

3.4 Cultural Resources

3.4.1 Section Summary

This section analyzes whether the West Harbor Modification Project (Proposed Project) would affect cultural resources, including historical resources, archaeological resources, and Native American human remains, within the 208 E. 22nd Street Parking Lot. The Proposed Project would not increase the impacts to cultural resources from those analyzed in the *2009 San Pedro Waterfront (SPW) Environmental Impact Statement (EIS)/Environmental Impact Report (EIR)* (2009 SPW EIS/EIR) (Port 2009) or the *2016 Addendum to the San Pedro Waterfront Project Environmental Impact Statement/Environmental Impact Report for the San Pedro Public Market (SPPM) Project* (2016 SPPM Addendum) (ICF 2016); accordingly, no further analysis regarding the West Harbor portion of the Project Site is required. This section relies on the Cultural Resource Assessment for the 208 E. 22nd Street Parking Lot Improvements Project, attached as Appendix E to this Subsequent Environmental Impact Report (SEIR).

Section 3.4, *Cultural Resources*, includes the following:

- A description of the environmental setting for cultural resources in the Proposed Project vicinity, including summaries of prehistoric and historic context relevant to cultural resources;
- A description of regulations and policies regarding cultural resources that are applicable to the Proposed Project;
- A discussion of the methodology used to determine whether cultural resources are present and whether they would be affected by the Proposed Project;
- An impact analysis for the Proposed Project; and
- A description of mitigation measures proposed to reduce significant impacts, as applicable.

Key points of Section 3.4, *Cultural Resources*, include the following:

- For historical resources, the Proposed Project would not result in a new, significant impact or substantially increase the severity of an impact analyzed in the 2009 SPW EIS/EIR, and the less-than-significant impact conclusion remains valid;
- For archaeological resources, the Proposed Project would not result in a new, significant impact or substantially increase the severity of an impact analyzed in the 2009 SPW EIS/EIR, and the impact conclusion of less than significant with mitigation remains valid; and
- For human remains, the Proposed Project would not result in a new, significant impact or substantially increase the severity of an impact analyzed in the 2009 SPW EIS/EIR, and the impact conclusion of less than significant with mitigation remains valid.

3.4.2 Introduction

This section describes the affected environment and regulatory setting for cultural resources, the impacts on cultural resources that would result from the Proposed Project, and the mitigation measures that would reduce the impacts. The cultural resources section focuses only on the 208 E. 22nd Street Parking Lot component of the Proposed Project because it is the only location not previously included in the 2009 SPW EIS/EIR or the 2016 SPPM Addendum that has the potential to substantially affect cultural resources in a manner that would be inconsistent with the two previous environmental documents.

The cultural resources study area is an irregular, triangular area centered on the 208 E. 22nd Street Parking Lot. It is roughly bound by Harbor Boulevard to the east, 22nd Street to the south, and Miner Street and Bloch Field to the west. Research and field-survey efforts identified three potential cultural resources in the study area: 264 E. 22nd Street, 266–270 E. 22nd Street, and the former Southern Pacific (SP)/SPW Red Car Line. These resources would be demolished as part of the Proposed Project. However, as discussed below, architectural historians evaluated these resources and concluded that none of them are historical resources pursuant to the California Environmental Quality Act (CEQA). In addition, no known archaeological resources have been identified in the study area. Therefore, the impact determinations (i.e., less than significant for historical resources, and less than significant with mitigation for archaeological resources and human remains) presented in the 2009 SPW EIS/EIR and 2016 SPPM Addendum remain valid.

3.4.3 Environmental Setting

The following prehistoric, ethnographic, and historic setting discussions are summarized from the *Cultural Resource Assessment for the E. 22nd Street Overflow Parking Lot Improvements Project* (ICF 2023). That technical report, which includes an appendix containing Department of Parks and Recreation (DPR) 523 series forms that evaluated cultural resources identified in the study area, is located in Appendix E of this SEIR. The technical report includes full citations to the sources used to develop the prehistoric, ethnographic, and historic setting discussions, below.

3.4.3.1 Prehistoric

Early

Archaeologists discovered several archaeological sites and human remains dating from approximately 8,000 to 13,000 years ago that correspond to the early prehistoric period established by William Wallace in the mid-1950s. Research suggests that these early inhabitants hunted and gathered, “with a major emphasis on aquatic resources in many coastal areas” and lakeshore areas. Hunting is thought to have been the primary source of sustenance, given the number of hunting-related finds, including “leaf-shaped bifacial projectile points and knives, stemmed or shouldered projectile points, scrapers, engraving tools, and crescents.”

Millingstone

This period denotes a change from primarily hunting to more gathering for sustenance. Hunting continued, but archaeological sites from this period yielded fewer projectile artifacts compared with the early prehistoric period. Specifically, persons from this period incorporated seed processing into

their diets, as evidenced through the range of milling/grinding stone tools discovered, including manos, cogstones, metates, and more. In addition, research shows a marked growth in population. Research also suggests that persons lived in semipermanent camps with wattle-and-daub structures.

Intermediate

This period denotes an increase in the varieties of food sources. Although hunting and gathering continued to be the methods for sustenance acquisition, archaeology identified an abundance and diversity of remains from sea and land animals. In addition, tools become more diversified; these included shell fishhooks, larger knives, drill-like tools, and larger and varied projectile-point tools. Mortars and pestles gradually replaced manos and metates, suggesting an increase in the use of acorns. Also, archaeologists have discovered numerous stone bowls.

