Section 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 predating 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. No impacts on sensitive paleontological resources would occur under CEQA within the Port West Basin landfill area or submerged marine soils under NEPA.

3.4.2 Environmental Setting

A cultural resources survey was completed for the proposed improvements to the China Shipping Terminal, Berths 97-109, in 2003. Text in this section is drawn from that document and studies previously conducted for the Port. Previous studies for the Los Angeles-Long Beach Harbors include the Deep Draft Navigation Improvement EIS/EIR (USACE and LAHD, 1997), West Basin Entrance Widening Project EIR (LAHD, 1991b), Pier 400 (LAHD, 1999), Channel Deepening Project (USACE and LAHD, 2000), and recent historic evaluations of buildings and structures in the West Basin (Jones & Stokes, 2003, 2001, 2000a, and 2000b).

The following description of cultural resources incorporates information from all of these environmental documents. These studies are incorporated by reference and are used to describe baseline conditions and assess potential impacts. These studies are available for review at the Port of Los Angeles headquarters. Relevant sections of these reports are used throughout the Cultural Resources section.

An updated field survey of the buildings directly affected by this Project, the Catalina Express Terminal and the Princess Pavilion, was conducted November 27, 2007. The results can be found in Section 3.4.2.5.2.1 Historic Architectural Resources.

In addition to incorporation of the above referenced previous cultural resources studies, the Native American Heritage Commission (NAHC) was contacted by letter on

October 23, 2007, to request information about traditional cultural properties such as cemeteries and sacred places in the Project area. The NAHC record search of the Sacred Lands file failed to indicate the presence of Native American cultural resources in the immediate Project area. A letter dated June 20, 2007, was received from the NAHC containing a list of Native American tribes and individuals interested in consulting on development projects. Each of these individuals/groups was contacted by letter on October 23, 2007. As of December 14, 2007, no responses have been received.

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; and Warren, 1968). Cultural evolution has been consistently defined in four general periods: the Early Period from 10,000 to 8,000 before present (BP); the Millingstone Period from 8,000 to 3,500 BP; the Intermediate Period from 3,500 to 800 BP; the Late Prehistoric Period from 800 BP to the Spanish missionization of California, in this case the founding of Mission San Gabriel in 1771, and the Historic Period from 1782 to the present. Occasionally, the period from AD 1542 (the date of initial European contact with California Native Americans) to AD 1771 (the date of the founding of Mission San Gabriel) is designated as Protohistoric in recognition of the profound effects presumed to have occurred as a result of intermittent contact with European explorers (CH2M HILL, 2003).

The Early Period material culture is characterized by large, fluted projectile points that imply heavy reliance on large game for subsistence that is mostly likely supplemented with plants and small game. Sites dating to the Early Period appear primarily along the eastern portions of southern California (China Lake, Lake Tulare, and Borax Lake); however, the La Brea skeleton has been dated to 9,000± 80 BP.

The Milling Stone Period material culture is characterized by portable milling stones and manos for processing its primary subsistence base of wild seeds. Some terrestrial hunting was practiced during this period, and there is some evidence of marine resources in Milling Stone sites (Wallace, 1978:28). Sites attributed to this complex have been dated as early as 8,000 BP. In Los Angeles County, the best known site from this period is the Topanga Culture defined by Treganza and Malamud (1950).

The subsistence base diversified during the Intermediate Period to include a wider variety of plant foods, as evidenced by the appearance of mortars and pestles, and greater reliance on marine resources within the small-animal protein dietary component (Wallace, 1978:30). The 1,250 BP (AD 700) modal radiocarbon date falls toward the end of this period. The Ballona Creek sites, CA-LAN-64 (1860 BP), CA-LAN-59 (620 to 1100 BP), CA-LAN-61 (1000 to 2900 BP), and CA-LAN-63 (1590 to 2120 BP) are among the few recognized Intermediate Period deposits (Dillon, 1994).

By the Late Prehistoric Period, the southern coast of California was occupied by a maritime-adapted people who lived in populous, semipermanent coastal villages and had a high reliance on animal proteins, both terrestrial and marine (Rogers, 1929). These people used seagoing canoes that enabled them to deep sea fish, hunt for sea mammals, and travel the coastal and channel island trade networks. Sites CA-LAN-47 (Marine del Rey) and CA-LAN-43 (Encino) are among the Late Prehistoric village sites identified in Los Angeles County (CH2M HILL, 2003).

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, and rock features) along with 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 Gabrielino. These people occupied a vast area 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). The population was distributed over diverse environmental habitats, and strategies for food collection, including hunting, fishing, and plant gathering, were varied.

Little is known about the Gabrielino lifeways. It is probable that they, like the Luiseño, lived in villages encompassing economically and politically autonomous patrilineal clans who collectively owned specific territories that were actively protected against trespass. Settlement patterns have been depicted as consisting primarily of permanently inhabited village sites organized on the basis of clan groupings, augmented by outlying satellite camps that were occupied on a temporary, perhaps seasonal, basis. These temporary camps were used by small groups and were located in areas of increased localized resource availability (Bean and Shipek, 1978).

The social organization of the Gabrielinos is believed to be based on a moiety system by which clans were paired through reciprocal marriage and ceremonial obligations (Strong, 1929; White, 1963). Villages typically were located in valley bottoms, along streams or near coastal strands, in protected defensible locations, often near their reciprocating villages. The primary positions of power for each village—the chief, shaman, or other specialist—was based on heredity. Specific tangible and intangible resources were owned by families or individuals. Typically, inland groups established rights to fishing and gathering sites on the coast, in contrast to coastal groups that moved inland for brief periods of time, usually during the fall to collect acorns and other resources. Most traveled within a 1-day distance of the largely sedentary villages to gather food. The diverse environment afforded access to varied maritime and inland resources, offering not only food but raw materials necessary for tools, clothing, housing and ceremonial structures, items of personal adornment, and other goods. Predominant food sources for inhabitants for the island valleys and foothills included acorns, sage, yucca, and deer. Shellfish and marine species common to the estuaries, sandy beaches, and offshore kelp beds were food sources for those who inhabited the coast (Bean and Shipek, 1978). The Gabrielinos as a group were 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, rare minerals, stone carvings, and rock paintings are considered of exceptional quality. Their steatite (soapstone) carvings of animals, pipes, and other ritual ornaments are cultural trademarks. The Gabrielinos 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 Gabrielino 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 Gabrielino 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 Gabrielino 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; and 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 USACE constructed two jetties in 1871 and deepened the channel leading to the Wilmington landing in 1880. USACE began construction on the breakwater in 1900.

3.4.2.3.2 Initial Commercial Shipping, 1857 to 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.

The first short rail line in Southern California, the LA&SP, was acquired by the Southern Pacific Railroad (SPRR) in 1872. In an attempt to break the stranglehold the SPRR had on shipping in the area, Senator John P. Jones from Nevada started the Los Angeles and Independence Railroad (LA&I) (Los Angeles to Santa Monica Pier) 1 year prior to the acquisition of LA&SP by SPRR. However, the LA&I also was absorbed quickly into the SPRR system in 1877 (Queenan, 1986).

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.

3.4.2.3.3 Founding of Port of Los Angeles, 1897 to 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 Los Angeles Harbor Department (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. As a result of these improvements and annexations, by 1913, the Port of Los Angeles was the largest lumber importer in the world (Matson, 1920).

The opening of the Panama Canal in August 1914 significantly reduced the transshipment time between eastern and western U.S. ports. The canal also promised to open up new trade opportunities worldwide. In anticipation of increased trade, the City of Los Angeles completed one of many large municipal terminals in the Harbor. With the outbreak of World War I, the promise of increased trade and expansion possibilities was put on hold (Queenan, 1986).

3.4.2.3.4 Wartime Changes, 1914 to 1950

World War I changed the principal uses of the Port considerably. Wishing to establish a significant presence on the Pacific coast, the U.S. Navy 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.

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 Port completed its first warehouse. With the completion of the warehouse, the Port was transformed from a small, poorly equipped landing to a significant seaport able to handle deep-sea ships with varied cargo (Queenan, 1986). Increased trade at the Port between 1917 and 1930 motivated many distributors to construct more warehouses and sheds.

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 needed 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.

With the end of the war, limitations on trade ended. Los Angeles had developed a wide variety of enterprises whose products passed through the Port. Although freight-handling facilities had long existed for oil, lumber, shipbuilding, and fish, new facilities were developed to handle such products as cotton, borax, citrus crops, and steel. 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). By 1929, in an effort to streamline the railroad portion of shipping within the harbor, the various railroad companies including the SPRR, Union Pacific, Santa Fe, and Pacific Electric Railway, consolidated their operations under the title "Harbor Belt Line Railroad" (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). Although the Port experienced a sharp decline in its international trade, the Harbor Commission continued to improve its facilities, constructing a new breakwater and new cargo and passenger terminals (CH2M HILL, 2003).

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 due to the war. 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.

In response to changes in shipping methods, the Port facilities were modified and upgraded. Changes included redesigning terminals to maximize the surface area of the terminal by providing berthing space at the wharves with little backland (transit sheds) to service each wharf. This would allow the placement of goods directly on the wharf and would reduce handling and transit time between shed and ship.

In addition to the changes in the terminals, the new system required extensive backlands primarily to accommodate trailers and provide internal roadways to service each wharf. Because of the use of containers, the weight of the cargo increased dramatically, requiring much larger cranes to move the containers. The existing timber wharves were replaced with concrete that could support the cranes and containers.

