

## IV.E CULTURAL RESOURCES

### INTRODUCTION

This section addresses the potential impacts of the proposed project on cultural resources, including historical, archaeological, and paleontological resources. The proposed project is evaluated for its potential to affect buildings and structures that are listed or eligible for listing on the National Register of Historic Places (NRHP) and/or the California Register of Historical Resources (CRHR). The analysis of historic resources is based on a review of historic, archaeological, and paleontological records searches and an architectural field survey.

### ENVIRONMENTAL SETTING

#### Historic Context

The Watts community is one of several communities located in Southeast Los Angeles, including Central, Avalon, and Green Meadows that were developed out of the early settlements spreading from the first pueblo founded on September 4, 1781. This small pueblo was founded by twelve families, numbering forty-six people, and originally named “El Pueblo de Nuestra Señora la Reina de los Ángeles del Río de Porciúncula.” Two of the 46 founders were black men.<sup>1</sup> At the time of its founding, Governor Felipe de Neve granted jurisdiction over four square leagues of land in each direction from the central plaza. These boundaries remained the same through the Spanish period, the Mexican sovereignty, and the admission of California to statehood.

To the southeast of the Pueblo, an ancient flood plain of the Los Angeles River fanned out and was used as natural grazing land by the settlers. Herds of longhorn cattle grazed on the flood plain, feeding off the grass and were watered by the springs and marshes fed by the underground channels of the Los Angeles River. The Pueblo held a weak claim over the area north of what is now Firestone Boulevard, through the grazing of the cattle during the Rancho period of development. That portion of the floodplain south of present day Firestone Boulevard became part of the Rancho Tajauta grant. After California’s admission to the Union in 1850, Rancho Tajauta was surveyed, its boundaries changed, and the communities of Green Meadows, Central, and Avalon were declared public land.

In 1902, Henry E. Huntington’s Pacific Electric Company opened an inter-urban rail line from Central Los Angeles south with its eventual destination at Long Beach. Julia Watts, having donated land to Pacific Electric for a station, laid out several blocks of narrow residential lots, with a row of commercial lots fronting along her northern property line. Neighboring property owners did the same, creating a main street and a new community which focused on the train station. This was the early beginning of the community of Watts.<sup>2</sup>

Watts and the Florence-Firestone section depended on artisan wells for water during the 1810s and the change from ranching to farming. Rancho Tajauta was partitioned, roads were surveyed, and fields and farm houses replaced flocks and herds on the open range. Many of these patterns persist on the land today. Present day major and secondary highways coincide with the lanes and fences of the 1870s.

Supplied with a source of water, Watts escaped inclusion into the City of Los Angeles in the 1890s and was incorporated as a City in 1906. However, after severe droughts dried up its artisan wells in the mid-1920s, it was forced to be consolidated into the City of Los Angeles, annexed in 1926. The Specific Plan

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<sup>1</sup>City of Los Angeles, *Southeast Los Angeles Community Plan*, March 2000.

<sup>2</sup>*Ibid.*

area was not part of the 1926 annexation; however, the portions of the Specific Plan area that are now a part of the City of Los Angeles were not annexed until 1944.

During World War II, South Los Angeles boomed due in large part to access to several railroad spurs. New industries such as aircraft, tires, ships, and steel all began construction and large factories located on either side of Alameda Street. The earliest phases of Jordan Downs were built in 1942 as temporary wartime housing to the north between 97<sup>th</sup> Street and 99<sup>th</sup> Place and were typical of New Deal housing projects.<sup>3</sup> After the war ended, the existing units were converted into public housing and were supplemented by additional units north of 103<sup>rd</sup> Street in 1955.

## Historic Resources

A resource is considered to be historically significant if the resource meets one or more of the California Register of Historical Resources criteria for eligibility, is listed in a local historic register, or is deemed significant in an historical resource survey. These criteria are generally the same as the standards for determining significance for the National Register, as indicated by the letters A through D after each criteria. According to the California Register criteria, a significant historical resource is one which:

- Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage (National Register Criteria A) ;
- Is associated with the lives of persons important in our past (National Register Criteria B);
- 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 (National Register Criteria C); and/or
- Has yielded, or may be likely to yield, information in prehistory or history (National Register Criteria D).

