

D. CULTURAL RESOURCES

This section analyzes potential impacts to cultural resources (paleontological, archaeological and historic resources) that would result from development of the project site and the Add Area. A records search of the South Central Coastal Information Center (SCCIC) was prepared on January 24, 2008 for both the project site and the Add Area. Additionally, a paleontological records search for the project site and the Add Area was prepared by the Natural History Museum of Los Angeles County on February 11, 2008. This Draft EIR section incorporates the findings of these records searches. Both reports are contained in Appendix D in this Draft EIR.

1. HISTORICAL RESOURCES

The following discussion is based on the SCCIC records search prepared for the project site and adjacent Add Area.

HISTORIC BACKGROUND

The project site and Add Area are located in the North Hollywood area of the City of Los Angeles. A review of the historic maps-Santa Monica (1902 and 1921) and Van Nuys (1932) indicated that in 1902 one improved road and the Tujunga Wash were located within a ½ mile radius of the project site. In 1921, four improved roads, five unimproved roads, 24 structures and the Tujunga Wash were located within a ½ mile radius of the project site. In 1932, there were seven improved roads, four unimproved roads, 31 structures in addition to the Tujunga Wash.

EXISTING RESOURCES

Records Search

The South Central Coastal Information Center conducted a records search of a ½ mile radius of the project site and Add Area on January 24, 2008. The search included a review of all recorded archaeological sites within a ½ mile of the project site as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest (PHI), the California Historical Landmarks (CHL), the California Register of Historical Places (CR), the National Register of Historic Places (NR), the California State Historic Resources Inventory (HRI) and the City of Los Angeles Historic Cultural Monuments (LAHCM) were reviewed as well as the Santa Monica (1902, 1921) 15-minute series and the Van Nuys (1932) 6-minute U.S. Geological Survey (USGS) quadrangle maps. The records search indicated that the historic sensitivity of the area is considered low.

Identification Of Historical Resources

The California Environmental Quality Act (CEQA) statute and guidelines provide five basic definitions as to what may qualify as an historical resource. Specifically, Section 21048.1 of the CEQA statute (Division 13 of the California Public Resources Code), in relevant part, provides a description for the first three of these definitions, as follows:

“...an historical resource is a resource listed in, or determined to be eligible for listing in, the California Register of Historical Resources. Historical resources

included in a local register of historical resources, as defined in subsection (k) of Section 5020.1,¹ are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant. The fact that a resource is not listed in, or determined to be eligible for listing in, the California Register of Historical Resources, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1² shall not preclude a lead agency from determining whether the resource may be an *historical resource for purposes of this section.*"

To simplify the first three definitions provided in the CEQA statute, an historical resource is a resource that is:

1. Listed in the California Register of Historical Resources (California Register);
2. Determined eligible for the California Register by the State Historical Resources Commission; or
3. Included in a local register of historical resources.

Section 15064.5 of the CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, supplements the statute by providing two additional definitions of historical resources, which may be simplified in the following manner. An historical resource is a resource that is:

4. Identified as significant in an historical resource survey meeting the requirements of Public Resources Code §5024.1(g)
5. Determined by a Lead Agency to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Generally, this category includes resources that meet the criteria for listing on the California Register (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852).

Buildings located on the project site and Add Area were evaluated in light of each of the above five definitions under CEQA.

¹ PRC 5020.1(k): "Local register of historic resources" means a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.

² PRC 5024.1(g): A resource identified as significant in an historical resource survey may be listed in the California Register if the survey meets all of the following criteria:

- (1) The survey has been or will be included in the State Historic Resources Inventory.
- (2) The survey and the survey documentation were prepared in accordance with office procedures and requirements.
- (3) The resource is evaluated and determined by the office [of Historic Preservation] to have a significance rating of Category 1 to 5 on DPR Form 523.
- (4) If the survey is five or more years old at the time of its nomination for inclusion in the California Register, the survey is updated to identify historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.

Definition 1-Listed in the California Register

There are several ways in which a resource can be listed in the California Register, which are codified under Title 14 CCR, Section 4851.

- A resource can be listed in the California Register by the State Historical Resources Commission.
- If a resource is listed in or determined eligible for listing in the National Register of Historic Places (National Register), it is automatically listed in the California Register.
- If a resource is a California State Historical Landmark, from No. 770 onward, it is automatically listed in the California Register.