The Port continued to evolve during the 1970s. Improvements included deepening the Main Channel to accommodate the larger container vessels; acquiring more land to expand existing terminals; and replacing old wharves with new ones that could support the increased weight of the containers (CH2M HILL, 2003). 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 nonmarine, 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

The Port experienced explosive growth in the early years of the twentieth century; this period also marked the greatest single period of growth and expansion of the Los Angeles

Harbor facilities. The Harbor, during this brief period, assumed its crucial role as an economic engine for the City of Los Angeles and the Southern California region. Key regional industries, dependent on the Harbor, included cotton pressing, lumber, commercial fishing, shipbuilding, and oil refining and transshipment (San Buenaventura Research Associates, 1992).

In 1907, Port facilities were constructed in the low-lying area known as Smith Island, within the Project area. The Southwest Slip also was constructed at this time. The construction of these facilities was part of the comprehensive expansion program for the Port. Wharves were constructed at Berths 97-109 between 1917 and 1918. Historic maps from 1925 depict oil storage facilities in the Project area, and adjacent to a Pacific Electric Railway bascule bridge spanning between Berth 158 and Smith Island (CH2M HILL, 2003).

Los Angeles Shipbuilding Company (later Los Angeles Shipbuilding and Dry Dock Corporation) occupied Berths 103-107 and 108 as early as 1918. The company was initially a general shipbuilding company, but later it focused on the construction of steel vessels. During World War I, the company constructed 30 vessels of 80 tons and 5 vessels of 11,000 tons. After the war, in addition to repairing ships, the company constructed a variety of vessels including ferries, fire boats, and oil bunker barges (Mariner, 1959). By 1923, Berth 108 was leased by Merritt, Chapman & Scott Corporation, while Los Angeles Shipbuilding continued to use Berths 103-107 (CH2M HILL, 2003).

Merritt, Chapman & Scott, a vessel rescue and salvage company, used Berth 108 as its West Coast headquarters. The company expanded its Berth 108 facilities by adding a 20-ton floating derrick to better serve company needs. The rescue and salvage company occupied this berth from 1923 until at least 1931 (Board of Harbor Commissioners, 1931).

Todd Pacific Shipyards occupied Berths 103-109 from 1917 to 1998. The shipyard was used for construction, maintenance, and repair of large commercial and naval vessels. Since the decommissioning and demolition of the shipyard, the property has undergone a series of remediation and reclamation activities (CH2M HILL, 2003).

The 1930s depression destroyed most of the ship building industry in Los Angeles. The Los Angeles Shipbuilding and Drydock Company managed to survive until World War II when the massive orders for new ships inundated the company. But the boom did not last; by the early 1940s, the company experienced financial troubles when the U.S. Navy appointed Todd Shipyards as the manager of the facility. Todd Pacific Shipyards purchased the Los Angeles shipbuilding firm in 1945 (CH2M HILL, 2003).

During the war, Todd constructed Liberty and Victory ships. The company also constructed and repaired commercial vessels used to transport troops (Hager, 1968: Queenan, 1986). After the war, Todd rebuilt its plant facilities, and the Navy constructed an 18,000-ton drydock. During the 1950s, the firm diversified as demand for oceangoing vessels declined. Todd continued to construct ships, for commercial and military use, until it closed in September 1989 (San Buenaventura Research Associates, 1996).

California has been a key player in the oil industry for the first four decades of the twentieth century (Franks and Lambert, 1985). Oil companies recognized the need for port facilities able to handle the increasing quantities of oil and refined petroleum products leaving the Los Angeles area. The first oil company to construct facilities was Union Oil Company in 1909 (Welty and Taylor, 1956). Although much of California oil

came from the San Joaquin Valley and the refineries were in San Francisco, by the 1920s, most oil-related products passed to the Los Angeles region. Exports from the Port of Los Angeles made it the largest oil port in the world. During this time, Union Oil and Standard Oil (now Chevron) dominated the Port (CH2M HILL, 2003).

Chevron USA operated a marine oil terminal at Berths 97-102 (berth designations were prior to the reconfigured shoreline as a result of the West Basin Widening Project) beginning in 1916. Terminal operations occupied approximately 16.5 acres of land, which contained 20 large aboveground storage tanks. The terminal was decommissioned and demolished in the early 1990s. Remediation activities at the site began in 1993 using thermal desorption of the soil and recovery of free hydrocarbon product from the surface of the groundwater.

Following use by Chevron and Todd Shipyard, the Project area was used temporarily for construction staging for the Pier 400 and Badger Avenue Bridge projects and for storage of automobiles, containers, and truck chassis. In 2002, prior to the construction of the Phase I development, the Project site was used for container storage by the adjacent Yang Ming Line container terminal. The Channel Deepening Project recently created approximately 45 acres of new landfill in the Southwest Slip that will be used by the Project for backlands (CH2M HILL, 2003).

In the extreme southern portion of the Project area, Catalina Express currently operates a passenger shuttle service to and from Catalina Island at Berth 96. The Catalina Express Terminal area includes the terminal building and a paved parking lot. The terminal building straddles the Project area; it is underneath a portion of the Vincent Thomas Bridge. Adjacent to the Catalina Express Terminal is the Princess Pavilion.

3.4.2.5.1 Archaeological Resources

3.4.2.5.1.1 Port of Los Angeles

The Project area was originally part of the Wilmington Lagoon prior to construction of the Harbor. It was most likely a productive foraging resource for prehistoric Native Americans. The area is currently fully paved with no exposed soil available for inspection (CH2M HILL, 2003). A records search was conducted in 2003 for the initial study of the Project area. A review of existing documentation concluded that based on site preparation, grading, and construction of existing facilities that would have included major excavation to substantial depths, the likelihood of finding any intact prehistoric cultural deposits is extremely low (CH2M HILL, 2003). In addition to the alterations that created the land-based facilities, the physical conditions of the West Basin have been altered. An updated 2007 records search determined that no additional archaeological surveys have been conducted for the Port.

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).

There are no recorded prehistoric sites within the Project area. Of the four recorded prehistoric sites within a 0.25-mile-search radius, three have been reported destroyed and were probably misidentified natural fossil shell deposits (CA-LAN-146, CA-LAN-147, and CA-LAN-150). The remaining site, CA-LAN-283, was recorded south of Knoll Hill in 1960 based on a 1939 report (Warren and True, 1961). A site record update reports the north half of the site destroyed and the south half highly disturbed (Langenwalter, 1975).

3.4.2.5.2 Historic Architectural Resources

3.4.2.5.2.1 Port of Los Angeles

A records search was conducted in 2003 for the initial study of the Project area. A review of existing documentation concluded that there are no architectural resources within the Project area that are currently listed on, or eligible for, the National Register of Historic Places (NRHP) (CH2M HILL, 2003). An updated 2007 records search determined that no additional architectural surveys have been conducted for the Port. Following is a discussion and results of the surveys that have been conducted for this Project.

A field survey of the buildings in the Project area was initially conducted by Greenwood and Associates for CH2M HILL in 2003. Survey areas included Berths 97-109, the Catalina Express Terminal and Knoll Hill. Knoll Hill is not in the Project area, but the Project area bounds it on two sides. Berths 97-109 have been used by several companies since its original construction. The history of its users and activities has been discussed in previous sections. In the mid-1990s, the site was cleared of all buildings and structures, filled, leveled, and paved. None of the buildings and structures constructed for the Los Angeles Shipbuilding Company, Todd Shipbuilding, or Chevron remain. In addition, a portion of the marine terminal area at the northeast corner of the Project area, adjacent to the Turning Basin, was removed in 1997 to improve ship access to the West Basin and the Southwest Slip. Currently, this reconfigured site is designated as Berth 100 wharf.

One structure, the Vincent Thomas Bridge, is on the southern boundary of the Project area. The bridge, constructed in 1963, has been assessed by Caltrans as a "5" rating ("Bridge not eligible for the NRHP"), the lowest level of historic significance. It is the third longest suspension bridge on the West Coast.

The resources currently on the site are of recent construction: Berth 100 terminal was constructed in 2003, and a new rail spur was also recently constructed. Other resources have been removed: the timber wharf, a small feeder wharf, and associated piers located at Berth 104 were removed in 2002; the concrete retaining wall at Berth 105 and the concrete piers and platforms at Berths 108 and 109 were recently replaced. The street that bounds the Project site, Front Street, in existence since the early development of San Pedro, was recently widened and changes to the historic setting have resulted in a loss of historic integrity. Finally, the Harbor Belt Line rail spur that crosses the Project area has also been constructed recently, and it is not historically significant (CH2M HILL, 2003).

The Catalina Express Terminal located at Berth 96, directly beneath the Vincent Thomas Bridge and in the Project area, was dedicated in 1966. The facility includes a single story

with a mezzanine terminal building and an associated support structure. The terminal and support structure are of similar construction, with concrete-panel walls and flat roofs. Along the eastern side of the terminal building, along the waterfront, is the passenger-loading area.

A survey completed in November 2007, revisited the Catalina Express Terminal and documented the Princess Pavilion, located just to the south of the Catalina Express Terminal. The field survey was performed to re-evaluate the historic significance of the Catalina Express Terminal because it is approaching the 50-year mark. With its demolition proposed for the third phase of the Project, it could be 50 years old by the time the third phase is implemented. The Princess Pavilion is immediately adjacent to the Project area and is proposed to be renovated to serve as the new Catalina Express Terminal.

