3.4 CULTURAL RESOURCES

3.4.1 Introduction

This section has been prepared to identify and evaluate the significance of cultural resources listed in, or eligible for inclusion in, the National Register of Historic Places (NRHP) within the area of potential effects (APE). This report was prepared pursuant to the cultural resources requirements of the National Historic Preservation Act (NHPA) of 1966 (as amended) (16 U.S.C., Section 470f) and its implementing regulations (36 C.F.R. Part 800), as well as requirements of CEQA.

Cultural resources are defined as districts, sites, buildings, structures, objects, and landscapes significant in American history, prehistory, architecture, archaeology, engineering, and/or culture.

Cultural resources are protected by statutes and regulations at all levels of government and must be taken into consideration in an environmental analysis. Cultural resources may include existing and/or potential historic and prehistoric archaeological sites, buildings and structures, American Indian traditional cultural properties (TCPs), and paleontological sites. Cultural resources generally are divided into four groups: paleontological resources, archaeological resources, ethnographic resources, and the historic built environment (architectural resources).

3.4.2 Environmental Setting

The prehistoric and historic setting of the Port was described in the *Deep Draft Navigation Improvements Project EIS/EIR* (USACE and LAHD, 1992) and is not repeated here. The APE is the geographic area within which an undertaking may cause changes in the character or use of existing cultural resources. The APE includes areas of dike dredging, placement of rock dikes, and disposal of dredged material at the disposal sites. Since 1907 to present, the Port has been dredged and filled to accommodate the Port's growth.

More recent information regarding cultural resources in the Port has been collected as part of the *Phase I Cultural Resources Reconnaissance Survey of 7,500 Acres of Land and Water for the Port of Los Angeles* (Fugro West, 1995). That report evaluated prehistoric, historic, and underwater archaeological literature reviews and previous studies to identify cultural resources in the Port. A later Phase II study evaluated the potential significance of all historic buildings and structures on Port lands (Fugro West, 1997). Another Phase II study evaluated the historic and architectural significance of wooden wharves at Berths 104, 108-109, and 118-120 (Jones and Stokes, 2000). Additionally, an EIR prepared for the Southwest Marine Buildings Demolition

Project (LAHD, 2006) evaluated the potential for historic resources to exist at the former Southwest Marine Shipyard facility. Current and past reports are used here to describe baseline conditions and assess potential impacts. Although the baseline year is 2004, because historic significance of the artifact or site and this value is unlikely to change over a four year period of time, it is therefore reasonable to use these studies as an approximation of the 2004 baseline. These reports are on file at the Environmental Division of the Port.

Berths 243-245 are located adjacent to the former Southwest Marine Shipyard which currently contains World War II era buildings and equipment (LAHD, 2006). In the LAHD's 2006 EIR for the Southwest Marine Terminal, the Port identified that the Southwest Marine Shipyard is eligible to be a historic district, however, the USACE has not confirmed such determination pursuant to Section 106 of the NHPA. At the time of the November 2004 NOP, four Colby Cranes existed on the wharves that surround and divide Berths 243 and 245—wharves that would be demolished to construct the Berths 243-245 disposal site. These structures were identified in the 2006 EIR as facilities contributing to historic resources at the Southwest Marine Shipyard Site. However, the cranes are mobile and have been repeatedly moved from their present location at Berths 243-245 to the adjacent Berth 240z site and back as needed throughout their history at the site.

The Southwest Slip area surcharge to be removed consists of previous fill. As such, no cultural resources eligible for listing on the National Register would be impacted by removing the surcharge.

Prehistoric, historic and historic maritime studies indicate that the only disposal site with the potential to contain cultural resources is the CSWH Expansion Area (MacFarlane Archaeological Consultants 1999). The purpose of this report was to relocate and identify six anomalies in the CSWH Expansion Area. The unidentified anomalies were in danger of being crushed by the deposition of sediment in this area. The anomalies were determined to be rock piles related to the construction or repair of the breakwater, natural rock outcrops, and a wooden sailboat of modern origin. In addition, divers attempted to locate three shipwrecks that were determined significant historic cultural resources by previous researchers (Pierson, 1980). They were not located within the CSWH Expansion Area. The report concluded that no evidence of significant cultural resources was located.

Rock removal from Santa Catalina Island would come from an existing operating quarry, therefore there is no potential for the presence of intact cultural resources.

