

# 3.4

## CULTURAL RESOURCES

### 3.4.1 Introduction

### 3.4.2 Environmental Setting

#### 3.4.2.5 Proposed Project Site

##### 3.4.2.5.1 Archaeological Resources

Background research was completed to evaluate the potential for encountering unknown prehistoric resources within the proposed Project site areas. Research included a cultural resource site record and literature search, and review of previous archaeological studies. Results of a records search conducted at the South Central Coast Information Center (SCCIC), California Historical Resources Information System, California State University Fullerton indicate that no archaeological sites are located in or within 0.25 mile (0.40 km) of the proposed Project site areas that were evaluated (SCCIC 2004). Eleven cultural resource investigations have been conducted within the proposed Project area, and an additional ten have been conducted within 0.25 mile (0.40 km) of the proposed Project area. No archaeological resources have been identified during any of these investigations. A record search of the California Native American Heritage Commission Sacred Lands File indicated that no Native American heritage resources exist within the proposed Project area or immediate vicinity (NAHC 2004). [A letter dated November 3, 2004 was received from the NAHC containing a list of Native American tribes and individuals interested in consulting on development projects. An attempt was made to contact each of these individuals/groups by phone in April 2008. Of the contacts provided by NAHC in 2004, phone numbers were available for all but one group. LAHD/USACE spoke with two and left messages for an additional four \(messages were not returned\); the remaining phone numbers were disconnected or wrong numbers.](#) Of those contacted, none provided information about traditional cultural properties in the Project area. [As part of the process of preparing the Final SEIS/SEIR, LAHD and USACE also mailed letters to all of the Native American tribes and individuals for which NAHC provided contact information in its comment letter on the Draft SEIS/SEIR, and followed up with phone calls. LAHD/USACE will](#)

[continue to coordinate with the tribal contacts to ensure there is no conflict with traditional cultural properties as part of the proposed Project.](#)

One previous archaeological survey has completely evaluated the proposed tank farm site locations; the vicinity of proposed Pipeline Segments 2a, 2b, and 2c; and temporary construction yards on Terminal Island with negative results (Hector, Manley, and Rosen 1994). The proposed Pipeline Segment 1 extending to Pier 400 has also been completely investigated with negative results (USACE and LAHD 1984). Therefore, the presence of unknown archaeological sites in these locations is extremely unlikely.

The Tank Farm Site 2 location has been occupied since the 1920s, and artifacts from the airfield and later Navy occupation may exist in the area. However, later reuse of the area most likely disturbed/destroyed any intact historic deposit or significant historic feature, and no evidence of historic archaeological material has been recorded (Hector, Manley, and Rosen 1994). Therefore, the likelihood of the presence of unknown historic archaeological sites at the Tank Farm Site 2 location is considered low.

Piers 300 and 400 are landforms resulting from placement of modern fill within the ancestral San Pedro Bay. Due to their modern origin, no prehistoric or historical archaeological resources are recorded or would be expected within the proposed Marine Terminal, Tank Farm Site 1, or temporary construction yard locations.

Portions of the proposed Project located north of the Cerritos Channel (i.e., proposed Pipeline Segments 3 through 5, proposed and alternative pigging station sites, pipeline laydown areas, HDD work areas, TCY 425), and areas immediately adjacent to this proposed Project area have been surveyed during eleven different investigations (Clelow 1974; Weinmann and Stickel 1978; Govean and Padon 1992; McKenna 1995; Weil 1981; Wlodarski 1992, 1999; King 1992; Lander 1997; Maki 2000; and Horne 2002). These investigations are distributed throughout the length of the proposed pipeline routes, and no archaeological resources have been identified during any of these investigations.

Soils within portions of the proposed Project located north of the Cerritos Channel are characterized as “Recent Alluvium” consisting of alluvial sands and silts deposited from Recent and Pleistocene river action as outwash from the Los Angeles Basin (LAHD 1997). Nearly half of the pipeline corridor appears to have been subject to tidal inundation as recently as the 20<sup>th</sup> century. Maps from 1896 (USGS 1896) and 1908 (USDLC 1908) indicate that the proposed Pipeline Segment 3 corridor north of Mormon Island would be located within the Wilmington Lagoon, a very low sensitivity area for prehistoric occupation. Native Americans used marsh and mudflat areas for collecting food sources such as shellfish, but did not consider them a suitable location for habitation. Some portions of the proposed corridor adjacent to an existing Southern Pacific Railroad San Pedro Branch spur would be located within the historic landform above the marsh area. Additionally, artificial hydraulic fill, 5 to 20 feet deep, underlies the Valero Refinery and Air Products facility, where the majority of proposed trenching would occur for proposed Pipeline Segments 4 and 5 (Environmental Engineering & Contracting, Inc. 1999). Overall, the predominance of data confirm that the archaeological sensitivity of the proposed Project area located north of the Cerritos Channel is low. Even though the entire

pipeline corridor has not been surveyed, the distribution of the investigations throughout its extent suggests that the likelihood of the presence of unknown archaeological sites is considered low.

