

### 5.4 CULTURAL RESOURCES

Cultural resources include places, objects, and settlements that reflect group or individual religious, archaeological, architectural, or paleontological activities and/or resources. Such resources further bodies of knowledge and provide information on scientific progress, environmental adaptations, group ideology, or other human advancements. This section of the Draft Environmental Impact Report (DEIR) evaluates the potential for implementation of the City of Industry General Plan Update to impact cultural resources in the City and its Sphere of Influence (SOI) (together referred to as the City).

#### 5.4.1 Environmental Setting

##### Natural Setting

The City of Industry is in the southeastern corner of Los Angeles County, near the junction of Orange and Riverside Counties (see Figure 3-1, *Regional Location*). As shown in Figure 3-1, the City's boundary is an irregularly shaped area elongated in a west–east direction. Industry is approximately 14 miles long, generally stretching from Interstate 605 (I-605) on the west to State Route 57 (SR-57) on the east, and approximately one-half mile wide. The City encompasses approximately 7,706 acres, or 12 square miles, in East San Gabriel Valley between the Puente Hills on the south and the San Jose Hills to the north, and is almost completely built out.

California is divided into geomorphic provinces, which are distinctive, generally easy-to-recognize natural regions in which the geologic record, types of landforms, pattern of landscape features, and climate are similar. The City of Industry is in the Peninsular Ranges Geomorphic Province, a series of mountain ranges separated by northwest-trending valleys, which characterizes the southwest portion of California. More specifically, the City of Industry is primarily located along the eastern margin of the San Gabriel River Valley in the eastern Puente Hills, an east-to-west-trending range of hills that separates the Los Angeles Basin to the south from the San Gabriel Valley to the north. Most of Industry lies in the alluvial valley formed by San Jose Creek, which separates the Puente Hills on the south from the San Jose Hills to the north. Alluvium deposited by the San Gabriel River and San Jose Creek also overlie the bedrock beneath portions of the City.

##### Cultural Setting

##### Prehistory

The archaeological record of southern California is a rich and complex continuum traditionally divided into time units based on changes in artifact types and styles. Archaeological data and correlations with ethnographic data have resulted in the determination of the following chronology for prehistoric southern California:

- **Early Man Horizon:** This period, predating 6,000 BC, is characterized by the presence of large projectile points and scrapers, suggesting reliance on hunting rather than gathering.
- **Milling Stone Horizon:** This period, from 6,000 BC to 1,000 BC, is characterized by the presence of hand stones, milling stones, choppers, and scraper planes; tools associated with seed gathering and shellfish processing with limited hunting activities; and evidence of a major shift in the exploitation of natural resources.



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- **Intermediate Horizon:** This period, from 1,000 BC to AD 750, reflects the transitional period between the Milling Stone and Late Prehistoric Horizons. Little is known of this period, but evidence suggests interactions with outside groups and a shift in material culture reflecting this contact.
- **Late Prehistoric Horizon:** This period, from AD 750 to European contact, is characterized by the presence of small projectile points; use of the bow and arrow; steatite containers and trade items; asphaltum; cremations; grave goods; mortars and pestles; and bedrock mortars.

Heading the procession of the settlement of present-day California are Native Americans, who adapted to California's many climates and developed many trades and tools. The City of Industry and surrounding area are located in an ethnographic area associated with the Tongva (or Gabrielino) of the Los Angeles, San Gabriel, Rio Hondo, and Santa Ana River drainages. The Tongva occupied the entire Los Angeles basin and were present in the Late Prehistoric/Protohistoric period. The term Gabrielino is a reference to the direct association between the Native American population of the San Gabriel Valley and the Mission San Gabriel Arcangel (McKenna 2006).

