3.4

CULTURAL RESOURCES

3.4.1 Introduction

This section addresses potential impacts on cultural resources that could result from the proposed Project. Cultural resources customarily include archaeological resources, ethnographic resources, and those of the historic, built environment (architectural resources). Though not specifically a cultural resource, paleontological resources (fossils pre-dating human occupation) are considered here, as they are discussed in Appendix G of the State CEQA Guidelines (Environmental Checklist Form), within the context of Section V, Cultural Resources.

Proposed construction activities would result in less than significant impacts on upland cultural resources under CEQA, and no significant impacts would occur on marine cultural resources under NEPA. Excavations in the proposed Harry Bridges Buffer Area would potentially disturb paleontological resources of regional or statewide importance (a potentially significant impact under CEQA), but no impacts on sensitive paleontological resources would occur under CEQA within the Port West Basin landfill area, and submerged marine soils under NEPA.

3.4.2 Environmental Setting

The prehistoric and historic setting of the Port of Los Angeles is referenced here and described in the Deep Draft Navigation Improvements Project EIS/EIR (USACE and LAHD 1992). More recent information regarding cultural resources in the West Basin area (of which Berths 136-147 are a part) was summarized in the 1997 West Basin EIR (LAHD 1997a), the Channel Deepening SEIS/SEIR (USACE and LAHD 2000), and in recent historic evaluations of buildings and structures in the West Basin (Jones & Stokes 2003, 2001, 2000a, 2000b). These studies are referenced here and used to describe baseline conditions and assess potential impacts. The prehistoric, ethnographic, and historic setting below draws from that presented in the Berth 97-109 Container Terminal Project EIS/R (LAHD 2005).

3.4.2.1 Prehistoric Setting

Evidence of human occupation in Southern California extends at least 10,000 years ago. A number of chronological schemes have been proposed for subdividing that time span into developmental periods (King 1981; Wallace 1955; Warren 1968). Cultural evolution has been consistently defined in four general periods: the Paleoindian Period from 10,000 to 8,000 before present (B.P.); the Early or Millingstone Period from 8,000 to 3,500 B.P.; the Middle or Intermediate Period from 3,500 to 800 B.P.; and the Late Period from 800 B.P. to the Spanish missionization of California; in this case the founding of Mission San Gabriel in 1771.

3.4.2.2 Ethnographic Setting

Ethnographic resources include sites, areas, and materials important to Native Americans for religious, spiritual, or traditional uses. These can encompass the sacred character of physical locations (mountain peaks, springs, and burial sites) or particular native plants, animals, or minerals that are gathered for use in traditional ritual activities. All prehistoric archaeological sites including villages, burials, rock art, rock features; and traditional hunting, gathering, or fishing sites are generally considered by contemporary Native Californians as important elements of their heritage.

Native Americans who prehistorically inhabited the Port of Los Angeles region at the time of Spanish contact were ultimately baptized at Mission San Gabriel. These Native Californians are known as the Gabrieliño. These people occupied a vast area of territory extending through the watersheds of Los Angeles, San Gabriel and Santa Ana rivers, several streams in the Santa Monica and Santa Ana mountains, all of the Los Angeles basin, along the Pacific Coast from Aliso Creek to Topanga Creek, and on San Clemente, San Nicholas, and Santa Catalina islands (Bean and Smith 1978). As the population was distributed over diverse environmental habitats, strategies for food collection including hunting, fishing, and plant gathering were varied.

The Gabrieliño were as a group extremely wealthy and populous due to their access to a variety of natural resources, such that their influence through trade extended as far as the San Joaquin Valley, the Colorado River, and south into Baja California. In particular, their use of shell inlay in asphaltum, use of rare minerals, stone carvings, and rock paintings are considered of exceptional quality. Their steatite (soapstone) carvings of animals, pipes, ornaments and other ritual ornaments are cultural trademarks. The Gabrieliño maintained a sophisticated chiefdom level of social organization, with an elite (including the chief and his family, and the very rich), middle class family lineages, and a lower class involved in ordinary social activities (Bean and Smith 1978).

With the establishment of the mission system at Mission San Gabriel in 1771, the Gabrieliño peoples were forcibly baptized and integrated into the economic sphere of the Mission. Villages were abandoned, hunting and gathering activities were disrupted as newly introduced agricultural practices altered the landscape, and large segments of the native population were decimated by European diseases. By the time mission lands were secularized in 1834, there were approximately 1,000 converts (neophytes) living at Mission San Gabriel; however, the ancestral Gabrieliño lifestyle had been destroyed.

A succession of administrators subsequently liquidated Mission holdings. By the time the United States annexed California in 1848, most of the Native American population had fled. The smallpox epidemic of 1862-1863, other introduced diseases, starvation, and violence devastated the remaining Native Californian population. By 1900, there were only a few scattered Gabrieliño survivors (Bean and Smith 1978).

3.4.2.3 Historic Setting

3.4.2.3.1 Early History

The Port of Los Angeles, at the southernmost point of Los Angeles County, occupies portions of three former historic ranchos that Governor Pedro Fages conferred on veterans of the 1769 Portolá expedition. They were Rancho San Pedro, Rancho Los Palos Verdes, and Rancho Los Cerritos, with a combined total of 84,000 acres (Beck and Haase 1974; Cowan 1977). By 1830, San Pedro was the leading west coast center of hide production, the primary export of the Missions and, later, the Ranchos (Queenan 1986). Annexation by the United States in 1848 and the gold rush of 1849 brought landless Americans to the San Pedro area, but ranching remained its primary enterprise. Flint, Bixby & Company, one of the largest sheep ranchers, was headquartered in San Pedro, but the Port area remained underused. Ships generally anchored near the rocky shoreline along the western edge of the bay at San Pedro; the harbor was not well protected or very deep. Eight major floods along the Los Angeles River between 1815 and 1876 caused tons of silt to be deposited into the river channel, also affecting San Pedro Bay.

Modification of the harbor area began when the USACE constructed two jetties in 1871 and deepened the channel leading to the Wilmington landing in 1880. The USACE began construction on the breakwater in 1900.

3.4.2.3.2 Initial Commercial Shipping, 1857-1897

Phinneas Banning, one of the earliest residents of the area, recognized its potential as a commercial shipping port. In 1857, he constructed new docks to capitalize on the increasing trade coming in and out of Los Angeles along two of the primary routes to the southwest goldfields, the Gila River Trail and the Old Spanish Trail. With his base location at Wilmington, Banning shuttled materials on smaller boats to and from the Rancho San Pedro waterfront.

Banning also understood the importance of rail transportation between his operation on the bay and the growing City of Los Angeles. In 1869, Banning organized the Los Angeles and San Pedro Railroad (LA&SP), the first reliable means of moving cargo from the ships coming into San Pedro Harbor to the City of Los Angeles.

Improved transportation to and from the harbor facilitated the burgeoning growth of Los Angeles. Between 1880 and 1890, the population of the city grew from 11,000 to 50,000. By 1900, it had reached 102,000 (Matson 1920). This boom fueled increased demand for construction supplies and consumer goods, much of which

arrived on ships that docked at San Pedro. By 1913, the Port of Los Angeles was the largest lumber importer in the world (Matson 1920).

3.4.2.3.3 Founding of Port of Los Angeles, 1897-1913

The growth of commerce in Los Angeles demanded formal establishment of a shipping port. The federal government agreed to assist the city by establishing its official harbor in the region. Following the recommendation of several studies of possible alternatives, the San Pedro Harbor site won authorization from Congress in March 1897.

In preparation for the opening of the Panama Canal (which occurred in 1914), the City of Los Angeles extended its boundaries to coastal tidewaters when it annexed a strip of San Pedro in 1906. The Port of Los Angeles and the LAHD were officially created in December 1907, and numerous harbor improvements followed. These improvements included completion of the 2.22-mile breakwater, broadening and dredging of the main channel, completion of the first major wharf by the Southern Pacific Railroad (SPRR), construction of the Angel's Gate lighthouse, and construction of the first municipal pier and wholesale fish market. By 1909, both Wilmington and San Pedro had been absorbed into the City of Los Angeles (Matson 1920).

3.4.2.3.4 Wartime Changes, 1914-1950

World War I changed the principal uses of the Port considerably. The United States Navy, wishing to establish a significant presence on the Pacific coast, took possession of a portion of the harbor and used it as a training and submarine base.

During the war, the Port was one of the chief sources of employment for area residents. Shipbuilding enterprises, including Southwestern Shipbuilding Company, Los Angeles Shipbuilding and Drydock Corporation, and Ralph J. Chandler Shipbuilding, began turning out vessels by the dozens for the war effort. The Port of Long Beach, established only 2 years before the onset of the war, offered the only Southern California shipping and shipbuilding competition to the Port of Los Angeles. That competition continues to the present day.

Improvements to transportation systems in the harbor area also facilitated the growth of trade. By 1917, a vast railroad network existed around the harbor and the Los Angeles region, allowing for the efficient transfer of goods across the country (San Buenaventura Research Associates 1992).

Following the end of World War I in 1918, the Port was increasingly used for the importation of lumber and other types of raw materials. As in the prewar period, approximately 98 percent of the inbound cargo consisted of lumber to satisfy the demand for housing and factories caused by the rapid growth of the Los Angeles area (Matson 1920). The dominant export in the postwar years was crude oil.

In 1923, the City of Los Angeles passed a harbor improvement bond measure for construction of additional wharves to meet the demands of increased trade (Queenan 1986; San Buenaventura Research Associates 1992). During the Depression years,

traffic within the Port slowed along with the rest of the American economy (Queenan 1986).

During World War II, San Pedro Harbor, as one of the closest major ports to the Pacific Theatre of Operations, was fully involved in defense activities. Between 1941 and 1945, ship and aircraft production facilities in the harbor area worked day and night to produce more than 15 million tons of war equipment. Hundreds of thousands of military and civilian personnel shipped out through San Pedro in support of the war effort and returned through it when their tasks were done (Shettle 2003).

