Archaeological Resources Supplemental Survey Technical Report
6.0—Affected Environment

Photograph 6-3. Vacant Lot #1 (view to southeast)

Photograph 6-4. Vacant Lot #2 (view to southeast)

Photograph 6-5. Vacant Lot #3 (view to southwest)

Photograph 6-6. Vacant Lot #4 (view to north)

Photograph 6-7. Vacant Lot #5 (view to northwest)
A total of eight sidewalk stamps with dates ranging from 1891 to 1962 were identified within the Archaeological APE for the LPA (Table 6-5; Figure 6-1 through Figure 6-4). These include two newly identified stamps within the supplemental survey area, a 1937 Theo Norwak Contractor stamp and a 1957 Garcias Bros stamp, and four of the stamps previously noted in the prior technical report (URS 2010:4-64, Figures 4-4 through 4-14).

As indicated in Table 6-5, two of the stamps identified by the archaeologists do not match those previously noted even though the locations are the same. An 1891 So. Dalm Gas Co. stamp was found at the northwest corner of Wilshire Boulevard and S. La Jolla Avenue where a 1965 Chotiner & Gombiner stamp had been previously noted. Similarly, a 1962 Boyar-Kessler Construction Co. stamp was present at the northwest corner of Wilshire Boulevard and N. Hamilton Drive where a 1926 Griffith Company stamp had been observed. A search of the vicinity near each of these intersections did not locate the two stamps, and we assume they were misplotted and may still exist outside the Archaeological APE for the LPA.

Another sidewalk stamp, which was molded in 1927 by the North Pacific Construction Company and located on the southwest corner of Wilshire Boulevard and S. Spaulding Drive (URS 2010: Figure 4-5), was not relocated despite widening the search in the vicinity of this intersection. Since the concrete sidewalks at this location appear to have been recently poured, it appears likely the 1927 stamp has been destroyed.

Table 6-5: Information on Dated Sidewalk Stamps Located within APE

<table>
<thead>
<tr>
<th>Date of Sidewalk Stamp</th>
<th>Company</th>
<th>Location</th>
<th>Identification History</th>
</tr>
</thead>
<tbody>
<tr>
<td>1937</td>
<td>Theo Nowak Contractor</td>
<td>East side of Orange St. between Wilshire Blvd. and W. 8th St.</td>
<td>Identified during this supplemental survey in 2011.</td>
</tr>
<tr>
<td>1928</td>
<td>Boxton &amp; Rosa Contractors</td>
<td>Northeast corner of Wilshire Blvd. and Cloverdale Ave.</td>
<td>Identified in 2009 (URS 2010: Figure 4-11).</td>
</tr>
<tr>
<td>1957</td>
<td>Garcias Bros Contractors</td>
<td>Northwest corner of Wilshire Blvd. and S. Dunsmuir Ave. Stamp is located on the curb.</td>
<td>Identified during this supplemental survey in 2011.</td>
</tr>
<tr>
<td>1949</td>
<td>H. Johnston Contractor</td>
<td>Northwest corner of Wilshire Blvd. and S. Dunsmuir Ave.</td>
<td>Identified in 2009 (URS 2010: Figure 4-10).</td>
</tr>
<tr>
<td>1891</td>
<td>So. Dalm Gas Co.</td>
<td>Northwest corner of Wilshire Blvd. and S. La Jolla Ave.</td>
<td>Identified during this supplemental survey in 2011. Prior survey noted a 1965 Chotiner &amp; Gombiner stamp at same location (URS 2010: Figure 4-9).</td>
</tr>
<tr>
<td>1962</td>
<td>Boyar-Kessler Construction Co.</td>
<td>Northeast corner of Wilshire Blvd. and N. Hamilton Dr.</td>
<td>Identified during this supplemental survey in 2011. Prior survey noted a 1926 Griffith Company stamp at same location (URS 2010: Figure 4-8).</td>
</tr>
<tr>
<td>1956</td>
<td>Buckeye Const. Co. Inc Gen. Contractors</td>
<td>Northeast corner of Wilshire Blvd. and N. Hamel Dr.</td>
<td>Relocated during this supplemental survey in 2011. Typo in prior report “1955” (URS 2010: Figure 4-8).</td>
</tr>
<tr>
<td>1927</td>
<td>North Pacific Construction Company</td>
<td>Southwest corner of Wilshire Blvd. and S. Spaulding Dr.</td>
<td>Identified in 2009 (URS 2010: Figure 4-5); new sidewalks in 2011; stamp destroyed.</td>
</tr>
<tr>
<td>1937</td>
<td>Gogo &amp; Rados Contractor</td>
<td>Northeast corner of Santa Monica Blvd. and Warnall Ave.</td>
<td>Identified in 2009 (URS 2010: Figure 4-13).</td>
</tr>
</tbody>
</table>
6.2.3.2 Other Components of the LPA
The Division 20 maintenance yard is a large industrial property with railroad tracks, railroad-use and maintenance related structures, and a few buildings. This facility was surveyed in its entirety for the presence of archaeological resources for the prior Alternatives analysis (URS 2010). The yard was thus not included in the supplemental survey for this report (see Figure 5-3).

