

5. Environmental Analysis

5.5 CULTURAL RESOURCES

Cultural resources include places, objects, and settlements that reflect group or individual religious, archaeological, architectural, or paleontological activities. Such resources provide information on scientific progress, environmental adaptations, group ideology, or other human advancements. This section of the Draft Environmental Impact Report (DEIR) evaluates whether implementation of the Proposed Project will have an impact on cultural resources in the Project Area. The analysis in this section is based, in part, upon information in the following report:

- *Cultural Resources Technical Report for the County of Los Angeles General Plan Environmental Impact Report*, Sapphos Environmental, Inc., June 12, 2014

A complete copy of this study is included as Appendix H to this DEIR.

In addition, historical and chronological information on prehistoric periods, Native American habitation in the region, and later settlements were compiled from Los Angeles County records, the 2014 Los Angeles County General Plan Public Review Draft, and the *Los Angeles Almanac*, 2014.

5.5.1 Environmental Setting

5.5.1.1 REGULATORY SETTING

Federal and state regulations, plans, or guidelines that are potentially applicable to the Proposed Project are summarized below.

Federal Regulations

Archaeological Resources Protection Act

The Archaeological Resources Protection Act of 1979 regulates the protection of archaeological resources and sites that are on federal and Native American lands.

National Historic Preservation Act

The National Historic Preservation Act of 1966 (NHPA) authorized the National Register of Historic Places (NRHP) and coordinates public and private efforts to identify, evaluate, and protect the nation's historic and archaeological resources. The NRHP includes districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture.

Section 106 (Protection of Historic Properties) of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties. Section 106 Review refers to the federal review process that is designed to ensure that historic properties are considered during federal project planning and implementation. The Advisory Council on Historic Preservation, which is an independent federal agency, administers the review process with assistance from State Historic Preservation Offices.

5. Environmental Analysis

CULTURAL RESOURCES

National Register of Historic Places

Developed in 1981, the National Register of Historic Places (NRHP) is the nation's official list of buildings, structures, objects, sites, and districts worthy of preservation because of their significance in American history, architecture, archeology, engineering, and culture. The NRHP recognizes resources of local, state, and national significance that have been documented and evaluated according to uniform standards and criteria. Authorized under the NHPA, the NRHP is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect historic and archeological resources. The NRHP is administered by the National Park Service, which is part of the U.S. Department of the Interior.

To be eligible for listing in the NRHP, a resource must meet at least one of the following criteria:

- Is associated with events that have made a significant contribution to the broad patterns of our history.
- Is associated with the lives of persons significant in our past.
- Embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.
- Has yielded, or may be likely to yield, information important in history or prehistory.

Ordinarily cemeteries, birthplaces, or graves of historic figures; properties owned by religious institutions or used for religious purposes; structures that have been moved from their original locations; reconstructed historic buildings; and properties that are primarily commemorative in nature are not considered eligible for the NRHP unless they satisfy certain conditions. In general, a resource must be 50 years old to be considered for the NRHP unless it satisfies a standard of exceptional importance.

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act (NAGPRA) is a federal law passed in 1990 that provides a process for museums and federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants and culturally affiliated Native American tribes.

Secretary of the Interior's Standards for the Treatment of Historic Properties

Evolving from the *Secretary of the Interior's Standards for Historic Preservation Projects with Guidelines for Applying the Standards* that were developed in 1976, the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* was published in 1995 and codified as 36 CFR 67. Neither technical nor prescriptive, these standards are "intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources." Preservation acknowledges a resource as a document of its history over time and emphasizes stabilization, maintenance, and repair of existing historic fabric. Rehabilitation not only incorporates the retention of features that convey historic character, but also accommodates alterations and additions to facilitate continuing or new uses. Restoration involves the retention and replacement of features from a specific period

5. Environmental Analysis CULTURAL RESOURCES

of significance. Reconstruction, the least used treatment, provides a basis for recreating a missing resource. These standards have been adopted or are used informally by many agencies at all levels of government to review projects that affect historic resources.

Omnibus Lands Act

Originally known as the Paleontological Resources Preservation Act, Title VI Subtitle D, Paleontological Resources Preservation, of the Omnibus Lands Act provides protection for scientifically significant fossils on federal land. The act defines a paleontological resource as “any fossilized remains, traces, or imprints of organisms, preserved in or on the earth’s crust, that are of paleontological interest and that provide information about the history of life on earth.” The act promotes the inventory, monitoring, and scientific and educational use of paleontological resources on federal land and establishes rules for the collection and curation of paleontological materials. Penalties for illegal collection of paleontological resources are also strengthened by the act.

State Regulations

California Register of Historic Resources

The State Historical Resources Commission (SHRC) has designed this program for use by state and local agencies, private groups, and citizens to identify, evaluate, register, and protect California's historical resources. The California Register of Historic Resources (CRHR) is the authoritative guide to the state's significant historical and archeological resources. It encourages public recognition and protection of resources of architectural, historical, archeological, and cultural significance; identifies historical resources for state and local planning purposes; determines eligibility for state historic preservation grant funding; and affords certain protections under CEQA. The CRHR was created to identify resources deemed worthy of preservation on a state level and was modeled closely after the NRHP. The criteria are nearly identical to those of the NRHP but focus upon resources of statewide, rather than national, significance. The CRHR automatically includes resources listed on the NRHP.

To be eligible for listing in the CRHR, a resource must meet at least one of the following criteria:

- 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.
- Associated with the lives of persons important to local, California or national history.
- 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.
- Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

5. Environmental Analysis

CULTURAL RESOURCES

California Historical Landmarks

California Historical Landmarks are buildings, structures, sites, or places that have been determined to have statewide historical significance by meeting at least one of the criteria listed below. The landmark must also be approved for designation by the county board of supervisors or the city/town council in whose jurisdiction it is; be recommended by the SHRC; and be officially designated by the Director of California State Parks. The resource must meet at least one of these criteria:

- Be the first, last, only, or most significant of its type in the state or within a large geographic region (Northern, Central, or Southern California).
- Be associated with an individual or group having a profound influence on the history of California.
- Be a prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer or master builder.

California Public Resources Code

Archaeological, paleontological, and historical sites are protected pursuant to a wide variety of state policies and regulations enumerated under the California Public Resources Code (PRC). In addition, cultural and paleontological resources are recognized as nonrenewable resources and therefore receive protection under the California PRC and CEQA.

California Health and Safety Code Section 7050.5 requires that if human remains are discovered within the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation and made recommendations to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the human remains to be those of a Native American, he or she shall contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. PRC Section 5097.98 mandates the process to be followed in the event of a discovery of any human remains and would mitigate all potential impacts.