There are no buildings in the project area (project site and Add Area) that are currently listed in the California Register.

Definition 2-Determined Eligible for the California Register

Properties that have been formally determined eligible for listing in the California Register of Historical Resources are considered to be historical resources for the purposes of CEQA.

The records search did not identify any buildings in the project area (project site and Add Area) that have been determined to be eligible for the California Register. According to the Phase 1 conducted for the proposed project and Add Area, two buildings associated with the Saint Jane Frances Church were visible in 1953 aerial photographs. City records indicate the Summit View School was constructed in 1950. The Church web site indicates that the church was completed in 1967.

Definition 3-Listed in a Local Register of Historical Resources

A property listed in a local register of historical resources is considered an historical resource for the purposes of CEQA.

The City of Los Angeles Historic-Cultural Monuments lists no properties within a ½ -mile radius of the project site and Add Area.

Definition 4—Identified as Significant in an Historical Resources Survey

According to Section 15064.5(a)(2) of the CEQA Guidelines, a resource “identified as significant in an historical resource survey meeting the requirements [set forth in] section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.” The requirements set forth in PRC 5024.1(g) for historical resources surveys are:

A resource identified as significant in an historical resource survey may be listed in the California Register if the survey meets all of the following criteria:

- (1) The survey has been or will be included in the State Historic Resources Inventory.
- (2) The survey and the survey documentation were prepared in accordance with office [of Historic Preservation] procedures and requirements.
- (3) The resource is evaluated and determined by the office [of Historic Preservation] to have a significance rating of Category 1 to 5 on DPR Form 523.
- (4) If the survey is five or more years old at the time of its nomination for inclusion in the California Register, the survey is updated to identify historical resources which have become eligible or ineligible due to changed circumstances or further documentation and those which have been demolished or altered in a manner that substantially diminishes the significance of the resource.

No building located in the project area (project site and Add Area) has been identified as contributing to a district eligible for local listing or designation under local ordinance.

Definition 5—Determined Significant by the Lead Agency

According to Section 15064.5(a)(3) of the CEQA Guidelines, “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 may be considered to be an historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be ‘historically significant’ if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852)...”

The CEQA Guidelines quote only a small portion of the California Register criteria while Title 14 CCR, Section 4852 (b)-(d) includes all of the California criteria. No known Lead Agency historical application regarding Register eligibility exists for the project site or Add Area.

ENVIRONMENTAL IMPACTS

THRESHOLD OF SIGNIFICANCE

Section 15064.5 of the CEQA Guidelines, *Determining the Significance of Impacts to Historical Resources and Unique Archaeological Resources*, has been applied to this project to determine whether the proposed project will have any significant effect on historical resources. According to these criteria, the project would result in a significant impact if it causes a substantial adverse change in the significance of a historical resource based on the following criteria established by the CEQA Guidelines:

- (b) A project with an effect 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.

- (1) Substantial adverse change in the significance of a historical resource means physical demolition, destruction, relocation, or alteration in the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired.
- (2) The significance of a historical resource is materially impaired when a project:
 - (A) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register of Historical Resources; or
 - (B) Demolishes or materially alters in an adverse manner those physical characteristics [of a historical resource] that account for its inclusion in a local register of historical resources (pursuant to section 5021.1(k) of the Public Resources Code), or its identification in a historical resources survey meeting the criteria in section 5024.1(g) of the Public Resources 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) Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.
- (3) Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.

PROJECT IMPACTS

Proposed Project

The project site was developed as a shopping center in 1977 and 1983 and is not occupied with architectural resources 50 years or older. Proposed development would involve the demolition of existing structures prior to the construction of the mixed-use project. Demolition and subsequent construction of the proposed project would not result in significant impacts to historic resources. Therefore, the proposed project would not have a significant impact to historical resources.

Add Area

Similarly, the property to the east, referred to as the Add Area for analysis purposes in this document, is developed with various commercial and institutional uses constructed primarily in the 1970s and 1980s. Additionally, as stated earlier, according to aerial photographs, two

structures associated with the Saint Jane Frances Church were visible in 1953 photos, suggesting the presence of structures older than 50 years.

