

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Seal Beach, CA 90802-4302  
(62) 590-5071

Filed: June 3, 2002  
49th Day: July 22, 2002  
180th Day: November 30, 2002  
Staff: KFS-LB  
Staff Report: June 20, 2002  
Hearing Date: July 8-12, 2002  
Commission Action:

**M4a****RECORD PACKET COPY****STAFF REPORT: CONSENT CALENDAR**

**APPLICATION NUMBER:** 5-01-373

**APPLICANT:** Boeing Realty Corporation

**AGENT:** Dave Bartlett Associates

**PROJECT LOCATION:** 2600 Westminster Blvd., City of Seal Beach, Orange County

**PROJECT DESCRIPTION:** Archeological investigation including mechanical trenching, shovel test probes and 1 meter by 1 meter test excavation units.

**SUMMARY OF STAFF RECOMMENDATION**

Commission staff recommend that the Commission **APPROVE** a coastal development permit for the proposed development with special conditions. The proposed project is an archeological investigation within an area known to contain wetlands and other potentially sensitive vegetation. The applicant is proposing to avoid all direct impacts and to maintain a 30 to 500 foot buffer between proposed activities and wetlands and other potentially sensitive vegetation. Also, the proposed archeological investigation has been reviewed by the Gabrielino/Tongva Tribal Council (a Native American tribe with cultural ties to the area) whom has no objection to the investigation. Furthermore, the investigation has been peer reviewed by a registered professional archeologist whom found the research design to be adequate provided certain changes were made to the plan (which were incorporated in the second revised edition of the research design dated February 2002). Commission staff recommend the Commission approve the project with special conditions which require: 1) that the applicant conduct the archeological investigation in accordance with the proposed, peer-reviewed research design and that all activities be monitored by an archeologist and Native American monitor; 2) that the applicant avoid impacts to wetlands and habitat and that the applicant implement certain measures to avoid water quality impacts; and 3) that the applicant comply with the permit, as conditioned.

**LOCAL APPROVALS:** City of Seal Beach Approval in Concept dated September 12, 2001.

**SUBSTANTIVE FILE DOCUMENTS:** *Research Design for the Evaluation of Seven Potential Prehistoric Sites, Boeing Property, Seal Beach, California by EDAW, Inc. of San Diego, California* dated August 2001 and revised January 2002 and February 2002 (Confidential – see Public Resources Code, Div. 5, Chap. 1.75, Sections 5097.9 - 5097.991 and Government Code Section 6254); *Jurisdictional Delineation for Pacific Gateway Business Center, Orange County, California* by Glenn Lukos Associates of Lake Forest, California dated June 27, 2001; *Biological Technical Report, Pacific Gateway Seal Beach Project,*

Orange County, California by Glenn Lukos Associates dated October 2001; Memorandum regarding Location of Archeological Investigation Sites on Boeing Property Relative to Artificial Drainage Ditches, by Glenn Lukos Associates dated April 16, 2002 (Confidential – see Public Resources Code, Div. 5, Chap. 1.75, Sections 5097.9 - 5097.991 and Government Code Section 6254).

## **I. STAFF RECOMMENDATION, MOTION AND RESOLUTION OF APPROVAL:**

The staff recommends that the Commission adopt the following resolution to **APPROVE** the coastal development permit application with special conditions:

### **MOTION:**

*"I move that the Commission approve with special conditions Coastal Development Permit 5-01-373 per the staff recommendation as set forth below."*

### **STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **YES** vote which would result in approval of the permit as conditioned and adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

### **RESOLUTION TO APPROVE A PERMIT:**

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

## **II. STANDARD CONDITIONS**

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

### **III. SPECIAL CONDITIONS**

#### **1. ARCHAEOLOGICAL INVESTIGATION**

The permittee shall undertake the proposed archaeological investigation in conformance with the proposed archaeological research design entitled *Research Design for the Evaluation of Seven Potential Prehistoric Sites, Boeing Property, Seal Beach, California* by EDAW, Inc. of San Diego, California dated August 2001 and revised January 2002 and February 2002. An archaeological monitor qualified by State Office of Historic Preservation (OHP) standards and a Native American monitor appointed consistent with the standards of the Native American Heritage Commission (NAHC) shall be present on the site during the entire archeological investigation. If cultural deposits or grave goods (as defined by OHP) are uncovered during investigation, the archaeological monitor and the Native American monitor shall evaluate the site and, if necessary, develop a treatment plan approved by OHP, NAHC and the Executive Director. Upon review of the treatment plan, the Executive Director shall determine whether an amendment is required. If human remains are found, the Commission requires that the applicant carry out identification and recovery or reburial consistent with State Law. Upon completion of the archaeological investigation, the applicant shall submit, for the review and approval of the Executive Director, a written report summarizing the findings of the archaeological investigation. The report and shall also be submitted to the OHP, NAHC and the appropriate Native American person/groups with cultural affiliation with the area that are designated or deemed acceptable by the NAHC.

