

IV. Environmental Impact Analysis

C. Cultural Resources (Archaeological Resources)

1. Introduction

This section of the Draft EIR provides an analysis of the Project's potential impacts on archaeological resources. The analysis of potential impacts to archaeological resources is based on a records search conducted on July 27, 2020, and revised April 25, 2023, by staff at the South Central Coastal Information Center (SCCIC). The Project's potential impacts on the remaining topics covered under cultural resources, including historic resources and human remains, were fully evaluated in the Initial Study prepared for the Project included in Appendix A of this Draft EIR, and determined to be less than significant. The analysis included in the Initial Study prepared for the Project is summarized below.

2. Environmental Setting

a. Regulatory Framework

Cultural resources fall within the jurisdiction of several levels of government. The framework for the identification and, in certain instances, protection of cultural resources is established at the federal level, while the identification, documentation, and protection of such resources are often undertaken by state and local governments. As described below, the principal federal, State, and local laws governing and influencing the preservation of cultural resources of national, State, regional, and local significance include:

- National Historic Preservation Act of 1966, as amended
- Secretary of the Interior's Standards for the Treatment of Historic Properties
- Native American Graves Protection and Repatriation Act
- Archaeological Resources Protection Act
- Archaeological Data Preservation Act
- California Environmental Quality Act

- California Register of Historical Resources
- California Health and Safety Code
- California Public Resources Code
- City of Los Angeles General Plan
- City of Los Angeles Cultural Heritage Ordinance (Los Angeles Administrative Code, Section 22.171)
- City of Los Angeles Historic Preservation Overlay Zone Ordinance (Los Angeles Municipal Code [LAMC], Section 12.20.3)
- City of Los Angeles Historic Resources Survey

(1) Federal

(a) National Historic Preservation Act and National Register of Historic Places

The National Historic Preservation Act of 1966 established the National Register of Historic Places (National Register) as “an authoritative guide to be used by federal, state, and local governments, private groups and citizens to identify the Nation’s historic resources and to indicate what properties should be considered for protection from destruction or impairment.”¹ The National Register recognizes a broad range of cultural resources that are significant at the national, state, and local levels and can include districts, buildings, structures, objects, prehistoric archaeological sites, historic-period archaeological sites, traditional cultural properties, and cultural landscapes. Within the National Register, approximately 2,500 (3 percent) of the more than 90,000 districts, buildings, structures, objects, and sites are recognized as National Historic Landmarks or National Historic Landmark Districts as possessing exceptional national significance in American history and culture.²

Whereas individual historic properties derive their significance from one or more of the criteria discussed in the subsequent section, a historic district “derives its importance from being a unified entity, even though it is often composed of a variety of resources. With a historic district, the historic resource is the district itself. The identity of a district

¹ 36 Code of Federal Regulations (CFR) 60

² U.S. Department of the Interior, National Park Service, *National Historic Landmarks, Frequently Asked Questions*.

results from the interrelationship of its resources, which can be an arrangement of historically or functionally related properties.”³

A district is defined as a geographic area of land containing a significant concentration of buildings, sites, structures, or objects united by historic events, architecture, aesthetic, character, and/or physical development. A district’s significance and historic integrity determine its boundaries. Other factors include:

- Visual barriers that mark a change in the historic character of the area or that break the continuity of the district, such as new construction, highways, or development of a different character;
- Visual changes in the character of the area due to different architectural styles, types, or periods, or to a decline in the concentration of contributing resources;
- Boundaries at a specific time in history, such as the original city limits or the legally recorded boundaries of a housing subdivision, estate, or ranch; and
- Clearly differentiated patterns of historical development, such as commercial versus residential or industrial.⁴

Within historic districts, properties are identified as contributing and non-contributing. A contributing building, site, structure, or object adds to the historic associations, historic architectural qualities, or archaeological values for which a district is significant because:

- It was present during the period of significance, relates to the significance of the district, and retains its physical integrity; or
- It independently meets the criterion for listing in the National Register.

A resource that is listed in or eligible for listing in the National Register is considered “historic property” under Section 106 of the National Historic Preservation Act.

(i) Criteria

To be eligible for listing in the National Register, a resource must be at least 50 years of age, unless it is of exceptional importance as defined in Title 36 of the Code of

³ U.S. Department of the Interior, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, p. 5.

⁴ U.S. Department of the Interior, *National Register Bulletin #21: Defining Boundaries for National Register Properties Form*, 1997, p. 12.