Proposed development of the site would involve the demolition of all existing structures on the Add Area, with the exception of the existing Church and associated school, which would remain in operation under the proposed project. This would be considered a less than significant impact with mitigation incorporated.

MITIGATION MEASURES

IV.D-1 As part of the environmental review process for any development of the Add Area the potential for buildings to be of historic significance at that time shall be investigated. If buildings are found to be potentially historic, appropriate mitigation such as photo-recordation, adaptive reuse or integration with the new development, shall be determined in concert with, and to the satisfaction of the City's Office of Historic Resources.

CUMULATIVE IMPACTS

Impacts on historic resources are generally localized and affect the immediate vicinity surrounding the project site. According to the Records Search conducted for the project site and Add Area, no historic properties have been identified within a ½ mile radius of the project site and Add Area. Cumulative impacts to historic resources are not anticipated to occur. Implementation of the proposed Plaza project, as well as any development assumed for the Add Area, would not contribute to cumulatively considerable impacts.

LEVEL OF SIGNIFICANCE AFTER MITIGATION

Not applicable.

2. ARCHAEOLOGICAL RESOURCES

EXISTING CONDITIONS

Development of the proposed project and of the adjacent Add Area would be located in a completely developed area in the City of Los Angeles. The project site is located in an area occupied by single and multi-family residential uses and various commercial uses. The site is bordered by Victory Boulevard to the south, the Tujunga Wash to the west, the Add Area to the east and Morse Street to the north.

REGIONAL GEOGRAPHY

The project area is located within the Los Angeles Basin, a broad, level expanse of land comprising more than 800 square miles that extends from Cahuenga Peak south to the Pacific coast, and from Topanga Canyon southeast to the vicinity of Aliso Creek. Prior to historical settlement of the area, the plain was characterized by extensive inland prairies and a lengthy coastal strand, with elevations approximately 500 feet above mean sea level (amsl). The Los Angeles plain is traversed by several large watercourses, most notably the Los Angeles, Rio Hondo, San Gabriel, and Santa Ana rivers. Marshlands fed by fresh or salt water also once

covered many portions of the area. To the west, the coastal region encompasses approximately 375 square miles of varied terrain. West of Topanga Canyon the terrain is rugged; the steep, westward slopes of the Santa Monica Mountains reach 1,000 feet or more in elevation, except where stream-cut ravines and canyons drain onto narrow beaches at the water's edge. From Topanga Canyon southward to the Palos Verdes Peninsula, a distance of roughly 22 miles, the coast is flat and level; extensive marshlands once existed near the mouth of Ballona Creek in the area now known as Playa del Rey. The terrain becomes rugged once again as the coast follows Palos Verdes Peninsula for a distance of approximately 12 miles before reaching San Pedro Bay, which in prehistoric times was characterized by extensive mud flats and sand bars (Hamilton et al. 2004; McCawley 1996).

The project area is depicted on the Van Nuys 7.5-minute USGS topographic map. It is located in a relatively flat area that is developed with residential and commercial retail uses. The project site is bordered by the Tujunga Wash to the west and residential and commercial development to the east and north. Victory Boulevard, a major commercial corridor of the area borders the site, to the south.

PREHISTORIC CONTEXT

The prehistoric occupation of southern California is divided chronologically into four temporal phases or horizons (Moratto 1984). Horizon I, or the Early Man Horizon, began at the first appearance of people in the region (approximately 12,000 years ago) and continued until about 5000 B.C. Although little is known about these people, it is assumed that they were semi-nomadic and subsisted primarily on game.

Horizon II, also known as the Millingstone Horizon or Encinitas Tradition, began around 5000 B.C. and continued until about 1500 B.C. The Millingstone Horizon is characterized by widespread use of milling stones (manos and metates), core tools, and few projectile points or bone and shell artifacts. This horizon appears to represent a diversification of subsistence activities and a more sedentary settlement pattern. Archaeological evidence suggests that hunting became less important and that reliance on collecting shellfish and vegetal resources increased (Moratto 1984).

Horizon III, the Intermediate Horizon or Campbell Tradition, began around 1500 B.C. and continued until about A.D. 600–800. Horizon III is defined by a shift from the use of milling stones to increased use of mortar and pestle, possibly indicating a greater reliance on acorns as a food source. Projectile points become more abundant and, together with faunal remains, indicate increased use of both land and sea mammals (Moratto 1984).