The potential for discovery of paleontological resources in the Proposed Action site is low. The 1997 West Basin EIR (LAHD, 1997a) 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. Based on these data, the potential for encountering intact, significant paleontological materials in the Northwest Slip Action area is extremely low. Work in the Main Channel at Berths 243-245 is unlikely to uncover significant paleontological resources because it has been heavily disturbed by industrial development over the past 100 years. Work at the CSWH is unlikely to uncover significant paleontological resources because it is composed of recently placed fill.

3.4.3 Applicable Regulations

3.4.3.1 Federal

NHPA

Section 106 consultation under the NHPA, 36 C.F.R. Part 800, requires the head of any Federal agency having direct or indirect jurisdiction over a proposed Federal or federally assisted undertaking in any State and the head of any Federal department or independent agency having authority to license any undertaking shall, prior to the approval of the expenditure of Federal funds on the undertaking or prior to the issuance of any license, as the case may be, take into account the effect of the undertaking on any district, site, building structure, or object that is included in or eligible for inclusion in the National Register. The head of any such Federal agency shall afford the ACHP a reasonable opportunity to comment with regard to such undertakings. It is also the responsibility of the agency to make a good faith effort to identify and initiate consultation with the Tribal representatives.

Before starting a project, a records and literature search is conducted at archaeological information centers to gather information on the potential for locating and identifying cultural resources within the project area. The search may show that a cultural resources survey has been conducted in the project area and that cultural resources have been identified. That information may be enough to proceed with the significance evaluation stage of the project. If no previous survey has been done, or if a previous survey was either out of date or inadequate, a pedestrian survey of the area of potential effects (APE) may be necessary. Subsurface testing may also be performed if deemed appropriate by the project archaeologist.

Upon locating and identifying cultural resources within the project area, the federal lead agency proceeds to determine whether the cultural resource is eligible for listing in the National Register of Historic Places (NRHP), per Section 106 of the NHPA and 36 C.F.R. Part 800, Protection of Historic Properties.

For a cultural resource to be determined eligible for listing in the NRHP, it must be at least 50 years old or exhibit exceptional importance and meet evaluation criteria:

> *"National Register criteria for evaluation. The quality of significance in American history, architecture, archeology, 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) that are associated with events that have made a significant contribution to the broad patterns of our history; or*
> *(b) that are associated with the lives of persons significant in our past; or*
> *(c) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
> *(d) that have yielded, or may be likely to yield, information important in prehistory or history"* (36 C.F.R. Part 60.4).

After a cultural resource has been determined eligible for inclusion in the NRHP, it is accorded the same level of protection as if it were included in the NRHP. Cultural resources that are included in the NRHP, or are eligible for inclusion the NRHP, are referred to as "historic properties".

NEPA

NEPA provides for the consideration of historic resources in order to "preserve important historic, cultural, and natural aspects of our national heritage, and to maintain, wherever possible, an environment that supports diversity and a variety of individual choice" (42 U.S.C.A. § 4331).

3.4.3.2 State

CEQA

CEQA Guidelines Appendix K (Archaeological Impacts) has been replaced by new Section 15064.5 (CEQA Guidelines, revised October 26, 1998). The revised Guidelines 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] (1998). Such changes include "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired" (CEQA Guidelines 1998 Section 15064.5[b]).

3.4.3.3 Local

The Draft City of Los Angeles CEQA Guidelines (1998) are consistent with federal and state criteria noted above.

3.4.4 Methodology

Impacts to cultural resources from the Proposed Action were evaluated by determining whether disposal activities and actions would affect areas that contain or are likely to contain any archaeological or historical site listed in or eligible for listing in the NRHP or the CRHR, is designated as a City of Los Angeles Historic-Cultural Monument, is included within a City of Los Angeles Historic Preservation Overlay Zone, or is otherwise considered a unique or important archaeological resource under CEQA (City of Los Angeles, 1998).

The CEQA and NEPA Baseline for the Proposed Action comprises a total of approximately 115 acres of water areas at Berths 243-245, the Northwest Slip, the CSWH, and LA-2, as well as approximately 25 acres at the ARSSS.

