3.8 CULTURAL RESOURCES

EXECUTIVE SUMMARY

This section presents the environmental setting and impact assessment for cultural resources in the County's Planning Area. The County's Planning Area consists of unincorporated land outside of the City's boundaries and Sphere of Influence (SOI) but within the One Valley One Vision (OVOV) Planning Area boundaries. The City's Planning Area consists of its incorporated boundaries and adopted SOI. Both the County and the City Planning Areas comprise the OVOV Planning Area. Cultural resources are defined as prehistoric and historic sites, structures, and districts, or any other physical evidence associated with human activity considered important to a culture, a subculture, or a community for scientific, traditional, religious, or any other reason. For analysis purposes, cultural resources may be categorized into three groups: archaeological resources, historic resources, and contemporary Native American resources. Paleontological resources, while not generally considered a "cultural resource," are afforded protection under *California Environmental Quality Act (CEQA) Guidelines* and as such are evaluated in this section of the environmental impact report (EIR). All impacts related to cultural and paleontological resources with the implementation of mitigation measures were found to be less than significant.

EXISTING CONDITIONS

Prehistory—Paleontology

Resource information on paleontological history is not discussed specifically for the OVOV Planning Area, but for the Greater Los Angeles Area (Los Angeles County, Orange County, portions of Ventura County, Riverside County, etc.) as a whole. During the Miocene and Pliocene Periods (23.7 to 1.6 million years ago), most of the greater Los Angeles Basin and the surrounding hills, including the Santa Clarita Valley, was submerged. Los Angeles County is one of the richest areas in the world for both fossil marine vertebrates and land vertebrates from rock deposited over the last 25 million years. Although Rancho La Brea (in the City of Los Angeles) has been highly publicized, there are many other areas of Los Angeles County, including the Santa Clarita Valley, that contain equally important fossil occurrences.

The richness of fossils in the County is due to several major series of events in the geologic history of the area. During the Miocene and Pliocene time (between 1.6 and 23.7 million years ago), most of what is now the greater Los Angeles Basin and the surrounding hills, including the Santa Clarita Valley and surrounding mountains, was submerged beneath the Pacific Ocean. Thousands of feet of sand, mud, and

other materials were deposited on the ocean bottom. Marine animals and shore birds were buried in these deposits as they died and sank to the bottom. Through time, many of these specimens became fossilized.

During the Pleistocene age, movement of and collision between tectonic plates elevated much of this area above the ocean and formed hills and mountains where the ocean bottom and valleys once existed. Erosion cut through these older sediments, as they were uplifted from the terrain that now exists.

Over 1,100 vertebrate fossil localities within the County are known. Most of these localities are generally scattered within 700 square miles (about 17 percent of the County) of hilly terrain that is underlain by fossil-producing rock formations. A substantial portion of these 700 square miles have been developed, and much of the remaining area is threatened, particularly areas surrounding the Santa Clarita Valley, including the Santa Susana Mountains to the southwest and the Sierra Pelona Mountains on the north.[1]

As development encroaches into the foothills of these ranges, the paleontological resources that may be present within these areas are subject to a greater risk of damage or destruction. Additional risk factors include the lack of outward visibility of these resources (they are often buried, sometimes under substantial quantities of earth) and a lack of information regarding specific locations of these resources in some portions of the City's Planning Area.

Prehistory and Archaeology

Early man arrived in the Santa Clarita Valley 18,000 to 25,000 years ago during the migration across the Bering land bridge. The earliest physical evidence of human occupation in the Upper Santa Clara River Area dates from 7,000 to 4,000 years before present (BP), and was recovered from two sites near Vasquez Rocks. The identity of the area's first inhabitants is unknown. The Tataviam peoples, Uto-Aztecan speakers of Shoshonean descent, began to reach the OVOV Planning Area in approximately 450 A.D. They were described as a distinct linguistic group when they were first encountered in 1776 by Spanish explorer Pedro Fages.[2]

The Tataviam lived primarily on the upper reaches of the Santa Clara River, east of Piru Creek, extending north into the Antelope Valley, south to the San Gabriel Mountains, and possibly as far east as the Soledad Pass.[3] However, archaeological data indicate that subsistence patterns and ritual practice were

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1 County of Los Angeles 1979.

2 King and Blackburn 1978.

3 King and Blackburn 1978; Impact Sciences, Inc. 1999.

very similar to neighboring Chumash and Gabrielino culture groups. Supporting data for this observation were recovered from archaeological sites in the OVOV Planning Area, between Newhall and Piru.[4] Tataviam village sites with known names are located at San Francisquito, Piru, Camulos, Castaic Reservoir, Piru Creek, Elizabeth Lake, and in the Newhall environs; additional archaeological sites have been recorded throughout the OVOV Planning Area, particularly along the Santa Clara River,[5] as well as in the Vasquez Rocks area.[6]

Sites of Native American cultural significance also exist within the County's Planning Area. Some are associated with archaeological sites; others are not otherwise recognizable. According to a recent study in the OVOV Planning Area, the Native American Heritage Commission (NAHC) identified three sites of Native American cultural significance in proximity to the Santa Clara River including CA-LAN-361, CA-LAN-366, and CA-LAN-367.[7] Many of the place names used today, such as Castaic, Piru, Camulos and Hasley (Islay), reflect a Tataviam linguistic origin,[8] and given the long history of Native American occupation of the OVOV Planning Area, other such sites are likely present. One site of extreme cultural significance, Bowers Cave near Val Verde, contributed one of the most significant assemblages of Native-American religious and ceremonial artifacts ever found in North America.[9] The Cave, named after the Ventura man who purchased the cave's contents from teenage discoverers, is located in the crest of the mountain at the entrance to the Chiquita Canyon Landfill.