Horizon IV, the Late Horizon, which began around A.D. 600–800 and terminated with the arrival of Europeans, is characterized by dense populations; diversified hunting and gathering subsistence strategies, including intensive fishing and sea mammal hunting; extensive trade networks; use of the bow and arrow; and a general cultural elaboration (Moratto 1984).

EXISTING RESOURCES

Archaeological Records Search

Prehistoric and historic archaeological sites exist throughout the City of Los Angeles. Hunter-gatherers inhabited the region long before the arrival of Europeans. Remnants of their cultures continue to be found and documented.

A records search was prepared by the South Central Coastal Information Center on January 24, 2008. The search included a review of all recorded archaeological sites within a ½ mile of the project site and Add Area as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest (PHI), the California Historical Landmarks (CHL), the California Register of Historical Places (CR), the National Register of Historic Places (NR), and the California State Historic Resources Inventory (HRI) were reviewed as well as the historic 15-minute USGS topographic maps, Santa Monica (1926) and Van Nuys (1932).

According to the records search prepared for the project area, the site and Add Area have not been subjected to any previous cultural resources studies. Three cultural resource studies (LA5604, LA1350, LA7777 and LA8301) have been conducted within a ½ mile radius. Of these three studies, one (LA8301) is located within a portion of the Add Area. This study was conducted for a single property located in the Add Area. The findings of the report deemed archaeological sensitivity to be “unknown.”

There are 22 additional investigations located on the Van Nuys USGS Quadrangle that are potentially located within a ½ mile radius of the project site and Add Area. However, these reports are not mapped due to insufficient locational information.

No archaeological resources were recorded within a ½ mile radius of the project area and no archaeological resources are recorded within the project site. No archaeological isolates have been recorded within a ½ mile radius of the project area.

Native American Consultation

In response to the Notice of Preparation the Native American Heritage Commission (NAHC) provided a list of Native American groups and individuals who might have knowledge of cultural resources in the project vicinity. The NAHC and these groups and individuals were contacted by letter on June 17, 2008 to determine any potential for resources to exist on the project site and Add Area. No response was received as of August 22, 2008.

ENVIRONMENTAL IMPACTS

THRESHOLD OF SIGNIFICANCE

For the purposes of this EIR, and in accordance with Section 21084.1 of CEQA, the proposed project would have a significant adverse environmental impact if it:

causes a substantial or potentially substantial adverse change in the significance of an historical resource.

Cultural resources management work conducted as part of the proposed project shall comply with the CEQA Statutes and the State CEQA Guidelines, which direct lead agencies to first determine whether an archaeological site is a “historically significant” cultural resource. Generally, a cultural resource shall be considered by the lead state agency to be “historically significant” if the resource meets any of the following criteria for listing on the California Register of Historical Resources:

- is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- is associated with the lives of persons important in our past;
- 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
- has yielded, or may be likely to yield, information important in prehistory or history.

The cited statutes and guidelines specify how cultural resources are to be managed in the context of projects, such as those in the proposed project. In sum, these regulations require that archival and field surveys are conducted, and identified cultural resources are inventoried and evaluated in prescribed ways. Prehistoric and historical resources deemed “historically significant” must be considered in project planning and development.

Therefore, if potentially significant archaeological resources are discovered during implementation of the proposed project, those resources must be inventoried and evaluated to ascertain whether they meet the criteria for listing on the California Register of Historical Resources.

PROJECT IMPACTS

Construction Impacts

The entire project area, including the Add Area, is developed and disturbed from existing structures, paved roads, pedestrian walkways, and landscaping. The proposed project would demolish existing structures. Proposed development of the Add Area would remove existing structures with the exception of a church and associated school

Due to the proposed demolition of existing structures within the project area and the construction of subterranean parking associated with the proposed project, archaeological monitoring by a qualified archaeologist is recommended.

Buried cultural resources could be inadvertently unearthed during ground-disturbing activities, resulting in the demolition of or substantial damage to significant cultural resources. This impact would be considered potentially significant. Avoidance or reduction of this potentially significant impact on buried or otherwise unidentified cultural resources would be achieved by implementing the mitigation measures below, thereby reducing the level of impact to less than significant.