### **Historical Setting of California**

Exploration and settlement of California by Europeans along the coasts and in the inland valleys began in the 16th century. The earliest known records of European contact with southern California Native Americans date to the mid-1500s. More specifically, in 1542 Spaniards sailed north from Baja California to Alta or Upper California (present-day California) under the leadership of Portuguese explorer Juan Rodriguez Cabrillo. The Tongva were the people who canoed out to greet Juan Rodriguez Cabrillo upon his arrival off the shores of Santa Catalina and San Pedro in 1542. Cabrillo declined their invitation to come ashore and visit. These explorations resulted in the identification of populations from the ships but did not include direct contact. At the time of the first European contact, Native American tribes in California included the Chumash, Maidu, Miwok, Modoc, Mohave, Ohlone, Pomo, Serrano, Shasta, Tataviam, Tongva, and Wintu (Wikipedia 2010a).

However, it was not until the 18th century that Spain made a concerted effort to colonize the coastal regions of California. Spain had the "right of discovery" to Alta California but it was not until 1768 when the Russians were seal hunting off the coast of California that King Carlos III of Spain became concerned and made the decision to build settlements. He sent orders to New Spain (Mexico) that land and sea expeditions must be sent to Alta California in order to establish Spain's dominion. It was a political move but the king wanted it to look religious.

The Franciscan friars who were assigned to the Baja missions in New Spain (Mexico) were chosen to lead the land expeditions to Alta California accompanied by the military, who would protect them. Father Junipero Serra, who led the last expedition, was chosen Superior of the Franciscans, and Gaspar de Portola was the military leader. The expedition arrived at its destination on June 29, 1769. On July 16, 1769, Father Junipero Serra established Mission San Diego de Alcala, which consisted of the mission and a presidio. This mission was the first of the Spanish missions and is known as the Mother of the Missions. Soon after, the California mission system was begun. In the 1770s, the Spanish padres, under the direction of Junipero Serra, began the process of establishing a series of missions throughout Alta California. Aside from missions, the Spanish-speaking soldiers, settlers, and missionaries began establishing presidios, pueblos, and ranchos throughout the coastal and inland valley areas of California. By 1823 twenty-one Spanish missions dotted the California coast from San Diego to Sonoma along with military presidios and several small towns or pueblos.

The Spanish missions continued to hold large tracts of land until the Mexican government declared independence from Spain and issued orders for the secularization of the missions (circa 1824). By 1833–34, the majority of mission lands were taken from the Catholic Church and granted to individuals who had

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served as either Spanish or Mexican soldiers, settlers, financiers, or others. Now under Mexican control, the Mexican government hoped to initiate a pattern of settlement in Alta California by relocating populations from Mexican settlements to California settlements.

However, not many years after Mexico took control of California from Spain, the United States acquired California under the terms of the 1848 Treaty of Guadalupe Hidalgo following the defeat of Mexico in the Mexican-American War.

#### **Historical Setting of Industry**

The City of Industry resides within the boundaries of lands historically held by the Mission San Gabriel Arcangel holdings, which was founded in 1771 just outside the historic Mexican Rancho Canada de Los Nogales the fourth of the 21 Spanish missions. The mission was originally in the Whittier Narrows area but relocated shortly after its founding because of unstable ground along the Rio Hondo/San Gabriel River channels. The mission serviced the entire San Gabriel Valley, ranging from the coast to the San Gabriel/San Bernardino Mountains and from northern Los Angeles County to just north of San Juan Capistrano. The Mission San Gabriel Arcangel, like all the other Spanish missions, continued to hold large tracts of land until the Mexican government declared independence from Spain and issued orders for the secularization of the missions (circa 1824).

Following secularization, the area comprising the Mission San Gabriel Arcangel holdings was known as the Rancho Paso de Bartolo (Pico), an 8,991-acre property. Bartolo Tapia is listed as the owner of a rancho in the Los Angeles District in 1816. Governor Pio Pico, the last Mexican governor of California, acquired Rancho Paso de Bartolo between 1850 and 1852. Governor Pico maintained ownership until his mortgage holder foreclosed on loans, resulting in the loss of his holdings to B. Cohn, W. J. Brodrick, and Charles Prager (McKenna 2006).