Federal Regulations (CFR), Part 60, Section 60.4(g). In addition, a resource must be significant in American history, architecture, archaeology, engineering, or culture. The following four criteria for evaluation have been established to determine the significance of a resource:

- A. Are associated with events that have made a significant contribution to the broad patterns of our history;
- B. Are associated with the lives of persons significant in our past;
- C. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- D. Have yielded, or may be likely to yield, information important in prehistory or history.⁵

(ii) Context

To be eligible for listing in the National Register, a property must be significant within a historic context. National Register Bulletin #15 states that the significance of a historic property can be judged only when it is evaluated within its historic context. Historic contexts are “those patterns, themes, or trends in history by which a specific... property or site is understood and its meaning ... is made clear.”⁶ A property must represent an important aspect of the area’s history or prehistory and possess the requisite integrity to qualify for the National Register.

(iii) Integrity

In addition to meeting one or more of the criteria of significance, a property must have integrity, which is defined as “the ability of a property to convey its significance.”⁷ The National Register recognizes seven qualities that, in various combinations, define integrity. The seven factors that define integrity are location, design, setting, materials, workmanship, feeling, and association. To retain historic integrity a property must possess

⁵ U.S. Department of the Interior, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, p. 8.

⁶ U.S. Department of the Interior, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, pp. 7–8.

⁷ U.S. Department of the Interior, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, p. 44.

several, and usually most, of these seven aspects. Thus, the retention of the specific aspects of integrity is paramount for a property to convey its significance. In general, the National Register has a higher integrity threshold than State or local registers.

In the case of districts, integrity means the physical integrity of the buildings, structures, or features that make up the district, as well as the historic, spatial, and visual relationships of the components. Some buildings or features may be more altered over time than others. In order to possess integrity, a district must, on balance, still communicate its historic identity in the form of its character defining features.

(iv) Criteria Considerations

Certain types of properties, including religious properties, moved properties, birthplaces or graves, cemeteries, reconstructed properties, commemorative properties, and properties that have achieved significance within the past 50 years are not considered eligible for the National Register unless they meet one of the seven categories of Criteria Considerations A through G, in addition to meeting at least one of the four significance criteria discussed above, and possess integrity as defined above.⁸ Criteria Consideration G is intended to prevent the listing of properties for which insufficient time may have passed to allow the proper evaluation of their historical importance.⁹ The full list of Criteria Considerations is provided below:

- A. A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- B. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
- C. A birthplace or grave of a historical figure of outstanding importance, if there is no other appropriate site or building directly associated with his or her productive life; or
- D. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or

⁸ U.S. Department of the Interior, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, p. 25.

⁹ U.S. Department of the Interior, *National Register Bulletin #15: How to Apply the National Register Criteria for Evaluation*, 1997, p. 41.

- E. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- F. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- G. A property achieving significance within the past 50 years, if it is of exceptional importance.

(b) Secretary of the Interior's Standards

The National Park Service issued the Secretary's Standards with accompanying guidelines for four types of treatments for historic resources: Preservation, Rehabilitation, Restoration, and Reconstruction. The most applicable guidelines should be used when evaluating a project for compliance with the Secretary's Standards. Although none of the four treatments, as a whole, apply specifically to new construction in the vicinity of historic resources, Standards #9 and #10 of the Secretary's Standards provides relevant guidance for such projects. The Standards for Rehabilitation are as follows:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.¹⁰

It is important to note that the Secretary's Standards are not intended to be prescriptive but, instead, provide general guidance. They are intended to be flexible and adaptable to specific project conditions to balance continuity and change, while retaining materials and features to the maximum extent feasible. Their interpretation requires exercising professional judgment and balancing the various opportunities and constraints of any given project. Not every Standard necessarily applies to every aspect of a project, and it is not necessary for a project to comply with every Standard to achieve compliance.

(c) Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act (NAGPRA) requires federal agencies to return Native American cultural items to the appropriate Federally recognized Indian tribes or Native Hawaiian groups with which they are associated.¹¹

(d) Archaeological Resources Protection Act

The Archaeological Resources Protection Act (ARPA) of 1979 governs the excavation, removal, and disposition of archaeological sites and collections on federal and Native American lands. This act was most recently amended in 1988. The ARPA defines

¹⁰ U.S. Department of the Interior, National Park Service, *the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*, 2017.

