D. CULTURAL RESOURCES

D.1. ARCHAEOLOGICAL AND PALEONTOLOGICAL RESOURCES

1. INTRODUCTION

The purpose of this section is to evaluate potential impacts on paleontological, archaeological, and Native American cultural resources that could occur with implementation of the proposed project. The analyses and recommendations presented in this section are based on records searches conducted through paleontological, archaeological, and Native American records holding institutions and literature review. Specifically, the paleontological records search was commissioned by PCR through the Natural History Museum of Los Angeles County (LACM). In addition, PCR commissioned a Sacred Lands File (SLF) search through the California Native American Heritage Commission (NAHC) and follow-up Senate Bill (SB) 18 Consultation and Native American consultation. As the project site is fully developed with no visible native ground surface, a pedestrian survey was not conducted as part of this analysis. The results of these record searches are included in Appendix D of this EIR.

2. ENVIRONMENTAL SETTING

Paleontology is a branch of geology that studies the life forms of the past, especially prehistoric life forms, through the study of plant and animal fossils. Paleontological resources represent a limited, non-renewable, and impact-sensitive scientific and educational resource. As defined in this section, paleontological resources are the fossilized remains or traces of multi-cellular invertebrate and vertebrate animals and multi-cellular plants, including their imprints from a previous geologic period. Fossil remains such as bones, teeth, shells, and leaves are found in the geologic deposits (rock formations) where they were originally buried. Paleontological resources include not only the actual fossil remains, but also the collecting localities, and the geologic formations containing those localities.

Archaeology is the recovery and study of material evidence of human life and culture of past ages. Over time, this material evidence becomes buried, fragmented or scattered or otherwise hidden from view. It is not always evident from a field survey if archaeological resources exist within a project site. Thus, the possible presence of archaeological materials must often be determined based upon secondary indicators, including the presence of geographic, vegetative, and rock features which are known or thought to be associated with early human life and culture, as well as knowledge of events or material evidence in the surrounding area. In urban areas such as the project site and environs, archaeological resources may include both prehistoric remains and remains dating to the historical period, defined for the purposes of CEQA as remains 45 years old or older.

a. Regulatory Framework

(1) State Level

(a) Paleontological Resources

Paleontological resources are also afforded protection by environmental legislation set forth under CEQA. Appendix G (part V) of the *CEQA Guidelines* provides guidance relative to significant impacts on

paleontological resources, stating that "a project will normally result in a significant impact on the environment if it will …disrupt or adversely affect a paleontologic resource or site or unique geologic feature, except as part of a scientific study." Section 5097.5 of the PRC specifies that any unauthorized removal of paleontological remains is a misdemeanor. Further, the California Penal Code Section 622.5 sets the penalties for damage or removal of paleontological resources.

The *CEQA Guidelines* and PRC are applicable to the project site due to the potential presence of paleontological resources on-site.

(b) Archaeological Resources

The State implements the National Historic Preservation Act of 1966 (NHPA) through its statewide comprehensive cultural resources surveys and preservation programs. The California Office of Historic Preservation (OHP), as an office of the California Department of Parks and Recreation (DPR), implements the policies of the NHPA on a statewide level. The OHP also maintains the California Historic Resources Inventory. The State Historic Preservation Officer is an appointed official who implements historic preservation programs within the State's jurisdictions.

The proposed project is subject to the requirements of the OHP due to the potential presence of archaeological resources on-site.

(c) Sacred Lands File Search and Native American Consultation

The State Native American Heritage Commission (NAHC) is responsible for conducting Sacred Lands File (SLF) searches to assist in the identification of Native American or prehistoric resources that may be impacted by implementing proposed projects. The SLF refers to the inventory of Native American or prehistoric resources that the NAHC maintains. The primary source of information for the SLF is California Native American individuals and groups. They provide valuable locational information to the NAHC regarding resources that may not otherwise be shared with the CHRIS-SCCIC, other regional information centers, or other archives that maintain records on Native American or prehistoric resources. As a result, it has been established as an industry-wide standard to conduct SLF searches for all projects subject to CEQA to ensure that an exhaustive effort has taken place to identify Native American or prehistoric resources. Moreover, the NAHC recommends follow-up contact with Native American groups and/or individuals identified by the NAHC as having affiliation with the study area vicinity. NAHC recommended procedures for follow-up contact includes distribution of a project description, location map, and request for information about Native American resources that may be affected by the proposed project. Results of the follow-up contact provide information regarding the presence of any locations in the vicinity of the study area that are culturally sensitive to Native Americans that may not be included in the SLF search and the CHRIS-SCCIC records. Native American burials in California are protected by several statutes from California Public Resources Code Chapter 1.75, Sections 5097.9 – 5097.991, and Section 7050 of the Health and Safety Code.

The proposed project is subject to the requirements of the NAHC due to the potential presence of Native American or prehistoric resources on-site.

(d) California Register of Historical Resources

Created by Assembly Bill 2881 which was signed into law on September 27, 1992, 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."[1] The criteria for eligibility for the California Register are based upon National Register criteria.[2] Certain resources are determined by the statute to be automatically included in the California Register, including California properties formally determined eligible for, or listed in, the National Register of Historic Places.[3]

To be eligible for the California Register of Historical Resources, a pre-historic or historic property must be significant at the local, state, and/or federal level under one or more of the following criteria:

a. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

b. Is associated with the lives of persons important in our past;

c. 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

d. 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 of Historic Places and those formally Determined Eligible for the National Register of Historic Places.
- California Registered Historical Landmarks from No. 770 onward.
- Those California Points of Historical Interest that have been evaluated by the OHP and have been recommended to the State Historical Commission for inclusion on the California Register.