Long-Term Operational Impacts

No long-term operational impacts to archaeological resources would occur.

MITIGATION MEASURES

- IV.D-2 Archaeological monitoring, by a qualified archaeologist, of grading of subsurface materials not previously disturbed shall be undertaken. If buried cultural resources—such as flaked or ground stone, historic debris, building foundations, or non-human bone—are inadvertently discovered during ground-disturbing activities, work will stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures. Treatment measures shall include development of appropriate avoidance strategies such as capping with fill material, or mitigation of impacts through data recovery programs such as excavation or detailed documentation. If during cultural resources monitoring the qualified archaeologist determines that the sediments being excavated are previously disturbed or unlikely to contain significant cultural materials, the qualified archaeologist can specify that monitoring be reduced or eliminated.
- IV.D-3 If cultural resources are discovered during construction activities, the construction contractor will verify that work is halted until appropriate site-specific treatment measures listed in Mitigation Measure IV.D-2 are implemented.
- IV.D-4 If human remains of Native American origin are discovered during ground-disturbing activities, it is necessary to comply with state laws relating to the disposition of Native American burials that fall within the jurisdiction of the California Native American Heritage Commission (Public Resources Code Section 5097). According to California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052). Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If the remains are determined to be Native American, the coroner must contact the California Native American Heritage Commission to determine the most likely living descendant(s). The most likely living descendant shall determine the most appropriate means of treating the human remains and any associated grave artifacts, and shall oversee disposition of the human remains and associated artifacts by the project archaeologists.

UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

No cultural resources are known to be present on the project site. Implementation of the mitigation measures identified above would reduce impacts to other archaeological resources to a less-than-significant level.

CUMULATIVE IMPACTS

The geographic scope of the area affected by potential cumulative archaeological impacts is defined by the cultural setting and ethnographic territory of the prehistoric and historic peoples who occupied this area of southern California. As discussed in the Ethnographic Context Section, this region of Los Angeles County was part of the territory of the Gabrielino people.

Construction activities associated with related projects in the County could contribute to the progressive loss of archaeological resources. The proposed project could also disturb or destroy archaeological resources, if any exist in the proposed project area, a potentially significant impact. Thus, the combined effects of the proposed and related projects could result in significant cumulative impacts to archaeological resources under CEQA. However, as stated earlier, according to the records search, no recorded archaeological resources were identified within the ½ mile record search radius of the proposed project area. Additionally, no archaeological resources were identified during the reconnaissance survey of the proposed project area, indicating that the project area has a moderate level of sensitivity in encountering buried cultural resources. The proposed project includes mitigation measures that would reduce potential impacts to any sites that may be found during project related construction activities to a less-than-significant level. Similar measures should be implemented under CEQA for other related projects that have the potential to affect archaeological resources. Consequently, the incremental effects of the proposed project and related projects, after mitigation, would not contribute to an adverse or cumulatively considerable impact to archaeological resources.

3. PALEONTOLOGICAL RESOURCES

The following section discusses the potential impacts on paleontological resources resulting from the development of the proposed project. Paleontological resources are fossilized remains of ancient environments, including fossilized bone, shell, and plant parts; impressions of plant, insects, or animals parts preserved in stone; and preserved tracks of insects and animals. Paleontological resources are best preserved in fine sedimentary rocks such as limestone and siltstone, but are also found in metamorphosed sedimentary rock such as shale, and other geologic units. Paleontological resources are valued for the information they yield about the history of the earth and its past ecological settings. In addition, fossils provide important chronological information that is used to interpret geological processes and regional history.

A paleontological records search was performed for the project site and Add Area on February 11, 2008 by the Natural History Museum of Los Angeles County. The results of this records search are presented below.

EXISTING CONDITIONS

GEOLOGICAL SETTING

The project area is located within the Los Angeles Basin, a broad, level expanse of land comprising more than 800 square miles that extends from Cahuenga Peak south to the Pacific coast, and from Topanga Canyon southeast to the vicinity of Aliso Creek. Prior to historical settlement of the area, the plain was characterized by extensive inland prairies and a lengthy

coastal strand, with elevations approximately 500 feet above mean sea level (amsl). The Los Angeles plain is traversed by several large watercourses, most notably the Los Angeles, Rio Hondo, San Gabriel, and Santa Ana rivers. The slopes of the Santa Monica Mountains reach 1,000 feet or more in elevation. From Topanga Canyon southward to the Palos Verdes Peninsula, a distance of roughly 22 miles, the coast is flat and level; extensive marshlands once existed near the mouth of Ballona Creek in the area now known as Playa del Rey.