The Historical Period

History of the Planning Area

The chronicles of the 1769 expedition from San Diego to Monterey by Spanish explorer Gaspar de Portola provided the first Euro-American documentation of the Santa Clarita Region. The expedition passed through the San Fernando Valley to Newhall, then to the Castaic Junction area, and then down the Santa Clara River to San Buenaventura and north to Monterey.[10] The trail blazed by Portola became known as

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4 Impact Sciences, Inc. (1999).

5 CH2MHill (1996).

6 Impact Sciences, Inc. (1999).

7 CH2MHill (1996).

8 City of Santa Clarita (1999).

9 Jerry Reynolds, The Signal Newspaper, (1984).

10 Impact Sciences, Inc. (1999).

the El Camino Viejo (The Old Road).[11] Later, Pedro Fages, commander of the Presidio of San Diego, in 1772 traveled through Castaic Junction and Soledad Canyon in search of deserters from the army.

The Rancho San Francisco[12] which includes the western half of the Santa Clarita Valley) and the upper reaches of the Santa Clara River figured in three important episodes in Southern California, two of which are landmarks in the economic history of the state. The first is the documented discovery of gold in Placerita Canyon in 1842 by Francisco Lopez, Manuel Cota, and Domingo Bermudez. An existing oak tree near this location became known as the Oak of the Golden Dream.

The upper Santa Clarita Valley was also the first location of true oil drilling in Southern California, exploration for which began about 1865, when oil seeps were discovered in Pico Canyon. Subsequent exploration led to the discovery of oil in Rancho San Francisco and throughout the Valley. The crossing of the Southern Pacific Railroad through the region, along with the development of the Newhall oil field and the Pioneer Oil Refinery (the predecessor of Chevron Oil) in 1874 (it was moved to its present location in 1876), initiated an oil boom in the area. The third major local historical event was the failure of the St. Francis Dam and the resulting flood of the river valley on March 12 and 13, 1928. The flood caused at least 450 deaths and destroyed 990 homes and large areas of orchards.[13]

American explorer John C. Fremont, who would later challenge Abraham Lincoln for the Republican nomination of US president, arrived at Castaic Junction with his "Buckskin Battalion" in 1847, after following the future route of State Route (SR) 126 from Ventura. After camping for two days in the Santa Clarita Valley, he crossed into the San Fernando Valley near the present alignment of Sierra Highway. Near the current Universal Studios Hollywood, he accepted the surrender of California from Gen Andres Pico. The crossing through the mountains occurred at what is now known as Fremont Pass. In 1854, Phineas Banning made a 30-foot cut in the pass to allow the first stagecoach through the pass.

The Butterfield Overland Stage took the "Great Southern" or "Oxbow" route from St. Louis to San Francisco over Fremont Pass from 1858 until the outbreak of the Civil War in 1861. In 1863, under a construction contract awarded by the Los Angeles County Board of Supervisors, General Edward F. Beale's workers cut a 90-foot-deep passageway through the pass between the present alignments of SR-14 and Sierra Highway to improve the roadway. Beale had also constructed a toll house when the pass was

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11 City of Santa Clarita (1999).

12 California Office of Historic Preservation, "California Historical Resources," http://ohp.parks.ca.gov / listed_resources/default.asp?num=556, (2009).

13 Santa Clarita Valley Historical Society, "Welcome to the St. Francis Dam," http://seis.natsci.csulb.edu / VIRTUAL_FIELD/Francesquito_Dam/franmain.htm, (2002).

widened and collected toll for the right of passage for 22 years before the County halted the practice. Beale's Cut was a vital route that served the Southern California area until it was bypassed by the Newhall Tunnel in 1910. By 1915, the "Ridge Route" extended from downtown Los Angeles north through the Newhall Tunnel and into the San Joaquin Valley. The San Fernando Railroad Tunnel, the fourth longest tunnel in the world at the time of the tunnel's completion in 1876, is still used by the Union Pacific Railroad and Metrolink.

Because San Francisquito Canyon was the traditional route taken to the east, it was among the first canyons mined and settled. Gold mining continued in the canyon until the end of the 19th century, and one of the camps, Ratsburg, was mined until 1930.

By 1860, a copper boom had formed in Soledad, and a little town grew near the head of Williamson's Pass. Both copper- and gold-bearing quartz veins were mined into the 20th century, although the rush was over by 1875.[14]

In 1875, most of the Rancho San Francisco was purchased by Henry Mayo Newhall, a San Francisco entrepreneur. From that time to the present, the history of the Santa Clarita Valley has been linked to the activities of Newhall and, after his death, to the family company, The Newhall Land and Farming Company. When Newhall acquired the Rancho, he knew the Southern Pacific Railroad intended to lay tracks north out of Los Angeles to join with the Central Pacific and its connection to the Transcontinental Railroad. A rail route through his property would increase its value, so he sold an alignment to the Southern Pacific for one dollar and a square-mile townsite to the railroad's development company for another dollar.

Three months after Newhall's land purchase, the Southern Pacific began tunneling through the mountains and the San Fernando and Santa Clarita Valleys. Built with Chinese labor, at 6,940 feet the San Fernando (Railroad) Tunnel was the third-longest tunnel in the United States when it was completed on July 27, 1876. As the Southern Pacific extended track to the north, the Central Pacific was coming south to meet it. The two companies joined track near Lang Station in Canyon Country in a "golden spike" ceremony on September 5, 1876. The following month, on October 18, 1876, the Southern Pacific began subdividing the town of Newhall.