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

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[1] *California Public Resources Code Section 5024.1(a).*

[2] *California Public Resources Code § 5024.1(b).*

[3] *California Public Resources Code § 5024.1(d).*

- Historical resources with a significance rating of Category 3 through 5.[4]
- Individual historical resources.
- Historical resources contributing to historic districts.
- Historical resources designated or listed as local landmarks, or designated under any local ordinance, such as an historic preservation overlay zone.

The California Register is applicable to the proposed project due to the potential presence of archaeological resources on-site.

(e) California Environmental Quality Act

CEQA is the principal statute governing environmental review of projects occurring in the State. CEQA requires lead agencies to determine if a proposed project would have a significant effect on archaeological resources (PRC Sections 21000 et seq.). As defined in Section 21083.2 of the Public Resources Code 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.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

In addition, CEQA Section 15064.5 broadens the approach to CEQA by using the term "historical resource" instead of "unique archaeological resource." The *CEQA Guidelines* recognize that certain archaeological resources may also have significance. The Guidelines recognize that a historical resource includes: (1) a resource in the California Register of Historical Resources; (2) a resource included in a local register of historical resources, as defined in Public Resources Code §5020.1 (k) or identified as significant in a historical resource survey meeting the requirements of Public Resources Code §5024.1 (g); and (3) 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 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 §21084.1 of the Public Resources Code and §15064.5 of the *CEQA Guidelines* apply. If an archaeological site does not meet the criteria for a historical resource contained in the Guidelines, then the site is to be treated in accordance with the provisions of Public Resources Code §21083.2, which refer to a unique archaeological resource. The Guidelines note that if an archaeological resource is neither a unique archaeological nor a

[4] *Those properties identified as eligible for listing in the National Register of Historic Places, the California Register of Historical Resources, and/or a local jurisdiction register.*

historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. (Guidelines §15064.5(c)(4)).

The *CEQA Guidelines* and PRC are applicable to the project site due to the potential presence of archaeological resources on-site.

(2) Local Level—City of Long Beach

(a) Archaeological Resources—City of Long Beach

The City of Long Beach enacted a Cultural Heritage Commission Ordinance in 1973, which created the City's Cultural Heritage Commission and criteria for the designation of City Historic Landmarks. According to the ordinance, Historic Landmarks are any sites (including significant trees or other plant-life located thereon), buildings, or structures of particular historic or cultural significance to the City of Long Beach in which the broad cultural, economic, political, or social history of the nation, state, or city is reflected or exemplified. Historic Landmarks are regulated by the City's Cultural Heritage Commission, which reviews permits to alter, relocate, or demolish these landmarks. In addition, the City of Long Beach is currently in the process of preparing a Historic Preservation Element (HPE) as an optional element of the City of Long Beach's 2010 General Plan.

The City's Cultural Heritage Commission Ordinance (Section 1, Chapter 2.63 of the Long Beach Municipal Code [LBMC]) establishes criteria for designating local historic resources as Long Beach Historical Landmarks. The City's criteria are sufficiently broad enough to include a wide variety of historic resources, including archaeological sites. However, a proposed resource should possess sufficient architectural, historical, and/or cultural significance to warrant designation. Though there is no age requirement for designation as a historic landmark, sufficient time to develop an accurate historical perspective and to evaluate its significance in context should be considered. A historic landmark must satisfy one or more of the City's criteria, which are defined as the following:

- It possesses a significant character, interest or value attributable to the development, heritage or cultural characteristics of the City, the southern California region, the state or the nation, or if it is associated with the life of a person significant in the past; or
- It is the site of an historic event with a significant place in history; or
- It exemplifies the cultural, political, economic, social, or historical heritage of the community; or
- It portrays the environment in an era of history characterized by a distinctive architectural style; or
- It embodies those distinguishing characteristics of an architectural type or engineering specimen; or
- It contains elements of design, detail, materials, or craftsmanship which represent a significant innovation; or
- It is part of or related to a distinctive area and should be developed or preserved according to a specific historical, cultural or architectural motif; or
- It represents an established and familiar visual feature of a neighborhood or community due to its unique location or specific distinguishing characteristic; or

- It is, or has been, a valuable information source important to the prehistory or history of the City, southern California region or the State; or
- It is one of the few remaining examples in the City, region, state or nation possessing distinguishing characteristics of an architectural or historic type. (Ord. C-6961 § 1 (part), 1992)

The proposed project is subject to the requirements of the LBMC due to the potential presence of cultural resources on-site.

b. Existing Conditions

(1) Historical Background

Prehistoric archaeological resources identified in the greater urban Los Angeles area include remains with very old dates, such as the Los Angeles Man remains recovered in 1936 by Work Progress Administration (WPA) workers digging a storm drain along the Los Angeles River. Radiocarbon dates have indicated an age greater than 20,000 years old, although small amount of collagen tested from the remains makes the date suspect. The remains were found in association with mammoth bones, however, so the remains can be considered Pleistocene or earliest Holocene in age.[5] One of the oldest sets of securely dated human remains discovered in North America, with an age between 13,000 and 13,500 years ago, were identified at Arlington Springs on Santa Rosa Island, which is located approximately 100 miles west-northwest of the project site.[6] In the project site vicinity, prehistoric remains are most likely to represent past occupation by the Gabrielino.

The Gabrielino occupied territory that included Los Angeles Basin, the coast of Aliso Creek in Orange County to the south to Topanga Canyon in the north, the four southern Channel Islands, and watersheds of the Los Angeles, San Gabriel, and Santa Ana Rivers. Their name is derived from their association with Mission San Gabriel Archangel.