#### **2. GENERAL CONSTRUCTION RESPONSIBILITIES**

- A. The permittee shall comply with the following investigation-related requirements:
  1. Wetlands and any other environmentally sensitive habitats or suspected sensitive habitats shall not be impacted by the project. All plans and specifications for the project shall indicate that impacts to wetlands and environmentally sensitive habitats or suspected habitats shall be avoided and that no impact to wetlands or other environmentally sensitive habitat or suspected habitat is authorized by the California Coastal Commission.
  2. Except at the two specific locations identified by the applicant in a Memorandum submitted to the Commission dated April 16, 2002, by Glenn Lukos Associates, one site having a 30 foot buffer and one site having a 90 foot buffer, a minimum 100 foot buffer shall be established between all work approved by this permit and any wetlands, environmentally sensitive habitat or suspected sensitive habitat. Prior to

commencement of any work approved by this permit, a temporary barrier or work area demarcation (such as but not limited to plastic mesh, solid wood or chain link fencing) shall be placed between the investigation areas and wetlands and environmentally sensitive habitats or suspected habitat. Barriers and other work area demarcations shall be inspected and approved by a qualified biologist. All temporary barriers, staking, fencing shall be removed upon completion of the archeological investigation.

3. All areas disturbed and/or denuded by the project shall be re-vegetated with southern California native plants appropriate to the habitat type.
  4. No construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat or wetlands, or any storm drain or be subject to wave erosion and dispersion;
  5. No equipment shall be staged or stored within any habitat area or within 100 feet of any wetlands, sensitive habitat or suspected sensitive habitat;
  6. Investigation materials, chemicals, debris and sediment shall be properly contained and secured on site to prevent the unintended transport of material, chemicals, debris, and sediment into wetlands, habitat areas and coastal waters by wind, rain or tracking. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of construction-related materials, and to contain sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity. BMPs selected shall be maintained in a functional condition throughout the duration of the project. A pre-construction meeting shall be held for all personnel to review procedural and BMP/GHP guidelines.
  7. Disposal of debris and excess material. Debris and excess material shall be disposed or recycled at a legal disposal/recycling site. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is required. No debris or excess material shall be placed on any sensitive habitat.
  8. Debris and sediment shall be removed from the investigation areas as necessary to prevent the accumulation of sediment and other debris which may be discharged into habitat areas and coastal waters.
  9. Any and all debris resulting from investigation activities shall be removed from the project site within 24 hours of completion of the archeological investigation.
- B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a revised site access, staging, work area and equipment storage plan(s) which conforms with the requirements of subsection A.1 through A.9. of this special condition. The permittee shall undertake development in accordance with the approved final plan(s). Any proposed changes to the approved final plan(s) shall be reported to the Executive Director. No changes to the approved final plan(s) shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

### 3. PERMIT COMPLIANCE

All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth herein. Any deviation from

the approved plans must be reviewed and approved by the Executive Director and may require Commission approval.

#### **IV. FINDINGS AND DECLARATIONS**

The Commission finds and declares:

##### **A. Project Description**

The proposed project is located at the 104.5 acre Boeing Space and Communication Division light industrial campus property at 2600 Westminster Boulevard, Seal Beach, Orange County (Exhibit 1)<sup>1</sup>. The proposed project is to conduct an archeological investigation. Historically, the subject site was a low formerly marshy area. However, the applicant indicates that the site was overlain by an unknown quantity of fill material placed there during construction of the Boeing facility and the LARB in the 1960's. The project site is traversed by three ditches, of which at least two contain wet habitat that qualify as wetlands under the Coastal Act. In addition, although most of the site is disked on a regular basis for fire control, some rare and potentially sensitive plant species are present on the site.

