

December 28, 2022

Vince Fregoso, Contract Planner  
City of Fullerton Community Development Department  
303 West Commonwealth Avenue  
Fullerton, California 92832

**RE: CONFIDENTIAL: HISTORIC PROPERTY IDENTIFICATION MEMORANDUM AND FINDING OF NO HISTORIC PROPERTIES AFFECTED FOR THE POINTE COMMON AFFORDABLE HOUSING PROJECT, CITY OF FULLERTON, CALIFORNIA**

Dear Mr. Fregoso:

The City of Fullerton is proposing to use US Department of Housing and Urban Development (HUD) funding for the Pointe Common Affordable Housing Project. The project meets the definition of an “undertaking” according to 36 Code of Federal Regulations (CFR) Section 800.16(y). In support of the project, Michael Baker International completed a South Central Coastal Information Center (SCCIC) records search; a literature, aerial photograph, and historical map review; local interested party consultation; Native American Heritage Commission (NAHC) Sacred Lands File search; Native American outreach; archaeological field survey; and archaeological sensitivity assessment. Additionally, a Natural History Museum of Los Angeles County (NHMLAC) paleontological records search and search of online and published databases were completed to identify paleontological localities and sensitivity for paleontological resources. These studies were conducted in order to determine whether the project could result in adverse effects to historic properties in accordance with Section 106 of the National Historic Preservation Act (NHPA) and significant impacts to historical and paleontological resources in accordance with the California Environmental Quality Act (CEQA). Methods, results, and recommendations are summarized below.

## **PROJECT DESCRIPTION**

The project proposes to construct a 65-unit affordable housing development with surface parking, open space amenities, and a family tot lot, with a total building area of 75,972 square feet, on a 2.25-acre (98,166 square feet) parcel located at 1600 West Commonwealth Avenue, Fullerton, California. The residential development would consist of one structure, with two- to three-story massing. The development would utilize four different unit plans that consist of one-, two-, and three-bedroom units, with sizes ranging from approximately 579 to 1,126 square feet, and a unit designated for property manager’s use. All of the 65 units would be moderate for-sale affordable units.

The project site is currently vacant and was disturbed by the demolition of the former building and surface parking lot between 2007 and 2009. The project is located near the intersection of West Commonwealth Avenue and North Basque Avenue. The project site is made up of one parcel (Assessor’s Parcel Number [APN] 030-290-22) and is surrounded by residential uses to the north, commercial uses to the east, and a railroad to the south and west. The project would be funded, in part, by funds administered by HUD.

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Today, the closest watercourses are Fullerton Creek, located approximately 0.6 miles south of the area of potential effects (APE), and Brea Creek, located approximately 0.38 miles north of the APE. Both now flow through concrete-lined flood control channels.

## AREA OF POTENTIAL EFFECTS

The APE for the undertaking is identified as the boundary of APN 030-290-22 as this includes the maximum extent of ground disturbance associated with the development of the project (see **Attachment 1**). The vertical APE is 15 feet below ground surface to encompass the maximum depth of excavation anticipated for the project. The APE is located in an urban area surrounded by a railroad and existing development of a similar size and scale.

## CULTURAL RESOURCES IDENTIFICATION METHODS

The results of the SCCIC records search, archival research, literature, historical map, and aerial photograph review, field survey, local interested party consultation, NAHC Sacred Lands File search, Native American outreach, and archaeological site sensitivity analysis are presented below.

## SOUTH CENTRAL COASTAL INFORMATION CENTER

On September 26, 2022, Michael Baker International Senior Archaeologist Marc Beherec PhD, RPA, conducted a records search at the SCCIC. The records search included the APE and a half-mile radius (see **Attachment 2**). The SCCIC, as part of the California Historical Resources Information System, California State University, Fullerton, an affiliate of the California Office of Historic Preservation (OHP) and the State Historical Resources Commission (SHRC), is the official state repository of cultural resources records and reports for Los Angeles, Ventura, San Bernardino, and Orange Counties. Michael Baker International supplemented this search with available online databases maintained by federal and state repositories. As part of the records search, the following federal and California inventories were reviewed:

- National Register of Historic Places (NRHP) (National Park Service 2020).
- Archaeological Resources Directory for Orange County (OHP 2022a). The directory includes the OHP determinations of eligibility for archaeological resources in Orange County.
- Built Environment Resources Directory for Orange County (OHP 2022b). The directory includes resources reviewed for eligibility for the NRHP and the California Historical Landmarks programs through federal and state environmental compliance laws, and resources nominated under federal and state registration programs, including the NRHP, California Register of Historical Resources (CRHR), California Historical Landmarks, and California Points of Historical Interest.
- California Historical Resources (OHP 2022c).

## Results

### Previous Studies

The records search revealed that the APE has not been previously studied. Five cultural resources studies have previously been completed within a half-mile radius of the APE, as outlined in the below table.

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Author	Report No.	Date	Title/Description	Within APE?	Historic Properties Identified within the APE?
Duke, Curt	OR-02202	2001	Cultural Resource Assessment Cingular Wireless Facility No. Sm 019-02 Orange County, Ca	No	No
Duke, Curt	OR-02748	2001	Cultural Resource Assessment Cingular Wireless Facility No. Sm 019-03 Orange County, California	No	No
Allen, Kathleen C.	OR-02829	2003	Records Search for Crosswalk Lighting Project, Brookhurst Road at Oak Avenue, City of Fullerton	No	No
Allen, Kathleen C.	OR-02834	2003	Records Search for Crosswalk Lighting Project, Valencia Drive at Eadington Avenue, City of Fullerton	No	No
Allen, Kathleen C.	OR-02835	2003	Records Search for Crosswalk Lighting Project, Valencia Drive at Basque Avenue, City of Fullerton	No	No

**Previously Recorded Resources**

The records search revealed that no cultural resources have been documented within the APE. Two previously recorded resources were documented within 0.5 miles of the APE as outlined in the table below.

Resource Name/ Number	Address	Type	OHP Status Code/ Eligibility Status	Relationship to Project Site
P-30-157263	1201 West Malvern, Fullerton CA	Historic Property	1S: Individual property listed in NRHP by the Keeper. Listed in the CRHR	0.49 Miles Northeast
P-30-176663	N/A	Historic Railroad	6Z: Found Ineligible for the NRHP, CRHR, local designation through survey	50 Feet South

**LITERATURE, HISTORICAL MAP, AND AERIAL PHOTOGRAPH REVIEW**

Michael Baker International reviewed literature, maps, and aerial photographs for historical and archaeological information about the APE and the vicinity. Below is a list of resources reviewed, followed by a narrative description of the results for the APE.

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- Township 3 South, Range 10 West, San Bernardino Base Meridian (GLO 1894)
- "Gabrielino" (Bean and Smith 1978)
- "One If by Land, Two If by Sea: Who Were the First Californians?" (Erlandson et al. 2007)
- *The First Angelinos: The Gabrielino Indians of Los Angeles* (McCawley 1996)
- *California Archaeology* (Moratto 1984)
- "Reconceptualizing the Encinitas Tradition of Southern California (Sutton and Gardener 2010)
- "Cultural Tradition and Ecological Adaptation on the Southern California Coast" (Warren 1968)
- *Vineyards and Vaqueros: Indian Labor and the Economic Expansion of Southern California, 1771–1877* (Phillips 2010)
- *Anaheim, California, 1:62,500 scale topographic quadrangle* (USGS 1896)
- *Anaheim, California, 1:62,500 scale topographic quadrangle* (USGS 1901)
- *Anaheim, California, 1:62,500 scale topographic quadrangle* (USGS 1942)
- *Garden Grove, California, 1:31,680 scale topographic quadrangle* (USGS 1935)
- *Santa Ana, California, 1:24,000 scale topographic quadrangle* (USGS 1947)
- *Santa Ana, California, 1:24,000 scale topographic quadrangle* (USGS 1949)
- *Santa Ana, California, 1:24,000 scale topographic quadrangle* (USGS 1956)
- *Santa Ana, California, 1:24,000 scale topographic quadrangle* (USGS 1965)
- *Santa Ana, California, 1:24,000 scale topographic quadrangle* (USGS 1974)
- *Santa Ana, California, 1:24,000 scale topographic quadrangle* (USGS 2012)

## Results

The earliest habitation of the Los Angeles Basin and Santa Ana River watershed likely occurred in the Paleocoastal or Paleoindian period, which is generally dated between about 13,000 and 8,500 before present (BP) (Arnold, Walsh, and Hollimon 2004; Moratto 1984; Erlandson et al. 2007). These earliest inhabitants were highly mobile hunter-gatherers who left behind little in the way of archaeological remains.

The first uncontested evidence of human occupation in this area dates to about 9,000 BP. It is associated with the Millingstone Cultural Horizon, or as it is also known, the Encinitas Tradition. Millingstone populations established permanent settlements that were located primarily on the coast and in other locations with reliable water sources and a variety of potential foodstuffs. There they relied heavily on shellfish, seeds, and small animals. The period takes its name from the appearance of ground stone artifacts. In the Early Millingstone, these ground stone artifacts are manos and metates, but after approximately 5000 BP, when acorns become important in the diet, mortars and pestles become an important component of the artifact assemblage (Warren 1968; Sutton and Gardner 2010).

The period between 3,500 BP and 1,500 BP is known as the Intermediate period. Increasing population pressures led to intensified exploitation of existing terrestrial and marine resources. The intensified resource procurement was enabled by technological innovations such as the circular fishhook on the coast, greater use of the mortar and pestle to exploit acorns more efficiently, and the use of the dart and atlatl to diversify hunting (Erlandson et al. 2007). Larger numbers of settlements that are also bigger in size are observed in the archaeological record, suggesting a larger and more sedentary population. Trade networks and greater craft specialization were developed during this period.

During the Late Prehistoric, which began approximately 1,500 BP and continued until European intrusion, is the period of the development and florescence of the Native American tribes encountered

by the Spanish. Late Prehistoric subsistence consisted of hunting, trapping, fishing, and gathering, and continued the pattern of increased population and sedentism.

### **Ethnohistoric and Early Historic Context**

Spanish explorers first visited the coast of southern California in 1542. But European settlement did not begin in the area until 1769, when Gaspar de Portola led an exploratory mission intended to open up Alta California to settlement. On September 8, 1771, Franciscan friars established Mission San Gabriel Arcángel, approximately 37 miles west of the APE. The APE was located within the area allotted to Mission San Gabriel, and the Franciscans called the local Native Americans Gabrielinos after the mission.