The Gabrielino were not the first inhabitants of the Los Angeles Basin, but arrived around 500 B.C. The language of the Gabrielino people has been identified as a Cupan language within the Takic family, which is part of the larger Uto-Aztecan language family. Uto-Aztecan speakers arrived in southern California in what is known as the Shoshonean migration, which current archaeological and linguistic evidence suggests originated in of the Great Basin and displaced the already established Hokan speakers. The Gabrielino were advanced in their culture, social organization, religious beliefs, and art and material production. Class differentiation, inherited chieftainship, and intervillage alliances were all components of Gabrielino society. At the time of European contact, the Gabrielino were actively involved in trade using shell and beads as currency. The Gabrielino were known for excellent artisanship in the form of pipes, ornaments, cooking implements, inlay work, and basketry. The Gabrielinos evolved an effective economic system which managed food reserves (storage and processing), exchanged goods, and disturbed resources. Otherwise, few specifics are known of Gabrielino lifeways. Data collected and presented by A. L. Kroeber in 1925 indicate that homes were made of tule mats on a framework of poles, but size and shape have not been recorded. Basketry and steatite vessels were used rather than ceramics; ceramics became common only toward the

[5] *Moratto, Michael (1984) California Archaeology. Academic Press, New York.*

[6] *Johnson, John R., Thomas W. Stafford, Jr., Henry O. Ajie, and Don P. Morris (2002) Arlington Springs Revisited. Proceedings of the Fifth California Islands Symposium, edited by David R. Brown, Kathryn C. Mitchell, and Henry W. Chaney, pp. 541-545. Santa Barbara Museum of Natural History, Santa Barbara.*

end of the mission period in the nineteenth century. The Gabrielino held some practices in common with other groups in southern California, such as the use of jimsonweed in ceremonies as did the Luiseño and Juaneño, but details of the practices and the nature of cultural interaction between the Gabrielino and other groups in southern California are unknown.

Population estimates are based solely on estimates gleaned from historical reports. There were possibly more than 100 mainland villages, Spanish reports suggested village populations ranged from 50 to 200 people.[7] Prior to actual Spanish contact the Gabrielino population had been decimated by diseases.[8] The diseases were probably European diseases spread via coastal stopovers by early Spanish maritime explorers.

A map of Gabrielino villages was produced by William McCawley based on documents during the Portola expedition in 1769 and other ethnographic records. Although the scale of the map is small, a coastal strand village by the name of '*Ahwaanga'* is illustrated near the project site. In Southern California, the coastal strand is defined as a narrow strip extending along the ocean's edge for 75 miles and inland for five miles. It includes 375 square miles of territory and, based on geographical features, is divided into two regions: the northern (sheltered) coast; and the southern (exposed) coast.[9] The exposed coast extended from San Pedro southward to the vicinity of Aliso Creek. During Gabrielino times the shoreline of San Pedro Bay was characterized by fresh and saltwater marshes. Those communities located in the vicinity of the project site on the southern coastal plain are *'Ahwaanga*' and *'Swaanga'*. Ethnological studies indicate three important Gabrielino communities located within the present boundaries of the City of Long Beach were '*Tevaaxa'anga'*, '*Ahwaanga'*, and '*Povuu'nga*.'[10]

Due to the relatively long history of commercial and port development in the project vicinity, the full extent and density of Gabrielino occupation of the area is unknown. However, previously recorded cultural resources in the southern coastal region are known to be quite extensive.[11] The majority of the sites known from the southern coast belonged to a large complex of semi-autonomous villages and satellite sites which ringed San Pedro and Long Beach Harbors from A.D. 1000 until A.D. 1800.[12]

In the Drake Park/Willmore Historic District of Long Beach, Drake Park was named in honor of Charles R. Drake, the founder of the Seaside Water Company who developed the area as a residential subdivision. Drake Park is situated upon a natural bluff or raised terrace and was originally founded as Knoll Park and acquired by the City of Long Beach.[13] To the west, along the base of the Drake Park bluffs once flowed the Cerritos Slough a natural body of surface water which was fed by the groundwater of the wide flood plain at

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[7] *Bean, L. J. and C. R. Smith (1978) Gabrielino. Handbook of North American Indians, Vol. 8, California, edited by R. F. Heizer, pp. 538-549. Smithsonian Institution, Washington, D.C.*

[8] *Tac, Pablo (1930) Conversion de los San Luisenos de Alta California. Proceedings of the 23rd International Congress of Americanists, New York.*

[9] *Hudson, Dee Travis. 'Proto-Gabrielino Patterns of Territorial Organizations in South Coastal California.' Pacific Coast Archaeological Society Quarterly 5(1). 1971.*

[10] *McCawley, William. 'The First Angelinos: the Gabrielino Indians of Los Angeles.' Malki Museum Press, Morongo Indian Reservation, Banning, California. 1996.*

[11] *Wallace, William J. 'A Suggested Chronology for Southern California Coastal Archaeology.' Southwestern Journal of Anthropology. Volume 11, Pages 214-230.*

[12] *Ibid.*

[13] *Case, Walter H. 'History of Long Beach and Vicinity,' Vol. 1. The S. J. Clarke Publishing Company. Chicago. Page 22. 1927.*

the mouth of the Los Angeles River. During the original construction of Knoll Park, a substantially stratified prehistoric archaeological site including human remains was recorded.[14] The existing archaeological site is a previously recognized and recorded cultural resource and is designated as CA-LAN-693 in the Drake Park/Willmore Historic District located 0.75 miles north of the project site.[15] Ethnographic analysis of this location concluded that this location was likely part of the village of *'Ahwaanga'* which is recorded on the east bank of the Los Angeles River near its mouth.[16] The large Gabrielino village of *'Swaanga'* is also known to have been located in the vicinity of San Pedro Bay along the edge of the flood plain to the west of the Los Angeles River.[17] The Gabrielino seem to have had a preference for village settlement sites on high ground at a moderate distance from the rivers.[18] These villages were occupied as late as the 1700s and early 1800s as evidenced by notations in the baptismal registers of Mission San Gabriel.[19]