¹¹ U.S. Department of the Interior, National Park Service, *Archeology Program, Native American Graves Protection and Repatriation Act*.

archaeological resources as any material remains of human life or activities that are at least 100 years of age, and which are of archeological interest. The ARPA makes it illegal for anyone to excavate, remove, sell, purchase, exchange, or transport an archaeological resource from federal or Native American lands without a proper permit.¹²

(e) Archaeological Data Preservation Act

The Archaeological Data Preservation Act (ADPA) requires agencies to report any perceived project impacts on archaeological, historical, and scientific data and requires them to recover such data or assist the Secretary of the Interior in recovering the data.

(2) State

(a) California Environmental Quality Act

The California Environmental Quality Act (CEQA) is the principal statute governing environmental review of projects occurring in the state and is codified in Public Resources Code (PRC) Section 21000 et seq. CEQA requires lead agencies to determine if a proposed project would have a significant effect on the environment, including significant effects on historical or unique archaeological resources. Under CEQA Section 21084.1, a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.

CEQA Guidelines Section 15064.5 recognizes that historical resources include: (1) resources listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; (2) resources included in a local register of historical resources, as defined in PRC Section 5020.1(k) or identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); and (3) any objects, buildings, structures, sites, areas, places, records, or manuscripts 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 by the lead agency, provided the lead agency's determination is supported by substantial evidence in light of the whole record.

If a lead agency determines that an archaeological site is a historical resource, the provisions of PRC Section 21084.1 and CEQA Guidelines Section 15064.5 apply. If an archaeological site does not meet the criteria for a historical resource contained in the CEQA Guidelines, then the site may be treated in accordance with the provisions of PRC

¹² U.S. Department of the Interior, National Park Service, *Technical Brief #20: Archeological Damage Assessment: Legal Basis and Methods*, 2007.

Section 21083, if it meets the criteria of a unique archaeological resource. As defined in PRC Section 21083.2, a unique archaeological resource is an archaeological artifact, object, or site, about which it can be clearly demonstrated that without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information;
- Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

If an archaeological site meets the criteria for a unique archaeological resource as defined in PRC Section 21083.2, then the site is to be treated in accordance with the provisions of PRC Section 21083.2, which state that if the lead agency determines that a project would have a significant effect on unique archaeological resources, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place.¹³ If preservation in place is not feasible, mitigation measures shall be required. The CEQA Guidelines note that if an archaeological resource is neither a unique archaeological nor a historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment.¹⁴

A significant effect under CEQA would occur if a project results in a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5(a). Substantial adverse change is defined as “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.”¹⁵ According to CEQA Guidelines Section 15064.5(b)(2), the significance of a historical resource is materially impaired when a project demolishes or materially alters in an adverse manner those physical characteristics that:

- A. Convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register; or

¹³ *California Public Resources Code Section 21083.1(a).*

¹⁴ *State CEQA Statute and Guidelines, Section 15064.5(c)(4).*

¹⁵ *State CEQA Statute and Guidelines, Section 15064.5(b)(1).*

- B. Account for its inclusion in a local register of historical resources pursuant to PRC Section 5020.1(k) or its identification in a historical resources survey meeting the requirements of PRC Section 5024.1(g) Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- C. Convey its historical significance and that justify its eligibility for inclusion in the California Register as determined by a Lead Agency for purposes of CEQA.

In general, a project that complies with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings is considered to have impacts that are less than significant.¹⁶

(b) California Register of Historical Resources

The California Register of Historical Resources (California Register) is “an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the State and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change.”¹⁷ The California Register was enacted in 1992, and its regulations became official on January 1, 1998. The California Register is administered by the California Office of Historic Preservation (OHP). The criteria for eligibility for the California Register are based upon National Register criteria.¹⁸ Certain resources are determined to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register. To be eligible for the California Register, a prehistoric or historic-period property must be significant at the local, State, and/or federal level under one or more of the following four criteria:

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

¹⁶ *State CEQA Statute and Guidelines, Section 15064.5(b)(3).*

¹⁷ *California Public Resources Code, Section 5024.1[a].*

¹⁸ *California Public Resources Code, Section 5024.1[b].*

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

A resource eligible for the California Register must meet one of the criteria of significance described above, and retain enough of its historic character or appearance (integrity) to be recognizable as a historical resource and to convey the reason for its significance. It is possible that a historic resource may not retain sufficient integrity to meet the criteria for listing in the National Register, but it may still be eligible for listing in the California Register.

Additionally, the California Register consists of resources that are listed automatically and those that must be nominated through an application and public hearing process. The California Register automatically includes the following:

- California properties listed on the National Register and those formally determined eligible for the National Register;
- California Registered Historical Landmarks from No. 770 onward; and
- Those California Points of Historical Interest that have been evaluated by the State Office of Historic Preservation (OHP) and have been recommended to the State Historical Resources Commission for inclusion on the California Register.

