

## **Appendix FEIR-3**



---

Technical Memorandum for the LACMA  
Cultural and Paleontological Resources  
Revised Project Description Analysis



AECOM 213.593.8100 tel  
300 South Grand Avenue  
Eighth Floor  
Los Angeles, CA 90071  
www.aecom.com

## Technical Memorandum for the LACMA Cultural and Paleontological Resources Revised Project Description Analysis

---

To: Yanet Martinez, Senior Landscape Designer & Facility Planning Associate, LACMA

---

From: Christy Dolan, Principal Archaeologist, AECOM

---

Subject: LACMA Cultural and Paleontological Resources - Revised Project Description Analysis

---

Date: July 11, 2018

---

### INTRODUCTION

The Draft Environmental Impact Report (Draft EIR) for the Los Angeles County Museum of Art (LACMA) Building for the Permanent Collection Project (the Project) was released for public review on October 26, 2017. Subsequent to the publication of the Draft EIR, several design changes were made to the Museum Building. The analysis of cultural and paleontological resources presented in the Draft EIR is based on the Cultural and Paleontological Resources Technical Report (Technical Report) dated September 2017. This technical memorandum has been prepared to present an analysis of the changes to the Project and whether they would result in any changes to the analysis presented or the recommended mitigation measures identified in the Draft EIR related to cultural and paleontological resources. This technical memorandum is organized to first present the Project Description that has been revised since the publication of the Draft EIR, followed by a list of the mitigation measures identified in the Technical Report, an analysis of the revised Project Description, and then conclusions are made regarding whether the analysis presented and mitigation measures identified in the Technical Report prepared in support of the Draft EIR are applicable to the revised Project.

### REVISED PROJECT DESCRIPTION

The Project includes an approximately 347,500 gross square foot Museum Building, which is a reduction of 40,000 square feet as compared to the Museum Building analyzed in the Draft EIR. The Museum Building would continue to be located on LACMA East and the property on the southeast corner of Wilshire Boulevard and Spaulding Avenue (Spaulding Lot), with a portion spanning Wilshire Boulevard. The Museum Building would replace four buildings within LACMA East collectively comprising approximately 392,871 gross square feet, including the Ahmanson Building, the Hammer Building, the Art of Americas Building, and the Bing Center (which contains the LACMA Café, the Dorothy Brown Auditorium, which provides 116 seats, and the Bing Theater, which provides 600 seats). Overall, the Project would result in a decrease in the square footage of museum operations by approximately 45,371 square feet and a reduction in the maximum theater size from over 700 seats to 300 seats. The Museum Building is still proposed to consist of seven semi-transparent Pavilions that would support an elevated, continuous, transparent main gallery level extending over Wilshire Boulevard to the Spaulding Lot in the same general location as presented in the Draft EIR; although the shape and location of each Pavilion within the Museum Building has changed slightly (see Figure 1, Revised Conceptual Site Plan). The Pavilion for Japanese Art within LACMA East is not a part of the Project Site and would remain. The Project design would also enhance the outdoor experience by including new outdoor landscaped plazas, public programming and educational spaces, sculpture gardens, and native and drought tolerant vegetation that would be integrated with the Museum Building and existing uses within Hancock Park.

In addition, the Project continues to include a proposed new parking facility providing approximately 260 parking spaces to be located southwest of the intersection of Ogden Drive & Wilshire Boulevard on three contiguous parcels owned by Museum Associates (the "Ogden Lot"). All parking spaces currently on the Spaulding Lot would be relocated to this new parking facility (the "Ogden Parking Structure"). The Museum Building and the Ogden Parking Structure together comprise the Project.

While the Project is expected to begin construction during the third or fourth quarter of 2019, a year after what was originally analyzed, the Project is still anticipated to be completed in 2023.

## **PREVIOUSLY IDENTIFIED MITIGATION MEASURES**

The following includes a list of the mitigation measures identified in the Technical Report prepared in support of the Draft EIR, and the CEQA determination made in the Draft EIR related to cultural resources and paleontological resources.

### **Cultural Resources**

Based on the results of the records search, known sensitivity of the area, and the resources recovered during monitoring, there is a **high** probability that cultural/archaeological resources may be impacted by the proposed Project. Therefore, the following mitigation measures are recommended.