3.4.5 Thresholds of Significance

The following significance criterion is based on the *L.A. CEQA Thresholds Guide* (City of Los Angeles, 2006). The Proposed Action would have a significant impact on Cultural Resources if it would:

According to the *L.A. CEQA Thresholds Guide* (City of Los Angeles, 2006), the Proposed Action would result in a significant impact related to cultural resources if:

CR-1 The determination of a significant paleontological impact shall be made considering the following:

- Whether, or the degree to which, the project might result in the permanent loss of, or loss of access to, a paleontological resource
- Whether the paleontological resource is of regional or statewide significance

CR-2 A project would normally have a significant impact on archaeological resources if it could disturb, damage, or degrade an archaeological resource (or its setting) that is found to be important under the criteria of CEQA because it:

- Is associated with an event or person of recognized importance in California or American prehistory or of recognized scientific importance in prehistory
- Can provide information that 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[1] and possesses substantial stratigraphic integrity
- Involves important research questions that historical research has shown can be answered only with archaeological methods

CR-3 A project would normally have a significant impact on historical resources if it would result in a substantial adverse change in the significance of an historical resource. A substantial change in the significance occurs 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 of a significant resource that does not conform to the Secretary of the Interior's 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

3.4.6 Impact Analysis and Mitigation Measures

3.4.6.1 Alternative 1: Port Development and Environmental Enhancement

Alternative 1, Port Development and Environmental Enhancement, would consist of disposing dredged material at the following disposal sites: Berths 243-245; Northwest Slip; CSWH Expansion Area; Eelgrass Habitat Area; and LA-2.

A Confined Disposal Facility (CDF) would be created at the Berths 243-245 disposal site and would be covered with clean surcharge to an elevation of approximately +30 feet MLLW, which would remain in place until a future geotechnical investigation/monitoring determines the fill has been consolidated. In the future if the Port decides to remove the surcharge material, an appropriate CEQA document would be prepared to analyze potential impacts of surcharge removal. Potential environmental impacts of future development of the new 5-acre land area at the Northwest Slip have been addressed in the Berth 136-147 Container Terminal Project Final EIS/EIR, which is summarized in Section 3.14.

[1] Although the CEQA criteria state, "important archaeological resources" are those that are at least 100 years old; the California Register provides that any site found eligible for nomination to the NRHP will automatically be included within the California Register and subject to all protections thereof. The NRHP requires that a site or structure be at least 50 years old.

Impact CR-1: Alternative 1 would not result in disturbance, damage, or degradation to paleontological resources during project-related construction activities.

There are no known paleontological or prehistoric cultural resources within the APE that would be affected by Alternative 1. Since 1907, the Port has been dredged and filled to accommodate its growth. Disturbances related to Port development include breakwater construction, dredging of navigation channels, landfill projects, channeling of drainages and reclamation of marshlands. Since extensive land modifications and dredging activities have impacted much of the harbor since the early 20th century, further study to locate paleontological or prehistoric cultural resources is not recommended. Additionally the CSWH Expansion Area and LA-2 site have been disturbed with fill from past sediment disposal activities, resulting in extremely low potential for paleontological resources to exist at these locations.

Impact Determination

Implementation of Alternative 1 would have a low potential for encountering paleontological resources because the majority of the Project site has been historically dredged and filled. Therefore, construction of Alternative 1 would not result in significant impacts related to the disturbance, damage, or degradation of paleontological resources.

Mitigation Measures. Under Alternative 1, no significant adverse impacts would occur; therefore, no mitigation measures are required.

Residual Impacts. No mitigation measures are required for implementation of Alternative 1. Therefore, no residual impacts would occur.

Impact CR-2: Alternative 1 would not result in disturbance, damage, or degradation to archaeological resources during project-related construction activities.

No archaeological resources are known to exist in the APE. There would be a low potential for buried artifacts to be found during dredging activities associated with Alternative 1. The majority of the Berths and the Main Channel have been previously dredged and filled. As described above in section 3.4.2, no shipwrecks exist at the CSWH. Therefore, no important marine cultural resources are expected to occur within waters that would be affected during construction activities associated with Alternative 1. The LA-2 site has been disturbed with fill from past sediment disposal activities, resulting in extremely low potential for paleontological resources to exist at this location.

Impact Determination

Because the existing areas have been previously disturbed, construction of Alternative 1 is not would not result in significant impacts related to the disturbance, damage, or degradation of archaeological resources.

Mitigation Measures. Under Alternative 1, no significant adverse impacts would occur; therefore, no mitigation measures are required.