Following the war, LAHD launched a broad restoration program. Many of the facilities in the harbor required maintenance that had been delayed during the war years. Although the adjacent Long Beach Harbor conducted its own improvements while battling subsidence (the sinking of the land from the many years of oil extraction), LAHD improved a number of its buildings and removed many temporary wartime buildings (Queenan 1986).

3.4.2.3.5 Containerization, 1950 to Present

Methods of shipping changed dramatically following World War II with the introduction of containerization. As discussed in Section 1.1.2, containerization is an integrated system of transport in which goods are shipped in standardized (20- or 40-foot-long), sealable metal boxes, designed for easy placement on compatible truck beds, railcars, and ships. Advantages of containerization include reduction of the labor force necessary to load shipments, decreased loading and unloading time, and decreased loss via theft or damage. Additional efficiencies arise from the integration of transport by truck, train, and ship. The primary disadvantage is the large capital outlay necessary to produce the new ships, cranes, rail cars, truck trailers, and port facilities designed to fit the containerization system.

International shipment through the Port increased during the latter half of the twentieth century as ocean-going vessels grew too large to negotiate the Panama Canal. Using a land-bridge system, shippers could transfer materials from Pacific region sources to Atlantic region markets by unloading at the Port of Los Angeles and trans-shipping via truck or train to vessels waiting at east coast ports (Queenan 1986).

3.4.2.4 Paleontological Resources Setting

Any rock material that contains fossils has the potential to yield fossils that are unique or significant to science. However, paleontologists consider that geological formations having the potential to contain vertebrate fossils are more "sensitive" than those likely to contain only invertebrate fossils. Invertebrate fossils found in marine sediments are usually not considered by paleontologists to be significant resources, because geological contexts in which they are encountered are widespread and fairly predictable. Invertebrate fossil species are usually abundant and well-preserved, such that they are not unique. In contrast, vertebrate fossils are much rarer than invertebrate fossils, and are often poorly preserved. Therefore, when found in a complete state, vertebrate fossils are more likely to be a more significant resource than are invertebrate

fossils. As a result, geologic formations having the potential to contain vertebrate fossils are considered the most sensitive. Vertebrate fossil sites are usually found in non-marine, upland deposits. Occasionally, vertebrate marine fossils such as whale, porpoise, seal, or sea lion can be found in marine rock units such as the Miocene Monterey Formation and the Pliocene Sisquoc Formations known to occur throughout Central and Southern California.

3.4.2.5 Site-Specific Setting

3.4.2.5.1 Archaeological Resources

3.4.2.5.1.1 Port of Los Angeles

Extensive background research has been done to evaluate the potential for encountering prehistoric resources within the West Basin area. A cultural resource site record and literature search of the proposed Project site was performed to identify the location of recorded sites and results of previous archaeological studies (SCCIA 2004). No recorded archaeological resources are located within the proposed Project area. Four previous studies have covered portions of the proposed Project site. The closest recorded archaeological sites are all along the original San Pedro terrace landform to the west of the proposed Project site at elevations more than 20 feet above sea level. The proposed Pier A rail yard relocation area is within a filled area within the last 50 years that was previously within the Wilmington Lagoon, as shown on the USGS Downey 1896 15' Series Map (SCCIA 2004). Therefore, any existing soils in the proposed Pier A rail yard relocation area are imported and do not have the potential to contain intact prehistoric archaeological resources, as Native Americans would not have occupied the slough environment.

The majority of the West Basin area was dredged from -35 to -45 feet mean lower low water (MLLW) in the early 1980s; it is reasonable to assume that any intact submerged shipwrecks or other historic materials within these dredged areas would have been removed or severely disturbed (USACE and LAHD 2000). The California Office of Historic Preservation concurs with this assessment (USACE and LAHD 2000). Areas not deepened in the 1980s include the western half of the Southwest Slip, the Northwest Slip Fill, and the area in front of Berths 144-147. Dredge and fill impacts in the Southwest Slip were previously assessed in the Channel Deepening Project SEIS/SEIR (USACE and LAHD 2000), which concluded that, although the western half of the Southwest Slip had not been deepened in the 1980s, it is so shallow (-22 to -25 feet MLLW) that, with the possible exception of small craft, shipwrecks would have constituted an obstacle to navigation and would have been removed. The California Office of Historic Preservation concurred with this assessment for the Channel Deepening Project (USACE and LAHD 2000). Similar reasoning can be applied to the waters in the Northwest Slip and the area in front of Berths 144-147. Water depth in both areas is -35 feet MLLW. Consequently, neither the Northwest Slip nor the waters along Berths 144-147 are expected to contain significant marine cultural resources such as shipwrecks or isolated prehistoric artifacts that could have eroded downslope from the upland landform.

3.4.2.5.1.2 Wilmington

The proposed Project area where the Harry Bridges Buffer Area would be constructed and the Harry Bridges Boulevard would be widened has been extensively modified since it was characterized in the 1993 "B" Street Realignment EIR (LAHD 1993a). Since then, most structures and buildings have been demolished and/or removed, and the underlying soils have been disturbed by grading or filling to a depth of several feet. Therefore, it is unlikely that any intact, potentially significant prehistoric or historic archaeological remains exist within the proposed Project area.

A review of historic maps dating from 1881 to 1921 indicates early historic structures were formerly located along the original "B" Street. These structures included an adobe dwelling and store, a blacksmith shop and dwelling, a saloon and billiards hall, a cluster of unidentified buildings, and an automotive repair shop (LAHD 1994). However, the historic maps did not indicate the presence of any early historic structures or buildings in the proposed Project area. Furthermore, it is unlikely that the proposed Project area contains any intact remains of early historic buildings or structures because previous land uses have severely disturbed the ground surface and, more recently, numerous buildings and structures have been demolished, removed, and the land has been extensively graded since 1990. Previous land uses included construction and operation of a number of businesses and infrastructure that disturbed surface and near surface soils and some underground storage tanks (USTs) and pipelines. Original construction of these buildings, recent remediation of contaminated soils and groundwater, removal of USTs and pipelines, and the recent demolition and removal of most buildings, structures, and underground utilities and USTs north and south of Harry Bridges Boulevard have likely disturbed any intact historic archaeological remains that would have existed in the proposed Project area. No historic, archaeological, or paleontological remains were reported during recent demolition and removal activities (personal communication, Betsy Foley, POLA Project Manager, 2002). The overall area of ground disturbance to substantial depths, however, is relatively small compared to the area of proposed Project activities.

3.4.2.5.2 Historic Architectural Resources

3.4.2.5.2.1 Port of Los Angeles

The Port of Los Angeles was created in 1907 with the establishment of the Los Angeles Harbor Commission (LAHD 1997a, San Buenaventura Research Associates 1992). Port growth was relatively slow until after the close of World War I. Growing exports of local oil and lumber, shipbuilding, fishing, and cannery activities resulted in the construction of numerous warehouses and sheds between 1917 and 1930. In 1917, an extensive railroad was established for transporting goods from the Harbor throughout the United States. Though documentation does not exist to verify this, a segment of the railroad serving Pier A, adjacent to Berths 142-147, was likely to have been constructed during this time. Port growth continued during the Depression of the 1930s with new cargo and passenger terminal construction, in some cases replacing outdated wooden cargo structures.

In addition to the Pier A rail yard, other buildings or structures that would be removed by the proposed Project include the main guard station, existing administration building, reefer wash facility, maintenance and repair and roadability facility, longshore restroom, yard operations building, Pacific Harbor line office, and the College of Oceaneering classrooms.

An Architectural Survey and Evaluation of the Port of Los Angeles was performed (Jones & Stokes 2003) to identify any potentially significant historic resources in compliance with the California Environmental Quality Act (CEQA) and the National Historic Preservation Act (NHPA). The architectural survey determined that the transit sheds at Pier A were passenger terminals at the Port during the Port's modernization related to containerized storage, between 1948 and 1953. Pier A structures built between 1921 and 1953 were determined to be eligible for listing in the National Register of Historic Places (NRHP) under Criterion C and in the California Register of Historic Resources (CRHR) under Criterion 3 with a local level of significance (Jones & Stokes 2003) (see Section 3.4.3 for a description of eligibility criteria). Importantly, their significance was related to their architectural distinctiveness, rather than their association with Port historical growth. These resources are outside of the project area and, as such, are not discussed further.

The Pier A railroad that served these structures was enlarged in 1950, associated with the construction of the Wharf 153-154 (Jones & Stokes 2003). The integrity of the existing railroad tracks and supports was considered poor when it was evaluated in 2003. The tracks had been repaired over time such that little of the existing materials remained (personal communication, Madeline Lanz, Jones and Stokes Architectural Historian, 2004). The significance of the Pier A structures stemmed from their architectural importance, such that the railroad did not contribute to this quality. This railroad spur at Pier A was not unique in the development of the Port either, as the primary use of Pier A during its period of significance was for passenger travel (personal communication, Madeline Lanz, Jones and Stokes Architectural Historian, 2004). Finally, as the integrity of the Pier A railroad had been lost, this component of the historic Pier A facility was not considered potentially eligible for NRHP listing, or for listing in the CRHR.

Present facilities at Berth 147 were constructed in 2000, subsequent to the removal of the United Fruit Company terminal that operated since 1936 (Jones & Stokes 2000b).

No other properties listed on the California Register of Historic Places, NRHP, or City of Los Angeles Cultural Monuments are identified on the remainder of the proposed Project site (SCCIA 2004). The structures to be removed are all less than 45 years of age. All of the existing structures onsite, including the main guard station, existing administration building, reefer wash facility, maintenance and repair and roadability facility, longshore restroom, yard operations building, Pacific Harbor line office, and the College of Oceaneering classrooms were constructed no more than 30 years ago (personal communication, Scott Axelson, TraPac, Inc. Vice President 2006).

