Appendix C1

Phase I Cultural Resource Assessment
(Including Archaeological and Paleontological
Record Searches)

PHASE I CULTURAL RESOURCE ASSESSMENT OF THE 4th AND HEWITT PROJECT SITE

CITY OF LOS ANGELES, CALIFORNIA

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MANAGEMENT SUMMARY

Envicom Corporation has completed this Phase I Cultural Resource Assessment (Phase I) for the proposed 4th and Hewitt Project (Project) in order to evaluate the potential for the Project to adversely affect cultural resources. The Project would be located at the southwest corner of 4th Street and Hewitt Street in the City of Los Angeles (City), California (Project Site). No site survey was conducted due to the urbanization of the Project Site landscape. A historic built environment report was prepared for the Project under separate cover to address Project impacts to historic resources. In addition, a Native American ethnographic report was prepared for the Project under separate cover, which addresses Assembly Bill 52 (AB 52) California Environmental Quality Act (CEQA) tribal cultural topics.

The findings of the Phase I record search were negative for cultural resources within the Project Site. The record search conducted by the South Central Coastal Information Center (SCCIC) identified that the Project was, however, in an area that is considered sensitive for late 19th/early 20th Century historic cultural resources. The results of the Native American Heritage Commission (NAHC) record search indicated that the Project Site is also located in an area that is considered sensitive for prehistoric cultural resources. Los Angeles Historic Resources Survey (SurveyLA) findings indicated that the Project Site is located within the Downtown Los Angeles Historic Industrial District, which supports that the Project Site is within an area sensitive for late 19th/early 20th Century historic cultural resources. The Phase I also included an examination of numerous historic maps in order to determine the proximity of the Project Site to previous alignments of the *Zanja Madre* ("Mother Ditch") water system. This examination shows that that a segment of the water system, *Zanja* No. 2, was located adjacent to the Project Site, whereas maps reproduced by others indicate that *Zanja* No. 2 may have traversed a portion of the Project Site. Finally, a record search of Natural History Museum (NHM) of Los Angeles County documents shows that the Project Site is sensitive for paleontological resources, based on findings within the vicinity of the Project.

The conclusion of the Phase I survey work is that no known cultural resources exist within the development footprint of the Project Site. However, the Project Site is located in the vicinity of the previously mapped *Zanja* No. 2 and is also located in an area that is sensitive for historic and prehistoric cultural resources and paleontological resources. Therefore, the City's standard Conditions of Approval for the inadvertent discovery of paleontological resources, implementation of mitigation measures to address potential impacts to archaeological resources (including *Zanja*-related resources), and compliance with Public Resources Code (PRC) Section 5097.98 for the inadvertent discovery of human remains are required.

1.0 PROJECT SUMMARY AND SCOPE OF STUDY

Envicom Corporation has completed this Phase I Cultural Resource Assessment (Phase I) for the proposed 4th and Hewitt Project (Project), which would be located in the Arts District of the City of Los Angeles (City), California, for purposes of California Environmental Quality Act (CEQA) compliance. The Project would retain an approximately 7,800 net square-foot (sf) existing building formerly occupied by the Architecture + Design (A+D) Museum and includes the demolition of 6,030 sf of office and related garage space, 1,000 sf of storage space, and approximately 39,751 sf of surface parking lots. The Project would include construction of an 18-story commercial office building that would consist of 327,976 sf of office and exterior common office space and 8,149 sf of ground level restaurant spaces. The Project would also provide vehicle and bicycle parking spaces. Project development would require excavation to a depth of approximately 38 feet to accommodate the subterranean parking levels.

This Phase I cultural resource study includes a cultural resource record search conducted by the South Central Coast Information Center (SCCIC), review of the Los Angeles Historic Resources Survey (SurveyLA) built environment database for the Los Angeles area, a Native American cultural resource record search conducted by the Native American Heritage Commission (NAHC), examination of numerous historic documents related to historic site development and development of the local *Zanja Madre* water system, and a record search of documents at the NHM of Los Angeles County. The purpose of the record searches is to identify any previous cultural resources that have been recorded within the Project Site and vicinity, to provide cultural resource context for the Project, and to assess the overall cultural resource sensitivity of the Project region.

For purposes of this analysis, a cultural resource is defined as a building, structure, object, or archaeological site that is older than 50 years in age and can include historic or prehistoric locations of human habitation. Built environment cultural resources, the most common being buildings or other standing structures, were not evaluated in detail as part of this report and are instead addressed in a separate historic built environment document. A pedestrian survey of the Project Site was also not completed due to the urban and built environment of the Project Site and its immediate surroundings.

2.0 ENVIRONMENTAL SETTING

The environmental setting provides a basic physical context for the Project, and often includes locational information, geological and natural setting information (both current and historic), and prehistoric and historic information about the Project Site and the surrounding region (CA SHPO 1990). In this case, the Project Site is located within the Los Angeles Basin, which will be considered the Project Site "region" for developing environmental context.

2.1 PROJECT LOCATION

The Project Site, shown in **Figure 1** and **Figure 2**, consists of Assessor Parcel Numbers (APNs) 5163-022-001, 5163-022-002, 5163-022-003, 5163-022-005, 5163-022-022, and 5163-022-023 and is fully contained on the United States Geological Survey (USGS) 7.5-minute Los Angeles topographic quadrangle (quad). The general location of the Project Site is as follows:

Latitude – 34° 2'35.52"North
Longitude – 118°14'9.15"West
Township – 1 South
Range – 13 West
USGS Quad - Los Angeles, CA

The Project Site is located east of Alameda Street at the southwest corner of East 4th and South Hewitt Streets.

2.2 GEOLOGIC SETTING

The regional setting of the Project Site is the Los Angeles River floodplain, also known as the Los Angeles Basin. The Los Angeles Basin consists of alluvial materials deposited by flood events from the surrounding California Transverse Ranges, which are comprised of generally east-west trending mountains and valleys created by north-south compressive deformation linked to the movement of the San Andreas Fault and the motion of the Pacific Plates. The mountains and hills of the Transverse Ranges include a mix of volcanic bedrock and marine sandstone layers. The Los Angeles Basin itself mostly consists of older and newer alluvial material, which date from the Pleistocene (2.5 million to 11,000 years ago) through the modern Holocene, and which are loosely sorted. Such material is prone to sliding and movement, especially during erosion events, such as during wet years after a brush fire. The Project Site is located just south of the Transverse Ranges. To the north, northeast, and east of the Project Site are the Santa Monica Mountains and the Puente, Elysian, and Repetto Hills. To the southeast are the Santa Ana Mountains and the San Joaquin Hills, and to the west is the Pacific Ocean.

Below the upper alluvial layers are deeper sandstone formations of the Fernando, Sespe, Monterey, Topanga, and Puente formations. Most of these formations date to the Miocene (23 million to 5 million years ago). This material, though still prone to slippage, is more sorted and compacted. Multiple fault lines run through the Los Angeles Basin, which contribute to earthquakes of various magnitude. Also of note are pools of asphaltum (naturally-occurring asphalt) which can be found throughout the Puente Formation. During the Pleistocene, such pools, including the La Brea Tar Pits, trapped numerous savannah animals and birds, providing important fossils for paleontological research (Yerkes 1965).

Figure 1: Project Site location in the City of Los Angeles, California, also showing the 0.25-mile radius of the study area.

Figure 2: Aerial view of the Project Site location in the City of Los Angeles, California.

2.3 EXISTING SITE CONDITIONS

The Project Site is located in a completely urban environment. The Project Site contains a larger building along the East 4th Street frontage (**Figure 3**), a smaller north-south building along the Hewitt Street frontage (**Figure 4**), and a garage and smaller structures that are interior to the Project Site. Pavement and parking make up the rest of the Project Site (**Figure 5**). The larger building was formerly occupied by the A+D Museum. This building will remain in place, and the Project proposes no modifications to the building.

Figure 3: View of the west side of the building formerly occupied by the A+D Museum that fronts Colyton Street.

Figure 4: View of the west side of the South Hewitt Street frontage building.

Figure 5: View of the interior parking area, facing west/northwest.

2.4 CULTURAL SETTING

This section provides the historic, ethnographic, and archaeological context for the Project. The prehistoric context comes primarily from past archaeological research, though ethnographic accounts are frequently used for later time periods, especially after the first contact between Native Americans and European groups. Historic cultural context comes from a number of written documents, including both primary (original) documents and secondary (books, manuscripts, and articles) documents. Photographs and artwork can also provide cultural setting information. Both can be original images of subjects or landscapes within their original context, or representational images that have been recreated at a later time.

As previously described, the Project Site is located within the Los Angeles Basin, which is a subset of the Southern California geographic region. The prehistoric archaeological literature for Southern California contains many temporal chronologies that attempt to differentiate prehistoric time periods using defining characteristics related to artifact types, subsistence, trade, habitation, or culture. Examples of different chronologies can be found in Chartkoff and Chartkoff (1984), Glassow (1996), Moratto (2004), and Arnold and Graesch (2004:4). Erlandson et al. (2008:18) provides an excellent summary of seven past attempts to create time period chronologies for the Channel Island Region, which often includes the Los Angeles coastal area (2008:18). For this report, the Project Site will be examined as part of the Southern Coastal Region and will follow the Glassow et al. (2007) time period chronology as this approach is more refined as to temporal divisions and incorporates more recent research and interpretation into period development.

Paleo-Indian Period (11,000 B.C. – 9000 B.C.)

Paleo-Indian Period sites are the least common archaeological sites related to Native American occupation in California. Low numbers of Paleo-Indian sites come from smaller prehistoric population numbers during this time period, highly mobile populations that did not produce stable settlement sites, and drastic changes in the California shoreline from a rise in ocean levels, which has resulted in most coastal paleo sites being under water today. Often, the Paleo-Indian history of a region, such as the Southern Coastal Region, is built on inferences from the few known Paleo-Indian sites found in the larger Southern California region.

Early coastal people probably concentrated on the exploitation of hunting both terrestrial and marine resources (Gamble 2008). They most likely followed a hunter-gatherer way of life that utilized a wide spectrum of accessible food sources. Moratto (2004) suggests that there is some incidental evidence that humans may have been in the coastal region of California much earlier than 11,000 B.C., however clear evidence for this conclusion remains elusive (Ciolek-Torrello et al. 2006).

The potentially oldest known human remains found in North America are the *Arlington Springs Man,* uncovered by Phil C. Orr in 1959-1960 on Santa Rosa Island. Recent Radiocarbon Dating analysis undertaken by Dr. John Johnson of the Santa Barbara NHM revealed that the remains are from roughly 11,000 years B.P. (before present) (2015). The discovery of such ancient Native

American remains on Santa Rosa Island demonstrates that the earliest Paleo-Indians had watercraft capable of crossing the Santa Barbara Channel, and lends credence as well to a "coastal migration/ kelp highway" theory for the peopling of the Americas, using boats to travel south from Siberia and Alaska (Erlandson 2007).

Native Americans of this time would have been highly mobile, with limited trade between groups. Small, family-centered groups may have come together as bands during certain annual meetings, linked with seasonality; however, such sedentary living was an exception in their wide-ranging yearly movement cycle. A warming trend toward the end of the Paleo-Indian period led to distinct changes in available food sources. Herds of large mammals were replaced by small to medium-sized mammals, which in turn led to changes in lifestyle for the earliest of California's Native American groups.

Archaic Period (9000 B.C. to 7000 B.C.)

The earliest prehistoric Native American archaeological sites found in the Los Angeles basin are associated with the Archaic Period. The Archaic Period for Southern California has been re-interpreted and refined often over the last 50 years. Some original chronology models extended this period to include almost the entire time between the migration of the Paleo-Indians and the formation of larger Native American settlements that occurred in late prehistoric times. The original Archaic Period has recently been refined and is now believed to include a number of distinct sub-periods. This report uses the more recent interpretation of the *Archaic Period*, as the 2,000 years after the transition away from a predominant hunting lifestyle to a less mobile hunting and gathering lifestyle by coastal Native Americans (Glassow et al. 2007).

Changes during the Archaic Period are considered to be a response to changes in the climate and environment at the end of the Paleo-Indian period. The hunting and gathering lifestyle of Archaic Period people is characterized by a wide array of bifaces, choppers, scrapers, and other tools associated with a high-mobility strategy to exploit a wider range or regional resources. This period is poorly represented in the Los Angeles Basin with few sites identified within this time period located in the region (Ciolek-Torrello et al. 2006). Many authors, therefore, begin the prehistoric chronology of the Southern Coastal Region at the end of this period, even though Native Americans most likely occupied the area from the earliest times.

Milling Stone Period (7000 B.C. to 5000 B.C.)

The prehistoric chronology after 7000 B.C. has been divided into several distinct periods, as outlined by Glassow et al. (2007), and based on archaeological sites with known Carbon-14 dates. Earlier authors used different period indicators, or have different starting or ending dates than those presented below; however, for the purpose of this study, Glassow et al. represents the most recent, widely referenced chronology. The 2000 years starting in 7000 B.C. is often referred to as the Milling Stone Period or Millingstone Cultural Horizon, based on the prominent mano (hand

tools) and metates (flat, grinding surfaces) found on sites dating to this time period (Glassow et al. 2007; Wallace 1955).

The Milling Stone Period is characterized by small, mobile Native American groups with a general shift in diet to the primary collecting of plant materials, accompanied by a dependence on groundstone implements associated with the grinding of seeds (Glassow 2007). Throughout the Milling Stone Period, mobility decreased and sedentary occupation of more permanent villages increased, as did core group size, as dependence on seed-bearing plant materials intensified. These groups appear to have relied on a seasonal shifting of settlement, which included travels to and between inland and coastal residential bases. The larger settlements were focused on coastal resources, being located near estuaries, lagoons, lakes, streams, and marshes in order to exploit a wide-range of resources, including seeds, fish, shellfish, small mammals, and birds.

Prehistoric occupation sites from this time period often have thick midden deposits (soil build up over time from the activities of a habitation), cooking features, and long-term habitation of re-used locations within the yearly settlement cycle. Flaked tools are made of cherts, quartzite, basalt, and other lithic materials. Residue and wear on groundstone tools indicate the milling of plant seeds and possibly hard nuts. Middens (refuse dumps) contain shellfish, some fish bones, and fragmented larger mammal bones, such as deer. *Olivella* shell beads appear at this time, indicating the beginnings of regional trade (Glassow 2007).

Middle Period (5000 B.C. to 2000 B.C.)

Cultural sites identified as being within the Middle Period are characterized by changes in the size and shape of metates and manos, and the introduction of mortars and pestles. Mortars and pestles are primarily used to reduce harder or larger seed materials, such as acorns, into a processed food source. These changes signify a greater reliance on large seed food sources in the diet. The use of the acorn as a diet staple provided a high-calorie and storable food source, which in turn is believed to have allowed for greater population sedentism, and higher levels of social organization. Protein quantity in the diet did not change, however, the number and types of projectile points increased during this time. Projectile points included large side-notched, stemmed, and leaf-shaped forms; used for spears and atlatl darts (Erlandson 1999; Wallace 1955; Warren 1968). Circular shell fishhooks were used on the coast, and a more diverse set of hunting equipment appears to have been used, both of which support increasing specialization of resource use.

Specialized sites during the Middle Period included temporary camps, single primary-focus activity areas, such as quarries, and long-term settlement locations. Regional trade, primarily between the mainland and the Channel Islands, took place with large numbers of diverse ornaments and shell beads found in mortuary settings dating to the period. Characteristic burial practices include fully flexed burials placed face-down or face-up and oriented toward the north or west (Warren 1968). Red ochre (a red-colored pigment) was commonly used, and internments sometimes were placed beneath cairns or broken artifacts. These later changes are thought to indicate an increase in social status differential and access to trade goods.

Transition Period (2000 B.C. to A.D. 1)

The Transition Period indicated an intensification of prehistoric fishing and sea mammal hunting, with a reduction in shellfish utilization and an increase in regional trade networks (Glassow et al. 2007:200-203). Several new artifacts appear in cultural sites of this period, including net weights, circular fishhooks, asphaltum-use, and the shift from the use of atlatl darts to arrow points. Subsistence is characterized by an increased emphasis on acorns, as well as local intensification of plant and small mammal food sources.