The majority of the Outer Harbor area, including the area adjacent to the western edge of Pier 400, was dredged to minus 81 ft (24.7 m) mean lower low water (MLLW) between 1994 and 1997 to provide deeper channels and turning basins to allow for larger container vessels to call at Pier 300. Existing channels within the Outer Harbor were also deepened to minus 75 ft (22.9 m) MLLW and a turning basin was constructed during the late 1990s to provide access to the eastern portion of Pier 400. Dredge and fill impacts in the Outer Harbor were previously assessed in the Deep Draft Navigation Improvements Project FEIS/FEIR, which concluded there are no underwater prehistoric archaeological sites in the proposed Project area that would be affected during construction of navigation improvements (USACE and LAHD 1992). The California Office of Historic Preservation concurred with this assessment (USACE and LAHD 1992). However, the Deep Draft Navigation Improvements Project FEIS/FEIR also concluded that dredging within the Outer Harbor would potentially impact known anomalies in the proposed Project area, but impacts would be less than significant with implementation of a diving program, and if necessary, a data recovery program (USACE and LAHD 1992). Consequently, neither the Outer Harbor nor the waters along Pier 400 would likely contain significant marine cultural resources.

### **3.4.3 Applicable Regulations**

### **3.4.4 Impacts and Mitigation Measures**

#### **3.4.4.3 Project Impacts and Mitigation**

##### **3.4.4.3.1 Proposed Project**

**Impact CR-1a: Construction activities would have a low potential to disturb archaeological cultural resources.**

No known archaeological sites are recorded within the proposed Project area, and no prehistoric or historic resources were identified during previous cultural resource site record and literature searches or archaeological surveys (SCCIC 2004). As Piers 300 and 400 are the result of modern fill placement within the ancestral San Pedro Bay, no intact prehistoric or historical archaeological resources would be expected within the proposed Pier 400 Marine Terminal, Tank Farm Site 1, or temporary construction yards located on these piers. Therefore, it is highly unlikely any unknown, intact archaeological deposits exist within soils in these proposed Project areas. Construction of the proposed Pipeline Segment 1 on Pier 400 would occur within existing utility corridors and in an area created by fill placement; no new disturbance of intact soils would be required.

Proposed Pipeline Segments 2a, 2b, 2c and Tank Farm Site 2 on Terminal Island and proposed pipeline facilities located north of the Cerritos Channel (i.e., proposed Pipeline Segments 3 through 5, proposed and alternative pigging station sites,

pipeline laydown areas, HDD work areas, TCY 425) would potentially encroach within native soils. The use of jack and bore or directional drilling techniques during the construction of proposed pipeline segments would reduce disturbance to near-surface soils and the potential for impacting archaeological resources is considered to be very low. Trenching activities associated with proposed pipeline construction, as well as the construction of Tank Farm Site 2, would have a greater likelihood of disturbing archaeological resources. Given the fact that no archaeological resources have been identified within the proposed Project area during previous archaeological investigations, the potential for impacting archaeological resources is considered to be low in these areas as well.

Bore pits on either end of the pipeline drilling corridor would disturb a relatively small spatial area (estimated to be less than 400 square ft [20 square meters]). As numerous archaeological investigations along the proposed pipeline corridors have not identified any cultural resources, and the area of potential impact would be relatively small, the potential for impacting archaeological resources is low.

Neither the Outer Harbor nor the waters along Pier 400 would likely contain significant marine cultural resources due to previous dredging and other in-water construction activities. Therefore, proposed in-water construction activities related to the Pier 400 Marine Terminal berth dock facility or ancillary structures would have extremely low potential for encountering intact prehistoric materials or significant marine cultural resources.

#### **CEQA Impact Determination**

No historic resources eligible for listing in the NRHP or the CRHR are recorded within the proposed Project area. The proposed Pier 400 Marine Terminal and Tank Farm Site 1 are located on imported fill soils, such that the probability of encountering intact, unknown historic resources is remote. Construction activities associated with Pipeline Segments 2a, 2b, 2c and Tank Farm Site 2 on Terminal Island and portions of proposed Pipeline Segments 3 and 4 from Mormon Island to Plains pipelines systems near Henry Ford Avenue and near or on the Ultramar/Valero Refinery would potentially encroach within native soils. The potential for impacts to archaeological resources in these areas are predicted to be very low if jack and bore or directional drilling techniques are used. Given the fact that no archaeological resources have been identified within the proposed Project area during previous archaeological investigations, the potential for impacting archaeological resources is considered to be low in areas requiring trenching or other activities that may disturb intact surface soils. Based on this analysis, proposed construction activities would result in less than significant impacts on archaeological cultural resources, and less than significant impact on in-water cultural resources.