The Catalina Express Terminal was evaluated to determine if it was eligible for listing on the NRHP. The terminal is less than 50 years old and does not meet the standard NRHP criteria. The terminal also was evaluated to determine if it was exceptionally significant, a criterion that is required if a building is less than 50 years old. The Catalina Express Terminal was determined ineligible for designation as a historic building at the national, state, and local levels.

The 2007 research review determined that the building was designed by A.C. Martin & Associates, a local influential architectural firm established in 1908 and named after A.C. Martin, its founder. Martin died in 1960, but the firm that bears his name continues to design and build major projects such as the high-rise towers of the Atlantic Richfield/Arco Plaza (1972), the Union Bank Building (1968), and the Security Pacific Plaza (1973-1974). Based on an evaluation of the terminal and a review of other buildings designed by A.C. Martin & Associates, the Catalina Express Terminal is not eligible for the NRHP. The 2007 survey concurred with the previous findings. A full discussion of its eligibility is found in Appendix M.

The Princess Pavilion was constructed in 1978-1979 and is less than 50 years old. To be eligible for listing, it would have to meet the criterion of "exceptional significance," which it fails to do. The field survey determined that much of the original exterior has been modified, and the interior has been completely remodeled and does not retain any vestiges of its construction period. Therefore, it would be ineligible for listing on the NRHP.

Knoll Hill is a small steep-sided hill bounded on the north and east by Front Street, and on the south and west by the former Pacific Electric rail, now the Harbor Belt Line. Originally developed as a residential area, the Port has steadily acquired and removed constituents atop Knoll Hill in anticipation of Port-related development. As of 2003, there were only three residential properties adjacent to the Project area and two commercial properties at the base of the hill. The houses date to the early twentieth century. The residential buildings are 50 years old or older. Based on the 2003 survey, none of the buildings is eligible for listing on the NRHP due to loss of integrity as a result of either loss of design or alterations; or the building represents a common design that is not significant. The two commercial structures are less than 50 years old and do not meet the NRHP criterion of "exceptional" significance."

A separate architectural survey of the Port of Los Angeles was performed in 2003 to identify any potentially significant historic resources at the Port, in compliance with CEQA and the National Historic Preservation Act (NHPA). This survey covered the proposed Project area, Berths 97-109 Container Terminals (Jones & Stokes, 2003). The

survey also evaluated the historic and architectural significance of wooden wharves at Berths 104, 108, 109, 115, and 118-120 in the West Basin (Jones & Stokes, 2000b). The evaluation found that all of the resources associated with the earliest historic use of Berths 104, 108, 109, and 111-120 have been demolished or removed; therefore, none of the buildings and structures at these berths meets NRHP eligibility criteria (Jones & Stokes, 2000b). USACE and the California Office of Historic Preservation concur (USACE and LAHD, 2000).

The current oil storage tanks at Berths 118-120 and a number of the buildings at the berths are less than 50 years old and do not appear to meet the threshold of "exceptional" significance for recently constructed properties. The survey and evaluation also determined that remaining buildings and structures that are more than 50 years old have lost their historic context and do not appear to meet NRHP eligibility criteria (Jones & Stokes, 2000b). All buildings associated with the use of the original wooden wharf at Berths 118-120 have been removed and buildings constructed within the last 50 years have compromised the setting of the berths. Thus, the wooden wharf lacks sufficient integrity to be considered eligible for listing in the NRHP (Jones & Stokes, 2000b). The USACE and the California Office of Historic Preservation concur (USACE and LAHD, 2000).

Based on a review of previous cultural resources surveys and the more recent surveys specifically for this Project, it has been determined that the Project area does not contain properties that are NRHP eligible or potentially NRHP eligible. Several recorded historical resources are within a 0.25-mile radius of the Project area, as listed in Table 3.4-1. These resources would not be affected by development of the proposed Project.

Table 3.4-1. Summary of Recorded Historic Architectural Resources in Project Vicinity

Site ID	Address	Site Features	Date
19-186623	955 S. Neptune Avenue	Wharf at Berths 148-149	1930/1955
19-186624	955 S. Neptune Avenue	Storage tanks adjacent to Berths 148-149, ca.	1955*
19-186625	955 S. Neptune Avenue	Dock house at Berth 149, ca.	1955*
19-186626	955 S. Neptune Avenue	Gatehouse, ca.	1955*
19-186627	955 S. Neptune Avenue	Concrete fire wall around tank farm, ca.	1955*
19-186628	955 S. Neptune Avenue	Substation, west end tank farm, ca.	1955*
19-186629	955 S. Neptune Avenue	Tosco Oil site, Berths 150-151, Historic District	1920-1936
19-186630	955 S. Neptune Avenue	Top-loading truck rack, ca.	1970
19-186631	955 S. Neptune Avenue	Warehouse, Berths 150-151, ca.	1954
19-186723	967 N. Gaffey Street	Complex of single-story interconnected industrial structures, ca.	1949
19-174912	700 block, Channel Street, San Pedro	Diego Sepulveda Adobe, ca. (SHL-380)	1850s

Table 3.4-1. Summary of Recorded Historic Architectural Resources in Project Vicinity

Site ID	Address	Site Features	Date
19-167267	Berth 96, Port of Los Angeles, Catalina Island Terminal; original location of S.S. Catalina steamship (now located at Ensenada Harbor, Ensenada, Mexico)	NPS 76000495 (other listings: SHL-894, California Register of Historic Places)	1924
Not National Register Eligible			
077190	441 Santa Cruz Street	3 evaluated structures, all 6Y2 – not NR eligible	1923
077834	340 W. Sepulveda Street		1910
081449	460 W. Sepulveda Street		1896

*Union Oil-associated but not part of Historic District
Source: LAHD, 1997

3.4.2.5.2.2 San Pedro

Previous evaluations concluded that no buildings in the Knoll Hill neighborhood were considered to be eligible for NRHP listing or as City of Los Angeles historic landmarks or structures of merit due to their lack of integrity and/or lack of architecturally distinctive characteristics (San Buenaventura Research Associates, 1996).

3.4.2.5.3 Paleontological Resources Setting

The Project site and vicinity are underlain by comparatively flat-lying and undisturbed Quaternary marine and continental strata reflecting the final uplift of the area above sea level. Topographic map coverage of the Project site is provided at a scale of 1:24,000 by the United States Geological Survey (USGS) San Pedro and Torrance Quadrangles, California, 7.5-Minute Series (Topographic) (1964, photorevised 1981).

Paleontological resources of the Project site include rock units that immediately underlie the surface and have a potential for yielding particular types of fossil remains because they have yielded similar fossil remains at previously recorded fossil sites near the Project site. Fossils, the remains or indications of once-living organisms, are a very important scientific resource because of their use in (1) documenting the evolution of particular groups of organisms, (2) reconstructing the environments in which they lived, and (3) determining the ages of the strata in which they occur and of the geologic events that resulted in the deposition of the sediments constituting these strata.

The potential for discovery of paleontological resources in the Project site is low. The 1997 West Basin EIR discusses the extensive depth of artificial fill (up to 25 feet thick) that has been placed over much of the land-side portions of the West Basin. The West Basin EIR further indicates that site preparation, grading, and construction of Port facilities would have disturbed soil to substantial depths, likely disturbing any paleontological materials deposited prehistorically. These same conditions are considered true for the adjacent Southwest Slip. Based on these data, the potential for encountering intact, significant paleontological materials in the Project area is extremely low.

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 determined by applying the NRHP eligibility criteria (36 CFR 800 and 36 CFR Section 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

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

If a property is less than 50 years old, it could be eligible for listing on the NRHP if it meets Criterion G that requires a property to be “exceptionally significant.” A property is of extraordinary importance if it is associated with an event or to an entire category of resources so fragile that survivors of any age are unusual (NPS, NRHP Bulletin 15). Examples of properties that are listed on the NRHP under Criteria G include the launch pad at Cape Canaveral, playwright Eugene O'Neill’s home, and the Chrysler Building in New York.

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

For a federally funded project or projects requiring a federal permit, the possible impacts of a project on archaeological and historic resources must be reviewed. The process of review is often referred to as the "Section 106" process and is described in 36 CFR Part 800, the implementing regulations of Section 106 of the NHPA. Section 106 consultation is required for federal undertakings: those projects with federal funding or that require a federal permit.

If an alternative other than the No Action Alternative is chosen, compliance with Section 106 of the NHPA is required because a federal permit (a 404 permit under the Clean Water Act from the USACE) is necessary for the Project. For Section 106 review, cultural resources (that is, archaeological and historic resources) must be identified and then evaluated using NRHP eligibility criteria. If NRHP-eligible cultural resources (termed historic properties) are present in the Area of Potential Effect (APE) for the Project, it must be determined if the Project will have an effect on the historic property and if the effect will be adverse. Title 36 CFR Part 800 (Section 106) 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 a 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 location, setting, or use may be relevant depending on significant characteristics of a property.