Drawn to California by such a splendid opportunity to acquire land, friends, and business, partners John Rowland and William Workman led a wagon train of settlers west from Taos, New Mexico, to southern California, arriving in the valley in November of 1841. Within months they had petitioned for and received preliminary title, finalized in 1845, to the Rancho La Puente, a 48,790-acre tract that formerly belonged to the San Gabriel Mission. The ranch extended from the hills of what is now Hacienda Heights to San Bernardino Road in Covina, and from the San Gabriel River to Walnut and Pomona; and it encompassed what is now Baldwin Park, Charter Oak, Covina, La Puente, West Covina, and much of the Puente and San Jose hills. Rowland and Workman built adobe homes and established a thriving agricultural community engaged in ranching and farming. In 1851 they divided their property roughly in half, each continuing to work his land, but following their deaths in the early 1870s their respective parcels were bought and subdivided by developers, who then started communities that included La Puente and Hacienda Heights (County of Los Angeles Public Library 2010).

Beginning in 1870, Alvan T. Currier settled in the area and eventually purchased various parcels of the former land owned by Rowland and Workman. He purchased property from Frank Sox of San Francisco, and in the same year, purchased land from Stillman Putman. A.T. Currier also purchased land from George Cummings and continued to purchase land in the area until 1874; he eventually owned over 2,500 acres presently known as the eastern portion of the City of Industry. The Currier Ranch boundaries became defined and included all lands between Valley Boulevard/Old Brea Road and the current alignment of SR-60. A.T. Currier provided the right-of-way for the railroad easement and developed a successful ranch that served him until his death in 1928. The agricultural uses developed on the Currier ranch consisted of citrus and walnut orchards (McKenna 1999).



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#### **Historical Resources**

Historical resources are buildings, structures, objects, sites, and districts of significance in history, archaeology, architecture, and culture. These resources include intact structures of any type that are 50 years or more of age. They are sometimes called the built environment and can include, in addition to houses, structures such as irrigation works and engineering features. Historical resources are preserved because they provide a link to a region's past and a frame of reference for a community. Often these sites are a source of pride for a city.

#### *Workman and Temple Family Homestead Museum*

The City of Industry is home to the Workman and Temple Family Homestead Museum (15415 Don Julian Road), a six-acre site at the intersection of Don Julian Road and El Encanto Road/Parriott Place in western Industry that dates from the era when California was still part of Mexico. The Homestead Museum features the Workman House, a 1870s picturesque country home constructed around an 1840s adobe built by William and Nocolasa Workman; La Casa Nueva, a 1920s Spanish Colonial Revival mansion noted for its architectural crafts, built by the Workmans' grandson Walter Temple and his wife, Laura; and El Campo Santo, one of the region's oldest private cemeteries, containing the remains of Pio Pico, the last Mexican governor of California, and many other prominent pioneer families. The museum, which also houses a collection of objects dating from 1830 to 1930 with strengths in the history of southern California, offers free public tours throughout the year and is available for specialized group tours on an as-needed basis. The museum is owned and funded by the City of Industry and managed by Historical Resources, Inc. The museum is registered with the National Register of Historic Places (NPS 2010) and is also designated a California Historic Landmark by the California Office of Historic Preservation (COHP 2011).

The National Register of Historic Places is the nation's official list of buildings, structures, objects, sites, and districts worthy of preservation. The National Register was established by the National Historic Preservation Act of 1966 and is maintained by the National Park Service. The purpose of the act is to ensure that properties significant in national, state, and local history are considered in the planning of federal undertakings, and to encourage historic preservation initiatives by state and local governments and the private sector. Registration is an integral part of the four essential components of historic preservation: identification, evaluation, registration, and protection. Effects of National Register designation include tax incentives, consideration in federally funded projects under Section 106 of the National Historic Preservation Act; limited protection through environmental review under CEQA; and restrictions imposed locally through CEQA or local zoning and land use planning regulations.

#### *John A. Rowland House*

John A. Rowland was an early settler and rancher of the eastern San Gabriel Valley area of Los Angeles County. He and his family were very prominent in the region's early development, and the unincorporated community of Rowland Heights is named after him. The John A. Rowland House, built in 1855 for Rowland's second wife Charlotte, is the oldest surviving brick structure in southern California. The house is at 16021 E. Gale Avenue in the central portion of the City of Industry, bordering the community of Hacienda Heights. The site of the home also consists of the Dibble Museum (the former coach house of the Rowland mansion), which displays furnishings of the Rowland House along with Native American crafts and pioneer memorabilia. The Rowland House is registered with the National Register of Historic Places (NPS 2010) and is owned and operated by the Historical Society of La Puente Valley, which began initial restoration efforts and started some public programs there late in 2010. It is undergoing many improvements in preparation for future reopening (Wikipedia 2010b).