At this time, sedentism and long-term occupation of sites increased, accompanied by more elaborate social practices and formal cemeteries. Ritual burial objects become common and mortuary practices suggest an increase in social wealth and status. Specialized labor emerged, and trade networks became increasingly important, with both functional and non-utilitarian materials being transported over increasingly wider trade routes.

As was seen elsewhere along the Southern California coast, the Los Angeles River drainage was an optimal location for prehistoric Native American settlements during the Transition Period. The local marshes, seasonal rivers, and swamps provided abundant shellfish, migrant waterfowl, and plant resources, and the access to coastal waters allowed for marine animal resources as well. The Los Angeles River area was also ideal for access to trade routes, both along the coast and inland to more distant resource areas.

Late Period (A.D. 1 – A.D. 1000)

The Late Prehistoric Period (and the following Ethnographic Period) marked the highpoint of the Southern California coastal Native American cultures, including the Los Angeles Basin *Tongva-Gabrieliño* tribal group (Wallace 1955). The Project is located in the middle of the traditional *Tongva-Gabrieliño* occupation territory. The term “Gabrieliño” is a general term used originally by the Spanish to refer to Native Americans residing at or administered by the Spanish of the Mission San Gabriel Arcángel. Since the name “Gabrieliño” is associated with the Spanish forced relocation and Missionization of the Native Americans of the Los Angeles Basin region, many of the descendants of the *Gabrieliño* today prefer the use of “Tongva” to describe the Native American peoples descended from the Los Angeles Basin region (Welch 2006:2).

Coastal habitation sites had relatively dense populations by the end of the Middle Period, as well as an exchange relationship between the occupied coastal islands, the mainland coast, and interior regions that expanded during the *Late Period* (Glassow et al. 2007:203-205). Glassow et al. (Ibid.:203-205) note that certain trends continued during the Late Period, including substantial midden deposits, defined cemetery use, and the first evidence of true bow and arrow use. Overall, the variety and complexity of material culture increased during this time period, demonstrated by more diverse classes of artifacts. Glassow et al. (2007:204) summarize this period as:

“The period between cal A.D. 1 to 1000 was one of significant changes in technology, society, and economy. It is a period in which regional populations apparently grew to much higher levels

and several important steps were taken along the road to increasing social and economic complexity."

Small, finely knapped projectile points, usually stemless with convex or concave bases, point to an increased utilization of the bow and arrow rather than the atlatl and dart for hunting. Mortuary practices, including cremation and interment, were more elaborate than in preceding periods, and some burials contain abundant grave goods. Seagoing vessels were introduced and plank canoes allowed Native Americans the ability to hunt deep-sea fish, such as tuna and swordfish (Chartkoff and Chartkoff 1984:169-203). As Glassow et al. (2007:211) state "…by the time of European contact, the *Chumash* and their coastal *Tongva-Gabrieliño* neighbors had hereditary political offices and a social elite, different sorts of regional organizations, and a well-developed shell bead currency that facilitated inter-village and cross-channel commerce."

The prehistoric Late Period also saw the production of many beautiful and complex objects of utility, art, and decoration. These artifacts include steatite cooking vessels and containers, steatite arrow shaft straighteners, perforated stones, a variety of bone tools, and personal ornaments made from bone, stone, and shell, including drilled whole *Chione* (Venus clam) and drilled abalone. During this period, an increase in population size was accompanied by the establishment of larger, more permanent villages with greater numbers of inhabitants (Wallace 1955:223).

The Native American Ethnographic Period (A.D. 1000 – 1542)

The period after A.D. 1000 to contact with the Spanish marks the Ethnographic Period of Native American history in Southern California, when the material culture and social organizations later observed by the Spanish explorers were being developed and were established by the time of contact between the Spanish and the Native American cultures of Southern California. The period from A.D. 1000 to 1542 represented a time of cultural change for Southern California Native Americans, with several researchers pointing to changes in water temperature, climate change, and drought as prominent factors in social and material cultural changes from the Late Prehistoric Period to the Ethnographic Period. However, whether these changes were gradual or punctuated is still debated (Glassow et al. 2007:205).

The dominant ethnographic group in the Project region during the Ethnographic Period was the *Tongva-Gabrieliño* (which includes the *Tongva-Fernandeño*, located in the San Fernando Valley); historically one of the larger and more complex groups of California Native Americans. The *Tongva* people of the Los Angeles Basin area occupied land that was bordered to the north and northwest by the *Chumash,* to the north by the *Tataviam*, to the northeast by the Serrano, and to the south by the Cahuilla and Luiseño Tribal Groups. The San Fernando Valley appears to have been a shared area, with both *Tongva-Fernandeño* and *Tataviam* peoples having villages in the Valley. Similarly, the Topanga Creek Valley area was shared by both the *Chumash* and the *Tongva-Gabrieliño* peoples, with the creek forming a rough boundary between the two groups. The Channel Islands were another important shared area, with different islands being occupied by either the *Chumash* or the *Tongva-Gabrieliño* peoples. Due to limitations of the historic and

ethnographic literature, exact inland borders between the various Native American groups are less a solid boundary line and more a general transition zone between different peoples.

The wealth of resources of the Pacific Coast and the inland waterways allowed the *Tongva-Gabrieliño* people to occupy a number of large village areas, as well as retain a population density greater than other Native American groups in California except for possibly the *Chumash* to the west. Current research points to a time of change for the *Tongva-Gabrieliño* people, with social reorganization, and fluctuations in subsistence models from earlier time periods. An abundance of resources appears to have led to increasingly complex social, political, and economic structures, expanded craft specialization, with specialized regional workshops, specialized tools, shell money, and an expanded trade network. Craft specialization centered on the production of shell beads, both for adornment and for currency, lithic micro blades, deer bone tools, basket production, and basket asphalting to make them watertight. Coastal canoe construction also reached a height of construction specialization, organization, and ownership during this time period (Glassow et al. 2007:206-208; Bean and Smith 1978).

The archaeological and ethnographic literature suggests that populations in the interior of the Los Angeles Basin and interior areas occupied by the *Tongva-Gabrieliño* were not as dense as what took place along the coast or on the Channel Islands. The relationship between the less chronicled interior areas and the coastal region is a current research question in Southern California archaeology; with different models of seasonal migration between the coast and the inland areas being proposed. Another research question is whether the interior archaeological sites were inhabited season-round, centering on larger residential settlements. It is known that exchange with coastal villages and inter-village social and political ties based on marriage occurred, however the question remains whether actual movement of people occurred between the inland areas and the coast, or whether the extensive trade network of the *Tongva-Gabrieliño* and *Chumash* peoples were providing subsistence goods during seasonal scarcity (Glassow et al. 2007:208-210).

The Tongva-Gabrieliño at the Time of Contact (A.D. 1542 – A.D. 1769)

The earliest Spanish explorers of the California coast included Juan Rodriguez Cabrillo in 1542, Pedro de Unamuno in 1587, Sebastian Rodriguez Cermeño in 1595, and Sebastián Vizcaíno in 1602 (Chartkoff and Chartkoff 1984: 251-258). These early expeditions were transient in nature, and rarely impacted the areas traveled through except as a novelty. When the Spanish first came to the Los Angeles Basin, they encountered a region already long-settled by the *Tongva-Gabrieliño* Peoples.

Though Juan Rodriguez Cabrillo in 1542 was the first European recorded to have made contact with the *Tongva-Gabrieliño* Native Americans of the southern Channel Islands and mainland areas of Los Angeles and Orange Counties, it is unclear how much European contact influenced the Native Americans of California through this time period. Erlandson et. al. (2008:103-104) note that diseases may have predated the Spanish Settlement of Southern California, with diseases

passing between populations of Native Americans along established trade routes. Such diseases may have had an impact on regional village size, population patterns, or Native American culture before many of the California Native American groups had even met the Spanish. Gamble (2008:38-42) also notes that Spanish goods were being passed through coastal Native American groups long before the Spanish settlement of California began, though contact was infrequent. The earliest Spanish descriptions of the *Tongva-Gabrieliño* may, therefore, not have been entirely reflective of Native American society and culture as it existed during the earlier Ethnographic Period before contact.

What is recorded by the early Spanish explorers is that the *Tongva-Gabrieliño* had large villages with extensive craft specialization and community wealth. Highly skilled artisans specialized in certain craft trades, such as stone bowl making or canoe building (Heizer and Whipple 1971: 355-357). The *Tongva-Gabrieliño* and their *Chumash* neighbors represented the most heavily populated Native American groups in California at the time of contact (Moratto 1984: 117-118).

Tongva-Gabrieliño diet sources consisted of hunting, with small terrestrial game being hunted with deadfalls, rabbit hunts, and by burning undergrowth, and larger game such as deer being hunted using bows and arrows. Fish were also exploited, being taken by hook and line, nets, traps, spears, and poison. Finally, gathering of plant resources probably made up a large percentage of the *Tongva-Gabrieliño* diet, with the primary plant resources being fall-harvested acorns and late spring and summer seeds, bulbs, and tubers (Bean and Smith 1978; Reid 1977 [1852]). Seeds harvested included chia, sages, various grasses, and *islay* or holly-leaved cherry (Reid 1977 [1852]; Timbrook 2007).

The *Tongva-Gabrieliño* language, like the *Tataviam* language, is part of the *Takic* branch of the *Uto-Aztecan* language family, which originated in the Great Basin region. The *Chumash* language is not of Takic origin, and the *Chumash* Native Americans were likely already located in their traditional lands when the ancestors of the *Tongva-Gabrieliño* migrated into the region (Titus 1987; Sutton 2009).

The *Tongva-Gabrieliño* are estimated to have had a population of around 5,000 before the contact period (Kroeber 1925). At least 26 *Tongva-Gabrieliño* villages were noted by the Spanish as existing within the proximity of the Los Angeles River, with an additional 18 being located farther into the Los Angeles Basin interior (Gumprecht 2001). The highest number of villages, and hence the densest *Tongva-Gabrieliño* populations, were reported to have been in the San Fernando Valley, the Glendale Narrows area north of present-day Downtown Los Angeles, and around the Los Angeles River's coastal outlets (Gumprecht 2001).

Some of the more historically important villages in the Project region included *Maawnga* in the Glendale Narrows, *Totongna* and *Kawengna* in the San Fernando Valley, *Hahamongna*, northeast of Glendale, and *Yangna (also referred to as Yaanga, or Ya'anga)*, located in the vicinity of present-day Downtown Los Angeles. The exact location of *Yangna* is currently unknown, with several Downtown locations being speculated upon (McCawley 1996; and Chartkoff and Chartkoff

1984:64). It is very possible, given the shifting location of the Los Angeles River, that the village was moved several times during the Ethnographic and early Historic Period. The village of *Maawnga*, also recorded as *Maungna*, is believed to have been located "high on a bluff overlooking Glendale Narrows in the hills now occupied by Elysian Park" (Gumprecht, 2001:31). A third possible village, named *Geveronga,* may have been located in the present-day Downtown Los Angeles city center area, as it is reported in the San Gabriel Mission baptismal records of Native American converts and the villages they came from as being located "in the rancheria adjoining the Pueblo of Los Angeles" (McCawley 1996:57).

San Gabriel Mission baptismal records also show the village of *Yangna* being occupied until at least 1813, which would have placed the village occupation well into the Missionization period (McCawley 1996:57). Since most Native Americans were forced to live and work at mission sites by this time, it is unclear whether these records meant that they were people originally from *Yangna* who may have been baptized later during Missionization, or whether the actual village was still in use by this time. Regardless, Mexican Independence in 1822 and the secularization of the mission system led to the original village residents being again displaced to a location south of the village site at what is currently the City block north of Los Angeles Street and W. 1st Street (Morris et al. 2016).

By 1836, the displaced *Gabrieliño* community lived on what was then known as the *Rancho de los Pablinos*. Under pressure from Los Angeles residents complaining about the *Gabrieliño* bathing in the *Zanja* irrigation ditches, the *Tongva-Gabrieliño* were moved to a location further to the east near what is presently the intersection of Alameda Street and Commercial Street (Morris et al., 2016). During the Mexican-American War, the *Tongva-Gabrieliño* were again displaced in 1947, but without new community lands being provided, Native Americans dispersed throughout Los Angeles (Morris et al. 2016).

The European Historic Period (A.D. 1769 – 1900)

From 1542 to 1769, Southern California was mostly ignored by the Spanish. This did not mean that Spanish goods, culture, and disease did not influence the *Tongva-Gabrieliño* people, just that direct involvement with the Spanish was rare for the Native Americans of the Los Angeles Basin region (Erlandson et al. 2008:103-104). After Gaspar de Portolá and his 1769-1770 expedition, which passed through the Los Angeles area heading from San Diego to Monterey, then back again, the Spanish began to concentrate on occupying and developing the coastal areas from Orange County to Santa Barbara. The purpose of de Portolá's mission, then, was to support the larger planned permanent Spanish settlement of California by assessing the areas to be settled by later missions and Spanish outposts (Chartkoff and Chartkoff 1984:251-258; de Portolá 1769:79).

Starting in 1769, the Spanish government began establishing religious missions along the coast of California, as well as presidios (fortified settlements), and pueblos (ranch houses), to advance the colonization of the California region. The Spanish Government established missions to act as

outposts on the California frontier and to educate and convert Native Americans to Christianity. Missions also periodically housed Spanish soldiers. Under the leadership of the Franciscan Father Junipero Serra, a total of 21 coastal missions were built, between 1769 and 1823 (Chartkoff and Chartkoff 1984:251-270).

In the Project area, the Mission San Gabriel Arcángel – fourth mission of the Spanish mission system – was founded on the banks of the Rio Hondo in 1771 near the present-day City of Montebello. The newcomers built a chapel, dormitories, and barracks buildings surrounded by stockade. *Zanjas*, or ditches, were built to tap the nearby river to irrigate fields; the nearest being just west of Los Angeles Street, about five blocks west of the Project Site. Corn and beans were the major crops, but grapes and other fruits were also grown. Cattle, horses, sheep, and other livestock were kept, grazing in the nearby Puente Hills. The fathers were successful at converting to Catholicism several dozen Native American families, who took up residence near the compound (Smith et al. 2010:27-28; King 2011; and Miller 1991:17-27).

Early on, missionaries encouraged Native Americans to abandon their ancestral homes and move to the missions as converts. However, as stated by Hurtado (1988:197-198), “Indian neophytes formed a labor pool for the missions, which were the primary economic institutions in the (Spanish) colony; but they died at a rapid rate, thus requiring the Franciscans to recruit new converts from the interior valley.” The high loss of life from the mission experience led to most Native Americans eventually being “missionized,” or forced from their village to live on local mission lands. In the Project area, the *Tongva-Gabrieliño* people were forced to move to either the San Fernando Mission (established in 1798 in the San Fernando Valley) or to the San Gabriel Mission) (McCall and Perry 1990:13-17). Often, villages located at a point between two missions would have different families and individuals resettle to different missions, based on their lineage or family connections. By the early 1800s, most of the surviving *Tongva-Gabrieliño* had been forced into the mission system from their traditional villages.

Missionization destroyed the traditional social subsistence system, disrupted regional trade networks, and transformed the Native American material culture into a mixture of surviving ethnographic artifacts and European goods. Disease, the loss of a lifestyle that had been adapted to the California environment for generations, and the predation of the Spanish all led to a rapid decline in Native American population numbers (Chartkoff and Chartkoff 1984:258-270, and Erlandson et. al. 2008:25).

Along with the Spanish missions, Spanish pueblos and ranchos began to be organized during this time. On September 4, 1781, the *Pueblo de la Reina de los Angeles* was established not far from the site where Portolá and his men camped. Taking advantage of the Los Angeles River as a water source and the area’s rich soils, the original pueblo occupied 28 square miles and consisted of a central public plaza surrounded by 12 houses, and 36 surrounding agricultural Missionization destroyed the traditional social subsistence system, disrupted regional trade networks, and transformed the Native American material culture into a mixture of surviving ethnographic artifacts and European goods. Disease, the loss of a lifestyle that had been adapted

to the California environment for generations, and the predation of the Spanish all led to a rapid decline in Native American population numbers (Chartkoff and Chartkoff 1984:258-270, and Erlandson et. al. 2008:25). The current cities of Whittier, Fullerton, Buena Park, Huntington Beach, Long Beach and Lakewood are located within the rancho boundaries. The Nietos family retained control massive estate well into the Mexican Era. In 1834, the family requested, and was granted, the division of the property into six separate ranchos, which was redistributed to Corporal Nieto's heirs (King 2011).

