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COASTAL COMMISSION ANNOUNCES AGREEMENT TO RESTORE DAMAGE TO A HISTORIC NATIVE AMERICAN VILLAGE SITE

Santa Monica, CA, January 11, 2012 – The California Coastal Commission today directed a property owner to restore a significant archaeological site that was damaged as a result of unpermitted development activities, on the Bolsa Chica Mesa in Orange County. After a public hearing in which the Commission stressed the significance of the site and the seriousness of the violation, the property owner agreed to pay \$430,000 to fund a mitigation project to benefit Native American cultural resources. The settlement with the property owner addresses excavation of 16 pits that resulted in damage to cultural “midden” at the site of a 9,000-year-old Native American village. Cultural midden is evidence of human habitation found in soil, such as discarded shells and animal bones, scorched rocks, and artifacts that indicates the location of historic villages. The property owner’s archaeologist dug the pits without Native American monitors present to oversee the work and without screening the excavated soil for artifacts, which are standard practices for work in this type of area, and standard requirements of the Coastal Commission and the State Native American Heritage Commission. Native American monitors ensure appropriate treatment of artifacts and cultural sites and provide necessary cultural context for archaeological investigations.

“It is an egregious violation in my opinion, and in this day and age, it is difficult to believe anyone did not know this was an area of great cultural significance,” said Mary Shallenberger, chair of the Commission. “I am pleased that the action today resolves the issues at the site, and that the restoration and mitigation will begin immediately.”

Under the settlement, the property owner has agreed to: 1) screen the excavated soil for artifacts, 2) document and rebury artifacts, 3) restore the topography of excavated areas, 4) arrange for Native American monitors to oversee all work conducted pursuant to the settlement, and 5) contribute \$430,000 to fund a mitigation project for archaeological conservation in coastal Orange County.

“Our enforcement staff has worked quickly to address a serious violation of the Coastal Act, and to ensure that the damaged areas of this significant cultural site are restored,” said Charles Lester, Executive Director of the Coastal Commission. “This site on the Bolsa Chica Mesa is prominent in both the landscape and the human history of the area, and these orders help to restore its cultural integrity while serving as a strong deterrent for such actions in the future,” he said.

The Bolsa Chica Mesa rises above the 1,000-acre Bolsa Chica wetlands complex, which at one time consisted of over 4,000 acres of wetlands at the mouths of the San Gabriel and Santa Ana rivers. These historic wetlands provided resources for the Native American peoples who lived in the area. One expansive village site on the Bolsa Chica Mesa that spans the impacted property has been labeled the “Cogged Stone Site” for the number of unique gear-shaped artifacts that have been uncovered on the site. The State Historic Preservation Officer has determined that the Cogged Stone Site meets the criteria for listing as a National Historic Place due to its significance as a manufacturing site of rare artifacts and due

to the site's role in providing information that is critical to understanding the area's Native American history. Archaeological resources such as the Cogged Stone Site are afforded protection under the California Coastal Act, as well as other statutes.

The settlement, which was agreed to by the property owner, was finalized by the Commission's issuance today, at its hearing in Santa Monica, of Consent Cease and Desist and Restoration Orders. "This action allows restoration of the site to move forward quickly, and underscores the benefits of working with Commission staff to resolve Coastal Act violations," says Dr. Lester. "Our hope is that this action will send a strong message to others to work with the Coastal Commission and other regulatory bodies before taking actions that may disturb such significant sites. Failing that, this action shows that working cooperatively to resolve outstanding Coastal Act violations is good for protecting coastal resources and for regulating development in keeping with the requirements of the Coastal Act," he said.