Gabrielino territory included the Los Angeles Basin, parts of the Santa Ana and Santa Monica Mountains, and San Clemente, San Nicolas, and Santa Catalina Islands. The Gabrielino spoke a dialect of the Cupan group of the Takic language family (Bean and Smith 1978: 538-549). Gabrielino villages were most common along the coast and along the region's major rivers, where villages formed of domed semipermanent structures the Spanish likened to half-oranges centered around a temple and the home of the village chief. The Gabrielino villages Pasbengna and Hotuuknga were located along the Santa Ana River in the vicinity of the project site, with Pasbengna located in or near today's Santa Ana, and Hotuuknga located in today's Yorba Linda (McCawley 1996). Other villages, the names of which are not recorded, may have also existed in the area. The resource procurement areas of these known and unknown villages likely included the APE. By the early 1800s, as introduced diseases led to population decline, and Spanish use of the land for agriculture and grazing made the Gabrielinos' reliance on their traditional lifestyle increasingly untenable, the majority of California's coastal Native American populations had entered the mission system (Jackson 1999).

In 1784, the APE was part of a vast tract granted by the Spanish Crown to Manuel Nieto and known as Rancho Los Nietos. Native Americans continued to live on the land grant and made up much of the rancho's work force. California's Native Americans sometimes preferred to live as vaqueros and laborers on the region's vast land grants in order to avoid living more directly under the mission system (Phillips 2010).

In 1821, Mexico won its independence from Spain. The new state was secular in nature and moved increasingly towards secularization of the mission and dispersal of the mission properties among politically connected elites. In 1834, the missions were secularized and their lands divided up. Little of the missions' lands and wealth went to the Native Americans. The same year, Mexican Governor Jose Figueroa broke up the land grant at the request of Nieto's heirs, and the APE was included in the 48,806-acre Rancho Los Coyotes. More than 600 ranchos were granted between 1833 and 1846 as the Mexican government sought to solidify its authority over Alta California amid fears of intrusion by the United States.

California was captured by the United States during the Mexican-American War of 1846–1848. The discovery of gold in California led to a population boom in the 1850s and 1860s. The completion of the transcontinental Santa Fe Railroad in 1886 led to increased land speculation and development (Meyer 1981).

### **APE Development History**

Early maps indicate that the APE was undeveloped until the middle twentieth century. The APE is located within the boundary of the 1834 Rancho Los Coyotes land grant. The first United States General Land Office land survey from 1894 shows no development in or around the APE (GLO 1894). Late

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nineteenth and early twentieth century maps show the Tustin branch of the Southern California Railroad passes just south of the APE, and an unlabeled road, today's Commonwealth Avenue, runs parallel to the Southern California Railroad line. There is no development within the APE itself (USGS 1896, 1898, 1901, 1935, 1942). Aerial photographs taken in the early 1940s show the entire APE is occupied by an orchard (UCSB 1940,1942).

By 1949, the project area is developed with industrial buildings. Approximately 60 percent of the APE is built upon with one large building and multiple smaller buildings, and the remainder of the APE is paved (USGS 1949; NETR 2022: 1950). These buildings survived until at least 2005, but all the buildings and structures on the property were demolished by 2009 (NETR 2022).

**INTERESTED PARTIES CONSULTATION**

**Historical Society Consultation**

On September 30, 2022, Michael Baker International emailed a letter and a figure depicting the APE to the Fullerton Historical Society. The correspondence requested any information or concerns regarding historic properties within the APE. On October 20, 2022, the Fullerton Historical Society responded, stating, "There are no concerns from a historic preservation perspective on this property." Historical society correspondence is included in **Attachment 3**.

**Native American Consultation**

On September 29, 2022, the HUD Tribal Directory Assessment Tool (TDAT) was searched for federally recognized tribes with ties to the APE. The search results stated, "Tribal data is not available as of October 2017. Please send comments and updated information to [EnvReview@hud.gov](mailto:EnvReview@hud.gov)." There are no federally recognized tribes with reservations in Orange County.

On September 29, 2022, Michael Baker International sent an email describing the project to the NAHC in Sacramento, asking the commission to review the Sacred Lands File for any Native American cultural resources that might be affected by the project. On November 9, 2022, Andrew Green, NAHC Cultural Resources Analyst, responded via email and stated that a search of the Sacred Lands File provided negative results. See **Attachment 4**.

On November 23, 2022, letters were sent to 17 Native American contacts identified by the NAHC as having knowledge of and interest in the APE. One additional contact, inadvertently omitted during the first mailing, was contacted on December 14, 2022. The letters included a brief description of the project and a map of the APE. The letters also included contact information for the City's representative, and requested that he be contacted if the tribes wished to consult on the project. The letters were sent both via email and via certified US mail, as noted in the table below. Responses are sent directly to the City of Fullerton Community Development Department, and will be documented separately. See **Attachment 4**.

Tribal Representative and Contact Information	Important Dates	Communication
Campo Band of Diegueno Mission Indians Ralph Goff, Chairperson 36190 Church Road, Suite 1 Campo, CA 91906	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.

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Tribal Representative and Contact Information	Important Dates	Communication
<a href="mailto:rgoff@campo-nsn.gov">rgoff@campo-nsn.gov</a>		
Ewiiapaayp Band of Kumeyaay Indians Robert Pinto, Chairperson 4054 Willows Road Alpine, CA 91901 <a href="mailto:ceo@ebki-nsn.gov">ceo@ebki-nsn.gov</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Ewiiapaayp Band of Kumeyaay Indians Michael Garcia, Vice Chairperson 4054 Willows Road Alpine, CA 91901 <a href="mailto:michaelg@leaningrock.net">michaelg@leaningrock.net</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Gabrieleno Band of Mission Indians - Kizh Nation Andrew Salas, Chairperson P.O. Box 393 Covina, CA 91723 <a href="mailto:admin@gabrielenoindians.org">admin@gabrielenoindians.org</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Gabrieleno/Tongva San Gabriel Band of Mission Indians Anthony Morales, Chairperson P.O. Box 693 San Gabriel, CA 91778 <a href="mailto:gttribalcouncil@aol.com">gttribalcouncil@aol.com</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Gabrielino /Tongva Nation Sandonne Goad, Chairperson 106 1/2 Judge John Aiso St., #231 Los Angeles, CA 90012 <a href="mailto:sgoad@gabrielino-tongva.com">sgoad@gabrielino-tongva.com</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Gabrielino Tongva Indians of California Tribal Council Christina Conley, Tribal Consultant and Administrator P.O. Box 941078 Simi Valley, CA 93094 <a href="mailto:christina.marsden@alumni.usc.edu">christina.marsden@alumni.usc.edu</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Gabrielino Tongva Indians of California Tribal Council Robert Dorame, Chairperson P.O. Box 490 Bellflower, CA 90707 <a href="mailto:gtongva@gmail.com">gtongva@gmail.com</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Gabrielino-Tongva Tribe Charles Alvarez 23454 Vanowen Street West Hills, CA 91307 <a href="mailto:roadkingcharles@aol.com">roadkingcharles@aol.com</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.

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Tribal Representative and Contact Information	Important Dates	Communication
Juaneno Band of Mission Indians Acjachemen Nation - Belardes Matias Belardes, Chairperson 32161 Avenida Los Amigos San Juan Capistrano, CA 92675 <a href="mailto:kaamalam@gmail.com">kaamalam@gmail.com</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Juaneno Band of Mission Indians Acjachemen Nation 84A Heidi Lucero, Chairperson 31411-A La Matanza Street San Juan Capistrano, CA, 92675 <a href="mailto:hllucero105@gmail.com">hllucero105@gmail.com</a>	12/14/2022  12/20/2022	Sent notification letter via certified US mail on December 16, 2022, and email on December 14, 2022.  Sent follow-up email on December 20, 2022.
La Posta Band of Diegueno Mission Indians Gwendolyn Parada, Chairperson 8 Crestwood Road Boulevard, CA 91905 <a href="mailto:lp13boots@aol.com">lp13boots@aol.com</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
La Posta Band of Diegueno Mission Indians Javaughn Miller, Tribal Administrator 8 Crestwood Road Boulevard, CA 91905 <a href="mailto:jmiller@lptribe.net">jmiller@lptribe.net</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Manzanita Band of Kumeyaay Nation Angela Elliott Santos, Chairperson P.O. Box 1302 Boulevard, CA 91905	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Mesa Grande Band of Diegueno Mission Indians Michael Linton, Chairperson P.O Box 270 Santa Ysabel, CA 92070 <a href="mailto:mesagrandeband@msn.com">mesagrandeband@msn.com</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Santa Rosa Band of Cahuilla Indians Lovina Redner, Tribal Chair P.O. Box 391820 Anza, CA 92539 <a href="mailto:Isaul@santarosa-nsn.gov">Isaul@santarosa-nsn.gov</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Soboba Band of Luiseño Indians Joseph Ontiveros, Cultural Resource Department P.O. BOX 487 San Jacinto, CA 92581 <a href="mailto:jontiveros@soboba-nsn.gov">jontiveros@soboba-nsn.gov</a>	11/23/2022  12/09/2022	Sent notification letter via certified US mail and email on November 23, 2022.  Sent follow-up email on December 9, 2022.
Soboba Band of Luiseño Indians Isaiah Vivanco, Chairperson	11/23/2022	Sent notification letter via certified US mail and email on November 23, 2022.

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Tribal Representative and Contact Information	Important Dates	Communication
P. O. Box 487 San Jacinto, CA 92581 ivivanco@soboba-nsn.gov	12/09/2022	Sent follow-up email on December 9, 2022.

**PEDESTRIAN SURVEY**

An intensive archaeological pedestrian survey of the APE was conducted on October 12, 2022, by Michael Baker International Archaeologist Marcel Young. Pedestrian transects were spaced 10 meters apart. Photographs were taken of the APE and location information for each photograph was recorded. Ground visibility ranged between 95 percent and 100 percent. No intact native soil was observed. Observed fills consisted of light brown colluvial silty clay, which showed evidence of mass grading. Inclusions ranged from imported pea gravels to angular cobbles with mixed native sediment and gravel fill. The slope ranged from 0 to 2 percent and the aspect was open. Vegetation consisted of landscaping trees (brush box and crapeflower), ornamental grass, autumn sagebrush, licorice weed, peacock flower, and crapeflower brush along the northeast area. Disturbances include landscaping, grading, and modern construction.