+ 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 location, design, setting, materials, workmanship, feeling, or association of the property. 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 setting of the property when that character contributes to the qualification of the property 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
  - Transfer, lease, or sale of the property without adequate provisions to protect historic integrity

The federal agency (for this Project, the USACE) makes the determination of eligibility and determination of effect and requests concurrence on these determinations from the State Historic Preservation Officer (SHPO). If there will be adverse effects to eligible historic properties, mitigation measures are stipulated in a Memorandum of Agreement (MOA) signed by the federal agency and the SHPO. When a federal permit is involved, the federal agency makes compliance with the provisions of the MOA a permit condition.

In addition to the NHPA, cultural resources are protected by the Archaeological Resources Protection Act of 1979 (ARPA) (16 U.S.C. Sections 469-469c). ARPA describes the requirements that must be satisfied 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 in the United States or internationally is prohibited. ARPA also identifies stiff penalties that can be levied against convicted violators.

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. Sections 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. Sections 3001-3013) requires that prehistoric human remains and burial-related artifacts of individuals recovered during ground disturbances

on federal or tribal land 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 nonfederal 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 "historical 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 July 27, 2007) states 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*

   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

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 California Register of Historical Resources (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 21084.1 states that an historical resource is a resource listed in, or is determined to be eligible for listing in, the CRHR, 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 CRHR, 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 a 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 21083.2 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 July 27, 2007) 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

Paleontological resources are included in Appendix G of the State CEQA Guidelines (Environmental Checklist Form) used to prepare CEQA Initial Studies. Use of this checklist requires determining if the Project will have a significant impact on unique 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 identify 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 of Los Angeles (City): (1) Historic-Cultural Monument designation by the Cultural Heritage Commission of the City and approved by the City Council; (2) placement on the California Register of Historical Resources; (3) placement on the National Register of Historic Places; (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, as well as structures and sites of importance in the history and/or cultural heritage of the City. 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 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 history of the city. No area within the Port of Los Angeles has been designated as part of an HPOZ (City of Los Angeles, 2001b).

The significance of 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 is 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 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 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:

+ 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
+ Are associated with an event that has made a substantial contribution to the broad patterns of our history
+ Are constructed in a distinctive architectural style characteristic of an era of history
+ Embody those distinguishing characteristics of an architectural type or engineering specimen
+ Are the work of an architect or designer who has substantially influenced the development of the City
+ Contain elements of design, details, materials, or craftsmanship which represent an important innovation
+ 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
+ Owing to its unique location or singular physical characteristics, represent an established feature of the neighborhood, community, or City
+ 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 CEQA Thresholds Guidelines (City of Los Angeles, 2006) state: "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 paleontological resources of the City 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, along with 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 nonfossiliferous 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 normally would constitute the baseline physical conditions by which the CEQA lead agency determines whether an impact is significant. For purposes of this Recirculated Draft EIS/EIR, the CEQA baseline for determining the significance of potential Project impacts is the environmental setting prior to March 2001, pursuant to the ASJ described in Chapter 1, Section 1.4.3. The CEQA baseline for this proposed Project includes 45,135 TEUs per year that occurred on the Project site in the year prior to March 2001.

The CEQA baseline represents the setting at a fixed point in time and differs from the No Project Alternative (discussed in Section 2.5) in that the No Project Alternative addresses what is likely to happen at the site over time, starting from the existing conditions. The No Project Alternative allows for growth at the Project site that could be expected to occur without additional approvals.

3.4.4.1.2 NEPA Baseline

For purposes of this Recirculated Draft EIS/EIR, the evaluation of significance under NEPA is defined by comparing the proposed Project or other alternative to the NEPA baseline. To ensure a full analysis of the impacts associated with Phases I through III, the NEPA baseline does not include the dredging required for the Berth 100 wharf, the existing bridge across the Southwest Slip, or the 1.3 acres of fill constructed as part of Phase I (i.e., the Project site conditions are considered without the in-water Phase I activities and structures). The NEPA baseline condition for determining significance of impacts includes the full range of construction and operational activities the applicant could implement and is likely to implement absent a permit from the USACE. Therefore, unlike the CEQA baseline, the NEPA baseline for this Project is not fixed. Rather, it is dynamic to account for the many activities and impacts expected to occur even in the absence of a USACE permit. For this Project, the NEPA baseline includes construction and operation of backlands container operations on up to 117 acres, but precludes construction of wharves and bridges, dredging, and improvements that would require a federal permit. The NEPA baseline comprises 117 acres of upland development (i.e., the 72 acres of backlands currently in use plus another 45 acres resulting from the Channel Deepening Project), which is greater than the 2001 baseline conditions. In addition, the NEPA baseline would store or manage up to 632,500 TEUs onsite, but no annual ships calls are included in the NEPA baseline (see Section 2.6.2 for further information).

Unlike the CEQA baseline, which is defined by conditions at a point in time, the NEPA baseline is not bound by statute to a "flat" or "no-growth" scenario. Therefore, the USACE could forecast increases in operations over the life of a project to properly describe the NEPA baseline condition. Normally, any ultimate permit decision would focus on direct impacts of the proposed Project 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 proposed Project or alternative is defined by comparing the proposed Project or alternative to the NEPA baseline (i.e., the increment). The NEPA baseline conditions are described in Section 2.6.2.

The 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 72 acres that are currently developed). Under the No Project Alternative, no construction would occur other than the Phase I construction. However, the abandonment of the existing bridge and 1.3 acres of fill, as well as removal of the four A-frame cranes built as part of Phase 1 would occur. 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 or ethnographic resources will be considered significant if it would disturb, damage, or degrade an archaeological or ethnographic 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
+ 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
+ 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)
+ Is a significant historic resource under the applicable standards of federal, state or local law (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 Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings
+ 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 archaeological or ethnographic resources are known to exist in the Project area. There would be an extremely low potential for buried artifacts to be found during demolition of the Catalina Express Terminal building, and other ground surface disturbance activities associated with construction of the proposed Project, including

dredging, filling, and the relocation of the Catalina Express Terminal floating docks. Surface disturbance activities associated with construction of the Project would be limited to the area within the Project site. The majority of the Project site is underlain with man-made fill and is paved. Because the site has been extensively disturbed from past uses and remediation activities, there is an extremely low potential for discovering archaeological or ethnographic cultural resources.

Dredge and fill impacts associated with construction of the wharf, as well as the creation of backlands is not expected to encounter archaeological or ethnographic resources due to the disturbed nature of the site. If the Southwest Slip contained any important shipwrecks or other marine cultural resources, previous dredging and salvage of shipwrecks to ensure navigational safety have probably removed or reduced them to debris (USACE and LAHD, 2000). Therefore, no important marine cultural resources are expected to occur within waters that would be affected during construction of the Berth 97-109 Container Terminal. Construction of the proposed Project would result in less than significant impacts to any archaeological or ethnographic resources within the Project area.

CEQA Impact Determination

No archaeological or ethnographic resources eligible for listing in the NRHP, the CRHR, or otherwise considered to be a historical resource or a unique or important archaeological or ethnographic 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 cultural resources is remote. Therefore, the proposed Project would not reasonably be expected to disturb, damage, or degrade unknown, intact, potentially significant archaeological, or ethnographic resources. Based on the above analysis, proposed construction activities would result in less than significant impacts on known archaeological and ethnographic resources under CEQA because no archaeological or ethnographic resources have been identified in the Project area and the impact on unknown resources is remote, given the high degree of previous disturbance to native soils and presence of imported fill in the Project area.

Mitigation Measures

Although the potential for impacts on unknown archaeological resources is remote, the following mitigation measure is provided consistent with the guidance of the CCR, Title 14, Section 15064.5(f). In the unlikely event that unknown, intact, potentially significant archaeological resources that are eligible for listing in the CRHR, or that are 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 to another 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 California Code of Regulations, Title 14, Section 15064.5(f)). 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; historical 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 preconstruction 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.

Prior to beginning construction, the Port shall meet with applicable Native American Groups, including the Gabrielino/Tongva Tribal Council to identify areas of concern. A trained archaeologist shall monitor construction at identified areas. In addition to monitoring, a treatment plan shall be developed in conjunction with the Native American Groups to establish the proper way of extracting and handling all artifacts in the event of an archaeological discovery.

Residual Impacts

Residual impacts would remain less than significant after mitigation.

NEPA Impact Determination

No archaeological resources eligible for listing in the NRHP (called "historic properties") are recorded within the marine or upland portions of the proposed Project site. Adjacent berthing channels within the West Basin area were dredged to -45 feet MLLW in the early 1980s, and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits within much of the West Basin area. 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 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, **MM CR-1** would apply to the NEPA proposed Project impact determination.

Residual Impacts

Residual impacts would remain less than significant after mitigation.

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

There are no historic resources within the Project site that are currently eligible for listing on the NRHP, the CRHP, or for designation as City of Los Angeles Historical-Cultural Monuments, either individually or as part of an existing historic district. The Catalina Express Terminal was constructed in 1965-1966. An evaluation of its current condition, history and historic significance determined that the building is not eligible for the NRHP.

An evaluation of the Princess Pavilion, constructed in 1978-1979, also was evaluated, and it was also determined not to be eligible for the NRHP. The demolition of the Catalina Express Terminal and the renovation of the Princess Pavilion to serve as the new Catalina Express Terminal would not be considered an impact to historic architectural properties.

Construction of the proposed Project would be a less than significant impact to any historic architectural resources within the Project area.

CEQA Impact Determination

No historic architectural resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important architectural Historical Resource under CEQA are recorded within the proposed Project site, including the Catalina Express Terminal building and the Princess Pavilion. 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 properties") are recorded within the marine or upland 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: Construction of the proposed Project would not result in disturbance, damage, or degradation to paleontological resources.

