

## **APPENDIX B**

# **CULTURAL RESOURCES REVIEW**

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## MEMORANDUM

**DATE:** July 26, 2018

**To:** Kim Espinosa, Planning Manager, City of Merced

**FROM:** Mariko Falke, Cultural Resources Analyst

**SUBJECT:** Cultural Resources Review for the Merced Mall Expansion Project, in the City of Merced, Merced County, California

This memorandum summarizes the methods and results of a cultural resources study conducted by LSA for the Merced Mall Expansion Project (project) in the City of Merced, Merced County, California. This memorandum was prepared to address the requirements of the California Environmental Quality Act (CEQA).

The study included an archival records search at the Central California Information Center (CCaIC), a review of the Sacred Lands File at the Native American Heritage Commission (NAHC), and consultation outreach with the Merced County Historical Society. A field survey was not completed for this project since the ground visibility has been severely reduced by prior development, parking lot pavement, and landscaping. In addition, relevant environmental and archaeological literature was reviewed for background information and to assess the potential for subsurface archaeological deposits in the vicinity of the proposed project. The results of this research are summarized below.

Ms. Mariko Falke, B.A., prepared this memorandum under the direction of Katie Vallaire, M.A., RPA, Senior Cultural Resources Manager.

### PROJECT DESCRIPTION

The project site (Attachment A: Figures 1 and 2) consists of approximately 56 acres and is located at 851 Olive Avenue in Merced, Merced County, California. The project site is generally level and consists of six parcels (Assessor's Parcel Numbers [APN] 236-220-022, -029, -030, -031, -032, -038) and portions of four parcels (APNs 236-310-007 and 236-220-014, -015, -016). The project site is currently developed with an existing shopping center and three additional buildings containing restaurants, small retail spaces, offices, and a movie theater. The project would be constructed in two phases.

## Phase I

Phase I of the proposed project would expand the buildings located along the southern elevation of the shopping center south towards West Olive Avenue by an additional 80 feet. The vacant retail space located to the east of the main mall entrance (previously occupied by CVS) would be reconfigured and leased to new retailers and restaurants, some of which would have storefronts facing the parking lot adjacent to West Olive Avenue. The southern parking lot would be reconfigured, repaved, restriped, and re-landscaped. Phase I of the project would include a reader board sign on West Olive Avenue, south of the central entrance to the shopping center, at the approximate location of the existing sign.

## Phase II

Phase II of the proposed project would include construction of a 72,000-square-foot movie theater containing up to 3,000 seats. The project applicant has proposed two alternatives under Phase II which would result in the location of a new movie theater at one of two locations within the project site.

### *Alternative 1*

Alternative 1 would add an at-grade 72,000-square-foot theater between the existing JC Penny and Kohl's stores in the main shopping center building. The design and height of the movie theater addition would be integrated into the existing shopping center building and would be consistent with the exterior additions completed under Phase I.

### *Alternative 2*

Alternative 2 would demolish the existing United Artists Theater and two retail stores located along the eastern boundary of the project site, and would construct a 72,000-square-foot at-grade theater at that location. The design and height of the movie theater would be consistent with the exterior additions completed under Phase I. Construction of Alternative 2 would include reconfigured parking for the theater.

## Open Space and Landscaping

The proposed project would upgrade the perimeter landscaping to include new vegetation and drought-tolerant plantings. As a result of the expansion under Phase I, 14 trees would be removed in order to accommodate development. In addition, 10 trees would be removed under Phase II Alternative 1, and 13 trees would be removed under Phase II Alternative 2.

## Access, Circulation, and Parking

The current configuration of vehicle driveways and pedestrian access would not be altered as a result of the proposed project. The project site currently has 11 vehicle ingress/egress driveways providing access to and from West Olive Avenue, R Street, Loughborough Drive, and Fairfield Drive. As noted above, the parking lot facing West Olive Avenue would be reconfigured, repaved, and restriped.

## Utilities and Infrastructure

The project site is located in an urban area with existing utilities and infrastructure. The proposed project would be required to utilize the following utility connections to the satisfaction of the applicable utility providers: water, wastewater, storm water drainage, and power.

## CCAIC RECORDS SEARCH

LSA requested a records search through the CCalC on July 16, 2018, for the proposed project. The records search consisted of a review of cultural resource records and previous investigations within the project site and a 0.25-mile radius. The CCalC, an affiliate of the State of California Office of Historic Preservation, is the official State repository of cultural resources records and reports for Merced County.

The CCalC records search did not identify cultural resources or previous investigations within the project site. The project is located within the Merced Irrigation District (P-24-001909), though no component of this district has been recorded within the project site or the surrounding 0.25-mile radius. One built environment resource (P-24-001935) was identified within the 150 feet of the project site. The extent and summary of these resources are described below.