**BURIED ARCHAEOLOGICAL SITE SENSITIVITY ANALYSIS**

Sensitivity for buried archaeological historic properties is low. Geologic maps indicate that the APE is underlain by surficial deposits of Quaternary young fanglomerate (Qy<sub>f<sub>a</sub></sub>). These are young alluvial fan deposits consisting predominately of gravel, sand, and silt dating from the Holocene to the late Pleistocene (Morton 2004). The soil series is Mocho loam with 0 to 2 percent slopes (NRCS 2022). Excavations into undisturbed deposits will encounter sediment that may contain evidence of past human activity. However, due to the known history of the APE, which includes major ground disturbance including road building, mass grading, trenching for utilities installation, and building construction and demolition, it is anticipated that any archaeological resources would have been disturbed by past ground disturbance. The closest water, today or shown on historical maps, is Fullerton Creek, located approximately 0.6 miles south. The next closest watercourse is Brea Creek, approximately 0.38 miles north. Both are shown as ephemeral creeks on historical maps, and neither would have been a reliable source of water in the prehistoric or early historic periods. The lack of reliable water, coupled with previous ground disturbance, suggests that the APE has a low sensitivity for significant archaeological deposits.

**PALEONTOLOGICAL RESOURCES IDENTIFICATION METHODS**

**GEOLOGICAL MAPS AND GEOTECHNICAL DRILLING**

As stated above, geologic maps indicate that the APE is underlain by surficial deposits of Quaternary young fanglomerate (Qy<sub>f<sub>sa</sub></sub>). Geotechnical drilling conducted for the project indicates that the Quaternary young fanglomerate is overlain by a layer of artificial fill (af). A total of four holes were bored to a maximum depth of 50 feet. Fill was encountered in all of the borings ranging from 0.25 to 0.33 feet in thickness (Dermendjian 2022).

**PALEONTOLOGICAL RECORDS SEARCHES**

Michael Baker International staff received a paleontology collection records search for locality and specimen data from the NHMLAC on October 9, 2022 (**Attachment 5**). The records search showed no previously identified fossil localities within the APE. One fossil locality from the same Quaternary sedimentary deposits as the APE occurred, either at the surface or at depth, within 2 miles of the APE. Additionally, four fossil localities from similar sedimentary deposits to those observed in the APE occurred between 3 and 5.5 miles from the APE, as documented in the table below.

Collection Number	Taxa	Formation	Intervals	Distance to Project Site
LACM VP 3524	Ungulata	Terrace deposits (silty sandstone)	Pleistocene to Holocene	Within 1.5 Miles
LACM VP 4185-4201	Bison ( <i>Bison</i> ), camel ( <i>Camelops</i> ), horse ( <i>Equus</i> ), mammoth ( <i>Mammuthus</i> ), mastodon ( <i>Mamut</i> ), elephant clade (Proboscidea), dire wolf ( <i>Canis dirus</i> ), Coyote ( <i>C. latrans</i> ), deer ( <i>Odocoileus</i> ), dwarf pronghorn ( <i>Capromeryx</i> ), unidentified artiodactyl; sea duck ( <i>Chendytes</i> )	La Habra Formation (Sandy silt shot through with caliche)	Pleistocene	Within 3 Miles
LACM VP 3861	Law's diving goose ( <i>Chendytes</i> )	San Pedro Sand (coarse to fine poorly sorted sands)	Pleistocene	Within 3 Miles
LACM VP 3347	Horse ( <i>Equus</i> )	La Habra Formation (lacustrine silt with caliche and plant detritus)	Pleistocene	Within 5.5 Miles
LACM VP 1652	Sheep ( <i>Ovis</i> )	Alluvium (Pleistocene)	Pleistocene	Within 5.5 Miles

Michael Baker International conducted supplemental paleontological records searches within 3 miles of the APE using the following websites:

- University of California Museum of Paleontology Locality Search (UCMP 2022)
- San Diego Natural History Museum Collection Database (SDNHM 2022)
- The Paleobiology Database (PBDB 2022)
- FAUNMAP (FAUNMAP 2022)

The databases showed no previously identified fossil localities within the APE or within 3 miles.

## PALEONTOLOGICAL RESOURCES SENSITIVITY ANALYSIS

The NHMLAC paleontological records search, fossil locality searches within the online databases listed above, and literature review did not identify any paleontological resources within the APE but did indicate that the geologic formations present in the APE are known to contain paleontological localities with rare, well-preserved fossil materials. These deposits are located beneath artificial fill, at depths ranging from 0.25 feet to 0.33 feet. Per mitigation impact guidelines set forth by the Society of Vertebrate Paleontology (SVP 2010), due to the fossil sensitivity of the rock formations present within the APE (alluvial fan deposits of Pleistocene age), the project has a high potential to disturb paleontological resources within undisturbed bedrock.

## SUMMARY OF FINDINGS AND RECOMMENDATIONS

The SCCIC records search, historical society consultation, literature and map review, field survey, and Native American outreach identified no historic properties or historical resources within the APE. Additionally, a buried archaeological sensitivity assessment indicates low sensitivity for buried archaeological resources within the APE due to the past disturbances. Native American consultation is ongoing and will be documented separately as part of the environmental document. A finding of no historic properties affected with implemented measures is appropriate for this undertaking under Section 106 of the NHPA, and a less than significant impact with mitigation incorporated under CEQA.

**Unanticipated Discoveries.** Although the archaeological sensitivity of the APE is low, unanticipated archaeological materials may be encountered as a result of ground-disturbing activities. If archaeological material is uncovered in the course of ground-disturbing activities, work shall be temporarily halted in the vicinity of the find and the project proponent shall retain a qualified professional archaeologist meeting the Secretary of the Interior's Standards for archaeology to evaluate the significance of the find and determine appropriate treatment for the resource in accordance with 36 CFR Section 800.6 (Resolution of adverse effects) and Section 800.13 (Post-review discoveries).

**Paleontological Monitoring.** Full-time paleontological monitoring is required during ground disturbance in undisturbed geologic contexts (i.e., bedrock and outcrops below existing asphalt and base) which have the potential to contain significant paleontological resources. Ground disturbance refers to activities that would impact subsurface geologic deposits, such as grading, excavation, boring, etc. Activities taking place in current topsoil or within previously disturbed fill sediments, e.g., clearing, grubbing, pavement rehabilitation, do not require paleontological monitoring. Bedrock can occur at varying depths depending on the portion of the project area, but on the basis of the geotechnical report, it is anticipated that the potentially sensitive deposits will be encountered beneath artificial fill, at depths ranging between 0.25 and 0.33 feet.

Prior to grading or excavation in sedimentary rock material other than topsoil, the applicant shall retain an SVP-qualified paleontologist. The SVP-qualified paleontologist will supervise the monitoring of earth-moving activities by a qualified paleontological monitor. If any paleontological resources are discovered at the project area during construction or during any ground-disturbance activities at any depth, the paleontological monitor, in discussion with the qualified paleontologist, will notify the on-site construction supervisor, who shall temporarily halt work or redirect all such activities within 100 feet of the discovery. The recommendations of the SVP-qualified paleontologist shall be implemented with respect to the evaluation and recovery of fossils, after which the on-site construction supervisor shall be notified and shall direct work to continue in the location of the fossil discovery.

## MICHAEL BAKER INTERNATIONAL

RE: HISTORIC PROPERTY IDENTIFICATION MEMORANDUM FOR THE POINTE COMMON AFFORDABLE HOUSING PROJECT, CITY OF FULLERTON, CALIFORNIA

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At this time, the applicant shall consult with the qualified paleontologist to assess the significance of the find to determine the appropriate treatment. The assessment will follow SVP (2010) standards for identification, evaluation, disclosure, avoidance, recovery, and/or curation, as appropriate. If any find is determined to be significant, appropriate avoidance measures recommended by the qualified paleontologist must be followed unless avoidance is determined to be unnecessary or infeasible. If avoidance is unnecessary or infeasible, other appropriate measures (e.g., data recovery, excavation) shall be instituted. The recommendations of the qualified paleontologist shall be implemented with respect to the evaluation and recovery of fossils, after which the on-site construction supervisor shall be notified and shall direct work to continue in the location of the fossil discovery. Any fossils recovered during mitigation shall be cleaned, identified, catalogued, and permanently curated with an accredited and permanent scientific institution with a research interest in the materials.

If no fossils have been recovered after 50 percent of excavation has been completed, full-time monitoring may be modified to weekly spot-check monitoring at the discretion of the qualified paleontologist. The qualified paleontologist may recommend to the client to reduce paleontological monitoring based on observations of specific site conditions during initial monitoring (e.g., if the geologic setting precludes the occurrence of fossils). The recommendation to reduce or discontinue paleontological monitoring in the project area shall be based on the professional opinion of the qualified paleontologist regarding the potential for fossils to be present after a reasonable extent of the geology and stratigraphy has been evaluated.

A qualified professional paleontologist is a professional with a graduate degree in paleontology, geology, or related field, with demonstrated experience in the vertebrate, invertebrate, or botanical paleontology of California, as well as at least one year of full-time professional experience or equivalent specialized training in paleontological research (i.e., the identification of fossil deposits, application of paleontological field and laboratory procedures and techniques, and curation of fossil specimens), and at least four months of supervised field and analytic experience in general North American paleontology (SVP 2010).

### PREPARER QUALIFICATIONS

This memorandum was prepared by Michael Baker International Archaeologist Jacob Parsley, BA, and Senior Archaeologist Marc Beherec, PhD, RPA. Michael Baker International Archaeologist Marcel Young conducted the field survey. The memo was reviewed for quality control by Senior Cultural Resources Manager Margo Nayyar.

**Jacob Parsley, BA, Archaeologist**, has worked in various capacities in cultural resource management since 2018. He is experienced in surveying, monitoring, and writing cultural resources constraints reports. Mr. Parsley is versed in conducting fieldwork within the frameworks of Section 106 of the NHPA, the National Environmental Policy Act (NEPA), and CEQA. He has participated in projects in several phases of archaeology: Phase I pedestrian and shovel test surveys, buried site testing, Phase III data recovery, and Phase IV monitoring. His project highlights include archaeological surveying to update and verify cultural resources found mostly in remote areas of California, many of which have included prehistoric components. Other project responsibilities include identifying and flagging historic and prehistoric resources, delineating best access routes and conducting post-impact assessments, and reporting to the National Park Service, National Forest System, Pacific Gas and Electric, and private clients.