Initially the town was located at Bouquet Junction, in what would later become Saugus, named for Henry Newhall's home town in Massachusetts. Little more than a year later, in January and February 1878, the town moved 3 miles south to its present location at Old Town Newhall, probably because of better water

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14 Rincon (2002).

availability from a natural artesian spring. The Pioneer Oil Refinery, which handled the oil piped from Pico Canyon and was initially set up along the wagon route in the Newhall Pass, moved to present-day Pine Street in Railroad Canyon next to the new train tracks. The earliest productive refinery on the West Coast, it operated until 1888. [15]

The community of Newhall contains many notable Hollywood movie sets and is the site of the Western Walk of Fame. Some of the Western relics in downtown Newhall include the "Tom Mix cottages" used as housing for the early motion picture industry, the American Theater (originally the Tumbleweed Theater) designed by Charles S. Lee and funded in large part by Actor William S. Hart in 1940; Melody Ranch (aka Placeritos Ranch and Monogram Ranch), built in the early 1920s and owned from 1952 to 1990 by actor Gene Autry and used as a location for hundreds of Western films, television series and commercials; and the Walt Disney Co.'s Golden Oak Ranch in nearby Placerita Canyon. Heritage Junction, located at 24107 San Fernando Road, has been set aside for the preservation of historic local structures.[16]

In 1908, the City of Los Angeles obtained rights to the watershed of the Owens Valley. Under direction of William Mulholland, chief engineer for the Los Angeles Department of Water and Power, the project was expanded in the 1920s into San Francisquito Canyon, where the St. Francis Dam was completed in 1926. From there, the aqueduct crossed the eastern end of the ranch and extended over the San Fernando Pass to the spillway above the San Fernando Reservoir. The Newhall directors also agreed to reservoir spillage of excess water into the Santa Clara River, for use by the ranch. In 1928 the concrete dam failed. The resulting flood of the river valley on March 12 and 13 caused at least 450 deaths and destroyed 990 homes and large areas of farmland. It was America's worst civil engineering failure of the 20th century. In 1932–34, the Los Angeles Department of Water and Power built a new earthen dam in Bouquet Canyon. [17]

Recognized Resources

The Santa Clarita Valley Historical Society and the California Register of Historic Resources (CRHR) list 9 historical properties, sites, and landmarks in the County's Planning Area. The approximate locations of these sites within the County's Planning Area are shown on **Figure 3.8-1, Cultural Resources Within the County's Planning Area**. The sites are listed in **Table 3.8-1, Locations of Cultural and Historical Resources in the County's Planning Area** and the descriptions of those sites are listed in **Table 3.8-2, Cultural and Historical Resources in the County's Planning Area.** Of these sites, one is a California Register of Historic Resources, five are State Historic Landmarks, and three are national Register of Historic Places.

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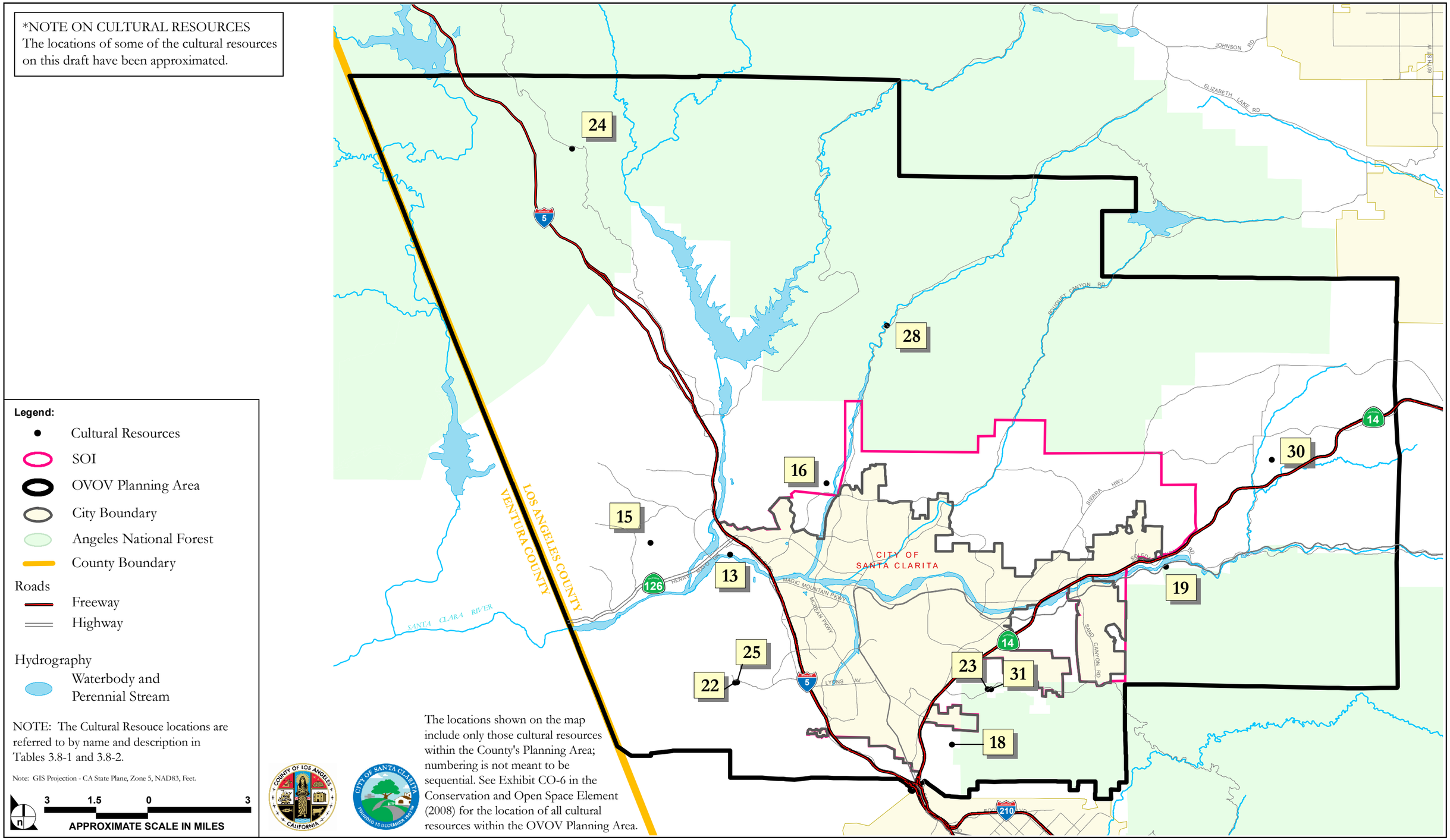
15 Rincon (2002).