When Mexico won independence from Spain in 1822, the political system in California changed dramatically. The missions and the mission lands were secularized in 1834, with the lands dispersed to individuals loyal to the new Mexican government. Both the original Spanish crown grants and the Mexican national grants were primarily used as cattle and sheep ranches, which dominated most of Southern California up through the early 1900s (McCall and Perry 1990, Maulhardt 2010, Chartkoff and Chartkoff 1984:270-278, and Erlandson 2008:105).

Mexican land grants were awarded to soldiers, friends, and relatives of Spanish governors who ruled California between 1823 and 1846. The 1840s saw a significant increase in land grants given by the Mexican government. With the continuing influx of immigrants, particularly Americans, the threat of invasion by the United States was very real. Land grants were seen as a way to develop the State and discourage an assault by the US. Foreigners could acquire property but first had to become Mexican citizens. Many Americans were able to secure significant holdings throughout the State. By the mid-1840s there were over a dozen ranchos located in the Los Angeles Basin region.

The Mexican Revolution and the later dismantling of the mission system led to great disruptions in the lives of the remaining Native Americans, as mission lands were incorporated into the rancho system. Tensions between Native Americans and Mexican settlers and soldiers led to a number of Native American revolts; all of which were short-lived. Guerrilla warfare and raiding by displaced Native Americans continued throughout the Mexican period, and into the later United States territorial period (Chartkoff and Chartkoff 1984:270-278).

During the Mexican-American War, the territory known in Mexico as Alta California officially became a United States territory with the signing the Treaty of Guadalupe Hidalgo between Mexico and the United States in 1848. At the same time, the United States government began a decades-long process of determining the fate of the original Mexican land grants in California. This process left ownership of many parcels and ranches in question for long periods of time. These land grants changed hands several times, especially after Mexican independence, until land ownership legal issues were finally settled in the 1870s. After this time, the original Spanish-heritage families began selling off smaller parcels to American investors, which expanded the ranching of cattle and sheep in the area (Maulhardt 2010:7-8).

From 1848 to 1900, California Native Americans were reduced in number from 150,000 to 20,000; most of this decline came from the continued marginalization of Native Americans into the worst land and lowest economic positions in the new State. Other factors were abuse by the European settlers, disease, and the impacts of government laws and policies that did not favor native populations (Chartkoff and Chartkoff 1984:296-297). Robert F. Heizer (1974), an American anthropologist, has collected numerous documents from 1847 through 1865 chronicling many of the injustices done upon the Native Americans of California, including within the Los Angeles Area. His collection provides a broad account of the poor treatment of California's earliest occupants under United States ownership of the land.

The Zanja Madre (1780s – 1890s)

The *Zanja Madre* water system began operating in 1781 after the founding of *El Pueblo de La Reina de Los Angeles* in that year. The original purpose of the water channel was to support agricultural irrigation along the Los Angeles River and to provide water for domestic use. It was originally constructed using community labor and consisted of an unpaved ditch with a brush and earth darn (toma) used to divert water from the Los Angeles River into the planned *Zanja Madre*. With the toma diversion in place, the original Los Angeles River settlers began to create the *Zanja Madre* system. The original water channels were open, earthen ditches, which were sometimes lined with wood, clay, or stone. The *Zanja Madre* system components proved crucial for the early success of the pueblo, which later supplied agricultural products to Spanish outposts from Santa Barbara to San Diego (Hoffman and Stern 2007:2).

Drawing water and transporting it to local residences was an early occupation for Native Americans in the Spanish colony. In this way, water was transported by hand in wagons or carts from house to house among the Los Angeles River communities (Hoffman and Stern 2007:2-3). Cleaning and clearing the *Zanja Madre* system components was also another task relegated to Native American labor, with the local landowners paying for the work on a community level (Hoffman and Stern 2007:4).

In the early 1850s, the City of Los Angeles installed a water wheel at the toma to increase the *Zanja Madre* water supply. Also in the 1850s, the first commercial enterprise used the *Zanja Madre*. In this case, the Eagle Mills connected to the water system to power the milling operation. Flooding destroyed the original toma and water wheel, prompting the City to construct a new dam to the area of the modern Riverside Bridge at a higher elevation. The new wooden plank dam raised the water, forming the Buena Vista Reservoir, which was a new source of water for the *Zanja Madre*. From the *Zanja Madre*, wooden flumes were constructed to supply domestic water (Gust and Parker 2004:6-7).

The early management of the *Zanja Madre* system was established by town councils, which appointed a zanjero, or a water overseer, to inspect system components on a regular basis. The zanjero also controlled water allocation, water payments, and water use applications. This position became much more important through time as the communities of the Los Angeles area became more and more dependent upon transported water. As the City of Los Angeles was

established, the zanjero became more important as well, to the point where the zanjero became a crucial City position (Hoffman and Stern 2007:4).

The *Zanja Madre* remained an open earthen ditch through the 1850s, when the City began modernizing the system. The first steps were to improve the domestic water system, with wooden water pipes being installed as well as a new reservoir at Abila Springs. This system, however, was soon destroyed by flooding in 1861. Undeterred, the City continued in their attempt to separate the *Zanja Madre* irrigation system from the system of domestic water throughout the late 1800s. Eventually, the original wooden water pipes were replaced with iron pipes (Hoffman and Stern 2007:8-12).

As the domestic water system was developed, the irrigation system was also expanded. At its high point in the 1880s, the *Zanja Madre* system totaled 93 miles of irrigation ditches throughout the Los Angeles Basin and San Fernando valley (Hoffman and Stern 2007:14). By the 1880s, the irrigation ditches connected to the Los Angeles River and the *Zanja Madre* system was also being replaced with closed conduit, concrete, and iron pipe. By the early 1890s, half of the *Zanja Madre* system consisted of flumes, pipes, and culverts; the remaining being earthen ditches (Gust and Parker 2004:6-7).

In the end, the abandonment of the *Zanja Madre* was caused by the Los Angeles 1880s real estate boom and the related need for a domestic water system. As agricultural fields were replaced by residential and commercial development, the transition of water distribution from irrigation to domestic systems took place. By 1890, the entire *Zanja Madre* system was either underground or abandoned. By 1904, the entire system was abandoned or incorporated into the City storm drain system (Hoffman and Stern 2007:18-19).

The Zanja Madre Water System, Relative to the Project Site

Modern attempts to produce a large-scale comprehensive map of the location of the *Zanja Madre* water system show a segment of *Zanja* No. 2 located near or within the Project Site boundary (**Figure 6** and **Figure 7**) [Los Angeles County Metropolitan Transportation Authority (Metro) 2012, and Dudek/Cogstone 2017]. In the 2012 Metro comprehensive map, the *Zanja Madre* segment lies west of the Project Site (Figure 6). On the 2017 Dudek/Cogstone comprehensive map, the *Zanja Madre* segment is shown crossing a portion of the western side of the Project Site diagonally (Figure 7) and beneath the existing building formerly occupied by the A+D Museum that fronts Colyton Street. **Figure 8** shows a closer view of the Dudek/Cogstone 2017 alignment overlain on the Project Site as depicted on a 2017 Valtus Imagery Services aerial image. Both the 2012 and 2017 maps of the *Zanja Madre* water system show a *Zanja* No. 2 route that is not aligned with the development of the regional road network, leading to the conclusion that the two developed separately, with the later road pattern being placed over the earlier *Zanja Madre* water system components. However, these modern comprehensive maps have several shortcomings, including a lack of refinement at the City-block scale as to the actual location of the irrigation ditch

system, as well as a representation of the changes in the *Zanja Madre* water system through time as the City grew.

Therefore, Envicom Corporation examined numerous historic maps in order to produce a more refined understanding of the association of the *Zanja* No. 2 route through time with the Project Site. The purpose of this study was to determine whether the two modern comprehensive maps (shown in Figures 6 and 7) are accurately representing the *Zanja Madre* water system at the scale of the Project Site, or whether *Zanja* No. 2 was aligned differently than shown on the Metro and Dudek/Cogstone comprehensive maps.

The earliest map showing the *Zanja Madre*, which can be correlated with modern road paths to produce a more accurate location, is the 1884 City plat map (**Figure 9**). This map shows *Zanja* No. 2 in a location farther to the west of the Project Site and making a notable sharp turn to the east to follow the northern side of East 4th Street until it again turns back to the north. This map indicates that *Zanja* No. 2 was near to, but not within, the Project Site.

Examination of the 1887 City Proposed Sewer System map shows a realignment of *Zanja* No. 2 lined up with the local road grid; moving the north-south segment to be located within Colyton Street, while the segment along East 4th Street was straightened to extend the new Colyton alignment farther to the north (**Figure 10**). The 1888 City Map shows the same older alignment that was shown on the 1884 map (**Figure 11** and see Figure 9). The proposed sewer realignment shown on the 1887 map does not appear to have been completed by the time the 1888 map was prepared.

The 1894 Sanborn Fire Insurance Map of the Project area shows elements of both the older alignment and the new sewer plan alignments (**Figure 12**). A segment of the older iteration of the *Zanja Madre* water system is clearly shown west of the Project Site; however, the Sanborn Fire Insurance Map also shows new water lines located within the right of way of Colyton Street, as well as several other local streets. The sewer alignments shown on the 1887 map are not shown here, presumably because they were not associated with fire prevention (which is the purpose of the Sanborn Fire Insurance Maps). However, since the observed abandonment of *Zanja* No. 2 west of the Project Site is supported by the 1894 Sanborn Fire Insurance Map, the rest of the 1887 sewer plan was likely also enacted, placing the *Zanja* No. 2 realignment within the right of way of Colyton Street.

In summary, the examination of the historic maps that show the altered *Zanja* No. 2 alignments through time at the City block scale identifies that they likely did not traverse the Project Site as shown by the other modern comprehensive maps that were prepared on a larger scale (Figures 6, 7, and 8). The historic maps show that *Zanja* No. 2 was originally located west of the Project Site (towards Seaton Street, today), and also on the north side of the East 4th Street right of way; both of which would be outside of the Project Site boundary. The realignment of the local *Zanja Madre* water system in the late 1880s as the City grew placed the *Zanja Madre* water system along the new road alignments and within the road right of ways. Locally, this moved *Zanja* No. 2

to the immediate west side of the Project Site along the east side of the Colyton Street right of way, and it removed *Zanja* No. 2 from the north side of East 4th Street. These locations are also outside of the Project Site boundary. However, the 1880s alignment correlates to the area adjacent to the Project Site to the west, and here, at the frontage of the existing building formerly occupied by the A+D Museum, the Project proposes a new 16-foot sidewalk beyond the Project Site boundary, which would include a step-up curb and new street trees. In addition, roadway work in Colyton and/or East 4th Streets (as well as South Hewitt Street) may be necessary for the purposes of utility work. Therefore, due to the ground disturbance that would be required as part of this work, the potential exists to uncover portions of the *Zanja* No. 2 segment.

Development of the Project Site (1894 – Present)

The Project Site was developed with three dwellings by 1894. A three-story hotel structure and four additional dwellings were developed by 1906. A 4,600-sf window shade factory was constructed in 1919 in the west portion of the Site along East 4th Street. Based on the Phase I Environmental Site Assessment Report, the current oblong office structure along South Hewitt Street appears to have been developed by 1920 (Citadel Environmental Services, Inc. 2017). A store and a grocery store were developed in the northeast portion of the Site in 1920 and 1922, respectively. A mattress manufacturer occupied the window shade factory by 1944. The current small structure in the west portion of the Project Site was constructed in 1947 and 1951 for leather curing/animal hair processing. The current oblong office structure along South Hewitt Street appears to have been occupied for carton paper storage by 1950. The current building in the northeast corner of the Site was built in 1952 as an office/warehouse structure, which was then occupied for asbestos fabrication in 1953 and metal fabrication by 1954. The mattress manufacturer was occupied as a woodworking company by 1954. The dwellings and stores at the Project Site were demolished between 1951 and 1954.

The southeast portion of the Project Site contained a truck storage yard. A store was relocated to the northeast corner of the Project Site in 1954 and was occupied as a café/restaurant in 1955. The hotel was demolished in 1955. The two commercial structures in the northwest corner of the Project Site were vacant/unoccupied by 1960 and reoccupied as a warehouse by 1967. Permits reviewed indicated a former underground storage tank pit in the southeast portion of the Project Site that was excavated, removed, and backfilled in 1990 under the permit and oversight of the Los Angeles Fire Department. That same area was graded and compacted in 1991 prior to the development of the current garage structure along the south portion of the Project Site. The smaller commercial structure in the northwest corner and the restaurant were demolished by 2009 (Citadel Environmental Services, Inc. 2017).

As described above, the Project Site currently consists of a building formerly occupied by the A+D Museum and associated storage shed, a one-story office structure with a garage, and surface parking lots.

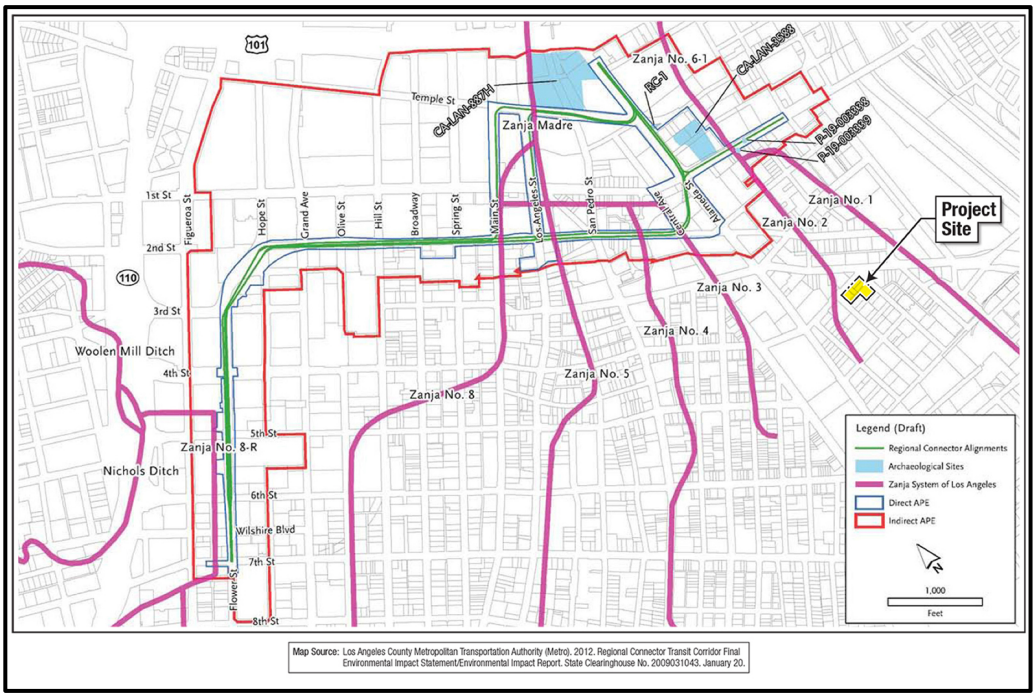


Figure 6: The 2012 Metro Zanja Madre Comprehensive Map.