**MICHAEL BAKER INTERNATIONAL**

**RE: HISTORIC PROPERTY IDENTIFICATION MEMORANDUM FOR THE POINTE COMMON AFFORDABLE HOUSING PROJECT, CITY OF FULLERTON, CALIFORNIA**

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**Marcel S. Young, BA, Archaeologist**, conducted the field survey. Mr. Young matriculated from California State University, Long Beach, in 2014 with a degree in anthropology/Native American cultures, and has worked in various capacities in cultural resource management since 2013. He is experienced in archaeological survey and in recording and evaluating historic and prehistoric archaeological sites in California. Mr. Young is versed in conducting fieldwork within frameworks of Section 106 of the NHPA, NEPA, and CEQA. He has participated in projects in several phases of archaeology: Phase I pedestrian, Extended Phase I testing and shovel test surveys, Phase II buried site testing, Phase III data recovery, and cultural resources monitoring.

**Marc A. Beherec, PhD, RPA, Principal Investigator/Senior Archaeologist**, has more than 20 years of experience in prehistoric and historical archaeology and cultural resources management. His experience includes writing technical reports, including NEPA, NHPA, and CEQA compliance documents. He has supervised and managed all phases of archaeological fieldwork, including survey, Phase II testing and evaluations and Phase III data recovery, and monitoring at sites throughout Southern California. Dr. Beherec meets the Secretary of the Interior's Professional Qualification Standards for prehistory and historical archaeology.

**Margo Nayyar, MA, Department Manager**, is a senior architectural historian with 12 years of cultural management experience in California, Nevada, Arizona, Idaho, Texas, and Mississippi. Her experience includes built environment surveys, evaluation of historic-era resources using guidelines outlined in the NRHP and CRHR, and preparation of cultural resources technical studies pursuant to CEQA and Section 106 of the NHPA, including identification studies, finding of effect documents, memorandum of agreements, programmatic agreements, and Historic American Buildings Survey/Historic American Engineering Record/Historic American Landscapes Survey mitigation documentation. She prepares cultural resources sections for CEQA environmental documents, including infill checklists, initial studies, and environmental impact reports, as well as NEPA environmental documents, including environmental impact statements and environmental assessments. She also specializes in municipal preservation planning, historic preservation ordinance updates, Native American consultation, and provision of Certified Local Government training to interested local governments. She develops Survey 123 and Esri Collector applications for large-scale historic resources surveys, and authors NRHP nomination packets. Ms. Nayyar meets the Secretary of the Interior's Professional Qualification Standards for history and architectural history.

Sincerely,



Marc Beherec, PhD, RPA  
Senior Archaeologist



Jacob Parsley, BA  
Archaeologist

Attachments:

**Attachment 1** – Figures

**Attachment 2** – South Central Coastal Information Center Records Search Results

**Attachment 3** – Historical Society Consultation

**Attachment 4** – Native American Heritage Commission Sacred Lands File Search Results

**MICHAEL BAKER INTERNATIONAL**  
**RE: HISTORIC PROPERTY IDENTIFICATION MEMORANDUM FOR THE POINTE COMMON AFFORDABLE**  
**HOUSING PROJECT, CITY OF FULLERTON, CALIFORNIA**  
**Page 14**

**Attachment 5 – Natural History Museum of Los Angeles County Records Search Results**

MICHAEL BAKER INTERNATIONAL

RE: HISTORIC PROPERTY IDENTIFICATION MEMORANDUM FOR THE POINTE COMMON AFFORDABLE HOUSING PROJECT, CITY OF FULLERTON, CALIFORNIA

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**MICHAEL BAKER INTERNATIONAL**

**RE: HISTORIC PROPERTY IDENTIFICATION MEMORANDUM FOR THE POINTE COMMON AFFORDABLE HOUSING PROJECT, CITY OF FULLERTON, CALIFORNIA**

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**MICHAEL BAKER INTERNATIONAL**

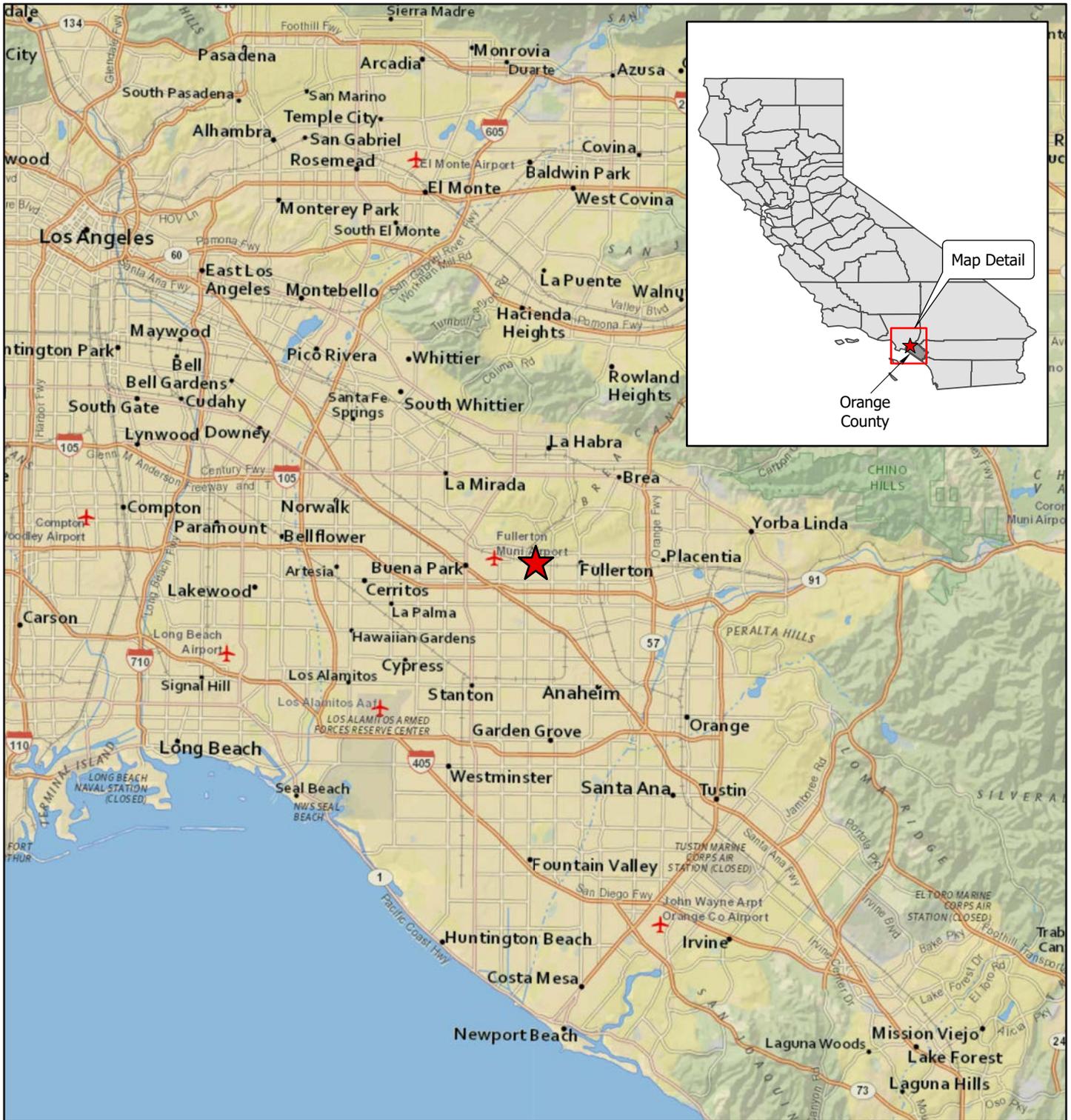
**RE: HISTORIC PROPERTY IDENTIFICATION MEMORANDUM FOR THE POINTE COMMON AFFORDABLE HOUSING PROJECT, CITY OF FULLERTON, CALIFORNIA**

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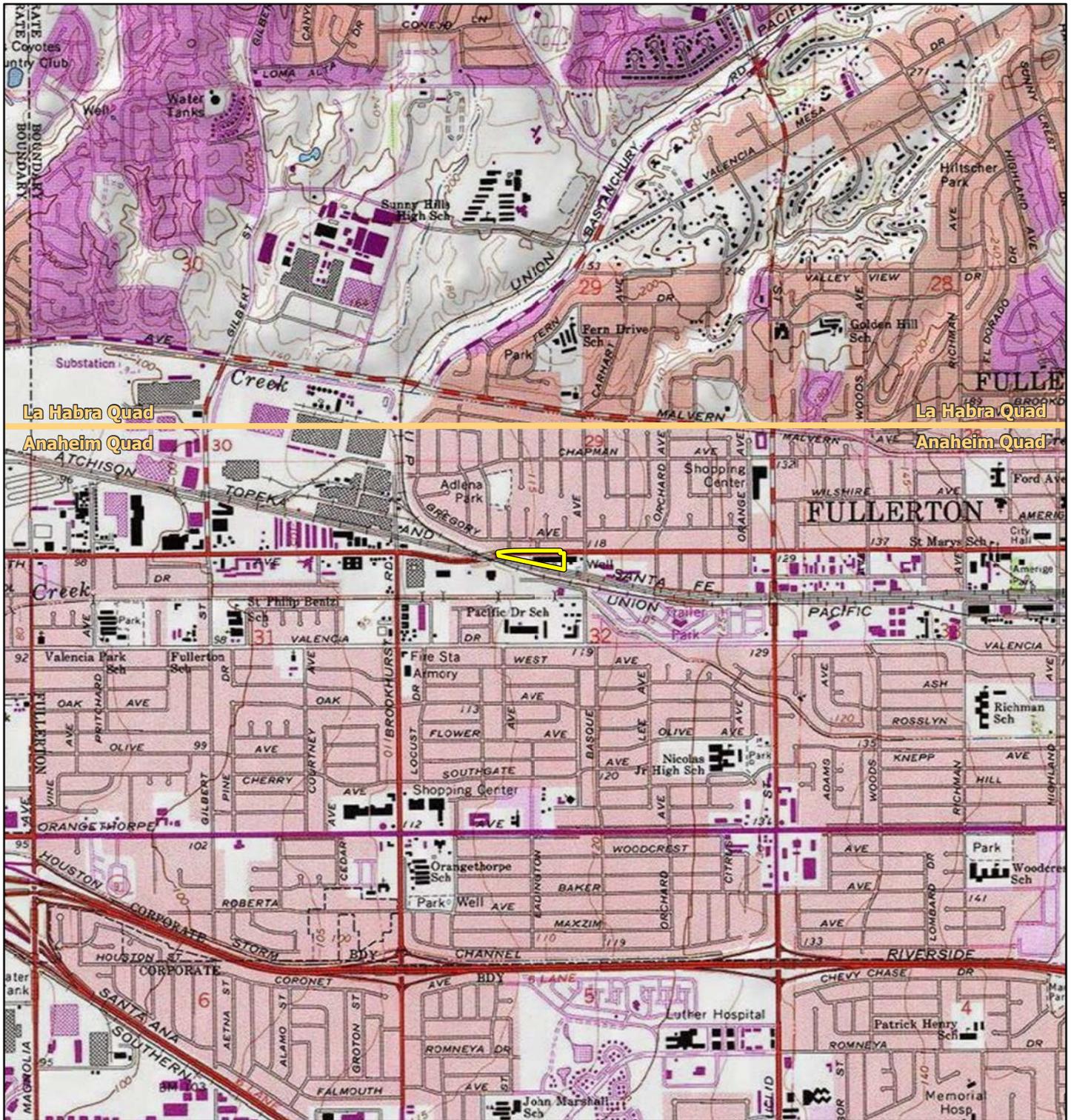
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# Attachment 1