3.4.2.5.2.2 Wilmington

Eleven potentially significant historic structures 50 years or older were identified between Harry Bridges Boulevard and "C" Street (LAHD 1993a). These structures were determined by the State Historic Preservation Office (SHPO) to not be eligible for NRHP listing because they do not meet any NRHP criteria (LAHD 1993a). No other properties listed on the California Register of Historic Places, NRHP, or City of Los Angeles Cultural Monuments are identified on the remainder of the proposed Project site (SCCIA 2004).

3.4.2.5.3 Paleontological Resources Setting

A paleontological record search identified that a number of fossil sites (localities) are located within a half-mile of the proposed Project area in upland geological deposits (LSA Associates, Inc. 1992; LAHD 1993a). The northwestern proposed Project area contains a Late Pleistocene geological formation that is considered to have a high sensitivity for including paleontological resources, due to the presence of a diverse array of vertebrate fossils that have been previously encountered within that deposit. This area of potential sensitivity is located at the western end of Harry Bridges Boulevard and "C" Street, between Wilmington Boulevard and the Harbor Freeway (the 110 Freeway), in the proposed buffer area. In contrast, the potential to encounter vertebrate paleontological resources in the Berths 136-147 waterfront area is low, due to the extensive depth of artificial fill (up to 25 feet thick) within much of the Port West Basin area that has been placed over marine deposits.

3.4.3 Applicable Regulations

3.4.3.1 Federal Regulations

3.4.3.1.1 Archaeological and Historic Architectural Resources

The federal significance of an archaeological site or an architectural structure is defined in the NHPA implementing regulations (36 CFR §60.4). These criteria state that a resource must be at least 50 years old, and meet one or more of the following:

- The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association and:

  A. Is associated with events that have made a significant contribution to the broad patterns of history;

  B. Is associated with the lives of persons significant in the past;

  C. Embodies the distinctive characteristics of a type, period, or method of construction, represents the work of a master, possesses high artistic

values, or represents a significant and distinguishable entity whose components may lack individual distinction; or

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

If a particular resource meets one of these criteria, it is considered as an eligible "historic property" for listing in the NRHP.

In addition to the NHPA, cultural resources are protected by the Archaeological Resources Protection Act of 1979 (ARPA) (16 U.S.C. §§ 469-469c). ARPA describes the requirements that must be met before Federal authorities can issue a permit to excavate or remove any archeological resource on Federal or Indian lands. Requirements for curation of artifacts, other materials excavated or removed, and the records related to the artifacts and materials are described. The act provides detailed descriptions of prohibited activities including damage, defacement, and unpermitted excavation or removal of cultural resources on federal lands. Selling, purchasing, and other trafficking activities of cultural resources either within the United States or internationally is prohibited. ARPA also identifies stiff penalties that can be levied against convicted violators.

Title 36 CFR Part 800 defines effects and adverse effects on historic resources as follows:

- **Section 800.9(a)** Criterion of Effect indicates that an undertaking has an effect on an historic property when the undertaking may alter characteristics of the property that may qualify it for inclusion in the NRHP. For the purpose of determining effect, alteration of features of a property's location, setting, or use may be relevant depending on a property's significant characteristics.
- **Section 800.9(b)** Criteria of Adverse Effect indicates an undertaking is considered to have an adverse effect when the impact on an historic property may diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Adverse effects on historic properties include, but are not limited to:
    - Physical destruction, damage, or alteration of all or part of the property;
    - Isolation of the property from, or alteration of the character of the property's setting when that character contributes to the property's qualification for the NRHP;
    - Introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting;
    - Neglect of a property resulting in its deterioration or destruction; and
    - Transfer, lease, or sale of the property without adequate provisions to protect historic integrity.

3.4.3.1.2 Ethnographic Resources

As prehistoric archaeological sites, artifacts, and human remains are considered important components of contemporary Native American heritage, two federal statutes apply. The American Indian Religious Freedom Act of 1978 (AIRFA) (42 U.S.C. §§ 1996-1996a) requires that locations identified as central to Native American religious practice be protected. The Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) (25 U.S.C. §§ 3001-3013) requires that prehistoric human remains and burial-related artifacts of individuals recovered during ground disturbances be provided to those contemporary Native Americans who are recognized as descendants.

3.4.3.1.3 Paleontological Resources

There is no Federal legislation designed specifically for the management and protection of paleontological resources on non-federal lands.

3.4.3.2 State Regulations

3.4.3.2.1 Archaeological and Historic Architectural Resources

CEQA Guidelines Section 15064.5(a.3) and California Public Resources Code (PRC) Section 21084.1 define below the criteria used to determine the significance of cultural resources, characterized as "historic resources."

> *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 (PRC SS5024.1, Title 14 CCR, Section 4852).*

CEQA Guidelines (Section 15064.5(b) (revised October 26, 1998) state that "a project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment." To this end, CEQA Guidelines list the following definitions:

1. Substantial 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.
2. The significance of an historical resource is materially impaired when a project:

A. Demolishes or materially alters in an adverse manner those physical characteristics of an 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 that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of 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.

When an archaeological resource is listed in, or is eligible to be listed in, the CRHR, PRC Section 21084.1 requires that any substantial adverse effect to that resource be considered a significant environmental effect. PRC Sections 21083.2 and 21084.1 operate independently to ensure that potential effects on archaeological resources are considered as part of the environmental analysis for a project. Either of these benchmarks may indicate that a proposal may have a potential adverse effect on archaeological resources.

PRC Section 21083.2(j) states that an historical resource is a resource listed in, or is determined to be eligible for listing in, the California Register of Historical Resources, or listed in a local register of historical resources, or deemed significant pursuant to criteria identified in PRC Section 5024.1(g) defined above, 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 is determined not 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 5024.1 does not preclude a lead agency from determining whether the resource may be an historical resource. CEQA Guidelines Sections 15064.5 and 15126.4 guide the evaluation of impacts to prehistoric and historic archaeological resources. Section 15064.5(c) provides that, to the extent an archaeological resource is also a historical resource, the provisions regarding historical resources apply. These provisions endorse the first set of standardized mitigation measures for historic resources by providing that projects following the Secretary of the Interior's Standards for Treatment of Historic Properties be considered as mitigated to a less-than-significant level.

PRC Section 21083.1 states that as part of conditions imposed for mitigation, a lead agency may make provisions for archaeological sites accidentally discovered during construction. These provisions may include an immediate evaluation of the find. If the find is determined to be a unique archaeological resource, contingency funding and a time allotment sufficient to allow recovering an archaeological sample or to

employ one of the avoidance measures may be required under the provisions set forth in this section. Construction work may continue on other parts of the building site while archaeological mitigation takes place. Other state-level requirements for cultural resources management are written into the California PRC, Chapter 1.7, Section 5097.5 (Archaeological, Paleontological, and Historical Sites).

CEQA Guidelines Section 15064.5 (revised October 26, 1998) indicate a project may have a significant environmental effect if it causes "substantial adverse change" in the significance of an "historical resource" or a "unique archaeological resource," as defined or referenced in CEQA Guidelines Section 15064.5 (b, c). Such changes include "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" (CEQA Guidelines 1998 Section 15064.5 [b]).

3.4.3.2.2 Ethnographic Resources

The disposition of Native American burials is governed by Section 7050.5 of the California Health and Safety Code, and Sections 5097.94 and 5097.98 of the Public Resources Code, and falls within the jurisdiction of the Native American Heritage Commission (NAHC). Section 7052 of the Health and Safety Code establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

Penal Code Section 622.5 provides misdemeanor penalties for injuring or destroying objects of historical or archaeological interest located on public or private lands, but specifically excludes the landowner. PRC Section 5097.5 defines as a misdemeanor the unauthorized disturbance or removal of archaeological, or historical, resources located on public lands.

3.4.3.2.3 Paleontological Resources

Section 5097.5 of the California PRC prohibits excavation or removal of any "vertebrate paleontological site or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands." Section 30244 requires reasonable mitigation of adverse impacts to paleontological resources from development on public land. Penal Code Section 623 spells out regulations for the protection of caves, including their natural, cultural, and paleontological contents. It specifies that no "material" (including all or any part of any paleontological item) will be removed from any natural geologically formed cavity or cave.

3.4.3.3 Local Regulations

3.4.3.3.1 Archaeological and Historic Architectural Resources

City guidelines for the protection of archeological resources are set forth in Section 3 of the City of Los Angeles General Plan Conservation Element, which, in addition to

compliance with CEQA, requires the identification and protection of archaeological sites and artifacts as a part of local development permit processing.

Specifically, Los Angeles Municipal Code section 91.106.4.5 states that the Building Department "shall not issue a permit to demolish, alter or remove a building or structure of historical, archaeological or architectural consequence if such building or structure has been officially designated, or has been determined by state or federal action to be eligible for designation, on the National Register of Historic Places, or has been included on the City of Los Angeles list of historic cultural monuments, without the department having first determined whether the demolition, alteration or removal may result in the loss of or serious damage to a significant historical or cultural asset. If the department determines that such loss or damage may occur, the applicant shall file an application and pay all fees for the California Environmental Quality Act Initial Study and Check List, as specified in Section 19.05 of the Los Angeles Municipal Code. If the Initial Study and Check List identifies the historical or cultural asset as significant, the permit shall not be issued without the department first finding that specific economic, social or other considerations make infeasible the preservation of the building or structure."

3.4.3.3.2 Historic Architectural Resources

Five types of historic protection designations apply in the city: (1) Historic-Cultural Monument designation by the city's Cultural Heritage Commission and approved by the City Council; (2) placement on the California Register of Historical Resources or (3) the National Register of Historic Places (1980 National Historic Preservation Act); (4) designation by the Community Redevelopment Agency (CRA) as being of cultural or historical significance within a designated redevelopment area; and (5) classification by the City Council (recommended by the planning commission) as an Historic Preservation Overlay Zone (HPOZ). These designations help protect structures and support rehabilitation fund requests (City of Los Angeles 2001b).