Late

This period denotes further increases in food-source variety, in addition to new cultural practices. The bow and arrow become common archaeological artifacts, along with the smaller projectile points required for bow and arrow use. Objects representing cultural practices included drilled-clam and abalone shells, steatite effigies, shell rattles, clay-fired smoking pipes, and ceramic vessels; obsidian was also used. Clay and ceramic objects were not widespread. In addition, communities continued to use woven baskets, which served the same purpose as ceramic objects and may explain why ceramics were not widely used during this period. As with the Millingstone period, the Late period saw a large growth in population. Population estimates remain undetermined; however, archaeological study of habitation sites has shown that they were larger and more permanent, with some inhabitants remaining year-round. Some of the larger settlements may have been home to 1,500 persons.

3.4.3.2 Ethnographic

San Pedro and the Port of Los Angeles (Port) were historically occupied by the Gabrielino, a name given to the Native American tribes that settled at Mission San Gabriel. Precontact tribal names were lost through colonization, but many Gabrielino identify as Tongva.

Archaeology has found that the Gabrielino arrived in the Los Angeles basin approximately 500 years before the common era (B.C.E.). Their lands included the Los Angeles basin and islands, including San Clemente, San Nicolas, and Santa Catalina, where they established villages, typically located near water sources, in areas sheltered from the elements. Village residents built large circular structures with domed roofs, using willow poles and tule for construction. In addition to living quarters, the residents also built community buildings such “as sweathouses, menstrual huts, ceremonial enclosures, and probably communal granaries.” The community also included outdoor spaces for games and races. Gabrielino population estimates range from 5,000 to 10,000 across the Los Angeles basin and nearby islands.

The Gabrielino relied on hunting and gathering and used a variety of tools in their daily lives. Acorns were a staple, which the Gabrielino supplemented with “roots, leaves, seeds, and fruits of a wide variety of flora...[f]reshwater and saltwater fish, shellfish, birds, reptiles, and insects, as well as large and small mammals.” Gabrielino tools depended on the local community’s location. Thus, those close to water used plant and tule balsa canoes to navigate the ocean. However, all Gabrielino communities used bows and arrows, nets, and traps, along with hammer stones, mortars and pestles, and baskets.

The Gabrielino also practiced a religion, the *Chinigchinch* cult, which focused on heroic mythological figures, prescribed burial customs, and provided the communities with laws and dance. The Gabrielino buried or cremated their deceased; burials were more common on or near the islands.

3.4.3.3 Historic

West Harbor

The West Harbor is a large area that consists of Port facilities west of the Main Channel, south of San Pedro, and east of Point Fermin. The Project Site is a small area within the Port's West Harbor.

Harbor and railroad development during the first decade of the twentieth century came together to lay the foundation for economic growth in the West Harbor portion of the Port. After 1900, SP extended its harbor infrastructure to new dockage at Timm's Point on the western side of the Main Channel. There, the 1,800-foot SP Slip and associated mole pier provided space for numerous lumber warehouses and docking space for steamers with lumber shipments. By 1907, Randolph H. Miner's Outer Harbor Dock and Wharf Company had begun reclamation efforts to expand the area west of the SP Slip. Around this time, SP undertook the construction of multiple rail lines and a freight yard north of its slip, while private interests constructed electric railway lines near the Main Channel that would become part of the Pacific Electric Railway system. In anticipation of the opening of the Panama Canal, the Los Angeles Board of Harbor Commissioners arranged for construction of a new dredge-and-fill wharf south of the SP Slip; the Port completed the 60-acre Municipal Pier No. 1 in 1914. Construction of Municipal Pier No. 1 created the West Harbor's East Channel.

In 1914, the federal government established Fort MacArthur, a coastal artillery defense installation at Point Fermin that included an Upper and a Lower Reservation, the latter located east of Pacific Avenue near the far-western portion of the harbor. During World War I, Fort MacArthur served as a soldier training center. After the war, harbor improvements undertaken in the mid-1920s included "extensive dredging operations" that "improved the West Basin and widened the entrance channel to 1,000 feet." Much of the land reclaimed by the Outer Harbor Dock and Wharf Company prior to World War I remained vacant until World War II. With the creation of the Naval Supply Depot at the harbor in 1942, the U.S. Navy initiated construction of new warehouses on that reclaimed land east and north of the West Channel. Following the war, after the U.S. Navy vacated the Naval Supply Depot, a private firm took over management of the warehouses.

With the return of peace and demilitarization of the harbor, the last undeveloped portion of the West Harbor, the area north of the West Channel and below the bluff line, became the site of a petroleum tank farm. This is now the site for the proposed 208 E. 22nd Street Parking Lot. In 1950, the San Pedro Municipal Wholesale Fish Market opened for business in a new, two-story Mission Revival-style building constructed just south of the entrance to the SP Slip. In 1976, the federal government designated Fort MacArthur as surplus property and transferred the Lower Reservation to the Los Angeles Harbor Department (LAHD), which transformed the West Channel area into the West Channel Cabrillo Beach Recreational Complex. This included the Fort MacArthur Lower Reservation, as well as the Cabrillo Marina, completed in 1986.

History of the 208 E. 22nd Street Parking Lot Study Area

In 1921, the study area and its immediate setting included several types of development dating to the previous two decades. Centering the study area was a single warehouse for the City of Los Angeles Municipal High-Density Cotton Compress. South of the SP freight yard, numerous spur lines split to access wharves, warehouses, and other business. However, few tracks accessed the study area at that time. One line accessed the northwestern side of the City of Los Angeles Municipal High-Density Cotton Compress and warehouse property; another continued south to wharves. Two lines also extended along the wharf east of the study area. By 1923, SP had built an additional track south of the study area vicinity.

The construction of 264–270 E. 22nd Street occurred between 1925 and 1935. The building at 270 E. 22nd Street dates to 1925; the exact construction date for that property’s western addition remains unknown, but was between 1925 and 1934. The building at 264 E. 22nd Street dates to 1935. A variety of commercial enterprises have operated in these two buildings. The building at 266–270 E. 22nd Street has been occupied by a restaurant, a jewelry business, several cafés, several marine-supply retailers, and a marine-engine business. Businesses operating in the building at 264 E. 22nd Street have included a restaurant, a café, a retail store, a combination pottery store and sandwich shop, and an artist’s cooperative gallery.