As described above, the first phase of housing within the Specific Plan area was developed in 1942 as temporary war housing. As the site and its surroundings are more than 50 years of age, a cultural records search and field assessment were performed. The results of the historical records search indicated that one California Historic Landmark (CHL) property is located on the site as shown below.

- David Starr Jordan High School 2265 East 103<sup>rd</sup> Street, built 1935

Although no resources have been formally listed in the National Register, Jordan High School has been deemed eligible for listing in the National Register and is, therefore, automatically listed in the California Register. The architecturally significant buildings of David Starr Jordan High School were constructed or remodeled (due to the 1933 Long Beach earthquake) between 1927 and 1937 and meet National Register Criterion for Evaluation A, for having a key role in local ethnic history through the educational development of many prominent members of the community, including: Charles Dumas, multiple medal Olympian; Florence Griffith Joyner, multiple-medal Olympian; Stanley Sanders, U.S. Rhodes Scholar and former mayoral Candidate for the City of Los Angeles; world renowned jazz artist Buddy Collette; Nobel Laureate chemist Glenn Seaborg; and former UCLA and NFL football player James Washington.<sup>4</sup>

Jordan High School secondarily meets Criterion C at a local level of significance. The early buildings were designed by Los Angeles school district architect A.S. Nibecker who was responsible for the design of many Los Angeles school buildings during the 1920s to the 1940s, many of which are still in service. The school is an excellent example of Public Works Administration (PWA) Moderne architecture interpreted for use as a high school campus. PWA Moderne is an architectural style that combined

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<sup>3</sup>WRT/Soloman E.T.C., *Phase I Existing Conditions Report*, March 2009.

<sup>4</sup>State of California Resources Agency, *DPR 523 David Starr Jordan High School*, Recorded August 17, 1994.

elements of Art Deco, Streamline Moderne, and the Beaux-Arts style and was applied in the design of many large public buildings, civic centers, theatres, and other buildings constructed between 1933 and 1944 by the Public Works Administration,, a government agency created during the Great Depression.

Of the sixteen major campus buildings, seven were designed in the PWA Moderne style, including the Administration Building, Auditorium, both gymnasiums, and several classroom buildings. The Administration Building is the most visually dominant, with massive piers, smooth concrete surfaces, deeply recessed windows and subtle minimalist geometric patterns. Other buildings on the east side of the property were added in the early 1960s and are not considered significant. **Figure IV.E-1** shows the architectural style of David Starr Jordan High School.

In addition to Jordan High School, the records search indicated three historic structures have been recorded within a half-mile radius of the Specific Plan area (**Table IV.E-1**). As shown, the Watts Freight Station and Watts Towers of Simon Rodia are both listed on the NRHP and located a short distance from the Specific Plan area.

<b>TABLE IV.E-1: HISTORIC STRUCTURES WITHIN ½-MILE OF THE SPECIFIC PLAN AREA</b>		
<b>Resource No.</b>	<b>Description</b>	<b>Location</b>
19-165262	Watts Freight Station, 1686 East 103 <sup>rd</sup> Street	2,200 feet southwest of the Specific Plan area
19-165329	Watts Towers of Simon Rodia, 1765 East 107 <sup>th</sup> Street	2,500 feet southwest of the Specific Plan area
19-187720	Church (1936), 1715 South Santa Ana Boulevard	2,000 feet southwest of the Specific Plan area

**SOURCE:** W.H. Bonner Associates, Cultural/Paleontological Records Search, May 2010.

Due to the age of the housing within the Specific Plan area (more than 50 years), an architectural field survey was also completed. The architectural field survey concluded that the architectural theme of the buildings is typical of World War II and post-World War II public housing design. The site comprises “giant superblocks” with undifferentiated landscaping and a lack of distinct fronts or backs to any of the buildings.<sup>5</sup> The architectural field survey indicated that although the Jordan Downs public housing complex represents a locally important housing institution, the housing is indicative of growth and change common throughout Watts’ history, and has not stood apart from other housing projects as adhering to any historical themes and is therefore not intrinsically associated with any events significant to local, State, or national history (Criterion A). In addition, the housing was built “using a ubiquitous and utilitarian” housing style of the period and does not embody the distinctive characteristics of a type, period, region, or method of construction (Criterion C).<sup>6</sup> The architectural field survey also determined the Jordan Downs housing would not be eligible for listing under Criteria B or D.