## Figures



 Project Location



La Habra Quad

La Habra Quad

Anaheim Quad

Anaheim Quad

 Area of Potential Effect

POINTE COMMON AFFORDABLE HOUSING PROJECT  
 FULLERTON, CA  
**Project Vicinity**



 Area of Potential Effect

POINTE COMMON AFFORDABLE HOUSING PROJECT  
FULLERTON, CA

# Area of Potential Effect

**Michael Baker**  
INTERNATIONAL



0 50 100 200  
Feet

Source: Esri, ArcGIS Online, 2021 Nearmap Imagery: Fullerton, California

Figure 3

## **Attachment 2**

# **South Central Coastal Information Center Records Search Results**

These records are confidential and available for review on a limited basis at the City of Fullerton, Community and Development Services Department, 303 West Commonwealth Avenue, Fullerton, CA 92832.

**Attachment 3**  
**Historical Society Consultation**

**From:** [info@fullertonheritage.org](mailto:info@fullertonheritage.org)  
**To:** [Anderson, Michelle](#)  
**Cc:** [Beherec, Marc](#); [Nayyar, Margo](#)  
**Subject:** EXTERNAL: Re: 1600 W. Commonwealth Avenue Affordable Housing Project - Historical Society Consultation  
**Date:** Thursday, October 20, 2022 10:29:36 AM

---

Hello Michelle.

I apologize for not responding. Your initial message was forwarded to the Board. I have been traveling for the last month and it slipped through the cracks.

There are no concerns from a historic preservation perspective on this property.

Thank you for asking for our input.

Best regards,  
Ann Gread  
Vice President Fullerton Heritage

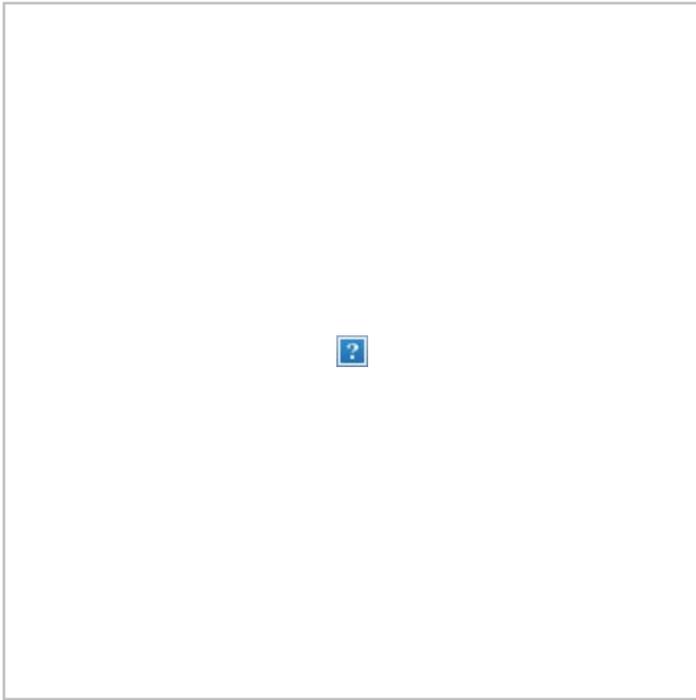
On Wednesday, October 19, 2022 at 02:59:21 PM PDT, Anderson, Michelle  
<[michelle.anderson@mbakerintl.com](mailto:michelle.anderson@mbakerintl.com)> wrote:

Good afternoon,

My firm, Michael Baker International, is conducting a cultural resources investigation for the 1600 W. Commonwealth Avenue Affordable Housing Project in Fullerton, California. Please see my initial correspondence sent to you on Friday, September 30, 2022. I am following up to ask if your organization has any information or concerns about historic properties or cultural resources within the project area. Please direct questions and comments to Michael Baker International using the contact information in the letter attached to my original email.

Best regards,

**Michelle Anderson** | Architectural Historian | Pronouns: she/her  
3100 Zinfandel Dr. Suite 125 | Rancho Cordova, CA 95670 | [O] 916-517-4422  
[Michelle.Anderson@mbakerintl.com](mailto:Michelle.Anderson@mbakerintl.com) | [www.mbakerial.com](http://www.mbakerial.com)



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**From:** Anderson, Michelle  
**Sent:** Friday, September 30, 2022 9:33 AM  
**To:** info@fullertonheritage.org  
**Cc:** Beherec, Marc <Marc.Beherec@mbakerintl.com>; Nayyar, Margo <Margo.Nayyar@mbakerintl.com>  
**Subject:** 1600 W. Commonwealth Avenue Affordable Housing Project - Historical Society Consultation

Good morning,

Michael Baker International is conducting a cultural resources investigation for the 1600 W. Commonwealth Avenue Affordable Housing Project in Fullerton, California. Please see the attached letter and maps for additional details about the project. We are conducting outreach to you, the local historical society, to ask if you have any information or concerns about historic properties or cultural resources within the project area. If you have any questions or comments, please contact Michael Baker International using the contact information in the attached letter.

Sincerely,

**Michelle Anderson** | Architectural Historian | Pronouns: she/her  
3100 Zinfandel Dr. Suite 125 | Rancho Cordova, CA 95670 | [O] 916-517-4422  
[Michelle.Anderson@mbakerintl.com](mailto:Michelle.Anderson@mbakerintl.com) | [www.mbakerial.com](http://www.mbakerial.com)

**Attachment 4**  
**Native American Consultation**

# Local Government Tribal Consultation List Request

## Native American Heritage Commission

1550 Harbor Blvd, Suite 100  
West Sacramento, CA 95691  
916-373-3710  
916-373-5471 – Fax  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)

### Type of List Requested

CEQA Tribal Consultation List (AB 52) – *Per Public Resources Code § 21080.3.1, subs. (b), (d), (e) and 21080.3.2*

General Plan (SB 18) - *Per Government Code § 65352.3.*

#### Local Action Type:

General Plan

General Plan Element

General Plan Amendment

Specific Plan

Specific Plan Amendment

Pre-planning Outreach Activity

### Required Information

Project Title: 1600 W. Commonwealth Ave.

Local Government/Lead Agency: City of Fullerton/Housing and Urban Development

Contact Person: Marc Beherec

Street Address: 801 S. Grand Ave., #250

City: Los Angeles

Zip: 90017

Phone: 951-296-7561

Fax: \_\_\_\_\_

Email: marc.beherec@mbakerintl.com

#### Specific Area Subject to Proposed Action

County: Orange

City/Community: Orange

#### Project Description:

The Project will be subject to Section 106 compliance for a HUD-supported affordable housing project in Fullerton CA. The project proposes to construct a 68-unit affordable housing development with surface parking, open space amenities and a family tot lot, with a total building area of 74,320 square feet.

### Additional Request

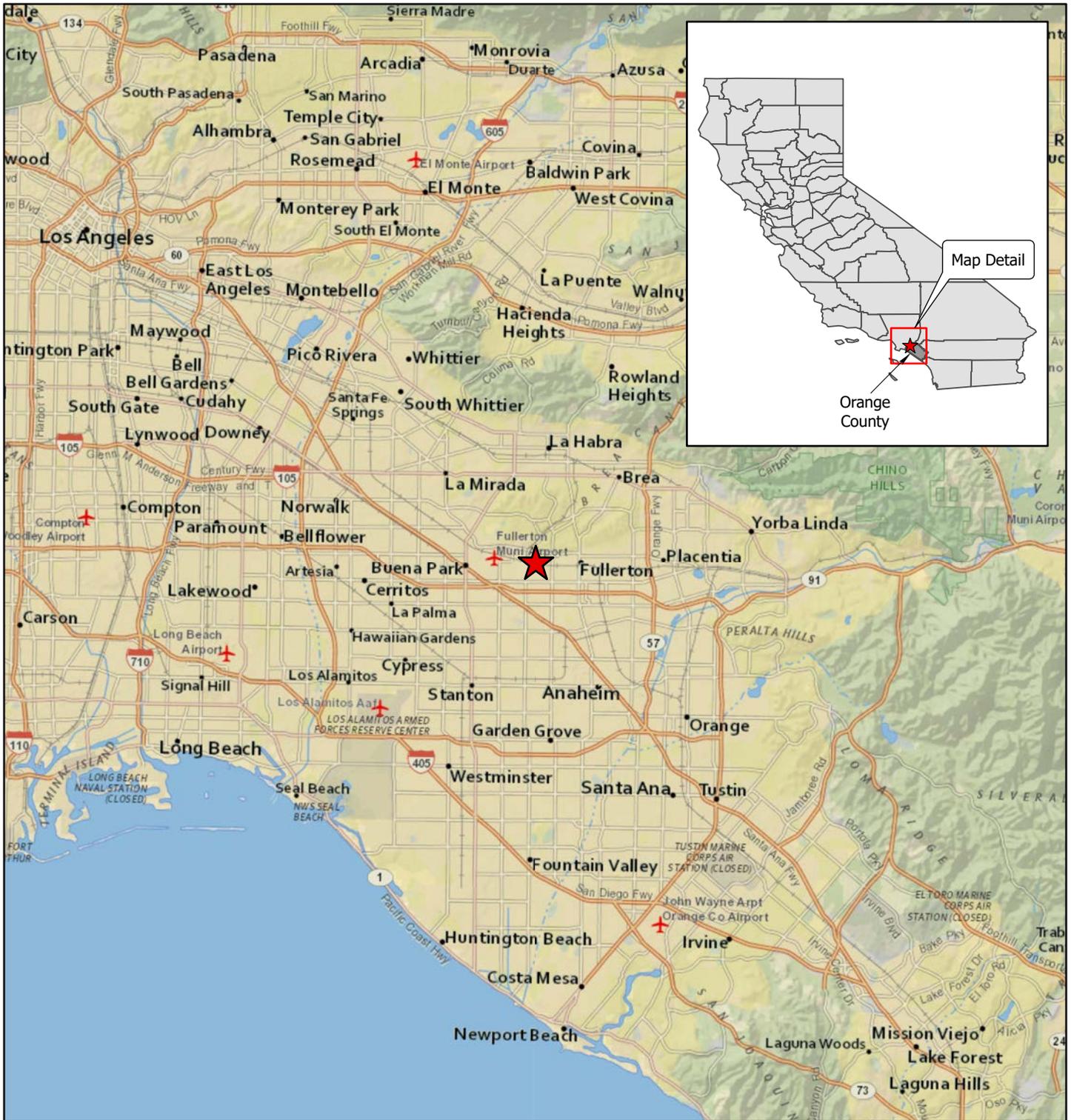
Sacred Lands File Search - *Required Information:*