PRC Sections 5020 to 5029.5 continued the former Historical Landmarks Advisory Committee as the SHRC. The SHRC oversees the administration of the California Register of Historical Resources and is responsible for the designation of State Historical Landmarks and Historical Points of Interest.

PRC Sections 5079 to 5079.65 define the functions and duties of the Office of Historic Preservation (OHP). The OHP is responsible for the administration of federal- and state-mandated historic preservation programs in California and the California Heritage Fund.

PRC Sections 5097.9 to 5097.991 provide protection to Native American historical and cultural resources and sacred sites and identify the powers and duties of the NAHC. It also requires notification to descendants of

5. Environmental Analysis CULTURAL RESOURCES

discoveries of Native American human remains and provides for treatment and disposition of human remains and associated grave goods.

California Points of Historical Interest

California Points of Historical Interest are sites, buildings, features, or events that are of local (city or county) significance and have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value. Points of Historical Interest designated after December 1997 and recommended by the SHRC also are listed in the CRHR. No historical resource may be designated as both a landmark and a point. If a point is subsequently granted status as a landmark, the point designation will be retired.

To be eligible for designation as a Point of Historical Interest, a resource must meet at least one of the following criteria:

- Be the first, last, only, or most significant of its type within the local geographic region (city or county).
- Be associated with an individual or group having a profound influence on the history of the local area.
- Be a prototype of, or an outstanding example of, a period, style, architectural movement, or construction, or be one of the more notable works or the best surviving work in the local region of a pioneer architect, designer, or master builder.

State Historical Building Code

Created in 1975, the State Historical Building Code (SHBC) provides regulations and standards for the preservation, restoration, rehabilitation, or relocation of historic buildings, structures, and properties that have been determined by an appropriate local or state governmental jurisdiction to be significant in the history, architecture, or culture of an area. Rather than being prescriptive, the SHBC constitutes a set of performance criteria. The SHBC is designed to “help facilitate restoration or change of occupancy in such a way as to preserve original or restored elements and features of a resource; to encourage energy conservation and a cost-effective approach to preservation; and to provide for reasonable safety from earthquake, fire, or other hazards for occupants and users of such buildings, structures, and properties.”

Codified in Health and Safety Code Sections 18950 through 18961, the SHBC provides alternative building regulations and building standards for the rehabilitation, preservation, restoration (including related reconstruction), or relocation of buildings or structures designated as historic buildings. Such alternative building standards and building regulations are intended to facilitate the restoration or change of occupancy so as to preserve their original or restored architectural elements and features, to encourage energy conservation and a cost-effective approach to preservation, and to provide for the safety of the building occupants. The SHBC also serves as a guide for providing reasonable availability, access, and usability by the physically disabled.

5. Environmental Analysis

CULTURAL RESOURCES

State Historic Preservation Officer

The State Historic Preservation Officer (SHPO) is responsible for the operation and management of the OHP, as well as long range preservation planning in California. The governor appoints the SHPO in consultation with the SHRC and the Director of the Department of Parks and Recreation. The SHPO assists the SHRC in accomplishing its goals and duties by developing and administering a program of public information, education, training, and technical assistance. The SHPO also serves as Executive Secretary to the SHRC and is responsible for developing an administrative framework for the SHRC and implementing the SHRC's preservation programs and priorities. The SHPO also oversees implementation of preservation laws regarding historic resources, and oversees the California Historic Resources Inventory, which serves as a listing of historic resources identified using national, state, and local criteria.

Native American Heritage Commission

Section 5097.91 of the PRC established the Native American Heritage Commission (NAHC), whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. Section 5097.98 of the PRC specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

Government Code, Sections 6254(r) and 6254.10

These sections of the California Public Records Act were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places maintained by the NAHC." Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports, maintained by, or in the possession of the Department of Parks and Recreation, the SHRC, the State Lands Commission, the NAHC, another state agency, or a local agency, including the records that the agency obtains through a consultation process between a Native American tribe and a state or local agency."

Health and Safety Code, Sections 7050 and 7052

Health and Safety Code, Section 7050.5 declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground-disturbing activities must cease and the county coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

California Senate Bill 18

Existing law provides limited protection for Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places. These places may include sanctified cemeteries; religious or ceremonial sites; shrines; burial grounds; prehistoric ruins; archaeological or historic sites; Native American rock art inscriptions; or features of Native American historic, cultural, and sacred sites.

5. Environmental Analysis CULTURAL RESOURCES

Senate Bill 18 was signed into law in September 2004 and went into effect on March 1, 2005. It placed new requirements on local governments for developments within or near Traditional Tribal Cultural Places (TTCP). The law required local jurisdictions to provide opportunities for involvement of California Native Americans tribes in the land planning process for the purpose of preserving TTCPs. The Final Tribal Guidelines recommend that the NAHC provide written information as soon as possible but no later than 30 days after being notified to inform the Lead Agency if a proposed project is determined to be in proximity to a TTCP, and another 90 days for tribes to respond to a local government if they want to consult with the local government to determine whether the project would have an adverse impact on the TTCP. There is no statutory limit on the consultation duration. Forty-five days before the action is publicly considered by the local government council, the local government refers action to agencies, following the CEQA public review timeframe. The CEQA public distribution list may include tribes listed by the NAHC who have requested consultation, or it may not. If the NAHC, the tribe, and interested parties agree upon the mitigation measures necessary for the proposed project, it would be included in the project's EIR. If the lead agency and the tribe agree that adequate mitigation or preservation measures cannot be taken, then neither party is obligated to take action.

Per SB 18, a city or county must consult with the NAHC and any appropriate Native American tribe before the adoption, revision, amendment, or update of a city's or county's general plan. Although SB 18 does not specifically mention consultation or notice requirements for adoption or amendment of specific plans, the Final Tribal Guidelines advise that SB 18 requirements extend to specific plans as well, since state planning law requires local governments to use the same process for amendment or adoption of specific plans as general plans (Government Code §65453). In addition, SB 18 provides a new definition of TTCP requiring a traditional association of the site with Native American traditional beliefs, cultural practices, or ceremonies, or the site must be shown to actually have been used for activities related to traditional beliefs, cultural practices, or ceremonies. Previously, the site was defined to require only an association with traditional beliefs, practices, lifeways, and ceremonial activities. In addition, SB 18 amended Civil Code Section 815.3 and adds California Native American tribes to the list of entities that can acquire and hold conservation easements for the purpose of protecting their cultural places.

Mills Act Ordinance and Historic Preservation

The Mills Act Ordinance, which was adopted by the Los Angeles County Board of Supervisors on November 26, 2013, implements the Mills Act in the Project Area. The Ordinance provides for reduced property taxes on eligible historic properties in return for the property owner's agreement to maintain and preserve the historic property. Preservation of properties is to be in accordance with the standards and guidelines set forth by the Secretary of the Interior. The County is accepting applications for the Mills Act historical property contract program through September 30, 2014. Currently, only properties listed on the NRHP or the California Register, and contributing properties located within a National Register or California Register historic district qualify as an eligible property. In conjunction with the Mills Act Ordinance, the County is developing a local Historic Preservation Ordinance to enable the designation of local historic landmarks and districts. Once adopted, local landmarks and districts will be eligible to participate.