### P-24-001909

This built environment resource consists of the Merced Irrigation District. This district includes the City of Merced and extends northeast to Snelling, south to Le Grande, southwest to Stevinson, and west to the San Luis National Wildlife Refuge. This district, with various water conveyance features and associated structures constructed from 1870 to 1922, is associated with water conveyance and development in California's Central Valley (Bunse and Melvin 2007; Dice 2010; and Loftus 2011).

P-24-001909 appears eligible for inclusion in the National Register of Historic Places (NRHP) eligibility under Criterion A in which it reflects water conveyance development in response to the growing needs of California's agricultural landscape in the 20<sup>th</sup> Century; Criterion C as the District is unique to the Central Valley's history; and Criterion D as components of the District have the potential to yield information and as such these elements qualify as a historical resource as defined under CEQA Guidelines Section 15064.5(a). Therefore, portions of the District, considered its contributing elements, would likely be eligible for inclusion in the California Register of Historical Resources (CRHR), as well, and qualify as historical resources, as defined under California Public Resources Code Section 21084.1. Upon evaluation, many elements of the District have been found ineligible for the CRHR and NRHP.

### P-24-001935

This built environment resource consisted of two 3-story commercial buildings which form the Park Olive Plaza. The buildings were constructed sometime between 1963 and 1978 based on historic topographic maps and aerial imagery. They were comprised of a Modernist design and when recorded in 2012, they were not listed in the 2014 Historic Property Data File provided by the CCalC (CCaIC File No. 1776I). The eligibility of this resource was not reviewed since this resource has been demolished based on Google Earth Aerial and Street View Imagery from May 2017.

## NAHC SACRED LANDS FILE

On July 9, 2018, LSA submitted a request to the NAHC to review its Sacred Lands File for the proposed project. The NAHC is the official State repository of Native American sacred site location records in California. In a July 23, 2018 response letter (Attachment B), Sharaya Souza, Staff Services Analyst with the NAHC, stated that the results of the Sacred Lands File search were negative. She further suggested contacting those on the Native American Consultation List for specific knowledge regarding the area.

## MERCED HISTORICAL SOCIETY

LSA contacted the Merced Historical Society on July 10, 2018, and spoke with Ms. Sarah Lim, Director of the Merced County Museum and head of the historical society for any information or concerns regarding historic-period cultural resources within the project site. During the conversation, Ms. Lim stated that the project site consisted of farmland before construction of the Merced Mall. She recalled a railroad spur that operated nearby the project site to service a cannery operation, but did not have any knowledge or concerns regarding the presence of historic-period cultural resources in the project site.

## BURIED ARCHAEOLOGICAL SITE POTENTIAL

Assessing the potential for buried archaeological deposits in and adjacent to the project site requires an understanding of landform age and overlying soils. Fundamentally, there is an inverse relationship between landform age and the potential for buried archaeological deposits. Some landforms predate human occupation of the region (e.g., Pleistocene alluvial fan deposits) and, as such, archaeological deposits on these landforms, if present, would be located at or near the surface. In contrast, those landforms that were formed during the Holocene (circa 11,700 years ago to the present) have a potential for containing buried surfaces (paleosols) that would have been available for human habitation during prehistory. Paleosols associated with Holocene landforms, therefore, may contain buried archaeological deposits (Meyer and Rosenthal 2004).

The project site is situated on late Pleistocene to middle Holocene (approximately 20,000 to 4,000 years old) deposition consistent with the upper Modesto Formation in the Northern San Joaquin Valley. During the last major event of aggradation on the eastern portion of the San Joaquin Valley, an amalgamation of sand, silt, and gravel was deposited forming alluvial fans which extended from the drainage of the Kern River in the south to the tributaries of the Sacramento River in the north. The Modesto Formation is divided into an older, lower member (40,000 to 20,000 years old) overlain by the upper member (approximately 20,000 to 9,000 years old). Lower Modesto deposits formed expansive alluvial fans derived from the Sierra. Upper Modesto deposits are composed of four depositional phases which form fans or terraces; each phase corresponds to an associated glacial outwash period in which melting glaciers and a moister climate caused increased runoff in active channels. Modesto deposits overlay Pleistocene-aged Riverbank deposits and are incised or capped near modern drainages by post-Modesto sediment (Marchand and Allwardt 1981; Meyer and Rosenthal 2004). Post-Modesto soils are associated with early-to-middle Holocene eolian sand dunes, which tend to overlie the upper Modesto terraces and fans in Merced County and are sensitive for buried Holocene-aged archaeological deposits. The project site is situated on a drainage channel of Black Rascal Creek, a tributary to Bear Creek, which once consisted of Holocene-aged

toeslope and floodplain deposits prior to development. As such, there is a potential for buried archaeological deposits within the project site that, if present, would have had little to no surface manifestation prior to development. Additionally, previous development of the project site does not preclude the presence of buried archaeological deposits (Meyer and Rosenthal 2004).