6.2.4 Significance of Known Archaeological Sites within APE

6.2.4.1 Locally Preferred Alternative (LPA)
No prehistoric, ethnohistoric, or historic-era archaeological resources have been identified within the Archaeological APE for the LPA.

6.2.4.2 Other Components of the LPA
A total of four historic-era archeological sites have been identified and recorded within the Archaeological APE at the Division 20 Maintenance and Storage Facility (Table 6-3). An assessment of the significance and eligibility of each site for listing in the NRHP and CRHR is presented below. No prehistoric or ethnohistoric archaeological resources have been identified within the APE at the maintenance yard.

CA-LAN-2563 (P-19-002563): This site was discovered one meter beneath the surface during archaeological monitoring of construction activities within the yard. Based on the temporally sensitive maker’s marks on glass and ceramics, as well as the technological attributes of older unembossed bottles, the site record indicates the deposit dates to circa 1860 to 1892. Although the site includes some Chinese ceramics, the subsurface deposit was ascribed to Euro-American household discards. Considering the site’s location, the artifacts may have been associated with the railroad station that was replaced in 1893 by the La Grande Railroad Station. The artifacts were cataloged and the site was fully recorded in 1997. The site thus has no further potential to yield additional information important to history (Criterion D/4) and is ineligible for NRHP and CRHR inclusion.

CA-LAN-2610 (P-19-002610): This site is a remnant of the circa 1893 cobblestone street and street car tracks associated with the La Grande Railroad Station that was adjacent to the Los Angeles River at the former eastern extent of the Little Tokyo Historic District. The site lies immediately beneath the current asphalt roadway and was discovered in 1997 during archaeological monitoring of east-west trenching activities across Santa Fe Avenue for relocation of a gas utility pipeline. The cobblestones are rectangular blocks of cut granite that vary in size. The street car track rails and ties ran north-south and traversed the approximate centerline of Santa Fe Avenue. At the time of discovery, the site was in good condition. The cobblestone street and street car tracks would have fronted the railroad station to the east.

Since site CA-LAN-2610 is situated beneath developed areas, direct examination of its condition, horizontal extent, and integrity is prohibited. The site has not been formally evaluated, but appears to be associated with events important to history (Criterion A/1), and may be likely to yield additional information important to history (Criterion D/4). The resource is thus considered eligible for listing in the NRHP and CRHR.

CA-LAN-4192 (P-19-004192): This site is a small surface scatter of approximately 15 brick and glass fragments, which was identified in 2010 underneath the 6th Street Viaduct. The artifacts indicate the age of the site as circa 1914 to 1945. The condition of the site is poor. In agreement with the statement in the prior report (URS 2010:4-68), site CA-LAN-4192 has no potential to yield additional
information (Criterion D/4), is not associated with events or persons important to history (Criteria A/1 and B/2), does not embody distinctive characteristics of a type, period or method of construction (Criterion C/3), and is not considered eligible for listing on the NRHP. The resource is also not considered eligible for CRHR inclusion.

CA-LAN-4193 (P-19-004193): This site is a subsurface remnant of the original roadway that was exposed near the foundation of the 6th Street Viaduct. The site was identified in 2010 and reported to be in fair condition. The age of the site was recorded as circa 1914 to 1945. In agreement with the statement in the prior report (URS 2010:4-68), site CA-LAN-4193 has no potential to yield additional information (Criterion D/4), is not associated with events or persons important to history (Criteria A/1 and B/2), does not embody distinctive characteristics of a type, period or method of construction (Criterion C/3), and is not considered eligible for listing on the NRHP. The resource is also not considered eligible for CRHR inclusion.
7.0 ENVIRONMENTAL IMPACTS/ENVIRONMENTAL CONSEQUENCES

For any identified resources that are listed in or appear eligible for inclusion in the NRHP or CRHR, the Criteria of Effect and Adverse Effect (36 CFR Part 800.9) is applied. A finding of adverse effect under these criteria will also be considered a significant impact under CEQA as a substantial adverse change in the significance of an archaeological resource.

7.1 Determination of Effects

Effects to documented archaeological resources within the APE for the LPA are assessed below by alternative. Effects to all identified eligible historic properties/historical resources were evaluated within the current context and setting of the archaeological resource, with regard to the identified historic significance and level of retention of historic integrity, and in relation to changes to the resource or within its vicinity that may result from the LPA.

Given the historic period nature of the built environment, which often did not disturb more than a few feet of topsoil, construction activities may encounter subsurface prehistoric or historic-era archaeological material, features, or deposits. Therefore, the following also includes an assessment of the potential for the discovery of buried archaeological resources based on the literature search, location of known resources, local history, identification of the original built date for streetscapes, buildings, structures, and other modifications to the built environment.