5. Environmental Analysis

CULTURAL RESOURCES

County of Los Angeles

Cultural and historic sites or resources listed in the national, state, or local registers maintained by the County of Los Angeles (County) are protected through the Los Angeles County General Plan policies and regulations restricting alteration, relocation, and demolition of historical resources. The California Government Code requires that all zoning ordinances, zone changes, subdivisions, capital improvement plans, and public works projects must be consistent with the General Plan—this includes the designation of all cultural and historical sites and resources. Furthermore, the Los Angeles County Historical Landmarks and Records Commission is the acting local legislative body that reviews and recommends cultural heritage resources in the unincorporated areas for inclusion in the State Historic Resources Inventory.

5.5.1.2 EXISTING CONDITIONS

Cultural Setting

Prehistoric Cultural Setting

General scholarship notes the prehistoric occupation of southern California by various hunter-gatherer groups to at least 12,000 years before present (B.P.) (Moratto 1984). Specifically, the Antelope Valley foothill region has been identified as an axis between coastal and desert populations, as well as northern populations of the Eastern Sierra and northern California (Loftus and Turner 2008). Prehistoric human subsistence is believed to have involved the seasonal exploitation of natural resources by small groups, a strategy that was successfully employed until approximately 2,000 B.P. After that time, changes in the cultural adaptations of these prehistoric communities occurred, changes believed to have been caused by an increase in population, among other potential catalysts. Other potential catalysts for this change include changes in the environment, social organization, technology, or perhaps a combination of all. Specific changes that have been identified include a shift toward a more sedentary settlement pattern with the appearance of semi-permanent villages and an increase in small campsites associated with these larger villages (Loftus and Turner 2008).

Loftus and Turner (2008) identify a generally accepted chronology for dating the various cultural phases of the prehistoric populations that occupied the Mojave Desert and the Great Basin area, which can likewise be applied to the Antelope Valley. This chronology proposes seven specific cultural phases: Pre-projectile Point Period (20000–10000 B.P.), Paleo-Indian Period (ca. 10000 B.C.–8000 B.C.), Lake Mojave Period (8000 B.C.–5000 B.C.), Pinto Period (5000 B.C.–2000 B.C.), Gypsum Period (2000 B.C.–A.D. 500), Rose Spring Period (A.D. 500–1000), and the Late Prehistoric Period (A.D. 1000 to contact).

The Pre-projectile Point Period is a contentious cultural phase that is proposed by some researchers to place early lithic traditions such as Calico, Lake China, and Lake Manix. Specific references can be found in the Loftus and Turner archaeological report (2008). The Paleo-Indian Period is the period associated with Big Game Hunting Traditions that utilized fluted points for hunting late Pleistocene megafauna. A few of these Paleo-Indian fluted points have been found in the Mojave Desert. Examples of Paleo-Indian fluted projectile points include the Clovis and Dalton point types. During the Lake Mojave Period, a diversification of artifact and ecofact assemblages occurs, suggesting the adoption of broader adaptation strategies by prehistoric populations. Artifacts associated with this period include the long-stemmed Lake Mojave and shorter-

5. Environmental Analysis CULTURAL RESOURCES

stemmed Silver Lake projectile points, finds which are often associated with terminal Pleistocene lake shore locations. Relatively few milling stone artifacts have been found in Lake Mojave Period contexts, suggesting a subsistence pattern that emphasized hunting.

The following Pinto Period is characterized by generalized hunter-gatherer populations that occupied seasonal camps in small numbers; it is most likely that the earliest occupants of the Project Area can be placed within this period. Artifacts of this period are exemplified by the Pinto projectile point type, probable evidence of atlatl use, and the appearance of settlement sites near to ephemeral lakes and now-dry springs or creeks. There is a noticeable lack of groundstone or milling stone artifacts at Pinto Period archaeological sites. Cultural adaptations occurred during the Gypsum Period to more arid desert conditions, adaptations that resulted in an increased emphasis on socioeconomic ties through trade, the development of new technologies, and more complex ritual activities. Artifacts commonly associated with the Pinto Period include a wide variety of projectile point types, including but not limited to, the Humboldt Concave base, Gypsum cave, and Elko Eared or Elko Corner-notched, as well as the first appearance of trade artifacts made of shell. A continuation of these artifacts extends into the next period, the Rose Spring Period, as does an increased social complexity due to larger populations and extensive, long-distance trade contacts. Specific projectile point types associated with this period are the Rose Spring and Eastgate; research attests to the existence of several semi-permanent villages that made use of multiple ecological zones, as well as the establishment of extensive trade routes throughout Southern California.

The final prehistoric period is the Late Prehistoric Period; key indicators associated with this period include a broad diffusion of pottery west from the Colorado River area, an abundance of coastal shell beads, and two particular projectile points (Desert Sid enotched and the Cottonwood). With the presence of well-established trade, complex socioeconomic and sociopolitical organization developed, and by approximately 1,000 to 500 years before the present, social complexity had likely reached the chiefdom level. An increase in population resulted in the gradual intensification of much broader environments and food resources. By the mid-17th century, occupation levels decreased in the Antelope Valley, effectively marginalizing the area as one of limited socio-cultural complexity. Most researchers consider the Late Prehistoric Period an extension of the ethnographic present, a claim that is supported by both recorded oral traditions as well as the archaeological record.

Ethnographic Setting

The Project Area is located in the Antelope Valley, a region in which the prehistoric cultural history is poorly documented and/or understood (Kroeber 1925; Moratto 1984; Sutton 1996). Two primary ethnographic populations are known to have inhabited the Project Area, the Tataviam and the Kitanemuk. Various Native American culture groups such as the Chumash, the Serrano/Vanyume, and the Tongva, are also known from areas surrounding the Antelope Valley. It is also noted by Sutton (1988; 1996) that existing archaeological evidence attests that regional trade actively occurred between local population groups and other Western Mojave culture groups (e.g., Mojave or the Chemehuevi), indicating that these desert groups may also have utilized or otherwise traveled through the Antelope Valley region.

5. Environmental Analysis

CULTURAL RESOURCES

Geographically, the Tataviam occupied territory in the southern Antelope Valley, while the Kitanemuk occupied land to the north of the Tataviam, principally in the region around, and farther north of, the Tehachapi Mountains. During the period of European contact, Tataviam territory may have ranged east of Piru, through the entire upper Santa Clara River region, northwards to Pastoria Creek and east to Mount Gleason (King and Blackburn 1978). Likewise, the Kitanemuk territorial sphere covered the western Antelope Valley, which they may have contentiously shared with their southerly neighbors the Tataviam, north to include the Tehachapi Mountains and the eastern High Sierras.