Other resources that may be nominated to the California Register include:

- Historical resources with a significance rating of Category 3 through 5 (those properties identified as eligible for listing in the National Register, the California Register, and/or a local jurisdiction register);
- Individual historical resources;
- Historic districts; and
- Historical resources designated or listed as local landmarks, or designated under any local ordinance, such as an historic preservation overlay zone.

(c) California Health and Safety Code

California Health and Safety Code Sections 7050.5, 7051, and 7054 address the illegality of interference with human burial remains (except as allowed under applicable PRC Sections), and the disposition of Native American burials in archaeological sites. These regulations protect such remains from disturbance, vandalism, or inadvertent destruction, and establish procedures to be implemented if Native American skeletal

remains are discovered during construction of a project, including treatment of the remains prior to, during, and after evaluation, and reburial procedures.

(d) California Public Resources Code (PRC)

California Public Resources Code (PRC) Section 5097.98, as amended by Assembly Bill 2641, provides procedures in the event human remains of Native American origin are discovered during project implementation. PRC Section 5097.98 requires that no further disturbances occur in the immediate vicinity of the discovery, that the discovery is adequately protected according to generally accepted cultural and archaeological standards, and that further activities take into account the possibility of multiple burials. PRC Section 5097.98 further requires the Native American Heritage Commission (NAHC), upon notification by a County Coroner, designate and notify a Most Likely Descendant (MLD) regarding the discovery of Native American human remains. Once the MLD has been granted access to the site by the landowner and inspected the discovery, the MLD then has 48 hours to provide recommendations to the landowner for the treatment of the human remains and any associated grave goods. In the event that no descendant is identified, or the descendant fails to make a recommendation for disposition, or if the land owner rejects the recommendation of the descendant, the landowner may, with appropriate dignity, reinter the remains and burial items on the property in a location that will not be subject to further disturbance.

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(3) Local

(a) *City of Los Angeles General Plan*

(i) *Conservation Element*

The City of Los Angeles General Plan includes a Conservation Element. Section 3 of the Conservation Element, adopted in September 2001, includes policies for the protection of archaeological resources. As stated therein, it is the City's policy that archaeological resources be protected for research and/or educational purposes. Section 5 of the Conservation Element recognizes the City's responsibility for identifying and protecting its cultural and historical heritage. The Conservation Element establishes the policy to continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition, or property modification activities, with the related objective to protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes.¹⁹

In addition to the National Register and the California Register, two additional types of historic designations may apply at a local level:

1. Historic-Cultural Monument (HCM)
2. Classification by the City Council as a Historic Preservation Overlay Zone (HPOZ)

(i) *Community Plan*

The Land Use Element of the City's General Plan includes 35 community plans. Community plans are intended to provide an official guide for future development and propose approximate locations and dimensions for land use. The community plans establish standards and criteria for the development of housing, commercial uses, and industrial uses, as well as circulation and service systems. The community plans implement the City's General Plan Framework at the local level and consist of both text and an accompanying generalized land use map. The community plans' texts express goals, objectives, policies, and programs to address growth in the community, including those that relate to utilities and service systems required to support such growth. The community plans' maps depict the desired arrangement of land uses, as well as street classifications and the locations and characteristics of public service facilities.

¹⁹ *City of Los Angeles, Conservation Element of the General Plan, pp. II-3 to II-5.*

The Project Site is located within the Palms–Mar Vista–Del Rey Community Plan (Community Plan). Adopted on November 20, 1985 and updated in 1997, the specific purpose of the Palms–Mar Vista–Del Rey Community Plan is to promote an arrangement of land use, circulation, and services that encourages and contributes to the economic, social and physical health, safety, welfare, and convenience of the Palms–Mar Vista–Del Rey community within the larger framework of the City. In addition, the Community Plan serves to guide the development, betterment, and change of the community to meet existing and anticipated needs and conditions, as well as to balance growth and stability, reflect economic potentials and limits, land development and other trends, and to protect investment to the extent reasonable and feasible. The Palms–Mar Vista–Del Rey Community Plan is one of the four Westside community plans being updated by the City of Los Angeles Department of City Planning.

The Community Plan does not include goals, objectives, or policies specifically addressing archaeological resources.

