

3.3 CULTURAL RESOURCES

This section describes the existing cultural resources of the project site, identifies associated regulatory requirements, evaluates potential impacts, and identifies mitigation measures related to implementation of The Bond Project (project or proposed project).

3.3.1 Existing Conditions

Californian Historical Resources Information System Records Search

Dudek requested a search of the California Historical Resources Information System (CHRIS) at the South Central Coastal Information Center (SCCIC), located on the campus of California State University, Fullerton. Dudek received the search results on December 29, 2016. The search included any previously recorded cultural resources and investigations within a 0.5-mile radius of the project site. The CHRIS search also included a review of the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the California Points of Historical Interest list, the Californian historical Landmarks list, the Archaeological Determinations of Eligibility list, and the California State Historic Resources Inventory list. A letter from the SCCIC summarizing the results of the records search, along with a bibliography of prior cultural resources studies, is provided in Appendix A of the technical report, *Cultural Resources Technical Report for Santa Monica/Orange Grove Mixed-Use Development, 7811 Santa Monica Boulevard*, which is included as Appendix C to this Draft EIR.

Previously Conducted Cultural Resources Studies

The SCCIC records indicate that 28 cultural resource investigations have been conducted within the 0.5-mile search radius of the proposed project site. Of these, two studies overlap the project site (LA-10568 and LA-11005). A brief summary of these two studies is provided as follows. There are nine unmapped general overview studies that overlap the project site (LA-02816, LA-03511, LA-03583, LA-03773, LA-03796, LA-04323, LA-07568, LA-11747, and LA-11748). These reports include broad studies of the City of Los Angeles and the Los Angeles Basin and do not specifically address the project site.

LA-10568

In 1987, Johnson Heumann Research Associates (consultants) conducted a broad built environmental resources study throughout the City of West Hollywood (City) in support of the City's efforts to prepare a comprehensive historic preservation program for the City's historic resources. The consultant, along with a team of volunteers, conducted a windshield survey of the entire 1.9 square miles of the City. The focus of the survey was on conducting inventories of architecture from the pre-World War II era; however, outstanding examples of post-war

architecture were also considered. While it is assumed that the area of the current proposed project site was considered during this study, the subject properties within the project site were not among the resources identified as being either listed in or potentially eligible for the NRHP. Additionally, five potential conservation zones were identified as a result of the study. The proposed project site is neither within nor in close proximity to any of the potential conservation zones.

LA-11005

In 2010, Cogstone Resource Management Inc. (Cogstone) conducted an historic property study in support of the Los Angeles County Metropolitan Transportation Authority's (Metro) Westside Subway Extension Project. The project proposed new transit corridors and line extensions as part of Metro's expansion program throughout the Cities of Los Angeles, West Hollywood, Beverly Hills, and Santa Monica, as well as within unincorporated portions of Los Angeles County near the Veteran Affairs Greater Los Angeles Healthcare System (Cogstone 2010). A number of alternatives were considered for the project. Alternatives 4 and 5 would include the Santa Monica/Fairfax Station, which would extend from just east of Fairfax Avenue to just east of Ogden Drive, essentially overlapping the current proposed project site. The Area of Potential Effect (APE) for the Metro project extended one parcel past the limits of the aboveground project improvements. As a result of the study, 91 historic-period properties were recorded and evaluated within the APE which appear either eligible for listing in the NRHP and CRHR and/or contributing resources to existing or potential historic districts. The study also noted 221 non-significant historic-period properties within the APE. While it is assumed that the area of the current proposed project site was included within the Metro project APE at Santa Monica/Fairfax Station, the subject properties within the current proposed project site were not among the study's documented significant and non-significant resources.