The proposed archeological investigation is described in the document titled *Research Design for the Evaluation of Seven Potential Prehistoric Sites, Boeing Property, Seal Beach, California* prepared by EDAW, Inc. of San Diego, California dated August 2001 and revised January 2002 and February 2002. A surficial survey of the site has identified seven potential prehistoric archeological sites based primarily on the presence of sparse to dense shell scatters. Since some or all of the site is overlain by some fill material it is unknown whether the shell scatters are present because they were re-deposited on the site or whether they were generated by on-site activity. The initial goal of the testing program "...will be to determine whether the cultural materials have been substantially redeposited from elsewhere..." If testing finds that the cultural materials were not re-deposited then an assessment will be made as to whether the sites have any scientific value. If the sites are intact and retain integrity the horizontal and vertical extent of the archeological sites will be described and the materials analyzed for significance under CEQA and NHPA criteria.

The proposed archeological investigation would test seven sites within the project area. Testing will involve surface examination and mapping, mechanical trenching, shovel test pits, test excavation units, collection of special samples, and subsequent analysis. Proposed trenches will be excavated by backhoe and will be approximately one meter wide, five meters long and no more than 1.5 meters deep. There would be up to 30 five-meter trenches.

Shovel test pits (STP) will be used to define the extent of any subsurface midden deposits identified by the trenching. The STPs would be placed along a 20 meter grid pattern. The STPs would be 30 x 30 centimeters and a maximum of 50 centimeters deep.

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<sup>1</sup> A more specific site plan is not provided of the location of potential archeological artifacts due to confidentiality requirements - see Public Resources Code, Div. 5, Chap. 1.75, Sections 5097.9 - 5097.991 and Government Code Section 6254

Based on the results of the trenching and STPs, Test Excavation Units (TEU) would be used to sample the content and establish the depth of any cultural deposits discovered. TEUs would measure 1 meter by 1 meter with a total of 15 TEUs proposed.

No part of the proposed investigation would occur within any wetlands or potentially sensitive habitat area. At closest, the trenching or pits would be placed within 30 feet of the three drainage ditches which cross the site.

## **B. Archaeological Resources**

Section 30244 of the Coastal Act states:

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

Scattered evidence of potential archaeological resources have been found at the subject site. The proposed project would investigate these potential resources to determine their extent and significance.

The proposed archeological investigation research design was submitted for review to Gabrielino/Tongva Tribal Council, a representative council of a Native American tribe having cultural ties to the area. The proposed research design was presented to the full tribal council whom expressed no objection to the research design (Exhibit 2). Furthermore, the research design was submitted for peer review to Dr. Roger D. Mason, a Registered Professional Archeologist (Exhibit 3). Dr. Mason's comments were incorporated into the research design. Finally, the proposed investigation was submitted to the State Office of Historic Preservation and to the Native American Heritage Commission on February 22, 2002, for their review and comment. As of the date of this staff report, neither agency has provided comments on the document to Commission staff.

In order to assure that development is undertaken consistent with Section 30244 of the Coastal Act, the Commission finds that the permittee shall undertake the proposed archaeological investigation in conformance with the proposed archaeological research design entitled *Research Design for the Evaluation of Seven Potential Prehistoric Sites, Boeing Property, Seal Beach, California* by EDAW, Inc. of San Diego, California dated August 2001 and revised January 2002 and February 2002. An archaeological monitor qualified by State Office of Historic Preservation (OHP) standards and a Native American monitor appointed consistent with the standards of the Native American Heritage Commission (NAHC) shall be present on the site during the entire archeological investigation. If cultural deposits or grave goods (as defined by OHP) are uncovered during investigation, the archaeological monitor and the Native American monitor shall evaluate the site and, if necessary, develop a treatment plan approved by OHP, NAHC and the Executive Director. Upon review of the treatment plan, the Executive Director shall determine whether an amendment is required. If human remains are found, the Commission requires that the applicant carry out identification and recovery or reburial consistent with State Law. Upon completion of the archaeological investigation, the applicant shall submit, for the review and approval of the Executive Director, a written report summarizing the findings of the archaeological investigation. The report and shall also be submitted to the OHP, NAHC and the appropriate Native American person/groups with cultural affiliation with the area that are designated or deemed acceptable by

the NAHC. Therefore, the Commission imposes Special Condition 1 and finds that, as conditioned, the project is consistent with Section 30244 of the Coastal Act.