(b) City of Los Angeles Cultural Heritage Ordinance

The Los Angeles City Council adopted the Cultural Heritage Ordinance in 1962 and most recently amended it in 2018 (Sections 22.171 et seq. of the Administrative Code). The Ordinance created a Cultural Heritage Commission (CHC) and criteria for designating an HCM. The CHC is comprised of five citizens, appointed by the Mayor, who have exhibited knowledge of Los Angeles history, culture, and architecture. The City of Los Angeles Cultural Heritage Ordinance states that a HCM designation is reserved for those resources that have a special aesthetic, architectural, or engineering interest or value of a historic nature and meet one of the following criteria. A historical or cultural monument is any site, building, or structure of particular historical or cultural significance to the City of Los Angeles. The criteria for HCM designation are stated below:

- The proposed HCM is identified with important events of national, state, or local history or exemplifies significant contributions to the broad cultural, economic, or social history of the nation, state, city, or community is reflected or exemplified; or
- The proposed HCM is associated with the lives of with historic personages important to national, state, city, or local history; or

- The proposed HCM embodies the distinct characteristics of style, type, period, or method of construction, or represents a notable work of a master designer, builder, or architect whose individual genius influenced his or her age.²⁰

A proposed resource may be eligible for designation if it meets at least one of the criteria above. When determining historic significance and evaluating a resource against the Cultural Heritage Ordinance criteria above, the CHC and OHR staff often ask the following questions:

- Is the site or structure an outstanding example of past architectural styles or craftsmanship?
- Was the site or structure created by a “master” architect, builder, or designer?
- Did the architect, engineer, or owner have historical associations that either influenced architecture in the City or had a role in the development or history of Los Angeles?
- Has the building retained “integrity”? Does it still convey its historic significance through the retention of its original design and materials?
- Is the site or structure associated with important historic events or historic personages that shaped the growth, development, or evolution of Los Angeles or its communities?
- Is the site or structure associated with important movements or trends that shaped the social and cultural history of Los Angeles or its communities?

Unlike the National and California Registers, the Cultural Heritage Ordinance makes no mention of concepts such as physical integrity or period of significance. However, in practice, the seven aspects of integrity from the National Register and California Register are applied similarly and the threshold of integrity for individual eligibility is similar. It is common for the CHC to consider alterations to nominated properties in making its recommendations on designations. Moreover, properties do not have to reach a minimum age requirement, such as 50 years, to be designated as HCMs. In addition, the LAMC Section 91.106.4.5 states that the Los Angeles Department of Building and Safety “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, or has been determined by state or federal action to be eligible for designation, on the National Register of Historic Places, or has been included on the City of Los Angeles list of HCMs, without the department having first determined whether the

²⁰ *City of Los Angeles, Los Angeles Administrative Code, Section 22.171.7.*

demolition, alteration or removal may result in the loss of or serious damage to a significant historical or cultural asset. If the department determines that such loss or damage may occur, the applicant shall file an application and pay all fees for the CEQA Initial Study and Checklist, as specified in Section 19.05 of the LAMC. If the Initial Study and Checklist identifies the historical or cultural asset as significant, the permit shall not be issued without the department first finding that specific economic, social or other considerations make infeasible the preservation of the building or structure.”²¹

(c) City of Los Angeles Historic Preservation Overlay Zone Ordinance

The Los Angeles City Council adopted the ordinance enabling the creation of Historic Preservation Overlay Zone (HPOZs) in 1979; most recently, this ordinance was amended in 2017. Angelino Heights became Los Angeles’ first HPOZ in 1983. The City currently contains 35 HPOZs. An HPOZ is a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development.²² Each HPOZ is established with a Historic Resources Survey, a historic context statement, and a preservation plan. The Historic Resources Survey identifies all Contributing and Non-Contributing features and lots. The context statement identifies the historic context, themes, and subthemes of the HPOZ, as well as the period of significance. The preservation plan contains guidelines that inform appropriate methods of maintenance, rehabilitation, restoration, and new construction. Contributing Elements are defined as any building, structure, Landscaping, or Natural Feature identified in the Historic Resources Survey as contributing to the Historic significance of the HPOZ, including a building or structure which has been altered, where the nature and extent of the Alterations are determined reversible by the Historic Resources Survey.²³ For CEQA purposes, Contributing Elements are treated as contributing features to a historic district, which is the historical resource. Non-Contributing Elements are any building, structure, Landscaping, Natural Feature identified in the Historic Resources Survey as being built outside of the identified period of significance or not containing a sufficient level of integrity. For CEQA purposes, Non-Contributing Elements are not treated as contributing features to a historical resource.