Previously Recorded Cultural Resources

According to the SCCIC records, there are no previously recorded cultural resources located within the project site. There are 17 previously recorded resources within 0.5 miles of the project site. These resources consist entirely of historic-period built environment resources. Included among these resources are six significant historic-period properties listed on the NRHP. These consist of three multifamily residences, a community building, a designated historic district, and a patio complex all constructed throughout the 1920s. Specifically, these resources are the El Greco Apartment Complex (P-19-166804), the Mi Casa Apartment Complex (P-19-176746), the Ramona Apartment Complex (P-19-190041), the Community Clubhouse building (P-19-190575), the North Harper Avenue Historic District (P-19-180739), and the Patio del Moro courtyard complex (P-19-176743) which is also a contributing element to an historic district. Five additional historic-period properties appear individually eligible for listing to the NRHP, CRHR, and/or local government. These resources consist of the Linick-Weisman House (P-19-003173), an unnamed

1920s commercial building (P-19-171024); Plummer Park, site of the Plummer House, also designated the “oldest house in Hollywood” (P-19-173142); an unnamed early twentieth century residential property (P-19-176820); and a mid-twentieth century educational building (P-19-186979). Two additional commercial buildings (P-19-187439 and P-19-188519), the Villa Rosa Apartment building (P-19-188459), and the Fairfax Substation (P-19-191945), are not eligible for the NRHP. The remaining two resources consist of commercial buildings from the 1920s; however, neither has been evaluated for historical significance. These resources include an unnamed commercial building (P-19-171022) and the Campbell building (P-19-171023).

There are an additional 107 unmapped built environment resources included in the Californian historic Property Data file within 0.5 miles of the project site. Of these, 39 resources are on or eligible for state or federal registers. There are also two unmapped built environment resources listed as Los Angeles Historic-Cultural Monuments within the 0.5-mile search radius surrounding the project site.

Native American Coordination

NAHC Sacred Lands File Search

As part of the process of identifying cultural resources within or near the project site, Dudek contacted the Native American Heritage Commission (NAHC) to request a review of the Sacred Lands File (SLF) search on November 4, 2016. The NAHC emailed a response on November 9, 2016, which stated that the SLF search was completed with negative results. Because the SLF search does not include an exhaustive list of Native American cultural resources, the NAHC suggested contacting Native American individuals and/or tribal organizations who may have direct knowledge of cultural resources in or near the project site. The NAHC provided the contact list along with the SLF search results.

Dudek prepared and sent letters to each of the six persons and entities on the contact list requesting information about cultural sites and resources on or near the project site. These letters, mailed on November 15, 2016, contained a brief description of the proposed project, a summary of the SLF search results, and reference maps. Recipients were asked to reply within 15 days of receipt of the letter should they have any knowledge of cultural resources in the area.

Dudek received one response to the initial inquiry letters. Andrew Salas, Chairman of the Gabrieleño Band of Mission Indians – Kizh Nation replied via email on December 14, 2016. Mr. Salas identified the project site as within the ancestral and traditional territories of Kizh Gabrieleño villages. Mr. Salas requested that his Tribe monitor ground-disturbing activities during project implementation. Documents related to the NAHC SLF search and initial Native American outreach efforts are included in Appendix B of the technical report, *Cultural Resources Technical Report for Santa Monica/Orange Grove Mixed-Use Development, 7811 Santa Monica Boulevard*, which is included as Appendix C of this Draft EIR.

Assembly Bill 52

The proposed project is subject to compliance with Assembly Bill (AB) 52 (Public Resource Code [PRC] 21074) which requires consideration of impacts to “tribal cultural resources” as part of the CEQA process, and requires the City of West Hollywood, the CEQA lead agency for the proposed project, to notify any groups (who have requested notification) of the proposed project who are traditionally or culturally affiliated with the geographic area of the project. Because AB 52 is a government-to-government process, all records of correspondence related to AB 52 notification and any subsequent consultation are on file with the City of West Hollywood.

Pedestrian Survey

Dudek Architectural Historian Kara R. Dotter, MSHP, conducted an intensive pedestrian survey of the project site on December 15, 2016. The purpose of the survey was to identify, record, and evaluate any cultural resources located within the project site.