The City Cultural Heritage Commission (CHC) was established by ordinance in 1962 to protect and/or identify architectural, historical and cultural buildings, structures and sites of importance in the city's history and/or cultural heritage. The CHC has designated over 700 sites as Historic-Cultural Monuments, including historic buildings, corridors (tree-lined streets) and geographic areas. Historical resources may also include resources listed in the State Historic Resources Inventory as significant at the local level or higher, and those evaluated as potentially significant in a survey or other professional evaluation (City of Los Angeles 2001b). The HPOZ provision of the zone code, Los Angeles Municipal Code (LAMC) Section 12.20.3, was adopted in 1979, and was amended in 2001. It contains procedures for designation and protection of areas that have structures, natural features or sites of historic, architectural, cultural or aesthetic significance. HPOZ areas contain significant examples of architectural styles characteristic of different periods in the city's history. No area within the Port of Los Angeles has been designated as part of an HPOZ (City of Los Angeles 2001b).

The significance of a historical resources is also based on (1) whether the site has been coded by the Department of Building and Safety with a Zoning Instruction

number in the 145 series (which indicates prior identification of the property as historic); (2) whether the resource has been classified as historic in an historical resources survey conducted as part of the updating of the Community Plan, the adoption of a redevelopment area or other planning project; (3) whether the resource is subject to other federal, state, or local preservation guidelines; (4) whether the resource has a known association with an architect, master builder or person or event important in history such that the resource may be of exceptional importance; and (5) whether the resource is over 50-years-old and a substantially intact example of an architectural style significant in Los Angeles (L.A. CEQA Thresholds Guide 2006).

The City of Los Angeles CEQA Guidelines (City of Los Angeles 2006) criteria for historic architectural resources are provided below.

City of Los Angeles Historic-Cultural Monument Designation

In the City of Los Angeles, resources may be designated as Historic-Cultural Monuments under Sections 22.120, et seq., of the Los Angeles Municipal Code (LAMC). An historical or cultural monument is defined as:

"[A]ny site (including significant trees or other plant life located thereon), building or structure of particular historic or cultural significance to the City of Los Angeles, such as historic structures or sites in which the broad cultural, political, economic or social history of the nation, state or community is reflected or exemplified, or which are identified with historic personages or with important events in the main currents of national, state or local history, or which embody 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 age."

City of Los Angeles Historic Preservation Overlay Zones (HPOZs)

HPOZs are essentially locally designated historic districts or groupings of historical resources. Under the HPOZ ordinance (LAMC Section 12.20.3.), to be significant, structures, natural features or sites within the involved area or the area as a whole shall meet one or more of the following criteria:

(A) have substantial value as part of the development, heritage or cultural characteristics of, or is associated with the life of a person important in the history of the city, state, or nation;

(B) are associated with an event that has made a substantial contribution to the broad patterns of our history;

(C) are constructed in a distinctive architectural style characteristic of an era of history;

(D) embody those distinguishing characteristics of an architectural type or engineering specimen;

(E) are the work of an architect or designer who has substantially influenced the development of the City;

(F) contain elements of design, details, materials or craftsmanship which represent an important innovation;

(G) are part of or related to a square, park or other distinctive area and should be developed or preserved according to a plan based on a historic, cultural, architectural or aesthetic motif;

(H) owing to its unique location or singular physical characteristics, represent an established feature of the neighborhood, community or City; or

(I) retaining the structure would help preserve and protect an historic place or area of historic interest in the City.

3.4.3.3.3 Ethnographic Resources

Relative to ethnographic resources, the City of Los Angeles (2006) CEQA Thresholds Guide states: "Consider compliance with guidelines and regulations such as the California Public Resources Code." No specific local regulations mandating the protection of ethnographic resources exist.

3.4.3.3.4 Paleontological Resources

City guidelines for the protection of paleontological resources are specified in Section 3 of the City of Los Angeles General Plan Conservation Element. The policy requires that the City's paleontological resources be protected for research and/or educational purposes. It mandates the identification and protection of significant paleontological sites and/or resources known to exist or that are identified during land development, demolition, or property modification activities."

3.4.4 Impacts and Mitigation Measures

3.4.4.1 Methodology

Impacts on cultural resources from the proposed Project and alternatives were evaluated by determining whether dredging, demolition, or ground disturbance activities would affect areas that contain or could contain any archaeological or historical sites listed in or eligible for listing in the NRHP, the CRHR, or that are designated as a City of Los Angeles Historic-Cultural Monument, or that are included within a City of Los Angeles Historic Preservation Overlay Zone, or that are otherwise considered a unique or important archaeological resource under CEQA (City of Los Angeles 2006).

For paleontological resources, a baseline paleontologic resource inventory of the proposed Project site was established, including stratigraphic and paleontologic

inventories. These tasks were completed in compliance with Society of Vertebrate Paleontology (SVP 2005) guidelines for assessing the scientific importance of the paleontologic resources. Geologic maps and reports covering the surficial geology of the proposed Project were reviewed to: 1) determine the rock units exposed at the proposed Project site, particularly those rock units known to be fossiliferous; and 2) to delineate their respective area distributions. Published and unpublished geologic and paleontologic literature was reviewed to document the number and locations of previously recorded fossil sites at and near the proposed Project site from each rock unit exposed at the proposed Project site, and the types of fossil remains the rock unit has produced locally. No field survey of the proposed Project site was conducted because the site is covered by extensive development and/or is underlain by non-fossiliferous artificial fill or undisturbed strata that are too young to contain remains old enough to be considered fossilized.

3.4.4.1.1 CEQA Baseline

Section 15125 of the CEQA Guidelines requires EIRs to include a description of the physical environmental conditions in the vicinity of a project that exist at the time of the NOP. These environmental conditions constitute the baseline physical conditions by which the CEQA lead agency determines whether an impact is significant. For purposes of this Draft EIS/EIR, the CEQA Baseline for determining the significance of potential impacts under CEQA is December 2003. CEQA Baseline conditions are described in Table 2-2 of Section 2.4.

The CEQA Baseline represents the setting at a fixed point in time, with no project growth over time, and differs from the "No Project" Alternative (discussed in Section 2.5.1) in that the No Project Alternative addresses what is likely to happen at the site over time, starting from the baseline conditions. The No Project Alternative allows for growth at the proposed Project site that would occur without any required additional approvals.

3.4.4.1.2 No Federal Action/NEPA Baseline

For purposes of this Draft EIS/EIR, the evaluation of significance under NEPA is defined by comparing the proposed Project or other alternative to the No Federal Action scenario. The No Federal Action/NEPA Baseline condition for determining significance of impacts coincides with the "No Federal Action" condition, which is defined by examining the full range of construction and operational activities the applicant could implement and is likely to implement absent permits from the USACE. Therefore, the No Federal Action/NEPA Baseline would not include any dredging, filling of the Northwest Slip, wharf construction or upgrades, or crane replacement. The No Federal Action/NEPA Baseline would include construction and operation of all upland elements (existing lands) for backlands or other purposes. The upland elements are assumed to include:

- Adding 57 acres of existing land for backland area and an on-dock rail yard;
- Constructing a 500-space parking lot for union workers;

- Demolishing the existing administration building and constructing a new LEED certified administration building and other terminal buildings;
- Adding new lighting and replacing existing lighting, fencing, paving, and utilities on the backlands;
- Relocating the Pier A rail yard and constructing the new on-dock rail yard;
- Widening and realigning Harry Bridges Boulevard; and
- Developing the Harry Bridges Buffer Area.

Unlike the CEQA Baseline, which is defined by conditions at a point in time, the No Federal Action/NEPA Baseline is not bound by statute to a "flat" or "no growth" scenario; therefore, the USACE may project increases in operations over the life of a project to properly analyze the No Federal Action/NEPA Baseline condition. Normally, any ultimate permit decision would focus on direct impacts to the aquatic environment, as well as indirect and cumulative impacts in the uplands determined to be within the scope of federal control and responsibility. Significance of the impacts of the proposed Project or alternatives is defined by comparing the proposed Project or alternative to the No Federal Action/NEPA Baseline (i.e., the increment). The No Federal Action/NEPA Baseline conditions are described in Table 2-2 of Section 2.4.

The No Federal Action/NEPA Baseline also differs from the "No Project" Alternative, where the Port would take no further action to construct and develop additional backlands (other than the 176 acres that currently exist). Under this alternative, no construction impacts would occur. However, forecasted increases in cargo throughput would still occur as greater operational efficiencies are made.

3.4.4.2 Thresholds of Significance

CR-1 An impact on archaeological resources will be considered significant if it would disturb, damage, or degrade an archaeological resource or its setting that is found to be important under the criteria of CEQA because it:

- Is associated with an event or person of recognized importance in California or American history or of recognized scientific importance in prehistory;
- Is associated with an event or person of recognized importance in California or American history or of recognized scientific importance in prehistory;
- Can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archaeological research questions;
- Has a special or particular quality, such as the oldest, best, largest, or last surviving example of its kind;
- Is at least 100-years-old and possesses substantial stratigraphic integrity; or

- Involves important research questions that historical research has shown can be answered only with archaeological methods.

CR-2 An impact on historic architectural resources will be considered significant if it would result in a substantial adverse change that would impair the significance of an historic resource that is found to be important because it:

- Is associated with an event or person of recognized importance in California or American history;
- Has associations with an architect, master builder or person or event important in history such that the resource may be of exceptional importance.
- Is over 50-years-old and is a substantially intact example of an architectural style significant in Los Angeles (City of Los Angeles 2006).

A substantial adverse change in significance would occur if the project involves:

- Demolition of a significant resource;
- Relocation that does not maintain the integrity and significance of a significant resource;
- Conversion, rehabilitation, or alteration that does not conform to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings; or
- Construction that reduces the integrity or significance of important resources on the site or in the vicinity.

