

## **APPENDIX C**

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# **Updated Archaeological Resources Technical Memorandum**

Note: This Technical Memorandum has been updated to account for construction of the California High-Speed Rail column and clarify the procedures associated with the unexpected discovery of human remains during construction activities.



September 20, 2018

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**Re: Updated Archaeological Assessment for the Los Angeles County Metropolitan Transportation Authority (Metro) Division 20 Portal Project, Los Angeles, California**

## 1.0 INTRODUCTION

Paleo Solutions, Inc. (Paleo Solutions), under contract to ICF, conducted an updated archaeological assessment for the Los Angeles County Metropolitan Transportation Authority (Metro) Division 20 Portal Project (Project). The Metro Division 20 rail yard, located at 300 S. Santa Fe Avenue in Los Angeles, serves as a maintenance and operations facility for Metro's Red and Purple line trains. Metro is proposing facility improvements to accommodate future service increases on the Metro Red and Purple Lines. These improvements, which include widening the portal and new tracks and switches, will allow trains to provide faster service times at Union Station.

This archaeological assessment serves as an update to the Cultural Resources Assessment for the Metro Red/Purple Line Core Capacity Improvements Project, Los Angeles, California (Beherec et al., 2017), which was prepared by AECOM in February 2017. This assessment includes portions of the Project area that were added to the Project since the completion of the February 2017 assessment. The study was conducted in compliance with provisions of the California Environmental Quality Act (CEQA), and all other applicable state and local regulations.

## 2.0 PROJECT LOCATION AND DESCRIPTION

The Project is located within and just north of the Arts District in downtown Los Angeles, south of the Santa Ana Freeway (US Route 101) along the Los Angeles River (Figures 1 and 2). On March 23, 2017, an Initial Study/Mitigated Negative Declaration (IS/MND) was adopted by the Metro Board of Directors (Beherec et al., 2017). Since then there have been refinements to the design of the Project that require additional environmental analysis. The proposed Project includes the following elements:

- Demolition of the existing MOW 61A building,
- Reconfiguration of trackwork,
- Extension of proposed turnback tracks further south to existing tracks near 6<sup>th</sup> Street,
- Acquisition and demolition of various properties located west of the current Division 20 railyard to provide additional storage tracks,



- Modification of the 1<sup>st</sup> Street Bridge, including removal and modification of existing piers and superstructure,
- Renovation of the existing building at 100-120 North Santa Fe for use as a new MOW facility, and
- Widening the tunnel portal that currently connects the Metro Red and Purple Lines to the Rail Yard, including construction of a column in the portal area and a new ventilation shaft building.

This work will require grading and other ground-disturbing activities.

## **3.0 METHODS**

### **3.1 Records Search Review**

As part of this study, Paleo Solutions reviewed the results of the records search completed with the South Central California Information Center (SCCIC) in 2016 by AECOM. The SCCIC data was reviewed to identify known archaeological resources located within and near the Division 20 Portal Project area.

### **3.2 Field Survey**

On September 21, 2017, Paleo Solutions archaeologist Michael Kay, M.A., RPA, conducted a pedestrian survey for archaeological resources within the Project area. The fieldwork did not include a survey of the built environment or documentation of architectural features such as buildings and bridges, which is being conducted by ICF separately.

To ensure adequate access for the archaeological survey, Metro provided escort into areas encompassing the maintenance rail yard for the Metro Red/Purple Line. The survey included reconnaissance-level inspection of all developed portions of the project area and intensive survey using transects spaced 3 to 5 meters apart in all unpaved, visible portions of the Project area that were not included in the 2016 survey by AECOM, as illustrated in Figure 3. Survey areas were verified by Trimble GPS unit, and field conditions and survey results were photo-documented using a digital camera and Apple iPad. Previously recorded archaeological sites were field checked to note current site conditions compared to those previously documented. All photographs and documentation are on file at Paleo Solutions' headquarters in Monrovia, California. Photographs are also on file at Metro's office in downtown Los Angeles.