16 City of Santa Clarita (1999).

17 Rincon (2002).

*NOTE ON CULTURAL RESOURCES
The locations of some of the cultural resources on this draft have been approximated.



SOURCE: One Valley, One Vision Draft Conservation and Open Space Element, Table CO 6, 2008

FIGURE **3.8-1**

Cultural Resources Within the County's Planning Area

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In addition to these sites, literature surveys prepared for recent studies identified 69 archaeological sites or isolated artifacts within 0.25 mile of the Santa Clara River as it runs through the Santa Clarita Valley.[18] Additional sites are likely present, as the river represented a major resource for Native American groups in the vicinity. Historical and archaeological sites can also be important cultural resources for Native American groups, as the activities that lead to the creation of the sites may have been ceremonial or otherwise culturally significant. This is especially true for gravesites, which are afforded special protection by state law. It is important to note, however, that not all such sites are indicated by artifactual evidence. These sites generally occur in the same types of locations as archaeological sites, often (but not always) near resource areas such as watercourses, drainages, and woodlands. These sites are also at risk from development, particularly because no outward signs are often provided, and Native Americans are reluctant to discuss the locations of these sites due to cultural taboos and/or a desire to protect the sites from intrusion.

Table 3.8-1
Locations of Cultural and Historical Resources in the County's Planning Area*

Map Reference Number	Cultural Site
13	Asistencia/Rancho San Francisco
15	Bowers Cave
16	Harry Carey Ranch
18	La Puerta
19	Lang Station
22	Mentryville
23	Oak of the Golden Dream
24	Old Ridge Route
25	Pico #4 Oil Well
28	St. Francis Dam Disaster Site
30	Vasquez Rocks
31	Walker Cabin

* *Locations of historic resources are identified on **Figure 3.8-1 Cultural Resources** within the County's Planning Area using the map reference number provided in **Table 3.8-1**. The numbering of cultural resources in **Table 3.8-1** and on **Figure 3.8-1** is not intended to be sequential and represent only those resources located within the County's Planning Area. A complete listing of cultural and historical resources within the OVOV Planning Area can be found in the proposed Area Plan Conservation and Open Space Element.*
Source: Draft One Valley One Vision, Conservation and Open Space Element, pg CO-39, 2008.

18 CH2MHill (1996).

Table 3.8-2
Cultural and Historical Resources in the County's Planning Area

Cultural Site	Historical Significance
Asistencia/Rancho San Francisco (State Historic Landmark #556) West of Magic Mountain Parkway near SR-126 (Plaque located at Blue Moon Restaurant), Castaic Map Reference Number (MRN 13)	The Santa Clara River Valley was a part of Mission San Fernando in 1797. A granary and estencia (outpost) was established here in 1804.
Bowers Cave MRN 15	Discovery site of significant Native American cultural artifacts. Located in the hillside at the entry to Chiquita Canyon Landfill.
Harry Carey Ranch Historic District (California Register of Historical Resources) 28515 San Francisquito Canyon Road MRN 16	This complex contains historic buildings associated with western film actor Harry Carey, who purchased the property for a residence and filming in 1916. Nine buildings of the complex comprise the Harry Carey Historic District. Harry and Olive Carey had the ranch house and its various outbuildings built during the 1920s and 1930s, a period when they and their children lived at the ranch. Carey's 20-year career included more than 200 films. In 2005, the County accepted the donation of the Historic District from the property owner as part of the approval process for an adjacent housing development. The significance of the district is based not only on its role in the early film industry, but on the character and quality of the ranch buildings and the main residence known as the Tesoro Adobe. The property is maintained as a museum by the County of Los Angeles.
La Puerta MRN 18	The "door of The Old Road" is located in the southwestern portion of Elsmere Canyon. Identified as both a natural physical and visual resource, La Puerta figures as a significant anthropological, military, religious, economic, and cultural resource in the Planning Area. La Puerta served as an ancient defining geographic marker and point of reference for local Native Americans (the Tatavium Indians). La Puerta ("The Door") of El Camino Viejo Is the one feature that has been consistently recognized as a major landmark to Native Americans, Spanish Explorers and American pioneers, effectively placing these historic trails in Elsmere Canyon.
Lang Station (State Historic Landmark #590) East of Lang Station Road MRN 19	A health spa, hotel, and freight station were established here in 1871. In 1876, a golden spike was driven connecting San Francisco and Los Angeles by rail. Only relics of the station remain.
Mentryville (State Historic Landmark #516-2) 27201 West Pico Canyon, Newhall MRN 22	The town grew around Pico #4 for derrick workers. Four buildings remain. Many others have been relocated to Newhall.