7.1.1 Regulatory Requirements

As mandated by Section 106 of the NHPA, federal agencies must take into account the effects of their undertakings on historic properties, assess the effects, and seek ways to avoid, minimize, or mitigate any adverse effects on such properties (36 CFR 800.1[a]). For identified historic properties within the APE, the agency shall apply the criteria of adverse effect (36 CFR 800.5[a]). According to federal regulations, “Effect means alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register” (36 CFR 800.16[i]). The criteria of adverse effect are:

An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property’s eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative. (36 CFR 800.5[a][1])

When the effects of the proposed undertaking do not meet the criteria of adverse effect, then a finding of no adverse effect may be proposed (36 CFR 800.5[b]). If an adverse effect is found, the agency shall act pursuant to 36 CFR 800.6 (36 CFR 800.5[d][2]) to resolve the adverse effect by developing and evaluating alternatives or modifications to the undertaking that “could avoid, minimize or mitigate adverse effects on historic properties” (36 CFR 800.6[a]).
Under CEQA Guidelines Appendix G Criteria, adverse impacts to cultural resources would be considered significant if the proposed project would:

- Cause a substantial adverse change in the significance of a historical resource as defined in CCR Section 15064.5. (Defined as: listed or determined eligible for a state or local register, or any building, structure, or object that is determined to be historically significant to California history.)
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to CCR Section 15064.5.
- Directly or indirectly destroy a unique paleontological resource or site.
- Disturb any human remains, including those interred outside of formal cemeteries.

Section 15064.5 of CEQA Guidelines provides that, in general, a resource not listed on state or local registers of historical resources shall be considered by the Lead agency to be historically significant if the resource meets the criteria for listing on the CRHR. This section also provides standards for determining what constitutes a “substantial adverse change” that must be considered a significant impact on archaeological or historical resources. For example, a “substantial adverse change in the significance of an 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” (CEQA Guidelines, 14 CCR §15064.5 [b][1]).

7.1.2 No Build Alternative

The No Build Alternative would not affect archaeological resources. No excavation will be undertaken as a result of the No Build Alternative and therefore, no archaeological resources would be affected.

7.1.3 Locally Preferred Alternative (LPA)

7.1.3.1 Previously Recorded Archaeological Resources

No archaeological resources have been identified within the APE for the LPA stations, alignment, or staging or laydown areas. Thus, based on the results of this study, the proposed LPA will not cause an adverse effect on known historic properties or historical resources of an archaeological nature that are eligible for listing in the NRHP or CRHR.

7.1.3.2 Potential for Buried Deposits

The LPA may affect undocumented cultural resources, including intact archaeological deposits. Given that the LPA right-of-way is generally within the street right-of-way, which often did not disturb more than a few feet of topsoil during its construction, construction activities may encounter subsurface prehistoric and/or historic archaeological deposits.

Figure 7-1 shows the low-to-high potential for the presence of historic-era archaeological resources within the Archaeological APE for the LPA. Variation in the potential for discovery is based on the density of standing historic-period buildings and structures, and was generated by the GIS-based predictive model developed for the Alternatives Analysis (URS 2010:4-19–4-21, Appendix C). As indicated in the figure, the sensitivity for the discovery of historic-era archaeological sites is higher near the Wilshire/La Cienega Station and between the Westwood/UCLA and Century City Stations.
Figure 7-1: Potential for Historic-Era Archaeological Deposits
The GIS-based model predicts a moderately high potential for historic-era resources near the Wilshire/La Brea and Wilshire/Rodeo stations, with the largest area of low to moderately low potential at the Westwood/VA Hospital and Westwood/UCLA stations. As discussed further below, although the density of historic-period buildings or structures within the VA Medical Center is low, the archaeological sensitivity of this area is considered high because the medical facility has been operational since 1888 and contains an established historic landscape with mature trees that are the remains of a larger stand of trees shown in historic aerials dating to 1952 (Christoph 2011).

In addition to incorporating the GIS-based predictive model, the following discussion of the potential for discovery of archaeological resources considers the presence of dated sidewalk stamps ranging in age from 1891 to 1962 (Table 6-5; Figure 6-1 through Figure 6-7), and the development during the American period of the cities, commercial corridors, and medical and educational campuses along the LPA. Due to the extent and time depth of urban development, the potential for discovery of prehistoric or ethnohistoric archaeological resources within the APE alignment is considered low. The discussion proceeds from east to west along the Archaeological APE.

In the area of Wilshire Boulevard in the approximately one-third mile stretch between S. Orange Drive and S. Dunsmuir Avenue near the Wilshire/La Brea Station, four sidewalk stamps have dates of 1928, 1937, 1949, and 1957 (Figure 6-2). The age of these stamps suggest there is a potential for the presence of subsurface historic-period resources. This area of Wilshire Boulevard is also known as the Miracle Mile, which spans roughly from La Brea to Fairfax Avenues and was developed in the late 1920s and 1930s. The GIS-based model similarly predicts a moderately high potential for historic-era resources near the Wilshire/La Brea station (Figure 7-1).