The historic use of the project site and vicinity in brief review, European presence in the project vicinity began in 1769 with the Portola expedition. Mission San Gabriel, located approximately 24 miles north-northeast of the project site, was established in 1771, and El Pueblo de La Reina de Los Angeles was established in 1781 approximately 20 miles north-northwest of the project site. During the 1880s, the Ranchos Los Nietos spread across 167,000 acres on the east side of the Los Angeles River. The Rancho Los Alamitos Ranch House built in 1806 is listed on the National Register of Historic Places[20] and is located 5.5 miles east-northeast of the project site. A portion of Ranchos Los Nietos became the Ranchos Los Cerritos and the 'Casa de los Cerritos' a two story Monterey Colonial Style Adobe listed on the National Historic Register was built in 1844 is located approximately 5 miles north-northeast of the project site, along the east side of the Los Angeles River.[21]

According to an 1882 Los Angeles Times article which describes the first hand impressions given by 'excursionists' after visiting the 'American Colony', what would later become known as Willmore City, named after William Willmore an entrepreneur whom made the initial unsuccessful attempt to develop the original town site of Long Beach. "The lands are unsurpassed in Los Angeles Valley for eligibility and soil"; they are cheap at the contracted price of $25 per acre; that 3 flowing artesian wells and others may easily and cheaply provide water along with irrigation from the San Gabriel River; they believe the land will grow fruits and grains equal in quality and quantity to the products of the best lands in said valley; that the 6 miles of beach fronting on the town site of this Colony is unsurpassed on this continent; the proposed town will speedily become a desirable and popular seaside resort as well as a business center for a large area of the country; the

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[14] *Case, Walter H. 'History of Long Beach and Vicinity,' Vol. 1. Quote: "...while the laying out of Knoll Park (now Drake Park) in 1906 revealed, in a large number of human skeletons, together with the implements placed among them, the existence of an old burying-ground right in the heart of town." Page 27. 1927.*

[15] *Archaeological Site Record, CA-LAN-693. On file at the South Central Coastal Information Center. Department of Anthropology at California State University, Fullerton, California. Update 1974.*

[16] *Johnston, Bernice Eastman. California's Gabrielino Indians. Southwest Museum, Los Angeles. Jones, N. V., and W. J. Wolff (editors). 1962.*

[17] *Ibid.*

[18] *Bean, L. J. and C. R. Smith (1978) Gabrielino. Handbook of North American Indians, Vol. 8, California, edited by R. F. Heizer, pp. 538-549. Smithsonian Institution, Washington, D.C.*

[19] *McCawley, William. The First Angelinos: the Gabrielino Indians of Los Angeles. Malki Museum Press, Morongo Indian Reservation, Banning, California. Page 66. 1996.*

[20] *National Park Service. National Historic Landmarks Number 81000153. NRHP. July 7, 1981.*

[21] *National Park Service. National Historic Landmarks Number 70000135. NRHP. April 15, 1970.*

town site will at an early day become a railway center."[22] An 1885 Los Angeles Times article describes how residential dwellings and water utilities were being constructed at a steady pace. The author describes Long Beach as a 'delightful resort' already attracting distinguished persons from abroad.[23]

The City of Long Beach was incorporated in 1888. In June of 1902, Congress approved a harbor improvement project that included a proposal for the construction of a 6,360 foot long dike to deflect floodwaters from the Los Angeles River away from the port at San Pedro.[24] Charles R. Drake also facilitated the arrival of the Henry Huntington's Pacific Electric Railway which was opened on July 4, 1902 connecting downtown Los Angeles and Long Beach.[25] In 1903, lots in the Drake Park Historic District were advertised for sale by the Seaside Water Company.[26] According to a 1905 Los Angeles Times article, the largest private real estate transaction in the history of Long Beach was concluded when a number of investors, intent on turning the 'salt flats' into a vast manufacturing district, purchased 800 acres from the Seaside Water Company. These relinquished parcels were described as having been located between the Salt Lake Railroad and Anaheim Road; and the bluff and the Old San Gabriel River (the Los Angeles River).[27] Within these boundaries, the article describes the San Gabriel River, Cerritos Slough, and Little River.[28] In December 1905, the Los Angeles Dock and Terminal Company announced the project plans for a six mile free inner harbor within the City Limits of Long Beach.[29]

The cyclical and unpredictable flooding of the Los Angeles and San Gabriel Rivers inundated northern and western portions of the City of Long Beach surrounding the uplands and central terrace on all sides. After the particularly large floods during the months of February and April in 1914, which surrounded the City of Long Beach with flood waters, Los Angeles County flood control projects begin in earnest to tame the Los Angeles River.[30] During WWI, the Long Beach Chamber of Commerce petitioned the Secretary of War for war measures to cut a channel at least 250 feet in width, (preferably 750 feet in width), and three-fourths of a mile long from Cerritos Slough to the ocean.[31] A 1917 City of Los Angeles County Flood bond issue came to fruition in 1921 when the returns on WWI bond funding combined with long-planned engineering and design. Once completed, the diversion of the Los Angeles River away from the Harbor through the

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[22] *The Los Angeles Times, 'The Colony.' Section II, Page 2. March 14, 1882.*