### *A.T. Currier House*

In eastern Industry, near the location of the present day Baker Avenue, was the ranch and home of A.T. Currier, an early pioneer and leading citizen in the Pomona Valley until his death in 1928. Mr. Currier settled in the valley in 1870 and after marriage to Mrs. Susan Glen Rubottom, the widow of James Rubottom, they began construction on the A.T. Currier House in 1907. Mr. Currier was elected Los Angeles County Sheriff in 1881 and was elected to the State Senate in 1898, where he served for many years. In order to best preserve the home, which was deteriorating and had development encroaching, the City of Industry donated the home to the Pomona Historical Society in 2004 and relocated it to the Phillips Mansion property on Pomona Boulevard in Pomona. Plans for restoration of the A.T. Currier House are ongoing (The Historical Society of Pomona Valley 2009).

### *Other Historical Sources*

Archaeological records searches for other development projects in Industry have identified records for two other historical resources within or in close proximity of the City's boundaries:

- **Site 19-186-889.** The Whittier Narrows Dam Recreation Area. Within the dam site are reported features that include the nature center, a historical gauge station, a water tank, and four other structures or structural remains.
- **Site 19-189-112.** The Union Pacific Railroad (UPRR) alignment is described as a standard-gauge railroad with segments dating as early as the 1870s. The original system was completed in 1905 and significant improvements were completed throughout the twentieth century. The UPRR alignment is eligible for the National Register of Historic Places under Criteria A and B (association with events and persons), but not under Criterion C (architectural integrity and design) or Criterion D (ability to yield significant scientific data), because of significant alterations that have obliterated all evidence of original alignments (McKenna 2006). Refer to Section 5.4.2, *Thresholds of Significance*, for an explanation of the four criteria categories.



### **Archaeological Resources**

Archaeological resources are the physical remains of past human activities and can be either prehistoric or historic. Archaeological sites contain significant evidence of human activity. Generally a site is defined by a significant accumulation or presence of: food remains, waste from the manufacturing of tools, tools, concentrations or alignments of stones, modification of rock surfaces, unusual discoloration or accumulation of soil, and/or human skeletal remains.

### *Bowl Fragment*

A small granite bowl fragment measuring 17 centimeters (cm, 6.7 inches) long and 10.5 cm (4.1 inches) wide was discovered during an archeological survey for a project in an undeveloped area of the eastern portion of Industry known as the Industry Business Center. More specifically, it was found along a terrace above Diamond Bar Creek in a small prehistoric encampment site referred to as CA-LAN-1414. If intact, the archaeologist estimated the bowl would likely have been 17 cm long by 17 cm wide. While this type of artifact is generally associated with the Milling Stone Period (6000–1000 BC), it could just as easily date through the Late Prehistoric (dating to beginning of contact period, ca. 1769). Without the archaeological context, there is no defining the period associate. As a portable artifact, it may have originated anywhere, having been discarded after breaking. No other significant archaeological finds have been found in this area but may be encountered with future development of the property (McKenna 2003).

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#### **Paleontological Resources**

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. These are valued for the information they yield about the history of the earth and its past ecological settings. There are two types of resources: vertebrate and invertebrate. These resources are found in geologic strata conducive to their preservation, typically sedimentary formations. Paleontological sites are areas that show evidence of prehuman activity. Often they are simply small outcroppings visible on the surface or sites encountered during grading. While the sites are important indications, it is the geologic formations that are the most important, since they may contain important fossils. Potentially sensitive areas for the presence of paleontological resources are based on the underlying geologic formation.