<sup>5</sup>BCR Consulting, *Preliminary Architectural Field Report Jordan Downs Public Housing Project Area*, July 8, 2010.

<sup>6</sup>*Ibid.*



View of the entrance to David Starr Jordan High School.



View of the David Starr Jordan High School Auditorium.

SOURCE: TAHA, 2010.

### Local Significance

In addition to federal and State requirements, the Freedom Tree, located near the center of the Specific Plan area, is considered a locally important cultural resource to the residents of Jordan Downs Housing Complex. It is a local gathering place for residents, where information is shared regarding local resident and community activities, events, and sometimes a rallying point for support of families who have lost a loved one. The Southeast Los Angeles Community Plan recognizes the importance of “significant cultural themes” within a community and encourages development that enhances the cultural and architectural character of the community. The Community Plan includes the following goals, objectives, and policies that are applicable to the proposed project.

*Goal 19:* A community which promotes cultural amenities and implements the City’s Cultural Mater Plan.

*Objective 19-1:* To enhance and capitalize on the contribution of existing cultural and historic resources in the community.

*Policy 19-1.1:* Support the places and features identified within the Community as cultural resources for the City of Los Angeles.

### Archaeological Resources

The Specific Plan area is located in a highly urbanized area which has been subject to ground disruption through the years. Results of the cultural resources records search indicated three archeological resource sites within one-half mile of the Specific Plan area and are shown in **Table IV.E-2**. Ten additional reports are on file at the SCCIC as having evaluated properties or sites within one-half mile of the Specific Plan area; however, none of these evaluated the Specific Plan area.

<b>TABLE IV.E-2: ARCHEOLOGICAL SITES WITHIN ½-MILE OF THE SPECIFIC PLAN AREA</b>		
<b>Resource No.</b>	<b>Description</b>	<b>Location</b>
19-100486	1920s bottle cache	900 feet west of the Specific Plan area
LAn-2868	Buried railroad ties	150 feet east of the Specific Plan area
LAn-2872	Buried wooden vault	150 feet east of the Specific Plan area

**SOURCE:** W.H. Bonner Associates, Cultural/Paleontological Records Search, May 2010.

### Paleontological Resources

The Los Angeles Basin is known for its significant paleontological resources, particularly those associated with Ice Age mammals. There have been several paleontological resources surveys conducted for the Los Angeles Basin. A fossil search conducted by the Los Angeles County Museum of Natural History found an area in Watts where there is a concentration of invertebrate paleontological resources from the Pleistocene Era (1.6 million to 10,000 years ago); however, no vertebrate paleontological resources have been identified within the Specific Plan area.<sup>7</sup>

A project-specific paleontological records search was performed in order to determine potential impacts of the proposed project on paleontological resources. Results of the paleontological records search indicate that there are no recorded paleontological sites or specimens within one-half mile of the Specific

<sup>7</sup>City of Los Angeles, *South Los Angeles Subregion Master Environmental Assessment*, 1992.

Plan area.<sup>8</sup> While it cannot be conclusively ruled that any deeper excavations that could extend below previously disturbed surfaces could potentially encounter vertebrate fossils, the uppermost sediments are not likely to contain fossils.

## Regulatory Framework

### *Historical Resources*

Several levels of government maintain jurisdiction over historic resources. The framework for the identification and, in certain instances, protection of historic resources is established at the federal level, while the identification, documentation, and protection of such resources are often undertaken by State and local governments. The principal federal, State, and local laws governing and influencing the preservation of historic resources of national, State, and local significance include the National Historic Preservation Act (NHPA) of 1966, as amended; the California Environmental Quality Act (CEQA); the California Register of Historical Resources; Public Resources Code (PRC) 5024; and the City of Los Angeles Cultural Heritage Ordinance (Los Angeles Administrative Code, Section 22.130).

**National Register of Historic Places.** The National Register of Historic Places (the National Register) recognizes properties that are significant at the national, State, and/or local levels. Although administered by the National Park Service, the federal regulations explicitly provide that National Register listing of private property “does not prohibit under federal law or regulation any actions which may otherwise be taken by the property owner with respect to the property.” Listing in the National Register assists in preservation of historic properties through: recognition that a property is of significance to the nation, the State, or the community; consideration in the planning for federal or federally-assisted projects; eligibility for federal tax benefits; consideration in the decision to issue a surface coal mining permit; and qualification for federal assistance for historic preservation, when funds are available. In addition, for projects that receive federal funding, a clearance process must be completed in accordance with Section 106 of the National Historic Preservation Act. Furthermore, State and local regulations may apply to properties listed in the National Register.

