in your e-mail to me on 26 October 2006. We do not have any vertebrate fossil localities that lie directly within the proposed project boundaries, but we do have localities nearby from the same sedimentary deposits that occur in the proposed project area.

Geologic mapping for the proposed project area shows surficial nominally terrestrial Quaternary terrace deposits on the lower lying portions in the west and south and a capping of nominally marine Quaternary terrace deposits in the originally highest east-central part sandwiching a U-shaped exposure of the marine Late Miocene Monterey Formation. Our closest localities in Quaternary terrace deposits are LACM 1240 and 3408, northeast of the proposed project area along Ford Road between Jamboree Road and MacArthur Boulevard, the produced fossil specimens of thresher shark, *Alopias superciliosus*, white shark, *Carcharodon carcharias*, sheephead fish, *Pimelometopon pulchrum*, duck, *Chendytes lawi*, tapir, Tapiridae, and horse, *Equus*. Almost due west of the northern portion of the proposed project area, in the cliffs on the north side of the Pacific Coast Highway (Highway 1) between Superior Avenue and Newport Boulevard, our locality LACM 6370 from Quaternary terrace deposits also produced a specimen of a fossil horse, *Equus*. We have numerous other fossil vertebrate localities in the Quaternary Terrace deposits in the general area further north, especially LACM 1066 along the Upper Newport Bay which produced an extensive fauna of primarily terrestrial vertebrates (see Wade E. Miller, 1970. Los Angeles County Museum Science Bulletin, 10:1-124).

Our closest vertebrate fossil localities from the Monterey Formation are LACM 1160 and 7139, just east of north of the proposed project area in similar cliffs along Backbay Drive on both sides of San Joaquin Hills Road south of Big Canyon, that produced fossil specimens of bony fish, Osteichthyes, and baleen whales, Mysticeti. We also have locality LACM 6371 from the Monterey Formation underlying the Quaternary locality LACM 6370 mentioned above, that produced specimens of undetermined fossil marine mammals. We have a great number of vertebrate fossil localities from the Monterey Formation in Orange County, primarily farther east in the hills south of the San Diego Freeway (I-405) and on both sides of the Golden State Freeway (I-5).

Excavations anywhere in the proposed project area may well encounter significant vertebrate fossils from the Quaternary Terrace deposits or the marine Late Miocene Monterey Formation. Any substantial excavations in the proposed project area, therefore, should be closely monitored to quickly and professionally collect any vertebrate fossil remains without impeding development. Any fossils collected from mitigation should be placed in an accredited scientific institution for the benefit of current and future generations.

This records search covers only the vertebrate paleontology records of the Natural History Museum of Los Angeles County. It is not intended to be a thorough paleontological survey of the proposed project area covering other institutional records, a literature survey, or any potential on-site survey.

Sincerely,

Samuel A. McLeod

Samuel A. McLeod, Ph.D.
Vertebrate Paleontology

enclosure: invoice

# APPENDIX C: ARCHAEOLOGICAL RECORD SEARCH

**South Central Coastal Information Center**
*California Historical Resources Information System*
California State University, Fullerton
Department of Anthropology
800 North State College Boulevard
Fullerton, CA 92834-6846
714.278.5395 / FAX 714.278.5542
anthro.fullerton.edu/sccic.html - sccic@fullerton.edu

*Ventura*
*Los Angeles*
*Orange*

October 30, 2006 SCCIC # 7004.4229

Mr. Steven McCormick
Cogstone Resource Management Inc.
1801 E. Parkcourt Pl.
Building B Suite 102
Santa Ana, CA 92701
(714) 245-0264

RE: Records Search for Cogstone Project # 1311 Hyatt Regency Newport Beach, California

Dear Mr. McCormick,

As per your request received on October 23, 2006, a records search was conducted for the above referenced project. The search includes a review of all recorded archaeological sites within a 1-mile radius of the project site as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest (PHI), the California Historical Landmarks (CHL), the California Register of Historical Places (CR), the National Register of Historic Places (NR), and the California State Historic Resources Inventory (HRI) listings were reviewed for the above referenced project. The following is a discussion of the findings.

***Newport Beach Quad, Laguna Beach Quad, and Tustin, CA.USGS 7.5' Quadrangles***

**ARCHAEOLOGICAL RESOURCES:**

Thirty-eight archaeological sites (30-000046, 30-000047, 30-000048, 30-000049, 30-000050*, 30-000051, 30-000052, 30-000064, 30-000065, 30-000066, 30-000067, 30-000068, 30-000069, 30-000070, 30-000098, 30-000099*, 30-000100, 30-000137, 30-000138, 30-000139, 30-000140, 30-000141, 30-000146, 30-000150, 30-000151, 30-000152, 30-000153, 30-000154, 30-000155, 30-000156, 30-000158, 30-000159, 30-000186, 30-000187, 30-000518, 30-001098, 30-001117, and 30-001451) have been identified within a 1-mile radius of the project site. Two archaeological sites are located within the project site. None of the above sites are listed on the Archaeological Determination of Eligibility (DOE) list. No isolates **(List isolates here)** have been identified within a 1-mile radius of the project site. No isolates are located within the project site.
*(* = Located within the project site)*

**HISTORIC RESOURCES:**

Copies of our historic maps – Santa Ana (1896 and 1901) 15' USGS - are enclosed for your review.