Cultural Site	Historical Significance
Oak of the Golden Dream (State Historic Landmark #168) MRN 23	Gold was first discovered in California under this tree in 1842.
Old Ridge Route (National Register of Historic Places) MRN 24	First opened in 1915, the narrow, curvy 30-mile Ridge Route is a 20-foot wide roadway, carved out using horse-drawn dirt scrapers that zigzagged across the ridges of the western San Gabriel Mountains. The road was named for the way it followed the ridgeline of the mountains. Paved in 1919, the Ridge Route Highway, officially named the Castaic-Tejon Route, became the first direct road connecting Los Angeles and Bakersfield. Often referred to as the original Grapevine route, the nickname stems from the fact that early wagoners had to hack their way through thick patches of Cimarron grapevines that inhabited "La Canada de Las Uvas" ("Canyon of the Grapes"). Without this road, California may have become two separate states. In 1933 the State opened the Ridge Route Alternate, a three-lane road with fewer curves that would eventually be designated California Route 99. This alternate was widened to four lanes in the 1950s, then realigned and rebuilt in the 1960s as a high-speed interstate freeway. The original Ridge Route was abandoned, but parts of the old road are still visible north of Castaic.
Pico # 4 Oil Well (National Register of Historic Places) (State Historic Landmark #516) 27201 West Pico Canyon, Newhall MRN 25	First successful oil well in California and longest producing commercial oil well in the world in 1876 by California Star Oil Company, a predecessor of Standard Oil Company of California. Located in Mentryville/Pico Canyon.
St. Francis Dam Disaster Site (State Historic Landmark #919) DWP Power Plant 2 San Francisquito Canyon Road MRN 28	On March 12, 1928, the dam, a part of the Los Angeles Aqueduct at San Francisquito Canyon, collapsed, spilling more than 12 billion gallons of water into the Valley and killing at least 450 people.
Vasquez Rocks Agua Dulce National Register of Historic Places (Site # 72000228, 1972) MRN 30	This 745-acre park of unique geological rock formations is located near Agua Dulce Springs. The park features a history trail tour about the Tataviam Indians and early Spanish settlers. Located on the San Andreas fault, the sandstone rock formations were uplifted during the Cenozoic era, approximately 25 million years ago. In 1873-74, one of California's most notorious bandits, Tiburcio Vasquez, used these rocks as a hiding place to evade law enforcement. His name has since been associated with the geologic feature.
Walker Cabin Placerita Canyon Natural Area MRN 31	Built by Frank Walker around 1920, the cabin served as the family's second home for about 10 years. The cabin has been fully restored and refurnished as part of the County-maintained Visitor's Center.

Sources: Santa Clarita Valley Historical Society, http://www.scvhistory.com/scvhistory/index2.htm, 1991; State of California, Office of Historic Preservation, November 27, 2002, The Signal, and the City of Santa Clarita.

REGULATORY SETTING

The treatment of cultural resources is governed by federal, state, and local laws and guidelines. There are specific criteria for determining whether prehistoric and historic sites or objects are significant and/or protected by law. Federal and state significance criteria generally focus on the resource's integrity and uniqueness, its relationship to similar resources, and its potential to contribute important information to scholarly research. Some resources that do not meet federal significance criteria may be considered significant by state criteria. The laws and regulation seek to mitigate impacts on significant prehistoric or historic resources. The federal, state, and local laws and guidelines for protecting historic resources are summarized below.

Federal Regulations

The National Historic Preservation Act of 1966

The National Historic Preservation Act of 1966 established the National Register of Historic Places (NRHP) as the official federal list of cultural resources that have been nominated by state offices for their historical significance at the local, state, or national level. Properties listed in the NRHP, or "determined eligible" for listing, must meet certain criteria for historical significance and possess integrity of form, location, and setting.

Criteria for listing on the NRHP are significance in American history, architecture, archaeology, engineering, and culture as present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and that are (a) associated with events that have made a significant contribution to the broad patterns of our history; (b) associated with the lives of persons significant in our past; (c) embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values, represent a significant and distinguishable entity whose components may lack individual distinction; or (d) have yielded, or may be likely to yield, information important in prehistory or history. Criterion D is usually reserved for archaeological and paleontological resources. Eligible properties meet at least one of the criteria and exhibit integrity, measured by the degree to which the resource retains its historical properties and conveys its historical character, the degree to which the original fabric has been retained, and the reversibility of changes to the property.

State Regulations

California Senate Bill 18

Cities and counties are required pursuant to Senate Bill (SB) 18 to notify and consult with California Native American Tribes about proposed local land use planning decisions for protecting Traditional Tribal Cultural Places.[19] Cities and counties must obtain a list of the California Native American tribes from the NAHC whose traditional lands within the agency's jurisdiction may be affected by a proposed adoption or amendment of a General Plan or Specific Plan. Prior to the adoption or any amendment of a General Plan or Specific Plan, a local government must notify the appropriate tribes of the opportunity to conduct consultations on the proposed action. Prior to the adoption or substantial amendment of the General Plan or Specific Plan, a local government must refer the proposed action to those tribes on the Native American contact list that have traditional lands within the agency's jurisdiction.

To help local officials meet these new obligations, SB 18 requires the Governor's Office of Planning and Research (OPR) to amend its General Plan Guidelines to include advice to local government on how to consult with California Native American tribes.

Developed in consultation with the NAHC, the OPR guidelines include advice for consulting with California Native American Tribes for:

- the preservation of or the mitigation of impacts to, cultural places.
- procedures for identifying through the NAHC the appropriate California Native American tribes.
- procedures for continuing to protect the confidentiality of information concerning the specific identity, location, character, and use of cultural places. [20]
- procedures to facilitate voluntary landowner participation to preserve and protect the specific identity, location character, and use of cultural places.

The California Register of Historic Resources

State law[21] also protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources in CEQA documents. A cultural resource is an important historical resource if it meets

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19 California Senate Bill 18, Chapter 905, Statutes of 2004.

20 California Government Code, Section 65040.2(g).

21 Public Resource Code. Section 5020 et seq. "State Historical Resources Commission."

any of the criteria found in Section 15064.5(a) of the *State CEQA Guidelines*. These criteria are nearly identical to those for the NRHP, which are listed above.