Because the entire project site is developed, intensive archaeological survey methods (i.e., parallel transects) were not warranted. Ms. Dotter examined and photographed all built environment resources (i.e., buildings, structures, and objects) located within the project site. Detailed notes and photographs were taken to thoroughly document the condition of each property, including notes regarding any observed alterations to the buildings and documentation of any character-defining architectural features. Ms. Dotter compiled a detailed physical description of each property as part of the process of recording the current condition and physical integrity of each building. All buildings within the project site were formally recorded and evaluated for historic significance to determine whether or not they should be considered historical resources for the purposes of CEQA (see Appendix C).

Dudek documented the fieldwork using field notes, digital photography, close-scale field maps, and aerial photographs. All field notes, photographs, and records related to this study are on file at Dudek’s Encinitas, California, office.

No archaeological resources were identified as a result of the survey. A total of two buildings constructed over 45 years ago were identified within the project site.

Building Development Research

On December 15, 2016, Ms. Dotter conducted research for building permits and property history at the City of West Hollywood Planning Division. Documents perused included building permits, proposed change of use applications, and architectural drawings. Additional research sources included the County of Los Angeles Assessor’s Office, the University of Southern California Digital Photographs Collection, the California Historical Society, Los Angeles City Directories, U.S. Geological Survey (USGS) topographic maps, Sanborn Fire Insurance maps, and historic aerial photographs.

3.3.2 Relevant Plans, Policies, and Ordinances

State

The California Register of Historical Resources

In California, the term “historical resource” includes “any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California” (PRC Section 5020.1(j)). In 1992, the California legislature established the CRHR “to be used by state and local agencies, private groups, and citizens to identify the state’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change.” (PRC, Section 5024.1(a).) A resource is eligible for listing in the CRHR if the State Historical Resources Commission determines that it is a significant resource and that it meets any of the following criteria:

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

The CRHR protects cultural resources by requiring evaluations of the significance of prehistoric and historic resources. The criteria for the CRHR are nearly identical to those for the National Register of Historic Places (NRHP), and properties listed or formally designated as eligible for listing on the NRHP are automatically listed in the CRHR, as are the state landmarks and points of interest. The CRHR also includes properties designated under local ordinances or identified through local historical resource surveys.

California Environmental Quality Act

Described as follows, the following California Environmental Quality Act (CEQA) statutes and CEQA Guidelines are relevant to the analysis of archaeological and historical resources:

- PRC Section 21083.2(g): Defines “unique archaeological resource.”
- PRC Section 21084.1 and CEQA Guidelines Section 15064.5(a): Define historical resources. In addition, CEQA Guidelines Section 15064.5(b) defines the phrase “substantial adverse

change in the significance of an historical resource”; it also defines the circumstances when a project would materially impair the significance of an historical resource.

- PRC Section 21074(a), defines “tribal cultural resources.”
- PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e): Set forth standards and steps to be employed following the accidental discovery of human remains in any location other than a dedicated ceremony.
- PRC Sections 21083.2(b)–(c) and CEQA Guidelines Section 15126.4: Provide information regarding the mitigation framework for archaeological and historical resources, including examples of preservation-in-place mitigation measures; preservation-in-place is the preferred manner of mitigating impacts to significant archaeological sites because it maintains the relationship between artifacts and the archaeological context, and it may also help avoid conflict with religious or cultural values of groups associated with the archaeological site(s).

More specifically, under CEQA, a project may have a significant effect on the environment if it may cause “a substantial adverse change in the significance of an historical resource” (PRC, Section 21084.1; CEQA Guidelines, Section 15064.5(b)). If a site is either listed or eligible for listing in the CRHR, or if it is included in a local register of historical resources, or identified as significant in an historical resources survey (meeting the requirements of PRC Section 5024.1(q)), it is an “historical resource” and is presumed to be historically or culturally significant for purposes of CEQA (PRC, Section 21084.1; CEQA Guidelines, Section 15064.5(a)). The lead agency is not precluded from determining that a resource is an historical resource even if it does not fall within this presumption (PRC, Section 21084.1; CEQA Guidelines, Section 15064.5(a)).