[23] *The Los Angeles Times, 'Long Beach.' Page 4. April 3, 1885.*

[24] *The Los Angeles River: It's Life, Death, and Possible Rebirth by Blake Gumprecht. The John Hopkins University Press. Baltimore, Maryland. Page 175. 2001*

[25] *The Los Angeles Times, 'Fight For A Franchise On At Long Beach.' Page 13. August 28, 1901.*

[26] *City of Long Beach Cultural Heritage Commission. History of Drake Park. 2007*

[27] *The Present-Day Los Angeles River, although predominately channelized along its southern reaches, geographically-speaking, follows the historic river channel of the Old San Gabriel River. At times, when the two rivers combined to share a channel to the Pacific Ocean, the lower course retained the San Gabriel title.*

[28] *The Los Angeles Times, 'Sell Tide Flats By Long Beach.' Water Channels May be Dredged Out Sufficiently for the Navigation of Small Freight Craft to Handle Lumber Traffic." Section II, Page 11. January 21, 1905.*

[29] *The Los Angeles Times, 'Long Beach Is Thrilled: Sees Commercial Future in New Harbor Project.' Section II, Page 1. December 14, 1905.*

[30] *The Los Angeles River: It's Life, Death, and Possible Rebirth by Blake Gumprecht. The John Hopkins University Press. Baltimore, Maryland. Page 198. 2001*

[31] *The Los Angeles Times, 'Long Beach Would Solve Flood Peril.' Section II, Page 2. September 6, 1918.*

construction of a new channel which moved the Los Angeles River one mile east with finished dimensions of 566 feet wide and 14 feet deep.[32]

Through the period of World War II, the Federal Government became increasingly involved in the development of the Los Angeles-Long Beach Harbor and Los Angeles River area due to the existing geographic location of the harbor, transportation, and petroleum-related industrial base of the vicinity.[33] The United States Navy became a permanent presence in the City of Long Beach and this historic relationship has served to shape the focus of West End development for multiple decades. The western portions of the downtown shoreline have undergone extensive development and subsequent redevelopment.

(2) Resources Identified Within the Project Site

(a) Paleontological Resources

(i) Methods

In order to determine potential presence of paleontological resources on-site, a paleontological resources records search was commissioned through the Vertebrate Paleontology Section of the Natural History Museum of Los Angeles County (LACM) on August 18, 2009. The objective of the record search was to determine the geological formations underlying the project site, whether any paleontological localities have previously been identified within the project site or in the same or similar formations near the project site, and the potential for excavations associated with the project site to encounter paleontological resources. The results also provide a basis for assessing the sensitivity of the project site for additional and buried paleontological resources.

(ii) Results

Results of the paleontological resources records search indicate that no vertebrate fossil localities are located directly within the outline boundaries of the project site. Moreover, surficial material on the project site consists of artificial fill of younger Quaternary Alluvium which is unlikely to contain vertebrate fossils. However, older Quaternary deposits encountered at depth may contain significant fossil vertebrate materials.[34] The closest localities of fossil vertebrates from Older Quaternary deposits is LACM 3757 located northwest of the project site, south of 7th Street and east of Pacific Coast Highway (PCH) that produced specimens of rays, sharks, bony fish turtle, birds and mammals. LACM 6746 which produced fossil mammoth is located northwest of the project site and along 7th Street and west of PCH. Other vertebrate fossil localities are also found north of west of the proposed project site and these are LACM 2031, LACM 7739, LACM 1005. These localities have generated marine vertebrate fossils including a variety of shark and fish species, stingray, eagle ray, fossil mammoth and ground sloth.

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[32] *The Los Angeles River: It's Life, Death, and Possible Rebirth by Blake Gumprecht. The John Hopkins University Press. Baltimore, Maryland. Page 187. 2001*

[33] *Cultural Resources Report for the Wilmington Waterfront Development Project Draft Environmental Impact Report. Report on file at the South Central Coastal Information Center. Department of Anthropology at California State University, Fullerton, California.*

[34] *Paleontological Records Search for the Proposed Second+PCH Project, in the City of Long Beach, Los Angeles County, Project Area. Prepared by Samuel A. McLeod, Ph.D., Vertebrate Paleontology Section, Natural History Museum of Los Angeles County, August 18, 2009, for PCR Services Corporation, Irvine, CA.*

According to the LACM, surface grading or shallow excavations in the project site will probably not uncover any significant vertebrate fossils. Deeper excavations in the project site, however, may well encounter significant vertebrate fossils. Any substantial excavations in the project site, therefore, should be monitored closely to quickly and professionally recover any fossil remains discovered. Any fossils recovered during mitigation should be deposited in an accredited and permanent institution for the benefit of current and future generations. [35]

(b) Archaeological Resources

(i) Methods

ESA commissioned a cultural resource records search on September 2, 2005 through the CHRIS-SCCIC at California State University, Fullerton. The objectives of this search were to review previous cultural resource investigations and previously recorded archaeological resources within the project site and a half-mile radius of the project site. The record search also included review of the National Register of Historic Places (NR), California Register of Historical Resources (CR), California Points of Historical Interest (CPHI), California Historical Landmarks (CHL), California State Historic Resources Inventory (HRI), and the listing of the City of Los Angeles Historic-Cultural Monuments register.

On September 14, 2009, PCR archaeologists conducted a cultural resource records search at CRHIS-SCCIC at California State University, Fullerton. The objective of this search was to verify the results of the previously conducted records search by ESA and also to find out whether any new resources had been recorded within the half-mile radius of the project site.