Along Wilshire Boulevard between the Fairfax and La Cienega Stations, a sidewalk stamp at S. La Jolla Avenue has a date of 1891. This is the earliest of the series of eight sidewalk stamps, each poured more than 48 years ago, identified within the Archaeological APE for the LPA. Retention of this 19th century stamp in this urban setting is remarkable, and is a relatively good indication that historic-era resources may remain beneath the surface (Figure 6-3). Based on the density of standing historic-period buildings and structures, the GIS-based model similarly predicts a moderately high potential for the discovery of buried historic-era resources in the vicinity of these stamps west of the Wilshire/La Cienega Station (Figure 7-1).

Continuing west along Wilshire Boulevard to the area near La Cienega Boulevard between N. Hamilton Drive and Robertson Boulevard, two sidewalk stamps dating to 1956 and 1962 (Figure 6-3) suggest a sensitivity for historic-period buried deposits dating from as late as 1962 to as early as 1956, or perhaps earlier. There have also been a number of recent street improvements in this area. A high potential for the discovery of buried historic-era resources in the vicinity of these stamps west of the Wilshire/La Cienega Station is predicted by the GIS-based model (Figure 7-1).

In the area of Beverly Hills, near Wilshire Boulevard and Rodeo Drive and the Wilshire/Rodeo Station (Figure 6-4), there have been a number of recent street improvements. Considering the history of the development of Beverly Hills, beginning with creation of a new residential community at the turn of the 20th century, plus the city’s preservation policies, the GIS-based model provides a moderately high potential for the presence of buried historic-era resources in the vicinity of the Wilshire/Rodeo Station (Figure 7-1).

Continuing west, a sidewalk stamp dating to 1927 appears to have been destroyed within the last two years by sidewalk and street improvements at the intersection of Wilshire Boulevard and S. Spaulding Drive. Despite this recent disturbance, the age of the stamp suggests sensitivity for historic-period subsurface deposits. A moderately high to high potential for the discovery of buried
historic-era resources in this area between the Wilshire/Rodeo and Century City Stations is predicted by the GIS-based model (Figure 7-1).

Near the intersection of Santa Monica Boulevard and Avenue of the Stars, there is a sidewalk stamp dating to 1937 (Figure 6-5). Given the stamp has not been disturbed by modern development, including post-1964 construction of the Century City section of the City Los Angeles, this is a relatively good indication that historic-era resources may remain beneath the surface in the vicinity of this stamp. The GIS-based model also predicts a high potential for the presence of buried historic-era resources in this area west of the Century City Stations (Figure 7-1).

Further west, Westwood Village was initially part of an 1843 Mexican-period land grant (Rancho San Jose de Buenos Ayres), and later chosen in the 1920s as the location for a new University of California campus. No sidewalk stamps were identified in the Westwood/UCLA Station vicinity where the GIS-based model mainly predicts a moderately low potential for the presence of buried historic-era resources (Figure 7-1).

The area in the vicinity of the westernmost Westwood/VA Hospital Stations is considered highly sensitive for the discovery of subsurface historic-era resources based on the presence of a medical facility at the VA Medical Center since 1888 (National Home for Disabled Volunteer Soldiers; National Park Service 2011) and the relatively open, undeveloped landscape. Because of the presence of an established historic landscape with a low density of historic-era buildings, the GIS-based model predicts a low potential for the presence of buried historic-era resources (Figure 7-1). Many of the mature trees to the north and south of Wilshire Boulevard, however, are the remains of a larger stand of trees shown in historic aerials dating to 1952 (Christoph 2011). By 1972 the on- and off-ramps for Wilshire Boulevard had been constructed and the aerial imagery shows many of the mature trees visible in the 1952 historic aerials had disappeared. The preservation of the remaining mature trees in the park-like setting of the VA Medical Center is a relatively good indication that historic-era resources may remain beneath the surface in the vicinity of the historic landscape.

7.1.4 Other Components of the LPA

7.1.4.1 Previously Recorded Archaeological Resources
As summarized in Table 7-1 and discussed in Section 6.2.4.2, of the five late 19th/early 20th century archeological resources recorded (four sites and one isolate) within the Archaeological APE at the Division 20 facility (Figure 7-2), only site CA-LAN-2610 is eligible for listing in the NRHP and CRHR.

Site CA-LAN-2610 will be avoided by construction for the LPA at the Division 20 facility. The site is located beneath Santa Fe Avenue immediately west of and bordering the maintenance yard (compare Figure 3-9 and Figure 7-2), and no improvements at the yard are proposed within approximately 215 meters (705 feet) of the site. Thus, under current construction plans, the FTA has determined the LPA and associated improvements at the Division 20 maintenance yard will have No Adverse Effect on this historic property/ historical resource.

In development of the MOA and pursuant to 36 CFR Part 800.5(a), the SHPO concurred with FTA’s determination of No Adverse Effect by the undertaking on the one identified archaeological historic property, CA-LAN-2610. A copy of the MOA is provided in Appendix B.
Sites CA-LAN-2563, CA-LAN-4192, and CA-LAN-4193 do not qualify as historic properties or historical resources and are not eligible for listing in the NRHP or CRHR (see Section 6.2.4.2). The isolated find does not qualify for listing on either the NRHP or CRHR.