**CUL-1** Prior to the issuance of any grading permits, LACMA shall retain a qualified archaeologist that meets the Secretary of the Interior's Guidelines for an Archeologist (see 36 CFR Part 61) to prepare a Monitoring and Discovery Plan (MDP) to the satisfaction of the CEO for Los Angeles County and the Natural History Museum. In preparing the MDP, the archaeologist shall consult with the Natural History Museum as a primary source of archaeological information about the portion of CA-LAN-159 within Hancock Park. The MDP shall identify locations to be monitored, procedures for identifying cultural resources during construction, methods for evaluating the significance of finds (such as testing), measures that may be undertaken for mitigation, and performance standards to which all parties will be held.

#### ***Prior to Start of Construction***

Prior to construction, the qualified archaeologist shall prepare a Worker Environmental Awareness Program (WEAP), which shall be combined with the paleontological WEAP, as required under Mitigation Measure PA-2. The archaeologist shall present the cultural portion of the WEAP to all construction staff to provide them with a basic understanding of the types of resources that may be encountered during construction and their importance, the laws protecting those resources, the importance of mitigation, and the procedures to follow when finds are encountered. LACMA shall require all construction employees to attend the WEAP training session before they begin work at the Project Site.

#### ***During Construction***

*Monitoring:* The qualified archaeologist shall monitor all ground-disturbing activities in areas identified by the MDP. If isolated artifacts (which comprise three or less artifacts) are discovered during monitoring, they shall be mapped and photographed. Isolated artifacts are not considered significant resources so no further work is necessary for such artifacts. However, if an archaeological resource (which comprises more than three artifacts in association with each other) is found during monitoring and cannot be avoided, construction activities shall be diverted until the resource can be assessed and appropriate recommendations made. The archaeological monitor

shall have the authority to halt earthmoving activities within 50 feet of the discovery and redirect heavy equipment away from the discovery site. The resource shall be protected by physical barriers and the monitor shall be present when construction work occurs in this area to ensure that disturbance to the resource is avoided.

*Testing/Evaluation:* If an archaeological resource is discovered, and avoidance is not feasible, the archaeologist shall evaluate the significance of the find in accordance with the CEQA Guidelines. A series of test pits will be excavated to better determine the contents and boundaries of the resource, if deemed necessary by the archaeologist. The archaeologist shall prepare an evaluation report that includes a description of the find, the evaluation of its significance, and any recommended measures, including but not limited to data recovery, to mitigate impacts specific to that discovery. This report shall be submitted to LACMA, the CEO for County of Los Angeles and the Natural History Museum for review and concurrence.

*Mitigation:* If the resource is found to be significant during testing/evaluation, appropriate mitigation shall be implemented in accordance with the approved evaluation report. If data recovery is recommended as mitigation, a site specific data recovery plan shall be prepared and submitted to LACMA, the CEO for County of Los Angeles and the Natural History Museum for review and approval. Excavation associated with the data recovery plan shall only be performed after the data recovery plan is approved. Data recovery shall include collecting a representative sample of the deposits that would be destroyed. Data recovery and documentation of recovered resources shall, at minimum, include mapping the discovery location and shall also include one or more of the following: photographs; illustrations of artifacts, features, and soil profiles; artifact collection; and excavation units. Any archaeological resources encountered shall be documented on California Department of Parks and Recreation Forms 523 Series which shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton (CSUF). The archaeologist shall prepare a final report to be filed with LACMA, the CEO for County of Los Angeles and the Natural History Museum. The report shall include documentation of all discoveries, evaluation of significance, and treatment of the recovered resources.

**CUL-2** In the event that human remains are encountered during construction activities, all ground-disturbing activities within the area of the human remains shall cease and the County Coroner shall be notified (State Health and Safety Code Section 7050.5). If the remains are determined to be of Native American descent, the County Coroner shall notify the California Native American Heritage Commission within 24 hours (Public Resources Code Section 5097.98). The Native American Heritage Commission shall identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who shall have 48 hours from notification by the Native American Heritage Commission to inspect the site of the discovery of Native American remains and to recommend to LACMA means for the treatment and disposition of the human remains and associated grave goods. LACMA shall reinter the remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance, as feasible.

The Technical Report and Draft EIR determined that implementation of the above proposed measures would reduce potential impacts to archaeological resources and human remains to a less than significant level under CEQA.

### **Paleontological Resources**

Based on the results of the records search, known sensitivity of the area, and the resources recovered during monitoring, there is a **high** probability that paleontological resources may be impacted by the proposed Project. Therefore, the following impact mitigation measures are recommended to reduce impacts to a less than significant level.