### C. Biological Resources and Water Quality

The project site is traversed by three drainage ditches (Ditches A, B and C), of which two (Ditch A and B) contain wet habitat that qualify as wetlands under the Coastal Act. Preliminary biological investigations indicate that the third drainage ditch (Ditch C) does not contain any wetlands habitat. However, biological monitoring is continuing to determine definitively whether there is any wetland habitat within Ditch C (see biological investigations listed in 'Substantive File Documents').

In addition to wetlands, the site contains two special-status plant species, the southern tarplant (*Centromedia parryi* ssp. *Australis*) and woolly sea-blite (*Suaeda taxifolia*). The southern tarplant is a California Native Plant Society (CNPS) List 1B species<sup>2</sup>. Approximately 385 individual plants are within and along the margins of Ditch C. The woolly sea-blite is a CNPS List 4 plant species<sup>3</sup>. Approximately 12 individual plants were identified in Ditch B.

Section 30230 of the Coastal Act states:

*Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231 of the Coastal Act states:

*The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Section 30240(b) of the Coastal Act states:

*(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

Buffer areas are undeveloped lands surrounding wetlands and sensitive habitat. Buffer areas serve to protect wetlands and sensitive habitat from the direct effects of nearby disturbance. In

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<sup>2</sup> Plants considered by CNPS to be rare, threatened, or endangered in California and elsewhere

<sup>3</sup> Plants of Limited Distribution - A Watch List

addition, buffer areas can provide necessary habitat for organisms that spend only a portion of their life in wetlands such as amphibians, reptiles, birds, and mammals. Buffer areas provide obstructions which help minimize the entry of domestic animals and humans to wetlands and sensitive habitat. Buffers also provide visual screening between wetland and other sensitive species that are sensitive to human impacts, such as lighting. Buffers can also reduce noise disturbances to wetland and sensitive species from human development.

The proposed project would involve using heavy equipment and hand tools to dig trenches and pits for the archeological investigation. These activities have the potential to disturb sensitive or potentially sensitive habitat on the project site. However, the applicant is proposing to maintain a 30 to 500 foot buffer between proposed activities and the wetlands and sensitive plant species that are located on the site. Accordingly, there is no proposed direct impact to sensitive or potentially sensitive habitat.

It should be noted that the Commission commonly requires a minimum 100 foot wide buffer between development activity and sensitive resources on the site. In this case, there is one instance of a 30 foot buffer (in the area of Drainage C), and one instance of a 90 foot buffer (in the vicinity of Drainage B), which is less than the minimum 100 foot buffer normally required by the Commission to protect sensitive resources. The remainder of the test sites will have a minimum 120 foot buffer between proposed archeological activity and sensitive or potentially sensitive habitat. The proposed development includes trenching and test pits for an archeological investigation. These archeological activities are exploratory in nature, involve temporary impacts and are low in intensity. Once the archeological investigation is concluded, the disturbed areas would be restored to their pre-project condition. Accordingly, the development is temporary and involves no permanent development (e.g. new buildings, new on-going use, etc.). The absence of a new on-going use or intensification of use of the site minimizes any risk to sensitive habitat from the types of impacts that buffers normally provide protection from such as noise, light, and domestic animal intrusions. Due to the temporary nature and low intensity of the proposed development, the Commission finds that, with the implementation of the restrictions outlined further below, the proposed buffers are adequate to protect sensitive resources from the types of disturbance that would be associated with the proposed archeological investigation.

Although the applicant is proposing a buffer between investigation activities and wetlands and sensitive habitat, there is potential for resources to be impacted. For instance, the staging plan submitted indicates that site access and investigation staging and work areas may encroach closer than 30 feet of sensitive or potentially sensitive resource areas. In addition, the persons undertaking the archeological investigation will need to take special precaution to avoid disturbing resources. For example, due to the disturbed nature of the resources, a person whom does not have training in the identification of sensitive biological resources may not recognize the location of the sensitive habitat. In order to assure that adverse impacts do not occur, the Commission imposes Special Conditions 2 and 3. Special Condition 2 requires that the applicant avoid impacts to wetlands and any other environmentally sensitive habitats or suspected sensitive habitats, to establish a minimum 100 foot wide buffer between wetlands, environmentally sensitive habitat or suspected sensitive habitat (except at the two specific locations described above where the applicant has identified a minimum 30 foot buffer and 90 foot buffer). Furthermore, prior to commencement of the work approved by this permit, the applicant shall install a temporary barrier or work area demarcation (such as but not limited to plastic mesh, solid wood or chain link fencing) between the investigation areas and wetlands and environmentally sensitive habitats or suspected habitat. Barriers and other work area demarcations shall be inspected and approved by a qualified biologist. All temporary barriers, staking, fencing shall be removed upon completion of