Although no known or significant paleontological resources have been discovered within the City of Industry's boundaries, fossil remains may occur throughout the City, although the area of their distribution is not known. The potential for fossil occurrence depends on the soil and rock type exposed at the surface in a given area. As outlined in Chapter, 5.5, *Geology and Soils*, geologic materials found throughout the City are made up of a range of soil and rock types, including artificial fill, land slide deposits, and young alluvial-fan deposits. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. However, these younger sediments overlie sediments of older Pleistocene sediments, which possess a high potential to contain paleontological resources. Older Pleistocene alluvial sediments have yielded significant fossils of extinct plants and animals elsewhere in southern California. These older sediments, often found 10 feet or more below the ground surface, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates. Significant vertebrate fossils from this age include Ice Age mammals such as camels, mammoths, mastodons, and ground sloths.

Additionally, paleontological specimens have been recovered nearby from the Puente Hills/Whittier Hills.

#### **Regulatory Background**

Federal and state laws, regulations, plans, or guidelines that are potentially applicable to the proposed project are summarized below.

##### **Federal**

###### *National Historic Preservation Act*

The National Historic Preservation Act (NHPA) of 1966 authorized the National Register of Historic Places and coordinates public and private efforts to identify, evaluate, and protect the Nation's historic and archaeological resources. The National Register includes districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture. Section 106 (Protection of Historic Properties) of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties. Section 106 Review refers to the federal review process designed to ensure that historic properties are considered during federal project planning and implementation. The Advisory Council on Historic Preservation, an independent federal agency, administers the review process with assistance from State Historic Preservation Offices.

###### *Archaeological Resources Protection Act*

The Archaeological Resources Protection Act of 1979 regulates the protection of archaeological resources and sites on federal and Indian lands.

### *Native American Graves Protection and Repatriation Act*

The Native American Graves Protection and Repatriation Act (NAGPRA) is a federal law passed in 1990 that provides a process for museums and federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants and culturally affiliated Indian tribes.

### **State**

#### *California Public Resources Code*

Archaeological, paleontological, and historical sites are protected pursuant to a wide variety of state policies and regulations enumerated under the California Public Resources Code. In addition, cultural and paleontological resources are recognized as a nonrenewable resource, and therefore receive protection under the California Public Resources Code and CEQA.

- California Public Resources Code Sections 5020–5029.5 continued the former Historical Landmarks Advisory Committee as the State Historical Resources Commission. The commission oversees the administration of the California Register of Historical Resources, and is responsible for the designation of State Historical Landmarks and Historical Points of Interest.
- California Public Resources Code Sections 5079–5079.65 define the functions and duties of the Office of Historic Preservation (OHP). OHP is responsible for the administration of federally and state-mandated historic preservation programs in California and the California Heritage Fund.
- California Public Resources Code Sections 5097.9–5097.998 provide protection to Native American historical and cultural resources and sacred sites and identify the powers and duties of the Native American Heritage Commission (NAHC). These sections also require notification of discoveries of Native American human remains to descendants and provide for treatment and disposition of human remains and associated grave goods.
- California Public Resources Code 5097.98 states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, “there shall be no further excavation...until the coroner...has determined...that the remains are not subject to...provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible.... The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and...has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, NAHC.”



#### *California Senate Bill 18*

Senate Bill (SB) 18, the Traditional Tribal Cultural Places (TTCPs) law, requires local jurisdictions to provide opportunities for involvement of NAHC and any appropriate California Native Americans tribes in the land planning process for the purpose of preserving TTCPs. A city or county, when proposing to adopt, amend, revise, or update a general plan or specific plan, must send a written request to NAHC asking for a list of tribes to consult. NAHC is required to provide this list within 30 days of receiving the request. The city or county must send a Tribal Consultation Request letter to each tribal representative on the list; tribes then have 90 days in which to respond to the Consultation Request if they want to consult with the local government to determine whether the project would have an adverse impact on the TTCP. There is no

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statutory limit on the consultation duration. The local government refers action to agencies 45 days before the action is publicly considered by the local government council, following the CEQA public review time frame. The CEQA public distribution list may include tribes listed by NAHC who have requested consultation or it may not. If the NAHC, tribe, and interested parties agree upon the mitigation measures necessary for the project, it would be included in the project's EIR. If both the City and tribe agree that adequate mitigation or preservation measures cannot be taken, then neither party is obligated to take action.