- PA-1** Prior to the issuance of any grading permits, LACMA shall retain a qualified paleontologist, who meets the qualifications established by the Society of Vertebrate Paleontology (SVP), to develop and execute a Paleontological Resources Monitoring and Mitigation Plan (PRMMP) for ground-disturbing activities. The PRMMP shall be in conformance with SVP guidelines (2016) and prepared to the satisfaction of the curatorial staff of the Vertebrate Paleontology Section of the Natural History Museum of Los Angeles County and the curatorial staff of the Natural History Museum La Brea Tar Pits & Museum. The PRMMP shall incorporate Mitigation Measures PA-2 through PA-5 and elaborate on the associated requirements.
- PA-2** Prior to construction, the paleontologist shall prepare a Worker Environmental Awareness Program (WEAP), which will be combined with the cultural WEAP, as required under Mitigation Measure CUL-1. The paleontology portion of the WEAP shall be in compliance with the SVP 2016 guidelines. The paleontologist shall present the paleontological portion of the WEAP to all construction staff to provide them with a basic understanding of the types of fossils that may be encountered and their importance, the laws protecting them, the importance of mitigation, and the procedures to follow when finds are encountered. LACMA shall require all construction employees to attend the WEAP training session before they begin work at the Project Site.
- PA-3** The paleontologist shall review the construction plans at least one week prior to the construction kickoff meeting to become familiar with the depth and patterns of grading activities planned for the Project and ensure the PRMMP is properly executed. The paleontologist, or a monitor under the supervision of the paleontologist, shall monitor all ground-disturbing activities for the presence of paleontological resources. If paleontological resources are encountered during monitoring, all construction activities in the area of the find (the area dimensions shall be determined by the paleontologist based on the type of find) shall be temporarily halted so that the paleontologist can evaluate the find and determine the appropriate treatment in accordance with SVP guidelines for identification, evaluation, disclosure, avoidance or recovery, and curation, as appropriate. The conclusion of the paleontological monitoring effort would be reached when project excavation work is no longer occurring in soils that would be likely to yield paleontological resources.
- PA-4** The paleontological monitor and/or the paleontologist shall collect all significant fossils encountered during the monitoring process. All significant fossils shall be prepared to the level of identification (including genus and/or species) and permanent preservation. In cases where significant fossils are Brea deposits, which are tar seeps that are different from other types of fossil deposits, a unique type of systematic excavation is required. For any Brea deposits encountered, all fossils detected during excavation of the asphalt masses shall be prepared and conserved; the remaining matrix degraded; and the resultant concentrate inspected for vertebrate, invertebrate, and plant fossils by a qualified paleontologist.
- PA-5** At the conclusion of paleontological monitoring effort (when the work is no longer in soils that would be likely to yield paleontological resources), the paleontologist shall prepare a final report detailing the paleontological resources recovered, their significance, treatment, and arrangements made for their curation in a manner that meets the standards published by the Society of Vertebrate Paleontology and the federal Paleontological Resources Preservation Act. The final report shall be filed with LACMA, the CEO for County of Los Angeles, the Vertebrate Paleontology Section of the Natural History Museum of Los Angeles County and the curatorial staff of the Natural History Museum La Brea Tar Pits & Museum.

The Technical Report and Draft EIR determined that implementation of mitigation measures PA-1 through PA-5 would reduce the potential impacts to paleontological resources to a less than significant level under CEQA.