The project site and Add Area are located in a developed area in North Hollywood within the City of Los Angeles. Specifically, the project site and Add Area are located within a mixed residential and commercial/retail area and are bordered by the Tujunga Wash to the west, Victory Boulevard to the south, residential uses to the north, and Coldwater Canyon Avenue to the east. The project area is depicted on the Van Nuys 7.5 minute USGS topographic map.

REGULATORY SETTING

Significant paleontological resources are defined as fossils or assemblages of fossils that are unique, unusual, rare, uncommon, or important to define a particular time frame or geologic strata, or that add to an existing body of knowledge in specific areas, in local formations or regionally. Paleontological remains are accepted as non-renewable resources significant to our culture and, as such, are protected under provisions of the Antiquities Act of 1906 and subsequent related legislation, policies, and enacting responsibilities.

In the State of California, fossil remains are considered to be limited, nonrenewable, and sensitive scientific resources. These resources are afforded protection under the following State of California legislation (California Office of Historic Preservation 1983:

California Environmental Quality Act of 1970.

- 13 Public Resources Code, 21000 et seq. Requires public agencies and private interests to identify the potential adverse impacts and/or environmental consequences of their proposed project(s) to any object or site important to the scientific annals of California (Division 1, Public Resources Code: 5020.1[b]).
- Guidelines for the Implementation of CEQA (as amended 1 January 1999).
- *State CEQA Guidelines* Sec. 15064.5(a)(3). Provides protection for historical (or paleontological) resources by requiring that they be identified and mitigated as historical resources under CEQA. The State CEQA Guidelines define historical resources broadly to include any object, site, area, or place that a lead agency determines to be historically significant.

EXISTING RESOURCES

Paleontological Records Search

A search of the Vertebrate Paleontology records of the Natural History Museum of Los Angeles County (LACM) was requested for the Plaza at the Glen Project project site and adjacent Add Area. A letter was received from the LACM in response on February 11 2008. As indicated in this letter, a search of the Vertebrate Paleontology records did not identify any vertebrate fossil

localities within the project boundaries.³ However, there are localities near the project site in the same or similar sedimentary deposits that occur in the project area.

Surface deposits throughout the entire project area consist of Quaternary alluvial sediments of clays, sands, and gravels in the San Fernando Valley, derived either as fluvial deposits from the Central Branch of the Tujunga Wash that runs on the western margin of the project site area or as fan deposits from the Verdugo Mountains to the east. The uppermost layers of these deposits in this area typically do not contain significant vertebrate fossils, but older Quaternary alluvial deposits found at varying depths do contain significant vertebrate fossils.

The closest vertebrate fossil localities in these types of older Quaternary sediments are LACM 3263, 3822 and 6208, all located west to west-southwest of the project area just east of the San Diego Freeway (I-405) and the Sepulveda Dam flood control basin. These localities produced extinct Late Pleistocene specimens of horse, *Equus*, peccary, *Platygonus*, camel, *Camelops*, and bison, *Bison* from depths between 14 and 100 feet below the surface. To the southeast of the project site and Add Area are the closest fossil vertebrate locality, LACM 6970 is situated along Lankershim Boulevard at Highway 134 in older Quaternary Alluvium deposits approximately 60 feet to 80 feet below grade. These were excavated during construction of the Metrorail Redline Universal City Tunnel. Specimens of typical Late Pleistocene fossil vertebrates such as camel, *Camelops hesternus*, bison, *Bison antiquus*, and ground sloth, *Glossotherium harlani* were recovered from LACM 6970.

ENVIRONMENTAL IMPACTS

THRESHOLD OF SIGNIFICANCE

Significant paleontological resources are defined as fossils or assemblages of fossils that are unique, unusual, rare, uncommon, or important to define a particular time frame or geologic strata, or that add to an existing body of knowledge in specific areas, in local formations or regionally. Paleontological remains are accepted as non-renewable resources significant to our culture and, as such, are protected under provisions of the Antiquities Act of 1906 and subsequent related legislation, policies, and enacting responsibilities.