The criteria for listing in the National Register follow the standards for determining the significance of properties, sites, districts, structures, or landscapes of potential significance are eligible for nomination. In addition to meeting any or all of the following criteria, properties nominated must also possess integrity of location, design, setting, feeling, workmanship, association, and materials.

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

Historic integrity is the ability of a property to convey its significance and is defined as “the authenticity of a property’s historic identity, evidenced by the survival of physical characteristics that existed during the property’s historic period.”

The National Register recognizes seven aspects or qualities that comprise integrity: location, design, setting, materials, workmanship, feeling, and association. These qualities are defined as follows:

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<sup>8</sup>W.H. Bonner Associates, *Cultural/Paleontological Records Search*, May 2010

- Location is the place where the historic property was constructed or the place where the historic event occurred;
- Design is the combination of elements that create the form, plan, space, structure, and style of a property;
- Setting is the physical environment of a historic property;
- Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property;
- Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory;
- Feeling is a property's expression of the aesthetic or historic sense of a particular period of time; and
- Association is the direct link between an important historic event or person and a historic property.

In assessing a property's integrity, the National Register criteria recognize that properties change over time. In this regard, National Register Bulletin 15 state:

*“To retain historic integrity a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance.*

*It is not necessary for a property to retain all its historic physical features or characteristics. The property must retain, however, the essential physical features that enable it to convey its historic identity.*

*A property that has lost some historic materials or details can be eligible if it retains the majority of the features that illustrate its style in terms of the massing, spatial relationships, proportion, pattern of windows and doors, texture of materials, and ornamentation. The property is not eligible, however, if it retains some basic features conveying massing but has lost the majority of the features that once characterized its style.”*

For properties that are considered significant under National Register Criteria A and B, National Register Bulletin 15 states:

*“A property that is significant for its historic association is eligible if it retains the essential physical features that made up its character or appearance during the period of its association with the important event, historical pattern, or person(s).*

*A property important for illustrating a particular architectural style or construction technique must retain most of the physical features that constitute that style or technique.”*

**Office of Historic Preservation.** As an office of the California Department of Parks and Recreation, the Office of Historic Preservation (OHP) implements the policies of the NHPA on a Statewide level. The OHP also carries out the duties set forth in the Public Resources Code (PRC) and maintains the California Historic Resources Inventory.

The State Historic Preservation Officer (SHPO) is an appointed official who implements historic preservation programs within the state's jurisdiction. Also implemented at the State level, CEQA requires projects to identify any substantial adverse impacts which may affect the significance of identified historical resources.

**California Register of Historical Resources.** The California Register of Historical Resources (California Register) is “an authoritative listing and guide to be used by State and local agencies, private groups, and citizens in identifying the existing historical resources of the State and to indicate which

resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change.”<sup>9</sup> The criteria for eligibility for the California Register are based upon National Register criteria. These criteria are:

- Criterion 1: Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California of the United States;
- Criterion 2: Associated with the lives of persons important to local, California or national history;
- Criterion 3: Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values; and
- Criterion 4: Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation.

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 in the National Register of Historic Places (Category 1 in the State Inventory of Historical Resources) and those formally Determined Eligible for listing in the National Register of Historic Places (Category 2 in the State Inventory);
- California Registered Historical Landmarks from No.0770 onward; and
- Those California Points of Historical Interest that have been evaluated by the Office of Historic Preservation (OHP) and have been recommended to the State Historical Resources Commission for inclusion in the California Register.

Other resources which may be nominated for listing in the California Register include:

- Historical resources with a significance rating of Category 3 through 5 in the State Inventory. (Categories 3 and 4 refer to potential eligibility for the National Register, while Category 5 indicates a property with local significance);
- Individual historical resources;
- Historical resources contributing to historic districts; and
- Historical resources designated or listed as a local landmark.

Additionally, a historic resource eligible for listing in the California Register must meet one or more of the criteria of significance described above and retain enough of its historic character or appearance to be recognizable as a historic resource and to convey the reasons for its significance. Historical resources that have been rehabilitated or restored may be evaluated for listing.