No paleontological resources are known to exist in the Project area. There would be an extremely low potential for buried resources to be found during dredging, filling, and demolition of the Catalina Express Terminal building, and ground surface disturbance activities associated with construction of the proposed Project, including the relocation of the Catalina Express Terminal floating docks. The majority of the Project site is underlain with man-made fill and is paved or highly disturbed; the amount of surface disturbance would be limited within the Project site. Consequently, there would be an extremely low potential for paleontological resources to be found during construction, and impacts would not occur as a result of implementing the proposed Project.

Other aspects of proposed Project construction are not expected to encounter paleontologic resources based on the limited depth of excavation and the disturbed nature of the Project site.

CEQA Impact Determination

As discussed above, construction of the proposed Project would have an extremely low potential for encountering paleontological resources because the majority of the Project site is underlain with man-made fill and is paved; the amount of surface disturbance would be limited within the Project site. No sensitive paleontological resources are recorded within the marine portions of the proposed Project site. The majority of the West Basin area was dredged to -45 feet MLLW in the early 1980s, and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits within much of the West Basin area. Due to these past substantial dredge and fill activities in the Project area, 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 Berth 97-109 waterfront area is low. As a consequence, construction of the proposed Project would not result in significant impacts related to the disturbance, damage, or degradation of paleontological resources.

Mitigation Measures

No mitigation measures are necessary under CEQA.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

No sensitive paleontological resources are recorded within the marine or upland portions of the proposed Project site. The majority of the West Basin area was dredged to -45 feet MLLW in the early 1980s, and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits within much of the West Basin area. Due to these past substantial dredge and fill activities in the Project area, 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 on the Project site or in the Berth 97-109 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

There would be no residual impacts.

3.4.4.3.1.2 Operational Impacts

No below ground or above-ground disturbances will occur during operation of the Project. Previous discussions of cultural resources determined that there are no archaeological, ethnographic, architectural, or paleontological resources within the Project area. Therefore, Project operation would not result in impacts that would affect archaeological

resources (including ethnographic resources) under Impact CR-1, historic resources under Impact CR-2, or paleontological resources under Impact CR-3.

3.4.4.3.2 Alternatives

3.4.4.3.2.1 Alternative 1: No Project Alternative

Alternative 1 would utilize the terminal site constructed as part of Phase I for container storage. Because of this, the Phase I construction activities are included under Alternative 1 even though the in-water Phase I elements would not be used (they would be abandoned).

Under the No Project Alternative (Alternative 1), no ships would dock at Berths 97-109, and the four existing A-frame cranes would be dismantled and removed. The existing 72-acre backlands area of the Project site would be used to accommodate storage of cargo containers associated with the adjacent Yang Ming Terminal. The 1.3 acres of fill added to waters of the U.S. during construction of the Phase I terminal under the proposed Project (as allowed under the ASJ and under USACE permit), which was fully mitigated, would remain in place under Alternative 1, as would the existing bridge over the Southwest Slip. In addition, the Catalina Express Terminal would not be relocated under this alternative; therefore, there would be no impacts to archaeological resources (including ethnographic resources) under Impact CR-1, historic resources under Impact CR-2, or paleontological resources under Impact CR-3.

3.4.4.3.2.1.1 Construction Impacts

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.

No archaeological and ethnographic resources are known to exist in the Project area. There would be an extremely low potential for buried resources to be found during the dredging, filling, and demolition of buildings and structures and during ground surface disturbance activities associated with the proposed Project construction. The majority of the Project site is underlain with man-made fill and is paved or highly disturbed; the amount of surface disturbance would be limited within the site boundaries. Consequently, there would be a low potential for archaeological and ethnographic resources to be found during construction; and impacts are not anticipated to occur as a result of implementing Alternative 1.

CEQA Impact Determination

The backlands area of the Project site was increased to 72 acres during Phase I construction, which is greater than the acreage under CEQA baseline conditions. Potential impacts would be reduced relative to the proposed Project due to the smaller terminal size, and no impact on unknown archaeological and ethnographic resources were encountered during construction. Consequently, construction of Alternative 1 would not result in significant impacts under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

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

NEPA Impact Determination

The impacts of this No Project Alternative are not required to be analyzed under NEPA. NEPA requires the analysis of a No Federal Action Alternative (see Alternative 2 in this document).

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

A residual impacts determination is not applicable.

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

CEQA Impact Determination

As with the proposed Project, no historic architectural resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important historical architectural resource under CEQA is recorded within the site boundaries of Alternative 1. 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

The impacts of this No Project Alternative are not required to be analyzed under NEPA. NEPA requires the analysis of a No Federal Action Alternative (see Alternative 2 in this document).

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

A residual impacts determination is not applicable.

Alt 1 – Impact CR-3: Construction of Alternative 1 would not result in disturbance, damage, or degradation to paleontological resources.

CEQA Impact Determination

Under Alternative 1, the existing 72 acres of backlands area of the terminal site created under Phase I of the proposed Project would be used by the adjacent

Yang Ming Terminal to store containers from that terminal. Because of the highly altered and developed state of the terminal site, no paleontological resources were encountered during construction of Phase I; therefore, implementation of Alternative 1 would not result in significant impacts related to the disturbance, damage, or degradation of paleontological resources.

Mitigation Measures

No mitigation is required.

Residual Impacts

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

NEPA Impact Determination

The impacts of this No Project Alternative are not required to be analyzed under NEPA. NEPA requires the analysis of a No Federal Action Alternative (see Alternative 2 in this document).

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

A residual impacts determination is not applicable.

3.4.4.3.2.1.2 Operational Impacts

Under Alternative 1, the existing 72 acres of backlands area of the terminal site created under Phase I of the proposed Project would be used by the adjacent Yang Ming Terminal to store containers from that terminal. Previous discussions of cultural resources determined that there are no archaeological, ethnographic, architectural, or paleontological resources within the Project area. No additional ground disturbance will occur during operation of Alternative 1; therefore, operation would not result in impacts that could affect archaeological resources or ethnographic resources under Impact CR-1, historic resources under Impact CR-2, or paleontological resources under CR-3.

3.4.4.3.2.2 Alternative 2: No Federal Action Alternative

Alternative 2 would utilize the terminal site constructed as part of Phase I for container storage and would increase the backland area to 117 acres. Because of this, the Phase I construction activities are included under Alternative 2 although the in-water Phase I elements would not be used. The Phase I dike, fill, and wharf would be abandoned.

The No Federal Action Alternative (Alternative 2) would include the operation of 117 acres of backlands area for storage of containers. The existing westerly bridge crossing the Southwest Slip used mainly to transport containers between Berths 121-131 and Berths 97-109 would not be utilized and the existing four A-frame cranes would be removed from the Project site. The 1.3 acres of fill added to waters of the U.S. during construction of the Phase I terminal under the proposed Project (as allowed under the ASJ and under USACE permit), which was fully mitigated, would remain in place under Alternative 2. Alternative 2 would involve the expansion of landside operations as the area of backlands would increase from 72 acres in 2005 to 117 acres by 2015 but would not relocate the Catalina Express Terminal.

3.4.4.3.2.2.1 Construction Impacts

Alt 2 – Impact CR-1: Construction of Alternative 2 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 site boundaries under this alternative. The majority of the terminal site is underlain with man-made fill and is paved. Because the site has been extensively disturbed from past uses and remediation activities, 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, expansion of the backlands area 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, **MM CR-1** would apply to the CEQA Alternative 2 Project impact determination.

Residual Impacts

Residual impacts would remain less than significant after mitigation.

NEPA Impact Determination

Under this alternative, no additional development would occur in the in-water proposed Project area (that is, no further dredging, dike or fill placement, pile installation, or wharf construction). In addition, backland development under Alternative 2 would be the same as under the NEPA baseline. Therefore, potential impacts under NEPA would not occur because no cultural resources were encountered during Phase I construction and there would be no substantive changes in the environmental conditions between Alternative 2 and the NEPA baseline.

Mitigation Measures

No mitigation measures are necessary under NEPA.

Residual Impacts

No residual impacts would occur.

Alt 2 – Impact CR-2: Construction of 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 site boundaries under this alternative. 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 additional development would occur in the in-water terminal area (i.e., no further dredging, dike or fill placement, pile installation, or wharf construction). In addition, backland development under Alternative 2 would be the same as under the NEPA baseline. Therefore, potential impacts under NEPA would not occur because no cultural resources were encountered during Phase I construction and there no substantive changes would occur in the environmental conditions between Alternative 2 and the NEPA baseline.

Mitigation Measures

No mitigation measures are necessary under NEPA.

Residual Impacts

No residual impacts would occur.

Alt 2 – Impact CR-3: Construction of Alternative 3 would not result in disturbance, damage, or degradation to paleontological resources.

No paleontological resources are known to exist in the Project area. There would be a low potential for buried resources to be found during ground surface disturbance activities associated with backland expansion under Alternative 2. The majority of the Project site is underlain with man-made fill or is highly disturbed from previous uses and activities (see Section 2.2.4, Historical Uses of the Project Site); the amount of surface disturbance under this alternative would be limited to site boundaries for the creation of paved backlands. Consequently, there would be a low potential for paleontological resources to be present at the site. Furthermore, during Phase I construction, no paleontological resources were encountered.