USGS Quadrangle Name(s): Anaheim

Township: T3S

Range: R10W

Section(s): 31



 Project Location

1600 W COMMONWEALTH AVENUE PROJECT  
FULLERTON, CA

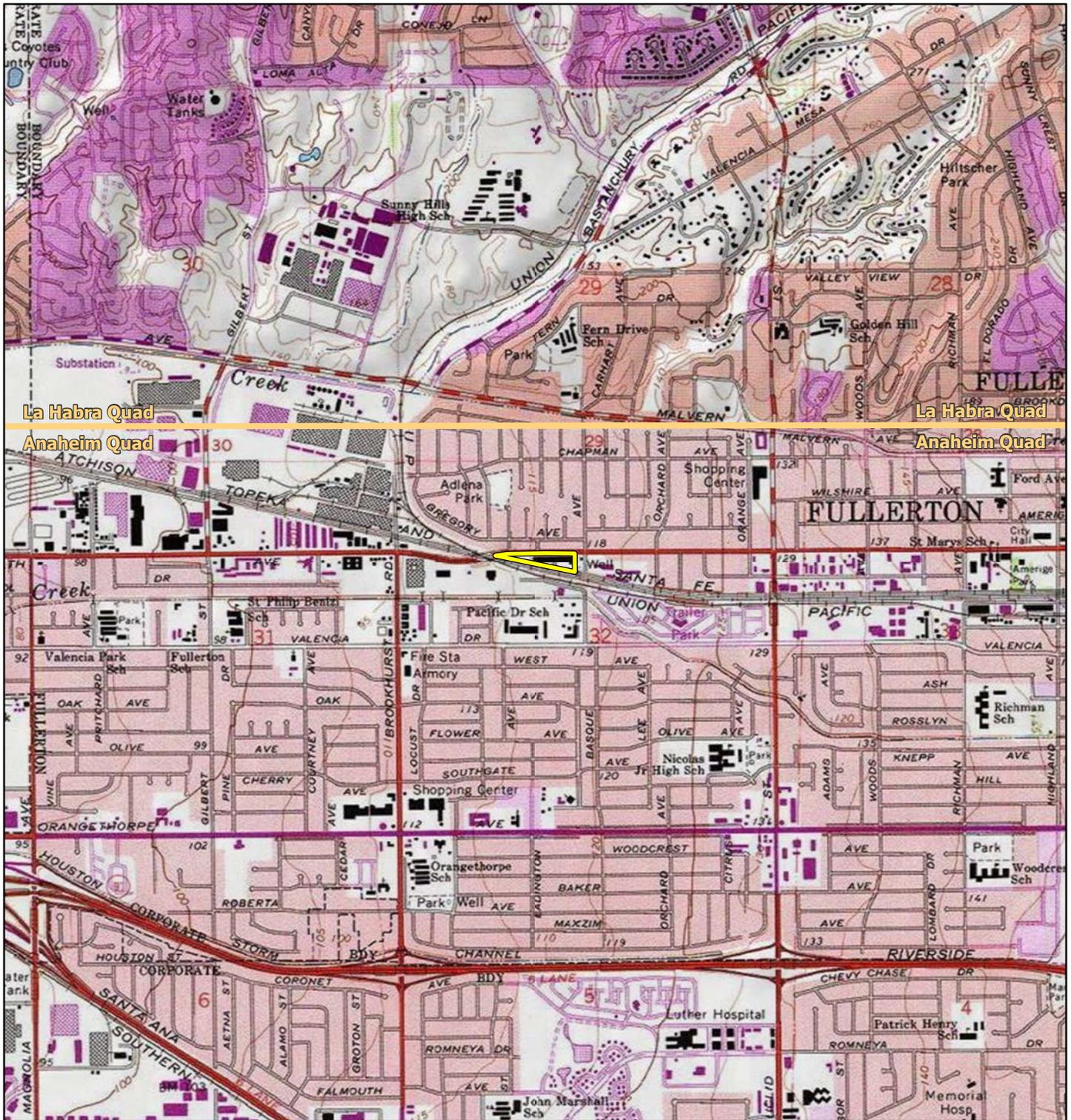
## Regional Vicinity

**Michael Baker**  
INTERNATIONAL



Source: Esri, ArcGIS Online, National Geographic World Map: Fullerton, California

Figure 1



 Project Area

1600 W COMMONWEALTH AVENUE PROJECT  
FULLERTON, CA

# Project Vicinity

**Michael Baker**  
INTERNATIONAL



0 0.13 0.25 0.5  
Miles

Source: Esri, ArcGIS Online, USGS 7.5-Minute topographic quadrangle maps: Fullerton, California

Figure 2

## NATIVE AMERICAN HERITAGE COMMISSION

November 9, 2022

Marc Beherec  
Michael Baker International

Via Email to: [marc.beherec@mbakerintl.com](mailto:marc.beherec@mbakerintl.com)

**Re: Native American Consultation, Pursuant to Senate Bill 18 (SB18), Government Codes §65352.3 and §65352.4, as well as Assembly Bill 52 (AB52), Public Resources Codes §21080.1, §21080.3.1 and §21080.3.2, 1600 W. Commonwealth Ave. Project, Orange County**

Dear Dr. Beherec:

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties or projects.

Government Codes §65352.3 and §65352.4 require local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to cultural places when creating or amending General Plans, Specific Plans and Community Plans.

Public Resources Codes §21080.3.1 and §21080.3.2 requires public agencies to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding, protecting, and/or mitigating impacts to tribal cultural resources as defined, for California Environmental Quality Act (CEQA) projects.

The law does not preclude local governments and agencies from initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction. The NAHC believes that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

Best practice for the AB52 process and in accordance with Public Resources Code §21080.3.1(d), is to do the following:

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

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



CHAIRPERSON  
**Laura Miranda**  
Luiseño

VICE CHAIRPERSON  
**Reginald Pagaling**  
Chumash

SECRETARY  
**Sara Dutschke**  
Miwok

COMMISSIONER  
**Isaac Bojorquez**  
Ohlone-Costanoan

COMMISSIONER  
**Buffy McQuillen**  
Yokayo Pomo, Yuki,  
Nomlaki

COMMISSIONER  
**Wayne Nelson**  
Luiseño

COMMISSIONER  
**Stanley Rodriguez**  
Kumeyaay

COMMISSIONER  
**[Vacant]**

COMMISSIONER  
**[Vacant]**

EXECUTIVE SECRETARY  
**Raymond C. Hitchcock**  
Miwok/Nisenan

**NAHC HEADQUARTERS**  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
  - A listing of any and all known cultural resources have already been recorded on or adjacent to the APE, such as known archaeological sites;
  - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;
  - Whether the records search indicates a low, moderate or high probability that unrecorded cultural resources are located in the APE; and
  - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
  - Any report that may contain site forms, site significance, and suggested mitigation measures.  
  
All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
3. The result of the Sacred Lands File (SLF) check conducted through the Native American Heritage Commission was negative.
4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
5. Any geotechnical reports regarding all or part of the potential APE.

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

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

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

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

Sincerely,



Andrew Green  
*Cultural Resources Analyst*

Attachment

**Native American Heritage Commission  
Tribal Consultation List  
Orange County  
11/9/2022**

**Campo Band of Diegueno  
Mission Indians**

Ralph Goff, Chairperson  
36190 Church Road, Suite 1 Diegueno  
Campo, CA, 91906  
Phone: (619) 478 - 9046  
Fax: (619) 478-5818  
rgoff@campo-nsn.gov

**Gabrielino Tongva Indians of  
California Tribal Council**

Robert Dorame, Chairperson  
P.O. Box 490 Gabrielino  
Bellflower, CA, 90707  
Phone: (562) 761 - 6417  
Fax: (562) 761-6417  
gtongva@gmail.com

**Ewiiapaayp Band of Kumeyaay  
Indians**

Michael Garcia, Vice Chairperson  
4054 Willows Road Diegueno  
Alpine, CA, 91901  
Phone: (619) 933 - 2200  
Fax: (619) 445-9126  
michaelg@leaningrock.net

**Gabrielino Tongva Indians of  
California Tribal Council**

Christina Conley, Tribal  
Consultant and Administrator  
P.O. Box 941078 Gabrielino  
Simi Valley, CA, 93094  
Phone: (626) 407 - 8761  
christina.marsden@alumni.usc.edu

**Ewiiapaayp Band of Kumeyaay  
Indians**

Robert Pinto, Chairperson  
4054 Willows Road Diegueno  
Alpine, CA, 91901  
Phone: (619) 368 - 4382  
Fax: (619) 445-9126  
ceo@ebki-nsn.gov