By 1950, the surrounding area underwent further development. Renamed the Los Angeles Compress and Warehouse Company, the former City of Los Angeles Municipal High-Density Cotton Compress approximately tripled in size, taking up most of the remaining block. The rise of containerization, beginning in the 1960s, brought about substantial changes to Port-area industry and infrastructure in the West Harbor, especially since the 1980s. As the transport of goods began to rely less and less on transit sheds and trains, SP came to have little need for its West Harbor track. The paired spurs accessing the center of the Los Angeles Compress and Warehouse Company property were removed in the 1990s, when the property was demolished. In 2003, LAHD opened the SPW Red Car Line, using a combination of former SP track and Pacific Electric track in the West Harbor, along with Pacific Electric’s historic “red cars.” LAHD rebuilt the railroad line and overhead trolley wires and constructed four stations: Cruise Center, Downtown, Ports O’ Call, and Marina. During this period, freight trains still occasionally operated in the West Harbor. LAHD terminated Red Car operations in 2015 due to waterfront development and subsequently removed the trolley’s overhead wires and sections of the track north of the study area.

3.4.4 Regulatory Setting

This section describes relevant laws and policies regarding historical resources.

Cultural resources are historic and prehistoric archaeological sites, architectural or engineering features, and structures more than 50 years of age and places of traditional cultural significance to Native Americans and other ethnic groups that meet the regulations and criteria presented below. Appendix G of the State CEQA Guidelines requires that a determination be made as to whether a project would directly or indirectly cause a substantial adverse change in the significance of a historical resource or an archaeological resource or disturb human remains.

3.4.4.1 State Regulations

California Environmental Quality Act

CEQA requires public agencies to evaluate the effects of their project(s) on the environment; it includes cultural and historical resources as part of the environment. According to CEQA, a project that causes a *substantial adverse change* in the significance of a *historical resource* or an *archaeological resource*, including *unique archaeological resources*, has a significant effect on the environment (State CEQA Guidelines § 15064.5, California Public Resources Code [PRC] § 21083.2).

CEQA defines a substantial adverse change as:

Physical demolition, destruction, relocation, or alteration of a resource or its immediate surroundings such that the significance of the historical resource would be materially impaired; or

Demolition or material alteration of the physical characteristics that convey the resource's historical significance and justify its designation as a historical resource.

Public agencies must treat any cultural resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant (PRC Section 21084.1).

The State CEQA Guidelines define *significant cultural resources* under two regulatory designations, *historical resources* and *unique archaeological resources*. In order to qualify as a CEQA historical resource, a resource must meet one of the following criteria (PRC § 5020.1[k]; California Code of Regulations [CCR] § 15064.5[a–k]):

- Listed in or eligible for listing in the California Register of Historical Resources (CRHR);
- Determined eligible by the State Historical Resources Commission; or
- Locally listed as a landmark;
- Identified in a qualified survey; or
- Identified as significant by the lead agency.

In order for a resource to be listed in or eligible for listing in the CRHR, it must meet at least one of four CRHR criteria (PRC § 5024.1; 14 CCR § 15064.5[a][3]):

- **CRHR Criterion 1:** Events and patterns of events;
- **CRHR Criterion 2:** Lives of important persons;
- **CRHR Criterion 3:** Architecture, including distinctive characteristics, work of a master, and/or high artistic values; and
- **CRHR Criterion 4:** Has yielded or has the potential to yield important information about our history.

Historical resources must also possess integrity of location, design, setting, materials, workmanship, feeling, and association (14 CCR § 4852[c]). In addition, CEQA states that it is the responsibility of the lead agency to determine whether a project would have a significant effect on unique archaeological resources. An archaeological artifact, object, or site can meet CEQA's definition of a

unique archaeological resource even if it does not qualify as a historical resource (PRC § 21083.2[g]; 14 CCR Section 5064.5[c][3]). In addition, if an archaeological resource does not fall within the definition of a historical resource, but meets the definition of a *unique archaeological resource* (PRC § 21083.2), then the site must be treated in accordance with the special provisions for such resources. An archaeological resource is unique if it meets the following criteria:

- Is associated with an event or person of recognized significance in California or American history or recognized scientific importance in prehistory;
- Can provide information that is of demonstrable public interest and useful in addressing scientifically consequential and reasonable research questions; and
- Has a special or particular quality.

California Health and Safety Code Section 7050.5/Public Resources Code Section 5097.9

California Health and Safety Code Section 7050.5 addresses the protection of human remains discovered in any location other than a dedicated cemetery and makes it a misdemeanor for any person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law, except as provided in PRC Section 5097.99. Section 7050.5 further states that, in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined that the remains are not subject to the provisions concerning investigation of the circumstances, manner, and cause of any death and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or authorized representative, in the manner provided in PRC Section 5097.98. If the coroner determines that the remains are not subject to their authority and recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, then the coroner will contact the Native American Heritage Commission (NAHC) by telephone within 24 hours. Whenever the NAHC receives notification of a discovery of Native American human remains from the county coroner, it will immediately notify those people it believes to be the most likely descendants of the deceased Native American. The descendants may inspect the site of the discovery and make recommendations on the removal or reburial of the remains. Per PRC Section 5097.94, the NAHC may identify and catalog places of known graves and cemeteries of Native Americans and may mediate discussions between landowners and known Native American descendants related to the treatment and disposition of Native American burials, skeletal remains, and items associated with Native American burials.