The State Historic Preservation Office (SHPO) maintains the CRHR. Properties listed, or formally designated eligible for listing, on the NRHP are automatically listed on the CRHR, as are state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

California Health and Safety Code

These sections[22] collectively address the illegality of interference with human burial remains (except as allowed under applicable sections of the Public Resources Code), as well as the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project, treatment of the remains prior to, during and after evaluation, and reburial procedures.

California Senate Bill 297 (1982)

This bill addresses the disposition of Native American burials in archaeological sites and protects such remains from disturbance, vandalism, or inadvertent destruction; establishes procedures to be implemented if Native American skeletal remains are discovered during construction of a project; and establishes the NAHC to resolve disputes regarding the disposition of such remains.

Local Regulations

Los Angeles County Historical Landmarks and Records Commission

Reviews and recommends cultural heritage resources in the unincorporated area for inclusion in the State Historic Resources Inventory.[23] The Commission shall consider and recommend to the Board local historical landmarks defined to be worthy of registration by the State of California Department of Parks and Recreation, either as "California Historical Landmarks" or as " Points of Historical Interest," and may consider and comment for the Board on applications relating to the National Register of Historic Places.

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22 California Health and Safety Code. Sections 7050.5, 7051, and 7054.

23 Los Angeles County. "Chapter 6: Conservation and Open Space Element." *Draft General Plan*. 2008; Historical Landmarks and Records Commission. "Fact Sheet." http://bos.co.la.ca.us/Rosters/FactSheets/Frame.htm. (2008).

Criteria for designation, including significance and access and provision for maintenance, shall be as specified in state law, including the California Public Resources Code, or in regulations and interpretations of the State Historical Resources Commission.

THRESHOLDS OF SIGNIFICANCE

The *State CEQA Guidelines* identifies certain criteria for determining whether any significant cultural resources will result with the implementation of the County's Santa Clarita Valley Area Plan:

- The Area Plan will cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5;
- The Area Plan will cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5;
- The Area Plan will directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;
- The Area Plan will disturb any human remains, including those interred outside of formal cemeteries.

IMPACT ANALYSIS

This impact analysis section evaluates the potential effects of the proposed Area Plan policies on cultural resources within the County's Planning Area using the *State CEQA Guidelines* thresholds of significance.

Impact 3.8-1 **The Area Plan will cause a potentially substantial adverse change in the significance of a historical resource as defined in Section 15064.5.**

As defined by CEQA Section 15064.5(b), "substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." In order to create such a substantial adverse change, the resource must first possess historical significance. Secondly, the resource must meet the time and integrity criteria to be eligible for listing in the CRHR. Fifty years is used as a general estimate of the time needed to develop this perspective and permit a legitimate understanding of the resource's significance. A resource less than 50 years old may be considered for listing in the California Register if it can be demonstrated that sufficient time has passed to understand its historical importance.

Historic Significance. The resource has historical significance as defined by the State Office of Historic Preservation. A resource possesses historical significance if it meets one or more of the following criteria:

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

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

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

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

Buildout in the County's Planning Area would result in a substantial increase in population and infrastructure. This increase in population would require the development and disturbance of vacant lands. Implementation of the Area Plan would then have the potential to have a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.

As the County expands, the development of infrastructure would potentially encroach on designated historical structures. Identification of known structures, (**Figure 3.8-1** and **Table 3.8-2**) will help protect them and contribute to community identity and a sense of history. **Policy CO 5.1.1** to **Policy CO 5.1.3** require review of appropriate documentations for sites identified on the actual and historic resources map (**Figure 3.8-1**) prior to issuance of any permits for grading, demolition, alteration, and/or new development, to avoid significant adverse impacts. **Policy CO 5.1.2** requires review of any proposed alterations to cultural and historic sites identified in **Table 3.8-2** or other sites which are so designated based on guidelines contained in the Secretary of the Interior's Standards for the Treatment of Properties or other adopted County guidelines. As new information about other potentially significant historic and cultural sites becomes available, an update to the cultural and historic resources inventory would be required and appropriate measures applied to all identified sites to protect their historic and cultural integrity (**Policy CO 5.1.3**). The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association.

Federal, state, and local regulations help determine if a structure, building, or land site should be listed as a historical resource. The County should maintain and acquire, where appropriate, open space to preserve cultural and historic resources (**Policy CO 10.1.4**). As identified in the federal, state, and local regulations any new development, as a result of the proposed build out, would have to conform to the aforementioned regulations to enhance and maintain the character, architectural style, or significance of

the historical or cultural resource (**Policy LU 2.2.2**). **Policy LU 6.4.6** requires the development review and environmental review processes to evaluate impacts on historic and cultural sites. The implementation of the policies would reduce the potential impact on significant historical resources to less than significant.

Proposed Area Plan Policies

Policy CO 5.1.1: For sites identified on the Cultural and Historical Resources Map (Figure CO 6), review appropriate documentation prior to issuance of any permits for grading, demolition, alteration, or new development, to avoid significant adverse impacts. Such documentation may include cultural resource reports, Environmental Impact Reports, or other information as determined to be adequate by the reviewing authority.

Policy CO 5.1.2: Review any proposed alterations to cultural and historic sites identified in Table CO 1 or other sites which are so designated, based on the guidelines contained in the Secretary of the Interior's Standards for the Treatment of Properties (Title 36, Code of Federal Regulations, Chapter 1, Part 68, also known as 36 CFR 68), or other adopted County guidelines.

Policy CO 5.1.3: As new information about other potentially significant historic and cultural sites becomes available, update the Cultural and Historical Resources Inventory and apply appropriate measures to all identified sites to protect their historical and cultural integrity.

Policy CO 10.1.4: Maintain and acquire, where appropriate, open space to preserve cultural and historical resources.