**Gabrielino-Tongva Tribe**

Charles Alvarez,  
23454 Vanowen Street Gabrielino  
West Hills, CA, 91307  
Phone: (310) 403 - 6048  
roadkingcharles@aol.com

**Gabrieleno Band of Mission  
Indians - Kizh Nation**

Andrew Salas, Chairperson  
P.O. Box 393 Gabrieleno  
Covina, CA, 91723  
Phone: (626) 926 - 4131  
admin@gabrielenoindians.org

**Juaneno Band of Mission  
Indians Acjachemen Nation -  
Belardes**

Matias Belardes, Chairperson  
32161 Avenida Los Amigos Juaneno  
San Juan Capistrano, CA, 92675  
Phone: (949) 293 - 8522  
kaamalam@gmail.com

**Gabrieleno/Tongva San Gabriel  
Band of Mission Indians**

Anthony Morales, Chairperson  
P.O. Box 693 Gabrieleno  
San Gabriel, CA, 91778  
Phone: (626) 483 - 3564  
Fax: (626) 286-1262  
GTTribalcouncil@aol.com

**Juaneno Band of Mission  
Indians Acjachemen Nation 84A**

Heidi Lucero, Chairperson  
31411-A La Matanza Street Juaneno  
San Juan Capistrano, CA, 92675  
Phone: (562) 879 - 2884  
hllucero105@gmail.com

**Gabrielino /Tongva Nation**

Sandonne Goad, Chairperson  
106 1/2 Judge John Aiso St., Gabrielino  
#231  
Los Angeles, CA, 90012  
Phone: (951) 807 - 0479  
sgoad@gabrielino-tongva.com

**La Posta Band of Diegueno  
Mission Indians**

Gwendolyn Parada, Chairperson  
8 Crestwood Road Diegueno  
Boulevard, CA, 91905  
Phone: (619) 478 - 2113  
Fax: (619) 478-2125  
LP13boots@aol.com

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This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65352.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed 1600 W. Commonwealth Ave. Project, Orange County.

Native American Heritage Commission  
Tribal Consultation List  
Orange County  
11/9/2022

**La Posta Band of Diegueno  
Mission Indians**

Javaughn Miller, Tribal  
Administrator  
8 Crestwood Road Diegueno  
Boulevard, CA, 91905  
Phone: (619) 478 - 2113  
Fax: (619) 478-2125  
jmiller@LPtribe.net

**Soboba Band of Luiseno  
Indians**

Isaiah Vivanco, Chairperson  
P. O. Box 487 Cahuilla  
San Jacinto, CA, 92581 Luiseno  
Phone: (951) 654 - 5544  
Fax: (951) 654-4198  
ivivanco@soboba-nsn.gov

**Manzanita Band of Kumeyaay  
Nation**

Angela Elliott Santos, Chairperson  
P.O. Box 1302 Diegueno  
Boulevard, CA, 91905  
Phone: (619) 766 - 4930  
Fax: (619) 766-4957

**Mesa Grande Band of Diegueno  
Mission Indians**

Michael Linton, Chairperson  
P.O Box 270 Diegueno  
Santa Ysabel, CA, 92070  
Phone: (760) 782 - 3818  
Fax: (760) 782-9092  
mesagrandeband@msn.com

**Santa Rosa Band of Cahuilla  
Indians**

Lovina Redner, Tribal Chair  
P.O. Box 391820 Cahuilla  
Anza, CA, 92539  
Phone: (951) 659 - 2700  
Fax: (951) 659-2228  
lsaul@santarosa-nsn.gov

**Soboba Band of Luiseno  
Indians**

Joseph Ontiveros, Cultural  
Resource Department  
P.O. BOX 487 Cahuilla  
San Jacinto, CA, 92581 Luiseno  
Phone: (951) 663 - 5279  
Fax: (951) 654-4198  
jontiveros@soboba-nsn.gov

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This list is applicable only for consultation with Native American tribes under Government Code Sections 65352.3, 65352.4 et seq. and Public Resources Code Sections 21080.3.1 for the proposed 1600 W. Commonwealth Ave. Project, Orange County.

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Alpine, CA, 91901

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Isiah Vivanco, Chairperson  
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Lovina Redner, Tribal Chair  
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Anza, CA, 92539

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Charles Alvarez,  
23454 Vanowen Street  
West Hills, CA, 91307

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Joseph Ontiveros, Cultural Resource Department  
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Javahgn Miller, Tribal Administrator  
8 Crestwood Road  
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Shasta Gaughen, Tribal Historic Preservation Officer  
PMB 50, 35008 Pala Temecula Rd.  
Pala, CA, 92059

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Ralph Goff, Chairperson  
36190 Church Road, Suite 1  
Campo, CA, 91906

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Andrew Salas, Chairperson  
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**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

---

November 22, 2022

Charles Alvarez  
Gabrielino-Tongva Tribe  
23454 Vanowen Street  
West Hills, CA, 91307  
[roadkingcharles@aol.com](mailto:roadkingcharles@aol.com)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Charles Alvarez,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

The project proposes the construction of a 65-unit affordable housing development on a 2.5-acre parcel located at 1600 West Commonwealth Avenue, Fullerton, California. The project site is predominantly vacant and undeveloped. The majority of the site is unpaved, with the exception of the easterly portion of the site, which is paved with asphalt concrete. The site is void of structures aside from an equipment storage structure situated within the southeastern corner of the site. The proposed moderate for sale affordable unit housing project would also include ancillary facilities such as surface parking, open space amenities, landscaping, and utility improvements.

The project is located in the northwest portion of the City of Fullerton. Specifically, the project site is located at 1600 West Commonwealth Avenue at the southwest corner of West Commonwealth Avenue and South Basque Avenue (see Figures 1 through 3). The project site is made up of one parcel (Assessor's Parcel Number 030-290-22). The project is located in the Los Coyotes Land Grant in Township 3 South, Range 10 West and depicted on the Anaheim, California, U.S. Geologic Survey 7.5-minute quadrangle map as shown in Figure 2.

### **INVITATION TO CONSULT**

The proposed project must comply with California Public Resources Code § 21080.3.1 (Assembly Bill 52 of 2014 [AB 52]). In addition, because the project requires the amendment of the City's General Plan, Senate Bill 18 (SB 18) consultation requirements apply to the project. The City as lead agency intends to complete AB 52 and SB 18 consultation concurrently.

The project may be funded, in part, by Federal funds administered by the U.S. Department of Housing and Urban Development (HUD). Under Regulation 24 CFR 58.4, the City has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties pursuant to the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. The City proposes to conduct Section 106 consultation concurrently with AB 52 and SB 18 consultation.

The goal of this letter is to acquaint you with this project, invite you to consult with the lead agency, and to request any information you have that may indicate an impact to tribal cultural resources or historic properties within the project area.

To ensure a timely and meaningful consultation, we request your response within 30 days from receipt of this notice under the provisions of Assembly Bill 52 and Section 106, and 90 days from the receipt of this notice under Senate Bill 18 if you wish to request consultation. Your comments and concerns are important to us and we look forward to hearing from you. If you have questions or comments, or wish to schedule a consultation meeting, please contact me at [vince.fregoso@cityoffullerton.com](mailto:vince.fregoso@cityoffullerton.com).

Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Chairperson Belardes  
Juaneno Band of Mission Indians Acjachemen Nation - Belardes  
32161 Avenida Los Amigos  
San Juan Capistrano, CA, 92675  
[kaamalam@gmail.com](mailto:kaamalam@gmail.com)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Matias Belardes,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

The project proposes the construction of a 65-unit affordable housing development on a 2.5-acre parcel located at 1600 West Commonwealth Avenue, Fullerton, California. The project site is predominantly vacant and undeveloped. The majority of the site is unpaved, with the exception of the easterly portion of the site, which is paved with asphalt concrete. The site is void of structures aside from an equipment storage structure situated within the southeastern corner of the site. The proposed moderate for sale affordable unit housing project would also include ancillary facilities such as surface parking, open space amenities, landscaping, and utility improvements.

The project is located in the northwest portion of the City of Fullerton. Specifically, the project site is located at 1600 West Commonwealth Avenue at the southwest corner of West Commonwealth Avenue and South Basque Avenue (see Figures 1 through 3). The project site is made up of one parcel (Assessor's Parcel Number 030-290-22). The project is located in the Los Coyotes Land Grant in Township 3 South, Range 10 West and depicted on the Anaheim, California, U.S. Geologic Survey 7.5-minute quadrangle map as shown in Figure 2.

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Tribal Consultant and Administrator Conley  
Gabrielino Tongva Indians of California Tribal Council  
P.O. Box 941078  
Simi Valley, CA, 93094  
christina.marsden@alumni.usc.edu

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mrs./Ms. Christina Conley,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Chairperson Dorame  
Gabrielino Tongva Indians of California Tribal Council  
P.O. Box 490  
Bellflower, CA, 90707  
[gtongva@gmail.com](mailto:gtongva@gmail.com)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Robert Dorame,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Vice Chairperson Garcia  
Ewiiapaayp Band of Kumeyaay Indians  
4054 Willows Road  
Alpine, CA, 91901  
[michaelg@leaningrock.net](mailto:michaelg@leaningrock.net)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Michael Garcia,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Tribal Historic Preservation Officer Gaughen  
Pala Band of Mission Indians  
PMB 50, 35008 Pala Temecula Rd.  
Pala, CA, 92059  
[sgaughen@palatribe.com](mailto:sgaughen@palatribe.com)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mrs./Ms. Shasta Gaughen,

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Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Chairperson Goad  
Gabrielino /Tongva Nation  
106 1/2 Judge John Aiso St.,  
#231  
Los Angeles, CA, 90012  
[sgoad@gabrielino-tongva.com](mailto:sgoad@gabrielino-tongva.com)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mrs./Ms. Sandonne Goad,

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Chairperson Goff  
Campo Band of Diegueno Mission Indians  
36190 Church Road, Suite 1  
Campo, CA, 91906  
[rgoff@campo-nsn.gov](mailto:rgoff@campo-nsn.gov)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Ralph Goff,

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Chairperson Linton  
Mesa Grande Band of Diegueno Mission Indians  
P.O Box 270  
Santa Ysabel, CA, 92070  
[mesagrandeband@msn.com](mailto:mesagrandeband@msn.com)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Michael Linton,

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Tribal Administrator Miller  
La Posta Band of Diegueno Mission Indians  
8 Crestwood Road  
Boulevard, CA, 91905  
[jmiller@LPtribe.net](mailto:jmiller@LPtribe.net)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Javaughn Miller,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

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The project is located in the northwest portion of the City of Fullerton. Specifically, the project site is located at 1600 West Commonwealth Avenue at the southwest corner of West Commonwealth Avenue and South Basque Avenue (see Figures 1 through 3). The project site is made up of one parcel (Assessor's Parcel Number 030-290-22). The project is located in the Los Coyotes Land Grant in Township 3 South, Range 10 West and depicted on the Anaheim, California, U.S. Geologic Survey 7.5-minute quadrangle map as shown in Figure 2.