CR-3 A project will have a significant impact on paleontological resources if it results in the permanent loss of, or loss of access to, a paleontological resource of regional or statewide significance (City of Los Angeles 2006).

3.4.4.3 Impacts and Mitigation

3.4.4.3.1 Proposed Project

3.4.4.3.1.1 Construction Impacts

Impact CR-1: Construction of the proposed Project has an extremely low potential to disturb, damage, or degrade unknown archaeological and ethnographic cultural resources.

No known archaeological sites are recorded within the proposed Project area, and no evidence of prehistoric or historic archaeological material was identified during previous

cultural resource site record and literature searches and archaeological surveys (LAHD 1997a). Due to the extensive nature of previous ground disturbances within the proposed Project area and the substantial depths to which the soils have been disturbed, it is highly unlikely that any unknown, intact archaeological deposits exist within soils in the proposed Project area. Soils within the Pier A rail yard relocation area are imported, such that all disturbances for these improvements would not impact intact natural landforms where prehistoric occupation could have occurred. Therefore, it is reasonable to assume that the potential for proposed Project construction to encounter unknown, sub-surface on-land archaeological deposits would be extremely remote.

Proposed construction activities would require approximately 295,000 cy of dredging to construct the wharves at Berths 145-147 and deepen the waters adjacent to Berths 144-147 to match the planned 53-foot channel depth. It is reasonable to assume that previous extensive periodic dredging in the channels, along with the removal of any solid materials in berth channels to ensure navigational safety would have removed any potential evidence of historic maritime activity, including shipwrecks, within the proposed Project area (USACE and LAHD 2000). Therefore, the potential for encountering intact historic marine cultural resources such as shipwrecks in the proposed Project dredging area is considered extremely remote.

CEQA Impact Determination

No archaeological resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important archaeological resource under CEQA are recorded within the proposed Project site. The upland and adjacent channel have been previously disturbed or are located on imported fill soils, such that the probability of encountering any intact, unknown historic resources is remote. Therefore, the proposed Project would not reasonably be expected to disturb, damage, or degrade unknown, intact, potentially significant archaeological resources. As the potential for damaging unknown prehistoric remains is remote, potential impacts on ethnographic resources considered significant to contemporary Native Americans are also not reasonably expected. Based on the above analysis, proposed construction activities would result in less than significant impacts on archaeological and ethnographic resources under CEQA.

Mitigation Measures

Although the potential for impacts on unknown archaeological resources is remote, the following mitigation measure is provided consistent with the guidance of PRC Section 21083.2(j) in the unlikely event unknown, intact, potentially significant archaeological resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important archaeological resource under CEQA are encountered during construction.

CR-1: In the unlikely event that any artifact, or an unusual amount of bone, shell or non-native stone is encountered during construction, work shall be immediately stopped and relocated from that area. The contractor shall stop construction within 10 meters (30 feet) of the exposure of these finds until a qualified archaeologist can be retained by the Port to evaluate the find (see 36 CFR 800.11.1 and pertinent CEQA regulations). Examples of such cultural materials might include concentrations of ground stone tools such as

mortars, bowls, pestles, and manos; chipped stone tools such as projectile points or choppers; flakes of stone not consistent with the immediate geology such as obsidian or fused shale; trash pits containing bottles and/or ceramics; or structural remains. If the resources are found to be significant, they shall be avoided or shall be mitigated consistent with SHPO Guidelines. All construction equipment operators shall attend a pre-construction meeting presented by a professional archaeologist retained by the Port that shall review types of cultural resources and artifacts that would be considered potentially significant, to ensure operator recognition of these materials during construction.

If human remains are encountered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Los Angeles County Coroner shall be contacted to determine the age and cause of death of the deceased. If the remains are not of Native American heritage, construction in the area may recommence. If the remains are of Native American origin, the most likely descendants of the deceased shall be identified by the NAHC. The Port and USACE shall consult with the Native American most likely descendant(s) to identify a mutually acceptable strategy for treating and disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. If the NAHC is unable to identify a most likely descendant, the descendant fails to make a recommendation within 24 hours of being notified by the NAHC, the Port, or the USACE and the descendant are not capable of reaching a mutually acceptable strategy through mediation by the NAHC, the Native American human remains and associated grave goods shall be reburied with appropriate dignity on the proposed Project site in a location not subject to further subsurface disturbance.

Residual Impacts

There would be less than significant residual impacts after mitigation.

NEPA Impact Determination

No archaeological resources eligible for listing in the NRHP (called "historic" resources) are recorded within the marine portions of the proposed Project site. The adjacent berthing channels have been previously dredged up to -45 feet mean lower low water (MLLW) in the early 1980s; such that the probability of encountering any intact, unknown historic resources, isolated prehistoric artifacts or historic remains such as shipwrecks are remote. Therefore, the proposed Project would not reasonably be expected to disturb, damage, or degrade unknown, intact, potentially significant marine archaeological resources. As the potential for damaging unknown marine cultural remains is remote, potential impacts on ethnographic resources considered significant to contemporary Native Americans are also not reasonably expected. Therefore, there would be less than significant impacts on archaeological and ethnographic resources under NEPA.

Mitigation Measures

Although the potential for impacts on unknown marine archaeological resources is remote, **Mitigation Measure CR-1** would apply to the NEPA proposed Project impact determination.

Residual Impacts

There would be less than significant residual impacts after mitigation.

Impact CR-2: Construction of the proposed Project would not impact any potentially significant historic architectural resources

With the exception of the Pier A rail yard, there are no existing standing structures within the Berths 136-147 Terminal area over 45 years of age. The Pier A rail yard is not considered a significant historic resource under NRHP or CRHR criteria. As stated previously, the railroad spur at Pier A was not unique in the development of the Port, as the primary use of Pier A during its period of significance was for passenger travel; therefore, it is not a significant architectural resource. As a result, removal of the Pier A rail yard would have no adverse effects on historic architectural resources. As all other existing structures onsite are no greater than 30 years old no other structures have been determined eligible for the California Register of Historic Places or the NRHP, or otherwise considered unique or important historical architectural resources under CEQA, no other impacts on historic resources would result. Additionally, eleven potentially significant historic structures 50 years or older were identified between Harry Bridges Boulevard and "C" Street (LAHD 1993a). These structures were determined by the State Historic Preservation Office (SHPO) to not be eligible for NRHP listing because they do not meet any NRHP criteria (LAHD 1993a). No other properties listed on the California Register of Historic Places, NRHP, or City of Los Angeles Cultural Monuments are identified on the remainder of the Project site (SCCIA 2004).

CEQA Impact Determination

No historic architectural resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important architectural historic resource under CEQA are recorded within the proposed Project site. Therefore, there would be no impacts on historic architectural resources under CEQA.

Mitigation Measures

No mitigation measures are necessary under CEQA.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

No historic architectural resources eligible for listing in the NRHP (called "historic" resources) are recorded within the marine portions of the proposed Project site. There would be no impact on historic architectural resources under NEPA.

Mitigation Measures

No mitigation measures are necessary under NEPA.

Residual Impacts

There would be no residual impacts.

Impact CR-3: Excavations for the proposed Harry Bridges Buffer Area in the northwestern portion of the proposed Project site would potentially disturb paleontological resources of regional or statewide importance.

Late Pleistocene sandstone and sand deposits such as those in the northwestern portion of the proposed Harry Bridges Buffer Area between Harry Bridges Boulevard and "C" Street are known to contain intact vertebrate fossils, which are considered of regional, if not state-wide significance due to their rarity. Project grading and excavations would have the potential to adversely impact these unknown but potentially significant paleontological resources.

CEQA Impact Determination

Grading and excavations for the proposed Harry Bridges Buffer Area would potentially expose subsurface paleontological resources. Any vertebrate fossils exposed by grading without appropriate professional, systematic recovery would be destroyed, and their ability to be preserved for future study lost. Therefore, impacts on paleontological resources would be significant under CEQA.

Mitigation Measures

The following measure would address significant impacts on paleontological resources.

CR-2: The Port shall inform construction contractors of the paleontological sensitivity within the northwestern portion (i.e., west of Wilmington Boulevard) of the proposed Harry Bridges Buffer Area between Harry Bridges Boulevard and "C" Street, and require that equipment operators be directed to temporarily cease work in the event a potential vertebrate fossil is encountered during ground disturbances. If a potential fossil is encountered, excavation within 10-meters (30-feet) of the find shall be temporarily suspended and redirected elsewhere. A qualified vertebrate paleontologist shall be retained to evaluate the significance of the fossil. If the fossil is determined to be a significant vertebrate specimen, the paleontologist shall systematically remove and stabilize the specimen in anticipation of its preservation. The Port shall fund the curation of the significant vertebrate specimen in a qualified professional research facility, such as the Los Angeles County Natural History Museum.

Residual Impacts

There would be less than significant impacts after mitigation.

NEPA Impact Determination

No sensitive paleontological resources are recorded within the marine portions of the proposed Project site. Due to the majority of the West Basin area being dredged up to -45 feet mean lower low water (MLLW) in the early 1980s and extensive depth of artificial fill (up to 25 feet thick) within much of the West Basin area that has been

placed over marine deposits, there is very little potential for proposed dredging to encroach below the fill and into original landforms submerged underwater that could include paleontological resources. Thus, the potential to encounter vertebrate paleontological resources in the Berths 136-147 waterfront area is low. Therefore, no impacts on sensitive paleontological resources would occur under NEPA.

Mitigation Measures

No mitigation measures are necessary under NEPA.

Residual Impacts

With no mitigation required, there would be no residual impacts.

3.4.4.3.1.2 Operational Impacts

Operations would have no effect on cultural or paleontological resources because no further ground disturbances with the potential to encroach within unknown cultural or paleontological resources would occur.

3.4.4.3.2 Alternatives

3.4.4.3.2.1 Alternative 1: No Project Alternative

Under this alternative, no development would occur within the proposed Project area.

Alt 1 – Impact CR-1: Construction of project Alternative 1 would have no potential to disturb, damage, or degrade unknown archaeological and ethnographic cultural resources.