Table 7-1: Summary of Eligibility and Effects on Archaeological Resources within APE at Maintenance Yard

<table>
<thead>
<tr>
<th>Primary No.</th>
<th>Trinomial</th>
<th>Brief Description</th>
<th>NRHP and CRHR Eligibility</th>
<th>Impact/Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>P-19-002563</td>
<td>CA-LAN-2563</td>
<td>Historic refuse deposit; beneath modern facility</td>
<td>Not Eligible (Criterion D/4)</td>
<td>Not historic property: No Effect</td>
</tr>
<tr>
<td>P-19-002610</td>
<td>CA-LAN-2610</td>
<td>Remnant of historic cobblestone street and rail line in Little Tokyo Historic District; associated with 1893 La Grande Railroad Station; beneath modern street</td>
<td>Eligible (Criteria A/1, D/4)</td>
<td>Project will avoid: No Adverse Effect</td>
</tr>
<tr>
<td>P-19-100887</td>
<td>n/a</td>
<td>Historic isolate: Japanese bowl and bottle base</td>
<td>Not Eligible (Criterion D/4)</td>
<td>Not historic property: No Effect</td>
</tr>
<tr>
<td>P-19-004192</td>
<td>CA-LAN-4192</td>
<td>Historic brick and glass scatter</td>
<td>Not Eligible (Criterion D/4)</td>
<td>Not historic property: No Effect</td>
</tr>
<tr>
<td>P-19-004193</td>
<td>CA-LAN-4193</td>
<td>Remnant of historic road; beneath modern street</td>
<td>Not Eligible (Criterion D/4)</td>
<td>Not historic property: No Effect</td>
</tr>
</tbody>
</table>

7.1.4.2 Potential for Buried Deposits
The construction of proposed improvements at the maintenance yard may affect undocumented cultural resources, including intact archaeological deposits. Given the historic-period nature of the built environment, which often did not disturb more than a few feet of topsoil, construction activities may encounter subsurface prehistoric and/or historic archaeological deposits.

Based on the location of the Division 20 facility adjacent to the Los Angeles River at the former La Grande Railroad Station built in 1893, its location at the former eastern extent of the Little Tokyo Historic District, and the prior discovery of archaeological resources beneath the modern surface within or immediately adjacent to the yard (Figure 7-2), the sensitivity for the discovery of historic-era archaeological sites during ground disturbance for yard improvements is considered high. Considering its location as well as the time depth of development and the results of the literature search, the potential for discovery of prehistoric or ethnohistoric archaeological resources within the APE for the maintenance yard is considered moderate.

CA-LAN-2563, a circa 1860-1892 buried refuse deposit likely associated the railroad station that was replaced by the La Grande Railroad Station in 1893, is located beneath the surface immediately south of the planned impact area south of E. 1st Street. This suggests the potential is high for the discovery of historic-era resources, such as another refuse deposit, during replacement of the two maintenance-of-way buildings adjacent to this site.
Figure 7-2: Previously Recorded Sites within APE for Division 20 Yard
CA-LAN-2610, a remnant of the circa 1893 cobblestone street and street car tracks associated with the La Grande Railroad Station, is located beneath the Santa Fe Avenue asphalt paving immediately west of and bordering the yard. The potential is high for discovery of additional subsurface historic-era features associated with this site during future development not associated with the LPA of the adjacent portion of the yard.

CA-LAN-4192 and CA-LAN-4193, a surface scatter of brick and glass fragments and a subsurface roadway remnant, both dated circa 1914 to 1945, are located beneath the 6th Street Viaduct. It is feasible that these sites may be associated with the construction of the 6th Street Viaduct in 1932. The potential for additional discoveries in this portion of the Division 20 maintenance yard during replacement of the existing building in the impact area north of the Viaduct and construction of the new cart path extending northward beneath the bridge is considered relatively high.

In addition to the relatively high potential for archaeological discoveries in association with the 6th Street Viaduct, the sensitivity for discovery of buried historic-era sites is also relatively high near the 1st Street Viaduct and 4th Street Bridge, which were built in 1929 and 1930, respectively. Planned yard improvements include replacement of maintenance-of-way buildings located approximately 100 feet south of the 1st Street Viaduct and expansion of the heavy maintenance area approximately 50 feet north of the 4th Street Bridge.

7.2 CEQA Determination

Pursuant to the statutes of CEQA, as noted above, an impact by the LPA would be considered significant if it has the potential to:

- Cause a substantial adverse change in the significance of an historical resource pursuant to Section 15064.5
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5
- Disturb any human remains, including those interred outside of formal cemeteries

Based on the results of this study, the proposed improvements at the Division 20 Maintenance and Storage Facility will avoid the one known archaeological resource (CA-LAN-2610) within the APE that is eligible for listing in the CRHR and thus qualifies as a historical resource (Table 7-1). The project will not demolish, destroy, relocate, or alter the resource such that it or its immediate surroundings impair the significance of the resource. The physical characteristics of the resource that convey its historical significance and that justify its inclusion, or eligibility for inclusion, in the CRHR will not be demolished or materially altered by the LPA and associated components.