Kroeber (1925) and others recognize the Tataviam as part of the Fernandean group, a generalization referring to all Native populations that were eventually assimilated by the San Fernando Mission. The subsistence strategy of the Tataviam was that of a complex hunter-gatherer society living in small villages and satellite camps that were established near reliable water sources, such as streams or rivers sourcing from the local mountains and foothills, or shoreline settlements around established lakes within the flat desert valley. At a more recent period, it is believed that a chiefdom-type societal structure was adopted, with a single chief overseeing the people inhabiting villages. Plant and animal varieties of particular importance for Tataviam subsistence include, but are not limited to, acorns, seeds, berries, yucca, cactus, and game such as deer and rabbit. Specific knowledge of cultural traits of the Tataviam is scarce, as culturally significant information regarding traditions such as religious beliefs, oral histories, or folklore has been lost as a result of the forced subjugation of this population by European occupation and Missionization. Material culture types associated with the Tataviam are similar to those of their neighbors and include elaborate basketry, ornamental and functional items crafted from shell, steatite, stone and bone.

The Kitanemuk are associated with the Serrano division of the Shoshonean group, and as is the case with their neighbors the Tataviam, little archaeological or ethnographic data exists that details this obscure population (Blackburn and Bean 1978; Kroeber 1925). Blackburn and Bean (1978) described the Kitanemuk as mountain people who occasionally ventured to the lower desert valleys during cooler seasons. Similarly to the Tataviam, the Kitanemuk most likely practiced a seasonal hunter-gatherer subsistence strategy dictated by the seasons. Primary camps and villages were mostly situated in the Tehachapi Mountains and foothills, as well as farther to the north. Important plant and animal varieties include the acorn, pinon pine nuts, native tobacco, and yucca, as well as the hunting of small and large game. Material culture types associated with the Kitanemuk are similar to those of the Tataviam, including the manufacture of lithic projectile points and tools, wooden vessels with shell inlay, and advanced basketry. It is noted that the Kitanemuk, unlike their surrounding neighbors' preference for cremation, appeared to have buried their dead (Kroeber 1925).

Historical Setting

Historic cultural resources are generally more than 45 years of age and range from the earliest time of contact with Europeans to around the year 1960. Numerous types of historical cultural resources can include trails and highways, homesteads and other structures or buildings, remnants of single or time based use activities such as trash deposits, and historically documented landscape sites such as the camp sites of Spanish explorers. Any cultural resource that may be evaluated as significant, important, or unique under current cultural resource protection laws and that can date to more than 45 years of age is considered to be an historic cultural resource. The historical setting for the Project Area can be divided into three parts: The

5. Environmental Analysis CULTURAL RESOURCES

Spanish Period (ca. 1533 to 1821), the Mexican Period (1821 to 1848), and the American Period (1848 to Present).

The Spanish were the first known Europeans to explore and colonize the land area of what is known today as California, territory known to them as Alta California (present-day State of California) and Baja California (Mexican states of Baja California Norte and Baja California Sur). This period of Spanish exploration of eventual colonization is now known as the Spanish Period. Early reconnaissance of California began in 1540 with Hernando de Alarcon's ocean expedition traveling northward up the Gulf of California and into the mouth of the Colorado River, thus making those travelers the first Europeans to enter California. From 1542 to 1543, Juan Rodríguez Cabrillo led an ocean expedition to explore the coastal perimeter of California (Laylander 2000). Cabrillo and his crew first stepped ashore at the present day harbor of San Diego, claiming California for the King of Spain. In addition, the expedition visited most of the Channel Islands and the land near the City of Ventura, and sailed as far north as Monterey Bay, maybe as far north as Point Reyes while failing to site San Francisco Bay.

By the 1560s established sea-trade routes controlled by the Spanish ferried goods from Asian commercial outposts to territories in present-day Mexico by way of the California Coast. The long and arduous trip resulted in many galleons stopping along the coast looking for food and water, thus bringing Europeans into contact with the local Native Californians. With this elevated traffic of goods across the Pacific, raids against Spanish galleons, particularly by Sir Francis Drake, motivated the Spanish to better map California with the intent of establishing ports along its coastline to protect and refurbish the Manila galleons. It took several years after these early explorations of California before official Spanish colonization occurred. In 1769 Franciscan administrator Junípero Serra and the Spanish military under the command of Gaspar de Portolá arrived in San Diego. Thus began the eventual establishment of 21 California Missions and Spanish Missionization efforts, the purpose of which was to "convert" the Native Californians to Catholicism within a ten-year period and then return the Mission lands to the Indians.

The first documented Europeans in the Antelope Valley were the Spanish explorers Captain Pedro Fages in 1772 and Father Francisco Garcés in the late 1770s. At this time, the Tataviamand Kitanemuk culture and ways of life were heavily disrupted, as the process of Spanish Missionization commenced. The founding of the San Fernando Mission in 1797 instituted a direct impact on the region's native inhabitants. Within a few generations, most of the knowledge regarding the language and culture of these local groups had vanished. At the time of the Spanish arrival, population estimates of California Indians were placed at about 310,000 individuals. By the end of the Spanish reign, due to unhygienic Spanish population centers (essentially labor camps), European disease, incarceration of Indians, excessive manual labor demands, and poor nutrition, the population declined with a result of over 100,000 fatalities, nearly one-third of the California Indians (Castillo 1998). Between the first founding of the Spanish Mission, increased migration and settlement occurred in the territories of Alta California until unrest among these new residents impacted Spanish control of the area.

The Mexican Period is marked as beginning in 1821 and is synonymous with Mexico's independence from Spain. Mexico became California's new ruling government and at first, little changed for the California Indians. The Franciscan missions continued to enjoy the free unpaid labor the natives provided, despite the Mexican Republic's 1824 Constitution that declared the Indians to be Mexican citizens. This monopoly of

5. Environmental Analysis

CULTURAL RESOURCES

Indian labor by a system which accounted for nearly one-sixth of land in the state angered the newly land-granted colonial citizens. This led to an uprising of the Indian population against the Mexican government and the eventual secularization and collapse of the mission system by 1834. After the fall of the missions, return of the land to the California Indians was mandated by the government, though little land was.

Other European countries increased their presence in California during the Mexican Period, among them the Russians and the Americans. American ships from Boston traded with the towns and Missions mostly for tallow and hides. In addition, trappers and hunters begin to operate in the state, entering by land from the east. William Manley and John Rogers, American explorers, were among the first non-Native Americans to traverse the Antelope Valley in 1850. Prior to Manley and Roger's arrival in the Antelope Valley came Jedidiah Smith, Kit Carson, Ewing Young, among others, who entered the area in the late 1820s and 1830s. During the Mexican Period, occupation of the Antelope Valley was virtually non-existent. Occasionally, hunting parties concerned with the rounding up of runaway Indians ventured into the valley and the surrounding areas. At this time, it is estimated that very few California Indians peopled the Antelope Valley on a regular basis.