(d) City of Los Angeles Historic Resources Survey (SurveyLA)

The City of Los Angeles Historic Resources Survey (SurveyLA) is a Citywide survey that identifies and documents potentially significant historical resources representing important themes in the City’s history. The survey and resource evaluations were

²¹ *City of Los Angeles, Los Angeles Municipal Code, Section 91.106.4.5.1.*

²² *City of Los Angeles, Los Angeles Municipal Code, Section 12.20.3.*

²³ *City of Los Angeles, Los Angeles Municipal Code, Section 12.20.3.*

completed by consultant teams under contract to the City and under the supervision of the Department of City Planning's OHR. The program was managed by OHR, which maintains a website for SurveyLA. The field surveys cumulatively covered broad periods of significance, from approximately 1850 to 1980 depending on the location, and included individual resources such as buildings, structures, objects, natural features and cultural landscapes, as well as areas and districts (archaeological resources are planned to be included in future survey phases). The survey identified a wide variety of potentially significant resources that reflect important themes in the City's growth and development in various areas including architecture, city planning, social history, ethnic heritage, politics, industry, transportation, commerce, entertainment, and others. Field surveys, conducted from 2010-2017, were completed in three phases by Community Plan area. However, SurveyLA did not survey areas already designated as HPOZs or areas already surveyed by the Community Redevelopment Agency of the City of Los Angeles. All tools, methods, and criteria developed for SurveyLA were created to meet state and federal professional standards for survey work.

Los Angeles' Citywide Historic Context Statement (HCS) was designed for use by SurveyLA field surveyors and by all agencies, organizations, and professionals completing historical resources surveys in the City of Los Angeles. The context statement was organized using the Multiple Property Documentation (MPD) format developed by the National Park Service for use in nominating properties to the National Register. This format provided a consistent framework for evaluating historical resources. It was adapted for local use to evaluate the eligibility of properties for city, state, and federal designation programs. The HCS used Eligibility Standards to identify the character defining, associative features and integrity aspects a property must retain to be a significant example of a type within a defined theme. Eligibility Standards also indicated the general geographic location, area of significance, applicable criteria, and period of significance associated with that type. These Eligibility Standards are guidelines based on knowledge of known significant examples of property types; properties do not need to meet all of the Eligibility Standards in order to be eligible. Moreover, there are many variables to consider in assessing integrity depending on why a resource is significant under the National Register, California Register or City of Los Angeles HCM eligibility criteria. SurveyLA findings are subject to change over time as properties age, additional information is uncovered, and more detailed analyses are completed. Resources identified through SurveyLA are not designated resources. Designation by the City of Los Angeles and nominations to the California or National Registers are separate processes that include property owner notification and public hearings.

b. Existing Conditions

(1) Project Site

The Project site is located within the planning boundary of the Palms-Mar Vista-Del Rey Community Plan area. The area surrounding the Project site includes a variety of land uses, including office, light industrial, and manufacturing uses with one multi-family residential structure adjoining the site and a single-family residential area located across Grosvenor Boulevard further to the east. Specifically, land uses surrounding the Project site include office uses immediately north, east, and west of the Project site with commercial and multi-family uses located south of the Project site (across Beatrice Street). Adjacent to the eastern side of the Project site are two-story commercial office/industrial buildings. Further east of the Project site, across Grosvenor Boulevard, are single-family residences filling the area from Hammack Street to W. Beatrice Street. A five-level parking structure is located adjacent to the Project site's northeastern side. As discussed in Section II, Project Description, of this Draft EIR, the Project site is currently developed with a one-story (20-foot tall), 23,072-square-foot office building and two single-story accessory buildings comprised of 5,044 square feet and 2,144 square feet at 12575 W. Beatrice Street, and a two-story, (26-foot tall), 87,881-square-foot office building at 12541 W. Beatrice Street, as well as surface parking.

(2) Archaeological Resources

Archaeology is the recovery and study of material evidence of human life and culture of past ages. The area surrounding the Project site is an urbanized area and has been subject to disruption throughout the years. On July 27, 2020, a cultural resources records search was conducted by staff at the SCCIC, and was updated in April 2023. As provided in the updated cultural resources records search conducted by the SCCIC, included in Appendix D of this Draft EIR, SCCIC staff reviewed all recorded archaeological and built-environment resources, as well as cultural resource reports on file within 0.5 mile of the Project site. In addition, the California Points of Historical Interest (CPHI), the California Historical Landmarks (CHL), the California Register, the National Register, the California State Built Environment Resources Directory (BERD), and HCM listings were reviewed for a 0.25-mile radius of the Project site.