Policy LU 2.2.2: Identify sites and areas with historical or cultural value to the community, and ensure that uses in or adjacent to these areas will not impact their historical integrity.

Policy LU 6.4.6: Through the environmental review and development review processes, evaluate impacts on historic and cultural sites from proposed development and require appropriate mitigation.

Effectiveness of Proposed Area Plan Policies

Implementation of the proposed Area Plan policies related to historic resources would reduce the effects of growth and development by (1) requiring development proposals be evaluated for the presence of historic resources and (2) by protecting historic buildings from demolition by undergoing review of appropriate documentation (i.e., cultural resource reports) as seen in mitigation measure **MM 3.8-1**.

Impact 3.8-2 **The Area Plan will cause a potentially substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.**

In the protection and management of the cultural environment, *State CEQA Guidelines* provides definitions and standards for cultural resource management. The term "unique archaeological resource" has the following meaning according to CEQA[24]:

"An archaeological artifact, object, or site about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

1. Contains information needed to answer important scientific research questions, and there is a demonstrable public interest in that information.

2. Has a special and particular quality, such as the oldest of its type or the best available example of its type.

3. Is directly associated with a scientifically recognized important prehistoric or historic event or person."

The County's Planning Area is rich with many different cultural and archeological resources with many of the potential archeological resources still buried under soil. The disturbance of the soil has the potential to uncover any unknown resources that have contributed to the contribution of California's history. The implementation of the Area Plan would have the potential to negatively impact these resources. If a site is deemed to have an archeological resource then the appropriate measures will be applied. If the site does not meet the criteria defined[25] but meets the definition of a unique archeological resource, the site shall be treated in accordance with *State CEQA Guidelines*[26] (**Policy CO 5.1.1**). As the County approaches buildout there is the potential to demolish existing buildings which are in the

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24 *CEQA Guidelines*, Section 21083.2

25 *CEQA Guidelines*, Section 15064.5(a)

26 California Public Resources Code, Section 21084.1; *CEQA Guidelines* 15126.4

timeline or timeframe of becoming historic landmarks or buildings. Implementation of **Policies CO 5.1.1** through **CO 5.1.3** would reduce the impacts to less than significant.

As stated in *State CEQA Guidelines*[27] and in Senate Bill 18 the notification to any of the appropriate California Native American tribes via the contact list maintained by the California Native American Heritage Commission would be conducted on a project-by-project basis by the County (**Policy CO 5.3.1**). Notification to the Native American Heritage Commission for contacting the appropriate tribes would be required on a project-by-project basis (**Policy CO 5.3.2**). **Policy CO 5.3.3** requires the appropriate environmental impact analysis that is required by CEQA. Vasquez Rocks and the Santa Clara River have been designated open space on the Land Use Map (**Policy LU 6.4.3**). The identification and preservation areas for open space would help conserve and protect significant cultural and historical resources (**Policy CO 10.1.4** and **Policies LU 6.4.3 and LU 6.4.6**). The incorporation of designating open space in these sensitive areas would further (**Policy CO 10.1.4** and **Policies LU 6.4.3** and **LU 6.4.6**) the County to add more recreation areas. The preservation of open space within the County's Planning Area would be consistent with the proposed Area Plan.

Proposed Area Plan Policies

Policy CO 5.3.1: For any proposed Area Plan Amendment, Specific Plan, or Specific Plan Amendment, notify and consult with any California Native American tribes on the contact list maintained by the California Native American Heritage Commission that have traditional lands within the County's jurisdiction, regarding any potential impacts to Native American resources from the proposed action, pursuant to State guidelines.

Policy CO 5.3.2: For any proposed development project that may have a potential impact on Native American cultural resources, provide notification to California Native American tribes on the contact list maintained by the Native American Heritage Commission that have traditional lands within the County's jurisdiction, and consider the input received prior to a discretionary decision.

Policy CO 5.3.3: Review and consider a cultural resources study for any new grading or development in areas identified as having a high potential for Native American resources, and incorporate recommendations into the project approval as appropriate to mitigate impacts to cultural resources.

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27 California Public Resources Code, Section 21084.1; *CEQA Guidelines*, Section 15064

Policy LU 6.4.3: Maintain cultural resources from pre-historical Native American habitation and historical settlement in the areas around Vasquez Rocks, Elsmere Canyon, and along the Santa Clara River, through designation of these areas as Open Space on the Land Use Map.

Effectiveness of Proposed Area Plan Policies

The above policies of the Area Plan would reduce potential impacts on archeological resources. However, the policies above do not identify mitigation measures required if archeological resources are found to be impacted by the proposed buildout. Implementation of mitigation measures **MM 3.8-1 to MM 3.8-5** would reduce any potentially adverse impacts on archeological resources to less than significant.

Impact 3.8-3 **The Area Plan will potentially directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.**

Significant paleontological resources are fossils or assemblages of fossils that are unique, unusual, rare, uncommon, diagnostically or stratigraphically important, and those that add to an existing body of knowledge in specific areas, stratigraphically, taxonomically, or regionally. They include fossil remains of large to very small aquatic and terrestrial vertebrates, remains of plants and animals previously not represented in certain portions of the stratigraphy, and assemblages of fossils that might aid stratigraphic correlations, particularly those offering data for the interpretation of tectonic events, geomorphologic evolution, paleoclimatology, and the relationships of aquatic and terrestrial species. Most of the potential fossil-producing rock formations are located within hilly terrain in the County Planning Area (**Policy LU 6.4.6**). The potential increase in development potentially affect paleontological and unique geologic resources. This would conflict with the potential for preserving significant fossil remains (**Policy CO 10.1.4**). Implementation of mitigation measures listed below would reduce potentially significant impacts on paleontological or unique geologic resources to less than significant.