PRC Section 5097 addresses archaeological, paleontological, and historic sites on state land, as well as the cooperative efforts with the NAHC that are to be undertaken as part of a project being evaluated under CEQA. PRC Section 5097 specifies the procedures to be followed in the event of the unexpected discovery of human remains on non-federal public lands. PRC Section 5097.5 considers it a misdemeanor to knowingly and willfully excavate on or remove, destroy, injure, or deface any historic or prehistoric ruins, burial grounds, or archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other

archaeological, paleontological, or historical feature situated on public lands, except with the express permission of the public agency having jurisdiction over the lands. The disposition of Native American burials falls within the jurisdiction of the NAHC, which prohibits willfully damaging any historic, archaeological, or vertebrate paleontological site or feature on public lands (PRC Section 5097.9). PRC Section 5097.98 stipulates that whenever the NAHC receives notification of a discovery of Native American human remains from the County Coroner, it must immediately notify those people it believes to be the Most Likely Descendants of the deceased Native American. The descendants may inspect the site of discovery and make recommendations on the removal or reburial of the remains.

California Government Code Section 6254(r) and California Public Records Act Section 6254.10

California Government Code Section 6254(r) and California Public Records Act Section 6254.10 were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public related to “Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission.” California Public Records Act Section 6254.10 specifically exempts from disclosure requests for

records that relate to archaeological site information and reports, maintained by, or in the possession of the DPR, the State Historical Resources Commission, the State Lands Commission, the NAHC, another state agency, or a local agency, including the records that the agency obtains through a consultation process between a Native American tribe and a state or local agency.

3.4.4.2 Local Regulations

This section describes local City of Los Angeles (City) Office of Historic Resources laws and policies regarding cultural resources as well as those of the LAHD.

City of Los Angeles

The criteria for designation as an Historic-Cultural Monument (HCM) are codified in Los Angeles Municipal Code Chapter 9, Section 22. An HCM is any site, including significant trees or other plant life, building, or structure of particular historic or cultural significance to Los Angeles. Designated resources may include historic structures or sites that meet the following criteria:

- The broad cultural, political, economic, or social history of the nation, state, or community is reflected or exemplified;
- The resources are identified with historic personages or with important events in the main currents of national, state, or local history;
- The resources embody the distinguishing characteristics of an architectural-type specimen inherently valuable for a study or a period, style, or method of construction; and
- The resources represent notable work of a master builder, designer, or architect whose individual genius influenced his age.

A Los Angeles historic district is identified as an Historic Preservation Overlay Zone (HPOZ). An HPOZ defines “an area of the city which is designated as containing structures, landscaping, natural features or sites having historic, architectural, cultural or aesthetic significance” (Los Angeles Planning Department, Office of Historic Resources n.d.). It must meet at least one of the criteria listed above under the HCM criteria. The procedures for designating an HPOZ are found in Los Angeles Municipal Code Section 12.20.3.

Los Angeles Harbor Department

LAHD adopted the *Built Environment Historic, Architectural, and Cultural Resource Policy* (Resolution No. 13-7479) on April 24, 2013. This policy includes the identification of historical resources early in the planning process, provides a framework for the identification of historical resources, and supports preservation and re-use of historical resources. Four sections make up the policy: Inventory, Evaluation, Preservation, and Documentation of Historic Resources.

3.4.5 Previous Mitigation Measures Applicable to the Proposed Project

The 2009 SPW EIS/EIR concluded that impacts on historical resources would be less than significant, and impacts on archaeological resources would be less than significant with mitigation. Several mitigation measures were included to reduce potential impacts on archaeological resources to less-than-significant levels. The numbering of mitigation measures may have changed from the original documents. The following are descriptions of Mitigation Measure (MM-) **CR-1** through **MM-CR-3**, as paraphrased from the 2009 SPW EIS/EIR Mitigation Monitoring and Reporting Program (MMRP) and 2016 SPPM Addendum:

Prior mitigation measures **MM-CR-1**, *Generate Treatment Plan and Conduct Archaeological Testing for Mexican Hollywood Prior to Construction*, **MM-CR-2a**, *If Additional CRHR-Eligible Deposits Associated with Mexican Hollywood Are Identified, Redesign Proposed Project to Ensure Preservation in Place*, **MM-CR-2b**, *Conduct Data Recovery*, are not applicable to this SEIR because they pertain to specific archaeological resources that are not present in the study area for the 208 E. 22nd Street Parking Lot. **MM-CR-3**, *Stop Work if Cultural Resources Are Discovered during Ground-Disturbing Activities*, from the 2009 SPW EIS/EIR would apply to the Proposed Project to minimize impacts if archaeological resources were discovered during ground disturbance.

MM-CR-1: Generate Treatment Plan and Conduct Archaeological Testing for Mexican Hollywood Prior to Construction.

Potential additional intact subsurface historic archaeological deposits associated with Mexican Hollywood should be characterized and evaluated for eligibility for inclusion in the CRHR by a qualified archaeologist. A testing plan will be developed that will describe evaluation methods for determining the eligibility of new finds in Mexican Hollywood for listing in the CRHR. Should the identification and evaluation efforts reveal that newly identified deposits do not meet the criteria for inclusion in the CRHR, no further mitigation will be required. However, if newly discovered portions of Mexican Hollywood are determined eligible for listing in the CRHR, implementation of **MM-CR-2a** and/or **MM-CR-2b** will reduce impacts to less-than-significant levels.

MM-CR-2a: If Additional CRHR-Eligible Deposits Associated with Mexican Hollywood Are Identified, then Redesign Proposed Project to Ensure Preservation in Place.