**California Environmental Quality Act (CEQA).** Under CEQA a “project that may cause a substantial adverse change in the significance of a historic resource is a project that may have a significant effect on the environment.”<sup>10</sup> This statutory standard involves a two-part inquiry. The first involves a determination of whether the project involves a historic resource. If so, then the second part involves determining whether the project may involve a “substantial adverse change in the significance” of the resource. To address these issues, guidelines that implement the 1992 statutory amendments relating to historical resources were adopted in final form on October 26, 1998 with the addition of State CEQA Guideline Section 15064.5. The State CEQA Guidelines provide that for the purposes of CEQA compliance, the term “historical resources” shall include the following:<sup>11</sup>

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<sup>9</sup>California Public Resources Code Section 50241(e).

<sup>10</sup>California Public Resources Code Section 21084.1.

<sup>11</sup>State CEQA Guidelines, 14 CCR Section 15064.f(e).



- A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register;
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements in Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat such resources as significant for purposes of CEQA unless the preponderance of evidence demonstrates that it is not historically or culturally significant;
- 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 a 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 one of the criteria for listing on the California Register; and
- The fact that a resource is not listed in, or determined to be eligible for listing in the California Register, not included in a local register of historical resources (pursuant to Section 5020.1(k) of the Public Resources Code), or identified in a historical resources survey (meeting the criteria in Section 5024.1(g) of the Public Resources Code) does not preclude a lead agency from determining that the resource may be a historical resource as defined in Public Resources Code Sections 5020.1(j) or 5024.1.

Section 15064.5 of the CEQA Guidelines also provides that “[s]ubstantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.”<sup>12</sup> Material impairment occurs when a project alters or demolishes in an adverse manner “those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion” in a state or local historic registry.<sup>13</sup>

**Los Angeles Cultural Heritage Ordinance (LAMC 22.171).** A Cultural Heritage Ordinance was first adopted by the Los Angeles City Council in 1962 and has since been amended several times. The provisions of the Cultural Heritage Ordinance are codified in Division 22, Chapter 9, Article 1 of the City of Los Angeles Administrative Code, commencing with Section 22.171. The Ordinance created a Cultural Heritage Commission and criteria for designating Historic-Cultural Monuments. The Commission comprises five citizens, appointed by the Mayor, who have exhibited a knowledge of Los Angeles’ history, culture and architecture. Section 22.171.7 of the Los Angeles Administrative Code states that an historical or cultural monument is:

*“...any site (including significant trees or other plant life located on the site), building, or structure of particular historic or cultural significance to the City of Los Angeles, including historic structures or sites in which the broad cultural, economic or social history of the nation, State, or community is reflected or exemplified or which is identified with historic personages or with important events in the main currents of national, State, or local history; or which embodies the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a period, style or method of construction; or a notable work of a master builder, designer, or architect whose individual genius influenced his or her age.”*

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<sup>12</sup>California Code of Regulations, Title 14, Section 15064.5(b)(1).

<sup>13</sup>California Code of Regulation, Title 14 Section 15064.5(b)(2)(A-C).

Each nomination is reviewed by the Commission, then by the Planning and Land Use Management Committee of the City Council, and the City Council as a whole. Once a property has been designated a Monument, the Cultural Heritage Commission and its staff review permits for alteration, relocation, or demolition. The Commission can delay demolition of a Monument for 180 days and has the authority to recommend to the City Council to delay demolition for another 180 days. Locally designated cultural resources are presumed to be historically significant under CEQA. Therefore, demolition and/or alterations of Monuments are subject to review under CEQA.

**City of Los Angeles Historic Preservation Overlay Zone Ordinance (LAMC 12.20.3).** The City of Los Angeles Ordinance Number 175891, found in Section 12.20.3 of the Los Angeles Municipal Code, describes the procedures for creation of new Historic Preservation Overlay Zones (HPOZs), the powers and duties of HPOZ Boards, and the review processes for projects within HPOZs. The Ordinance was adopted by the Los Angeles City Council on March 19, 2004, and became effective on May 12, 2004.

**City of Los Angeles Cultural Heritage Master Plan (2000).** The City of Los Angeles Cultural Affairs Department developed a Cultural Heritage Master Plan, adopted by the City Council in 2000. The Master Plan contains numerous important policy recommendations on historic preservation in City of Los Angeles, many of which have shaped the creation and early work of the Office of Historic Resources.