A “substantial adverse change in the significance of an historical resource” reflecting a significant effect under CEQA 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, Section 15064.5(b)(1); PRC, Section 5020.1(q)). In turn, the significance of an historical resource is materially impaired when a project:

1. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the CRHR; or
2. Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the PRC or its identification in

an historical resources survey meeting the requirements of section 5024.1(g) of the PRC, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

3. Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA.

(CEQA Guidelines, Section 15064.5(b)(2))

Pursuant to these sections, the CEQA inquiry begins with evaluating whether a project site contains any “historical resources,” then evaluates whether that project will cause a substantial adverse change in the significance of an historical resource such that the resource’s historical significance is materially impaired.

Under CEQA, an Environmental Impact Report is required to evaluate any impacts on unique archaeological resources (PRC, Section 21083.2). A “unique archaeological resource” is defined as:

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

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with a scientifically recognized important prehistoric or historic event or person. (PRC, Section 21083.2(g))

An impact to a non-unique archaeological resource is not considered a significant environmental impact, and such non-unique resources need not be further addressed in the Environmental Impact Report (PRC, Section 21083.2(a); CEQA Guidelines, Section 15064.5(c)(4)).

CEQA Guidelines Section 15064.5 assigns special importance to human remains and specifies procedures to be used when Native American remains are discovered. Described as follows, these procedures are detailed in PRC Section 5097.98.

California Health and Safety Code

California law protects Native American burials, skeletal remains, and associated grave goods, regardless of their antiquity, and provides for the sensitive treatment and disposition of those remains. Health and Safety Code Section 7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner (i.e., the Los Angeles County Coroner) has examined the remains (Section 7050.5b). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (Section 7050.5c). The NAHC will notify the most likely descendant. With the permission of the landowner, the most likely descendant may inspect the site of discovery. The inspection must be completed within 48 hours of notification of the most likely descendant by the NAHC. The most likely descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains and items associated with Native Americans.

Local

City of West Hollywood Municipal Code

Chapter 19.58 of the City of West Hollywood’s Municipal Code describes the City’s Cultural Heritage Preservation Ordinance, which was adopted based on the following findings of the Council:

- A. *Threatened Structures and Sites.* The Council has determined that the character, history, and spirit of the City, State, and nation are reflected in the historic structures, improvements, natural features, objects, sites, and areas of significance located within the City and that in the face of ever increasing pressures of modernization and urbanization, cultural resources, cultural resource sites, and historic districts located within the City are threatened with alteration, demolition, or removal.
- B. *Preservation of Structures and Sites.* The Council has further determined that these threatened structures, representing the City’s unique cultural, historical, and social foundations, should be preserved as a living part of community life and development in order to build a greater understanding of the city’s past and to give future generations the opportunity to appreciate, enjoy, and understand the city’s rich heritage.
- C. *Methods of Preservation.* Recognizing that the use of historic preservation measures has become increasingly prevalent as a method for identifying and preserving cultural resources, the city joins with private concerns, the state, and the United States Congress to develop methods of preserving the city’s unique aesthetic, architectural, cultural, and historical heritage, in compliance with the

provisions of the National Historic Preservation Act of 1966, as amended, and state law (Government Code Section 37361).

(Ord. 01-594 Section 2 (Exhibit A), 2001)

19.58.050 Criteria for Designation of Cultural Resources

The Historic Preservation Commission may approve a nomination application for and recommend designation of, and the Council may designate a cultural resource, or any portion thereof (both interior and exterior) or historic district in compliance with Sections 19.58.060 (Designation of Historic Districts) and 19.58.070 (Review and Approval of Designations) below if it finds that the cultural resource meets one or more of the following criteria.

