

3.11.1 Introduction

Cultural resources are composed of several different types of properties, including archaeological, architectural, and traditional cultural properties. CEQA regulations and guidelines primarily use the term “historical resource” when discussing the full range of cultural resources, and thus the terms are used interchangeably in this document. Archaeological sites include both prehistoric and historic deposits. Architectural properties include buildings, bridges, and infrastructure. Traditional cultural properties (TCPs) include those locations of importance to a particular group. TCPs are most often important to Native American groups because of the role the location has in traditional ceremonies or activities.

Previous studies have found no archaeological deposits or maritime resources (shipwrecks) within the project area. Furthermore, they have concluded that the project site has a very low potential for intact buried archaeological resources (Fugro 1995 and 1997). Based upon these findings, the LAHD has determined that the project would cause no impact on known archaeological resources, and this topic was eliminated during circulation of the NOP.

This chapter provides a description of the state and local regulatory context of the proposed project, including the criteria for evaluating the historical significance of properties. This is followed by the cultural and historic setting of the project and a summary of the known historical resources in the project area. Following the discussion of the setting, the impact analysis presents the state and local criteria used to determine impact significance, impact statements, and mitigation measures.

3.11.2 Setting

3.11.2.1 Regulatory Setting

State Regulations

CEQA requires that public or private projects financed or approved by public agencies be assessed to determine the effects of the projects on historical resources. CEQA uses the term “historical resources” to include buildings, sites, structures, objects, or districts, each of which may have historical, pre-historical architectural, archaeological, cultural, or scientific importance.

CEQA states that if implementation of a project results in significant effects on historical resources, then alternative plans or mitigation measures must be considered; however, only significant historical resources need to be addressed (CCR 15064.5, 15126.4). Therefore, before impacts and mitigation measures can be identified, the significance of historical resources must be determined.

The State CEQA Guidelines define three ways that a property may qualify as a historical resource for the purposes of CEQA review:

1. if the resource is listed in or determined eligible for listing in the California Register of Historical Resources;
2. if the resource is included in a local register of historical resources, as defined in section 5020.1(k) of the Public Resources Code, or is identified as significant in an historical resource survey meeting the requirements of section 5024.1(g) of the Public Resources Code unless the preponderance of evidence demonstrates that it is not historically or culturally significant; or
3. the lead agency determines the resource to be significant as supported by substantial evidence in light of the whole record (California Code of Regulations, Title 14, Division 6, Chapter 3, Section 15064.5[a]).

Each of these ways of qualifying as an historical resource for the purpose of CEQA is related to the eligibility criteria for inclusion in the California Register of Historical Resources (CRHR) (PRC 5020.1[k], 5024.1, 5024.1[g]). A historical resource may be eligible for inclusion in the CRHR if it

- is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
- is associated with the lives of persons important in our past;
- embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
- has yielded, or may be likely to yield, information important in prehistory or history.

Properties that are listed in or eligible for listing in the National Register of Historic Places (NRHP) are considered eligible for listing in the CRHR, and therefore are significant historical resources for the purpose of CEQA (Public Resources Code section 5024.1[d][1]).

According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052).

Local Regulations

The Los Angeles Municipal and Administrative Codes address preservation zones and the preservation of historic and cultural monuments. A list of historical and cultural monuments has been compiled and is maintained by the Cultural Heritage Commission, a board of five persons appointed by the Mayor and approved by the City Council. It is the responsibility of the Cultural Heritage Commission to oversee and approve the establishment of preservation zones (Los Angeles Municipal Code Sec. 12.20.3) and to preserve monuments when such action is not in conflict with the public health, safety, and general welfare (Los Angeles Administrative Code Sec. 22.128).

According to Section 22.130 of the Los Angeles Municipal Code, a historical or cultural monument is

any 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, 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.

3.11.2.2 Historical Setting

The purpose of the historical setting is to provide a context within which to evaluate historic properties to determine whether they are significant historical resources. Thus, the following historical setting focuses on the context for the Port, and more specifically, for the historic properties located within the project site. A broader context is presented in the cultural resources investigations included in Appendix I.