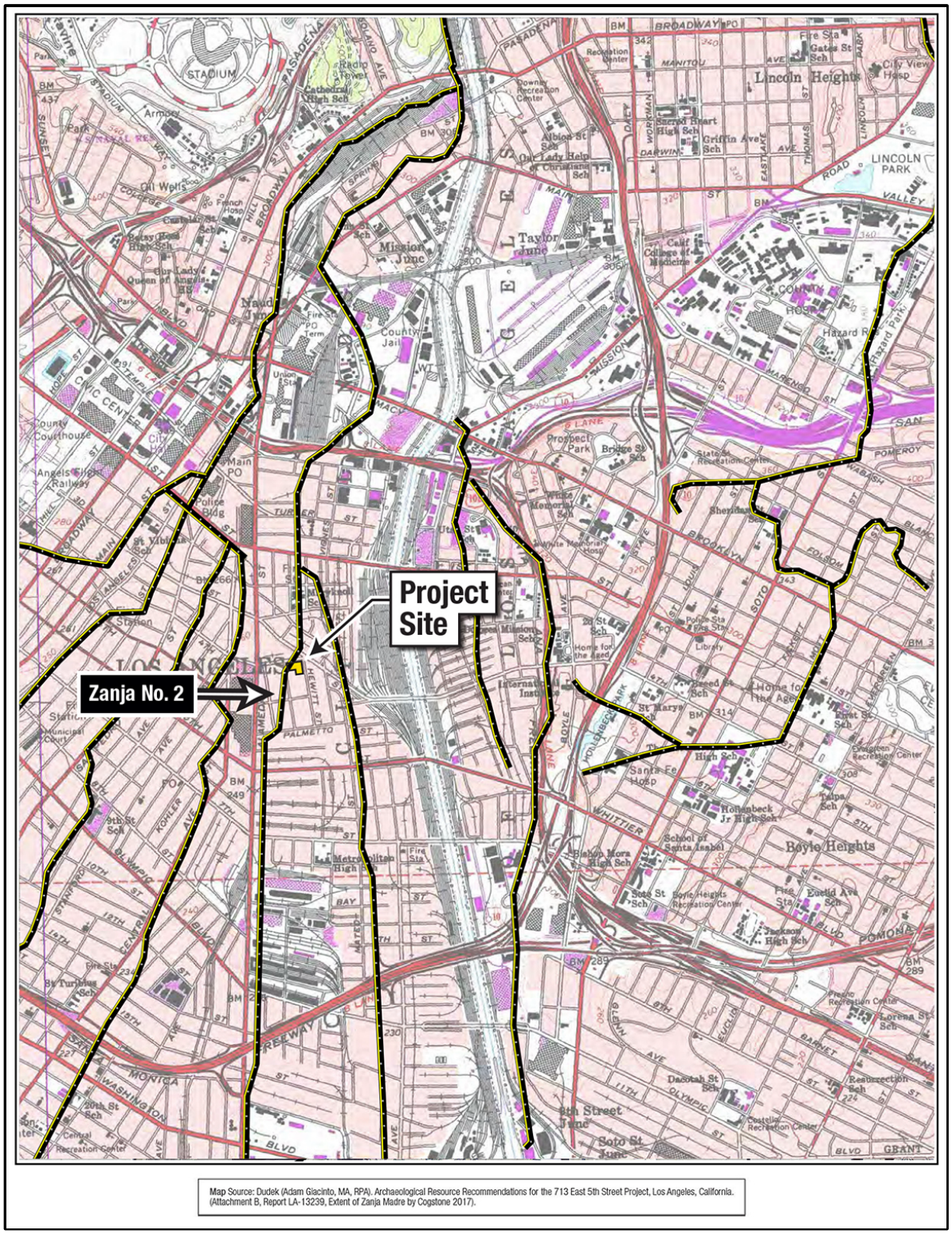
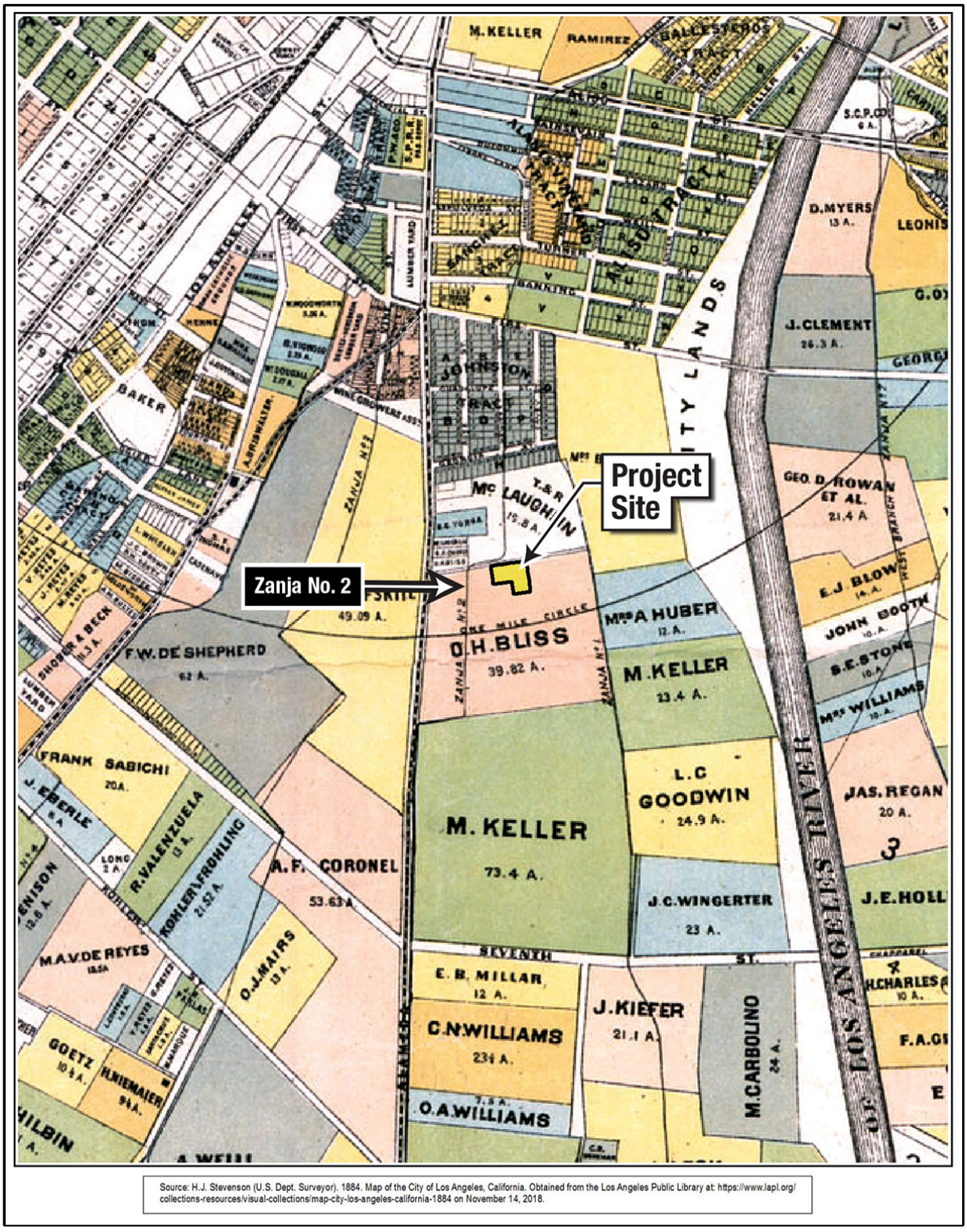


Figure 7: The 2017 Dudek/Cogstone Zanja Madre Comprehensive Map.

Figure 8: The Project Site overlain on the 2017 Dudek/Cogstone Zanja Madre Comprehensive Map (2017 Valtus Imagery Services Aerial Image).



Source: H.J. Stevenson (U.S. Dept. Surveyor). 1884. Map of the City of Los Angeles, California. Obtained from the Los Angeles Public Library at: https://www.lapl.org/collections-resources/visual-collections/map-city-los-angeles-california-1884 on November 14, 2018.

Figure 9: The 1884 City of Los Angeles Map, showing Zanja No. 2.

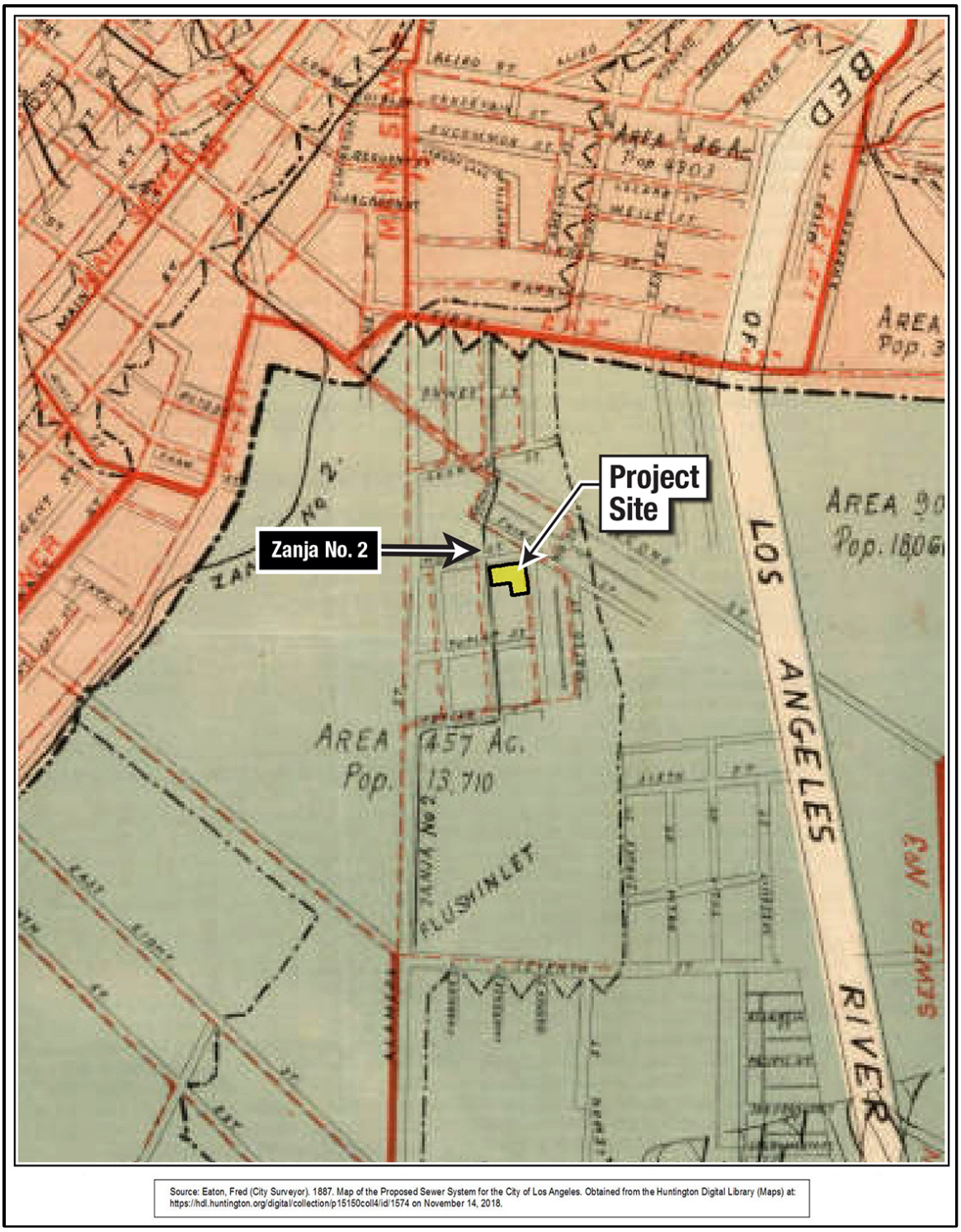


Figure 10: The 1887 City of Los Angeles Proposed Sewer System Map, showing Zanja No. 2.

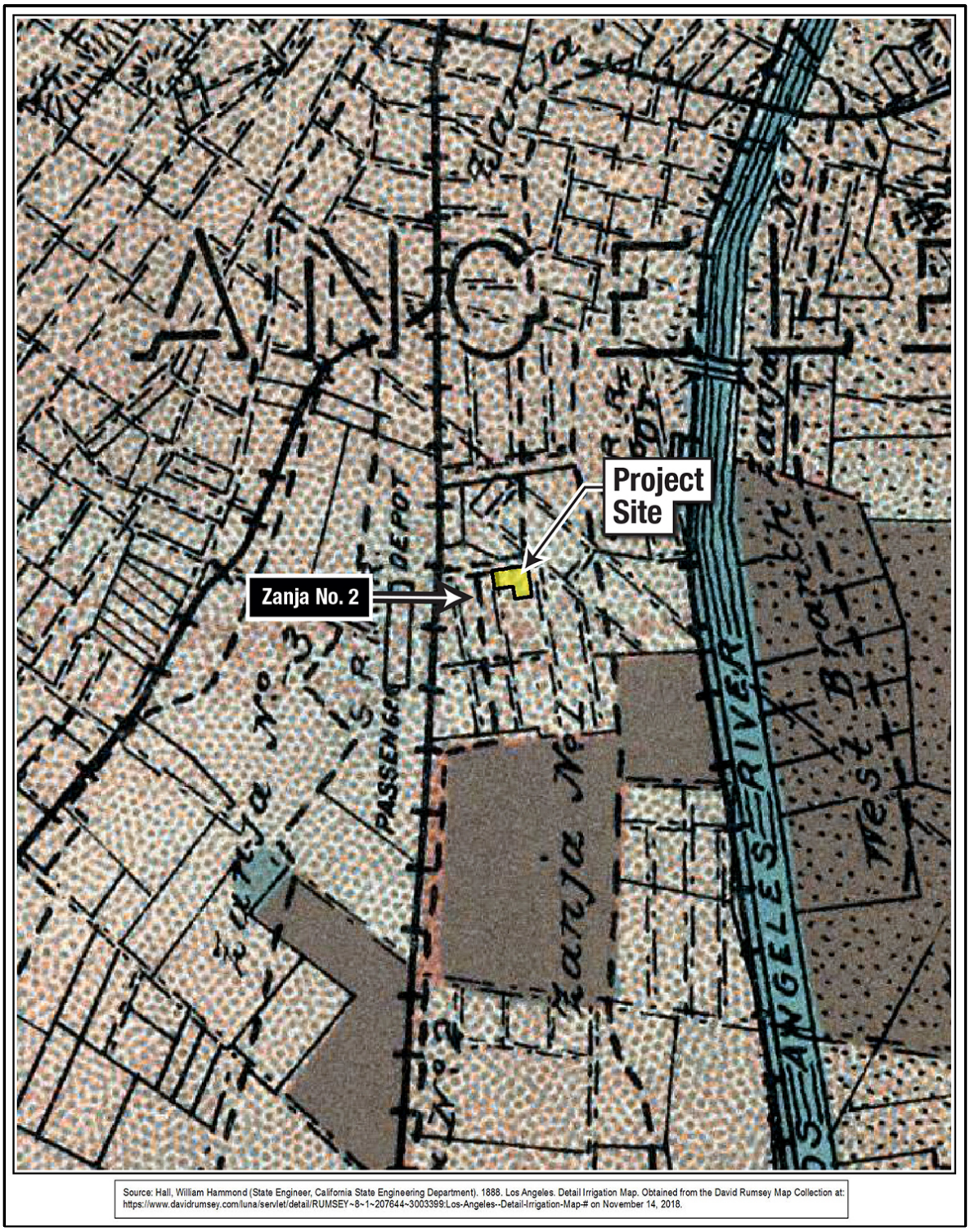


Figure 11: The 1888 City of Los Angeles Map, showing Zanja No.2.