Residual Impacts. No mitigation measures are required for implementation of Alternative 1. Therefore, no residual impacts would occur.

Impact CR-3: Alternative 1 would not result in an adverse change in the significance of a historic resource.

The Southwest Marine Shipyard facility which includes Berths 243-245 contains structures which have been evaluated as NRHP eligible (LAHD, 2006). The four Colby Cranes present on the wharves that surround and divide Berths 243 and 245—wharves that would be demolished to construct the Berths 243-245 disposal site—have been identified as facilities contributing to historic resources at the adjacent Southwest Marine Shipyard Site, however, the USACE has not confirmed such determination pursuant to Section 106 of the NHPA. This determination will be coordinated with the California State Historic Preservation Office for concurrence. This consultation will occur in accordance with Section 106 of the NHPA (36 CFR 800) prior to construction. Demolition or damage to these structures would result in adverse affects to a potentially significant historic resource. However, these cranes are mobile structures, and they would be relocated from their present locations to the adjacent Southwest Marine Shipyard facility (as they have been over the years as part of their intended use) prior to demolition activities at the Berths 243-245 disposal site and would not be damaged or destroyed.

Impact Determination

Structures that contribute to an historic resource exist at the Berths 243-245 disposal site. However, these mobile structures would be relocated to the adjacent Southwest Marine Shipyard facility prior to construction activities at the Berths 243-245 disposal site and adverse changes to these structures would not occur. Therefore impacts would be less than significant.

Mitigation Measures Under Alternative 1, no significant adverse impacts would occur; therefore, no mitigation measures are required.

Residual Impacts. No mitigation measures are required for implementation of Alternative 1. Therefore, no residual impacts would occur.

3.4.6.2 Alternative 2: Environmental Enhancement and Ocean Disposal

Alternative 2, Environmental Enhancement and Ocean Disposal, consists of placing dredge material at the following locations: CSWH Expansion Area, Eelgrass Habitat Area, Anchorage Road Soil Storage Site (ARSSS), and LA-2. No new land area would be created as result of this alternative.

Implementation of Alternative 2 would result in the same type and extent of development at the CSWH Expansion Area and the Eelgrass Habitat Area disposal locations as described for Alternative 1. Alternative 2 would also result in the same disposal activities at LA-2, although more sediment would be disposed of under Alternative 2, which would result in a longer duration of construction activities at this location but would not affect the impact determination identified for this location under Alternative 1. As such, as described above for Alternative 1, implementation of Alternative 2 would result in no impacts to cultural resources at the CSWH Expansion Area, the Eelgrass Habitat Area, and LA-2. Therefore, the impact discussion for Alternative 2 is focused on the disposal site that was not included or discussed under Alternative 1, the ARSSS.

Impact CR-1: Alternative 2 would not result in disturbance, damage, or degradation to paleontological resources during project-related construction activities.

The ARSSS was historically used for oil production and has been used for the disposal and storage of dredged material since 1995 and is comprised of imported fill—mainly dredged material. Therefore, because the site has been extensively disturbed and filled with dredged material, the potential for paleontological resources to exist at the site is extremely low and further study to locate paleontological or prehistoric cultural resources is not recommended.

Impact Determination

Implementation of Alternative 2 would have a low potential for encountering paleontological resources because the water based disposal sites under Alternative 2 have been historically dredged and filled and the ARSSS has been used historically for industrial uses. Therefore, construction of Alternative 2 would not result in significant impacts related to the disturbance, damage, or degradation of paleontological resources at any of the disposal sites.

Mitigation Measures. Under Alternative 2, no significant adverse impacts would occur; therefore, no mitigation measures are required.

Residual Impacts. No mitigation measures are required for implementation of Alternative 2. Therefore, no residual impacts would occur.

Impact CR-2: Alternative 2 would not result in disturbance, damage, or degradation to archaeological resources during project-related construction activities.

No archaeological resources are known to exist at the ARSSS. Since this disposal site was historically used for oil production and is currently used for the disposal and storage of dredged material, the potential for buried artifacts to be found during disposal activities is extremely low. LA-2 has previously been used for disposal of dredge material and possesses an extremely low potential for archaeological resources.

Impact Determination

Because the disposal areas under Alternative 2 have been previously disturbed, implementation of Alternative 2 is not expected to result in significant impacts related to the disturbance, damage, or degradation of archaeological resources at any of the disposal sites. No impacts would occur.