In 1846, armed conflict erupted between Mexican and American forces, resulting in the increased presence of American military forces within California. Rapidly, Mexican resistance deteriorated and the United States occupied Mexico City in 1848, marking the beginning of the American Period. California becomes a U.S. holding with the signing of the Treaty of Guadalupe Hidalgo in February 1848, thereby ending the Mexican-American War and ceding much of the southwest territories to the United States. Just prior to the signing of the treaty, gold was discovered along the American River near Sacramento, sparking the major influx of American adventurers into California. In 1850, California was formally admitted into the Union as the 31st state.

At the beginning of the American Period, little notice was paid to colonizing the Antelope Valley. In fact, most of the late 19th century can be described as a time when people were mostly passing through to other destinations. However, sparsely dispersed ranches were established in the Antelope Valley during the 1860s. The Homestead Act of 1862 and the Desert Land Act of 1877 greatly contributed to the settlement of the Antelope Valley. The Homestead Act opened up public lands to citizens for settlement, based on very minimal requirements. The Desert Land Act intended to "encourage and promote the economic development of arid and semi-arid public lands of the western United States. Through this Act, individuals may apply for a desert-land entry to reclaim, irrigate, and cultivate arid and semi-arid public lands."¹

Agriculture, gas and mining endeavors, and settlement stimulus endeavors such as the Homestead Act and the Desert Land Act contributed to the increased population of the Antelope Valley during the later stages of the 1800s. It was also during the late 1800s that established transportation routes were formed between the City of Los Angeles and the Antelope Valley, including the Butterfield Stage Overland Mail route (1858), the Los Angeles & Independence Railroad, Southern Pacific Railroad (1876), Antelope Valley Line, Union Pacific Lone Pine Branch, the Santa Fe Railroad Branch, among many others. The early 1900s was a period of innovation, which included mechanical irrigation and electricity. Also during this period, an avid pursuit of alfalfa cultivation occurred, quickly elevating this as the Antelope Valley's major crop.

¹<http://www.blm.gov/wo/st/en.html>, accessed July 21, 2014.

5. Environmental Analysis CULTURAL RESOURCES

Cultural Resources

Historical Resources

Los Angeles County has many historical landmarks and points of historical interest in its jurisdiction, including the remnants of vast ranchos, routes of early explorers, historic railroad lines, and the homes of prominent people who shaped local history. Searches for historical resources in Los Angeles County were conducted through the National Register of Historic Places, California Historical Resources (Office of Historic Preservation), California Historical Landmarks, and California Points of Historic Interest. Many of the resources listed in the California Register are also of national significance and listed in the National Register of Historic Places (NRHP).

There are seven historic resources within the Project Area. Figure 5.5-1, *Historic Resource Sites*, displays the locations of these historic resources. Historic resources are listed in the following federal and state databases:

■ National Register of Historic Places

- The CRHR automatically includes resources listed on the NRHP. The two historic resources in the Project Area listed on the NRHP are described in Table 5.5-1.

■ California Historical Landmarks

- Table 5.5-2 summarizes the four California Historical Landmarks in the Project Area.

■ California Points of Historical Interest

- Only one California Points of Historical Interest is located within the Project Area: the Soledad-Acton Schoolhouse was built in 1890 and is located at 32248 N. Crown Valley Road, Acton, CA (Sapphos Environmental 2009).

Table 5.5-1 NRHP Properties in the Project Area

Property Name	Address/Location	Year Listed
Antelope Valley Indian Museum	15701 East Avenue, Lancaster	1987
Ridge Route, Old	Along Old Ridge Route (roughly bounded by Sandberg and Canton Canyon), Castaic	1997

Source: Sapphos Environmental, Inc. 2009; LA County DRP 2014.

5. Environmental Analysis

CULTURAL RESOURCES

Table 5.5-2 California Historical Landmarks in the Project Area

Property Name	Address/Location	Listed in NRHP	Listed in CRHR
Pomona Water Power Plant	Camp Baldy Road (P.M. 2.0), San Antonio Canyon, 8.1 miles North of State Highway 166, Claremont	—	—
Old Short Cut	Angeles National Forest, Chilao Visitor's Center, Angeles Crest Highway (State Hwy 2), 27 miles East of La Canada	—	—
Soledad-Acton Schoolhouse	32248 N. Crown Valley Road, Acton	—	—
The Angeles National Forest	San Gabriel Mountains, Clear Creek Vista Point, State Highway 2 (P.M. 32.8), 8.3 miles North of I-210, La Canada	—	—
Site of Llano Del Rio Cooperative Colony	On State Highway 138 (P.M. 64.1), Llano	—	Yes

Source: Sapphos Environmental, Inc. 2009.

Archaeological Resources

Archaeological resources are prehistoric or historic materials that reflect human activities and may be buried or exist as surface objects or structural remains. The NRHP defines an “archaeological site” (or property) as “the place or places where the remnants of a past culture survive in a physical context that allows for the interpretation of these remains. Archaeological remains usually take the form of artifacts (e.g., fragments of tools, vestiges of utilitarian or non-utilitarian objects), features (e.g., remnants of walls, cooking hearths, or midden deposits), and ecological evidence (e.g., pollen remaining from plants that were in the area when the activities occurred).”

“Prehistoric archaeological sites” represent the material remains of Native American groups and their activities. These sites are generally thought to date to the period before European contact, but in some cases may contain evidence of trade contact with Europeans. “Historic archaeological sites” reflect the activities of nonnative populations during the historic period. Under CEQA, archaeological sites may be treated as historical resources, unique archaeological resources, isolates, or nonunique archaeological resources.