CEQA Impact Determination

The No Project Alternative (Alternative 1) would not allow implementation of the proposed Project or other physical improvements at the Berths 136-147 Terminal beyond what already exists there. Therefore, impacts would be reduced relative to the proposed Project. There would be no impact on unknown archaeological and ethnographic resources under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

With no mitigation required, there would be no residual impacts.

NEPA Impact Determination

Under this alternative, no development including dredging would occur within the in-water proposed Project area. Therefore, potential impacts under NEPA are not applicable since there would be no federal action under this alternative.

Mitigation Measures

Due to No Federal Action, mitigation is not applicable. No mitigation is required.

Residual Impacts

There would be no impacts.

Alt 1 – Impact CR-2: Construction of the project Alternative 1 would not impact any potentially significant historic architectural resources.

CEQA Impact Determination

The No Project Alternative would not allow implementation of the proposed Project or other physical improvements at the Berths 136-147 Terminal beyond what already exists there. No historic architectural resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important historic architectural resource under CEQA is recorded within the proposed Project site. There would be no impact on historic architectural resources under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

Under this alternative, no development including dredging would occur within the in-water proposed Project area. Therefore, potential impacts under NEPA are not applicable since there would be no federal action under this alternative.

Mitigation Measures

Due to No Federal Action, mitigation is not applicable. No mitigation is required.

Residual Impacts

There would be no impacts.

Alt 1 – Impact CR-3: Excavations for the proposed Harry Bridges Buffer Area would not disturb potential paleontological resources of regional or statewide importance.

CEQA Impact Determination

Because the No Project Alternative would not involve grading or excavations for the proposed Harry Bridges Boulevard Landscaped Buffer, no subsurface paleontological resources would be exposed. Therefore, there would be no impact on unknown paleontological resources under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

With no mitigation required, there would be no residual impacts.

NEPA Impact Determination

Under this alternative, no development including dredging would occur within the in-water proposed Project area. Therefore, potential impacts under NEPA are not applicable since there would be no federal action under this alternative.

Mitigation Measures

Due to No Federal Action, mitigation is not applicable. No mitigation is required.

Residual Impacts

There would be no residual impacts.

3.4.4.3.2.2 Alternative 2: Reduced Project: Proposed Project without the 10-Acre Fill

Under the Reduced Project Alternative (Alternative 2), the 10-acre Northwest Slip would not be filled and the adjacent 400-foot wharf would not be constructed. The extent of on-land ground disturbances would be the same as for the proposed Project.

Alt 2 – Impact CR-1: Construction of project Alternative 2 has an extremely low potential to disturb, damage, or degrade unknown archaeological and ethnographic cultural resources.

CEQA Impact Determination

No archaeological and ethnographic resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important archaeological resource under CEQA are recorded within the proposed Project site. The upland and adjacent channel have been previously disturbed or are located on imported fill soils, such that the

probability of encountering any intact, unknown historic resources is remote. Therefore, Alternative 2 would not reasonably be expected to disturb, damage, or degrade unknown, intact, potentially significant archaeological resources. As the potential for damaging unknown prehistoric remains is remote, potential impacts on ethnographic resources considered significant to contemporary Native Americans are also not reasonably expected. Based on the above analysis, proposed construction activities would be reduced relative to the proposed Project. As less earth disturbance would occur, the potential for encountering unknown archaeological resources would be minimized. There would be less than significant impacts on archaeological and ethnographic resources under CEQA.

Mitigation Measures

Although the potential for impacts on unknown archaeological resources and resources considered significant to contemporary Native Americans is remote, **Mitigation Measure CR-1** would apply to the CEQA Alternative 2 project impact determination.

Residual Impacts

There would be less than significant impacts after mitigation.

NEPA Impact Determination

Less in-water construction and ground disturbances would be undertaken compared to the proposed Project. No archaeological resources eligible for listing in the NRHP are recorded within the marine portions of the proposed Project site. The adjacent berthing channels have been previously dredged up to -45 feet mean lower low water (MLLW) in the early 1980s such that the probability of encountering any intact, unknown historic resources, isolated prehistoric artifacts or historic remains such as shipwrecks are remote. As less dredging would occur, the potential for encountering unknown marine archaeological resources would be minimized. Therefore, impacts on unknown marine archaeological resources would be slightly less than those identified under for the proposed Project; there would be less than significant impacts under NEPA.

Mitigation Measures

Although the potential for impacts on unknown marine archaeological resources is remote, **Mitigation Measure CR-1** would apply to the NEPA Alternative 2 project impact determination.

Residual Impacts

There would be less than significant impacts after mitigation.

Alt 2 – Impact CR-2: Construction of the project Alternative 2 would not impact any potentially significant architectural historical resources.

CEQA Impact Determination

No historic architectural resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important architectural historic resource under CEQA are recorded within the proposed Project site. There would be no impact on historic architectural resources under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

No historic architectural resources eligible for listing in the NRHP are recorded within the marine portions of the proposed Project site. There would be no impact on historic architectural resources under NEPA.

Mitigation Measures

No mitigation measures are necessary under NEPA.

Residual Impacts

There would be no residual impacts.

Alt 2 – Impact CR-3: Excavations for the proposed Harry Bridges Buffer Area would potentially disturb paleontological resources of regional or statewide importance.

CEQA Impact Determination

Like the proposed Project, this alternative would include excavations for the proposed Harry Bridges Boulevard widening and buffer area. The grading and excavations associated with this alternative would have the potential to adversely impact unknown but potentially significant paleontological resources as identified for the proposed Project. Therefore, impacts on paleontological resources would be significant under CEQA.

Mitigation Measures

Mitigation Measure CR-2 would apply to the CEQA Alternative 2 project impact determination.

Residual Impacts

There would be less than significant impacts after mitigation.

NEPA Impact Determination

No sensitive paleontological resources are recorded within the marine portions of the proposed Project site. Due to the majority of the West Basin area being dredged up to -45 feet mean lower low water (MLLW) in the early 1980s and the extensive depth of artificial fill (up to 25 feet thick) within much of the West Basin area that has been placed over marine deposits, there is very little potential for proposed dredging to encroach below the fill and into original landforms submerged underwater that could include paleontological resources. Therefore, potential to encounter vertebrate paleontological resources in the Berths 136-147 waterfront area is low. Therefore, no impacts on sensitive paleontological resources would occur under NEPA.

Mitigation Measures

No mitigation measures are necessary under NEPA.

Residual Impacts

With no mitigation required, there would be no residual impacts.

3.4.4.3.2.3 Alternative 3: Reduced Wharf

Under the Reduced Wharf Alternative (Alternative 3), the 10-acre Northwest Slip would not be filled, the 400-foot wharf would not be constructed, and the proposed new 705-foot wharf along Berths 145-147 would not be constructed. The extent of on-land ground disturbances would be the same as the proposed Project.

Alt 3 – Impact CR-1: Construction of project Alternative 3 has an extremely low potential to disturb, damage, or destroy unknown archaeological and ethnographic cultural resources.

CEQA Impact Determination

No archaeological or ethnographic resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important archaeological resource under CEQA are recorded within the proposed Project site. The upland and adjacent channel have been previously disturbed or are located on imported fill soils, such that the probability of encountering any intact, unknown historic resources is remote. Therefore, Alternative 3 would not reasonably be expected to disturb, damage, or degrade unknown, intact, potentially significant archaeological resources. As the potential for damaging unknown prehistoric remains is remote, potential impacts on ethnographic resources considered significant to contemporary Native Americans are also not reasonably expected. Based on the above analysis, proposed construction activities would result in less than significant impacts on archaeological and ethnographic resources under CEQA.

Mitigation Measures

Although the potential for impacts on unknown archaeological resources and resources considered significant to contemporary Native Americans is remote,

Mitigation Measure CR-1 would apply to the CEQA Alternative 3 project impact determination.

Residual Impacts

Residual impacts would be less than significant after mitigation.

NEPA Impact Determination

By not placing fill in the Northwest Slip, constructing the 400-foot wharf, or constructing the 705-foot wharf along Berths 145-147, the potential to impact unknown marine cultural resources would be reduced relative to the proposed Project. As fewer disturbances to marine surfaces would occur, the potential for encountering unknown archaeological resources would be minimized. The majority of the West Basin area was dredged up to -45 feet mean lower low water (MLLW) in the early 1980s, such that the potential for encountering intact historic marine cultural resources such as shipwrecks in the proposed Project dredging area would be considered extremely remote, and the potential impact would be reduced relative to the proposed Project. Impacts would be less than significant under NEPA.

Mitigation Measures

Although the potential for impacts on unknown marine archaeological resources is remote, **Mitigation Measure CR-1** would apply to the NEPA Alternative 3 project impact determination.

Residual Impacts

There would be less than significant impacts after mitigation.

Alt 3 – Impact CR-2: Construction Alternative 3 would not impact any potentially significant architectural historical resources.

CEQA Impact Determination

No historic architectural resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important architectural historic resource under CEQA are recorded within the proposed Project site. There would be no impact on historic architectural resources under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

No historic architectural resources eligible for listing in the NRHP (called "historic" resources) are recorded within the marine portions of the proposed Project site. There would be no impact on historic architectural resources under NEPA.

Mitigation Measures

No mitigation measures are necessary under NEPA.

Residual Impacts

There would be no residual impacts.

Alt 3 – Impact CR-3: Excavations for the proposed Harry Bridges Buffer Area would potentially disturb paleontological resources of regional or statewide importance.

CEQA Impact Determination

Like the proposed Project, this alternative would include excavations for the proposed Harry Bridges Boulevard widening and buffer area.

The grading and excavations associated with this alternative would have the potential to adversely impact unknown but potentially significant paleontological resources as identified in for the proposed Project. Therefore, impacts on paleontological resources would be significant under CEQA.

Mitigation Measures

Mitigation Measure CR-2 would apply to the CEQA Alternative 3 project impact determination.