#### ***Mitigation Measures***

Although the potential for impacts on unknown archaeological cultural resources is low, the following mitigation measure is provided in the unlikely event unknown, intact, potentially significant on-land archaeological resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important archaeological resource under CEQA are encountered during construction.

**MM CR-1a. Stop work in area if prehistoric and/or historical archaeological 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, 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; historic 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.

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

Prior to beginning construction, the Port shall meet with applicable Native American Groups, including the Gabrieliño/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 and/or human remains in the event of an archaeological discovery.

### *Residual Impacts*

In the highly unlikely event that intact archaeological and/or human remains are identified during construction, **MM CR-1a** would ensure that the materials and remains were evaluated and mitigated according to professional standards, as well as state law. Residual impacts would be less than significant.

### **NEPA Impact Determination**

No historic resources eligible for listing in the NRHP or CRHP are recorded within the proposed Project area. The proposed Pier 400 Marine Terminal and Tank Farm Site 1 are located on imported fill soils, such that the probability of encountering intact, unknown historic resources is remote. Although Pipeline Segments 2a, 2b, 2c and Tank Farm Site 2 on Terminal Island and portions of proposed Pipeline Segments 3 and 4 from Mormon Island to Plains pipelines systems near Henry Ford Avenue and near or on the Ultramar/Valero Refinery would potentially encroach within native soils, the actual disturbance of soils near the surface where archaeological resources would be most likely identified is particularly low. Given the fact that no archaeological resources have been identified within the proposed Project area during previous archaeological investigations, the potential for impacting archaeological resources is considered to be low in areas requiring trenching or other activities that may disturb intact surface soils. Based on this analysis, proposed construction activities would result in less than significant impacts on archaeological cultural resources, and less than significant impact on in-water cultural resources.

### *Mitigation Measures*

Although the potential for impacts on unknown archaeological cultural resources is low, **MM CR-1a** is provided in the unlikely event unknown, intact, potentially significant on-land archaeological resources eligible for listing in the NRHP, the CRHR, or otherwise considered a unique or important archaeological resource under CEQA are encountered during construction.

### *Residual Impacts*

In the highly unlikely event that intact archaeological and/or human remains are identified during construction, **MM CR-1a** would ensure that the materials and remains were evaluated and mitigated according to professional standards, as well as state law. Residual impacts would be less than significant.

## **3.4.4.4 Mitigation Monitoring**

No significant impacts on cultural resources are anticipated. However, in the highly unlikely event that intact archaeological and/or human remains are identified during construction, **MM CR-1a** would ensure that the materials and remains were evaluated and mitigated according to professional standards, as well as state law. Residual impacts would be less than significant.

<b>Impact CR-1a: Construction activities have a highly unlikely potential to disturb archaeological cultural resources.</b>	
<b>MM CR-1a: Stop work in area if prehistoric and/or historical archaeological resources are encountered.</b>	
Mitigation Measure	<p>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; historic 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.</p> <p><u>If human remains are encountered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Los Angeles County Coroner shall be contacted to determine the age and cause of death of the deceased. If the remains are not of Native American heritage, construction in the area may recommence. If the remains are of Native American origin, the most likely descendants of the deceased shall be identified by the NAHC. The Port and USACE shall consult with the Native American most likely descendant(s) to identify a mutually acceptable strategy for treating and disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. If the NAHC is unable to identify a most likely descendant, the descendant fails to make a recommendation within 24 hours of being notified by the NAHC, the Port, or the USACE and the descendant are not capable of reaching a mutually acceptable strategy through mediation by the NAHC, the Native American human remains and associated grave goods shall be reburied with appropriate dignity on the proposed Project site in a location not subject to further subsurface disturbance.</u></p> <p>Prior to beginning construction, the Port shall meet with applicable Native American Groups, including the Gabrieliño/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 <u>and/or human remains</u> in the event of an archaeological discovery.</p>
Timing	During proposed Project construction.
Methodology	The construction contractor shall notify the Port of the cultural find and retain the Port-qualified archaeologist and Native American representative. The Port-qualified archaeologist shall provide a report to the LAHD verifying compliance with the measure.
Responsible Parties	Construction contractor; LAHD.
Residual Impacts	Implementation of this measure would minimize impacts on previously unknown on-land cultural resources and human remains in the highly unlikely event they are encountered within alluvial river outwash sediments. Residual impacts would be less than significant.

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