Mitigation Measures. Under Alternative 2, no significant adverse impacts would occur; therefore, no mitigation measures are required.

Residual Impacts. No mitigation measures are required for implementation of Alternative 2. Therefore, no residual impacts would occur.

Impact CR-3: Alternative 2 would not result in an adverse change in the significance of a historic resource.

There are no historic resources at the ARSSS 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.

Impact Determination

Alternative 2 would not result in changes to the significance of an historic resource because there are no historic resources at the disposal areas included in this alternative.. No significant impacts would occur.

Mitigation Measures. Under Alternative 2, no significant adverse impacts would occur; therefore, no mitigation measures are required.

Residual Impacts. No mitigation measures are required for implementation of Alternative 2. Therefore, no residual impacts would occur.

3.4.6.3 Alternative 3: No Action Alternative

Under the No Action Alternative, no construction activities related to the Proposed Action would occur. No new landfills or new shallow water areas would be created. Since all approved disposal sites have been completed, no further dredging would take place and the Channel Deepening Project would not be completed. Existing environmental conditions at the Proposed Action disposal sites would continue to exist. Approximately 1.025 mcy of material within the federally-authorized channel and 0.675 mcy of berth dredging would remain to be dredged and disposed. In addition the 0.815 mcy of surcharge on the Southwest Slip Area would remain to be removed and disposed. Additionally, the 0.06 mcy of contaminated dredge material would remain within the Main Channel of the Port.

Impact CR-1: Alternative 3 would not result in disturbance, damage, or degradation to paleontological resources during Proposed Action construction activities.

Impact Determination

Under Alternative 3, no construction activities related to the Proposed Action would occur. As such, no impacts to paleontological resources could occur. No significant impacts would occur.

Mitigation Measures. Under Alternative 3, no significant adverse impacts would occur; therefore, no mitigation measures are required.

Residual Impacts. No mitigation measures are required for implementation of Alternative 3. Therefore, no residual impacts would occur.

Impact CR-2: Alternative 3 would not result in disturbance, damage, or degradation to archaeological resources during Proposed Action construction activities.

Impact Determination

Under Alternative 3, no construction activities related to the Proposed Action would occur. As such, no impacts to archaeological resources could occur. No significant impacts would occur.

Mitigation Measures. Under Alternative 3, no significant adverse impacts would occur; therefore, no mitigation measures are required.

Residual Impacts. No mitigation measures are required for implementation of Alternative 3. Therefore, no residual impacts would occur.

Impact CR-3: Alternative 3 would not result in an adverse change in the significance of a historic resource.

Under Alternative 3, no construction activities related to the Proposed Action would occur. As such, no impacts to historic resources could occur. No significant impacts would occur.

Impact Determination

Under Alternative 3, no construction activities related to the Proposed Action would occur. As such, no impacts to historic resources could occur. No significant impacts would occur.

Mitigation Measures. Under Alternative 3, no significant adverse impacts would occur; therefore, no mitigation measures are required.

Residual Impacts. No mitigation measures are required for implementation of Alternative 3. Therefore, no residual impacts would occur.

3.4.7 Impact Summary

This section summarizes the conclusions of the impact analysis presented above in Section 3.4.6. Table 3.4-1 lists each impact identified for each alternative of the Proposed Action, along with the significance of each impact.

Table 3.4-1 Impact Summary

Impact	Alternative 1	Alternative 2	Alternative 3
CR-1. Disturbance, damage, or degradation to paleontological resources would not occur during construction activities.	NI	NI	NI
CR-2. Disturbance, damage, or degradation to archaeological resources would not occur during construction activities.	NI	NI	NI
CR-3. An adverse change in the significance of a historic resource would not occur.	NI	NI	NI

S&U = Significant and Unavoidable SM = Significant but Mitigated
LTS = Less than Significant NI = No Impact

As described above in Section 3.4.6, no impacts to cultural resources would occur through implementation of Alternative 1, Alternative 2, or Alternative 3 (the No Action Alternative).

3.4.8 Mitigation Measures

No significant impacts to cultural resources would occur; therefore, no mitigation measures are required.

3.4.9 Significant Unavoidable Adverse Impacts

No significant unavoidable impacts would occur.

3.4.10 Mitigation Measure Monitoring

Since no mitigation measures are required for cultural resources, a mitigation monitoring plan is not required.