the archeological investigation. Also, no equipment shall be stored within any habitat area or within 100 feet of any wetlands or sensitive habitat. Special Condition 2 also requires that the applicant, prior to issuance of the permit, submit a revised site access, and equipment/work staging and storage plan, for the review and approval of the Executive Director, which complies with the habitat impact avoidance requirements of Special Condition 2, as outlined above and below.

The proposed trenching and test pits would disturb soil and generate soil stockpiles. If these soils are not properly contained they could be discharged into wetlands and coastal waters causing sedimentation and turbidity impacts. Therefore, Special Condition 2 requires that all areas disturbed and/or denuded by the project shall be re-vegetated with southern California native plants appropriate to the habitat type. In addition, Special Condition 2 requires that no construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat or wetlands, or any storm drain or be subject to wave erosion and dispersion; and that investigation materials, chemicals, debris and sediment shall be properly contained and secured on site to prevent the unintended transport of material, chemicals, debris, and sediment into wetlands, habitat areas and coastal waters by wind, rain or tracking. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of construction-related materials, and to contain sediment or contaminants associated with construction activity, shall be implemented prior to the on-set of such activity. BMPs selected shall be maintained in a functional condition throughout the duration of the project. A pre-construction meeting shall be held for all personnel to review procedural and BMP/GHP guidelines. Also, Special Condition 2 requires that debris and excess material shall be disposed or recycled at a legal disposal/recycling site. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is required. No debris or excess material shall be placed on any sensitive habitat. Finally, debris and sediment shall be removed from the investigation areas as necessary to prevent the accumulation of sediment and other debris which may be discharged into coastal waters and any and all debris resulting from investigation activities shall be removed from the project site within 24 hours of completion of the archeological investigation.

Also, the Commission imposes Special Condition 3. Special Condition 3 requires the applicant to comply with their proposal to avoid impacts to wetlands and sensitive habitat. For instance, the applicant proposes specified setbacks from the drainage ditches ranging from 30 to 500 feet. The applicant must comply with these proposed setbacks because they are necessary to protect biological resources. If any changes to the setbacks occurs, the applicant must notify the Executive Director and such changes may require an amendment to this permit.

As conditioned, the Commission finds the proposed development consistent with Sections 30230, 30231 and 30240(b) of the Coastal Act.

#### **D. Local Coastal Program**

Section 30604 of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. The permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program which conforms with the Chapter 3 policies of the Coastal Act.

On July 28, 1983, the Commission denied the City of Seal Beach Land Use Plan (LUP) as submitted and certified it with suggested modifications. The City did not act on the suggested modifications within six months from the date of Commission action. Therefore, pursuant to Section 13537(b) of the California Code of Regulations, the Commission's certification of the land use plan with suggested modifications expired. The LUP has not been resubmitted for certification since that time.