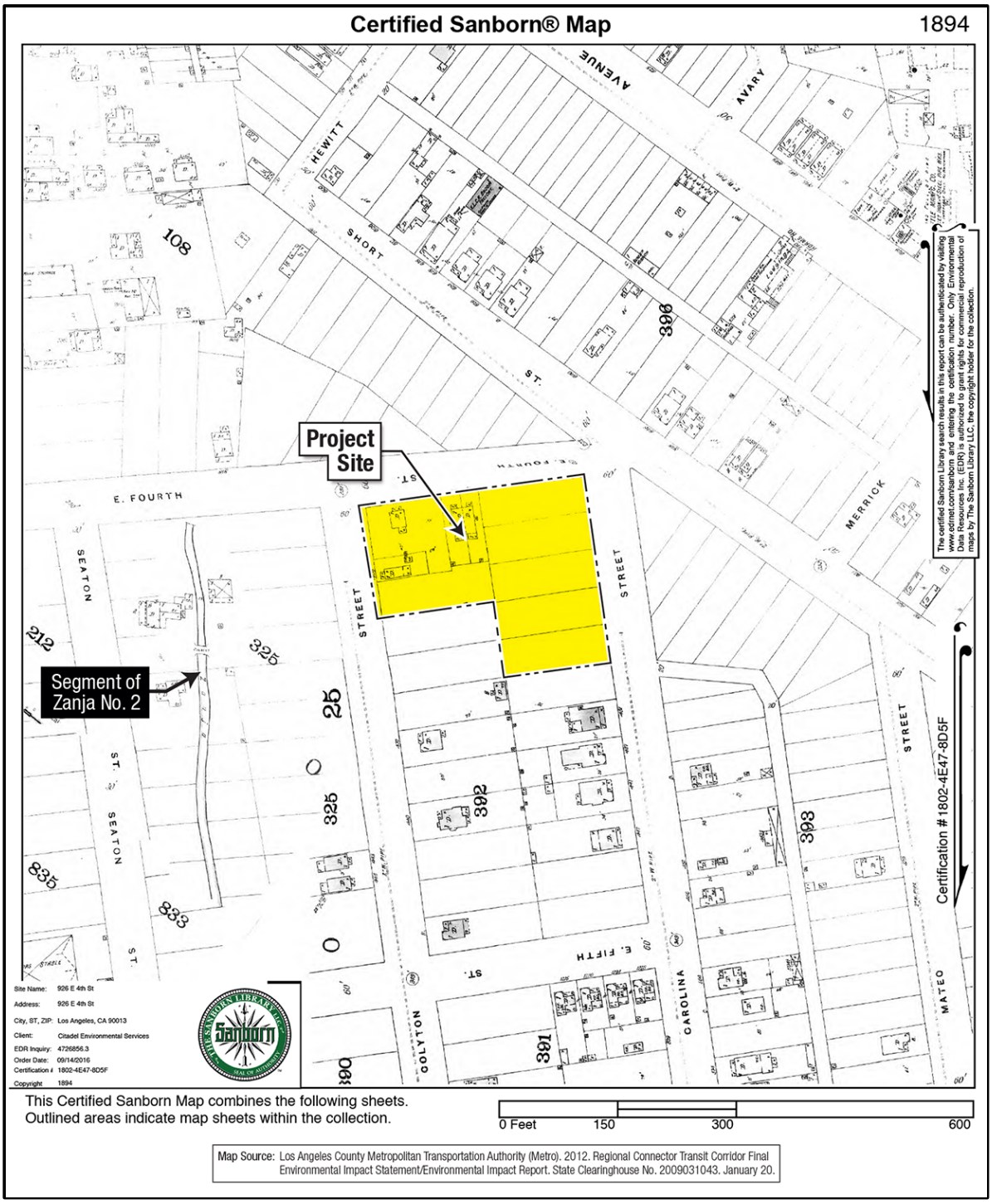


Figure 12: The 1894 Sanborn Fire Insurance Map, showing the Project Site and a segment of Zanja No. 2.

3.0 REGULATORY CONTEXT

This section includes the relevant cultural resources laws and policies for the Project.

California Environmental Quality Act [Public Resources Code (PRC) Sections 21000 – 21189)] and Guidelines [California Code of Regulations (CCR) Title 14, Division 6, Chapter 3, Sections 15000 – 15387]

Cultural resources are recognized as part of the environment under CEQA. The California Register of Historical Resources (CRHR) is an inventory of the State's historical resources. Criteria have been developed for determining whether a property is significant enough to be placed on the CRHR, and therefore, evaluating whether a cultural resource is or can be considered significant for the purposes of CEQA (PRC Sections 21083.2 and 21084.1).

The CEQA Guidelines, Section 15064.5(a)(3), require that all private and public activities not specifically exempted be evaluated against the potential for environmental damage, including effects to historical resources. It defines historical resources as "any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California."

The California Register includes resources listed in or formally determined eligible for listing in the National Register of Historic Places (NRHP), as well as some California State Landmarks and Points of Historical Interest that are not Federally recognized. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts), or that have been identified in a local historical resources inventory may also be eligible for listing in the CRHR, and are presumed to be significant resources for purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC Section 21084.1).

Lead agencies have a responsibility to evaluate historical resources against the CRHR criteria prior to making a finding as to a proposed project's impacts to historical resources. CEQA rules of determining significance closely follow the criteria outlined by the NRHP, but which have been modified for State use in order to include a range of historical resources which better reflect the history of California (CCR Section 4852). The similarity between the two criteria allows for a known cultural resource to easily be evaluated for both registers at the same time. Often, therefore, a cultural resource narrative provides enough information to justify a suggested evaluation for the resource under both laws and a recommendation of significance under both criteria.

Pursuant to the CEQA Guidelines, Section 15064.5(a)(3), a cultural resource must meet one of the four following criteria to be included or eligible for the California Register of Historical Resources (CRHR):

(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; or

(4) has yielded, or may be likely to yield, information important in prehistory or history.

The criteria for inclusion on the CRHR closely follow the Federal criteria for inclusion on the NRHP, as outlined under the National Historic Preservation Act. Projects with a joint National Environmental Policy Act (NEPA)/CEQA component often evaluate a cultural resource for both listings simultaneously. It is important to note that a cultural resource is significant under CEQA if it is determined to be *eligible* for listing on the CRHR, not that it *has to be* listed on the CRHR. The formal listing process is a potentially time-consuming and lengthy procedure that often is not completed once a cultural resource has been determined eligible; however, the determination of *eligibility* for the CRHR itself provides a cultural resource equal status and protection under CEQA to that of formally listed cultural resources.

It should also be noted that, even though cultural resource consultants often are the first professionals to evaluate newly discovered or re-examined cultural resources for significance and eligibility for listing on the CRHR (or the NRHP), the lead agency for a project has the final determination of eligibility of a cultural resource within the context of the project that is triggering the evaluation process. The lead agency can either concur with the recommendation of a cultural resource consultant, object to the recommendation, or determine that more work must be done by the project proponent.

California Penal Code (Section 622.5)

California Penal Code, Section 622.5, provides misdemeanor penalties for injuring or destroying objects of historical or archaeological interest located on public or private lands, but specifically excludes the landowner.

California Health and Safety Code (Section 7050.5)

This section of the Health and Safety Code requires that further excavation or disturbance of land, upon discovery of human remains outside of a dedicated cemetery, cease until a county coroner makes a report. It requires a county coroner to contact the NAHC within 48 hours if the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the remains to be those of a Native American.

California Health and Safety Code (Section 7052)

Section 7052 of the Health and Safety Code establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

California Public Resources Code (Section 5097.98)

If a county coroner notifies the NAHC that human remains are Native American and outside the coroner's jurisdiction per Health and Safety Code Section 7050.5, the NAHC must determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 24 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

California Health and Safety Code (Sections 88010 – 88011), The California Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act establishes a State repatriation policy intent that is consistent with and facilitates implementation of the Federal Native American Graves Protection and Repatriation Act. The law ensures that all California Indian human remains and cultural items are treated with dignity and respect, encourages voluntary disclosure and return of remains and cultural items by publicly funded agencies and museums in California, and states an intent for the State to provide mechanisms for aiding California Indian tribes, including non-Federally recognized tribes, in filing repatriation claims and getting responses to those claims.

California Senate Bill 18 (SB 18)

SB 18 is a State-mandated program intended to establish between local city and county governments and Native American Tribal Groups, meaningful and ongoing government-to-government consultation as part of the planning process. The purpose of SB 18 is to protect and preserve the cultural places of California Native Americans, both on private and on public lands. Local city and county governments are required to consult with California Tribal Groups about proposed local land use planning decisions, and on the adoption or substantial amendment of general plans, specific plans, or the dedication of open spaces with the purpose of protecting cultural places. Negotiation can result in the development or modification of treatment and management plans for cultural resources. For the purposes of California Government Code Sections 65351, 64352.3, and 65562.5, "consultation" is the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement.

California Assembly Bill 52 (AB 52)

AB 52 merges many elements of SB 18 with the standard CEQA process, and it also provides an opportunity for consultation with non-Federally-recognized tribal groups in the State, which SB 18 excluded.

AB 52 specifies that a project which may cause a substantial adverse change in the significance of a tribal cultural resource (TCR), as defined, is a project that may have a significant effect on the environment under CEQA. AB 52 outlines lead agency consultation with all California Native American tribes traditionally and culturally affiliated with the geographic area of a proposed

project, defines what constitutes a TCR, provides examples of mitigation measures if the TCR will be impacted by the project, and explains how AB 52 consultation fits into the larger CEQA process.

AB 52 designates significant Native American cultural resources as TCRs. The criteria of TCRs was clarified in June 2017, by the publication of a new AB 52 technical advisory, which links the definition of a TCR to the updated Public Resource Code, Section 21074 (2017:4-5). A resource is a TCR if it is either a site, feature, place, cultural landscape, sacred place, or object with cultural value to a tribe that is listed, or determined to be eligible for listing, in the National or State Register of Historical Resources, or listed in a local register of historic resources; or it a resource that the lead agency determines, in its discretion, is a tribal cultural resource.

State Guidelines for Cultural Resource Inventory, Evaluation, and Data Recovery

Guidelines from the State of California State Historic Preservation Office (SHPO) on cultural resources are clear as to the roles and responsibilities of landowners versus the lead agency toward cultural resource identification, evaluation, and treatment. Individual landowners, as per *California Office of Historic Preservation Technical Assistance Series #1 California Environmental Quality Act (CEQA) and Historical Resources*, are responsible for the identification (inventory) of cultural resources and their evaluation for proposed development projects. The lead agency is responsible for determining whether the inventory and evaluation process was correctly followed, and determines the correct and appropriate level of investigation for data recovery situations, which normally is a negotiated process that involves the landowner, the lead agency, and possibly interested third parties, such as Native American tribal groups.

The State of California also provides lead agencies and consultants with a number of “best practice” professional guidelines for conducting inventory, evaluation, and data recovery projects, as well as how to support recommendations of cultural resource significance and how to write treatment and data recovery plans. Often, lead agencies appraise cultural resource technical documents and resource recommendations based on whether the consultant followed the professional methodology as outlined in the SHPO guidelines.

City of Los Angeles General Plan

The City of Los Angeles General Plan Conservation Element, as adopted in 2001, includes the following objectives and policies related to archaeological, paleontological, and historic and/or cultural resources:

> “Objective: protect the city’s archaeological and paleontological resources for historical, cultural, research, and/or educational purposes.”
>
> “Policy: continue to identify and protect significant archaeological and paleontological sites and/or resources known to exist or that are identified during land development, demolition, or property modification activities.”

> "Objective: protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes."
>
> "Policy: continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities."
>
> In addition, the City's environmental guidelines require project applicants to secure services of a bona fide archaeologist to monitor excavations or other subsurface activities associated with a development project in which all or a portion is deemed to be of archaeological significance. Discovery of archaeological materials may temporarily halt the project until the site has been assessed, potential impacts evaluated and, if deemed appropriate, the resources protected, documented and/or removed (City of Los Angeles 2001).

Additionally, the Los Angeles Municipal Code (LAMC) Section 91.106.4.5 states that the Building Department "shall not issue a permit to demolish, alter or remove a building or structure of historical, archaeological or architectural consequence if such building or structure has been officially designated (by a federal, state, or local authority)."

4.0 CULTURAL RESOURCE RECORD SEARCH RESULTS

All record searches conducted for this study included the Project Site, plus a 0.25-mile radius around the Project Site (collectively referred to as the "study area") for cultural resource and paleontological context in order to develop general understandings of resource sensitivity for the study area. A 0.25-mile radius around the Project Site was determined to be appropriate for this Project due to the urban development of the Project Site and vicinity, which reduces the expectation for intact cultural resources, as well as due to the fact that impacts to cultural resources are generally limited to a Project Site and immediate (i.e., adjacent) vicinity. An expanded record search would not produce a more statistically sound understanding of non-built environmental (archaeological) cultural resource sensitivity for the area.

For paleontological resources, the nature of the underlying rock formation and its likelihood of producing fossils is more important than an expanded study area. The geological section of this report discusses the underlying rock formation types in more detail. As previously stated, the built environment resources are evaluated in detail under separate cover, as is an ethnographic report to meet the requirements of AB 52 for the Project.

4.1 CULTURAL RESOURCES

The following section provides the record search results conducted by the SCCIC, the NAHC, and various historical map databases. This section also includes a general overview of the SurveyLA built environment database for the Arts District area of the City.

4.1.1 SCCIC RECORD SEARCH FINDINGS

On March 2, 2017, Envicom Corporation (Envicom) contacted the SCCIC with a request that they search their database for cultural resources within the Project Site, in addition to a 0.25-mile radius for broader context (see Figure 1). The request letter is attached in **Appendix A**. The record search included a request for all complete site records for cultural resources within the study area, as well as copies of available cultural resource technical reports that intersect with the location of the Project. The findings from the SCCIC are considered confidential by State law and therefore are not included in their entirety in this report; however, a summary is provided below. The full findings are on file at Envicom Corporation and can be made available when the appropriate contact is identified.

Envicom received the results of the record search for the study area from the SCCIC on April 18, 2017. The record search findings obtained from the SCCIC were negative for cultural resources within the Project Site. The SCCIC identified that roughly a fifth of the northeast corner of the Project Site had been previously investigated by one cultural resource report (LA-04448) partially covered the Project Site (the northeast corner). However, this cultural resource report did not identify cultural resources on the Project Site. The report, therefore, will not be examined in more detail due to the lack of findings affecting this portion of the Project Site.

The summary of the SCCIC findings for the Project Site is as follows:

Resources located within the Project Site: None.

Reports located within the Project Site: One partial.

LA-04448 *Section 106 Documentation for the Metro Rail Red Line East Extension in the City and County of Los Angeles, California.* Myra L. Frank and Associates, Inc., Los Angeles, California.

Resources located outside the Project Site but within the 0.25-mile radius:

The SCCIC identified 16 previously recorded cultural resources that are located within the 0.25-mile radius surrounding the Project Site. The SCCIC cultural resource site numbers are P-19-002610, P-19-004460, P-19-150194, P-19-173336, P-19-174977, P-19-174978, P-19-175845, P-19-175846, P-19-187085, P-19-188195, P-19-190035a, P-19-190035b, P-19-190038, P-19-190036, P-19-190521, and P-19-190586. The majority of these cultural resources are historic early 20th Century built environment commercial and residential structures associated with the urban development of the Los Angeles Basin, but they also include a road bridge over a nearby rail yard, a railway station, and public utility buildings.

Although the SCCIC identified a number of built environment resources within the 0.25-mile radius of the Project Site, none are located within or adjacent to the Project Site. The SCCIC findings do, however, make up the cultural resource context of the area; therefore, the Project Site is still considered ***sensitive for older historical archaeological cultural resources***.

Reports located outside the Project Site but within the 0.25-mile radius:

The SCCIC identified 23 previously published cultural resource reports involving parcels located within the 0.25-mile radius surrounding the Project Site. These technical studies fell into two primary categories: infrastructure and public utilities improvements, which involved urban transportation, railroad tracks and yards, fiber optics lines, cell towers, roadways, metro services, or other City improvement projects; and commercial development projects. Infrastructure projects which included individual retail and commercial property development or renovation projects.

Additionally, the SCCIC identified 10 general overview reports that cover the Project region, which is considered to be the City of Los Angeles for this study. Such reports do not specifically focus on cultural resources; instead, they provide general historical, architectural, or archaeological background on an area.

4.1.2 NAHC RECORD SEARCH FINDINGS

Envicom contacted the NAHC initially on March 2, 2017, with a letter request that they search their database for Native American cultural resources within the Project Site and within a 0.25-

mile radius of the Project Site. A response from the NAHC was received on May 3, 2017, which was negative for cultural resources within the Project Site. The letter request and NAHC response are attached in **Appendix B**. The response letter indicated that the study area is considered as ***sensitive for prehistoric cultural resources*** by the NAHC.

The NAHC also provided a list of tribal representatives with whom they suggest Envicom Corporation consult in order to acquire additional information regarding potential impacts of the Project. However, such consultation is outside the scope of work of this Phase I and shall be undertaken by the City (as Lead Agency) as part of the tribal consultation that is now required by AB 52.