### **3.3 Native American Consultation**

In compliance with Assembly Bill (AB) 52, Metro is conducting consultation with Native American groups for the proposed Project. This process began by contacting the Native American Heritage Commission (NAHC) to request a search of the Sacred Lands File (SLF) and a list of tribal groups who should be contacted regarding the Project. Metro sent letters in September 2017 to the tribal groups identified by the NAHC and is in the process of following up to those letters and responses received from the tribes.

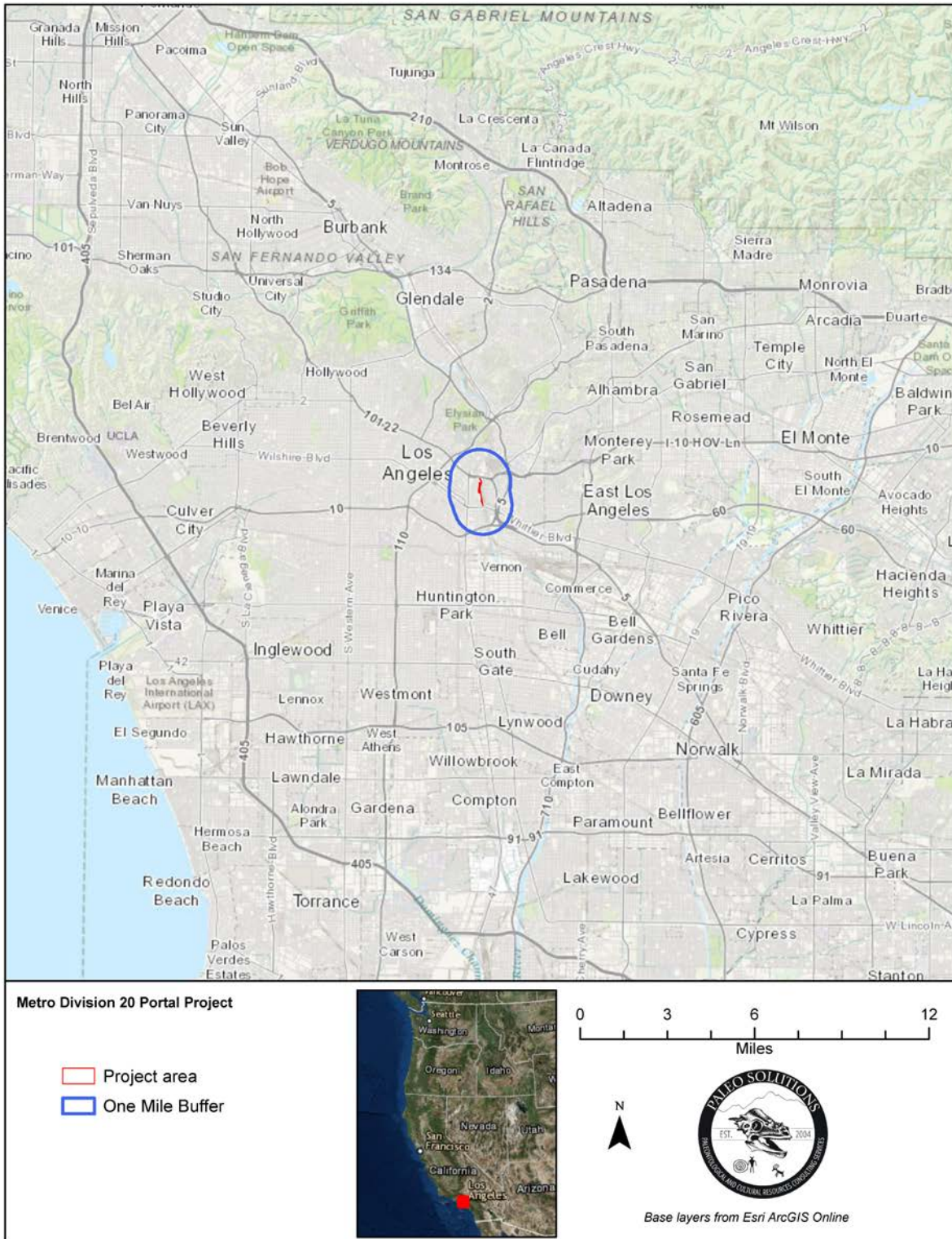


Figure 1. Project Location.