CEQA Impact Determination

As discussed above, expansion of backlands area under Alternative 2 would have a low potential for encountering paleontological resources because the majority of the Project site is underlain with man-made fill and is highly disturbed; the amount of surface disturbance would be limited within the Project site for the creation of paved backlands. As a consequence, construction activity under Alternative 2 would not result in significant impacts related to the disturbance, damage, or degradation of paleontological resources.

Mitigation Measures

No mitigation measures are necessary under CEQA.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

Under this alternative, no additional in-water development would occur in the proposed Project area (that is, no further dredging, dike or fill placement, pile installation, or wharf construction). In addition, backland development under Alternative 2 would be the same as the NEPA baseline. Therefore, potential impacts under NEPA would not occur because no cultural resources were encountered during Phase I construction, and no substantive changes would occur in the environmental conditions between Alternative 2 and the NEPA baseline.

Mitigation Measures

No mitigation measures are necessary under NEPA.

Residual Impacts

No residual impacts would occur.

3.4.4.3.2.2.2 Operational Impacts

Alternative 2 would involve the expansion of landside operations as the area of backlands would increase from 72 acres to 117 acres, which would be used by the adjacent Yang Ming Terminal to store containers from that terminal. Previous discussions of cultural resources determined that there are no archaeological, ethnographic, architectural, or paleontological resources within the Project area. No additional ground disturbance will occur during operation of Alternative 2; therefore, its operation would not result in impacts that could affect archaeological resources or ethnographic resources under Impact CR-1, historic resources under Impact CR-2, or paleontological resources under Impact CR-3.

3.4.4.3.2.3 Alternative 3: Reduced Fill: No New Wharf Construction at Berth 102

Alternative 3 does not include the wharf extension at Berth 102, but would include the southern extension of Berth 100. Alternative 3 would also require the relocation of the Catalina Express Terminal and utilization of 142 acres of backlands.

3.4.4.3.2.3.1 Construction Impacts

Alt 3 – Impact CR-1: Construction of Alternative 3 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 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, construction of Alternative 3, including the relocation of the Catalina Express Terminal, 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 somewhat reduced relative to the proposed Project since in-water construction activities would be reduced. The amount of earth disturbance would be equivalent to that under the proposed Project. There would be less than significant impacts on known archaeological and ethnographic resources under CEQA and the impact on unknown resources is remote, given the high degree of previous disturbance to native soils and presence of imported fill in Project area.

Mitigation Measures

Although the potential for impacts on unknown archaeological resources and resources considered significant to contemporary Native Americans is remote, **MM CR-1** would apply to the CEQA Alternative 3 Project impact determination.

Residual Impacts

Residual impacts would remain less than significant after mitigation.

NEPA Impact Determination

Under Alternative 3, less in-water construction (but the same upland area) 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 Project site. The adjacent berthing channels of the West Basin area were dredged to -45 feet MLLW in the early 1980s and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits within much of the West Basin area. Due to these past substantial dredge and fill activities in the Project area, the probability of encountering any intact, archaeological resources, is remote. Therefore, impacts on unknown marine archaeological resources would be slightly less than those identified 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, **MM CR-1** would apply to the NEPA Alternative 3 Project impact determination.

Residual Impacts

Residual impacts would remain less than significant after mitigation.

Alt 3 – Impact CR-2: Construction of 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 site boundaries under Alternative 3, including the Catalina Express Terminal building and the Princess Pavilion. 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 or upland 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: Construction of Alternative 3 would not result in disturbance, damage, or degradation to paleontological resources.

No paleontological resources are known to exist in the Project area. There would be a low potential for buried resources to be found during ground surface disturbance activities (including the relocation of the Catalina Express Terminal) associated with Alternative 3. The majority of the Project site is underlain with man-made fill and is paved or highly disturbed; the amount of surface disturbance would be limited within the Project site. Consequently, there would be a low potential for paleontological resources to be found during construction, and impacts would not occur as a result of implementing Alternative 3.

Other aspects of Alternative 3 construction are not expected to encounter paleontologic resources based on the limited depth of excavation and the disturbed nature of the Project site.

CEQA Impact Determination

As discussed above, construction activities associated with Alternative 3 would have a low potential for encountering paleontological resources because the majority of the Project site is underlain with man-made fill and is paved; the amount of surface disturbance would be limited within the Project site. No sensitive paleontological resources are recorded within the marine portions of the Alternative 3 Project site. The majority of the West Basin area was dredged to -45 feet MLLW in the early 1980s, and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits within much of the West Basin area. Due to these past substantial dredge and fill activities in the Project area, there is very little potential for proposed dredging and in-water construction 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 Berth 97-109 waterfront area is low. As a consequence, construction of Alternative 3 would not result in significant impacts related to the disturbance, damage, or degradation of paleontological resources.

Mitigation Measures

No mitigation measures are necessary under CEQA.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

No sensitive paleontological resources are recorded within the marine or upland portions of the proposed Project site. The majority of the West Basin area was dredged up to -45 feet MLLW in the early 1980s and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits within much of the West Basin area. Due to these past substantial dredge and fill activities in the Project area, 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 Berth 97-109 waterfront area or upland area is low, and 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.

3.4.4.3.2.3.2 Operational Impacts

No belowground or aboveground disturbances will occur during operation of Alternative 3. Because of this, its operation would not result in impacts that could affect archaeological resources (including ethnographic resources) under Impact CR-1, historic resources under Impact CR-2, or paleontological resources under Impact CR-3. Therefore, operation of Alternative 3 would have no significant impacts on cultural resources.

3.4.4.3.2.4 Alternative 4: Reduced Fill: No South Wharf Extension at Berth 100

Under Alternative 4, a 925-foot-long wharf extension would be added to Berth 102 during Phase II of construction. The 375-foot southern extension of the wharf at Berth 100 would not be constructed under this alternative. The construction of the 925-foot wharf extension would involve in-water activities. Alternative 4 would not require the relocation of the Catalina Express Terminal, but would utilize 130 acres of backlands.

3.4.4.3.2.4.1 Construction Impacts

Alt 4 – Impact CR-1: Construction of Alternative 4 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 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, construction of Alternative 4 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 somewhat reduced relative to the proposed Project since in-water construction activities would be reduced. The amount of earth disturbance would be a little smaller than that under the proposed Project. There would be less than significant impacts on known archaeological and ethnographic resources under CEQA and the impact on unknown resources is remote given the high degree of previous disturbance to native soils and presence of imported fill in Project area.

Mitigation Measures

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

Residual Impacts

Residual impacts would remain less than significant after mitigation.

NEPA Impact Determination

Under Alternative 4, less in-water and upland construction 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 MLLW in the early 1980s and more recently dredged to -53 MLLW as part of the Channel Deepening Project. 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, **MM CR-1** would apply to the NEPA Alternative 4 Project impact determination.

Residual Impacts

Residual impacts would remain less than significant after mitigation.

Alt 4 – Impact CR-2: Construction of 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 site boundaries under Alternative 4. 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 or upland portions of the 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 4 – Impact CR-3: Construction of Alternative 4 would not result in disturbance, damage, or degradation to paleontological resources.

No paleontological resources are known to exist in the Project area. There would be a low potential for buried resources to be found during the dredging, filling, and demolition of buildings and structures, or during ground surface disturbance activities associated with the proposed Project construction. The majority of the Project site is underlain with man-made fill and is paved or highly disturbed; the amount of surface disturbance would be limited within the Project site. Consequently, there would be a low potential for paleontological resources to be found during construction; and impacts would not occur as a result of implementing Alternative 4.

Other aspects of Alternative 4 construction are not expected to encounter paleontologic resources based on the limited depth of excavation and the disturbed nature of the Project site.

CEQA Impact Determination

As discussed above, construction of Alternative 4 would have a low potential for encountering paleontological resources because the majority of the Project site is underlain with man-made fill, highly disturbed, and is paved; the amount of surface disturbance would be limited within the Project site. No sensitive paleontological resources are recorded in the marine portions of the Project site under Alternative 4. The majority of the West Basin area was dredged to -45 feet MLLW in the early 1980s, and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits in much of the West Basin area. Due to these past substantial dredge and fill activities in the Project area, there is very little potential for proposed dredging and in-water construction 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 Berth 97-109 waterfront area is low. As a consequence, construction of Alternative 4 would not result in significant impacts related to the disturbance, damage, or degradation of paleontological resources.

Mitigation Measures

No mitigation measures are necessary under CEQA.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

No sensitive paleontological resources are recorded within the marine or upland portions of the proposed Project site. The majority of the West Basin area was dredged to -45 feet MLLW in the early 1980s and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) been placed over marine deposits within much of the West Basin area. Thus, 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 Berth 97-109 waterfront area or upland area is low, and 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.

3.4.4.3.2.4.2 Operational Impacts

No belowground or aboveground disturbances will occur during operation of Alternative 4. Because of this, its operation would not result in impacts that could affect archaeological resources (including ethnographic resources) under Impact CR-1, historic resources under Impact CR-2, or paleontological resources under Impact CR-3. Therefore, Alternative 4 operations would have no significant impacts on cultural resources.

3.4.4.3.2.5 Alternative 5: Reduced Construction and Operation: Phase I Construction Only

Under Alternative 5, the terminal (as completed in 2003 and allowed for under the ASJ) would include 72 acres of backlands, four operational A-frame cranes, and a single road bridge spanning the Southwest Slip. Alternative 5 would not require the relocation of the Catalina Express Terminal, and no additional facilities would be constructed during the life of the Project.