4.1.3 INVESTIGATION OF HISTORIC USGS AREA MAPS

USGS topographic maps and other regional historic maps for the Project Site area date back to 1894 and were updated regularly through the end of the 20th Century. Examination of 17 historic USGS maps indicates that the modern development of the Los Angeles Basin surrounding the Project Site dates back to the late 1800s, with the Project Site being located within a non-dense urban environment at that time. The 1894 USGS Los Angeles map shows this urban nature of the Project Site and surrounding area (today referred to as the Arts District) (see the red “cross” in the center of image in **Figure 13**). Urbanization expanded rapidly, so that by 1928, the area was a dense urban environment (**Figure 14**). Urban in-filling took place throughout the early 20th Century, resulting in the region being part of a total urban environment on the 1953 USGS Los Angeles Quadrangle map and on all subsequent maps (**Figure 15**).

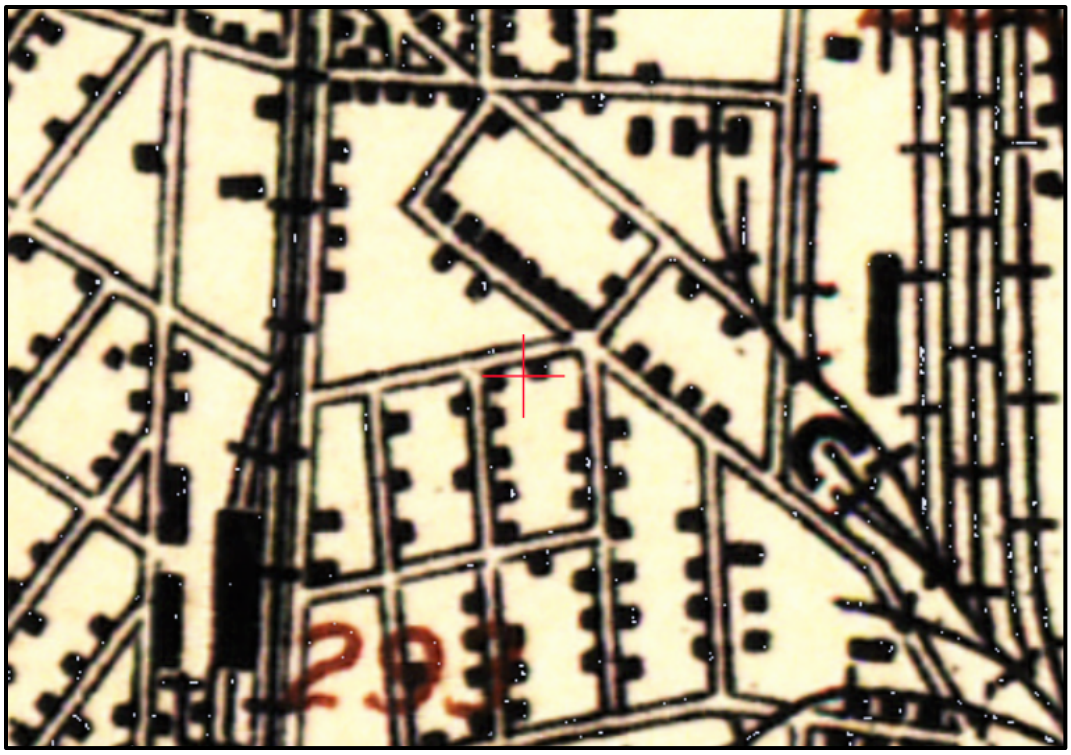


Figure 13: 1894 USGS Los Angeles Map.

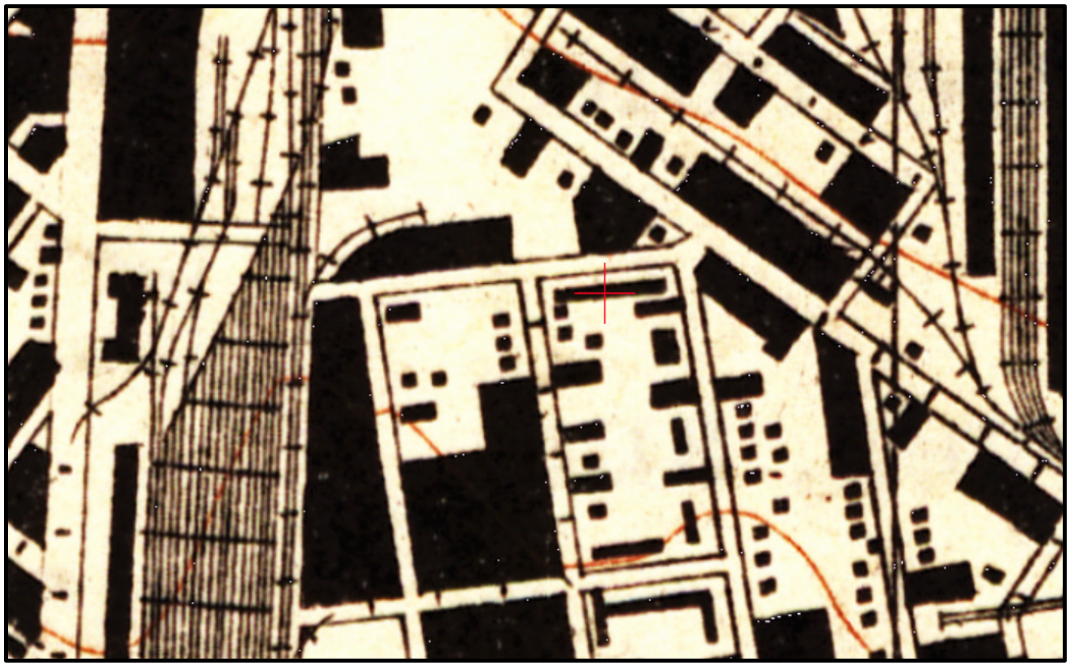


Figure 14: 1928 USGS Los Angeles Map.

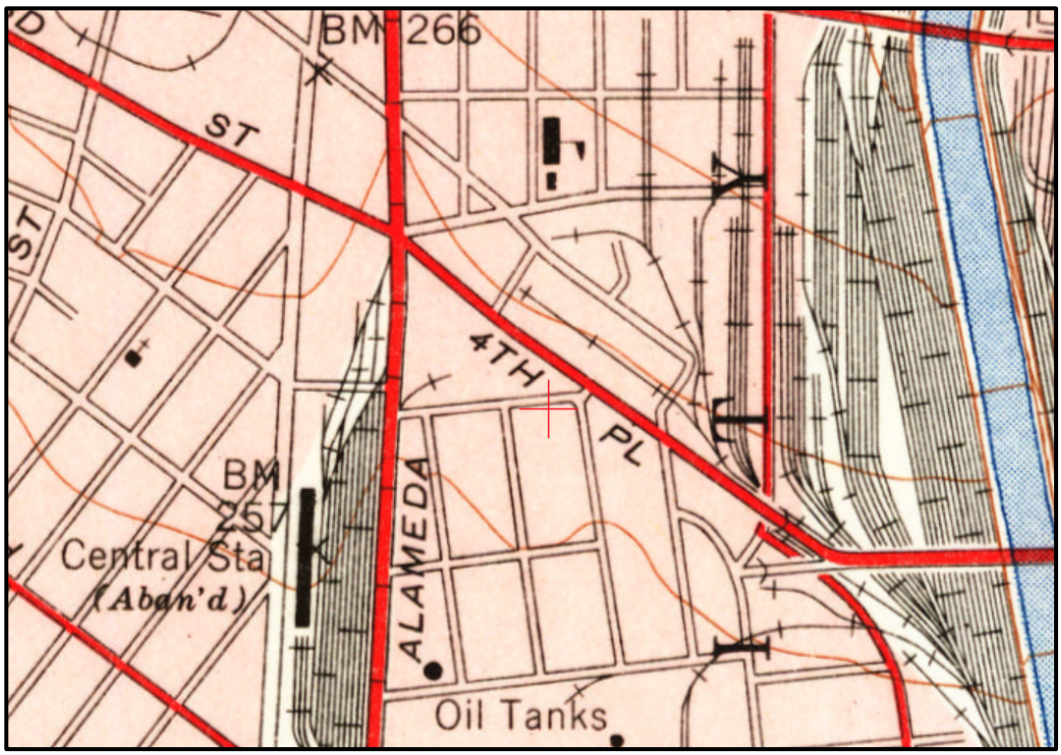


Figure 15: 1953 USGS Los Angeles Map.

4.1.4 SURVEYLA RECORD SEARCH FINDINGS

SurveyLA, the City's built environment (standing structure) database, provides information on individual buildings, significant buildings, significant local objects (such as air raid sirens), and significant historic districts within a given City area. An assessment is also provided for why individual structure, objects, or historic districts are considered significant by the survey. For districts, SurveyLA also provides an account of which individual buildings are contributing elements to the district's significance and which are not. Archaeological resources or natural features (which may be considered as important Native American resources by the NAHC) are not addressed in SurveyLA.

According to SurveyLA's Historic Resources Survey Report for the Central City North Community Plan Area (Historic Resources Group 2016), the Project Site is located in the Downtown Los Angeles Historic Industrial District, which is located between the Alameda Street corridor to the west and the Los Angeles River to the east, and between 1st Street to the north and 7th Street to the south. Within that District, numerous structures can be found dating back to the early 1900s, and the District is significant for its role in the industrial development of Los Angeles. As a separate historic built environment report was produced for this Project, detailed findings from SurveyLA are not further addressed in this study. However, for purposes of this document, the Project Site location within the Downtown Los Angeles Historic Industrial District supports an overall determination that the area is ***sensitive for historic cultural resources***.

4.2 PALEONTOLOGICAL RESOURCES

4.2.1 GEOTECHNICAL ENGINEERING INVESTIGATION

The Project Site has been previously graded, developed, and paved. As part of geotechnical investigations performed for the Project, six exploratory borings were drilled and reached a maximum depth of 80 feet. According to geotechnical studies prepared for the Project Site, fill materials (silty sands and sands) were encountered in all exploratory excavations to depths ranging from 2.5 to 5 feet below grade. The fill is underlain by native alluvial soils, consisting of interlayered mixtures of silty sands and sands. Boring logs also show that native soils (alluvial) are present at depths as shallow as 2.5 feet and are also present at 80 feet. These results indicate the presence of a variable amount of fill and alluvial material across much of the Project Site (Geotechnologies Inc. 2016).

Recent alluvial material does not normally contain significant paleontological resources; however, the Project will require grading and excavation for building foundations and subterranean parking to a depth of approximately 38 feet across the majority of the Project Site (Geotechnologies Inc. 2018). Excavation to these depths has the potential to encounter older alluvial deposits, which may potentially uncover paleontological resources. Due to the challenges in deciphering younger from older alluvial material, no clear transition between the two should be expected during excavation.

4.2.2 NHM OF LOS ANGELES COUNTY SEARCH FINDINGS

A paleontological record search was requested of the NHM of Los Angeles County on June 14, 2017. A response was submitted by the NHM on June 15th, 2017 (**Appendix C**). The NHM findings were negative for the Project Site. However, the Project Site is still considered ***sensitive for paleontological resources,*** as several finds have been recorded within the 0.25-mile radius surrounding the Project Site and containing the same sedimentary deposits that underlie the Project Site. As stated by the NHM:

> "Shallow excavations in the younger Quaternary Alluvium exposed throughout the proposed project area are unlikely to uncover significant fossil vertebrate remains. Deeper excavations in the proposed project area that extend down into the older Quaternary sediment, however, may well [encounter] significant vertebrate fossils. Any substantial excavations in the proposed project area, therefore, should be closely monitored to quickly and professionally recover any potential vertebrate fossils without impeding development" (June 15, 2017)."

5.0 CONDITIONS OF APPROVAL, MITIGATION MEASURES, AND REGULATORY COMPLIANCE

The City of Los Angeles Department of City Planning has established standard Conditions of Approval under its police power and land use authority to address the inadvertent discovery of archaeological, tribal cultural, or paleontological resources. In the event that these resources are inadvertently discovered during Project development activities, the Project Applicant would be required to comply with the City's standard Conditions of Approval for the treatment of cultural or tribal cultural resource discoveries. The City's standard Conditions of Approval require the immediate halt of construction activities in the vicinity of the discovery, coordination with the City (and appropriate Native American tribes, where necessary), and development and implementation of appropriate actions for treating the discovery. However, where record searches or surveys show the presence or likely presence of paleontological or archaeological resources on a site, and where development activities have the potential to adversely affect such resources, the City of Los Angeles Department of City Planning requires the implementation of project-specific mitigation measures.

The application of the City's standard Conditions of Approval, Project-specific mitigation measures, or the requirement for regulatory compliance is based on the following findings of this report:

- The results of the SCCIC record search were negative for cultural resources and/or built environment resources within the Project Site. However, the SCCIC indicated that the area is considered sensitive for late 19th/early 20th Century historic cultural resources, and a review of historic maps determined that a portion of the *Zanja Madre* water system, *Zanja* No. 2, was located in the vicinity of the Project Site, potentially on-site or in an area where the Project may require off-site utility and right-of-way improvements. Therefore, Project-specific mitigation measures are required.
- The SurveyLA Historic Resources Survey Report supports a finding that the Downtown Los Angeles Historic Industrial District is sensitive for historic cultural resources. The analysis of Project impacts to historic resources is provided under separate cover; however, the analysis determined that no conditions of approval or mitigation measures are required for the protection of historical resources.
- The NAHC record search was negative for Native American cultural resources within the Project Site; however, it was positive as a Native American-sensitive area. The City's standard Conditions of Approval to address the inadvertent discovery of tribal cultural resources are provided under separate cover.
- A record search of NHM of Los Angeles County documents was negative for paleontological resources within the Project Site but shows that the Project area is sensitive for paleontological resources. The City's standard Conditions of Approval to address the inadvertent discovery of paleontological resources are required.

Furthermore, State regulations that address the inadvertent discovery of human remains, which is also a possibility during the grading period, are reiterated here.

With required adherence to the City's standard Conditions of Approval for the inadvertent discovery of paleontological resources, implementation of mitigation measures to address potential impacts to archaeological resources, and required compliance with PRC Section 5097.98 for the inadvertent discovery of human remains, the Project would not result in a significant impact to paleontological or archaeological resources, or to human remains.

Archaeological Resource Monitoring: Prior to the issuance of a demolition permit, the Applicant or its Successor shall retain a Qualified Archaeologist who meets the Secretary of the Interior's Professional Qualifications Standards (Qualified Archaeologist) to oversee an archaeological monitor who shall be present during construction activities on the Project Site such as demolition, clearing/grubbing, grading, trenching, or any other construction excavation activity associated with the Project. The activities to be monitored shall also include off-site improvements in the vicinity of the Project Site, such as utility, sidewalk, or road improvements. The monitor shall have the authority to direct the pace of construction equipment in areas of high sensitivity. The frequency of monitoring shall be based on the rate of excavation and grading activities, the materials being excavated (younger sediments vs. older sediments), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Full-time monitoring may be reduced to part-time inspections, or ceased entirely, if determined adequate by the Qualified Archaeologist. Prior to commencement of excavation activities, an archaeological Sensitivity Training shall be carried out by the Qualified Archaeologist, focusing on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event.

Archaeological Resource Discovery: In the event that historic or prehistoric archaeological resources are unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A 50-foot buffer shall be established by the Qualified Archaeologist around the find where construction activities shall not be allowed to continue. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by Project construction activities shall be evaluated by the Qualified Archaeologist. If a resource is determined by the Qualified Archaeologist to constitute a "historical resource" pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15064.5 (a) or a "unique archaeological resource" pursuant to Public Resources Code (PRC) Section 21083.2 (g), the Qualified Archaeologist shall coordinate with the Applicant and the Department of City Planning to develop a formal treatment plan that would serve to reduce impacts to the resources. If any prehistoric archaeological sites are encountered within the Project area, consultation with interested Native American parties shall be conducted to apprise them of any such findings and solicit any comments they may have regarding appropriate treatment and disposition of the resources. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines Section 15064.5(f) for historical resources and PRC Section 21083.2(b) for unique archaeological resources. As noted in California Code of

Regulations Section 15126.4(b)(A), preservation in place (i.e., avoidance) is the preferred manner of treatment. If, in coordination with the City's Office of Historic Resources and with final approval by the Department of City Planning, it is determined that preservation in place is not feasible, appropriate treatment of the resources shall be developed by the Qualified Archaeologist and may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing analysis. Any archaeological material collected shall be curated at a public, non-profit institution with a research interest in the materials, if such an institution agrees to accept the material. If no institution accepts the archaeological materials, they shall be donated to a local school or historical society in the area for educational purposes.