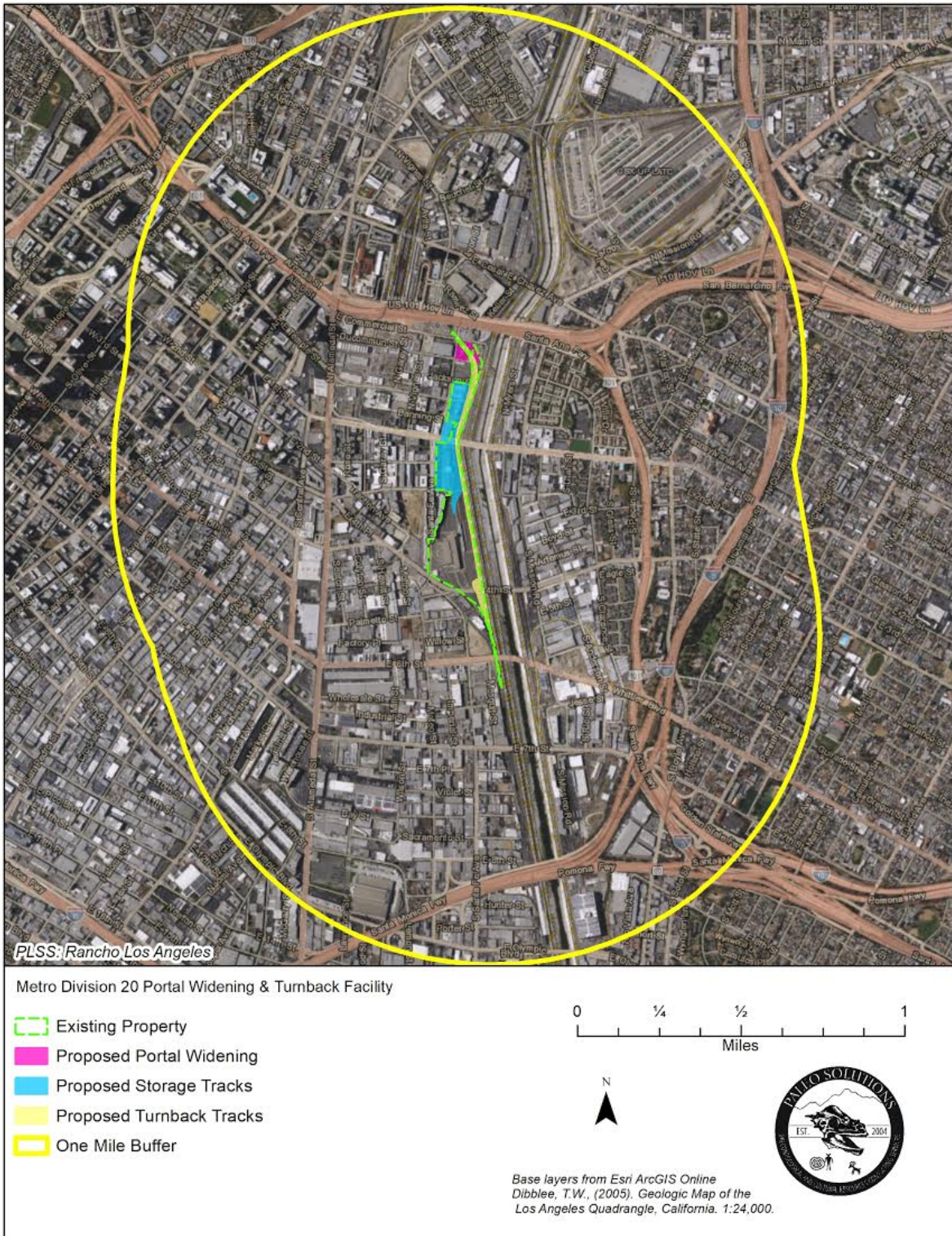


Figure 2. Project Area Overview.



Figure 3. Survey Coverage Map.



## 4.0 RESULTS

### 4.1 Records Search Review

The review of the records search results indicated that there are ten archaeological resources located within 0.25 mile of the Division 20 Portal Project area. Nine of the resources consist of historic-age (i.e., 50 years old and older) sites, primarily consisting of subsurface foundations and refuse deposits (Table 1). One site (P-19-1575), located about 0.2 mile from the Project area contains buried deposits of both prehistoric and historic-age materials, as well as Native American burials.