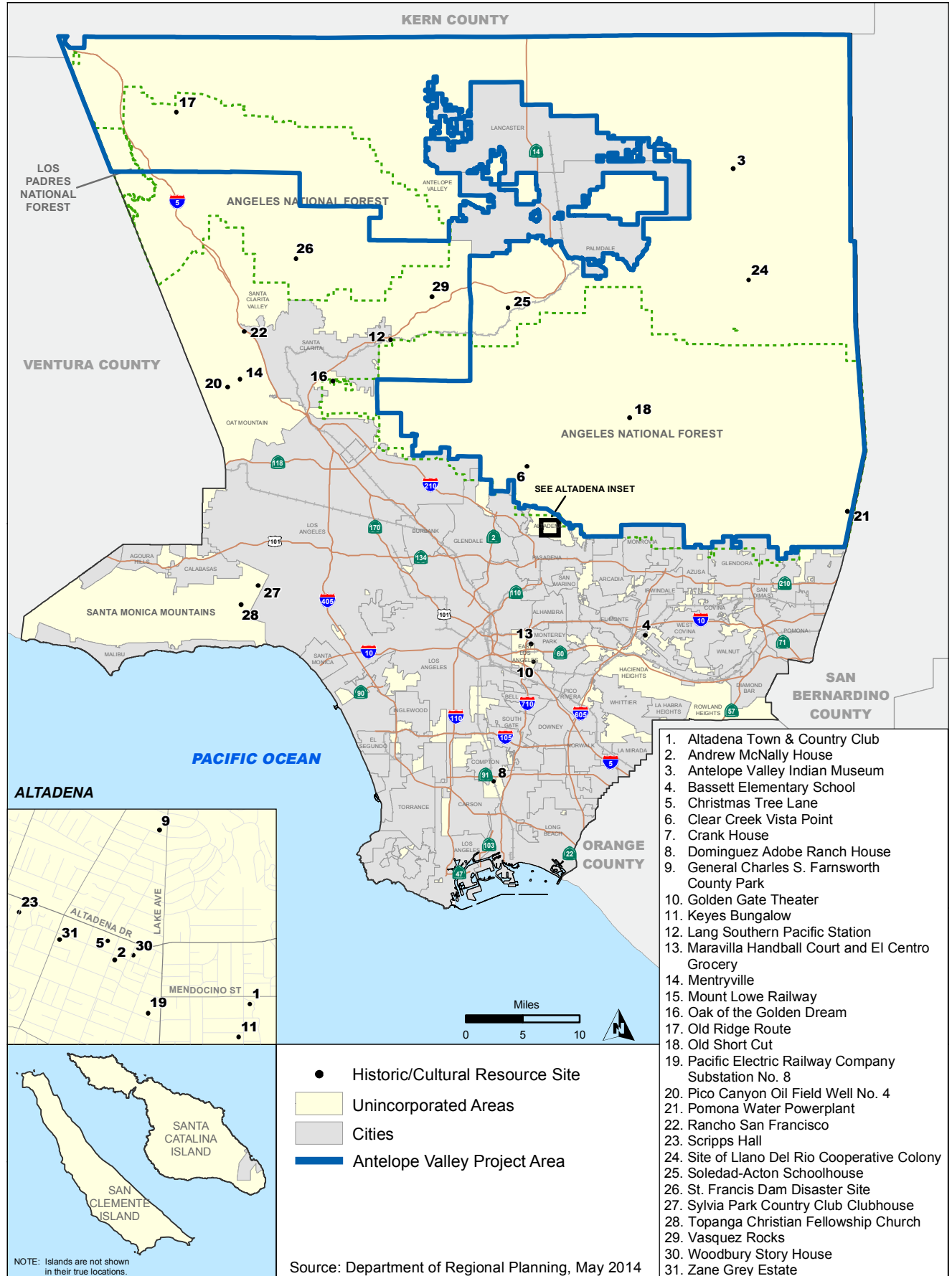
A “unique archaeological resource” is defined by CEQA as an archaeological artifact, object, or site about which it can be clearly demonstrated, without merely adding to the current body of knowledge, that there is a high probability that it meets any of the following criteria:

1. It contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.
2. It has a special and particular quality, such as being the oldest of its type or the best available example of its type.
3. It is directly associated with a scientifically recognized important prehistoric or historic event or person.

5. ENVIRONMENTAL ANALYSIS

FIGURE 5.5-1

HISTORIC RESOURCE SITES



5. Environmental Analysis

CULTURAL RESOURCES

This page intentionally left blank.

5. Environmental Analysis CULTURAL RESOURCES

An “isolate” is defined as an isolated artifact or small group of artifacts that appear to reflect a single event, loci, or activity and may lack identifiable context, but has the potential to add important information about a region, culture, or person. Isolates are considered categorically ineligible for inclusion in the CRHR or the NRHP because their information potential has been exhausted by accurate recording or, when appropriate, by collecting. Isolates do not require avoidance or mitigation under CEQA. A “Native American sacred site” is defined as an area that has been and often continues to be of religious significance to Native American peoples, such as an area where religious ceremonies are practiced or an area that is central to their origins as a people.

Due to the sensitive nature of archaeological sites and as required under state law, locations are not published. Archaeological materials have been found throughout the county, both in urbanized and undeveloped locations (LACo 2009).

Paleontological Resources

Paleontological resources are fossils, or recognizable remains or evidence of past life on earth, including bones, shells, leaves, tracks, burrows, and impressions.

Fossil localities are found throughout the Antelope Valley, from Barrel Springs and the historic Palmdale Ditch area in southeast Palmdale, in the Anaverde Valley to the southwest, and throughout the desert basin into the towns of Lancaster and Rosamond. Fossil specimens vary in type and species, from Pliocene leaves, Miocene and Pleistocene microfauna and ancient pollen in the deeper basin sediments, to Rancholabrean age megafauna from the late Pleistocene Epoch associated in lake bed deposits and along the foothills. Sites range in size and type from the identification of a single microfaunal remain, to a stratigraphic bed or lens of specimens such as with the Anaverde Formation leaf deposits, to multiple species found together as recorded Rancholabrean megafauna localities. Many of these fossil sites are on, or close to, the San Andreas Rift Zone. Since this and other local fault activities allow groundwater to percolate to the surface, extinct and modern-day animals congregated to and are found in these areas.

5.5.2 Thresholds of Significance

CEQA Guidelines Section 15064.5 provides direction on determining significance of impacts to archaeological and historical resources. Generally, a resource shall be considered “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code §§ 5024.1, Title 14 CCR, Section 4852), including the following:

1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
2. Is associated the with lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

5. Environmental Analysis

CULTURAL RESOURCES

4. Has yielded, or may be likely to yield, information important in prehistory or history.

The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, or is not included in a local register of historical resources, does not preclude a lead agency from determining that the resource may be an historical resource.

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- C-1 Cause a substantial adverse change in the significance of an historical resource pursuant to Section 15064.5.
- C-2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- C-3 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- C-4 Disturb any human remains, including those interred outside of formal cemeteries.

5.5.3 Relevant Area Plan Goals and Policies

There are no relevant goals and policies in the Proposed Project related to cultural resources.

5.5.4 Environmental Impacts

The following impact analysis addresses Appendix G thresholds of significance. The applicable thresholds are identified in brackets after the impact statement.