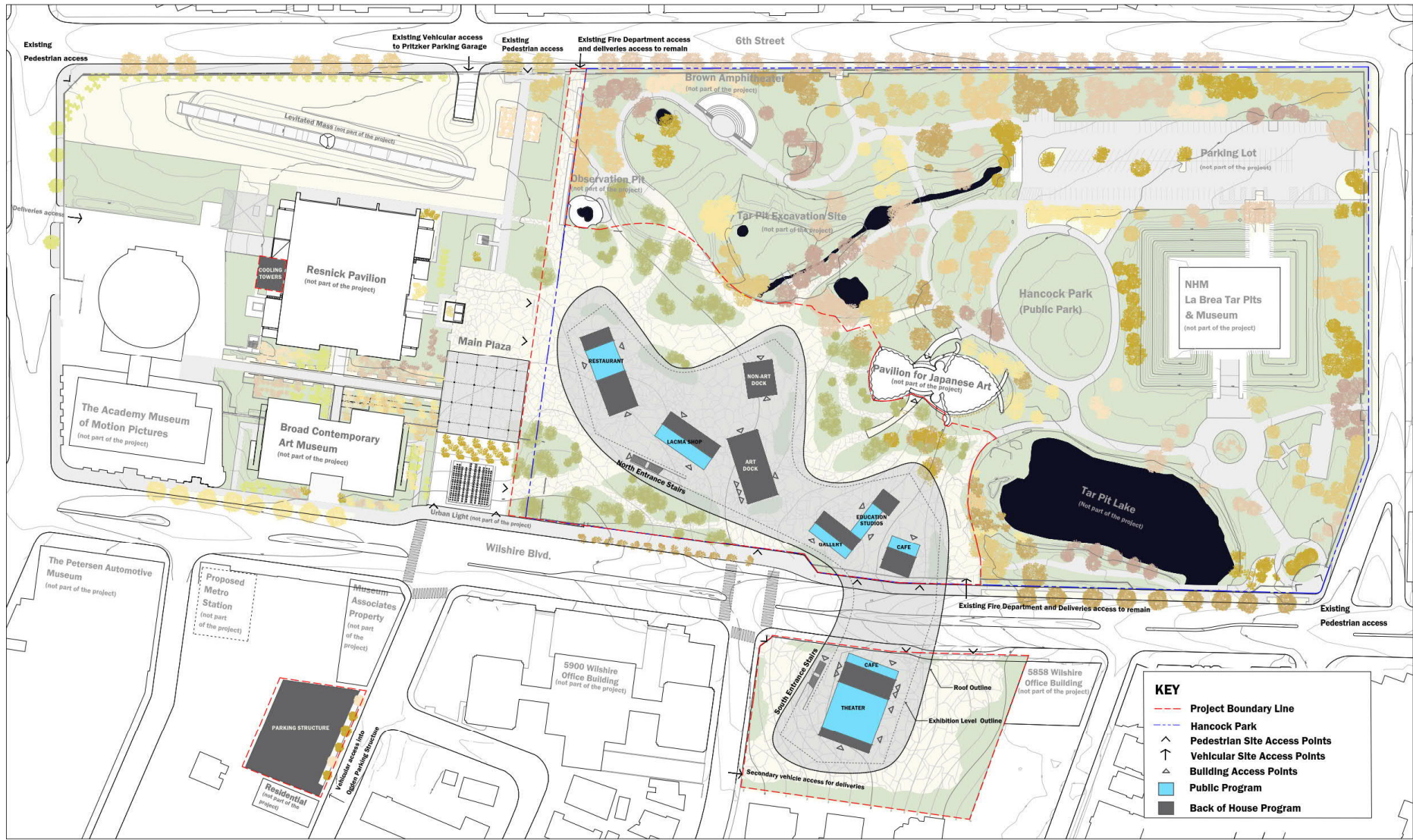
## **ANALYSIS OF PROJECT DESCRIPTION CHANGES**

The Project changes that could affect cultural and paleontological resources would be changes in depth of excavation or excavation in new locations that were not previously reviewed. This would potentially occur in areas where certain towers/facilities have been relocated, such as the relocated education studios, etc. The other changes, such as landscape improvements or new hardscape that is surficial, would not have the potential to affect cultural and paleontological resources.

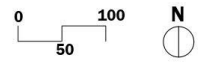
## **CONCLUSIONS**

While there may be impacts to new areas and different depths of excavation than those analyzed in the Draft EIR, the mitigation measures previously identified account for minor changes in Project description by calling for the preparation of a Monitoring and Discovery Plan (MDP) for both paleontological and cultural resources prior to construction. This MDP will lay out the conditions under which a monitor would be required and the protocol to be followed if resources are found. As such, the mitigation measures identified in the Technical Report and Draft EIR would be applicable to the revised Project. Therefore, the revised Project would not result in any new or increased significant impacts to cultural and paleontological resources, and no new mitigation measures are required.

Figure 1 – Revised Conceptual Plan



Los Angeles County Museum of Art  
 Building for the Permanent Collection,  
 Los Angeles, California



**CONCEPTUAL PLAN AT GROUND LEVEL**  
 Los Angeles County Museum of Art  
 Building for the Permanent Collection,  
 Los Angeles, California

06/12/2018