**Table 1. Known Archaeological Sites Within 0.25 Mile of the Division 20 Portal Project Area**

Site Number	Resource Type	Age of Resource	Description
P-19-1575	Site	Prehistoric / Historic (1860s-1930s)	Prehistoric artifact scatter and Native American burials; historic Chinatown (subsurface architectural remains, wells, privies, and Chinese artifacts)
<b>P-19-2563*</b>	<b>Site</b>	<b>Historic (1860s – 1890s)</b>	<b>Subsurface refuse deposit</b>
P-19-3338	Site	Historic (late 1800s-early 1900s)	Subsurface refuse deposit and remnant of brick road; some Chinese artifacts
P-19-3340	Site	Historic (late 1800s-early 1900s)	Subsurface refuse deposit
P-19-3352	Site	Historic (late 1800s-early 1900s)	Segment of Zanja No. 6-1 (concrete pipe), concrete foundation, refuse deposit
P-19-4112	Site	Historic (1880s-1940s)	Segment of Zanja No. 6-1, building foundations, refuse deposit
P-19-4174	Site	Historic (1880s-1940s)	Los Angeles Railway Trolley 'P' Line, electrical vault, subsurface refuse deposit
P-19-100882	Isolated Find	Historic (early 1900s)	Horseshoe and stirrup fragment
P-19-100887	Isolated Find	Historic (1870s-1900s)	Japanese bowl and bottle base, butchered bone
<b>P-19-186804/ P-30-176663*</b>	<b>Site</b>	<b>Historic (1880s to Present)</b>	<b>BNSF/ATSF Railway</b>

\**Situated within Project area*

Two of the ten resources are located within the boundaries of the Project area. Site P-19-2563 was first identified in 1997 during monitoring for the construction of railyards and shops for Metro. The site was found below an existing railyard and consists of a deposit of historic-age refuse, including glass and stoneware bottles, cans, ceramics, smoking pipe fragments, railroad spikes, bricks, metal fragments, horseshoes, butchered bone, and some shell. Some Chinese artifacts were noted on the site (Foster and Turner, 1997). Evaluation of the site resulted in a recommendation that the site is not eligible for inclusion in the National Register of Historic Places (NRHP) or the California Register of Historical Resources (CRHR) (Greenwood and Foster, 1998). During survey of the Project area in 2016 by AECOM, the area was found to be completely developed and paved with a building situated on top of the recorded site location (Beherec et al., 2017).

The Burlington Northern Santa Fe (BNSF)/Atchison, Topeka, and Santa Fe (ATSF) Railway (P-19-186804/P-30-176663) was originally constructed in the 1880s, but since then has had numerous alterations and modern upgrades to keep it in active service. The segment that bisects the Project area was first documented in 2002 (Ballester and Tang, 2002). At that time, the resource was found to have been upgraded and substantially altered since its original construction, and did not retain sufficient historical integrity to reflect its original historical association. Therefore, the railroad was recommended as not eligible for listing on the NRHP or CRHR (Ballester and Tang, 2002). Two



separate site updates in 2007 confirmed the 2002 findings and recommended the resource as not eligible for the NRHP or CRHR due to its lack of integrity of materials, workmanship, and setting (McCormick, 2007; Smith and Harper, 2007).

#### 4.2 Field Survey

Most of the project area is developed and paved with buildings, roads, and railroad tracks. During the fieldwork, these areas were checked with reconnaissance-level survey only, including the location of the proposed northern storage area where the Pickleworks and Cold Storage buildings currently stand (Figures 4 through 6).

Because the location of 100-120 North Santa Fe is entirely developed, no archaeological survey of that parcel was conducted. This building will be kept intact with minor interior improvements. No ground disturbing activities will take place in this location.

Intensive field survey was conducted of undeveloped areas (i.e., where exposed soil was visible). This was limited to a small area at the northern-most end of the project area just south of Commercial Street. Grading will be required in this location to bring the area to grade with the existing railway.