If identification and evaluation efforts result in a determination that Mexican Hollywood meets the criteria for inclusion in the CRHR, efforts will be made to avoid these deposits during Proposed Project development and preserve them in place, which is the preferred mitigation measure under CEQA. Options for preservation in place include, but are not limited to, incorporating the site into park or open space land, avoiding the site during construction, burying the site with sterile sediment, or placing the site within a permanent conservation easement. If preservation in place is not feasible, conduct data recovery, as defined in **MM-CR-2b** below.

MM-CR-2b: Conduct Data Recovery.

If avoidance or redesign of the Proposed Project is not feasible, then research and fieldwork to recover and analyze the data contained in that site will be conducted. This work may involve additional archival and historical research; excavation; analysis of the artifacts, features, and other data discovered; presentation of the results in a technical report; and curation of the recovered artifacts and accompanying data. Consultation with the Advisory Council on Historic Preservation, State Historic Preservation Officer (SHPO), and other interested or knowledgeable parties may also be required or appropriate.

A standard data recovery report will be prepared when all the fieldwork is concluded. The consultant will prepare a comprehensive technical report that will describe the archaeological goals and methods and present the findings and interpretations. The report will synthesize both the archival research and important archaeological data in an attempt to address the research questions presented in the research design/testing plan. The report will be submitted to the client and any reviewing agencies; it ultimately will be filed with the Eastern Information Center, located at California State University, Fullerton.

MM-CR-3: Stop Work if Cultural Resources Are Discovered during Ground-Disturbing Activities

In the event that an artifact or an unusual amount of bone, shell, or nonnative stone is encountered during construction, work will be immediately stopped and relocated from that area. The contractor will stop construction within 100 feet of the exposure of these finds until a qualified archaeologist, retained by LAHD and Tenant in advance of construction, can be contacted to evaluate the find (see 36 Code of Federal Regulations 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, then they will be avoided or mitigated consistently with SHPO guidelines. All construction equipment operators will attend a preconstruction meeting presented by a professional archaeologist retained by LAHD and Tenant through the construction contractor to review the types of cultural resources and artifacts that would be considered significant and ensure operator recognition of these materials during construction.

If human remains are encountered, then there will 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 will be contacted to determine the age and cause of death. If the remains are not of Native American heritage, then construction in the area may recommence. If the remains are of Native American origin, then the Most Likely Descendants of the deceased will be identified by the NAHC. LAHD and the U.S. Army Corps of Engineers (USACE) will 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, if the descendant fails to make a recommendation within 24 hours of being notified by the NAHC, LAHD, or USACE, and/or if the descendant is not able to reach a mutually acceptable strategy through mediation with the NAHC, then the Native American human remains and associated grave goods will be reburied with appropriate dignity on the Project Site in a location not subject to further subsurface disturbance.

MM-CR-4: Develop a program to mitigate impacts on nonrenewable paleontological resources prior to excavation or construction of any Proposed Project components.

Paleontology is no longer covered under the cultural resources section and is not further discussed in this document because the paleontological program has previously been implemented for the 208 E. 22nd Street Parking Lot area and no further work was warranted.

3.4.6 Methodology

The cultural resources section only focuses on the 208 E. 22nd Street Parking Lot component of the Proposed Project because it is the only location not previously included in the 2009 SPW EIS/EIR or the 2016 SPPM Addendum that has the potential to substantially affect cultural resources in a manner that would be inconsistent with the two previous environmental documents.

The baseline for cultural resources includes the Approved Project, as defined in the certified 2009 SPW EIS/EIR, and the updates included in the 2016 SPPM Addendum. Within the context of the baseline, this section provides a qualitative discussion of the potential impacts on cultural resources that could result from the Proposed Project.

The baseline for cultural resources includes resources 50 years of age or older, in accordance with the Port's *Built-Environment Historic, Architectural, and Cultural Resource Policy*. Records searches, research, consultation, and an evaluation of resources were conducted to identify cultural resources pursuant to CEQA. The 2009 SPW EIS/EIR identified cultural resources, as discussed in Section 3.4.2.6 of that document. The technical cultural report completed for the 208 E. 22nd Street Parking Lot project identified three potential cultural resources in the study area, but they were determined not to be cultural resources pursuant to CEQA. Therefore, the baseline is no historical resources and no known archaeological resources or human remains. However, there is the potential for discovery of previously unidentified archaeological resources or human remains during construction.

3.4.6.1 208 E. 22nd Street Parking Lot

The Proposed Project would develop a surface parking lot at the northeastern corner of Miner Street and E. 22nd Street. Development of this aspect of the Proposed Project would result in the demolition

of 264 and 266–270 E. 22nd Street and the remaining former SP/SPW Red Car Line. Impacts on cultural resources from the Proposed Project and alternatives were considered by determining whether demolition and ground-disturbing activities would affect areas that contain or could contain archaeological or architectural sites listed in or eligible for listing in the CRHR, along with areas that could be designated as a City HCM, a contributor to an HPOZ, or a unique or important archaeological resource under CEQA or otherwise meet CEQA requirements as a historical resource.

A professionally qualified archaeologist and architectural historian conducted research to identify cultural resources and evaluate the resources identified. Federal, state, and local inventories were reviewed, along with LAHD's *Built-Environment Resources Directory* and the LAHD's 2019 Port-wide records search results. In addition, historic newspapers, historic U.S. Geological Survey (USGS) topographic and Sanborn maps, and aerial photographs were reviewed.

Professionally qualified architectural historians evaluated 264 E. 22nd Street, 266–270 E. 22nd Street, and the former SP/SPW Red Car Line and found them ineligible for the National Register of Historic Places (NRHP), the CRHR, and local HCM consideration. Because they also do not meet other criteria that would qualify them as historical resources, they are not historical resources pursuant to CEQA.

Professionally qualified archaeologists conducted a review of the existing baseline information and a pedestrian survey of the Proposed Project area to identify archaeological sites or features and note current surface conditions. No archaeological resources were identified. See Appendix E for more information.