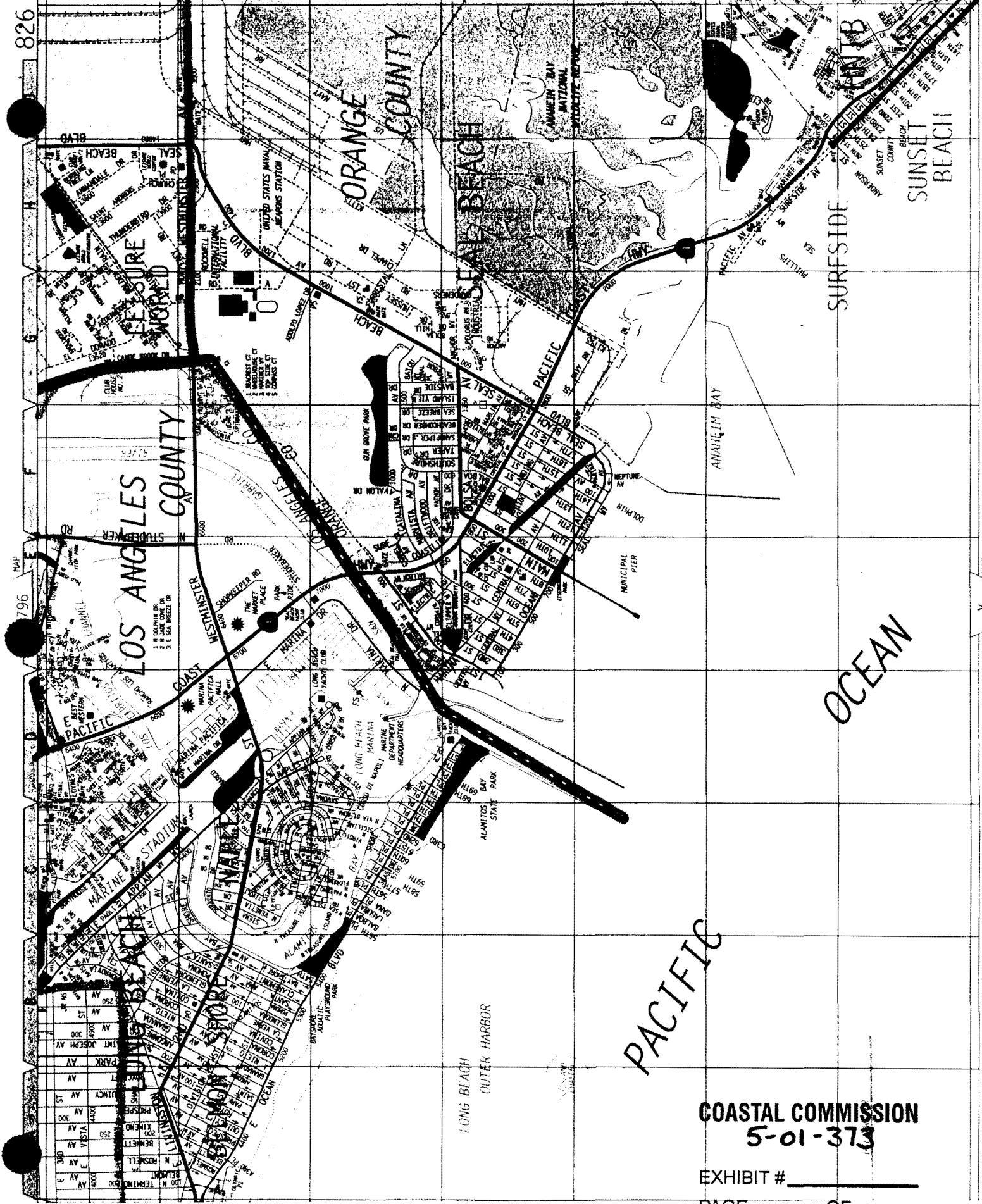
The proposed development is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Commission finds that the proposed development would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter Three policies of the Coastal Act.

### **E. California Environmental Quality Act**

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

The proposed project is located in an urban area. The Commission has imposed special conditions to assure that development is undertaken in accordance with the plans as submitted as well as undertaken in a manner which avoid impacts to sensitive habitat. The proposed project has been found consistent with the archeological and biological resource protection policies of Chapter Three of the Coastal Act.

As conditioned, no feasible alternatives or feasible mitigation measures are known which would substantially lessen any identified significant effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project is consistent with CEQA and the policies of the Coastal Act.