The Port sits within the boundaries of three historic ranchos conferred by Governor Pedro Fages to three veterans of the 1769 Portola expedition. The three ranchos included Rancho San Pedro, Rancho Los Palos Verdes, and Rancho Los Cerritos, and covered nearly 84,000 acres total (Beck and Haase

1974). As was common for the time, owners of the rancho lands earned a living through the raising of cattle and participation in the hide and tallow trade (Rawls and Bean 1993). By 1830, San Pedro was known as the leading hide center on the West Coast (Queenan 1983).

The first use of the area as a commercial port came when Phineas Banning constructed docks at a spot called Wilmington in 1857. The enterprise became even more profitable after Banning organized the Los Angeles & San Pedro Railroad (LA&SP) in 1869. The first short line in southern California, it was instrumental in transporting goods from the Port to the growing city of Los Angeles. Another railroad, the Los Angeles and Independence Railroad (LA&I) was founded in 1872. The LA&SP was absorbed by the Southern Pacific in 1871 and the LA&I followed suit soon after.

The growth of commerce in Los Angeles required the formal establishment of a shipping port. The federal government agreed to assist the City of Los Angeles by establishing its official harbor, and the San Pedro location was authorized by Congress in March 1897.

The Port and the Los Angeles Harbor Commission were officially created in December 1907. Numerous harbor improvements followed, including the completion of the 2.11-mile breakwater, the broadening and dredging of the main channel, the completion of the first major wharf by the Southern Pacific Railroad, the construction of the Angels Gate lighthouse, and the construction of the city's first municipal pier and wholesale fish market.

Despite the previous use of the Port for the shipment of goods both into and out of California, it was not until 1915 that the first warehouse was completed. It was the completion of this building that symbolized the Port's transition from a small, poorly-equipped landing to a significant seaport able to handle deep-sea ships with varied cargo (Queenan 1983). Many more distributors constructed a large number of warehouses and sheds between 1917 and 1930. By 1917, a vast railroad network existed around the Port and Los Angeles, allowing for the efficient movement of goods throughout the country.

World War II brought new life and distinction to San Pedro, as it was one of the closest major American ports to the fighting in the Pacific Ocean. Between the years 1941 and 1945, ship and aircraft production facilities in the harbor area worked day and night to manufacture over 15 million tons of war equipment. In addition to serving as a location for the production of wartime materials, the Port witnessed the passage of hundreds of thousands of military personnel and tons of equipment en route to and from war zones

Following the war, the LAHD launched a broad restoration program, improving a number of its buildings, and removed many temporary wartime buildings (Queenan 1983). Major improvements included the deepening of the main channel to accommodate the larger container vessels entering the bay, the purchase of land to expand terminals, and the replacement of older wharves that could not bear the increased weight of newer containers.

3.11.2.3 Cultural Resources Inventory

On September 17, 2002, a record search was conducted at the South Central Coastal Information Center (SCCIC) of the California Historical Resources Information System. The SCCIC maintains the State's database of recorded cultural resources and cultural resource studies for Los Angeles, Orange, and Ventura counties. The SCCIC also provides information from the NRHP, the CRHR, other pertinent historical inventories, and historic topographic maps.

The record search indicates that four cultural resource studies have been conducted in or adjacent to the project area (Pierson 1980, ACOE et al. 1984, Weinman and Stickel 1978, Woodward-Clyde Consultants 1982). These studies comprised extensive literature reviews, historical research, oral interviews, and examination of extant side-scan sonar readings. Weinman and Stickel's (1978) study included examination of all cultural resources identified as a result of their literature review. In addition to the reports on file at the SCCIC, the LAHD has completed a Phase I and II Cultural Resources Reconnaissance Survey of 7,500 acres of the Port (Fugro 1995 and 1997). No significant cultural resources were identified within the project area boundaries as a result of these studies.

Additional efforts involved in the evaluation of buildings and structures at the Port included conducting archival research; conducting an architectural survey of the warehouses and associated structures; and applying the eligibility criteria for listing in the CRHR. The full methods and results are presented in the technical reports included in this document as Appendix I.