Residual Impacts

There would be less than significant impacts after mitigation.

NEPA Impact Determination

No sensitive paleontological resources are recorded within the marine portions of the proposed Project site. Due to the majority of the West Basin area having been dredged up to -45 feet mean lower low water (MLLW) in the early 1980s and the extensive depth of artificial fill (up to 25 feet thick) within much of the West Basin area that has been placed over marine deposits, there is very little potential for proposed dredging to encroach below the fill and into original landforms submerged underwater that could include paleontological resources. Therefore, potential to encounter vertebrate paleontological resources in the Berths 136-147 waterfront area is low. Therefore, no impacts on sensitive paleontological resources would occur under NEPA.

Mitigation Measures

No mitigation measures are necessary under NEPA.

Residual Impacts

With no mitigation measure required, there would be no residual impacts.

3.4.4.3.2.4 Alternative 4: Omni Terminal

Development under the Omni Terminal Alternative (Alternative 4) would not include dredging or any in-water activities (i.e., wharf construction/renovation, deepening navigation channels, on construction of the 10-acre Northwest Slip and adjacent wharf). There would be minimal surface disturbance with the exception of widening Harry Bridges Boulevard and construction of the Harry Bridges Buffer Area. Under this alternative, an omni terminal would be constructed within the entire Berths 136-147 area. The extent of on-land ground disturbances would be much less than for the proposed Project.

Alt 4 – Impact CR-1: Construction of project Alternative 4 has an extremely low potential to disturb, damage, or degrade unknown archaeological and ethnographic cultural resources.

CEQA Impact Determination

Minimal surface disturbance would occur under this alternative, except for construction an omni terminal within the entire Berths 136-147 area, and the widening Harry Bridges Boulevard and construction of the Harry Bridges Buffer Area. The extent of on-land ground disturbances would be much less than for the proposed Project. Due to the extensive nature of previous ground disturbances and absence of recorded archaeological sites within the proposed Project area, development under this alternative would not likely have any effect on archaeological or ethnographic resources. It is reasonable to assume that the potential for this alternative's construction to encounter unknown, sub-surface on-land archaeological deposits and ethnographic resources would be extremely remote**.** Based on the above analysis, proposed construction activities would be less than those for the proposed Project. As less earth disturbance would occur, the potential for encountering unknown archaeological resources would be minimized. Impacts on archaeological and ethnographic resources under CEQA would be less than significant.

Mitigation Measures

Although the potential for impacts on unknown archaeological resources and resources considered significant to contemporary Native Americans is remote, **Mitigation Measure CR-1** would apply to the CEQA Alternative 4 project impact determination.

Under this alternative, no development would occur within the in-water proposed Project area (i.e., no dredging, filling of the Northwest Slip or new wharf construction).

Therefore, there would be no potential to encounter intact historic marine cultural resources such as shipwrecks.

Residual Impacts

There would be less than significant residual impacts after mitigation.

NEPA Impact Determination

Under this alternative, no development would occur within the in-water proposed Project area (i.e., no dredging, filling of the Northwest Slip or new wharf construction). Therefore, potential impacts under NEPA are not applicable since there would be no federal action under this alternative.

Mitigation Measures

Due to No Federal Action, mitigation is not applicable. No mitigation measures are necessary under NEPA.

Residual Impacts

With no mitigation required, there would be no residual impacts under NEPA.

Alt 4 – Impact CR-2: Construction of project Alternative 4 would not impact any potentially significant architectural historical resources.

CEQA Impact Determination

No historic architectural resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important architectural historic resource under CEQA are recorded within the proposed Project site. There would be no impact on historic architectural resources under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

Under this alternative, no development would occur within the in-water proposed Project area (i.e., no dredging, filling of the Northwest Slip or new wharf construction). Therefore, potential impacts under NEPA are not applicable since there would be no federal action under this alternative.

Mitigation Measures

Due to No Federal Action, mitigation is not applicable No mitigation measures are necessary under NEPA.

Residual Impacts

There would be no residual impacts.

Alt 4 – Impact CR-3: Excavations for the proposed Harry Bridges Buffer Area would potentially disturb paleontological resources of regional or statewide importance.

CEQA Impact Determination

Like the proposed Project, this alternative would include excavations for the proposed Harry Bridges Boulevard widening and buffer area. The grading and excavations associated with this alternative would have the potential to adversely impact unknown but potentially significant paleontological resources as identified for the proposed Project. Therefore, impacts on paleontological resources would be significant under CEQA

Mitigation Measures

Mitigation Measure CR-2 would apply to the CEQA Alternative 4 project impact determination.

Residual Impacts

There would be less than significant residual impacts after mitigation.

NEPA Impact Determination

Potential impacts under NEPA are not applicable since there would be no federal action under this alternative.

Mitigation Measures

Due to No Federal Action, mitigation is not applicable. No mitigation measures are necessary under NEPA.

Residual Impacts

With no mitigation required, there would be no residual impacts.

3.4.4.3.2.5 Alternative 5: Landside Terminal Improvements

The Landside Terminal Improvements Alternative (Alternative 5) would include the upland infrastructure elements of the proposed Project, but would not include waterside

improvements such as dredging, filling, or wharf construction and would not include replacement of cranes. All mitigation measures of the proposed Project, except for mitigations relating to dredging and new cranes, would apply. Terminal acreage would increase from 176 acres in 2003 to 190 acres in 2015 and remain at that level through 2038. The increased acreage for backland infrastructure would be located entirely within Port boundaries and would be well within industrial areas at the Port. The extent of on-land ground disturbances would be somewhat less than the proposed Project.

Alt 5 – Impact CR-1: Construction of Alternative 5 has an extremely low potential to disturb, damage, or degrade unknown archaeological and ethnographic cultural resources.

CEQA Impact Determination

No archaeological or ethnographic resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important archaeological resource under CEQA are recorded within the proposed Project site. The upland and adjacent channel have been previously disturbed or are located on imported fill soils, such that the probability of encountering any intact, unknown historic resources is remote. Therefore, Alternative 5 would not reasonably be expected to disturb, damage, or degrade unknown, intact, potentially significant archaeological resources. As the potential for damaging unknown prehistoric remains is remote, potential impacts on ethnographic resources considered significant to contemporary Native Americans are also not reasonably expected. As less earth disturbance would occur, the potential for encountering unknown archaeological resources would be reduced. Based on the above analysis, proposed construction activities would result in less than significant impacts on archaeological and ethnographic resources under CEQA.

Mitigation Measures

Although the potential for impacts on unknown archaeological resources and resources considered significant to contemporary Native Americans is remote, **Mitigation Measure CR-1** would apply to the CEQA Alternative 5 project impact determination.

Residual Impacts

Residual impacts would be less than significant after mitigation.

NEPA Impact Determination

Under this alternative, no development would occur within the in-water proposed Project area (i.e., no dredging, filling of the Northwest Slip or new wharf construction). Therefore, potential impacts under NEPA are not applicable since there would be no federal action under this alternative.

Mitigation Measures

Due to No Federal Action, mitigation is not applicable, no mitigation measures are necessary under NEPA.

Residual Impacts

With no mitigation required, there would be no residual impacts under NEPA.

Alt 5 – Impact CR-2: Construction of project Alternative 5 would not impact any potentially significant architectural historical resources.

CEQA Impact Determination

No historic architectural resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important architectural historic resource under CEQA are recorded within the proposed Project site. There would be no impact on historic architectural resources under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

Under this alternative, no development would occur within the in-water proposed Project area (i.e., no dredging, filling of the Northwest Slip or new wharf construction). Therefore, potential impacts under NEPA are not applicable since there would be no federal action under this alternative.

Mitigation Measures

Due to No Federal Action, mitigation is not applicable, no mitigation measures are necessary under NEPA.

Residual Impacts

There would be no residual impacts.

Alt 5 – Impact CR-3: Excavations for the proposed Harry Bridges Buffer Area would potentially disturb paleontological resources of regional or statewide importance.

CEQA Impact Determination

Like the proposed Project, this alternative would include excavations for the proposed Harry Bridges Boulevard widening and buffer area.

The grading and excavations associated with this alternative would have the potential to adversely impact unknown but potentially significant paleontological resources as

identified in for the proposed Project. Therefore, impacts on paleontological resources would be significant under CEQA.

Mitigation Measures

Mitigation Measure CR-2 would apply to the CEQA Alternative 5 project impact determination.

Residual Impacts

There would be less than significant impacts after mitigation.

NEPA Impact Determination

Under this alternative, no development would occur within the in-water proposed Project area (i.e., no dredging, filling of the Northwest Slip or new wharf construction). Therefore, potential impacts under NEPA are not applicable since there would be no federal action under this alternative.

Mitigation Measures

Due to No Federal Action, mitigation is not applicable. No mitigation measures are necessary under NEPA.

Residual Impacts

With no mitigation required, there would be no residual impacts.

3.4.4.3.3 Summary of Impact determinations

Table 3.4-1 summarizes the CEQA and NEPA impact determinations of the proposed Project and its alternatives related to Cultural Resources, as described in the detailed discussion in Sections 3.4.4.3.1 and 3.4.4.3.2. This table is meant to allow easy comparison between the potential impacts of the proposed Project and its alternatives with respect to this resource. Identified potential impacts may be based on Federal, State, or City of Los Angeles significance criteria, Port criteria, and the scientific judgment of the report preparers.

For each type of potential impact, the table describes the impact, notes the CEQA and NEPA impact determinations, describes any applicable mitigation measures, and notes the residual impacts (i.e.: the impact remaining after mitigation). All impacts, whether significant or not, are included in this table. Note that impact descriptions for each of the alternatives are the same as for the proposed Project, unless otherwise noted.