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LOS ANGELES COUNTY

ORANGE COUNTY

SUNSET BEACH

SUNSET BEACH

SURFSIDE

OCEAN

PACIFIC

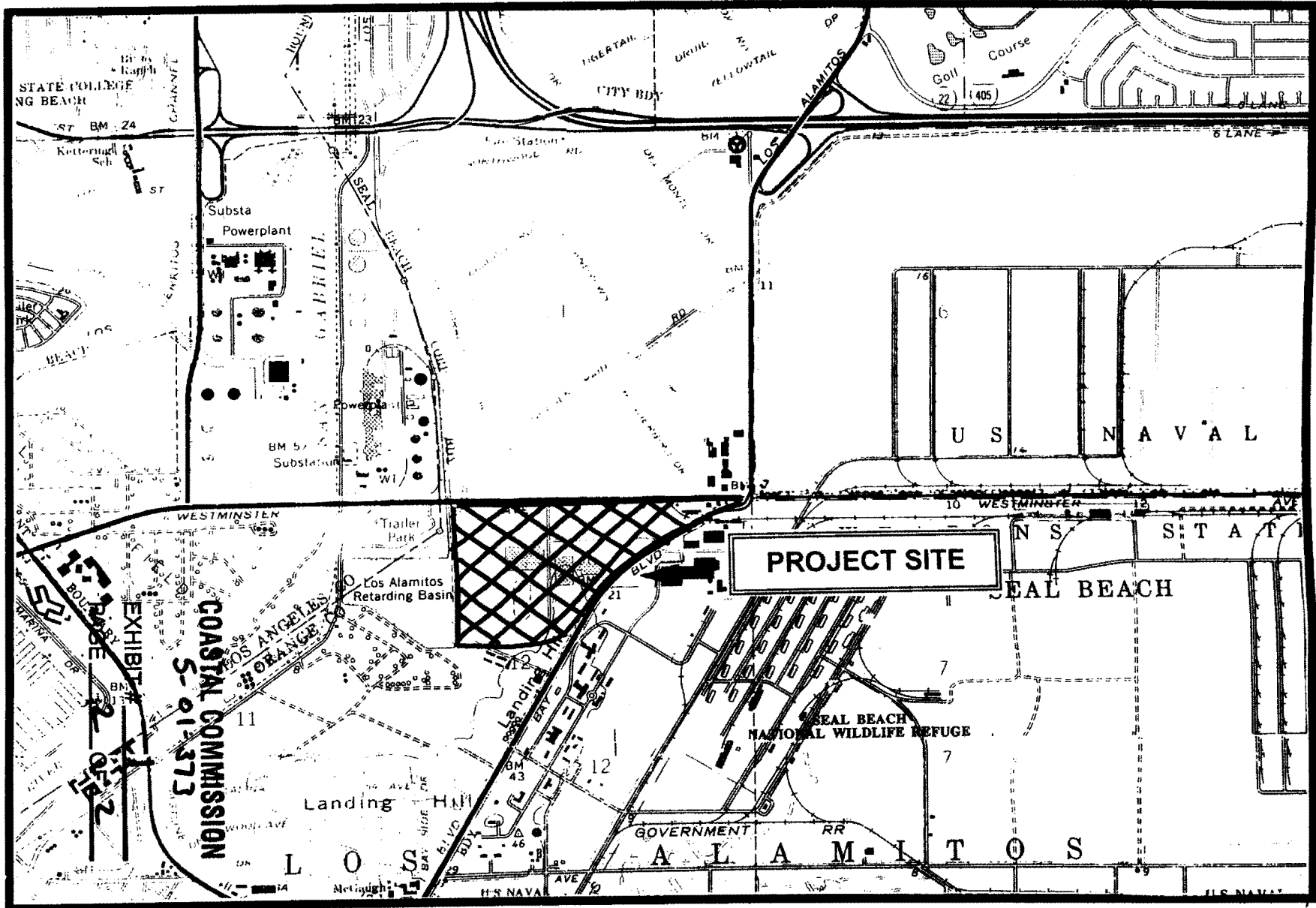
LONG BEACH OUTER HARBOUR

COASTAL COMMISSION  
5-01-373

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PAGE \_\_\_\_\_ OF \_\_\_\_\_

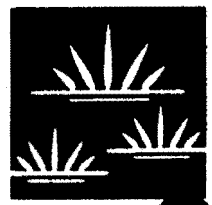
MAP

Adapted from USGS Los Alamitos and Seal Beach  
Quadrangles



**PACIFIC GATEWAY  
SEAL BEACH PROJECT**  
Vicinity Map

GLENN LUKOS ASSOCIATES  
EXHIBIT 2



**GABRIELINO/TONGVA TRIBAL COUNCIL**

of the

**GABRIELINO/TONGVA NATION**

501 Santa Monica Blvd., Suite 500

Santa Monica, CA 90401-2415

(310) 587-2203

(310) 587-2281 (fax)

www.TongvaTribe.org

Tribal Council

Hon. Martin Alcala

Hon. Cindi Alvitres

Hon. Virginia Carmelo

Hon. Samuel Dunlap

Hon. Shirley Machado

Hon. Edgar Perez

Tribal General Counsel: Ras Lamothe

Tribal Technology Officer: Bruce Becker

March 29, 2002

Dr. Jackson Underwood  
EDAW Inc.  
1420 Kettner Blvd., #620  
San Diego, CA 92101


RE: Research Design -Boeing Property, Seal Beach

Dear Dr. Jackson:

After a brief discussion with one of our tribal council members a few weeks ago, it was suggested that I address the full council at our regular scheduled meeting on March 24, 2002. With that done, and the research design fully explained as best I could, I can say that our tribal council has no objections at this time. I thank you for allowing us to review and participate in this project.