No new archaeological resources were discovered during the field survey. The two previously recorded sites within the Project area were field checked. The location of P-19-2563, a subsurface refuse deposit, was confirmed to be developed and paved with a modern building situated on top of the recorded site location.

A 0.3-mile (0.5 kilometer) segment of the historic-era alignment of the BNSF/ATSF Railway (P-19-186804/P-30-176663) bisects the northern half of the Project area. Examination of the railroad bed, rails, and ties confirmed that this portion of the railroad consists of modern materials (Figure 7).

No native soils exist within the surface of Project area. The entire Project area is developed or paved except for a small section of the northern-most end, just south of Commercial Street, where light gray-brown, sandy fill had been introduced to raise the ground surface in this area approximately 8 feet (2.4 meters) above the adjacent paved road surface and railroads (Figure 8). Here, a light scatter of non-diagnostic historic-age objects mixed with modern debris was observed. These objects include fragments of glass bottles, undecorated fine earthenware, porcelain vessels, red clay brick fragments, and pane glass. Because these objects were secondary deposits with the imported fill material, they did not retain any integrity as to original location of deposition and were not recorded as an archaeological site.



Figure 4. View of Northern Half of Project Area North of 1<sup>st</sup> Street Bridge; View Towards South.



Figure 5. View of Southern Half of Project Area South of 1<sup>st</sup> Street Bridge; View Towards South.



Figure 6. View of Cold Storage Building from Jackson Street; View Towards Southeast.



Figure 7. Segment of P-19-186804/P-30-176663 Within the Project Area, North of 1st Street Bridge; View Towards North.



**Figure 8. Unpaved Area Near the Northernmost End of the Project Area, View Towards South-Southeast.**

### **4.3 Native American Consultation**

The search of the SLF by the NAHC indicated the presence of Native American sites in the Project vicinity. No additional information on the nature or location of the site(s) was provided, but the NAHC recommended contacting the Gabrielino Band of Mission Indians – Kizh Nation for more information about the sites. The NAHC also provided a list four additional Tribes who should be contacted about the Project. Metro sent letters to all five tribal groups in September 2017. Follow-up phone calls were made to each group on October 23, 2017.

The Gabrieleno Band of Mission Indians – Kizh Nation was the only Native American group to provide a formal written response. They requested Native American monitoring during ground-disturbing construction activities. Follow-up phone calls and meetings with the Kizh Nation has indicated that the Project area has a moderate to high potential to contain buried human remains. Metro is continuing consultation with the Kizh Nation under AB 52 to provide the Tribe with an opportunity to offer direct input to Metro and to facilitate collaboration on the Project.

The Gabrieleno/Tongva San Gabriel Band of Mission Indians initially expressed interest in consultation for the Project via a phone conversation with Metro staff, but has not provided a written formal response, despite extending the 30-day response period. Follow-up emails from Metro to the San Gabriel Band in October and November 2017 have had no response.



## 5.0 SUMMARY AND RECOMMENDATIONS

A review of the records search completed in 2016 for the Project area identified two previously recorded sites within the Project area. No new archaeological resources were discovered during the field survey. The two previously recorded sites were field checked during the survey.

A 0.3-mile (0.5 kilometer) segment of the historic-era alignment of the BNSF/ATSF Railway (P-19-186804/P-30-176663) bisects the northern half of the Project area. The railroad was previously evaluated and recommended as not eligible for listing on the NRHP or CRHR (Ballester and Tang, 2002). Examination of the railroad bed, rails, and ties during the current study confirmed that this portion of the railroad consists of modern materials. Therefore, Paleo Solutions concurs with the recommendation that this segment of the railroad is not eligible for the NRHP or CRHR due to lack of integrity. Because this site is not a Historical Resource (i.e., listed on or eligible for listing on the CRHR) under CEQA, there will be no impacts to the site from the proposed Project.