3.4.7 Thresholds of Significance

According to Appendix G of the CEQA Guidelines (Environmental Checklist), the Project would have a significant impact related to public services if the following would be answered with “yes.”

Would the Proposed Project:

1. Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Section 15064.5?
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Section 15064.5?
3. Disturb any human remains, including those interred outside of dedicated cemeteries?

Impact CUL-1. Would the Proposed Project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Section 15064.5?

Summary of 2009 SPW EIS/EIR Findings

The 2009 SPW EIS/EIR identified three properties listed in the CRHR, 14 properties previously listed in the CRHR, 11 HCMs (several of which are also listed in the CRHR), 1 HPOZ, 5 resources identified in previous surveys, and 12 resources determined significant by the lead agency. Thus, each of these resources is a CEQA historical resource. The 2009 SPW EIS/EIR analysis found that a less-

than-significant impact on nine historical resources would occur and that no significant impacts on historical resources would occur. Because impacts would be less than significant for historical resources, no mitigation was proposed for historical resources. None of the historical resources identified in the 2009 SPW EIS/EIR are within the SEIR study area.

Summary of 2016 SPPM Addendum Findings

The 2016 SPPM Addendum did not identify any historical resources. It reiterated the 2009 SPW EIS/EIR findings and did not find, through research or survey, any newly identified historical resources in the revised study area. It concluded that the SPPM Project would not have an outcome that would be substantially different from that of the 2009 SPW EIS/EIR, and the finding remained less than significant.

Impacts of the Proposed Project

208 E. 22nd Street Parking Lot

The Proposed Project would result a less-than-significant impact on historical resources pursuant to CEQA. The buildings at 264 and 266–270 E. 22nd Street and the former SP/SPW Red Car Line were evaluated for the purposes of this SEIR and found ineligible for the NRHP and CRHR, as well as from local HCM consideration. In addition, these properties are not listed in the CRHR, nor as a local landmark, and do not otherwise meet the criteria for historical resources pursuant to CEQA. For these reasons, there are no CEQA historical resources present at the 208 E. 22nd Street Parking Lot. Therefore, the Proposed Project's change to the SPW Project would not result in a new significant impact or a substantial increase in the severity of a previous impact on historical resources. The 2009 SPW EIS/EIR finding of a less-than-significant impact remains valid for the Proposed Project.

Previous Mitigation Measures Applicable to the Proposed Project

The 2009 SPW EIS/EIR and the 2016 SPPM Addendum identified a less-than-significant impact for historical resources. Because impacts were less than significant for historical resources, no mitigation was proposed.

New Mitigation Measures Applicable to the Proposed Project

Because there are no historical resources present, the Proposed Project would not require new mitigation measures. Thus, the impacts would remain less than significant for the Proposed Project.

Significance after Mitigation

The inclusion of the 208 E. 22nd Street Parking Lot as part of the Proposed Project would not lead to a new significant environmental impact or a substantial increase in the severity of previously identified significant effects. Because there are no historical resources present, no mitigation measures are required.

Impact CUL-2. Would the Proposed Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Summary of 2009 SPW EIS/EIR Findings

The 2009 SPW EIS/EIR found that no previously recorded archaeological resources were located in the SPW Project study area; however, three were directly adjacent to it (CA-LAN-145, CA-LAN-146, and CA-LAN-1129H). Through additional research, an area known as *Mexican Hollywood* was identified within the SPW Project study area. The 2009 SPW EIS/EIR analysis found that construction of the SPW Project could result in a significant impact on archaeological resources; however, impacts were found to be less than significant with mitigation.

Mitigation measures included in the MMRP include the following.

- **MM-CR-1:** Generate Treatment Plan and Conduct Archaeological Testing for Mexican Hollywood Prior to Construction.
- **MM-CR-2a:** If Additional CRHR-Eligible Deposits Associated with Mexican Hollywood Are Identified, then Redesign Proposed Project to Ensure Preservation in Place.
- **MM-CR-2b:** Conduct Data Recovery (referring to Mexican Hollywood).
- **MM-CR-3:** Stop Work if Cultural Resources Are Discovered during Ground-Disturbing Activities.

None of the archaeological resources identified in the 2009 SPW EIS/EIR are within the SEIR study area.

Summary of 2016 SPPM Addendum Findings

The 2016 SPPM Addendum did not identify any archeological resources. It reiterated the 2009 SPW EIS/EIR findings, and no additional mitigation measures were recommended. The addendum concluded that archaeological-resource impacts resulting from the SPPM Project would be less than significant, and there would be no substantial change from the findings in the 2009 SPW EIS/EIR.

Impacts of the Proposed Project

208 E. 22nd Street Parking Lot

Construction, improvements, and operations at the 208 E. 22nd Street Parking Lot would not result in changes to the project as previously approved in the 2009 SPW EIS/EIR and 2016 SPPM Addendum. Construction and operation of the 208 E. 22nd Street Parking Lot would not cause a substantial adverse change in an archaeological resource or a unique archaeological resource. However, because the potential for encountering previously unidentified archaeological resources always exists, implementation of **MM-CR-3** would ensure that impacts would remain less than significant. As such, the Proposed Project would not result in any change to the impact determination previously listed in the cultural resources section of the 2009 SWP EIS/EIR or the 2016 SPPM Addendum. Therefore, the Proposed Project's change to the SPW Project would not result in a new significant impact nor a

substantial increase to the severity of a previous impact on archaeological resources. The 2009 SPW EIS/EIR finding of a less-than-significant impact with mitigation remains valid for the Proposed Project.