Impact 5.5-1: Development pursuant to the Proposed Project could impact historic resources. [Threshold C-1]

Impact Analysis:

As described previously, seven historic resources are located within the Project Area. Implementation of the Proposed Project would not directly demolish or materially alter historic resources, since no specific development is proposed at this time. However, identified historic structures and sites that are eligible or potentially eligible for National Register of Historic Resources listing may be vulnerable to development activities in accordance with the Proposed Project. For example, redevelopment to enable a different or more intensive use of a site could result in the demolition of historic or potentially historic structures. Additionally, infrastructure or other improvements could result in damage to or demolition of other historic features. There may also be other potential resources that have not been identified, researched, or evaluated for historical significance as defined in CEQA.

As detailed in Section 5.5.1.1, *Regulatory Background*, there are a number of federal, state, and local policies, regulations, and institutions in place to protect historical resources. In addition, the Los Angeles County

5. Environmental Analysis CULTURAL RESOURCES

Historical Landmarks and Records Commission reviews and recommends cultural heritage resources in the unincorporated areas, including the Project Area, for inclusion in the State Historic Resources Inventory. Compliance with these regulations and policies would reduce impacts to historical resources.

Project-level environmental compliance procedures would identify existing and potential historic resources that could be affected by a proposed project and encourage the avoidance of known historic resources to the extent feasible through project siting and design. When impacts to historic resources cannot be avoided, use of the Secretary of the Interior's Standards would be expected to mitigate impacts to a less than significant level. Implementation of the Proposed Project would not itself demolish or materially alter historic resources. Title 22 of the County Code and state and federal regulations restricting alteration, relocation, and demolition of historical resources ensure impacts would be avoided to the extent possible. In addition, the County's Department of Regional Planning is currently working with the Historical Landmarks and Records Commission and the Regional Planning Commission to draft a comprehensive historic preservation ordinance for the unincorporated areas of Los Angeles County. A historic preservation ordinance is local legislation that seeks to preserve, conserve and protect buildings, objects, landscapes, or other artifacts of historical and cultural significance.

However, the above policies afford only limited protection to historic structures and would not ultimately prevent the demolition of a historic structure if preservation is determined to be infeasible. The determination of feasibility will occur on a case-by-case basis as future development applications on sites containing historic structures are submitted. Additionally, some structures that are not currently considered for historic value (as they must generally be at least 50 years or older) could become worthy of consideration during the planning period for the Proposed Project. While policies would minimize the probability of historic structures being demolished, these policies cannot ensure that the demolition of a historic structure would not occur in the future. This is considered a potentially significant impact prior to mitigation.

Impact 5.5-2: Buildout of the Proposed Project could destroy archaeological or paleontological resources or a unique geologic feature. [Threshold C2 and C-3]

Impact Analysis:

Archeological Resources

Development of projects pursuant to the Proposed Project could impact known and unknown archaeological sites. As stated above, locations of archaeological sites and types of resources in each site are kept confidential due to their sensitive nature. The Project Area is considered potentially sensitive for archaeological resources. Thus, ground disturbance has a high potential for uncovering archaeological resources.

Paleontological Resources

Ground disturbance from development projects pursuant to the Proposed Project could damage fossils buried in soils. The Project Area is not an area where significant fossil localities have been found; however, fossils continue to be discovered in the County in association with ground-disturbing activities, particularly in

5. Environmental Analysis

CULTURAL RESOURCES

fossil-rich areas. Therefore, the Project Area contains potentially significant, nonrenewable, paleontological resources.

Conclusion

Implementation of the Proposed Project has the potential to impact archeological and paleontological resources. However, existing federal, state, and local regulations require: the provision of studies to identify archaeological and paleontological resources; application review for projects that would potentially involve land disturbance; project-level standard conditions of approval that address unanticipated archaeological and or paleontological discoveries; and development of specific mitigation measures if resources are encountered during any development activity.

Review and protection of archaeological and paleontological resources is also afforded by CEQA for individual projects subject to discretionary actions that are implemented in accordance with the preferred land use plan. Per section 21083.2 of CEQA, the lead agency shall determine whether the project may have a significant effect on archaeological resources. If the lead agency determines that the project may have a significant effect on unique archaeological resources, the EIR shall address the issue of those resources. There is potential to uncover undiscovered archeological and paleontological resources. In the event of an unanticipated discovery of archaeological resources during grading and excavation of the site, a qualified archaeologist would assess the find and develop a course of action to preserve the find, as indicated in Mitigation Measures CUL-2 and CUL-3.

Impact 5.5-3: Grading activities pursuant to buildout of the Proposed Project could potentially disturb human remains. [Threshold C-4]

Impact Analysis: Results of both the archival research and archaeological reconnaissance indicate that the Project Area is within an area of high sensitivity for cultural resources, both prehistoric and historic. Prehistoric sites and cemeteries are reported west of the Tropico Mine, an area likely utilized by the Kitanemuk. Since the nature of the proposed project would involve ground-disturbing activities, it is possible that such actions could unearth, expose, or disturb previously unknown human remains.

Excavation during construction activities by projects consistent with the Proposed Project has the potential to disturb human burial grounds, including Native American burials, in undeveloped areas of the Project Area. Human burials have specific provisions for treatment in Section 5097 of the California Public Resources Code, which authorizes the Native American Heritage Commission to resolve any disputes related to the disposition of Native American burials. Public Resources Code Section 5097.98 mandates the process to be followed in the event of a discovery of any human remains and would mitigate all potential impacts. The California Health and Safety Code (Sections 7050.5, 7051, and 7054) also have provisions protecting human burial remains from disturbance, vandalism, or destruction. California Health and Safety Code Section 7050.5 requires that if human remains are discovered within the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation and made recommendations to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes or has reason to believe the

5. Environmental Analysis CULTURAL RESOURCES

human remains to be those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Therefore, compliance with these regulations would ensure impacts to human burial grounds remain less than significant.

5.5.5 Cumulative Impacts

Historic, cultural, and paleontological resources are an important part of Los Angeles County's identity and are nonrenewable and irreplaceable.

Cumulative projects located in the Southern California region would have the potential to result in a cumulative impact associated with the loss of historical resources through the physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. These projects are regulated by federal, state and local regulations, including PRC Section 5097, the Mills Act, State Health and Safety Code 18950–1896, and the Secretary of the Interior's Standards for Rehabilitation and Standards for the Treatment of Historic Properties, and would be required to comply with these regulations. Additionally, even with regulations in place, individual historical resources would still have the potential to be impacted or degraded from demolition, destruction, alteration, or structural relocation as a result of new private or public development or redevelopment allowable under cumulative projects. Therefore, the cumulative destruction of significant historical resources from construction and development planned within the region would be considered a cumulatively significant impact. Therefore, the Proposed Project, in combination with cumulative projects, would have the potential to result in a significant cumulative impact associated with historical resources.

In the event of an unanticipated discovery of archaeological resources during grading and excavation of a site, Mitigation Measures CUL-2 and CUL-3 ensure that impacts are mitigated to a less than significant level. Public Resources Code and the California Health and Safety Code mandate processes to be followed in the event of a discovery of any human remains and would mitigate impacts to a less than significant level.