### **INVITATION TO CONSULT**

The proposed project must comply with California Public Resources Code § 21080.3.1 (Assembly Bill 52 of 2014 [AB 52]). In addition, because the project requires the amendment of the City's General Plan, Senate Bill 18 (SB 18) consultation requirements apply to the project. The City as lead agency intends to complete AB 52 and SB 18 consultation concurrently.

The project may be funded, in part, by Federal funds administered by the U.S. Department of Housing and Urban Development (HUD). Under Regulation 24 CFR 58.4, the City has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties pursuant to the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. The City proposes to conduct Section 106 consultation concurrently with AB 52 and SB 18 consultation.

The goal of this letter is to acquaint you with this project, invite you to consult with the lead agency, and to request any information you have that may indicate an impact to tribal cultural resources or historic properties within the project area.

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Chairperson Morales  
Gabrieleno/Tongva San Gabriel Band of Mission Indians  
P.O. Box 693  
San Gabriel, CA, 91778  
[GTTribalcouncil@aol.com](mailto:GTTribalcouncil@aol.com)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Anthony Morales,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

The project proposes the construction of a 65-unit affordable housing development on a 2.5-acre parcel located at 1600 West Commonwealth Avenue, Fullerton, California. The project site is predominantly vacant and undeveloped. The majority of the site is unpaved, with the exception of the easterly portion of the site, which is paved with asphalt concrete. The site is void of structures aside from an equipment storage structure situated within the southeastern corner of the site. The proposed moderate for sale affordable unit housing project would also include ancillary facilities such as surface parking, open space amenities, landscaping, and utility improvements.

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**INVITATION TO CONSULT**

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Cultural Resource Department c/o Joseph Ontiveros  
Soboba Band of Luiseno Indians  
P.O. BOX 487  
San Jacinto, CA, 92581  
[jontiveros@soboba-nsn.gov](mailto:jontiveros@soboba-nsn.gov)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Joseph Ontiveros,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Chairperson Parada  
La Posta Band of Diegueno Mission Indians  
8 Crestwood Road  
Boulevard, CA, 91905  
[LP13boots@aol.com](mailto:LP13boots@aol.com)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mrs./Ms. Gwendolyn Parada,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Chairperson Pinto  
Ewiiapaayp Band of Kumeyaay Indians  
4054 Willows Road  
Alpine, CA, 91901  
ceo@ebki-nsn.gov

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Robert Pinto,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Tribal Chair Redner  
Santa Rosa Band of Cahuilla Indians  
P.O. Box 391820  
Anza, CA, 92539  
[lsaul@santarosa-nsn.gov](mailto:lsaul@santarosa-nsn.gov)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mrs./Ms. Lovina Redner,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Chairperson Salas  
Gabrieleno Band of Mission Indians - Kizh Nation  
P.O. Box 393  
Covina, CA, 91723  
[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Andrew Salas,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Chairperson Santos  
Manzanita Band of Kumeyaay Nation  
P.O. Box 1302  
Boulevard, CA, 91905

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mrs./Ms. Angela Elliott Santos,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

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Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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November 22, 2022

Chairperson Vivanco  
Soboba Band of Luiseno Indians  
P. O. Box 487  
San Jacinto, CA, 92581  
[ivivanco@soboba-nsn.gov](mailto:ivivanco@soboba-nsn.gov)

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Mr. Isaiah Vivanco,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

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Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures



**CITY OF FULLERTON**  
**Community Development Department**  
**303 West Commonwealth Avenue**  
**Fullerton, California 92832-1775**

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December 14, 2022

**Heidi Lucero, Chairperson**  
**Juaneno Band of Mission Indians Acjachemen Nation 84A**  
**31411-A La Matanza Street**  
**San Juan Capistrano, CA 92675**  
**hlucero105@gmail.com**

Re: Section 106, Assembly Bill 52, and Senate Bill 18 Consultation for the Proposed Pointe Common Affordable Housing Project, City of Fullerton, California

Dear Chairperson Lucero,

The City of Fullerton (City) invites you to consult regarding the Pointe Common Affordable Housing Project in compliance with Regulations 36 CFR § 800.2, 24 CFR 58.4 (Section 106), California Public Resources Code § 21080.3.1 (Assembly Bill 52), and California Government Code §65352 (Senate Bill 18).

The project proposes the construction of a 65-unit affordable housing development on a 2.5-acre parcel located at 1600 West Commonwealth Avenue, Fullerton, California. The project site is predominantly vacant and undeveloped. The majority of the site is unpaved, with the exception of the easterly portion of the site, which is paved with asphalt concrete. The site is void of structures aside from an equipment storage structure situated within the southeastern corner of the site. The proposed moderate for sale affordable unit housing project would also include ancillary facilities such as surface parking, open space amenities, landscaping, and utility improvements.

The project is located in the northwest portion of the City of Fullerton. Specifically, the project site is located at 1600 West Commonwealth Avenue at the southwest corner of West Commonwealth Avenue and South Basque Avenue (see Figures 1 through 3). The project site is made up of one parcel (Assessor's Parcel Number 030-290-22). The project is located in the Los Coyotes Land Grant in Township 3 South, Range 10 West and depicted on the Anaheim, California, U.S. Geologic Survey 7.5-minute quadrangle map as shown in Figure 2.

**INVITATION TO CONSULT**

The proposed project must comply with California Public Resources Code § 21080.3.1 (Assembly Bill 52 of 2014 [AB 52]). In addition, because the project requires the amendment of the City's General Plan, Senate Bill 18 (SB 18) consultation requirements apply to the project. The City as lead agency intends to complete AB 52 and SB 18 consultation concurrently.

The project may be funded, in part, by Federal funds administered by the U.S. Department of Housing and Urban Development (HUD). Under Regulation 24 CFR 58.4, the City has assumed HUD's environmental review responsibilities for the project, including tribal consultation related to historic properties pursuant to the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act. Historic properties include archeological sites, burial grounds, sacred landscapes or features, ceremonial areas, traditional cultural places and landscapes, plant and animal communities, and buildings and structures with significant tribal association. The City proposes to conduct Section 106 consultation concurrently with AB 52 and SB 18 consultation.

The goal of this letter is to acquaint you with this project, invite you to consult with the lead agency, and to request any information you have that may indicate an impact to tribal cultural resources or historic properties within the project area.

To ensure a timely and meaningful consultation, we request your response within 30 days from receipt of this notice under the provisions of Assembly Bill 52 and Section 106, and 90 days from the receipt of this notice under Senate Bill 18 if you wish to request consultation. Your comments and concerns are important to us and we look forward to hearing from you. If you have questions or comments, or wish to schedule a consultation meeting, please contact me at [vince.fregoso@cityoffullerton.com](mailto:vince.fregoso@cityoffullerton.com).

Very respectfully,

Vince Fregoso  
Contract Planner, City of Fullerton

Attachment: Figures

## **Attachment 5**

# **Natural History Museum of Los Angeles County Records Search Results**

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

tel 213.763.DINO  
www.nhm.org

Research & Collections

e-mail: [paleorecords@nhm.org](mailto:paleorecords@nhm.org)

October 9, 2022

Michael Baker International

Attn: Marc Beherec

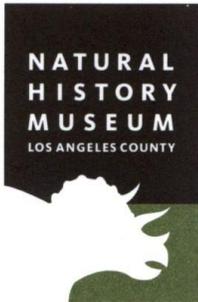
re: Paleontological resources for the 1600 W. Commonwealth Project

Dear Marc:

I have conducted a thorough search of our paleontology collection records for the locality and specimen data for proposed development at the 1600 W. Commonwealth Project area as outlined on the portion of the Anaheim USGS topographic quadrangle map that you sent to me via e-mail on September 28, 2022. We do not have any fossil localities that lie directly within the proposed project area, but we do have fossil localities from the same sedimentary deposits that occur in the proposed project area, either at the surface or at depth.

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

Locality Number	Location	Formation	Taxa	Depth
LACM VP 3524	North of Malvern Avenue & approximately 1/2 mile west of Gilbert Street; Fullerton	Terrace deposits (silty sandstone)	Ungulata Bison ( <i>Bison</i> ), camel ( <i>Camelops</i> ), horse ( <i>Equus</i> ), mammoth ( <i>Mammuthus</i> ), mastodon ( <i>Mamut</i> ), elephant clade (Proboscidea), dire wolf ( <i>Canis dirus</i> ), Coyote ( <i>C. latrans</i> ), deer ( <i>Odocoileus</i> ), dwarf pronghorn ( <i>Capromeryx</i> ), unidentified artiodactyl; sea duck ( <i>Chendytes</i> )	Unknown
LACM VP 4185-4201	Coyote Creek, adjacent to Ralph B Clark Regional Park in West Coyote Hills	La Habra Formation (Pleistocene; sandy silt shot through with caliche)		Surface, in creek bed
LACM VP 3861	NE of the intersection of S Idaho St and W Risner Way	San Pedro Sand (coarse to fine poorly sorted sands)	Law's diving goose ( <i>Chendytes</i> )	Surface



LACM VP 3347	11204 Bluefield; Whittier	La Habra Formation (lacustrine silt with caliche and plant detritus)	Horse ( <i>Equus</i> )	2 feet bgs
LACM VP 1652	Rio Vista Avenue south of Lincoln Avenue	Alluvium (Pleistocene)	Sheep ( <i>Ovis</i> )	Unknown (excavations for housing project)

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

Additionally, a number of invertebrate, vertebrate, and plant fossils were recovered from mitigation work during housing development construction on the southern side of UC Irvine campus by SWCA Environmental Consultants; however, that material is not yet catalogued into our collection.

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

Sincerely,



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

enclosure: invoice