## SUMMARY

The project site is within the boundary of P-24-001909, the Merced Irrigation District. Elements of the District qualify for the NRHP under Criterion A in which it reflects water conveyance development in response to the growing needs of California's agricultural landscape in the 20<sup>th</sup> Century; Criterion C as the District is unique to the Central Valley's history; and Criterion D as components of the District have the potential to yield information and as such these elements qualify as a historical resource as defined under CEQA Guidelines Section 15064.5(a). However, no specific elements of this district have been identified within the project site. In addition, one built environment resource, which has since been demolished, was identified within 150 feet of the project site.

Based on Holocene landforms with the potential to contain buried archaeological deposits, the project is situated in an area with a high potential to encounter significant archaeological deposits.

## REFERENCES

Bunse, M. and J. Melvin

- 2007 DPR Resource Record of the Merced Irrigation District (P-24-001909). On file, Central California Information Center of the California Historical Resources Information System, California State University, Stanislaus.

Dice, Michael

- 2010 DPR Resource Record of the Merced Irrigation District (P-24-001909). On file, Central California Information Center of the California Historical Resources Information System, California State University, Stanislaus.

Loftus, Shannon

- 2011 DPR Resource Record of the Merced Irrigation District (P-24-001909). On file, Central California Information Center of the California Historical Resources Information System, California State University, Stanislaus.

Marchand, Denis E. and Alan Allwardt

- 1981 Late Cenozoic Stratigraphic Units, Northeastern San Joaquin Valley, California. U.S. Geological Bulletin 1470. United States Government Printing Office, Washington, D.C.

Meyer, Jack and Jeffrey Rosenthal

- 2004 Cultural Resources Inventory of Caltrans District 10 Rural Conventional Highways, Volume III: Geoarchaeological Study, Landscape Evolution and the Archaeological Record of Central California. Far Western Anthropological Research Group, Inc., Davis, California.