In addition, SB 18 provides a new definition of TTCP requiring a traditional association of the site with Native American traditional beliefs, cultural practices, or ceremonies or the site must be shown to actually have been used for activities related to traditional beliefs, cultural practices, or ceremonies. Previously, the site was defined to require only an association with traditional beliefs, practices, lifeways, and ceremonial activities. In addition, SB 18 also amended California Civil Code Section 815.3 and adds California Native American tribes to the list of entities that can acquire and hold conservation easements for the purpose of protecting their cultural places.

#### 5.4.2 **Thresholds of Significance**

CEQA Guidelines Section 15064.5 provides direction on determining significance of impacts to archaeological and historical resources. Generally, a resource shall be considered "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code Section 5024.1, Title 14 CCR, Section 4852), including the following:

- Criteria A – Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- Criteria B – Is associated with the lives of persons important in our past;
- Criteria C – Embodies the distinctive characteristics of a type, period, region or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- Criteria D – Has yielded, or may be likely to yield, information important in prehistory or history.

The fact that a resource is not listed in, or determined to be eligible for listing in the California Register of Historical Resources, or is not included in a local register of historical resources, does not preclude a lead agency from determining that the resource may be a historical resource.

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

- C-1 Cause a substantial adverse change in the significance of an historical resource pursuant to Section 15064.5.
- C-2 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.
- C-3 Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.
- C-4 Disturb any human remains, including those interred outside of formal cemeteries.

The Initial Study, included as Appendix A, substantiates that impacts associated with the following thresholds would be less than significant: C-4. This impact will not be addressed in the following analysis.

### 5.4.3 Environmental Impacts

The following impact analysis addresses thresholds of significance for which the Initial Study disclosed potentially significant impacts. The applicable thresholds are identified in brackets after the impact statement.

**IMPACT 5.4-1: FUTURE DEVELOPMENT THAT WOULD BE ACCOMODATED BY THE GENERAL PLAN UPDATE COULD IMPACT AN IDENTIFIED HISTORIC RESOURCE. [THRESHOLD C-1]**

**Impact Analysis:** Historic resources in the City include the Workman and Temple Family Homestead Museum and the John A. Rowland House, which are both registered with the National Register of Historic Places (NPS 2010). Additionally, the Workman and Temple Family Homestead Museum is also designated a California Historic Landmark by the California Office of Historic Preservation (COHP 2011). No other landmarks or points of historical interest, or other buildings, structures, objects, or sites within the City's boundaries are of historic significance or have the potential of being listed on the National Register of Historic Places, California Register of Historical Resources, California Registered Historical Landmarks, or California Points of Historical Interest.

Adoption of the Industry General Plan Update in itself would not directly affect any historical structures or resources. However, the aforementioned historic structures and sites may be vulnerable to development activities accompanying infill, redevelopment, or revitalization that would be accommodated under the General Plan Update. In addition, other structures that could meet the National Register criteria upon reaching 50 years of age might be impacted by development or redevelopment activity.

Historical resources are protected by a wide variety of state policies and regulations under the California Public Resources Code. Additionally, the proposed General Plan Update land use plan (see Figure 3-6, *Proposed Land Use Plan*) designates the areas where the aforementioned historic landmarks occur as Institutional, therefore further assuring that these resources would remain a part of the City's historic fabric. The Resource Management Element of the General Plan Update also contains policies that specifically address sensitive known and potential historical resources and their protection, including:

- Continue to support and enhance the Workman and Temple Family Homestead Museum. (RM5-1)
- Comply with federal and state requirements when considering nominations for or modifications to resources of significant historical or cultural merit. (RM5-3)

Additionally, at the time a development project is proposed adjacent to or in proximity of a known or potential historic structure or resource, the project-level CEQA document of the development project would need to identify any impacts (direct or indirect) that the project could have on the identified historic structure or resource. The CEQA Guidelines require a project that will have potentially adverse impacts on historical resources to conform to the Secretary of the Interior's Standards for the Treatment of Historic Properties. Furthermore, historic sites or resources listed in the National, California, or local registers maintained by the City of Industry would be protected through local ordinances, the General Plan Update policies, and state and federal regulations restricting alteration, relocation, and demolition of historical resources.