### ***Archeological/Paleontological Resources***

**Archaeological Resources Protection Act.** The Archaeological Resources Protection Act (ARPA) applies when a project may involve archaeological resources located on federal or tribal land. ARPA requires that a permit be obtained before excavation of an archaeological resource on such land can take place.

**The American Indian Religious Freedom Act.** The American Indian Religious Freedom Act (AIRFA) proclaims that the U.S. Government will respect and protect the rights of Indian tribes to the free exercise of their traditional religions; the courts have interpreted this as requiring agencies to consider the effects of their actions on traditional religious practices.

**Native American Graves Protection and Repatriation Act of 1990.** The Native American Graves Protection and Repatriation Act (1990) (104 Stat. 3048-3058) (NAGRPA) will also apply to the proposed project if human remains of Native American origin are discovered on federal land during implementation of the project. NAGRPA requires Federal agencies and federally assisted museums to return “Native American cultural items” to the federally recognized Indian tribes or Native Hawaiian groups with which they are associated. Regulations (43 CFR 10) stipulate the following procedures be followed. If Native American human remains are discovered, the following provisions would be followed to comply with regulations:

- Notify, in writing, the responsible federal agency;
- Cease activity in the area of discovery and protect the human remains;
- Certify receipt of the notification;
- Take steps to secure and protect the remains;
- Notify the Native American tribes or tribes likely to be culturally affiliated with the discovered human remains within one working day; and
- Initiate consultation with the Native American tribe or tribes in accordance with regulations described in 43 CFR, Part 10, Subpart B, Section 10.5.

**California Public Resources Code (CPRC), Sections 5097.5, 5097.9, and 5097.98-99.** Section 5097.5 of the California Public Resources Code (CPRC) defines as a misdemeanor the unauthorized disturbance or removal of archaeological, historical, or paleontological resources located on public lands. This Section also prohibits the knowing destruction of objects of antiquity without a permit (expressed permission) on public lands, and provides for criminal sanctions. In 1987 it was amended to require consultation with the California Native American Heritage Commission whenever Native American graves are found. It also established that violations for taking or possessing remains or artifacts are felonies.

CPRC Section 5097.9 establishes the California Native American Heritage Commission to make recommendations to encourage private property owners to protect and preserve sacred places in a natural state and to allow appropriate access to Native Americans for ceremonial or spiritual activities. The Commission is authorized to assist Native Americans in obtaining appropriate access to sacred places on public lands, and to aid State agencies in any negotiations with federal agencies for the protection of Native American sacred places on federally administered lands in California.

CPRC Sections 5097.98-99 require that the Governor's California Native American Heritage Commission be consulted whenever Native American graves are found. According to these Sections, it is illegal to take or possess remains or artifacts taken from Native American graves; however, it does not apply to materials taken before 1984. Violations occurring after January 1, 1988 would become felonies.

## **ENVIRONMENTAL IMPACTS**

### **Significance Thresholds**

In accordance with Appendix G of the State CEQA Guidelines, the proposed project would have a significant impact on cultural resources if the proposed project were to:

- Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5;
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; and/or
- Disturb any human remains, including those interred outside of formal cemeteries.

### **Project Design Features**

The majority of the buildings in the Specific Plan area would be removed as part of the proposed project, and new replacement housing would be constructed. However, Jordan High School, the one historic resource within the Specific Plan area, would remain on the site, but would likely be modified. However, as the Jordan High School site is owned by the Los Angeles Unified School District (LAUSD), the proposed changes would have to be deemed acceptable by LAUSD prior to implementation. Due to the historic significance of the school, any modifications to the seven buildings and associated features that contribute to the buildings' eligibility for listing on the NRHP (Administration Building, Auditorium, gymnasiums) would need to be completed in accordance with the Secretary of the Interior Standards.

Chapter II Project Description presents a conceptual development site plan that identifies major components of the proposed project. In general, heights would be tallest at the interior of the Specific Plan area with 50- to 60-foot-high buildings permitted on either side of the proposed central park. A few building sites are proposed to be for buildings of up to eight stories and 90 feet in height, while the typical residential streets would contain three- to four-story buildings varying from 35 to 50 feet. Mid-block lanes would have the lowest building heights, not exceeding 35 feet. Density would also vary across the

Specific Plan area. Buildings with a lower number of dwelling units permitted per acre would line much of the outside perimeter of the plan area, while higher density buildings would be located toward the interior to take advantage of community amenities, such as the central park, the community center, and access to transit.