Please feel free to contact me at any time if you need further assistance from us.

Sincerely,



SAMUEL H. DUNLAP  
Tribal Secretary

COASTAL COMMISSION  
5-01-373

EXHIBIT # 2PAGE 1 OF 1

**PEER REVIEW OF  
"RESEARCH DESIGN FOR THE EVALUATION OF  
SEVEN POTENTIAL PREHISTORIC SITES, BOEING PROPERTY,  
SEAL BEACH, CALIFORNIA"**

*Reviewed By:*

**Roger D. Mason, Ph.D., RPA**

*Prepared For:*

**EDAW, Inc.  
1420 Kettner Boulevard, Suite 620  
San Diego, CA 92101**

**Attention: Andrew York**

*Prepared By:*

**CHAMBERS GROUP, INC.  
17671 Cowan Avenue, Suite 100  
Irvine, CA 92614**

**February 2002**

**COASTAL COMMISSION**

**5-01-373**

EXHIBIT # 3

PAGE 1 OF 3

**PEER REVIEW OF "RESEARCH DESIGN FOR THE EVALUATION OF SEVEN  
POTENTIAL PREHISTORIC SITES, BOEING PROPERTY, SEAL BEACH,  
CALIFORNIA"**

By Roger D. Mason, Ph.D., RPA

**GENERAL COMMENTS**

The research design is well written and has all the necessary components for a test plan to structure evaluation of eligibility under CEQA. The research problems adequately reflect the current understanding of coastal Orange County prehistory. A recent, as yet unpublished summary (Koerper, Mason, and Peterson n.d.) is enclosed for the authors' use.

It is stated that the purpose of the test program is to determine whether the sites contain data with which to address the research questions. However, a more explicit discussion of how this relates to the CRHR eligibility criteria would improve the research design. It should also be stated that under the new CEQA Guidelines (Section 15064.5), the CEQA lead agency (either the City of Seal Beach or the Coastal Commission) makes the determination of eligibility for the CRHR, based on the recommendations of the archaeologist.

The field and analytic methods are well formulated and will provide the necessary information to evaluate integrity and the potential to yield important information. The focus on assessing integrity first, using backhoe trenches, is efficient and eliminates unnecessary work if the sites do not have integrity. STPs are only planned in sites where midden is presently anticipated based on current observations. The research design should provide the flexibility to excavate STPs in other sites if intact midden is seen in backhoe trench profiles. I suggest that STPs should be placed systematically on a 20 meter grid to provide adequate information on the distribution of subsurface cultural material. It does not appear that sufficient numbers of STPs are proposed to accomplish this.

**SPECIFIC COMMENTS**

The following specific comments refer to page numbers in the research design.

Page 1, 1<sup>st</sup> paragraph: delete "of": "within of a 40 acre portion"

Pages 2, 3, and 4: Figures 1, 2, and 3 are missing

**COASTAL COMMISSION**

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PAGE 2 OF 3

Page 5, 2<sup>nd</sup> paragraph: the common name for *Chione* is venus clam. The correct spelling of *Argopectin* is *Argopecten*. The correct *Argopecten* species name is *circularis*. The correct common name is Pacific calico scallop (see Turgeon et al 1988).

Page 7, 4<sup>th</sup> paragraph, second to last sentence: Probably should say "Seeds from native bunch grasses..."

Page 11, 2<sup>nd</sup> paragraph: Mission records also show that people from Genga and other villages on the lower Santa Ana River were baptized at both San Gabriel and San Juan Capistrano Missions (Earle and O'Neil 1994).

## REFERENCES CITED

Earle, David D. and Stephen O'Neil

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Koerper, Henry C., Roger D. Mason, and Mark L. Peterson

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