The California Point of Historical Interest (2006) of the Office of Historic Preservation, Department of Parks and Recreation, lists one property within a 1-mile radius of the project site (see below).

*Newport Beach, CA. 7.5' USGS Quadrangle*

ORA-009 (Site of) 1953 National Boy Scout Jamboree
Present Location of Newport Center
Newport Beach
#30-162284

The California Historical Landmarks (2006) of the Office of Historic Preservation, Department of Parks and Recreation, lists one property within a 1-mile radius of the project site (see below).

*Newport Beach, CA. 7.5' USGS Quadrangle*

No. 198 Old Landing
On September 10, 1870, Captain Samuel S. Dunnels opened Newport Bay to commerce when they entered it for the first time on the stern wheel steamer *Vaquero*. The landing was designated "Newport"--a new port--by James Irvine, Benjamin Flint, James McFadden, and Robert McFadden. The McFaddens operated a regular shipping service here during the 1870's and 1880's. Located on Dover Drive, 500 feet north of State Highway 1, Newport Beach.
30-162261

The California Register of Historic Places (2006) lists no properties within a 1-mile radius of the project site. These are properties determined to have a National Register of Historic Places Status of 1 or 2, a California Historical Landmark numbering 770 and higher, or a Point of Historical Interest listed after 1/1/1998.

The National Register of Historic Places (2006) lists no properties within a 1-mile radius of the project site.

The California Historic Resources Inventory (2006) lists one property that has been evaluated for historical significance within a 1-mile radius of the project site (see enclosed list).

**PREVIOUS CULTURAL RESOURCES INVESTIGATIONS:**

Forty-six studies (OR17, OR18, OR46*, OR204, OR236, OR568, OR569, OR606, OR638*, OR677, OR960, OR984, OR1003, OR1012*, OR1017*, OR1052, OR1056, OR1071, OR1087, OR1097, OR1189*, OR1234, OR1531, OR1565, OR1606, OR1630, OR1642, OR1702, OR1705, OR1733, OR1762, OR1834, OR1904, OR1906, OR1953, OR2012, OR2130, OR2137, OR2153, OR2372*, OR2535, OR2675, OR2976, OR2999, OR3001, and OR3004) have been conducted within a 1-mile radius of the project site. Of these, six are located within the project site. There are eighteen additional investigations located on the Newport Beach, Laguna Beach, and Tustin 7.5' USGS Quadrangles that are potentially within a 1-mile radius of the project site. These

reports are not mapped due to insufficient locational information.
*(* = Located within the project site)*

Please forward a copy of any reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you **do not include** records search maps in your report. If you have any questions regarding the results presented herein, contact the office at 714.278.5395 Monday through Thursday 8:00 am to 3:30 pm.

Should you require any additional information for the above referenced project, reference the SCCIC number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Sincerely,
SCCIC

Thomas David Shackford
Lead Staff Researcher

Enclosures:

(X) Maps – Newport Beach, Laguna Beach, and Tustin 7.5' USGS Quadrangle, Santa Ana 15' USGS Quadrangle – 10 pages
(X) Bibliography – 8 pages
(X) HRI – 1 page
(X) National Register Status Codes
(X) Site Records – (30-000046, 30-000047, 30-000048, 30-000049, 30-000050*, 30-000051, 30-000052, 30-000064, 30-000065, 30-000066, 30-000067, 30-000068, 30-000069, 30-000070, 30-000098, 30-000099*, 30-000100, 30-000137, 30-000138, 30-000139, 30-000140, 30-000141, 30-000146, 30-000150, 30-000151, 30-000152, 30-000153, 30-000154, 30-000155, 30-000156, 30-000158, 30-000159, 30-000186, 30-000187, 30-000518, 30-001098, 30-001117, and 30-001451) – 87 pages
(X) Confidentiality Form
(X) Invoice # 7004.4229

# APPENDIX D: NATIVE AMERICAN CONSULTATION

STATE OF CALIFORNIA — Arnold Schwarzenegger, Governor

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-4082
Fax (916) 657-5390

October 25, 2006

Carrie Carter
Cogstone Resource Management Inc.