Table 3.4-1: Summary Matrix of Potential Impacts and Mitigation Measures for Cultural Resources Associated with the Proposed Project and Alternatives

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
3.4 Cultural Resources				
Proposed Project	**CR-1:** Construction of the proposed Project has an extremely low potential to disturb, damage, or degrade unknown archaeological and ethnographic cultural resources.	CEQA: Less than significant impact NEPA: Less than significant impact	**CR-1:** In the unlikely event that any artifact, or an unusual amount of bone, shell or non-native stone are encountered during construction, work shall be immediately stopped and relocated from that area until a qualified archaeologist retained by the Port can evaluate the find (see 36 CFR 800.11.1 and pertinent CEQA regulations). If the resources are found to be significant, they shall be avoided or shall be mitigated consistent with SHPO Guidelines. If human remains are encountered, there shall be no further excavation or disturbance of the site. The Los Angeles County Coroner shall be contacted to determine the age and cause of death of the deceased. If the remains are of Native American origin, the most likely descendants of the deceased shall be identified and consulted to identify a mutually acceptable strategy for treating and disposing of the human remains as provided in PRC Section 5097.98. **CR-1**	CEQA: Less than significant impact after mitigation NEPA: Less than significant impact after mitigation
	CR-2: Construction of the proposed Project would not impact any potentially significant historic architectural resources.	CEQA: No impact NEPA: No impact.	None required. None required.	CEQA: No impact. NEPA: No impact.

1

Table 3.4-1: Summary Matrix of Potential Impacts and Mitigation Measures for Cultural Resources Associated with the Proposed Project and Alternatives (continued)

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
3.4 Cultural Resources (continued)				
Proposed Project (continued)	**CR-3:** Excavations for the proposed Harry Bridges Buffer Area would potentially disturb paleontological resources of regional or statewide importance.	CEQA: Significant impact NEPA: No impact	**CR-2:** The Port shall inform construction contractors of the paleontological sensitivity within the northwestern portion of the proposed landscape area, and require a temporary cessation of work if a potential vertebrate fossil is found during ground disturbances. In such a case, excavation shall be temporarily suspended and redirected elsewhere. A qualified vertebrate paleontologist shall evaluate the significance of the fossil. If the fossil is determined to be a significant vertebrate specimen, the paleontologist shall systematically remove and stabilize the specimen for its preservation. The Port shall fund the curation of the significant vertebrate specimen in a qualified professional research facility, such as the Los Angeles County Natural History Museum. Mitigation not required	CEQA: Less than significant impact after mitigation NEPA: No impact
Alternative 1	**CR-1**	CEQA: No impact NEPA: Not applicable	Mitigation not required Mitigation not required	CEQA: No impact NEPA: Not applicable
	CR-2	CEQA: No impact NEPA: Not applicable	Mitigation not required Mitigation not required	CEQA: No impact NEPA: Not applicable
	CR-3 Excavations for the proposed Harry Bridges Buffer Area would not disturb potential paleontological resources of regional or statewide importance.	CEQA: No impact NEPA: Not applicable	Mitigation not required Mitigation not required	CEQA: No impact NEPA: Not applicable
Alternative 2	**CR-1**	CEQA: Less than significant impact NEPA: Less than significant impact	**CR-1** **CR-1**	CEQA: Less than significant impact after mitigation NEPA: Less than significant impact after mitigation

Table 3.4-1: Summary Matrix of Potential Impacts and Mitigation Measures for Cultural Resources Associated with the Proposed Project and Alternatives (continued)

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
3.4 Cultural Resources (continued)				
Alternative 2 (continued)	**CR-2**	CEQA: No impact NEPA: No impact	Mitigation not required Mitigation not required	CEQA: No impact NEPA: No impact
	CR-3	CEQA: Significant impact NEPA: No impact	**CR-2** Mitigation not required	CEQA: Less than significant impact after mitigation No impact.
Alternative 3	**CR-1**	CEQA: Less than significant impact NEPA: Less than significant impact	**CR-1** **CR-1**	CEQA: Less than significant impact after mitigation NEPA: Less than significant impact after mitigation
	CR-2	CEQA: No impact NEPA: No impact	Mitigation not required Mitigation not required	CEQA: No impact NEPA: No impact
	CR-3	CEQA: Significant impact NEPA: No impact	**CR-2** Mitigation not required	CEQA: Less than significant impact after mitigation No impact.
Alternative 4	**CR-1**	CEQA: Less than significant impact NEPA: Not applicable	**CR-1** Mitigation not required	CEQA: Less than significant impact after mitigation NEPA: Not applicable
	CR-2	CEQA: No impact NEPA: Not applicable	Mitigation not required Mitigation not required	CEQA: No impact NEPA: Not applicable
	CR-3	CEQA: Significant impact NEPA: Not applicable	**CR-2** Mitigation not required	CEQA: Less than significant impact after mitigation NEPA: Not applicable

Table 3.4-1: Summary Matrix of Potential Impacts and Mitigation Measures for Cultural Resources Associated with the Proposed Project and Alternatives (continued)

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
3.4 Cultural Resources (continued)				
Alternative 5	**CR-1**	CEQA: Less than significant impact NEPA: Not applicable	**CR-1** Mitigation not required	CEQA: Less than significant impact after mitigation NEPA: Not applicable
	CR-2	CEQA: No impact NEPA: Not applicable	Mitigation not required Mitigation not required	CEQA: No impact NEPA: Not applicable
	CR-3	CEQA: Significant impact NEPA: Not applicable	**CR-2** Mitigation not required	CEQA: Less than significant impact after mitigation NEPA: Not applicable

Note:

* Unless otherwise noted, all impact descriptions for each of the Alternatives are the same as those described for the Proposed Project.

1 ### 3.4.4.4 Mitigation Monitoring

CR-1: Construction of the proposed Project has an extremely low potential to disturb, damage, or degrade unknown archaeological and ethnographic cultural resources.	
Mitigation Measure	**CR-1:** In the event that evidence of cultural resources should appear during construction, work shall be diverted from that area. Construction operations shall stop within 3 meters (10 feet) of the exposure of any unanticipated significant cultural materials of the prehistoric or historic periods until a qualified archaeologist can evaluate the find (see 36 CFR 800.11.1 and pertinent CEQA regulations). Examples of such cultural materials might include ground stone tools such as mortars, bowls, pestles, and manos; chipped stone tools such as projectile points or choppers; flakes of stone not consistent with the immediate geology such as obsidian or fused shale; fragments of nonfossil shell; concentrations of bottles and/or ceramics; or structural remains. If human bone is uncovered, the Los Angeles County Coroner and the NAHC in Sacramento shall be contacted immediately. If human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: • The county coroner has been informed and has determined that no investigation of the cause of death is required. • If the remains are of Native American origin: o The descendants of the deceased Native American have made a recommendation to the land owner or the person responsible for the excavation work regarding the means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code, Section 5097.98; or The NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours of being notified by the NAHC.
Timing	During proposed Project construction.
Methodology	The Project contractor shall stop work is any potential archaeological resources are encountered. The LAHD shall retain a qualified archaeologist to determine the nature and sensitivity of the find. Work shall not resume until the find is properly evaluated, and if necessary, recorded and property archived. In the event that human remains are discovered, the contractor shall immediately contact the County Coroner and LAHD Inspector to determine the proper cause of action. Work shall not resume until the site receives proper clearance from the County Coroner. Any contractor on this project, whether employed by the LAHD or the applicant, is required to submit an Environmental Compliance Plan for review by the Environmental Management Division.
Responsible Parties	The LAHD shall require the construction contractor to instruct construction personnel regarding the procedures to follow in the event cultural resources are encountered. In the unlikely event that any artifact, or an unusual amount of bone, shell or non-native stone is encountered during construction, POLA shall retain a qualified archaeologist to determine the nature and significance of the find.
Residual Impacts	Not significant after mitigation.
CR-3: Unknown, potentially significant vertebrate fossils would potentially be disturbed during grading and excavations for the proposed Harry Bridges Buffer Area in the northwestern portion of the proposed Project site. Unknown, potentially significant vertebrate fossils would potentially be disturbed during grading and excavations for the proposed Harry Bridges Buffer Area in the northwestern portion of the proposed Project site.	
Mitigation Measure	**CR-2:** Port shall inform construction contractors of paleontological sensitivity within the proposed Harry Bridges Buffer Area in the northwestern portion of the proposed Project site, and

	require that equipment operators be directed to temporarily cease work if a potential vertebrate fossil is encountered. If a potential vertebrate fossil is encountered during grading, temporarily suspend activity and redirect elsewhere. POLA shall retain a qualified vertebrate paleontologist to evaluate significance of the fossil. If determined to be significant, the paleontologist shall systematically remove and stabilize the specimen. The Port shall fund the curation of the significant vertebrate specimen in a qualified professional research facility.
Timing	During proposed Project construction.
Methodology	The Port shall provide written instruction to and include in a pre-construction meeting with construction contractors the concern of paleontological sensitivity within the proposed Harry Bridges Buffer Area in the northwestern portion of the proposed Project site. Include a protocol for equipment operators to follow in the event that a potential vertebrate fossil is encountered. Port shall retain a qualified vertebrate paleontologist who shall be contacted and retained to evaluate significance of fossil remains. The consulting paleontologist shall provide the Port with a report documenting results of the fossil assessment and recommend if necessary the location for its disposition. The Port shall fund the curation of the significant vertebrate specimen in a qualified professional research facility as identified by the consulting paleontologist. Any contractor on this project, whether retained by the Port or the applicant, shall submit an Environmental Compliance Plan including this measure for review and approval by the Port Environmental Coordinator.
Responsible Parties	The LAHD shall require the construction contractor to instruct construction personnel regarding the procedures to follow in the event cultural resources are encountered. Port shall retain a qualified vertebrate paleontologist if necessary to evaluate significance of fossil remains.
Residual Impacts	Not significant after mitigation.

3.4.5 Significant Unavoidable Impacts

No significant unavoidable impacts on archaeological and historical resources would occur during construction or operation at the Berths 136-147 Terminal under the proposed Project or any alternatives.

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