**Attachment A:** Figure 1: Regional Location  
Figure 2: Project Vicinity

**Attachment B:** NAHC Sacred Lands File Results and Native American Consultation List



## ATTACHMENT A

Figure 1: Regional Location

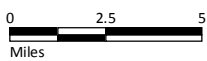
Figure 2: Project Vicinity



**LSA**

LEGEND

★ Project Location

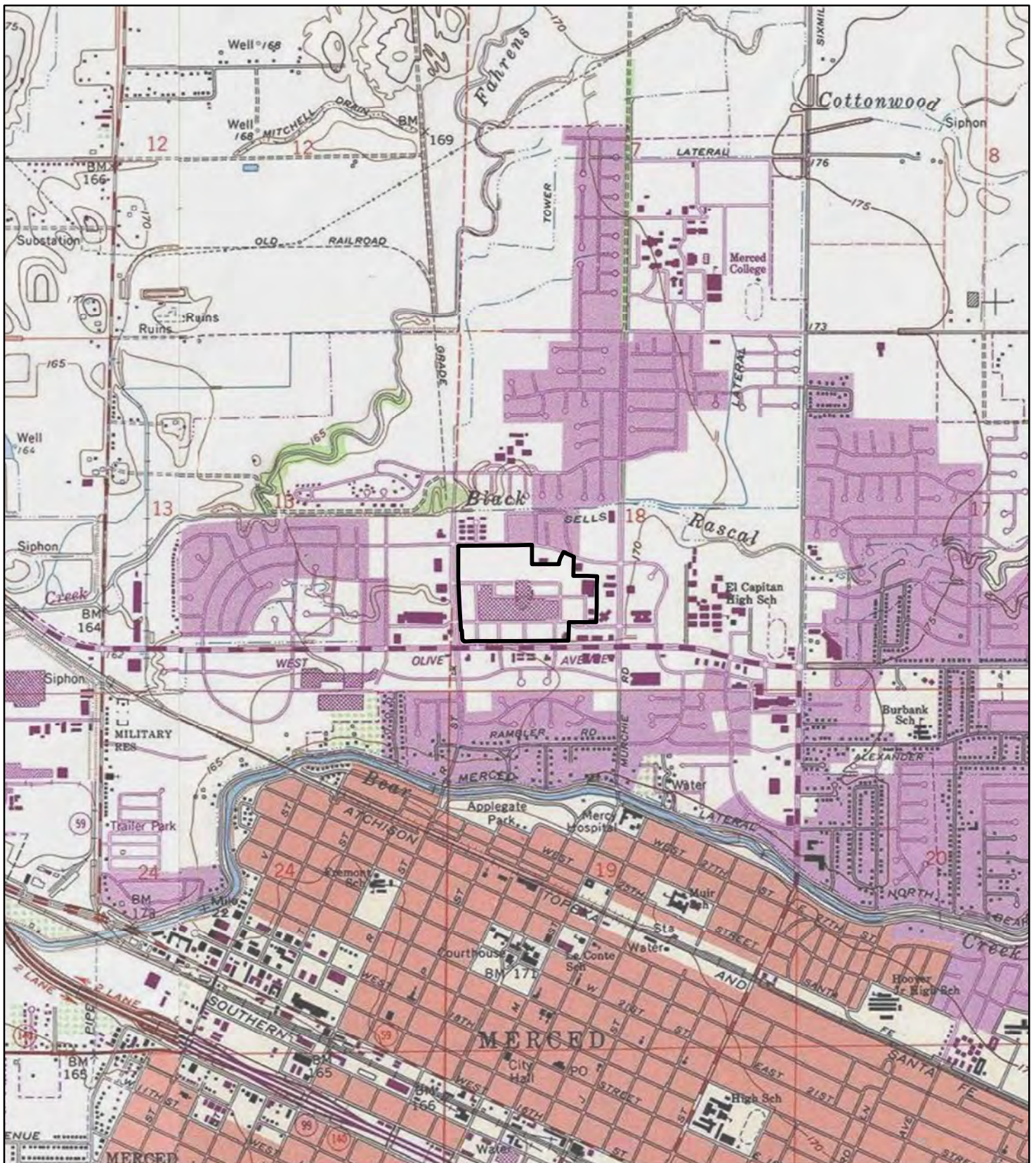


SOURCE: ESRI World Street Map (6/2018)

I:\MED1801\GIS\Reports\Figure\_1\_Regional.mxd (7/9/2018)

FIGURE 1

*Merced Mall Expansion Project  
Merced County, California  
LSA Project No. MED1801  
Regional Location*

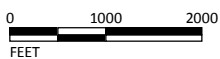


LSA

LEGEND

 Project Area - (56.8 ac)

FIGURE 2



SOURCE: USGS 7.5-minute topographic quadrangle Merced, Calif (1961, ed. 1987)

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Merced Mall Expansion Project  
 Merced County, California  
 LSA Project No. MED1801  
 Project Vicinity

## ATTACHMENT B

NAHC Sacred Lands File Results and Native American Consultation List

**NATIVE AMERICAN HERITAGE COMMISSION**

Cultural and Environmental Department  
1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691  
(916) 373-3710



July 23, 2018

Mariko Falke  
LSA Associates, Inc

Sent by Email: Mario.falke@lsa.net  
Number of Pages: 2

RE: Merced Mall Expansion, Merced, Merced County

Dear Mr. Falke:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. **Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.**

I suggest you contact all of those listed, if they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. **By contacting all those on the list, your organization will be better able to respond to claims of failure to consult.** If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: Sharaya.Souza@nahc.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sharaya Souza".

Sharaya Souza  
Staff Services Analyst  
(916) 573-0168

**Native American Heritage Commission  
Native American Consultation List  
7/23/2018**

Amah Mutsun Tribal Band  
Valentin Lopez, Chairperson  
P.O. Box 5272  
Galt, CA 95632  
vlopez@amahmutsun.org  
(916) 743-5833

Ohlone/Costanoan  
Northern Valley Yokuts

Dumna Wo-Wah Tribal Government  
Robert Ledger SR., Chairperson  
2191 West Pico Ave.  
Fresno, CA 93705  
ledgerrobert@ymail.com  
(559) 540-6346

Dumna/Foothill Yokuts  
Mono

North Valley Yokuts Tribe  
Katherine Erolinda Perez, Chairperson  
P.O. Box 717  
Linden, CA 95236  
canutes@verizon.net  
(209) 887-3415

Ohlone/Costanoan  
Northern Valley Yokuts  
Bay Miwok

Southern Sierra Miwuk Nation  
Bill Leonard, Chairperson  
P.O. Box 186  
Mariposa, CA 95338  
(209) 628-8603 Office

Miwok  
Pauite  
Northern Valley Yokut

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

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

This list is only applicable for contacting local Native American Tribes for the proposed:  
Merced Mall Expansion, Merced, Merced County.