(ii) Results

Results of the cultural resources records search commissioned by ESA revealed that one cultural resource study (LA5890) had been conducted within a one-quarter mile radius of the project site. Six additional studies were also conducted within a one-quarter mile radius. These reports were not mapped as location information was insufficient. No prehistoric resources were identified within the project site or within the quarter-mile radius. No historic resources were found to be located within the project site. However, one resource (19-186115) was identified as being located within the quarter-mile radius. Resource 19-186115 has been designated as the Long Beach Marine Stadium and is considered historically significant because it was the site used as the rowing venue for the 10th Olympiad of 1932. This resource was also the site for the 1968, 1976, and 1984 United States Olympic Rowing trials and the site for an official United States Olympic Training Center. The Long Beach Marine Stadium has been selected as a CPHI, CHL and CRHP. [36]

The results of the records search conducted by PCR revealed the existence of four cultural resources within the half-mile and quarter-mile radius of the project site, not identified in the records search results commissioned by ESA. Of these four resources, two are prehistoric (LAN 278 and CA-LAN-1821) and the other two are historic (LAN-1473 H and 19-187657). Site LAN 278 consisted of a camp area/old village with scattered chipping waste. CA-LAN-1821 consisted of a shell midden dominated by the presence of oyster

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[35] *Ibid*

[36] *Records Search Results Letter for the Long Beach Seaport Marina Development Project in the City of Long Beach. On file at The South Central Coastal Information Center, Department of Anthropology, California State University, Fullerton. Prepared September 15, 2005, for ESA.*

shells. Site LAN-1473 H was identified as a large homesite in ruins, including a garage, portable barn and coop, pump house and holding pond. Site 19-187657 is located at 6433 Westminster Avenue in the City of Long Beach and has been described as the Bixby Ranch field office building which was originally located 0.3 miles south west of its present location (Marine Stadium).[37]

(3) Sacred Lands File Search, Native American Consultation and Senate Bill 18 Consultation

The Native American Heritage Commission (NAHC) of California was established to provide protection to Native American burials from vandalism and inadvertent destruction, provide a procedure for the notification of most likely descendants regarding the discovery of Native American human remains and associated grove goods, bring legal action to prevent severe and irreparable damage to sacred shrines, ceremonial sites, sanctified cemeteries and place of worship on public property, and maintain an inventory of sacred places.

On August 18, 2009, a Sacred Lands File (SLF) records search and Tribal Consultation per SB 18 was commissioned for the project site through the NAHC. The letters included information such as study area location and a brief description of the proposed project. On August 19, 2009 the NAHC responded, "The NAHC SLF search did indicate the presence of Native American cultural resources within one-half-mile radius of the project area (APE) of the proposed project (APE)". The NAHC suggested consulting seven Native American groups affiliated with the project vicinity. The NAHC letter and Tribal Consultation per SB 18 letter can be found in Appendix D of this Draft EIR.

As per NAHC suggested procedure, follow-up letters were sent via certified mail and via e-mail on August 27, 2009 to the seven Native American individuals and organizations identified by the NAHC as being affiliated with the vicinity of the project site to request any additional information or concerns they may have about Native American cultural resources that may be affected by the proposed project. In addition, follow-up phone calls were also made to the Native American contacts as requested by the NAHC per SB 18 Tribal Consultation. To date, PCR has not received any response letters from any of the Native American contacts. A Native American response telephone log can be found in Appendix D of this EIR.

3. ENVIRONMENTAL IMPACTS

a. Methodology

(1) Paleontological Resources

To develop a baseline paleontological resources inventory of the project site and surrounding area and to assess the potential paleontological productivity of each stratigraphic unit present, the published and available unpublished geological and paleontological literature was reviewed, as described above; and stratigraphic and paleontologic inventories were compiled, synthesized, and evaluated by the staff of the LACM. These methods are consistent with the Society of Vertebrate Paleontology (SVP) guidelines for assessing the importance of paleontological resources in areas of potential environmental effect. Due to the

[37] *Records Search Results for the Second+PCH Draft EIR, in the City of Long Beach. On file at The South Central Coastal Information Center, Department of Anthropology, California State University, Fullerton. Conducted on September 14, 2009 by PCR.*

extensive development of the project site and lack of visible native ground surface, no paleontological field survey was undertaken.

(2) Archaeological and Native American Resources

PCR staff archaeologists visited the project site to assess existing conditions and to photograph topographic features. During this visit staff archaeologists confirmed the absence of exposed native ground surface in the project site. On this basis, no archaeological field survey was undertaken. The research described above was conducted in order to assess the potential for the project site to contain buried archaeological and Native American resources.

b. Thresholds of Significance

A project may have a significant impact on archaeological and paleontological resources if it would exceed the significance thresholds included in Section V, Cultural Resources, in Appendix G of the *CEQA Guidelines*. As such, the proposed project would result in a significant impact to archaeological and paleontological resources if it would:

1. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5;
2. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
3. Disturb any human remains, including those interred outside of formal cemeteries.

Potential impacts to historic resources are discussed in detail in Section IV.D.2, Historic Resources, of this EIR. As discussed in Section 2.a(2)(e) of this EIR section above, *CEQA Guidelines* Section 15064.5 broadens the approach to CEQA by using the term "historical resource" instead of "unique archaeological resource." If a lead agency determines that an archaeological site is a historical resource, the provisions of §21084.1 of the PRC and §15064.5 of the Guidelines apply. If an archaeological site does not meet the criteria for a historical resource contained in the *CEQA Guidelines*, then the site is to be treated in accordance with the provisions of Public Resources Code §21083.2, which refer to a unique archaeological resource.

c. Analysis of Project Impacts

(1) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

Results of the records search commissioned by ESA through the CHRIS-SCCIC indicate that no prehistoric archaeological sites were identified in the project site or within a one-quarter mile radius. No historic resources were found to be located within the project site. However, one historic resource (P-19-186115) was identified as being located within the quarter-mile radius. Resource P-19-186115 has been designated as the Long Beach Marine Stadium and is considered historically significant because it was the site used as the rowing venue for the 10th Olympiad of 1932. This resource was also the site for the 1968, 1976, and 1984 United States Olympic rowing trials and the site for an official United States Olympic Training Center. The Long Beach Marine Stadium has been selected as a CPHI, CHL and CRHP. Refer to Section IV.D.2, Historic Resources, for a discussion of the historic resources impacts of the proposed project.