- ***Zanja* Conduit System Discovery.** In the event that *Zanja* Conduit System-related infrastructure is unearthed, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. An appropriate exclusion area that accounts for the linear nature of the resource shall be established by a Qualified Archaeologist, meeting the Secretary of the Interior Standards in Archaeology. Construction activities shall not be allowed to continue within the exclusion area until directed by the Qualified Archaeologist in consultation with the Department of City Planning, but work shall be allowed to continue outside of the exclusion area. The Qualified Archaeologist shall coordinate with the Applicant or its Successor, the Department of City Planning, and the City's Office of Historic Resources (OHR) to develop a formal treatment plan for the resource that would serve to mitigate impacts to the resource(s). The treatment measures listed in California Code of Regulations Section 15126.4(b) shall be considered when determining appropriate treatment for the *Zanja* resource. Treatment shall be designed to address the *Zanja* resource's eligibility under Criterion 1 (significant events) and 4 (scientific data) as well as eligibility as a unique archaeological resource of the likely form of the *Zanja,* to the best of current knowledge (e.g., is it assumed to be made of wood/concrete/earthen etc., based on known archival research) and may include implementation of data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. At a minimum, a commemoration program that includes the development of an interpretive exhibit/display/signage or plaque at the Project Site shall be developed. In addition, other public educational and/or interpretive treatment measures shall be developed as determined appropriate by the Qualified Archaeologist in consultation with the Office of Historic Resources (OHR). Any associated artifacts collected that are not made part of the interpretation/education collection shall be curated or donated as specified above (see "Archaeological Resource Discovery").

Archaeological Resource Documentation: Following the conclusion of archaeological monitoring but prior to the release of the grading bond, the Qualified Archaeologist shall prepare a final report and complete the appropriate California Department of Parks and Recreation Site Forms. The report shall include a description of archaeological resources unearthed (*Zanja*-related or other archaeological resources), if any; treatment of the resources; results of the artifact processing, analysis, research; and an evaluation of the resources with respect to the California

Register and the California Environmental Quality Act. The report and the Site Forms shall be submitted by the Project Applicant or its Successor to the Department of City Planning, the South Central Coastal Information Center, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the development and required mitigation measures.

Inadvertent Discovery of Paleontological Resource (Condition of Approval): If a probable paleontological resource is uncovered during earthwork or construction, all work shall cease within a minimum distance of 50 feet from the find until a Qualified Paleontologist has been retained to evaluate the find in accordance with the Society of Vertebrate Paleontology's Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources. Temporary flagging shall be installed around the find in order to avoid any disturbance from construction equipment. Any paleontological materials that are uncovered shall not be moved or collected by anyone other than a Qualified Paleontologist, or his/her designated representative, such as a Paleontological Monitor. If cleared by the Qualified Paleontologist, Ground Disturbance Activities may continue unimpeded on other portions of the site. The found deposit(s) shall be treated in accordance with the Society of Vertebrate Paleontology's Standard Procedures. Ground Disturbance Activities in the area where resource(s) were found may recommence once the identified resources are properly assessed and processed by Qualified Paleontologist. A report that describes the resource and its disposition, as well as the assessment methodology, shall be prepared by the Qualified Paleontologist according to current professional standards and maintained pursuant to the proof of compliance requirements in Subsection I.D.6. If appropriate, the report should also contain the Qualified Paleontologist's recommendations for the preservation, conservation, and curation of the resource at a suitable repository, such as the Natural History Museum of Los Angeles County, with which the Applicant or Owner must comply.

Inadvertent Discovery of Human Remains (Regulatory Compliance): The inadvertent discovery of human remains is a possibility during ground disturbances and is addressed by California Public Resources Code (PRC) Section 5097.98, as amended by Assembly Bill 2641, which protects cultural resources on public lands and provides procedures in the event human remains of Native American origin are discovered during construction activities. PRC Section 5097.98 requires notification of the County Coroner in the event of the unanticipated discovery of human remains and a prescribed protocol for their disposition in accordance with applicable regulations, notification of the Native American Heritage Commission (NAHC) and subsequent tribal coordination if remains are determined to be of Native American descent.

The Code states that, in the event human remains are uncovered, no further disturbance shall occur until the County Coroner has made a determination as to the origin and disposition of the remains pursuant to Public Resources Code (PRC) Section 5097.98. The Coroner must be notified of the find immediately, together with the Lead Agency and the Project Site owner. If the human remains are determined to be prehistoric, the Coroner shall notify the NAHC, which shall determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive

analysis of human remains and items associated with Native American burials and an appropriate re-internment site. The Lead Agency and a qualified archaeologist shall also establish additional appropriate mitigation measures for further site development, which may include additional archaeological and Native American monitoring or subsurface testing. All responses to the discovery of human remains shall be outlined in a Recovery and/or Management Plan submitted to the Lead Agency for review prior to the recommencement of ground-disturbance activities.

6.0 CONCLUSIONS

This Phase I has been prepared to support the CEQA analysis of the Project. No site survey was conducted due to the urbanization of the Project Site landscape. A separate historic built environment report (historic resources assessment) was prepared for the Project under separate cover. In addition, a Native American ethnographic report was prepared for the Project, which will address tribal cultural resource topics pursuant to CEQA and AB 52 requirements.

The findings of the Phase I record search by the SCCIC were negative for cultural resources within the Project Site; however, records did show that the Project Site is located in an area that is considered sensitive for late 19th/early 20th Century historic cultural resources. SurveyLA findings indicate that the Project Site is located within the Downtown Los Angeles Historic Industrial District, which further supports that the Project Site is located within an area that is sensitive for late 19th/early 20th Century historic cultural resources. The NAHC results also indicate that the Project Site is located in an area that is considered sensitive for prehistoric cultural resources. Examination of numerous historic maps also determined that a portion of the *Zanja Madr*e water system, *Zanja No.* 2, was most likely located immediately adjacent to, and west of, the Project Site but at one time may have also traversed a portion of the Project Site. Finally, a record search of NHM of Los Angeles County documents shows that the Project Site is sensitive for paleontological resources, based on findings within the vicinity of the Project.

Construction of the Project would require excavation to a depth of approximately 38 feet; therefore, the Project may result in the inadvertent discovery of a buried cultural or paleontological resources. With required adherence to the City's standard Conditions of Approval for the inadvertent discovery of paleontological resources, implementation of mitigation measures to address potential impacts to archaeological resources, and required compliance with PRC Section 5097.98 for the inadvertent discovery of human remains, the Project would not result in a significant impact to paleontological or archaeological resources, or to human remains.

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Appendix A

Letter to the South Central Coastal Information Center (SCCIC)

(SCCIC's Confidential Findings are on file at Envicom Corporation)

March 2, 2017

Stacy St. James, Coordinator
South Central Coastal Information Center
C.S.U.F, Dept. of Anthropology, MH 426
800 N. State College Blvd.
Fullerton, CA 92834-6846

Attn: Ms. St. James

Subj: **Envicom Corporation: 4th and Hewitt EIR Phase I Cultural Survey (Envicom Project #16-675-101)**

Dear Ms. St. James:

Envicom is requesting record search of the SCCIC database for cultural resources within the attached project area, plus a 0.25-mile buffer. **We also request the complete reports and/or site records for any cultural resources found within the project area only.**

The project is located at:

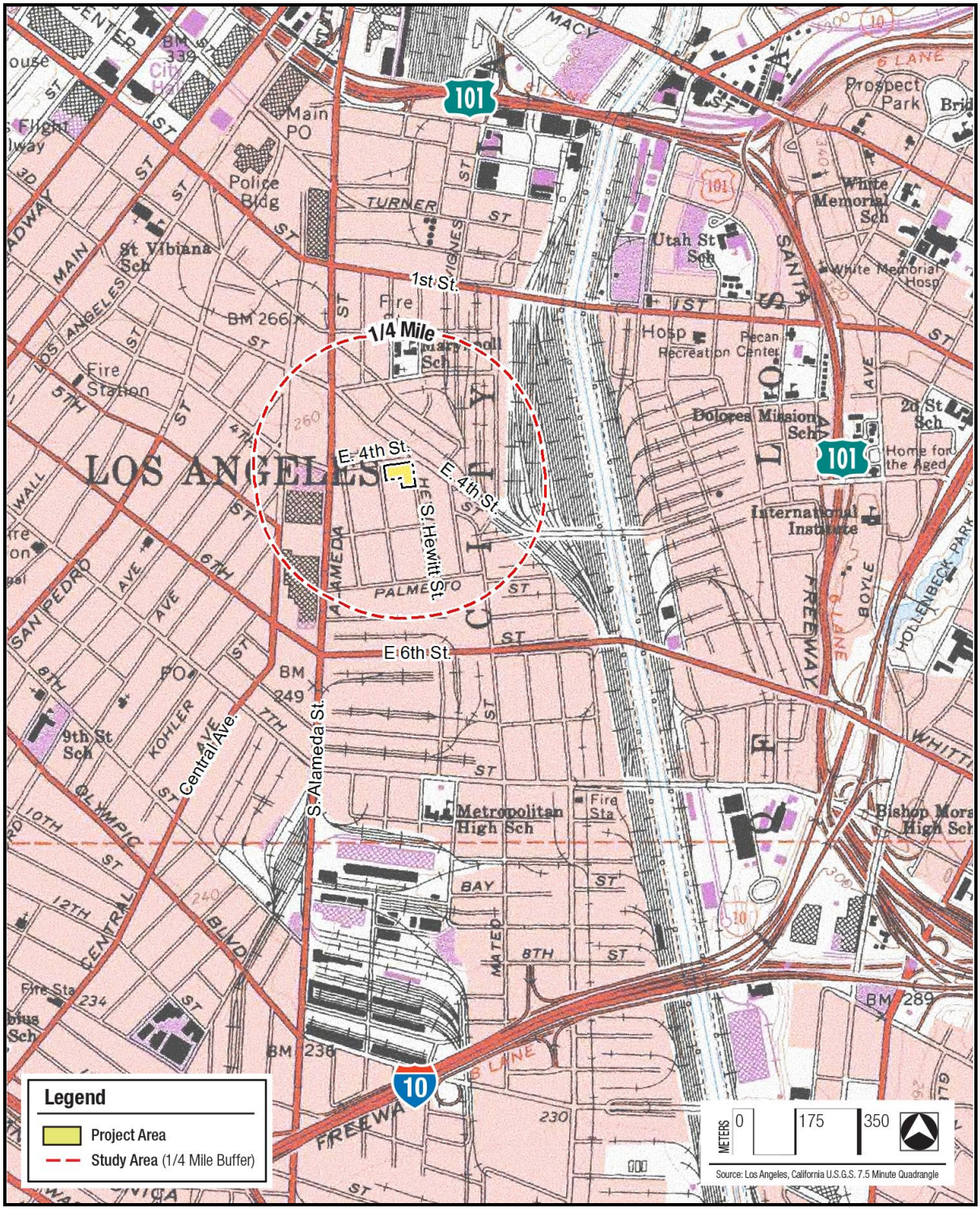
Lat - 34° 2'35.52"N
Long - 118°14'9.15"W
Township - 1S
Range - 13W
USGS Quad - Los Angeles, CA

Envicom appreciates the SCCIC's help with this request. For correspondence or questions regarding this Project, please contact Wayne Bischoff at 818-879-4700 (wbischoff@envicomcorporation.com).

Sincerely,

Wayne Bischoff
Director of Cultural Resources

Attachment:
Project vicinity map on 1:24,000 topographic map


1/4 Mile
E. 4th St.
E. 4th St.
S. Hewitt St.
1st St.
E. 6th St.
S. Alameda St.
Central Ave.
LOS ANGELES
101
10
Legend
Project Area
Study Area (1/4 Mile Buffer)
METERS
0
175
350
Source: Los Angeles, California U.S.G.S. 7.5 Minute Quadrangle

Appendix B

Letter to the Native American Heritage Commission (NAHC) and NAHC Response Letter

March 2, 2017

Native American Heritage Commission
1550 Harbor Boulevard, Room 100
West Sacramento, CA 95691

Subj: **Envicom Corporation: 4th and Hewitt EIR Phase I Cultural Survey (Envicom Project #16-675-101)**

Greetings,

Envicom is requesting a record review of your records for cultural resources for the project area, plus a 0.25-mile buffer. We also request a list of Tribal Group representatives who should be contacted regarding this project.

The project is located at:

Lat - 34° 2'35.52"N
Long - 118°14'9.15"W
Township - 1S
Range - 13W
USGS Quad - Los Angeles, CA

Envicom appreciates the NAHC's help with this request. For correspondence or questions regarding this Project, please contact Wayne Bischoff at 818-879-4700 (wbischoff@envicomcorporation.com).

Sincerely,

Wayne Bischoff

Dr. Wayne Bischoff
Director of Cultural Resources

Attachment:
Project vicinity map on 1:24,000 topographic map


1/4 Mile
E. 4th St.
S. Hewitt St.
E 6th St.
1st St.
S. Alameda St.
Central Ave.
101
10
Legend
Project Area
Study Area (1/4 Mile Buffer)
METERS
0
175
350
Source: Los Angeles, California U.S.G.S. 7.5 Minute Quadrangle

NATIVE AMERICAN HERITAGE COMMISSION
Environmental and Cultural Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710

April 25, 2017

Dr. Wayne Bischoff
Envicom

Sent by E-mail: wbischoff@envicomcorporation.com

RE: Proposed 4th and Hewitt IER Phase I Cultural Study (Envicom Project #16-675-101) Project, City of Los Angeles; Los Angeles USGS Quadrangle, Los Angeles County, California

Dear Dr. Bischoff:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results however the area is sensitive for cultural resources. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.

Attached is a list of tribes culturally affiliated to the project area. I suggest you contact all of the listed Tribes. If they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

Native American Heritage Commission
Native American Contact List
Los Angeles County
4/25/2017

Gabrieleno Band of Mission Indians - Kizh Nation
Andrew Salas, Chariperson
P.O. Box 393 Gabrieleno
Covina, CA, 91723
Phone: (626) 926 - 4131
gabrielenoindians@yahoo.com

Gabrieleno/Tongva San Gabriel Band of Mission Indians
Anthony Morales, Chairperson
P.O. Box 693 Gabrieleno
San Gabriel, CA, 91778
Phone: (626) 483 - 3564
Fax: (626)286-1262
GTTribalcouncil@aol.com

Gabrielino /Tongva Nation
Sandonne Goad, Chairperson
106 1/2 Judge John Aiso St., Gabrielino
#231
Los Angeles, CA, 90012
Phone: (951)807-0479
sgoad@gabrielino-tongva.com

Gabrielino Tongva Indians of California Tribal Council
Robert Dorame, Chairperson
P.O. Box 490 Gabrielino
Bellflower, CA, 90707
Phone: (562) 761 - 6417
Fax: (562) 761-6417
gtongva@gmail.com

Gabrielino-Tongva Tribe
Linda Candelaria, Co-Chairperson
23453 Vanowen Street Gabrielino
West Hills, CA, 91307
Phone: (626) 676 - 1184
palmsprings9@yahoo.com

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed 4th and Hewitt Project, Los Angeles County.

Appendix C

Letter to the Natural History Museum (NHM) of Los Angeles County and NHM Response Letter

June 1, 2017

Dr. Samuel A. McLeod
Natural History Museum of Los Angeles
900 Exposition Blvd,
Los Angeles, CA 90007

Attn: Dr. McLeod

Subj: **Envicom Corporation: 4th and Hewitt EIR Phase I Cultural Survey (Envicom Project #16-675-101)**

Dear Dr. McLeod:

Envicom is requesting a record search of the Natural History Museum database for paleontological sensitivity for the project area, and a map/listing of all paleontological resources previously identified within the attached project area, plus a 0.25-mile buffer.