As discussed in the records search, no archaeological resources or other designated cultural resources have been previously recorded within the Project site. The results of the record search indicate that a total of 23 cultural resource reports and studies have been conducted within a 0.5-mile radius of the Project site, none of which included the Project site. The SCCIC records search also indicated that there are 16 built-environment resources within 0.5 mile of the Project site. None of the identified built-environment resources are located within the Project site.

3. Project Impacts

a. Thresholds of Significance

(1) State CEQA Guidelines Appendix G

In accordance with Appendix G of the CEQA Guidelines, a project would have a significant impact related to cultural resources if it would:

Threshold (a): Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

Threshold (b): Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

Threshold (c): Disturb any human remains, including those interred outside of formal cemeteries.

For this analysis, the Appendix G Thresholds provided above are relied upon. The analysis utilizes factors and considerations identified in the City's 2006 *L.A. CEQA Thresholds Guide*, as appropriate, to assist in answering the Appendix G Threshold questions.

The *L.A. CEQA Thresholds Guide* identifies the following criteria to evaluate impacts to cultural resources:

(2) Archaeological Resources

If the project would disturb, damage, or degrade an archaeological resource or its setting that is found to be important under the criteria of CEQA because it:

- Is associated with an event or person of recognized importance in California or American prehistory or of recognized scientific importance in prehistory;
- Can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archaeological research questions;
- Has a special or particular quality, such as the oldest, best, largest, or last surviving example of its kind;

- Is at least 100-years-old²⁴ and possesses substantial stratigraphic integrity; or
- Involves important research questions that historical research has shown can be answered only with archaeological methods.

b. Methodology

To address potential impacts associated with archaeological resources, a formal records search was conducted by staff at the SCCIC to assess the archaeological sensitivity of the Project site and vicinity. In addition, an evaluation of existing conditions and previous disturbances within the Project site, the geology of the Project site, and the anticipated depths of grading were evaluated to determine the potential for uncovering archaeological resources.

c. Project Design Features

No specific project design features are proposed with regard to archaeological resources.

d. Analysis of Project Impacts

Threshold (a): Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

As summarized in Section VI, Other CEQA Considerations, and evaluated in the Initial Study included as Appendix A of this Draft EIR, given the age (1970s through 1990s) and unremarkable design of the existing structures, which are not considered to reflect a particular historical or architectural style, the on-site structures are not considered historical resources. In addition, based on a review of the SurveyLA Historic Resources Survey Report for the Palms–Mar Vista–Del Rey community, the HistoricPlacesLA database,²⁵ and the Los Angeles ZIMAS database, the Project site, including the existing structures within the Project site, has not been individually listed in or formally determined to be eligible for listing in the National Register or the California Register; nor has any of the adjacent sites. The Project site has also not been designated as a HCM and is not located within an existing HPOZ; nor has any of the adjacent sites. Therefore, there are no historical

²⁴ Although the CEQA criteria state that "important archaeological resources" are those which are at least 100- years-old, the California Register provides that any site found eligible for nomination to the National Register will automatically be included within the California Register and subject to all protections thereof. The National Register requires that a site or structure be at least 50-years-old.

²⁵ City of Los Angeles, HistoricPlacesLA, www.historicplacesla.org/map, accessed December 21, 2020.

resources within or adjacent to the Project site.²⁶ Furthermore, a records search was conducted for the Project area by the SCCIC at California State University, Fullerton, which included review of the CPHI, the CHL, the California Register, the National Register, the California State Historic Resources Inventory, and the City of Los Angeles HCM listings for the Project. The results of the SCCIC records search indicated that there are no historical resources located on-site or on adjacent sites. **Therefore, as no identified historical resources are located on-site or on adjacent sites, the Project would not cause a substantial adverse change in the significance of a historical resource. As such, impacts with respect to Threshold (a) would be less than significant, and no further analysis is required.**

Threshold (b): Would the project cause a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5?

(1) Impact Analysis

Archaeological resources are features, such as tools, utensils, carvings, fabric, building foundations, etc., that document evidence of past human endeavors and that may be historically or culturally important to a significant earlier community. As previously discussed, the Project site is located within an urbanized area of the City of Los Angeles and has been subject to grading and development in the past. Therefore, surficial archaeological resources that may have existed at one time have likely been previously disturbed. In addition, based on the records search at the SCCIC conducted in July 2020 and in April 2023, no archaeological resources have been found at the Project site. Nevertheless, the Project would require grading and excavation for the construction of the proposed subterranean parking garage, which would extend to a depth of approximately 22 feet below ground surface. Because the Project site is fully developed and has undergone previous development, any new archaeological survey is unlikely to observe surface artifacts. However, since the Project would include excavation to previously undisturbed depths, there is potential for an archaeological site to be identified during construction activities associated with the Project. Additionally, as indicated in the SCCIC records search, the Project site vicinity is potentially sensitive for archaeological resources. Furthermore, it is always possible that unknown and unanticipated intact archaeological deposits and/or features could be present at subsurface levels. **As such, the Project could potentially cause a substantial adverse change in the significance of an archaeological resource and impacts with regard to archaeological resources are potentially significant.**