Sent by Fax: 714-245-0054
Number of Pages: 4

RE: Hyatt Regency

Dear Ms. Carter:

A record search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. The absence of specific site information in the sacred lands file does not indicate the absence of cultural resources in any project area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites.

Enclosed is a list of Native Americans individuals/organizations who may have knowledge of cultural resources in the project area. The Commission makes no recommendation or preference of a single individual, or group over another. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at (916) 653-4040.

Sincerely,

Rob Wood
Environmental Specialist III

10/25/2006 16:35 FAX 916 657 5390 NAHC 002/004

916 657 5390

**Native American Contacts**
**Orange County**
October 25, 2006

Cahuilla Band of Indians
Anthony Madrigal, Jr., Interim-Chairperson
P.O. Box 391760 Cahuilla
Anza , CA 92539
tribalcouncil@cahuilla.net
(951) 763-5549

(909) 763-2808 Fax

Samuel H. Dunlap
P.O. Box 1391 Gabrielino
Temecula , CA 92593 Cahuilla

(909) 262-9351 (Cell) Luiseno

samdunlap@earthlink.net

Ti'At Society
Cindi Alvitre
6515 Seaside Walk #C Gabrielino
Long Beach , CA 90803
calvitre@yahoo.com
(714) 504 2468 Cell

Juaneno Band of Mission Indians Acjachemen Nation
David Belardes, Chairperson
31742 Via Belardes Juaneno
San Juan Capistrano , CA 92675

(949) 493-0959

(949) 493-1601 Fax

Juaneno Band of Mission Indians
Sonia Johnston, Chairperson
P.O. Box 25628 Juaneno
Santa Ana , CA 92799
ajuaneno@verizon.net
(949) 462-0710
(714) 323-8312 (Cell)
(949) 462-9451 Fax

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Adminstrator
4712 Admiralty Way, Suite 172 Gabrielino Tongva
Marina Del Rey , CA 90292

310-570-6567

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Hyatt Regency project (project no.1311), Newport Beach, Orange County.

10/25/2006 16:35 FAX 916 657 5390 NAHC 003/004

916 657 5390

**Native American Contacts**
**Orange County**
October 25, 2006

Gabrieleno/Tongva Tribal Council
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778

(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 Fax

Juaneno Band of Mission Indians
Anita Espinoza
1740 Concerto Drive Juaneno
Anaheim , CA 92807

(714) 779-8832

Gabrielino/Tongva Council / Gabrielino Tongva Nation
Sam Dunlap, Tribal Secretary
501 Santa Monica Blvd., Suite 500 Gabrielino Tongva
Santa Monica , CA 90401-2415

(310) 587-2203

(310) 587-2281 Fax

Juaneno Band of Mission Indians Acjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street Juaneno
San Juan Capistrano , CA 92675-2674
arivera@juaneno.com
949-488-3484
949-488-3294 Fax

Gabrielino Band of Mission Indians of CA
Ms. Susan Frank
PO Box 3021 Gabrielino
Beaumont , CA 92223

(951) 845-3606
Phone/Fax

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Tribal Chair/Cultural Resources
5450 Slauson, Ave. Suite 151 PMB Gabrielino Tongva
Culver City , CA 90230
gtongva@earthlink.net
562-761-6417 - voice

562-920-9449 - fax

**This list is current only as of the date of this document.**

**Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.**

**This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Hyatt Regency project (project no.1311), Newport Beach, Orange County.**

10/25/2006 16:35 FAX 916 657 5390 NAHC 004/004

916 657 5390

**Native American Contacts**
**Orange County**
October 25, 2006

Gabrielino Tongva Indians of California Tribal Council
Mercedes Dorame, Tribal Administrator
20990 Las Flores Mesa Drive
Malibu , CA 90265
Pluto05@hotmail.com

Juaneno Band of Mission Indians Acjachemen Nation
Joyce Perry , Tribal Manager & Cultural Resources
Gabrielino Tongva 31742 Via Belardes Juaneno
San Juan Capistrano , CA 92675

(949) 493-0959

(949) 493-1601 Fax

Juaneno Band of Mission Indians
Alfred Cruz, Culural Resources Coordinator
P.O. Box 25628 Juaneno
Santa Ana , CA 92799

714-998-0721

Juaneno Band of Mission Indians
Joe Ocampo, Environmental Coordinator
P.O. Box 25628 Juaneno
Santa Ana , CA 92799

(949) 462-0710

(949) 462-9451 Fax

Cahuilla Band of Indians
Maurice Chacon, Cultural Resources
P.O. Box 391760 Cahuilla
Anza , CA 92539
cbandodian@aol.com
(951) 763-5549

(951) 763-2808 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed Hyatt Regency project (project no.1311), Newport Beach, Orange County.