- A. *Exemplifies Special Elements of the City.* It exemplifies or reflects special elements of the city's aesthetic, architectural, cultural, economic, engineering, political, natural, or social history and possesses an integrity of design, location, materials, setting, workmanship feeling, and association in the following manner:
1. It embodies distinctive characteristics of a period, method, style, or type of construction, or is a valuable example of the use of indigenous materials or craftsmanship; or
 2. It contributes to the significance of an historic area by being:
 - a. A geographically definable area possessing a concentration of historic or scenic properties; or
 - b. A thematically related grouping of properties which contribute to each other and are unified aesthetically by plan or physical development; or
 3. It reflects significant geographical patterns, including those associated with different eras of growth and settlement, particular transportation modes, or distinctive examples of community or park planning; or
 4. It embodies elements of architectural design, craftsmanship, detail, or materials that represent a significant structural or architectural achievement or innovation; or
 5. It has a unique location or singular physical characteristic or is a view or vista representing an established and familiar visual feature of a neighborhood, community, or the city; or
- B. *Example of Distinguishing Characteristics.* It is one of the few remaining examples in the city, region, state or nation, possessing distinguishing characteristics of an architectural or historical type or specimen; or

- C. *Identified with Persons or Events.* It is identified with persons or events significant in local, state, or national history; or
- D. *Notable Work.* It is representative of the work of a notable architect, builder, or designer.

(Ord. 03-663 Section 4, 2003; Ord. 02-643 Section 48, 2003; Ord. 01-594 Section 2 (Exhibit A), 2001)

19.58.060 Designation of Historic Districts

Except as outlined as follows, the criteria and procedure for designating an historic district shall be the same as for designating individual cultural resources as in Section 19.58.070 (Review and Approval of Designations).

- A. *Historic Resources Survey.* As part of the nomination for designating an historic district, an historic resources survey shall be prepared identifying all contributing resources and non-contributing resources. If not otherwise designated, all cultural resources listed in a designated historical district will be considered “contributing.” The survey may also identify contributing landscaping, natural features or sites. The survey shall be reviewed in accordance to the designation procedures listed below. The survey shall identify the manner in which the proposed district possesses a significant concentration, linkage, or continuity of sites, buildings, structures or objects united historically or aesthetically by plan or physical development within the period of significance and within the context of the district.
- B. *Finding of Contribution.* Each cultural resource within a proposed historic district must be identified as a contributing resource. If a resource is individually designated, it is then automatically considered a contributing resource within the district that includes it.

(Ord. 02-643 Section 49, 2003; Ord. 01-594 Section 2 (Exhibit A), 2001).

3.3.3 Thresholds of Significance

The significance criteria used to evaluate the project impacts to cultural resources are based on Appendix G of the CEQA Guidelines. Since publication of the Initial Study, the CEQA Guidelines have undergone a comprehensive update. Therefore, the analysis that follows relies on the updated thresholds in Appendix G of the 2019 CEQA Guidelines. According to Appendix G of the 2019 CEQA Guidelines, a significant impact related to cultural resources would occur if the project would:

- CUL-1** Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.
- CUL-2** Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.
- CUL-3** Disturb any human remains, including those interred outside of formal cemeteries.

In addition to addressing the above three thresholds, the October 2016 Initial Study identified the potential for impacts to paleontological resources. As such, the following additional threshold is included in the analysis below.

- CUL-4** Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

3.3.4 Impacts Analysis

Threshold CUL-1. Would the project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?

No previously recorded historical resources were identified within the project area as a result of the records search. However, two previously unrecorded built environment resources were identified within the project area: the commercial building at 7811 Santa Monica Boulevard (built in 1924), and a small multifamily residence (built in 1949) located at 1125–1127 North Ogden Drive. Both resources were recorded and evaluated on the appropriate set of Department of Parks and Recreation (DPR) 523 forms. These DPR forms are provided in Appendix C of this Draft EIR. The evaluation considered CRHR and City of West Hollywood historic designation criteria and integrity requirements.