Design guidelines included in the Specific Plan define the architectural tools on a building-by-building basis and set standards for the locations of new buildings, maximum heights, setbacks, and locations of open space within the plan area. The Specific Plan includes general architectural design guidelines, as well as design guidelines for both residential and non-residential building to ensure that these facilities would relate well with one another and contribute to the creation of a walkable community. Site-specific architectural guidelines are also included to delineate particular site conditions and opportunities that would be reflected in the architecture of the buildings that are in landmark locations. New development in proximity to the high school would follow the Secretary of the Interior Standards. This would ensure that new development would be compatible with the adjacent high school. Compliance with the Secretary of the Interior Standards would also ensure that the existing historic character of the high school would be respected.

### **Analysis of the Proposed Project Impacts**

#### ***Historic Resources***

Implementation of the Specific Plan would include the demolition and reconstruction of the existing Jordan Downs public housing complex to include up to 1,800 new residential units built in a variety of configurations. Approximately 500,000 gross square feet of new commercial, retail and light industrial space would be added along Alameda Street. An additional 20,000 gross square feet of community serving retail and services would also be included as part of the proposed project. The majority of uses on the site would be removed including the public housing and some buildings associated with the high school. As such, the proposed project includes modifications to one known historic resource, David Starr Jordan High School, which is listed on the California Register and eligible for listing on the NRHP. Removal of contributing buildings would result in a significant impact to a historic resource.

The proposed project would include removal of buildings and parking on the east side of the high school campus. These buildings generally include modular classrooms and other recent additions to the high school, none of which possess architectural significance. None of the seven architecturally significant buildings would be removed as part of the proposed project. In addition, the Administration Building, on 103<sup>rd</sup> street, which is the most visually dominant of the buildings and is most expressive of the PWA Moderne style, would remain in a prominent position. Further, any changes to the seven buildings that have been determined to be historically significant would be required to be completed in accordance with the Secretary of the Interior's Standards.

A significant impact could also occur if the immediate surroundings of the high school are altered such that the significance of the school is impaired. As described above, implementation of the Specific Plan would remove the majority of the uses surrounding the high school. The existing uses would be replaced with a combination of housing units in the configurations described in Chapter II Project Description. The area that would be most likely to affect the high school would be the area immediately west of the main high school building and auditorium located on 103<sup>rd</sup> Street, as these buildings are visible from the street and demonstrate the PWA Moderne style. The layout of the Specific Plan is such that the denser and taller buildings are located at the interior of the site, while the buildings along the boundary of the site are of a smaller scale. Several groups of townhomes generally three stories in height and with a density of no more than 55 dwelling units per acre would be located to the west of the high school. The Specific Plan includes architectural guidelines which would help to ensure the siting of new buildings, their height,

massing, and scale are compatible with the character of the existing neighborhood.<sup>14</sup> The Architectural Design Guidelines for the project include the following policy:

**Policy 2.6** Express Region-Related Architectural Character and Identity: To establish within the new Jordan Downs an architectural connection that is linked to a larger Southern California legacy that creates a sense of common identity for all residents; new buildings should incorporate architectural character that recalls and builds upon understanding of this region's Mediterranean-influenced architecture.

As discussed previously, an architectural field survey was conducted to determine the significance of the residential buildings. The results of the survey indicated that the buildings are not of any particular theme and do not stand apart from other typical housing projects. As the buildings were determined to not be historically significant, no impact would occur.

### ***Local Resources***

The Specific Plan area includes one locally important cultural resource, the Freedom Tree. This tree is not included on either the California or National Register, but is considered a locally important cultural resource. Although many of the uses on the site would be removed, the Freedom Tree would remain as an integral part of the new site plan. Maintained in its current location, it would be the center of a sequence of park spaces that would connect the western entrance of the site, along Grape Street, with a six-acre central park. The tree would not be removed nor otherwise altered. Any impacts would be less than significant.