While no resources considered eligible for CRHR listing were identified during the supplemental or initial pedestrian survey given the nature of the built environment, due to the possibility of the existence of undocumented buried subsurface resources, the LPA may cause a substantial adverse change to the significance of an archaeological resource and result in a significant direct impact to archaeological resources (PRC Section 5020.1[q] and CEQA Guidelines Section 15064.5[b]), including resources eligible for CRHR inclusion that qualify as historical resources.
Implementation of the unanticipated discovery mitigation measure (refer to MOA in Appendix B) will reduce construction impacts to undocumented archaeological resources to a less than significant impact.

Construction of the LPA and associated components is not expected to disturb any human remains, including those interred outside of formal cemeteries. Although the Los Angeles National Cemetery occurs in the vicinity of the refined LPA alignment, the subway extension will not impact the cemetery. In the event human remains are discovered during construction or earth-disturbing activities, their protection shall be ensured by implementation of the unanticipated discovery measures provided below.
8.0 MITIGATION MEASURES

8.1 Locally Preferred Alternative (LPA) and Other Components of the LPA

The MOA sets forth measures to be implemented to reduce potential construction impacts within the APE to known archaeological historic properties and to undocumented archaeological resources, including human remains. The FTA, in consultation with the SHPO, determined that the undertaking will have No Adverse Effect on the one identified archaeological historic property, CA-LAN-2610, or to undocumented archaeological resources within the APE provided the measures described in the MOA are implemented (see Appendix B).

The following measures are incorporated into the MOA and their implementation will reduce impacts to the known historic property that may be affected in an unanticipated manner and to unanticipated discoveries made during implementation of the MOA and the undertaking within the APE.

As additionally stated in the MOA, Metro will ensure that all archaeological work for or by Metro is performed under the direct supervision of a person or persons who meet(s) or exceed(s) the pertinent qualifications in the Secretary of Interior’s Professional Qualifications Standards (48 CFR Parts 44738 and 44739) specific to the work performed. Further, all written documentation of activities will conform to the Secretary of the Interior’s Standards and Guidelines for Archaeology and Historic Preservation, as amended and annotated (48 CFR Parts 44716 to 44740), as well as to applicable standards and guidelines established by the SHPO.

AR-1 Unanticipated Discoveries

If previous unidentified cultural resources, including human remains, are encountered during construction or earth-disturbing activities, all activities at that location shall be halted until a qualified archaeologist can examine the resources and assess their significance. If the resources are determined to be significant, Metro will notify FTA and SHPO within 48 hours of the discovery to determine the appropriate course of action.

For resources determined eligible or assumed to be eligible for the NRHP by FTA, Metro will notify the FTA, ACHP, and SHPO of those actions that it proposes to avoid, minimize, or mitigate adverse effects. Consulting parties will have 48 hours to provide their views on the proposed actions. The FTA will ensure that timely-filed recommendations of consulting parties are taken into account prior to granting approval of the measures that the Metro will implement to resolve adverse effects. Metro will carry out the approved measures prior to resuming construction activities in the location of the discovery.

Metro will ensure that the expressed wishes of Native American individuals, tribes, and organizations are taken into consideration when decisions are made regarding the disposition of other Native American archaeological materials and records relating to Indian tribes.

Should Indian burials and related items be discovered during construction of the project, Metro will consult with the affected Native American individuals, tribes and organization regarding the treatment of cultural remains and artifacts. These will be treated in accordance with the requirements of the California Health and Safety Code. If the county coroner/medical examiner determines that the human remains are or may be of Native American origin, then the discovery
shall be treated in accordance with the provisions of §§ 5097.98 (a) - (d) of the California Public Resources Code which provides for the notification of discovery of Native American human remains, descendants; disposition of human remains and associated grave goods.

With implementation of these mitigation measures, the construction of the LPA will not have adverse effects or significant impacts to archaeological resources under either scenario.

### 8.2 Impacts Remaining After Mitigation

Implementation of the above measures (AR-1 and AR-2) will ensure that any undocumented cultural resources or unanticipated discoveries of cultural resources during construction or ground-disturbing activities would be properly recorded and the significance of the resources documented, and would thus reduce potentially significant impacts to a known historic property affected in an unanticipated manner or to undocumented archaeological resources, including human remains, to a level that is less than significant.
9.0 REFERENCES


Owen, Shelley M. 1997. CA-LAN-2610 (P-19-002610) DPR forms. On file at SCCIC.


Solis, Laurie and Nathan Orsi. 2010. CA-LAN-4192 (P-19-004192) DPR forms. On file at SCCIC.

Solis, Laurie and Nathan Orsi. 2010. CA-LAN-4193 (P-19-004193) DPR forms. On file at SCCIC.