7811 Santa Monica Boulevard

The property at 7811 Santa Monica Boulevard consists of two buildings and a parking lot. The building fronting onto Santa Monica Boulevard is a one-story, load-bearing, red brick commercial building oriented north-south. The roof has a low-sloped flat form surrounded by a brick parapet with decorative angular features. The second building is attached to the north elevation of and oriented perpendicular to the first building, and exhibits the same roof and parapet characteristics, although it appears to be constructed with concrete masonry units. A portion of the north exterior wall of the first building was removed to allow access to the second building, effectively turning the two separate buildings into one space.

The south (main) elevation has three evenly distributed bays; the west and east bays each contain three large fixed full-lite windows separated by narrow mullions, whereas the center bay contains

two large fixed full-lite windows flanking a centered full-lite glass door with a large fixed full-lite window flanking either side. The western window of the center bay is narrower than the other windows, due to incorporation of a mail slot into the window which necessitated replacing a vertical section of glass with wood. The front façade is capped with a parapet designed in a stair-step fashion, displaying a subtle nod to Art Deco.

The subject property has undergone numerous exterior alterations that have greatly impacted the integrity of its original design and form, including a change of use from an industrial property to a commercial property. Additionally, research failed to indicate any significant historical associations.

In consideration of CRHR and NRHP criteria, the subject property is not known to be associated with any significant persons or events. Therefore, it does not appear eligible under Criteria A/1 or B/2. The property is also not significant for its architectural merits since it has been substantially altered over time. Therefore, the property does not appear eligible under Criteria C/3. Finally, the subject property will not yield any information important in prehistory or history. Therefore, the property does not appear eligible under Criteria D/4.

In consideration of City of West Hollywood designation criteria, the subject property does not exemplify special elements of the City (City Criterion A), nor does it represent a rare example of an architectural type or specimen (City Criterion B). Further, background research failed to reveal any associations with the building and any significant persons or events (City Criterion C). Finally, the building is not representative of the work of a notable architect, builder, or designer (City Criterion D).

1125–1127 North Ogden Drive

The subject property consists of a one-story single-family residence attached by a one-story room to a two-story multifamily building housing six apartments. An asphalt driveway runs along the south edge of the parcel, leading to a small resident parking area at the rear.

The single-family residence is at the front of the property, facing east onto North Ogden Drive. Designed in the minimal traditional style, the building is roughly square in plan with stucco walls and a complex low-sloped hipped roof covered in composition shingles. There's also a subtle nod to the streamline moderne style in the presence of a belt course located about one-third high on each exterior wall; inclusion of a small octagonal window on the south elevation; and the placement of windows at corners creating a wrap-around effect. All of the rectangular windows are covered by security bars. The east (main) elevation contains a centered front door obscured by a security door, and a one-over-one double-hung wood window at the extreme north and south ends of the façade. A small concrete front stoop accessed by two steps leads to the front door, which is sheltered by the roof corner. The roof corner is supported by two 4-inch by 4-inch wood columns. The belt course is wood, and on the north half of the front façade it is topped by a band of tiles (four rows of 1x1 in. tiles topped with a row of 1x6 in. rectangular tiles).

The subject property has undergone exterior alterations that have greatly impacted the integrity of its original design and form. Additionally, research failed to indicate any significant historical associations.

Summary

As a result of the evaluations, both resources were found not eligible for the CRHR and local landmark designation due to a lack of important historical associations and architectural significance, and compromised integrity. These buildings are not considered historical resources under CEQA and no mitigation is required. Further, there are no adjacent resources that would be indirectly impacted by the proposed project. Therefore, construction and operation of the proposed project would not cause a substantial change in the significance of an historical resource as defined in CEQA Guidelines Section 15064.5, and impacts are considered **less than significant**. No mitigation is required.