The project is located at:

Lat - 34° 2'35.52"N
Long - 118°14'9.15"W
Township - 1S
Range - 13W
USGS Quad - Los Angeles, CA

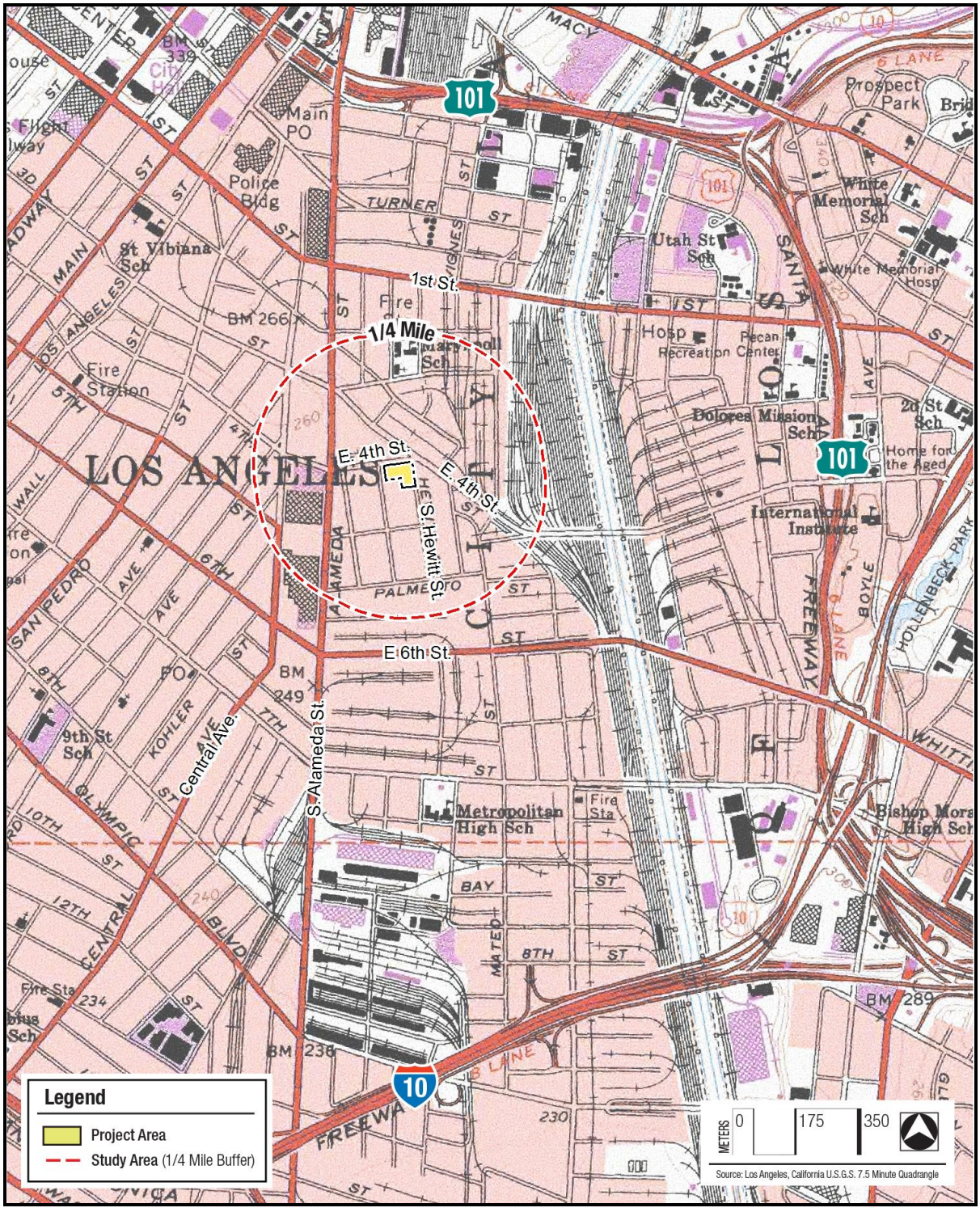
Envicom appreciates the Natural History Museum's help with this request. For correspondence or questions regarding this Project, please contact Wayne Bischoff at 818-879-4700 (wbischoff@envicomcorporation.com).

Sincerely,

Wayne R Bischoff

Dr. Wayne Bischoff
Director of Cultural Resources

Attachment:
Project vicinity map on 1:24,000 topographic map


1/4 Mile
E. 4th St.
E. 4th St.
S. Hewitt St.
1st St.
E. 6th St.
S. Alameda St.
Central Ave.
LOS ANGELES
101
10
Legend
Project Area
Study Area (1/4 Mile Buffer)
METERS
0
175
350
Source: Los Angeles, California U.S.G.S. 7.5 Minute Quadrangle

Natural History Museum
of Los Angeles County
900 Exposition Boulevard
Los Angeles, CA 90007

tel 213.763.DINO
www.nhm.org

NATURAL HISTORY MUSEUM
LOS ANGELES COUNTY

Vertebrate Paleontology Section
Telephone: (213) 763-3325

e-mail: smcleod@nhm.org

15 June 2017

Envicom Corporation
4165 East Thousand Oaks Boulevard, Suite 290
Westlake Village, CA 91362

Attn: Wayne Bischoff, Ph.D., Director of Cultural Resources

re: Paleontological resources for the proposed 4th and Hewitt Project, Envicom Project #16-675-101, in the City of Los Angeles, Los Angeles County, project area

Dear Wayne:

I have conducted a thorough check of our paleontology collection records for the locality and specimen data for the proposed 4th and Hewitt Project, Envicom Project #16-675-101, in the City of Los Angeles, Los Angeles County, project area as outlined on the portion of the Los Angeles Creek USGS topographic quadrangle map that you sent to me via e-mail on 1 June 2017. We do not have any vertebrate fossil localities that lie directly within the proposed project area, but we do have localities nearby from the same sedimentary deposits that occur subsurface in the proposed project area.

The entire proposed project site area has surface deposits that consist of younger Quaternary Alluvium, derived as fluvial deposits from the flood plain of the Los Angeles River that currently flows in a concrete channel just to the east. These younger Quaternary deposits usually do not contain significant fossil vertebrates, at least in the uppermost layers, but the underlying older Quaternary deposits found at varying depths may well contain significant vertebrate fossils.

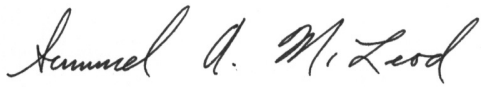
Our closest vertebrate fossil locality from the older Quaternary deposits is LACM 1755, west-southwest of the proposed project area near the intersection of Hill Street and 12th Street, that produced a fossil specimen of horse, *Equus*, at a depth of 43 feet below the street. Our next

closest vertebrate fossil locality from older Quaternary deposits beneath the younger Quaternary Alluvium is LACM 2032, northeast of the proposed project area near the intersection of Mission Road and Daly Street around the Golden State Freeway (I-5), that produced fossil specimens of pond turtle, *Clemmys mamorata*, ground sloth, *Paramylodon harlani*, mastodon, *Mammut americanum*, mammoth, *Mammuthus imperator*, horse, *Equus*, and camel, *Camelops*, at a depth of 20-35 feet below the surface. The pond turtle specimens from locality LACM 2032 were figured in the scientific literature by B.H. Brattstrom and A. Sturn (1959. A new species of fossil turtle from the Pliocene of Oregon, with notes on other fossil *Clemmys* from western North America. Bulletin of the Southern California Academy of Sciences, 58(2):65-71). At our locality LACM 1023, just north of locality LACM 2032 near the intersection of Workman Street and Alhambra Avenue, excavations for a storm drain recovered fossil specimens of turkey, *Meleagris californicus,* sabre-toothed cat, *Smilodon fatalis*, horse, *Equus*, and deer, *Odocoileus*, at unstated depth. A specimen of the turkey, *Meleagris*, from this locality was published in the scientific literatus by D. W. Steadman (1980. A Review of the Osteology and Paleontology of Turkeys (Aves: Meleagridinae). Contributions in Science, Natural History Museum of Los Angeles County, 330:131-207).

Shallow excavations in the younger Quaternary Alluvium exposed throughout the proposed project area are unlikely to uncover significant fossil vertebrate remains. Deeper excavations in the proposed project area that extend down into the older Quaternary sediments, however, may well encounter significant vertebrate fossils. Any substantial excavations in the proposed project area, therefore, should be closely monitored to quickly and professionally recover any potential vertebrate fossils without impeding development. Also, sediment samples should be collected and processed to determine the small fossil potential in the proposed project area. Any fossils recovered during mitigation should be deposited in an accredited and permanent scientific institution for the benefit of current and future generations.

This records search covers only the vertebrate paleontology records of the Natural History Museum of Los Angeles County. It is not intended to be a thorough paleontological survey of the proposed project area covering other institutional records, a literature survey, or any potential on-site survey.

Sincerely,



Samuel A. McLeod, Ph.D.
Vertebrate Paleontology

enclosure: invoice

Appendix D

Resume of Dr. Wayne Bischoff

DR. WAYNE BISCHOFF
Director of Cultural Resources

Years of Experience
Over 25 years

Education
Ph.D. Anthropology,
Michigan State University

B.A. Anthropology, Purdue University

Certifications
Registry of Professional Archaeologists (RPA)

Professional Affiliations
Society of Historical Archaeology

Society for California Archaeology

Society for American Archaeology

Specialized Training
Built Environment Assessments

Paleontological Assessments

Ethnographic Reports

AB-52/Tribal Consultation

Dr. Bischoff has over 25 years of experience in managing cultural resource projects and ensuring compliance with the California Environmental Quality Act (CEQA), Section 106 of the National Historic Preservation Act (NHPA), the National Environmental Protection Act (NEPA), and state, county, city, and local government cultural laws, guidelines, and procedures. He is experienced with the City of Los Angeles, having completed dozens of cultural resource projects within the City and surrounding municipalities. He has also completed numerous cultural, paleontological, and built environment projects throughout Los Angeles County. Dr. Bischoff has worked with all Tribal Groups of the Greater Los Angeles area and has provided expert consultation, including Assembly Bill (AB) 52 consultation, writing support, and coordination. He has also written, planned, and enforced cultural resource components of many forms of CEQA and NEPA documents and been a part of Memorandum of Agreement (MOA), Memorandum of Understanding (MOU), and Programmatic Agreement (PA) development teams.

Dr. Bischoff's experience includes residential and commercial development, public works, storm and sewer projects, environmental restoration, water resources, energy and transmission line, highway and bridge, telecommunication, educational facility, and park and trail project. Dr. Bischoff has been the principal or project manager for hundreds of cultural projects in California, including Phase I literature searches and surveys, Phase I(b) subsurface surveys, Phase II evaluations, and Phase III data recoveries.

Dr. Bischoff also has extensive experience consulting with state and federal agencies, including the State Historic Preservation Office (SHPO), California Department of Transportation (Caltrans), the Department of Defense, the General Services Agency (GSA), California Department of Parks and Recreation, the U.S. Department of Agriculture (USDA), many U.S. Army Corps of Engineers (ACOE) districts, Fish and Wildlife, the California Public Utilities Commission (CPUC), and the National Park Service, among others.

REPRESENTATIVE PROJECT EXPERIENCE

West Hills Crest 37-acre Residential Subdivision, City of Los Angeles

Cultural principal and project manager for the completion of a cultural record search and project area site survey. Part of the project, located in the West Hills area, also involved the resurvey of a previously recorded cultural resource within the project boundary.

Faunal, Osteological, Archaeological, and Fossil for the Hollywood Park Development Project (New Rams National Football League Stadium), City of Inglewood

Osteological and paleontological consultant for Kiewit, Turner-Hunt, and Citadel for the construction of the new Rams National Football League stadium. The project has included the discovery and recordation of modern and fossil mammal bones.

Cultural Phase Ia Survey for the 12300 Valley Boulevard Hotel, El Monte

Cultural principal and project manager for the completion of a cultural record search, NAHC record search request, and a site survey for this commercial development.

Cultural Phase Ia Survey for the Holiday Inn Express Hotel, El Monte

Cultural principal and project manager for the completion of a cultural record search, NAHC record search request, and a site survey for this commercial development.

6658 Reseda Boulevard, City of Los Angeles

Cultural principal and project manager for a cultural Phase I record search for this urban mixed-use project.

Cultural Phase Ia Survey for the 18401 Nordhoff Mixed-Use Project, City of Los Angeles

Cultural principal and project manager for the completion of a cultural record search, NAHC record search, and a site survey. The mixed-use project also included a built-environment assessment of existing historic structures.

Cultural Phase Ia Survey for the Crisler Way Residential Project, City of Los Angeles

Cultural principal and project manager for the completion of a cultural record search, NAHC record search request, and a site survey.

Cultural Phase Ia Survey for 11301 & 11321 Camarillo Street Mixed-Use Project, City of Los Angeles

Cultural principal and project manager for the completion of a cultural record search, NAHC scoping, and site survey for a project in North Hollywood. This project also included a historic built environment assessment.

Cultural Phase Ia Survey for the Woodland Hills19-Unit Subdivision Project, City of Los Angeles

Cultural principal and project manager for the completion of a cultural record search, NAHC scoping, and a site survey. This project also involved consultation with the City of Los Angeles on AB 52.

Canyon Park Homes, City of Los Angeles

Cultural principal, project manager, and Native American Tribal Group consultation with the Tataviam and the City of Los Angeles for the Phase I survey of this 80-acre residential property development in the Sylmar area. The project also included monitoring of pre-construction trenching.

Oakwood School Built Enviroment and Archaeological Assessment, City of Los Angeles

Cultural principal and project manager for the Phase I cultural resource assessment of the project property prior to the construction of new and updated middle and high school campus facilities within the North Hollywood area. The scope of work involved addressing a modern human cremation garden in the report.

Floral Canyon Residential Development Cultural Resource Survey, City of Los Angeles

Cultural principal and project manager for this Phase Ia cultural resource survey of an 8-acre property in North Hollywood. The cultural resource parts of the CEQA checklist were also completed.

Marinette Road Residential Development, City of Los Angeles

Cultural principal and project manager for this development project located in Pacific Palisades, which included a record search, site survey, Tribal Group scoping letters, and agency consultation. The major challenge was that the project property was within the Will Rogers State Monument and National Register site boundary.

Blossom Plaza Historic Structure Evaluation, City of Los Angeles

Cultural principal for this historic architecture project involving the updating of technical reports and a standing structure evaluation for a project in Chinatown.

Penmar Golf Course Water Quality Improvement Project, Pacific Hydrotech, City of Los Angeles

Cultural principal and project manager. Dr. Bischoff managed the review, budgets, and professional standards for the project located in the Venice area adjacent to the City of Santa Monica. Penmar was a multi-year waterline and tank improvement project in which evidence of ethnic Japanese barrios and fossil Pleistocene animal bones were discovered.

CEQA Services for Improvements to Polytechnic and Wilson High Schools, Long Beach Unified School District, City of Long Beach

Cultural principal. Dr. Bischoff provided oversight and incorporation of the historic architecture technical reports into the project CEQA documents.

Roosevelt School, Long Beach Unified School District, City of Long Beach

Cultural principal and project manager. Dr. Bischoff provided oversight, authorship, and counsel on the EIR for the demolition of the Roosevelt Elementary School in Long Beach. This proved to be a complex project, involving an historic built environment resource evaluation and mitigation plan, legal investigation, and extensive responses to public comments. This process resulted in a Historic American Buildings Survey/Historic American Engineering Record mitigation project.

Southern California Edison (SCE) Tehachapi Renewable Transmission Project (TRTP), Kern, Los Angeles, and San Bernardino Counties

Cultural field manager. Dr. Bischoff was responsible for all office and field operations that ensured the successful inventory and management of cultural resources related to this 300-mile transmission line project, including the management of standing historical structures and paleontological resources. Dr. Bischoff completed over 150 individual projects in Southern California including survey, evaluation, mitigation, and resource monitoring. He also met legal and agency guidelines for Section 106 of NHPA, CEQA, the Native American Graves Protection and Repatriation Act (NAGPRA), and the TRTP Cultural Resource Management Plan. The Angeles National Forest was the lead federal agency, but the California Public Utilities Commission and other federal and California agencies were also involved.