State of California. California Penal Code, Section 622.5. Available at: http://www.leginfo.ca.gov/calaw.html


APPENDIX A—NATIVE AMERICAN HERITAGE COMMISSION (NAHC) COORDINATION

STATE OF CALIFORNIA

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 324
SACRAMENTO, CA 95814
(916) 445-2651
Fax (916) 445-2652
Web Site: www.nahc.ca.gov
E-mail: dia_nahc@ca.gov

September 8, 2010

Mr. David Mieger:
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza, MS 09-22-3
Los Angeles, CA 90012-2952

Re: SCH#2009011082 CEQA Notice of Completion: draft Environmental Impact Report (EIR) for the Westside Subway Expansion Project located in the City of Los Angeles; Los Angeles County, California.

Dear Mr. Mieger:

The Native American Heritage Commission (NAHC) is the state ‘trustee agency’ pursuant to Public Resources Code §21070 for the protection and preservation of California’s Native American Cultural Resources. (Also see Enviornmental Protection Information Center v. Johnson (1985) 70 Cal App. 3rd 664). The California Environmental Quality Act (CEQA—CA Public Resources Code §21000-21177, amendment effective 3/18/2016) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a ‘significant effect’ requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(1)(f).

CEQA guidelines, Section 15382 of the CEQA Guidelines define a significant impact on the environment as “a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including...objects of historic or aesthetic significance. The lead agency is required to assess whether the project will have an adverse impact on these resources within the area of potential effect (APE), and if so, to mitigate that effect. State law also addresses Native American Religious Expression in Public Resources Code §6097.9.

The Native American Heritage Commission did perform a Sacred Lands File (SLF) search in the NAHC SLF Inventory, established by the Legislature pursuant to Public Resources Code §15067.34(a) and Native American Cultural Resources were not identified within one-half mile radius of the ‘area of potential effect (APE).’ Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Enclosed are the names of the culturally affiliated tribes and interested Native American individuals that the NAHC recommends as consulting parties for this purpose, that may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. A Native American Tribe or Tribal Elder may be the only source of information about a cultural resource.

Also, the NAHC recommends that a Native American Monitor or Native American culturally knowledgeable person be employed whenever a professional archaeologist is employed during the ‘initial study’ and in other phases of the environmental planning process.

Furthermore the NAHC recommends that you contact the California Historic Resources Information System (CHRIS) of the Office of Historic Preservation (OHP), for archaeological data. (916) 653-7276.

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Consultation with tribes and interested Native American tribes and interested Native American individuals, as consulting parties, on the NAHC list should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. § 4330 et seq.) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 (f)) (et seq.), 36 CFR Part 800.3, the President's Council on Environmental Quality (CPEQ; 42 U.S.C. 4371 et seq.) and NAGPRA (25 U.S.C. 3001-3013), as applicable. The 1992 Secretary of the Interior's Standards for the Treatment of Historic Properties were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code § 50540.12(e).

Lead agencies should consider evidence, as defined in Section 16377 of the California Environmental Quality Act (CEQA) when significant cultural resources could be affected by a project. Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archaeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a 'dedicated cemetery.' Discussion of these should be included in your environmental documents, as appropriate.

The authority for the SLF record search of the NAHC Sacred Lands Inventory, established by the California Legislature, is California Public Resources Code § 5097.94(a) and is exempt from the CA Public Records Act (cf. California Government Code § 6254.10). The results of the SLF search are confidential. However, Native Americans on the attached contact list are not prohibited from and may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of 'historic properties of religious and cultural significance' may also be protected under Section 304 of the NHPA or at the Secretary of the Interior's discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (42 U.S.C. 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

CEQA Guidelines, Section 15064.5(d) requires the lead agency to work with the Native Americans identified by his Commission in the initial Study identifies the presence or likely presence of Native American human remains within the APE. CEQA Guidelines provide for agreements with Native American, identified by the NAHC, to assume the appropriate and necessary treatment of Native American human remains and any associated grave items. Although tribal consultation under the California Environmental Quality Act (CEQA; CA Public Resources Code Section 21000 – 21177) is 'advisory' rather than mandated, the NAHC does request lead agencies 'to work with tribes and interested Native American individuals as consulting parties,' on the list provided by the NAHC in order that cultural resources will be protected. However, the 2006 SB 1059 the state enabling legislation to the Federal Energy Policy Act of 2005, does mandate tribal consultation for the electric transmission corridors. This is codified in the California Public Resources Code, Chapter 4, and § 25330 x Division 15, requires consultation with California Native American tribes, and identifies both federally recognized non-federally recognized in a list maintained by the NAHC.

Health and Safety Code § 7050.5, Public Resources Code § 5097.98 and Sec. § 15064.5 (d) of the California Code of Regulations (CEQA Guidelines) mandate procedures to be followed, including that construction or excavation be stopped in the event of an accidental discovery of
any human remains in a location other than a dedicated cemetery until the county coroner or medical examiner can determine whether the remains are those of a Native American. Note that §7052 of the Health & Safety Code states that disturbance of Native American cemeteries is a felony.

Again, lead agencies should consider avoidance, as defined in §15371 of the California Code of Regulations (CEQA Guidelines), when significant cultural resources are discovered during the course of project planning and implementation.