Threshold CUL-2. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

No previously recorded archaeological resources were identified within the project area as a result of the records search. Nor were any archaeological resources identified in close proximity to the project area. Further, no archaeological resources were identified within the project area as a result of the pedestrian survey (the entire project area is developed and contains no exposed ground surface). However, the potential exists for unknown archaeological resources to be inadvertently unearthed during earth-moving activities associated with construction of the proposed project. In the unexpected event that construction activities unearth intact cultural or archaeological materials, a potentially significant impact could result, and as such, mitigation would be required. Mitigation Measure (MM)-CUL-1, which requires halting all construction work occurring within 100 feet of a find until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, evaluates the significance of the find and determines whether or not additional study is warranted, would reduce this potentially significant impact to a level of less than significant. Therefore, impacts to archaeological resources would be **less than significant with mitigation incorporated**.

Threshold CUL-3. Would the project disturb any human remains, including those interred outside of formal cemeteries?

No prehistoric or historic burials were identified within the project area as a result of the records search. However, the possibility of encountering human remains within the proposed project area exists. The discovery of human remains would require handling in accordance with Public Resources Code 5097.98, which states that in the event that human remains are discovered during construction, construction activity shall be halted and the area shall be protected until consultation and treatment can occur as prescribed by law. In the unexpected event that human remains are unearthed during construction activities, impacts would be potentially significant, and as such, mitigation measures are required. Implementation of **MM-CUL-2**, which requires notification of

the Los Angeles County Coroner if human remains are found, impacts would be **less than significant with mitigation incorporated**.

Threshold CUL-4. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project area is located within the northern portion of the Los Angeles Basin, which primarily consists of marine clastic and organic sedimentary strata of the middle Miocene to recent epoch (14.5 to 1.7 million years ago). There also exists igneous rocks of the middle Miocene epoch. The lower sequence typically consists of marine sandstone, siltstone, and minor amounts of conglomerate that were deposited in a shallow marine environment. Specifically, the project area contains two recorded geologic units: Quaternary older alluvium and Pleistocene non-marine sediments, representing alluvial sediments between 5,000 to 10,000 years old that are derived from the nearby Santa Monica Mountains. Underneath the alluvial sediments lies the Upper Pleistocene Lakewood Formation, which consists of older alluvial deposits.

According to the records search results letter from the Natural History Museum of Los Angeles County (LACM), past construction-related grading and trenching activities in the area surrounding the project site encountered paleontological resources. Previously discovered fossils in the area were in older Quaternary age sedimentary deposits known as the Palos Verdes Sand. The closest localities are from the North Outfall Sewer project (LACM 2034 [=3261] and 3371). LACM 2034 [3261] is located south-southwest of the project site, near the intersection of Beverly Boulevard and Kilkea Drive, and yielded specimens of mastodon (*Mammuthus americanum*) and mammoth (*Mammuthus*) at an unknown depth. LACM 3371 is located south-southeast of the project site, near the intersection of Sierra Bonita Avenue and Oakwood Avenue, and produced specimens of prehistoric bison (*Bison antiquus*) at a depth of 12 feet below the ground surface (bgs).

Due south, during construction of The Grove, a Pleistocene age assemblage (LACM 7495) consisting of micro vertebrates (e.g., turtle, snake, rabbit, and rodent) and megafaunal (horse, bison, camel, and mammoth) remains was recovered at 10 feet bgs, with a second locality (LACM 7478) yielding additional rodent specimens (e.g., pocket gopher) at a depth of 46 feet bgs. Localities LACM 7513-7516 from the Park La Brea to the south included fossil specimens of snake, sloth, rabbit, rodent, skunk, horse, and camel at relatively shallow depths of 3 feet bgs. Near the intersection of Third Street and Edinburgh Avenue, locality LACM 1268 yielded a specimen of undetermined elephant (e.g., Proboscidea) at a depth of 20 feet bgs. A fossil horse specimen was recovered at an unknown depth from locality LACM 7673 near the intersection of Rosewood Avenue and Westbourne Drive west-southwest of the project site. Localities LACM 7671-7672 yielded fossil specimens of mastodon and deer, also from an unknown depth, along San Vicente Avenue between Third Street and Colgate Avenue, southwest of the project site. Near the intersection of La Cienega Boulevard and Oakwood Avenue, west-southwest of the project site,

locality LACM 7966 yielded an assemblage containing fossil plant, invertebrate, and vertebrate remains. It is likely that at least some fossilized remains will be encountered during grading within the project site.