²⁶ *City of Los Angeles Department of City Planning, SurveyLA, Los Angeles Historic Resources Survey Report for the Palms–Mar Vista–Del Rey Community Plan Area, July 2012.*

(2) Mitigation Measures

The following mitigation measure is included to address the Project's potential impacts to archaeological resources.

Mitigation Measure CUL-MM-1: A qualified archaeologist shall be retained by the Applicant to perform periodic inspections of excavation and grading activities at the Project Site. The frequency of inspections shall be based on consultation with the archaeologist and shall depend on the rate of excavation and grading activities and the materials being excavated. If paleontological materials are encountered, the archaeologist shall temporarily divert or redirect grading and excavation activities in the area of the exposed material to facilitate evaluation and, if necessary, salvage. The archaeologist shall then assess the discovered material(s) and prepare a survey, study or report evaluating the impact. The Applicant shall then comply with the recommendations of the evaluating archaeologist, and a copy of the paleontological survey report shall be submitted to the Los Angeles County Natural History Museum and the Department of City Planning. Ground-disturbing activities may resume once the archaeologist's recommendations have been implemented to the satisfaction of the archaeologist.

(3) Level of Significance After Mitigation

With the implementation of Mitigation Measure CUL-MM-1, the Project would not cause a substantial adverse change in the significance of an archaeological resource. As such, impacts with respect to Threshold (b) would be less than significant with mitigation incorporated.

Threshold (c): Would the project disturb any human remains, including those interred outside of dedicated cemeteries.

As discussed in Section VI, Other CEQA Considerations, and evaluated in the Initial Study included as Appendix A of this Draft EIR, the Project site is located within an urbanized area and has been subject to previous grading and development. Therefore, the potential for uncovering human remains on the Project site is low. Nevertheless, the Project would require grading, excavation, and other construction activities that could have the potential to disturb existing but undiscovered human remains. If human remains were discovered during construction of the Project, work in the immediate vicinity of the construction area would be halted, the County Coroner, construction manager, and other relevant entities would be notified per California Health and Safety Code Section 7050.5. In addition, disposition of the human remains and any associated grave goods would occur in accordance with PRC Section 5097.98 and CEQA Guidelines Section 15064.5(e), which

requires that work stop near the find until a coroner can determine that no investigation into the cause of death is required and if the remains are Native American. Specifically, in accordance with CEQA Guidelines Section 15064.5(e), if the coroner determined the remains to be Native American, the coroner shall contact the Native American Heritage Commission who shall identify the person or persons it believes to be most likely descended from the deceased Native American. The most likely descendent may make recommendations regarding the treatment of the remains and any associated grave goods in accordance with PRC Section 5097.98. **Therefore, with compliance with regulatory requirements, the Project would not disturb any human remains. As such, impacts with respect to Threshold (c) would be less than significant, and no further analysis is required.**

e. Cumulative Impacts

(1) Impact Analysis

As provided in Section III, Environmental Setting, of this Draft EIR, there is one related project in the Project site vicinity, which is a multifamily development with 263 dwelling units.

With regard to potential cumulative impacts related to archaeological resources, the Project and the related project are located within an urbanized area that has been disturbed and developed over time. Any potential impacts to archaeological resources would also be site specific. As discussed above, the Project would not result in significant impacts to archaeological resources with implementation of Mitigation Measure CUL-MM-1 to address inadvertent discovery of archaeological resources and PRC Section 21083.2. Similar to the Project, in the event that archaeological resources are uncovered, each related project would be required to comply with applicable regulatory requirements, as well as any site-specific mitigation identified for that related project. In addition, related projects would also be subject to the City's standard condition of approval regarding inadvertent discovery of archaeological resources. **Therefore, cumulative impacts to archaeological resources would be less than significant and would not be cumulatively considerable.**

(2) Mitigation Measures

Cumulative impacts with regard to archaeological resources would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts with regard to archaeological resources were determined to be less than significant without mitigation. Therefore, no mitigation measures are required or included, and the impact level remains less than significant.