Proposed Area Plan Policies

The proposed Area Plan **Policies LU 6.4.6** and **CO 10.1.4** have already been cited.

Effectiveness of Proposed Area Plan Policies

The proposed Area Plan policies would reduce the impacts on paleontological and/or unique geologic resources. However, the policies above do not identify general mitigation measures required if archeological resources are found to be impacted by the proposed buildout. Implementation of mitigation

measures **MM 3.8-4** and **MM 3.8-6** would reduce potentially significant paleontological and/or unique geological impacts to less than significant.

Impact 3.8-4 **The Area Plan will potentially disturb any human remains, including those interred outside of formal cemeteries.**

The County's Planning Area has been a very active geologic area and has been transformed throughout the years. With the location of the San Andreas Fault within miles of the OVOV Planning Area the shape and the history of the Valley will always change and has the potential to uncover many unknown resources (**Policies CO 5.3.1** to **CO 5.3.3**). There is potential for many human remains to be located near the Santa Clara River and the foothills of the surrounding mountains (**Policy LU 6.4.3**). Future development would require the disturbance and movement of earth and would thus have the potential for adverse impacts on human remains (**Policy LU 6.4.6**). Implementation of the policies of the proposed Area Plan and implementation of mitigation measure **MM 3.8-7** would reduce the impacts to less than significant.

Proposed Area Plan Policies

The proposed Area Plan **Policies CO 5.3.1 to CO 5.3.3, LU 6.4.3**, and **LU 6.4.6** have already been cited.

Effectiveness of Proposed Area Plan Policies

The proposed Area Plan would reduce impacts on the potential disturbance of human remains. If the presence of human remains is identified during the County's buildout, mitigation measure **MM 3.8-7** shall be implemented to reduce potential impacts on human remains.

MITIGATION FRAMEWORK

Implementation of the following mitigation measures would reduce potential impacts on cultural resources to a less than significant level.

MM 3.8-1 Avoidance is the preferred treatment for cultural resources. Where feasible, project plans shall be developed to allow avoidance of cultural resources. Where avoidance of construction impacts is possible, covering of the cultural resource site with a layer of chemically stable soil and avoidance planting (e.g., planting of prickly pear cactus) shall be employed to ensure that indirect impacts from increased public availability to the site are avoided. Where avoidance is selected, cultural resource sites shall be deeded into permanent conservation easements or dedicated open space.

MM 3.8-2 If avoidance and/or preservation of in place cultural resources is not possible, the following mitigation measures shall be initiated for each impacted site:

a. A participant-observer, as determined by the Native American Heritage Commission (NAHC), shall be used during archaeological testing or excavation in the project site.

b. Prior to the issuance of a grading permit for the project, the project proponent shall develop a test level research design detailing how the cultural resource investigation shall be executed and providing specific research questions that shall be addressed through the excavation program. In particular, the testing program shall characterize the site constituents, horizontal and vertical extent, and, if possible, period of use. The testing program shall also address the California Register and National Register eligibility of the cultural resource and make recommendations as to the suitability of the resource for listing on either Register. The research design shall be submitted to the County of Los Angeles Regional Park and Open-Space District for review and comment. For sites determined, through the Testing Program, to be ineligible for listing on either the California or National Register, execution of the Testing Program will suffice as mitigation of project impacts to this resource.

MM 3.8-3 In the unlikely event that artifacts are found during grading within the County's Planning Area or future roadway extensions, an archaeologist will be notified to stabilize, recover, and evaluate such finds.

MM 3.8-4 Prior to grading, as part of an inspection testing program, a Los Angeles County Natural History Museum-approved inspector is to be on site to salvage scientifically significant fossil remains. The duration of these inspections depends on the potential for the discovery of fossils, the rate of excavation, and the abundance of fossils. Geological formations (like the Saugus Formation) with a high potential will initially require full time monitoring during grading activities. Geologic formations (like the Quaternary terrace deposits) with a moderate potential will initially require half-time monitoring. If fossil production is lower than expected, the duration of monitoring efforts should be reduced. Should the excavations yield significant paleontological resources, excavation is to be stopped or redirected until the extent of the find is established and the resources are salvaged. A report of the inspection testing program shall include an itemized inventory of the fossils, pertinent geologic and stratigraphic data, field notes of the collectors and include recommendations for future monitoring efforts in the County's Planning Area. Prior to grading, an agreement shall be reached with a suitable public, non-profit scientific repository, such as the Los Angeles County Museum of Natural History or similar institution, regarding acceptance of fossil collections.

MM 3.8-5 For archeological sites accidentally discovered during future construction, there shall be an immediate evaluation of the find by a qualified archeologist. If the find is determined to be a historical or unique archeological resource, as defined under CEQA, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation shall be provided. Construction work may continue on other parts of the construction site while historical/archeological mitigation takes place, pursuant to Public Resources Code Section 21083.2(i).

MM 3.8-6 During grading activities. In the unlikely event that artifacts are found during grading within the planning area or future roadway extensions, a paleontologist will be notified to stabilize, recover, and evaluate such finds.

MM 3.8-7 If human remains are encountered during a public or private construction activity, other than at a cemetery, State Health and Safety Code 7050.5 states that no further disturbance shall occur until the Los Angeles County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The Los Angeles County Coroner must be notified within 24 hours.

a. If the coroner determines that the burial is not historic, but prehistoric, the Native American Heritage Commission (NAHC) must be contacted to determine the most likely descendent (MLD) for this area. The MLD may become involved with the disposition of the burial following scientific analysis.

SIGNIFICANCE OF IMPACT WITH MITIGATION FRAMEWORK

Provided that the County implements the proposed Area Plan policies and the above mitigation measures, potentially significant cultural, historic, paleontological impacts and disturbance to human remains would be reduced to less than significant.