Previous Mitigation Measures Applicable to the Proposed Project

Of the four mitigation measures included in the 2009 SPW EIS/EIR, only one is applicable to the 208 E. 22nd Street Parking Lot location:

- **MM-CR-3:** Stop Work if Cultural Resources Are Discovered during Ground-Disturbing Activities.

New Mitigation Measures Applicable to the Proposed Project

Impacts would be less than significant with mitigation, and no new mitigation measures would be required.

Significance after Mitigation

The inclusion of the 208 E. 22nd Street Parking Lot as part of the Proposed Project would not result in a new significant impact or a substantial increase in the severity of previously identified significant impacts. Implementation of **MM-CR-3** from the 2009 SPW EIS/EIR MMRP would ensure that residual impacts on archaeological resources during Proposed Project construction would be reduced to less than significant for the 208 E. 22nd Street Parking Lot.

Impact CUL-3. Would the Proposed Project disturb any human remains, including those interred outside of dedicated cemeteries?

Summary of 2009 SPW EIS/EIR Findings

The 2009 SPW EIS/EIR found that no previously recorded archaeological resources, including human remains, were located in the SPW Project study area; however, three were directly adjacent to it (CA-LAN-145, CA-LAN-146, and CA-LAN-1129H). Through additional research, an area known as *Mexican Hollywood* was identified within the SPW Project study area. None of the sites are known to include human remains, and analysis of prehistoric and historic archaeological sensitivity ranged from none to moderate across the SPW Project study area. Impacts were found to be less than significant with mitigation. Specific to human remains, **MM-CR-3** states, “stop work if cultural resources are discovered during ground-disturbing activities.” In addition, the 2009 SPW EIS/EIR included directions to follow pursuant to state regulations should human remains be discovered during construction; this includes stopping work, contacting the Los Angeles County Coroner, and consulting with Native American tribes (as applicable).

Summary of 2016 SPPM Addendum Findings

The 2016 SPPM Addendum reiterated the 2009 SPW EIS/EIR findings. It noted that the application of **MM-CR-3** was appropriate and included the same directions should human remains be discovered during construction; this includes stopping work, contacting the Los Angeles County Coroner, and consulting with Native American tribes (as applicable). The addendum concluded that impacts on

human remains resulting from the SPPM Project would be less than significant with mitigation and that there would be no substantial change from the findings in the 2009 SPW EIS/EIR.

Impacts of the Proposed Project

208 E. 22nd Street Parking Lot

Construction, improvements, and operations at the 208 E. 22nd Street Parking Lot would not result in changes to the previously approved project. However, the possibility always exists that buried human remains could be inadvertently unearthed during construction, which could result in substantial damage to potential cultural resources. If human remains are identified, then the process set forth in Health and Safety Code Section 7050.5 and PRC Section 5097.9 would be carried out. In addition, **MM-CR-3** would require work to stop in the event of an unanticipated discovery. As such, the Proposed Project would not result in any change to the impact determination previously listed in the cultural resources section of the 2009 SWP EIS/EIR or the 2016 SPPM Addendum. The 2009 SPW EIS/EIR finding of a less-than-significant impact with mitigation remains valid for the Proposed Project.

Previous Mitigation Measures Applicable to the Proposed Project

Of the four mitigation measures included in the 2009 SPW EIS/EIR MMRP, only one is applicable to the Proposed Project.

- **MM-CR-3:** Stop Work if Cultural Resources Are Discovered during Ground-Disturbing Activities.

New Mitigation Measures Applicable to the Proposed Project

Impacts would be less than significant, and no new mitigation measures would be required.

Significance after Mitigation

The inclusion of the 208 E. 22nd Street Parking Lot as part of the Proposed Project would not lead to a new significant impact or a substantial increase in the severity of a previously identified significant impact. Implementation of **MM-CR-3** from the 2009 SPW EIS/EIR MMRP would ensure that potential impacts on Native American human remains during Proposed Project construction would be reduced to less than significant for the 208 E. 22nd Street Parking Lot.

3.4.8 Alternatives Impact Determination

3.4.8.1 Alternative 1 – No Project Alternative

Alternative 1 is the No Project Alternative. Conditions are assumed to be consistent with the previously approved projects in both the 2009 SPW EIS/EIR and 2016 SPPM Addendum, neither of which identified any significant cultural resources within the Project Site. However, in case of an unanticipated discovery during construction, **MM-CR-3** would be implemented. Specifically, cultural monitors would be present during construction and would follow proper procedures if an unanticipated discovery of cultural resources were to occur. Therefore, Alternative 1 would have less-

than-significant impacts with mitigation. Alternative 1 does not propose any grading or development at 208 E. 22nd Street; therefore, impacts would be slightly reduced compared to the Proposed Project.

3.4.8.2 Alternative 2 – Half-Capacity Amphitheater Alternative

Alternative 2 includes an Amphitheater similar to the one that would be developed as part of the Proposed Project, but with an anticipated maximum capacity of 3,100. Construction and operational activities would remain similar to those of the Proposed Project, but with fewer attendees.

Alternative 2 did not identify any significant cultural resources within the Proposed Project footprint. Similarly, Alternative 2 would implement **MM-CR-3**, which would stop work in case of an unanticipated discovery. Therefore, Alternative 2 would have less-than-significant impacts with mitigation, similar to the Proposed Project.

3.4.9 Impact Summary

Table 3.4-1 presents a summary of the impact determinations for the Proposed Project related to cultural resources, which are described in detail in Sections 3.4.6 through 3.4.8, above.