3.4.4.3.2.5.1 Construction Impacts

Alt 5 – Impact CR-1: Construction of Alternative 5 would have no potential to disturb, damage, or degrade unknown archaeological and ethnographic cultural resources.

No archaeological and ethnographic resources are known to exist in the Project area. There would be an extremely low potential for buried resources to be found during the dredging, filling, and demolition of buildings and structures and during ground surface disturbance activities associated with the proposed Project construction. The majority of the Project site is underlain with man-made fill and is paved or highly disturbed; the amount of surface disturbance would be limited within the site boundaries. Consequently, there would be a low potential for archaeological and ethnographic resources to be found during construction; and impacts are not anticipated to occur as a result of implementing Alternative 5.

CEQA Impact Determination

The backlands area of the Project site was increased to 72 acres during Phase I construction, which is greater than the acreage under CEQA baseline conditions. Potential impacts would be reduced relative to the proposed Project due to the smaller terminal size, and no impact on unknown archaeological and ethnographic resources were encountered during construction. Consequently, construction of Alternative 5 would not result in significant impacts under CEQA.

Mitigation Measures

No mitigation is required under CEQA.

Residual Impacts

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

NEPA Impact Determination

No unknown archaeological and ethnographic resources are recorded within the marine portions of the proposed Project site. The majority of the West Basin area was dredged to -45 feet MLLW in the early 1980s and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits in much of the West Basin area. During in-water construction under Phase I, no archaeological or ethnographic resources were encountered; therefore, no impacts on known or unknown archaeological and ethnographic resources occurred under NEPA.

Mitigation Measures

No mitigation measures are necessary under NEPA.

Residual Impacts

There would be no impacts.

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

CEQA Impact Determination

No historic architectural resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important historical architectural resource under CEQA is recorded within the site boundaries under Alternative 5. 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 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 impacts.

Alt 5 – Impact CR-3: Construction of Alternative 5 would not result in disturbance, damage, or degradation to paleontological resources.

No paleontological resources are known to exist in the Project area. The majority of the Project site is underlain with man-made fill and is paved or highly disturbed; the amount of surface disturbance during Phase I construction was limited within the Project site. Consequently, there is a low potential for paleontological resources to be present at the site. Furthermore, during Phase I construction, no paleontological resources were encountered.

CEQA Impact Determination

Because of the highly altered and developed state of the Project site, no paleontological resources were encountered during construction of Phase I; therefore, implementation of Alternative 5 would not result in significant impacts related to the disturbance, damage, or degradation of paleontological resources.

Mitigation Measures

No mitigation is required.

Residual Impacts

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

NEPA Impact Determination

No sensitive paleontological resources are recorded within the marine portions of the proposed Project site. The majority of the West Basin area was dredged to -45 feet MLLW in the early 1980s and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) been placed over marine deposits within much of the West Basin area. Thus, 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 Berth 97-109 waterfront area is low. Furthermore, no paleontological resources were encountered during in-water construction of Phase I; therefore, no impacts on sensitive paleontological resources would occur under NEPA.

Mitigation Measures

No mitigation measures are necessary under NEPA.

Residual Impacts

There would be no residual impacts.

3.4.4.3.2.5.2 Operational Impacts

No belowground or aboveground disturbances will occur during operation of Alternative 5. Because of this, its operation would not result in impacts that could affect archaeological resources (including ethnographic resources) under Impact CR-1, historic resources under Impact CR-2, or paleontological resources under Impact CR-3. Therefore, Alternative 5 operations would have no significant impacts on cultural resources.

3.4.4.3.2.6 Alternative 6: Omni Terminal

This alternative would involve land improvements and wharf construction similar to those required for the proposed Project. Under this alternative, the existing backlands would be reconstructed to match the needs of an Omni terminal. Like the proposed Project, this alternative would involve construction of 2,500 linear feet of wharf improvements, 2.5 acres of fill into waters of the U.S., and the relocation of the Catalina Express Terminal.

3.4.4.3.2.6.1 Construction Impacts

Alt 6 – Impact CR-1: Construction of Alternative 6 has an extremely low potential to disturb, damage, or degrade unknown archaeological and ethnographic cultural resources.

No archaeological resources are known to exist in the Project area. There would be a low potential for buried artifacts to be found during dredging, filling, and demolition of the Catalina Express Terminal building or during other ground surface disturbance activities associated with Alternative 6 construction, including the relocation of the Catalina Express Terminal floating docks. The majority of the Project site is underlain with man-made fill, is highly disturbed, and is paved. Because the site has been extensively

disturbed from past uses and remediation activities, the amount of surface disturbance would be limited within the Project site.

Dredge and fill impacts associated with construction of the wharf, as well as the creation of backlands and building demolition, are not expected to encounter archaeological resources due to the disturbed nature of the site. If the Southwest Slip ever contained any important shipwrecks or other marine cultural resources, previous dredging and salvage of shipwrecks to ensure navigational safety have probably removed them or reduced them to debris (USACE and LAHD, 2000). Therefore, no important marine cultural resources are expected to occur within waters that would be affected during construction activities associated with Alternative 6.

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 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, implementation of Alternative 6 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 known archaeological and ethnographic resources under CEQA. The impact on unknown resources is remote because there is little likelihood of unknown resources being located in the Project area.

Mitigation Measures

Although the potential for impacts on unknown archaeological resources and resources considered significant to contemporary Native Americans is remote, **MM CR-1** would apply to the CEQA Alternative 6 Project impact determination.

Residual Impacts

Residual impacts would remain less than significant after mitigation.

NEPA Impact Determination

No archaeological resources eligible for listing in the NRHP (called "historic" resources) are recorded within the marine or upland portions of the Project site. Adjacent berthing channels have been previously dredged to -45 feet MLLW in the early 1980s and more recently to -53 MLLW as part of the Channel Deepening Project, such that the probability of encountering any intact, unknown historic resources, isolated prehistoric artifacts or historic remains such as shipwrecks are remote. Therefore, implementation of Alternative 6 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 archaeological resources is remote, **MM CR-1** would apply to the NEPA Alternative 6 impact determination.

Residual Impacts

Residual impacts would remain less than significant after mitigation.

Alt 6 – Impact CR-2: Construction of Alternative 6 would not impact any potentially significant historic architectural resources

There are no historic architectural resources within the Project site that are currently eligible for listing on the NRHP, the CRHP, or for designation as City of Los Angeles Historical-Cultural Monuments, either individually or as part of an existing historic district.

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 is recorded within the Project site, including the Catalina Express Terminal building and the Princess Pavilion. 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 or upland portions of the 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 6 – Impact CR-3: Construction of Alternative 6 would not result in disturbance, damage, or degradation to paleontological resources.

No paleontological resources are known to exist in the Project area. There would be a low potential for buried resources to be found during dredging, filling, and demolition of the Catalina Express Terminal building or during ground surface disturbance activities associated with Alternative 6 construction, including the relocation of the Catalina Express Terminal floating docks. The majority of the Project site is underlain with man-made fill and is paved or highly disturbed; the amount of surface disturbance would be limited within the Project site. Consequently, there would be a low potential for

paleontological resources to be found during construction; and impacts would not occur as a result of implementing Alternative 6.

Other aspects of Alternative 6 construction are not expected to encounter paleontologic resources based on the limited depth of excavation and the disturbed nature of the Project site.

CEQA Impact Determination

As discussed above, construction of Alternative 6 would have a low potential for encountering paleontological resources because the majority of the Project site is underlain with man-made fill and is paved; the amount of surface disturbance would be limited within the Project site. No sensitive paleontological resources are recorded in the marine portions of the Alternative 6 Project site. The majority of the West Basin area was dredged to -45 feet MLLW in the early 1980s, and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits within much of the West Basin area. Due to these past substantial dredge and fill activities in the Project area, there is very little potential for proposed dredging and in-water construction 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 Berth 97-109 waterfront area is low. As a consequence, construction of Alternative 6 would not result in significant impacts related to the disturbance, damage, or degradation of paleontological resources.

Mitigation Measures

No mitigation measures are necessary under CEQA.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

No sensitive paleontological resources are recorded within the marine or upland portions of the Project site. Due to the majority of the West Basin area being dredged to -45 feet MLLW in the early 1980s, and more recently dredged to -53 MLLW as part of the Channel Deepening Project 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. Thus, the potential to encounter vertebrate paleontological resources in the Berth 97-109 waterfront area or upland 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.

3.4.4.3.2.6.2 Operational Impacts

No belowground or aboveground disturbances will occur during operation of Alternative 6. Because of this, operation would not result in impacts that could affect archaeological resources (including ethnographic resources) under Impact CR-1, historic resources under Impact CR-2, or paleontological resources under Impact CR-3. Therefore, Alternative 6 operations would have no significant impacts on cultural resources.

3.4.4.3.2.7 Alternative 7: Nonshipping Use

Alternative 7 would utilize the terminal site constructed as part of Phase I for construction and operation of a Regional Center (commercial and industrial uses), and would increase the backland area to 117 acres. Because of this, the Phase I construction activities are included under Alternative 7 although the in-water Phase I elements would not be used. The Phase I dike, fill, and wharf would be abandoned. The Regional Center under Alternative 7 would include retail, office park, and light industrial uses. Construction of a public dock and related structures would occur to support small watercraft. The Catalina Express Terminal would not be relocated.