Fossils can be considered to be of significant scientific interest if one or more of the following criteria apply.

- The fossils provide data on the evolutionary relationships and developmental trends among organisms, both living and extinct.
- The fossils provide data useful in determining the age(s) of the rock unit or sedimentary stratum, including data important in determining the depositional history of the region and the timing of geologic events therein.
- The fossils provide data regarding the development of biological communities or interaction between paleobotanical and paleozoological biotas.

³ *Paleontological Records Search-Plaza at the Glen Project and Add Area.* Natural History Museum of Los Angeles County, Vertebrate Paleontology Section. February 11, 2008.

- The fossils demonstrate unusual or spectacular circumstances in the history of life.
- The fossils are in short supply and/or in danger of being depleted or destroyed by the elements, vandalism, or commercial exploitation, and are not found in other geographic locations.

In the State of California, fossil remains are considered to be limited, nonrenewable, and sensitive scientific resources. These resources are afforded protection under the following State of California legislation (California Office of Historic Preservation 1983):

- California Environmental Quality Act of 1970.
- 13 Public Resources Code, 21000 et seq. Requires public agencies and private interests to identify the potential adverse impacts and/or environmental consequences of their proposed project(s) to any object or site important to the scientific annals of California (Division 1, Public Resources Code: 5020.1[b]).
- Guidelines for the Implementation of CEQA (as amended 1 January 2007), *State CEQA Guidelines* Sec. 15064.5(a)(3). Provides protection for historical (or paleontological) resources by requiring that they be identified and mitigated as historical resources under CEQA. The State CEQA Guidelines define historical resources broadly to include any object, site, area, or place that a lead agency determines to be historically significant.

PROJECT IMPACTS

Construction Impacts

Grading or shallow excavations in the uppermost layers of soil and younger Quaternary deposits in the project area are unlikely to discover significant vertebrate fossils. Deeper excavations, however, may encounter significant remains of vertebrate fossils of Late Pleistocene age. The potential destruction of any unique fossil resources on the proposed project site would result in a significant impact under CEQA. Therefore, mitigation measures shall be implemented to ensure that potential impacts to any unique paleontological resources that may be present will be reduced to a less than significant level.

Long-Term Operational Impacts

No long-term operational impacts to paleontological resources would occur.

MITIGATION MEASURES

- IV.D-5 A qualified paleontologic monitor shall monitor excavation activities below previously disturbed materials. The qualified paleontologic monitor shall retain the option to reduce monitoring if, in their professional opinion, potentially fossiliferous units, are not found to be present or, if present, are determined by qualified paleontologic personnel to have low potential to contain fossil resources.
- IV.D-6 The monitor shall be equipped to salvage fossils and samples of sediments as they are unearthed to avoid construction delays, and shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens.

- IV.D-7 Recovered specimens shall be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates.
- IV.D-8 Specimens shall be curated into a professional, accredited museum repository with permanent retrievable storage.
- IV.D-9 A report of findings, with an appended itemized inventory of specimens, shall be prepared. The report and inventory, when submitted to the County, will signify completion of the program to mitigate impacts to paleontological resources.

LEVEL OF SIGNIFICANCE AFTER MITIGATION

No unavoidable adverse impacts to paleontological resources would occur after implementation of the specified mitigation measures.

CUMULATIVE IMPACTS

Construction activities associated with the proposed project, including proposed development in the Add Area, could contribute to the progressive loss of paleontological resources and result in adverse cumulative impacts. The proposed project could also disturb or destroy paleontological resources that may exist on the site, an adverse impact. Thus, the project could result in adverse cumulative impacts to paleontological resources. However, mitigation measures have been identified that would avoid or reduce potential project-related impacts. These measures include monitoring, recovery, treatment, and deposit of fossil remains in a recognized repository. Similar measures would be expected of other projects in the surrounding area, most of which that share a similar paleontological sensitivity. Consequently, the incremental effects of the proposed project, after mitigation, would not contribute to an adverse cumulative impact to paleontological resources.