Please feel free to contact me at (916) 653-6251 if you have any questions.

Sincerely,

Dave Singleton
Program Analyst

Attachment: List of Culturally Affiliated Native American Contacts

Cc: State Clearinghouse
Native American Contacts
Los Angeles County
September 8, 2010

LA City/County Native American Indian Commm
Ron Andrade, Director
3175 West 6th Street, Rm.
Los Angeles, CA 90020
randrade@css.lacounty.gov
(213) 351-5324
(213) 386-3995 FAX

T/TAT Society
Cindi Alvirte
6515 E. Seaside Walk, #C
Long Beach, CA 90803
calvirte@yahoo.com
(714) 504-2488 Cell

Gabriilino Tongva Nation
Sam Duniax, Chairperson
P.O. Box 6698
Los Angeles, CA 90086
samduniax@earthlink.net
(310) 282-6351 - cell

Gabriilino Tongva Indians of California Tribal Council
Robert F. Coramoe, Tribal Chair/Cultural
P.O. Box 490
Bellflower, CA 90707
rftongva@verizon.net
562-761-6417 - voice
562-925-7889 - fax

Tongva Ancestral Territorial Tribal Nation
John Tommy Reas, Tribal Admin.
tattnlaw@gmail.com
310-570-6567

Gabriilino/Tongva San Gabriol Band of Mission Indians
Anthony Morales, Chairperson
PO Box 693
San Gabriel, CA 9177
GTRibalcounsel@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 - FAX

Gabriilino/Tongva Tribe
Bernie Acuna
1875 Century Pk East #150
Gabriilino Tongva
Los Angeles, CA 90057
(310) 597-7790 - cell
(310) 597-2281

Gabriilino/Tongva Band of Mission Indians
Andy Salas, Chairperson
PO Box 391
Gabriilino Tongva
Guatia, CA 91723
Gabriilincindians@yahoo.com
626-926-4331
213-686-0181 - FAX

This list is current only as of the date of this document.

This list is only applicable for contacting local Native Americans for consultation purposes with regard to cultural resources impact by the proposed SCH#2009 CEQA Notice of Completion, draft Environmental Impact Report (EIR) for the Westside Subway Extension Project, located in the City of Los Angeles; Los Angeles County, California.

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WESTSIDE SUBWAY EXTENSION PROJECT

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Native American Contacts
Los Angeles County
September 8, 2010

Gabriolino Tung-a Tribe
Linda Candelaria, Chairwoman
1875 Century Park East, Suite 1500
Los Angeles, CA 90067
Gaberloino
candelariat@gabriolinoTribe.org
310-428-5767 - cell
(310) 587-2281

This list is current as of the date of this document.
Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7060.5 of the Health and Safety Code, Section 3997.54 of the Public Resources Code and Section 5097.88 of the Public Resources Code. As a federal National Environmental Policy Act (NEPA), National Historic Preservation Act, Section 106 and federal NAGPRA, and 36 CFR Part 800.
This list is only applicable for consulting local Native Americans for consultation purposes with regard to cultural resources impact by the proposed SCHW2009 CEQA Notice of Completion: Oral Environmental Impact Report (EIR) for the Westside Subway Extension Project, located in the City of Los Angeles; Los Angeles County, California.
February 22, 2011

Linda Candelaria, Chairwoman  
Gabrieleno-Tongva Tribe  
1875 Century Park East, Suite 1500  
Los Angeles, CA 90067

Re: Metro Westside Expansion

Dear Chairwoman,

The Metro Westside Expansion project proposes to construct a subway extending from Wilshire/Western along Wilshire Boulevard to the Westwood VA Hospital. The final phase of the environmental analysis is underway through preparation of a Final EIS/EIR. In October 2010, the Metro Board of Directors adopted the Locally Preferred Alternative (Alternative 2 of the Draft EIS/EIR). The project falls within the Beverly Hills and Hollywood USGS 7.5-minute quadrangles, as shown on the attached figures.

The Native American Heritage Commission (NAHC) responded to the Draft EIS/EIR on September 8, 2010. The NAHC has no record of Native American cultural resources in a half-mile radius of the projects area. The NAHC also provided a list of Native American tribes and individuals that may have knowledge of traditional or cultural resources within the project area and recommended that we contact you, among others.

I am requesting any information you may have regarding sacred lands or other heritage sites that might be impacted by the proposed project. All information provided regarding such resources or other areas of concern will be treated as confidential material. We would appreciate receipt of your response within two weeks. Please send your response via email (mvalasik@cogstone.com) or fax (714-974-8303), or phone me at one of the numbers listed below.

Thank you for your assistance.

Sincerely,

Molly Valasik, M.A.  
Cultural Resources Field and Lab Technician
February 22, 2011

Andy Salas, Chairperson
Shoshonean Gabrieleno Band of Mission Indians
PO Box 393
Covina, CA 91723

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Sincerely,

Molly Valasik, M.A.

Cultural Resources Field and Lab Technician