The project site is located within an area that has been previously developed and is likely underlain by fill materials, at least in part. While the site has been heavily disturbed by urban development over the years, intact paleontological resources may be present below the original layer of fill material. Given the proximity of past fossil discoveries in the surrounding area and the underlying alluvial fan deposits, the project site is moderately to highly sensitive for supporting paleontological resources. In the event that intact paleontological resources are located on the project site, ground-disturbing activities associated with construction of the proposed project, such as grading during site preparation, have the potential to destroy a unique paleontological resource or site. Without mitigation, the potential damage to paleontological resources during construction would be a potentially significant impact. However, upon implementation of mitigation measure **MM-CUL-3**, which requires that the Paleontology Monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources in the event of a find, impacts would be reduced to below a level of significance. Therefore, impacts are considered **less than significant with mitigation incorporated** during construction.

3.3.5 Mitigation Measures

The following mitigation measures would reduce potentially significant impacts to archaeological resources, paleontological resources, and human remains to a less-than-significant level.

MM-CUL-1 Inadvertent Discovery of Archaeological Resources

In the event that archaeological resources (sites, features, or artifacts) are exposed during construction activities for the proposed project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find and determine whether or not additional study is warranted. Depending upon the significance of the find under CEQA (14 CCR 15064.5(f); PRC Section 21082), the archaeologist may simply record the find and allow work to continue. If the discovery proves significant under CEQA, additional work, such as preparation of an archaeological treatment plan, testing, or data recovery may be warranted.

MM-CUL-2 Inadvertent Discovery of Human Remains

In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be immediately notified of the

discovery. No further excavation or disturbance of the project site or any nearby area reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are, or are believed to be, Native American, he or she shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the NAHC must immediately notify those persons it believes to be the most likely descendant from the deceased Native American. The most likely descendant shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

MM-CUL-3 Paleontological Mitigation Program

Prior to commencement of any grading activity on site, the applicant shall retain a qualified paleontologist or their representative, subject to the review and approval of the City's Building Official or qualified designee, to serve as the Paleontological Monitor. The qualified paleontologist shall attend the preconstruction meeting and be on site during all rough grading and other significant ground-disturbing activities in previously undisturbed older Quaternary alluvial deposits, if encountered. These deposits may be encountered at depths of 5 to 10 feet below the ground surface. In the event that paleontological resources (e.g., fossils) are unearthed during grading, the Paleontology Monitor will temporarily halt and/or divert grading activity to allow recovery of paleontological resources. The area of discovery will be roped off with a 50-foot radius buffer. Once documentation and collection of the find is completed, the Paleontological Monitor will remove the rope and allow grading to recommence in the area of the find. The Paleontological Monitor shall prepare a Paleontological Resources Impact Mitigation Program (PRIMP) for the proposed project. The PRIMP shall be consistent with the guidelines of the Society of Vertebrate Paleontology (SVP) (2010).

3.3.6 Level of Significance After Mitigation

Implementation of mitigation measures **MM-CUL-1** through **MM-CUL-3** would ensure that all cultural resources impacts after mitigation are **less than significant**. Should any unanticipated archaeological or paleontological discoveries be made during project construction, **MM-CUL-1** through **MM-CUL-3** provide adequate protection for the affected resources by ensuring that construction work will halt, and professional resource specialists will be consulted to investigate the discovery prior to any additional ground-disturbing work taking place in the vicinity of the find.

3.3.7 References Cited

Cogstone (Cogstone Resource Management Inc.). 2010. *West Subway Extension Historic Property Survey Report and Cultural Resources Technical Report*.

SVP (Society of Vertebrate Paleontologists). 2010. *Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources*. 11 p. Available; <http://vertpaleo.org/PDFS/68/68c554bb-86f1-442f-a0dc-25299762d36c.pdf>.

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