The location of P-19-2563, a subsurface refuse deposit, was confirmed to be developed and paved with a modern building situated on top of the recorded site location. This site was previously evaluated and recommended not eligible for the NRHP or CRHR (Greenwood and Foster, 1998). Because this site is not a Historical Resource under CEQA, there will be no impacts to the site, as currently recorded, from the proposed Project. However, the building on top of the site is proposed for demolition as part of the Division 20 Portal Project, and it will be replaced with new tracks for the proposed Storage Yard No. 1. Ground disturbing activities associated with demolition of the building and surrounding parking lot and installation of new tracks has the potential to reveal additional, unidentified subsurface deposits associated with P-19-2563. Implementation of Mitigation Measure CR-5, described below, would mitigate potential impacts to unidentified portions of the site, if present.

No native soils exist within the surface of Project area. One small area of imported fill was examined, and a light scatter of historic-age and modern objects was observed. These objects represent a secondary deposit that likely originated with the imported fill material. Therefore, these items are not considered to be an intact archaeological site.

Although no Historical Resources were identified within the Project area as a result of this study, the records search review identified eight additional historic-age sites within 0.25 mile of the Project area, many of which contain buried archaeological deposits. Native American burials and subsurface prehistoric artifacts have also been recorded within 0.25 mile. Given the proximity of the Project location to the Los Angeles River, prehistoric use of the land is likely. Buried prehistoric materials may exist below existing buildings, tracks, and pavement, particularly in the locations of the Pickleworks and Cold Storage buildings and underneath the fill material south of Commercial Street where grading will be required. In addition, it is possible that additional buried deposits associated with P-19-2563 may exist beyond the mapped boundaries of the site, as recorded in 1997. Although much of the Project area is developed and paved, there is a potential for buried archaeological deposits to exist. Therefore, potential impacts to unidentified cultural resources could occur from the Project. To avoid inadvertent impacts to subsurface archaeological deposits, Mitigation Measure CR-5, as described in Section 3.4, Cultural Resources, of the Environmental Impact Report (EIR) prepared for the Project and presented below, shall be implemented:

*Mitigation Measure CR-5.* A qualified archaeologist who meets the standards of the Secretary of the Interior for Archaeology (Project Archaeologist) shall be retained to provide and supervise archaeological monitoring of all project-related, ground-disturbing construction activities (e.g., boring, grading, excavation, drilling, trenching) that occur after existing pavement and buildings are removed. A Cultural Resources Monitoring and Mitigation Plan (CRMMP) shall be developed prior to



the start of ground-disturbing activities outlining qualifications and roles of the Project Archaeologist and archaeological monitor, monitoring procedures, reporting requirements, and procedures to follow if cultural resources are encountered during construction.

The Project Archaeologist shall prepare monthly cultural resources monitoring progress reports to be filed with Metro. In the event that cultural resources are exposed during construction, the archaeological monitor shall temporarily halt construction within 50 feet (15 meters) of the discovery (if safe) while the potential resource is evaluated for significance (i.e., eligible for listing in the CRHR per PRC Section 5024.1(c), or in a local register of historical resources as defined in PRC Section 5020.1(k)). Construction activities could continue in other areas that are a distance of at least 50 feet from the discovered resource. If the discovery proves to be significant, representatives of Metro and the Project Archaeologist shall meet to determine the appropriate avoidance or minimization measures. In considering suggested mitigation, Metro shall determine whether avoidance and preservation in place is feasible in light of such factors as the nature of the find, the Proposed Project design, costs, and other considerations. Under CEQA Guidelines Section 15126.6(b)(3), preservation in place is the preferred method of mitigation and, if feasible, shall be adopted to mitigate impacts to historical resources of an archaeological nature unless the lead agency determines that another form of mitigation is available and provides superior mitigation of the impacts. If avoidance and preservation in place is infeasible, other appropriate measures, such as data recovery excavation, shall be instituted. If data recovery is deemed appropriate, a Treatment or Data Recovery Plan (Plan) outlining the field and laboratory methods to be used shall be prepared by the Project Archaeologist in accordance with CEQA Guidelines Section 15064.5(f) and approved by Metro prior to initiation of data recovery work. The Plan shall specify the appropriate treatment and/or curation of collected materials.

Native American burials have been recorded within 0.25 mile of the Division 20 Portal Project Area. Consultation with Native American tribes has indicated that the Project Area has a moderate to high potential to contain human burials. Human remains are defined as any physical remains of a human being. The term “human remains” encompasses more than human bones. Past burial practices often included the burial of associated cultural resources (i.e., funerary objects) with the deceased, and the ceremonial burning of human remains. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.