3.11.2.4 Summary of Known Significant Resources

Examination of historic maps indicates that the project area is a completely artificial setting that was open water until between 1872 and 1896 (USGS 1896, Woodward-Clyde Consultants 1982). The present outline of the West Channel and associated port facilities took shape between 1912 and 1915 through a process of extensive landfilling (ACOE et al. 1984, Weinman and Stickel 1978).

Historic-period use of the project area began with its construction circa 1912. Most historic land uses of the Port, like the present land uses, were not of a character that would result in archaeological deposits. Some buildings and structures, however, have been demolished since 1912, and remnants of these may exist in the project area. For example, at the Lower Reservation west of the project area, Woodward-Clyde Consultants identified historic-period dumps and structural remnants (Knudson 1983). Historic maps examined by Jones & Stokes do not depict buildings or structures in the project area that have since been demolished. Therefore, the potential for the presence of historic archaeological sites in the project area is low.

Previous studies indicate that the waterside portions of the project area are sensitive for the presence of shipwrecks, which may include the remnants of historic ships, boat landings, and pilings; a total of 23 submerged resources have

been identified in the vicinity of and/or within the Port (Pierson 1980, ACOE et al. 1984, Weinman and Stickel 1978). However, later surveys indicated that the Watchorn Basin does not appear to contain maritime resources (shipwrecks). Therefore, the potential for the presence of historic maritime resources in the project area is low.

Several buildings within the project area were identified in earlier reports as requiring no further study because they didn't appear to meet eligibility criteria (Fugro 1995 and 1997). The buildings previously identified as not requiring additional effort were:

- Berths 41–42 – Fleitz Brothers Marina, constructed circa 1920; one-story wood frame building with horizontal wood siding; several smaller accessory buildings.
- Berth 41A – Shelter Point Yachting Service, constructed circa 1930; 1,500 square-foot office building; 3,000 square-foot, two-story, wood frame building with a flat roof and wood siding; marina, and; boat repair yard.
- Berth 43 – Holiday Harbor Marina, constructed circa 1960; 4,000 square-foot, three-story commercial building with stucco siding.

Of the remaining buildings located within the project area, four warehouses had either been previously recommended as potential historical resources, or were determined by the LAHD to warrant additional study. The inventory and evaluation of these buildings concluded that all of the buildings fail to meet the criteria for listing in the CRHR, and thus are not considered significant historical resources under CEQA (see Appendix I for the complete evaluation).

- Warehouses 6, 9, and 10, constructed between 1911 and 1912 by the Outer Harbor Dock & Wharf Company (OHDWC) and the City of San Pedro; Warehouse 6 is a one-story wood-frame building with a low-pitch roof and wood drop siding; Warehouse 9 is a one-story wood-frame structure with a flat roof (with monitor) and wooden drop and board and batten siding; Warehouse 10 is a one-story wood-frame structure with a flat roof (with monitor) and wooden drop siding; a one-story, metal clad guard station and a wood framed storage shed are associated with Warehouse 6.
- Berths 54–55 – Transit shed and fumigation facility constructed in 1963; 160,000 square-foot, one-story, steel and concrete-framed building clad with tilt-up precast concrete panels; 32,000 square-foot, steel-framed fumigation facility; five modern manufactured portable office buildings.

3.11.3 Impacts and Mitigation

3.11.3.1 Methodology

Impacts to cultural resources are assessed based on the ability for the project to adversely affect existing known and unknown historic and archaeological

resources. This entails an analysis of whether there are significant historical resources on site, and whether the project would result in a substantial adverse change in the significance of a resource (i.e., 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).