The results of the records search conducted by PCR revealed the existence of four additional cultural resources within the half-mile and quarter-mile radius of the project site, not identified in the records search results commissioned by ESA. Of these four resources, two are prehistoric (CA-LAN-278 and -1821) and two are historic (CA-LAN-1473H and P-19-187657). Resource CA-LAN-278 consists of a camp area/old village with scattered chipping waste. Resource CA-LAN-1821 consisted of a shell midden dominated by the presence of oyster shells. Resource CA-LAN-1473H was identified as a large homesite in ruins, including a garage, portable barn and coop, pump house and holding pond. Resource P-19-187657 is located at 6433 Westminster Avenue and has been described as the Bixby Ranch field office building which was originally located 0.3 miles southwest of its present location (Marine Stadium).

Further, the historic background of the project site and surrounding vicinity has indicated that throughout the 1800s and early 1900s, development of the surrounding vicinity for the project site rapidly grew as large ranch estates were built, the City of Long Beach was incorporated, the Pacific Electric Railway was opened and the City of Long Beach was turned into a large manufacturing district. Review of the Downey, CA 15-minute USGS quadrangle map from 1896 revealed that the project site was undeveloped as of the printing of the map. However, review of the Downey, CA 15-minute USGS quadrangle map from 1942 revealed that the project site and its surrounding vicinity to the west were moderately to heavily developed. As a result, it seems that in a matter of 50 years, the surrounding vicinity of the project site had rapidly become developed. As a result of the findings from the records search and the rich historic occupation of the surrounding vicinity of the project site since at least the 1800s, it is possible that historic-period archaeological resources could be encountered during project implementation.

A search of the NAHC SLF records indicates the existence of known Native American cultural resources within a one-half-mile of the project site. As per NAHC suggested procedure, follow-up letters were sent via certified mail and via e-mail on August 27, 2009 to the seven Native American individuals and organizations identified by the NAHC as being affiliated with the vicinity of the project site to request any additional information or concerns they may have about Native American cultural resources that may be affected by the proposed project.

In addition, follow-up phone calls were also made to the Native American contacts as requested by the NAHC per SB 18 Tribal Consultation. As of September 24, 2009, PCR has received one e-mail response from Robert Dorame of the Gabrielino Tongva Indians of California Tribal Council indicating that he would reply to the letter sent to him. As of October 2, 2009, PCR received a telephone call from John Tommy Rosas from the Tongva Ancestral Territorial Tribal Nation after a follow-up phone call from PCR. Mr. Rosas asked to be sent a regular Native American letter instead of an SB 18 letter for the project. To date, PCR has not received any responses from any of the Native American contacts (see Appendix D) regarding the proposed project.

Based on the results of the records search and historic background of the project site and surrounding vicinity, development of the project has potential to encounter prehistoric and historical-period archaeological deposits. Thus, the project could cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5, and therefore impacts to archaeological resources are considered potentially significant. However, Mitigation Measures D-1 through D-6, below, are provided to address impacts to archaeological resources.

(2) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project site is located on fill material ranging in depth throughout due to disturbances from previous on-site development. Although the project site has been previously disturbed through grading and/or development, it is possible that proposed excavations could encounter previously undisturbed native soil/sediment that contains intact paleontological resources. As a result, there is a potential to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature in light of the paleontological records search indication that excavations of older Quaternary deposits encountered at depth may contain significant fossil vertebrate materials. Thus, impacts to paleontological resources are considered potentially significant. However, Mitigation Measures D-7 through D-12, below, are provided to address impacts to paleontological resources.

(3) Would the project disturb any human remains, including those interred outside of formal cemeteries?

The prehistoric background has indicated that the surrounding vicinity for the project site was occupied by the Gabrielino. Archaeological evidence of prehistoric occupation in the area comes from a substantially stratified prehistoric archaeological site (CA-LAN-693) including human remains located approximately 5 miles west of the project site. Ethnographic evidence suggests that the location of the site was likely part of the village of '*Hawing'* which is recorded on the east bank of the Los Angeles River near its mouth. Based on the fact that archaeological resources (including human remains) have been encountered in the surrounding vicinity and the ethnographic evidence which suggests that prehistoric groups inhabited the area, the potential to encounter prehistoric resources, including human remains, during project grading and excavation activities is considered moderate to high. As such, the proposed project could disturb human remains, including those interred outside of formal cemeteries, and impacts are considered potentially significant. However, Mitigation Measure D-13 is provided below to address impacts to human remains.

4. MITIGATION MEASURES

a. Archaeological Resources

The following mitigation measures have been prescribed to reduce potentially significant impacts on archaeological and Native American resources:

Mitigation Measure D-1: An archaeologist meeting the Secretary of the Interior's Professional Qualification Standards (the "Archaeologist") shall be retained by the Project Applicant and approved by the City to oversee and carryout the mitigation measures stipulated in this EIR.