Because the Project Area has a moderate to high potential to contain human burials, potential impacts to human remains could occur from the Project. To avoid inadvertent impacts to human remains, Mitigation Measure CR-9, as described in Section 3.4, Cultural Resources, of the Project EIR and presented below, shall be implemented:

*Mitigation Measure CR-9.* In the event that human remains, as defined above, are encountered at the Project site, procedures specified in the Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and the California Code of Regulations Section 15064.5(e) shall be followed. In this event, all work within 100 feet (30 meters) of the burial shall cease, and any necessary steps to ensure the integrity of the immediate area shall be taken. This shall include establishment of a temporary Environmentally Sensitive Area (ESA) marked with stakes and flagging



tape around the find and 100-foot buffer. The Los Angeles County Coroner shall be immediately notified. The Coroner must then determine whether the remains are Native American. Work shall continue to be diverted while the Coroner determines whether the remains are Native American. Should the Coroner determine that the remains are Native American, the Coroner has 24 hours to notify the NAHC, who shall in turn, notify the person they identify as the most likely descendent (MLD) of any human remains. Further actions shall be determined in consultation with the MLD. Upon being granted access to the site, the MLD has 48 hours to make recommendations regarding the treatment or disposition of the remains of the discovery. If requested by the MLD, measures shall be taken to the extent feasible to preserve and protect the remains in situ. If preservation in place is not feasible in light of such factors as the nature of the find, the Proposed Project design, costs, and other considerations, the appropriate treatment, reburial, or repatriation of the remains shall be determined in consultation with the MLD. If the MLD does not make recommendations within 48 hours of being granted access to the site, Metro shall, with appropriate dignity, re-inter the remains in an area of the property secure from further disturbance. Alternatively, if Metro does not accept the MLD's recommendations, Metro or the MLD may request mediation by the NAHC. The location of the remains shall be kept confidential and secured from disturbances and looting until the appropriate treatment has been identified and implemented. No information regarding the discovery of human remains shall be publicized.

On-going consultation with Native American tribes pursuant to AB 52 has indicated that ground-disturbing activities have the potential to reveal additional, as yet unidentified subsurface deposits of prehistoric and historic-age and Native American burials, which may be tribal cultural resources. If previously unidentified archaeological resources, including tribal cultural resources, are encountered during construction, the possibility exists that those resources could be disturbed or damaged during construction for the Project. To avoid inadvertent impacts to tribal cultural resources, Mitigation Measure TCR-1, as described in Section 3.8, Tribal Cultural Resources, of the Project EIR and presented below, shall be implemented:

*Mitigation Measure TCR-1:* Because of the potential for tribal cultural resources, a Native American monitor shall be retained to monitor all project-related, ground-disturbing construction activities (e.g., boring, grading, excavation, drilling, trenching) that occur after existing pavement and buildings are removed. The appropriate Native American monitor shall be selected based on ongoing consultation under AB 52 and shall be identified in the Cultural Resources Monitoring and Mitigation Plan (CRMMP), as described in Mitigation Measure CR-5. Monitoring procedures and the role and responsibilities of the Native American monitor shall be outlined in the project CRMMP. In the event the Native American monitor identifies cultural or archeological resources, the monitor shall be given the authority to temporarily halt construction (if safe) within 50 feet (15 meters) of the discovery to investigate the find and contact the Project Archaeologist and Metro. The Native American monitor and consulting tribe(s) shall be provided an opportunity to participate in the documentation and evaluation of the find. If a Treatment Plan or Data Recovery Plan is prepared, the consulting tribe(s) shall be provided an opportunity to review and provide input on the Plan.



Thank you for the opportunity to assist you with this project. If you have any questions regarding this report, please contact me via email at [evelyn@paleosolutions.com](mailto:evelyn@paleosolutions.com) or by phone: (909) 226-3802.

Sincerely,

A handwritten signature in black ink, appearing to read "Evelyn N. Chandler". The signature is fluid and cursive, with a long, sweeping underline that extends to the left.

Evelyn N. Chandler  
Principal Archaeologist



## 6.0 REFERENCES

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