3.11.3.2 Thresholds of Significance

According to CEQA, 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 (CEQA rev. 1998 Section 15064.5[b]). CEQA further states that a substantial adverse change in the significance of a resource means the 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. Actions that would materially impair the significance of a historical resource are any actions that would demolish or adversely alter those physical characteristics of an historical resource that convey its historical significance and qualify it for inclusion in the CRHR, or in a local register or survey that meets the requirements of Sections 5020.1(k) and 5024.1(g) of the Public Resources Code. Based on these criteria, a project would normally be considered to result in a significant impact if:

- CULT-1.** The project would involve the physical demolition, destruction, relocation, or alteration of a significant historical resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

3.11.3.3 Project Impacts

Direct and Indirect Impacts

Impact CULT-1: The Project May Involve the Physical Demolition, Destruction, Relocation, or Alteration of a Significant Historic Resource or Its Immediate Surroundings Such that the Significance of a Historical Resource Would Be Materially Impaired

Because none of the structures within the project area meet the requirements for eligibility for listing in the CRHR, there are no significant historic architectural resources in the project area. Thus, no impacts to architectural resources will occur as a result of the implementation of the proposed project.

No archaeological or historic sites have been identified at the project location; however, implementation of the proposed project may result in damage or

complete destruction of as-yet-unidentified sites. Although the project area has low sensitivity for the presence of cultural resources, there is always some potential, however remote, that buried cultural resources will be encountered during project construction. Destruction of, or damage to, as-yet-unidentified cultural resources is a significant impact under CEQA. Implementation of Mitigation Measure MM CULT-1.1 below would reduce this impact to a less-than-significant level.

Mitigation Measure

MM CULT-1.1: Stop work if cultural resources are encountered as a result of project construction.

If any artifact or an unusual amount of bone, shell, or nonnative stone is uncovered during project activities, work should be halted in that area so that a professionally qualified archaeologist can determine the significance of the find.

If human bone is uncovered, the Los Angeles County Coroner and the Native American Heritage Commission (NAHC) in Sacramento should be contacted immediately. If human remains are discovered in any location other than a designated cemetery, there should 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; and
- if the remains are of Native American origin,
 - the descendants of the deceased Native Americans have made a recommendation to the landowner 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 after being notified by the NAHC.

According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and disturbance of Native American cemeteries is a felony (Section 7052).

Residual Impacts

With implementation of MM CULT-1, the project would have less-than-significant impacts on previously unidentified cultural resources.

Cumulative Impacts

In order to contribute to cumulative impacts, a project must have a significant impact on cultural resources. This project will not have significant impacts on

any known significant historical resources. Although there is a low potential that the project may disturb previously unidentified cultural resources, the mitigation measures incorporated in this Recirculated Draft SEIR reduce those impacts to a less-than-significant level. Therefore, the project does not have the potential to make a considerable contribution to a cumulative loss of cultural resources.

3.11.3.4 Mitigation Monitoring Plan Summary

Impact	Mitigation Measure	Timing and Method	Responsible Parties	Residual Impacts
<p>CULT-1. The project would not involve the physical demolition, destruction, relocation, or alteration of a significant historical resource or its immediate surroundings such that the significance of a historical resource would be materially impaired</p>	<p>MM CULT-1: Stop work if cultural resources are encountered as a result of project construction.</p> <p>If any artifact or an unusual amount of bone, shell, or nonnative stone is uncovered during project activities, work should be halted in that area so that a professionally qualified archaeologist can determine the significance of the find.</p> <p>If human bone is uncovered, the Los Angeles County Coroner and the Native American Heritage Commission (NAHC) in Sacramento should be contacted immediately. If human remains are discovered in any location other than a designated cemetery, there should be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <ul style="list-style-type: none"> ■ the county coroner has been informed and has determined that no investigation of the cause of death is required; and ■ if the remains are of Native American origin, <ul style="list-style-type: none"> □ the descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work 	<p>Timing: During project construction</p> <p>Methodology: The project contractor shall stop work if 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 to determine the proper course of action. Work shall not resume until the site receives proper clearance from the County Coroner.</p>	<p>LAHD Staff, Project Contractor</p>	<p>Less than significant</p>

Impact	Mitigation Measure	Timing and Method	Responsible Parties	Residual Impacts
	<p>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</p> <ul style="list-style-type: none"> □ the NAHC was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the NAHC. 			