Therefore, implementation of the General Plan Update would not result in the loss of or cause a substantial adverse change in the significance of a historical resource.



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**IMPACT 5.4-2: FUTURE DEVELOPMENT THAT WOULD BE ACCOMMODATED BY THE GENERAL PLAN UPDATE COULD IMPACT UNKNOWN ARCHAEOLOGICAL AND/OR PALEONTOLOGICAL RESOURCES. [THRESHOLDS C-2 AND C-3]**

**Impact Analysis:** Adoption of the City of Industry General Plan Update in itself would not directly affect archaeological or paleontological resources. Additionally, the City is almost completely built out and is in a highly developed, urban/suburban area of eastern Los Angeles County. However, the 592-acre vacant site at the eastern limits of the City (see Figure 3-2, *Aerial Photograph*), known as the Industry Business Center (IBC), is currently vacant land. A few remnant vacant parcels are also scattered throughout the City.

Long-term implementation of the General Plan Update land use plan (see Figure 3-6, *Proposed Land Use Plan*) could allow development (e.g., infill development, redevelopment, and revitalization/restoration), including grading, of unknown sensitive areas. Grading and construction activities of undeveloped areas or redevelopment that requires more intensive soil excavation than in the past could potentially cause the disturbance of archeological or paleontological resources. Therefore, future development that would be accommodated by the General Plan Update could potentially unearth previously unrecorded archeological or paleontological resources.

Archaeological resources have been found during construction excavation and grading in the past within the City's boundaries. More specifically, a bowl fragment from anywhere between 8,000 to 200 years ago was found in an undeveloped area of the IBC site in the eastern portion of the City during grading activities. Aside from the bowl fragment, no other known or significant paleontological resources have been discovered within the City's boundaries. Additionally, fossil remains may occur throughout the City, although the area of their distribution is not known. The potential for fossil occurrence depends on the soil and rock type exposed at the surface in a given area. Paleontological specimens have been recovered from the nearby Puente Hills/Whittier Hills.

The majority of the development potential of the General Plan Update would concentrate on redevelopment efforts of underutilized parcels and the replacement, expansion, or refurbishment of existing development in other areas of the City. Therefore, implementation of the General Plan Update would not introduce a substantial amount of new development that would damage or impact archeological or paleontological resources. Under the Resource Management Element policies of the General Plan Update, the City would take the following actions to reduce impacts of potential developments on cultural resources:

- Support the proper handling and documentation of historically or archaeologically significant sites, burial sites, and objects that may be discovered. (RM5-2)

Additionally, archaeological sites are protected by a wide variety of state policies and regulations under the California Public Resources Code. Cultural and paleontological resources are also recognized as nonrenewable and therefore receive protection under the California Public Resources Code and CEQA. Review and protection of archaeological and paleontological resources is also afforded by CEQA for individual development projects subject to discretionary actions that are implemented in accordance with the land use plan of the General Plan Update. Per Public Resources Code Section 21083.2 of CEQA, the lead agency is required to determine whether a development project may have a significant effect on archaeological resources. If the lead agency determines that the project may have a significant effect on unique archaeological resources, the EIR is required to address the issue of those resources. However, in the event of an unanticipated discovery of archaeological or paleontological resources during grading and excavation of a development site, a qualified archaeologist or paleontologist would assess the find and develop a course of action to preserve the find, as indicated in Mitigation Measure 4-1.

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Furthermore, the City of Industry issued an Initial Study/Notice of Preparation (IS/NOP) for the proposed project on March 28, 2011, to the State Clearinghouse, responsible agencies, and interested parties, which included NAHC. As stated in their IS/NOP comment letter dated April 1, 2011, NAHC performed a Sacred Lands File search of the project area and Native American cultural resources were not identified within the City limits (see NAHC comment letter in Appendix B).