5.5.6 Existing Regulations and Standard Conditions

Federal

- United States Code, Title 16, Sections 470 et seq.: National Historic Preservation Act
- United States Code, Title 16, Sections 470aa et seq.: Archaeological Resources Protection Act
- United States Code, Title 25, Sections 3001 et seq.: Native American Graves Protection and Repatriation Act

State

- California Health and Safety Code Section 7050.5: Disturbance of Human Remains
- California Public Resources Code Sections 5020–5029.5: Authorized State Historical Resources Commission

5. Environmental Analysis

CULTURAL RESOURCES

- California Public Resources Code Sections 5079–5079.65: Authorized Office of Historic Preservation.
- California Public Resources Code Sections 5097.9–5097.99: Protections for Native American historical and cultural resources and sacred sites; authorized Native American Heritage Commission (NAHC); prescribes responsibilities respecting discoveries of Native American human remains.
- California Government Code Sections 65352.3 et seq. (Senate Bill 18): Native American Consultation
- California Code of Regulations, Title 24, Part 8: 2010 California Historic Building Code
- California Government Code Sections 50280 et seq.: Mills Act

Local

- Los Angeles County Historical Landmarks and Records Commission supplements the proposed Antelope Valley Area Plan policies as the acting local legislative body that reviews and recommends cultural heritage resources in the unincorporated areas for inclusion in the State Historic Resources Inventory.

5.5.7 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and standard conditions of approval, the following impact would be less than significant: 5.5-3.

Without mitigation, the following impacts would be **potentially significant**:

- **Impact 5.5-1** Development pursuant to the Proposed Project could impact historic resources.
- **Impact 5.5-2** Buildout of the Proposed Project could impact archaeological and paleontological resources.

5.5.8 Mitigation Measures

Impact 5.5-1

CUL-1 If, during any subsequent project-level review and prior to development, activities that would demolish or otherwise physically alter buildings, structures, or features of an officially listed historic or cultural resource; or historic buildings, structures, or features officially determined eligible for designation as a historic or cultural resource, a cultural resource professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History shall be retained by the project applicant, at the discretion of the County, to determine if the project would cause a substantial adverse change in the significance of a historical resource. The results of the investigation shall be documented in a technical report or memorandum that identifies and evaluates any historical resources within the

5. Environmental Analysis CULTURAL RESOURCES

improvements area and includes recommendations and methods for eliminating or reducing impacts on historical resources. Methods may include, but are not limited to, written and photographic recordation of the resource in accordance with the level of Historic American Building Survey (HABS) documentation that is appropriate to the significance (local, state, national) of the resource.

Impact 5.5-2

CUL-2 Prior to the issuance of any grading permit associated with a discretionary project, applicants shall provide written evidence to the County of Los Angeles that a County-approved archaeologist has been retained to observe grading activities greater than three feet in depth and to salvage and curate archaeological resources as necessary. The archaeologist shall be present at the pre-grade conference, shall establish procedures for archaeological resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate.

The archaeologist shall be present at the pre-grade conference, shall establish procedures for archaeologist resource surveillance and monitoring, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the fossils as appropriate and obtain a commitment from an American Association of Museums accredited repository for the storage of any recovered significant archaeological remains.

If the archaeological resources are found to be significant, the archaeologist shall determine appropriate actions, in cooperation with the project applicant and the County, for exploration and/or salvage. Any recovered significant archaeological resources shall be permanently transferred to an appropriate repository, subject to the fees and conditions of acceptance as established by the repository in their repository agreement. Prior to the release of the grading bond, the applicant shall submit a report prepared by the archaeologist that identifies the period of inspection, an analysis of any artifacts found and the present repository of the artifacts. Applicant shall prepare excavated material to the point of identification.

Applicant shall offer excavated finds for curatorial purposes to the County of Los Angeles, or its designee, on a first refusal basis, if required by mitigation measures. These actions, as well as final mitigation and disposition of the resources shall be subject to the approval of the County.

CUL-3 Prior to the issuance of any grading permit associated with a discretionary project, applicants shall provide written evidence to the County of Los Angeles that a County-approved paleontologist has been retained to observe grading activities greater than three feet in depth and to salvage and curate paleontological resources as necessary. The paleontologist shall be present at the pre-grade conference, shall establish procedures for

5. Environmental Analysis

CULTURAL RESOURCES

paleontologist resource surveillance, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the artifacts as appropriate.

The paleontologist shall be present at the pre-grade conference, shall establish procedures for paleontologist resource surveillance and monitoring, and shall establish, in cooperation with the applicant, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of the fossils as appropriate and obtain a commitment from an American Association of Museums accredited repository for the storage of any recovered significant paleontological remains.

If the paleontological resources are found to be significant, the paleontologist shall determine appropriate actions, in cooperation with the project applicant and the County, for exploration and/or salvage. Any recovered significant paleontological resources shall be permanently transferred to an appropriate repository, subject to the fees and conditions of acceptance as established by the repository in their repository agreement. Prior to the release of the grading bond, the applicant shall obtain approval of the paleontologist's report, from the County. The report shall include the period of inspection, an analysis of any fossils found and the present repository of the fossils. Applicant shall prepare excavated material to the point of identification.

Applicant shall offer excavated finds for curatorial purposes to the County of Los Angeles, or its designee, on a first refusal basis, if required by mitigation measures. These actions, as well as final mitigation and disposition of the resources shall be subject to the approval of the County.

5.5.9 Level of Significance After Mitigation

Impact 5.5-1

The federal, state, and local regulations stated above afford only limited protection to historic structures and would not ultimately prevent the demolition of a historic structure if preservation is determined to be infeasible. The determination of feasibility would occur on a case-by-case basis as future development applications on sites containing historic structures are submitted. Additionally, some structures that are not currently considered for historic value (as they must generally be at least 50 years or older) could become worthy of consideration during the planning period for the Proposed Project. While policies would minimize the probability of historic structures being demolished, these policies cannot ensure that the demolition of a historic structure would not occur. This is considered a significant unavoidable adverse impact.

Impacts 5.5-2

The mitigation measures identified above would reduce potential impacts associated with cultural resources to a less than significant level.

5. Environmental Analysis CULTURAL RESOURCES

5.5.10 References

San Diego State University (SDSU). 2014, February 20. California Indians and Their Reservations: P. SDSU Library and Information Access.

Sapphos Environmental, Inc. 2014, June 12. Cultural Resources Technical Report for the County of Los Angeles General Plan Environmental Impact Report.

Society for California Archeology (SCA). 2014. "Chronological and Cultural Units: Archaic." www.scahome.org.

5. Environmental Analysis

CULTURAL RESOURCES

This page intentionally left blank.