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

Environmental Impacts	Impact Determination	Mitigation Measure(s)	Impact after Mitigation
<i>Proposed Project</i>			
Impact CUL-1: Would the Proposed Project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Section 15064.5?	The 2009 SPW EIS/EIR finding of a less-than-significant impact remains valid for the Proposed Project.	No mitigation is required.	No new or substantially more severe significant impacts would occur.
Impact CUL-2: Would the Proposed Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	The 2009 SPW EIS/EIR finding of a less-than-significant impact remains valid for the Proposed Project.	Because the potential for encountering previously unidentified archaeological resources always exists, implementation of MM-CR-3 is required.	Implementation of MM-CR-3 from the 2009 SPW EIS/EIR would ensure that potential impacts on archaeological resources that may be identified during Proposed Project construction would be reduced to less than significant.
Impact CUL-3: Would the Proposed Project disturb any human remains, including those interred outside of dedicated cemeteries?	The 2009 SPW EIS/EIR finding of a less-than-significant impact remains valid for the Proposed Project.	Because the potential for an unanticipated discovery of human remains during excavation always exists, implementation	Implementation of MM-CR-3 from the 2009 SPW EIS/EIR would ensure that potential impacts

Environmental Impacts	Impact Determination	Mitigation Measure(s)	Impact after Mitigation
		of MM-CR-3 is required.	on human remains during Proposed Project construction would be reduced to less than significant.
Alternative 1 – No Project Alternative			
Impact CUL-1: Would the Proposed Project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Section 15064.5?	The 2009 SPW EIS/EIR finding of a less-than-significant impact remains valid for Alternative 1.	No mitigation is required.	No new or substantially more severe significant impacts would occur.
Impact CUL-2: Would the Proposed Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	The 2009 SPW EIS/EIR finding of a less-than-significant impact remains valid for Alternative 1.	Because the potential for encountering previously unidentified archaeological resources always exists, implementation of MM-CR-3 is required.	Implementation of MM-CR-3 from the 2009 SPW EIS/EIR MMRP would ensure that potential impacts on archaeological resources that may be identified during Proposed Project construction would be reduced to less than significant.
Impact CUL-3: Would the Proposed Project disturb any human remains, including those interred outside of dedicated cemeteries?	The 2009 SPW EIS/EIR finding of a less-than-significant impact remains valid for Alternative 1.	Because the potential for an unanticipated discovery of human remains during excavation always exists, implementation of MM-CR-3 is required.	Implementation of MM-CR-3 from the 2009 SPW EIS/EIR MMRP would ensure that potential impacts on Native American human remains during Proposed Project construction would be reduced to less than significant.
Alternative 2 – Half-Capacity Amphitheater Alternative			
Impact CUL-1: Would the Proposed Project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Section 15064.5?	The 2009 SPW EIS/EIR finding of a less-than-significant impact remains valid for Alternative 2.	No mitigation is required.	No new or substantially more severe significant impacts would occur.
Impact CUL-2: Would the Proposed Project cause a	The 2009 SPW EIS/EIR finding of a less-	Because the potential for encountering	Implementation of MM-CR-3 from

Environmental Impacts	Impact Determination	Mitigation Measure(s)	Impact after Mitigation
substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	than-significant impact remains valid for Alternative 2.	previously unidentified archaeological resources always exists, implementation of MM-CR-3 is required.	the 2009 SPW EIS/EIR MMRP would ensure that potential impacts on archaeological resources that may be identified during Proposed Project construction would be reduced to less than significant.
Impact CUL-3: Would the Proposed Project disturb any human remains, including those interred outside of dedicated cemeteries?	The 2009 SPW EIS/EIR finding of a less-than-significant impact remains valid for Alternative 2.	Because the potential for an unanticipated discovery of human remains during excavation always exists, implementation of MM-CR-3 is required.	Implementation of MM-CR-3 from the 2009 SPW EIS/EIR MMRP would ensure that potential impacts on Native American human remains during Proposed Project construction would be reduced to less than significant.

CEQA = California Environmental Quality Act; EIR = Environmental Impact Report; EIS = Environmental Impact Statement; MMRP = Mitigation Monitoring and Reporting Program; SPW = San Pedro Waterfront

3.4.10 Mitigation Monitoring Program

The mitigation monitoring program outlined in Table 3.4-2 is applicable to the Proposed Project.

Table 3.4-2. Mitigation Monitoring Program

<p>MM-CR-3: Stop Work if Cultural Resources Are Discovered during Ground-Disturbing Activities</p> <p>In the event that an artifact or an unusual amount of bone, shell, or nonnative stone is encountered during construction, work will be immediately stopped and relocated from that area. The contractor will stop construction within 100 feet of the exposure of these finds until a qualified archaeologist, retained by LAHD and Tenant in advance of construction, can be contacted to evaluate the find (see 36 Code of Federal Regulations 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, then they will be avoided or mitigated consistently with SHPO guidelines. All construction equipment operators will attend a preconstruction meeting presented by a professional archaeologist retained by LAHD and Tenant through the construction contractor to review the types of cultural resources and artifacts that would be considered significant and ensure operator recognition of these materials during construction.</p> <p>If human remains are encountered, then there will 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 will be contacted to determine the age and cause of death. If the remains are not of Native American heritage, then construction in the area may recommence. If the remains are of Native American origin, then the Most Likely Descendants of the deceased will be identified by the NAHC. LAHD and USACE will 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, if the descendant fails to make a recommendation within 24 hours of being notified by the NAHC, LAHD, or USACE, and/or if the descendant is not able to reach a mutually acceptable strategy through mediation with the NAHC, then the Native American human remains and associated grave goods will be reburied with appropriate dignity on the Project Site in a location not subject to further subsurface disturbance.</p>	
Timing	During initial ground disturbance during construction
Methodology	Environmental Compliance Plan prior to any construction activity, excavation, laboratory processing, reporting, SHPO consultation

CEQA = California Environmental Quality Act; LAHD = Los Angeles Harbor Department; NAHC = Native American Heritage Commission; SHPO = State Historic Preservation Officer; USACE = U.S. Army Corps of Engineers