Mitigation Measure D-2: A qualified archaeological monitor shall be selected by the Archaeologist, retained by the Project Applicant, and approved by the City to monitor ground-disturbing activities within the project site that include digging, grubbing, or excavation into native sediments that have not been previously disturbed for this project. Ground-disturbing activities do not include movement, redistribution, or compaction of sediments excavated during the project. The Archaeologist shall attend a pre-grade meeting and develop an appropriate monitoring program and schedule.

Mitigation Measure D-3: In the event that cultural resources are unearthed during ground-disturbing activities, the archaeological monitor shall be empowered to halt or redirect ground-disturbing activities away from the vicinity of the find so that the find can be evaluated. Work shall be allowed to continue outside of the vicinity of the find.

Mitigation Measure D-4: All cultural resources unearthed by project construction activities shall be evaluated by the Archaeologist. If the Archaeologist determines that the resources may be significant, the Archaeologist will notify the Project Applicant and the City and will develop an appropriate treatment plan for the resources. The Archaeologist shall consult with an appropriate Native American representative in determining appropriate treatment for unearthed cultural resources if the resources are prehistoric or Native American in nature.

Mitigation Measure D-5: Treatment plans developed for any unearthed resources shall consider preservation of the resource or resources in place as a preferred option. Feasibility and means of preservation in place shall be determined through consultation between the Archaeologist, the Native American representative, the Project Applicant, and the City.

Mitigation Measure D-6: The Archaeologist shall prepare a final report to be reviewed and accepted by the City. The report shall be filed with the Project Applicant, the City, and the California Historic Resources Information System South Central Coastal Information Center. The report shall include a description of resources unearthed, if any, treatment of the resources, and evaluation of the resources with respect to the California Register of Historic Resources and the National Register of Historic Places. The report shall also include all specialists' reports as appendices, if any. If the resources are found to be significant, a separate report including the results of the recovery and evaluation process shall be required. The City shall designate repositories in the event cultural resources are uncovered.

b. Paleontological Resources

The following mitigation measures have been prescribed to reduce potentially significant impacts on paleontological resources:

Mitigation Measure D-7: A qualified paleontologist shall attend a pre-grade meeting and develop a paleontological monitoring program for excavations into older Quaternary deposits. A qualified paleontologist is defined as a paleontologist meeting the criteria established by the Society for Vertebrate Paleontology. Monitoring shall consist of visually inspecting fresh exposures of rock for larger fossil remains and, where appropriate, collecting wet or dry screened sediment samples of promising horizons for smaller fossil remains. The frequency of monitoring inspections shall be based on the rate of excavation and grading activities, the materials being excavated, and the depth of excavation, and if found, the abundance and type of fossils encountered.

Mitigation Measure D-8: If a potential fossil is found, the paleontologist shall be allowed to temporarily divert or redirect grading and excavation activities in the area of the exposed fossil to facilitate evaluation and, if necessary, salvage.

Mitigation Measure D-9: At the paleontologist's discretion and to reduce any construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.

Mitigation Measure D-10: Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository.

Mitigation Measure D-11: Any fossils collected shall be donated to a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County. Accompanying notes, maps, and photographs shall also be filed at the repository.

Mitigation Measure D-12: If fossils are found, following the completion of the above tasks, the paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted by the Project Applicant to the lead agency, the Natural History Museum of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.

c. Human Remains

The following mitigation measures have been prescribed to reduce potentially significant impacts on human remains:

Mitigation Measure D-13: If human remains are encountered unexpectedly during construction excavation and grading activities, State Health and Safety Code Section 7050.5 requires that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the NAHC. The NAHC will then identify the person(s) thought to be the Most Likely Descendent of the deceased Native American, who will then help determine what course of action should be taken in dealing with the remains. Preservation of the remains in place or project design alternatives shall be considered as possible courses of action by the Project Applicant, the City, and the Most Likely Descendent.

5. CUMULATIVE IMPACTS

Cumulative impacts associated with archaeological resources, including human remains, would be less than significant since the proposed project is required to comply with the mitigation measures and regulations cited above in the event that archaeological resources are found. These regulations include Public Resources Code Section 21083.2 or Public Resources Code Section 21084.1 and *CEQA Guidelines* Section 15064.5. Furthermore, impacts on archaeological resources associated with the proposed project are considered less than significant with implementation of applicable mitigation measures typically employed for development projects in the area on sites with sensitivity for such resources. Depending on the sensitivity of the related project sites, mitigation measures would be required, as applicable, to address potential impacts to undiscovered resources. Since impacts to such cultural resources are limited to the area in which construction activities are taking place, the impacts of each related project would not contribute to

cumulative impacts if properly mitigated on a project-by-project basis. Therefore, cumulative impacts on archaeological and Native American resources, including human remains, would be less than significant, and the proposed project's contribution to such impacts would not be cumulatively considerable.

In addition, with regard to paleontological resources, it is likely that the majority of related projects in the area would be subject to environmental review and if the potential for significant impacts on paleontological resources is identified, mitigation measures similar to those proposed for the project would be implemented. With implementation of mitigation measures by related projects and the proposed project, cumulative impacts on paleontological resources would be less than significant, and the proposed project's contribution to such impacts would not be considerable.

6. LEVEL OF SIGNIFICANCE AFTER MITIGATION

a. Archaeological Resources

With implementation of the mitigation measures above, potentially significant impacts to archaeological resources would be reduced to a less than significant level.

b. Paleontological Resources

With implementation of the mitigation measures above, potentially significant impacts to paleontological resources would be reduced to a less than significant level.

c. Human Remains

With implementation of the mitigation measures above, potentially significant impacts to human remains would be reduced to a less than significant level.