3.4.4.3.2.7.1 Construction Impacts

Alt 7 – Impact CR-1: Construction of Alternative 7 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 upland and in-water areas of the 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, construction of the upland developments and in-water features (public docks and related structures) of Alternative 7 would not reasonably be expected to disturb, damage, or degrade unknown, intact, potentially significant archaeological resources. Because the potential for damaging unknown prehistoric remains is remote, potential impacts on ethnographic resources considered significant to contemporary Native Americans are not reasonably expected. Based on the above analysis, proposed construction activities would result in less than significant impacts on known archaeological and ethnographic resources under CEQA, and the impact on unknown resources is remote given the high degree of previous disturbance to native soils and presence of imported fill in Project area.

Mitigation Measures

Although the potential for impacts on unknown archaeological resources and resources considered significant to contemporary Native Americans is remote, **MM CR-1** would apply to the CEQA Alternative 7 Project impact determination.

Residual Impacts

Residual impacts would remain less than significant after mitigation.

NEPA Impact Determination

No archaeological resources eligible for listing in the NRHP (called "historic" resources) are recorded within the marine or upland portions of the Alternative 7 Project site. Adjacent berthing channels within the West Basin area were dredged to -45 feet MLLW in the early 1980s, and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits within much of the West Basin area. Therefore, in-water and upland construction under Alternative 7 would not reasonably be expected to disturb, damage, or degrade unknown, intact, potentially significant marine archaeological resources. As the potential for damaging unknown marine or upland 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, **MM CR-1** would apply to the NEPA proposed Project impact determination.

Residual Impacts

Residual impacts would remain less than significant after mitigation.

Alt 7 – Impact CR-2: Construction of Alternative 7 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 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, the CRHR, or otherwise considered a unique or important architectural historic resource is recorded within the in-water or upland portion of the Project site. Therefore, 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 7 – Impact CR-3: Construction under Alternative 7 would not result in disturbance, damage, or degradation to paleontological resources.

No paleontological resources are known to exist in the Project area. There would be a low potential for buried resources to be found during demolition of buildings and structures or during ground surface disturbance activities associated with Alternative 7 construction. The majority of the Project site is underlain with man-made fill and is paved or disturbed; the amount of surface disturbance would be limited within the Project site. Consequently, there would be a low potential for paleontological resources to be present at the site. Furthermore, during Phase I construction, no paleontological resources were encountered.

CEQA Impact Determination

As discussed above, construction activities under Alternative 7 would have a low potential for encountering paleontological resources because the majority of the Project site is underlain with man-made fill and is paved; the amount of surface disturbance would be limited within the Project site. No sensitive paleontological resources are recorded within the marine portions of the Alternative 7 Project site. The majority of the West Basin area was dredged to -45 feet MLLW in the early 1980s, and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits within much of the West Basin area. Due to these past substantial dredge and fill activities in the Project area, there is very little potential for in-water construction 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 Berth 97-109 waterfront area is low. As a consequence, construction of Alternative 7 would not result in significant impacts related to the disturbance, damage, or degradation of paleontological resources.

Mitigation Measures

No mitigation measures are necessary under CEQA.

Residual Impacts

There would be no residual impacts.

NEPA Impact Determination

No sensitive paleontological resources are recorded within the marine or upland portions of the Alternative 7 Project site. The majority of the West Basin area was dredged to -45 feet MLLW in the early 1980s, and more recently dredged to -53 MLLW as part of the Channel Deepening Project. Additionally, extensive artificial fill (up to 25 feet thick) has been placed over marine deposits within much of the West Basin area. Due to these past substantial dredge and fill activities in the Project area, there is very little potential for in-water construction 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 Berth 97-109 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

There would be no residual impacts.

3.4.4.3.2.7.2 Operational Impacts

No belowground or aboveground disturbances will occur during operation of Alternative 7. Because of this, its operation would not result in impacts that could affect archaeological resources (including ethnographic resources) under Impact CR-1, historic resources under Impact CR-2, or paleontological resources under Impact CR-3. Therefore, Alternative 7 operations would have no significant impacts on cultural resources.

3.4.4.3.3 Summary of Impact Determinations

Table 3.4-2 summarizes the CEQA and NEPA impact determinations of the proposed Project and its alternatives related to Cultural Resources, as described in the detailed discussion above. 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 3.4-2. 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: No impact on known resources and the impact on unknown resources is remote given the high degree of previous disturbance to native soils and presence of imported fill in Project area	**MM CR-1:** In the unlikely event that any artifact, or culturally deposited bone, shell or non-native stone is encountered during construction, work shall be immediately stopped and relocated to another 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 using NRHP and CRHR eligibility criteria (see 36 CFR 800.11.1 and California Code of Regulations, Title 14, Section 15064.5(f)). 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; historical 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 Section 106 and CEQA Guidelines. All construction equipment operators shall attend a preconstruction 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.	CEQA: Less than significant impact after mitigation
		NEPA: Less than significant impact	**MM CR-1**	NEPA: Less than significant impact after mitigation

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Table 3.4-2. 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-2:** Construction of the proposed Project would not impact any potentially significant historic architectural resources.	CEQA: No impact NEPA: No impact.	Mitigation not required. Mitigation not required.	CEQA: No impact. NEPA: No impact.
	CR-3: Construction of the proposed Project would not result in disturbance, damage, or degradation to paleontological resources.	CEQA: Less than significant impact NEPA: No impact	Mitigation not required. Mitigation not required	CEQA: Less than significant impact mitigation. NEPA: No impact
Alternative 1 – No Project Alternative	**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	CEQA: Less than significant impact NEPA: Not applicable	Mitigation not required Mitigation not required	CEQA: Less than significant impact NEPA: Not applicable
Alternative 2 – No Federal Action Alternative	**CR-1**	CEQA: Less than significant impact NEPA: No impact	**MM CR-1** Mitigation not required	CEQA: Less than significant impact after mitigation NEPA: No impact
	CR-2	CEQA: No impact NEPA: No impact	Mitigation not required Mitigation not required	CEQA: No impact NEPA: No impact
	CR-3	CEQA: Less than significant impact NEPA: No impact	Mitigation not required Mitigation not required	CEQA: Less than significant impact NEPA: No impact

Table 3.4-2. 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 3 – Reduced Fill Alternative, No Berth 102 Wharf	**CR-1**	CEQA: Less than significant impact NEPA: Less than significant impact	**MM CR-1** **MM 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: Less than significant impact NEPA: No impact	Mitigation not required Mitigation not required	CEQA: Less than significant impact NEPA: No impact.
Alternative 4 – Reduced Fill Alternative, No Berth 100 South	**CR-1**	CEQA: Less than significant impact NEPA: Less than significant impact	**MM CR-1** **MM 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: Less than significant impact NEPA: No impact	Mitigation not required Mitigation not required	CEQA: Less than significant impact NEPA: No impact.
Alternative 5 – Reduced Construction and operation: Phase I Construction Only	**CR-1**	CEQA: No impact NEPA: No impact	Mitigation not required Mitigation not required	CEQA: No impact NEPA: No impact
	CR-2	CEQA: No impact NEPA: No impact	Mitigation not required Mitigation not required	CEQA: No impact NEPA: No impact
	CR-3	CEQA: Less than significant impact NEPA: No impact	Mitigation not required Mitigation not required	CEQA: Less than significant impact NEPA: No impact

Table 3.4-2. 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 6 – Omni Cargo Terminal Alternative	**CR-1**	CEQA: Less than significant impact NEPA: Less than significant impact	**MM CR-1** **MM 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: Less than significant impact NEPA: No impact	Mitigation not required Mitigation not required	CEQA: Less than significant impact NEPA: No impact.
Alternative 7 – Nonshipping Alternative	**CR-1**	CEQA: Less than significant impact NEPA Less than significant impact	**MM CR-1** **MM CR-1**	CEQA: Less than significant impact after mitigation NEPA: Less than significant impact
	CR-2	CEQA: No impact NEPA No impact	Mitigation not required Mitigation not required	CEQA: No impact NEPA: No impact
	CR-3	CEQA: Less than significant impact NEPA No impact	Mitigation not required Mitigation not required	CEQA: Less than significant impact NEPA: No impact

Note:

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

3.4.4.4 Mitigation Monitoring

The mitigation monitoring program described below would be applicable to the proposed Project, Alternatives 2, 3, 4, 6 and 7**.**

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	**MM 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 to another 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; historical 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 Section 106 and CEQA Guidelines. All construction equipment operators shall attend a preconstruction 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. Prior to beginning construction, the Port shall meet with applicable Native American Groups, including the Gabrielino/Tongva Tribal Council to identify areas of concern. A trained archaeologist shall monitor construction at identified areas. In addition to monitoring, a treatment plan shall be developed in conjunction with the Native American Groups to establish the proper way of extracting and handling all artifacts in the event of an archaeological discovery.
Timing	During proposed Project construction.
Methodology	The Project contractor shall stop work if any potential archaeological resources are encountered. 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 the Project, whether employed by LAHD or the applicant, is required to submit an Environmental Compliance Plan for review by the Environmental Management Division.
Responsible Parties	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, the Port shall retain a qualified archaeologist to determine the nature and significance of the find.
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 Berth 97-109 terminal under the proposed Project or any alternatives.