### ***Archeological Resources***

As discussed above, the Specific Plan area does not include a substantial number of reported archeological finds and the site has been highly disturbed over time. As such, it is unlikely that archeological surface finds would occur. If, however, a unique archeological resource or human remains were discovered during construction of the proposed project, impacts would be significant without mitigation.

### ***Paleontological Resources***

As indicated above, the Specific Plan area is highly disturbed and any paleontological resources that may have existed at the surface at one time have likely been disturbed by past development. Therefore, the uppermost sediments are not likely to contain fossils. If, however, paleontological resources are encountered during excavation and grading activities, impacts would be significant without mitigation.

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<sup>14</sup>Urban Studio, *Jordan Downs Community-Based Redevelopment Architectural Design Guidelines*, Draft December 16, 2009.

## CUMULATIVE IMPACTS

Cumulative impacts to historic resources evaluate whether impacts of the proposed project and nine related projects (shown in Table III-1 and Figure III-1 in Chapter III Environmental Setting of this Draft EIR) when taken as a whole, substantially diminish the number of historic resources within the same or similar context or property type. Impacts to historic resources tend to be site-specific. Specifically, cumulative impacts would involve projects affecting local resources within the same level or type of designation or evaluation, projects affecting other structures located within the same National Register District, or projects that involve resources that are significant within the same context as resources associated with the proposed project. Collectively, the cumulative projects propose a variety of residential, (condominium, single-family), retail, educational and entertainment uses.

As described earlier in this section, the proposed project would not result in any significant impacts to historic resources. With regard to potential cumulative impacts related to archeological and paleontological resource, the project vicinity is located within an urbanized area that has been substantially disrupted over time. In the event that such resources are uncovered, each related project would be required to comply with regulatory requirements. In addition, as part of the environmental review process for the related projects, it is expected that mitigation measures would be established as necessary to address the potential for uncovering of paleontological resources and archeological resources. Therefore, impacts on historic, archeological, or paleontological resources would not be cumulatively considerable.

## MITIGATION MEASURES

### Historic Resources

**CR1** To ensure that historic buildings are appropriately renovated and maintained, the preservation, rehabilitation, restoration, reconstruction or adaptive reuse of known historic resources shall meet the U.S. Secretary of the Interior's Standards for Rehabilitation (Secretary's Standards). Any proposal to preserve, rehabilitate, restore, reconstruct, or adaptively reuse a known historic resource in accordance with the Interior Secretary's Standards shall be deemed to not be a significant impact under CEQA and, in such cases, no additional mitigation measures will be required.

**CR2** The Applicant shall work with qualified preservation professionals to ensure Standards-compliant projects, including the design of rehabilitation project, compatibility of new construction with historic structures, and periodic site visits to monitor construction adjacent to historic structures to ensure that such activities comply with the Secretary of the Interior's Standards. Historic professionals shall meet the National Park Service standards.<sup>15</sup>

### Archeological and Paleontological Resources

**CR3** If a unique archeological resource is discovered during project construction activities, work in the area shall cease and deposits shall be treated in accordance with federal, State and local guidelines, including those set forth in California Public Resources Code Section 21083.2. In addition, if it is determined that an archeological site is a historical resource, the provisions of Section 21084.1 of the Public Resources Code and CEQA Guidelines Section 15064.5 would be implemented.

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<sup>15</sup>U.S. Department of the Interior, National Park Service, *Archeology and Historic Preservation: Secretary of the Interior's Professional Qualifications Standards*, [http://www.nps.gov/history/local-law/arch\\_stnds\\_9.htm](http://www.nps.gov/history/local-law/arch_stnds_9.htm), Accessed July 8, 2010.

**CR4** A qualified paleontologist shall be retained to perform periodic inspections of excavation and grading activities where excavations of older soils may occur. The services of a qualified paleontologist shall be secured by contacting the Natural History Museum of Los Angeles County. The frequency of inspections will be based on consultation with the paleontologist and will depend on the rate of excavation and grading activities, the materials being excavated, and if found, the abundance and type of fossils encountered. 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.

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. 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. Any fossils encountered and recovered shall be prepared to the point of identification and catalogued before they are donated to their final repository. Any fossils collected should be donated to a public, nonprofit 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. 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 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.

#### **LEVEL OF SIGNIFICANCE AFTER MITIGATION**

Impacts related to cultural resources would be reduced to a less-than-significant level with implementation of the Mitigation Measures **CR1** through **CR4**.