Finally, the vacant 592-acre IBC site in the eastern end of the City is zoned Industrial (M) with a Planned Development Overlay, and the current and proposed General Plan land use designations of the site are Industrial and Commercial, respectively. The site has approved plans for development and it would eventually be developed. Therefore, the site will not always remain vacant, undeveloped land, and future grading activities could impact undiscovered archeological or paleontological resources. However, development plans for the site have also been previously analyzed under separate EIRs. Therefore, development of the site would be controlled by mitigation measures and project design features outlined in those EIRs, including those related to cultural resources, if and when the development plans for the IBC site get implemented. For example, Project Design Feature 5.4-1 of the 2004 IBC EIR requires that archaeological monitoring of site CA-LAN-1414 be conducted prior to any activities associated with the alterations of Diamond Bar Creek or subsequent industrial and commercial development in the area.

It is also important to note that the General Plan Update is a regulatory document that sets forth the framework for future growth and development and does not directly result in development in and of itself. Before any development can occur in the City, all such development is required to be analyzed for conformance with the General Plan, zoning requirements, and other applicable local and state requirements; comply with the requirements of CEQA; and obtain all necessary clearances and permits.

#### **Tribal Consultation and Comment Letters**

In accordance with SB 18 requirements and in response to the IS/NOP issued by the City on March 28, 2011, NAHC provided a comment letter on the IS/NOP containing general comments and information for California Native American tribes that should be consulted during the General Plan Update review process. NAHC responded with a Native American Tribal Consultation list of four tribes with traditional lands or cultural places associated with the project area. The City of Industry sent invitation letters to representatives of these four tribes on April 6, 2011, formally inviting them to consult with the City during the development of the City's General Plan Update and accompanying DEIR. The intent of the consultation was to provide an opportunity for interested tribes to work together with the City during the project planning process to identify and protect tribal cultural resources. To date, none of the tribes have submitted formal requests for consultation.

#### **5.4.4 Relevant General Plan Policies**

The following are relevant policies of the General Plan Update that promote the protection of cultural resources and reduce potential impacts of development on these resources. Policy number references are provided in parentheses.

#### **Resource Management Element**

- Continue to support and enhance the Workman and Temple Family Homestead Museum (RM5-1).
- Support the proper handling and documentation of historically or archaeologically significant sites, burial sites, and objects that may be discovered (RM5-2).



## 5. Environmental Analysis

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### CULTURAL RESOURCES

- Comply with federal and state requirements when considering nominations for or modifications to resources of significant historical or cultural merit (RM5-3).

#### 5.4.5 Existing Regulations

- California Public Resources Code Sections 5020–5029.5; 5079–5079.65; 5097.9–5097.998; 5097.98
- State Health and Safety Code Section 7050.5
- Tribal Consultation under Senate Bill 18

#### 5.4.6 Level of Significance Before Mitigation

Upon implementation of regulatory requirements and compliance with the General Plan Update policies, the following impacts would be less than significant: 5.4-1.

Without mitigation, the following impacts would be **potentially significant**:

- Impact 5.4-2 Future development that would be accommodated by the General Plan Update could impact archaeological or paleontological resources.

#### 5.4.7 Mitigation Measures

##### Impact 5.4-2

4-1 Prior to the issuance of grading permits for new development projects on previously undeveloped/graded parcels, the City of Industry will require project applicants to provide studies (e.g., Phase I Records Search) to document the presence/absence of archeological and/or paleontological resources. On properties where resources are identified, such studies will provide a detailed mitigation plan, including a monitoring program and recovery and/or preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan will include the following requirements:

- An archaeologist and/or paleontologist will be retained for the project and will be on call during grading and other significant ground-disturbing activities.
- Should any cultural resources be discovered, no further grading will occur in the area of the discovery until the Planning Director or his/her designee is satisfied that adequate provisions are in place to protect these resources.
- Unanticipated discoveries will be evaluated for significance by a Los Angeles County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project applicant will be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including a catalog with museum numbers.

#### 5.4.8 Level of Significance After Mitigation

Adherence to regulatory requirements and implementation of the mitigation measure outlined above would reduce the potential impacts to cultural resources to a level that is less than significant. Therefore, no significant unavoidable adverse impacts relating to cultural resources have been identified.