

4.3 CULTURAL RESOURCES

INTRODUCTION

W & S Consultants, (W&S) conducted an archaeological survey of the project site that included an archival record search conducted at the local California Historic Resource Information System (CHRIS) repository at the South Central Coastal Information Center (SCCIC) located on the campus of California State University, Fullerton. In July 2010, a field survey of the 1.2-mile proposed project site was conducted. The archaeological survey report can be found in **Appendix 4.3**. Mitigation measures are recommended which would reduce potential impacts to unknown archeological resources within the project site, potential impacts to paleontological resources, and the discovery of human remains during construction to less than significant.

PROJECT BACKGROUND

Ethnographic Setting

Tataviam

The upper Santa Clara Valley region, including the study area, was inhabited during the ethnographic past by an ethnolinguistic group known as the Tataviam.¹ Their language represents a member of the Takic branch of the Uto-Aztecan linguistic family.² In this sense, it was related to other Takic languages in the Los Angeles County region, such as Gabrielino/Fernandeño (Tongva) of the Los Angeles Basin proper, and Kitanemuk of the Antelope Valley.

The Tataviam are thought to have inhabited the upper Santa Clara River drainage from about Piru eastwards to just beyond the Vasquez Rocks/Agua Dulce area; southwards as far as Newhall and the crests of the San Gabriel and Santa Susana Mountains; and northwards to include the middle reaches of Piru Creek, the Liebre Mountains, and the southwesternmost fringe of Antelope Valley.³ Their northern boundary most likely ran along the northern foothills of the Liebre Mountains (i.e., the edge of Antelope Valley), and then crossed to the southern slopes of the Sawmill Mountains and Sierra Pelona, extending

¹ NEA, and King, Chester. *Ethnographic Overview of the Angeles National Forest: Tataviam and San Gabriel Mountain Serrano Ethnohistory*. 2004.

² King, C.d. and T. Blackburn, *Tataviam*, In *Handbook of North American Indians*, (Washington, D.C.: Smithsonian Institution, 1976) Volume 8.

³ Kroeber, A.L., *Handbook of the Indians of California*, (Washington, D.C.: Bureau of American Ethnology, 1925), Bulletin 78; Johnson, J. and D. Earle, *Tataviam Geography and Ethnohistory*, *Journal of California and Great Basin Anthropology*, Volume 12 (1990) 191-214.

as far east as Soledad Pass. Ethnographically, at least, the Tataviam do not appear to have controlled the Leona Valley or areas to the north, with the Elizabeth Lake area proper a zone of uncertainty.

Known Tataviam villages during the historic period include: *pi?irukung* and *?akavaya*, both near modern Piru; *tsavayu(?u)ng*, San Francisquito; *etseng*, *kuvung* and *huyung*, on Piru Creek above Piru; *tochonanga*, near Newhall; *kwarung*, Elizabeth Lake; and *tsawayung*, near Castaic Junction. At *kamulus*, near modern Rancho Camulos, a mixed Chumash-Tataviam population lived.⁴ Because the name *kamulus* is unquestionably Chumash and not Tataviam, however, the toponym has been viewed as problematic; that is, as not reflecting the original (Tataviam) name for this village. Regardless of original name, however, the Spanish missionary Señan, writing in 1804, indicated that the Chumash inhabitants of the village of *sécpey* had migrated to *kamulos*, accounting for this admixture. *Sécpey* is now known as Sespe, near the modern town of Fillmore.

Culturally speaking, the Tataviam were in most respects similar to their Fernandeano and Chumash neighbors, to the south and west, respectively. In this sense, they were hunters-gatherers, with subsistence emphasizing yucca, acorns, juniper berries, sage seeds, and islay. Game was also hunted, with small animals, such as rabbits/hares and rodents, probably representing the more significant contributions of meat protein than larger game, such as deer.

Little is known of Tataviam social and political organization. Based on analogies to surrounding groups, however, it can be suggested that they were organized in a series of tribelets, similar to the *naciones* of the Antelope Valley, and found to be characteristic of much of California aboriginal socio-political organization. The tribelet represented an autonomous land-holding unit, minimally controlled by a head-chief or big-man. They usually included one large, capital village, sometimes occupied year-round, and a series of smaller, seasonally inhabited hamlets. Whether the Tataviam had exogamous clans and moieties, like the Cahuilla and Serrano to the east, is unknown. However, it is estimated that the Tataviam population was less than 1,000 people at the time of Euro-American contact, and that only two or three of the largest villages throughout their territory were inhabited at any given time.

It is also likely that Tataviam religion followed the patterns of surrounding neighbors. In this case, shamanism would have functioned as the central element, and ceremonies and rites were infrequent in occasion and limited in type. This religion posits a direct and personal relationship between each individual and the supernatural world, with this relationship enacted by entering a trance or hallucinatory state (usually based on the ingestion of psychoto-mimetic plants, such as jimsonweed or native tobacco). Shamans, per se, who were considered individuals with an unusual degree of

⁴ King, C.d. and T. Blackburn, *Tataviam*, In *Handbook of North American Indians*, (Washington, D.C.: Smithsonian Institution, 1976) Volume 8: 535-536.

supernatural power, served as ritual specialists: Perhaps most importantly, shamans served as healers or curers, with the etiology of disease as well as its cure held to lie in the supernatural world. Shamans are also known to have produced the rock art of this region, which depicted the hallucinations and spirits they observed in their vision quests.

Although the Tataviam were one of the earliest groups contacted by Spanish missionaries, with a number of their villages described by members of the Portolá expedition of 1769, a general lack of information on this group exists because, by 1810, all Tataviam had been baptized at Mission San Fernando and were quickly absorbed by other groups through intermarriage. Their descendants, however, continue to reside in the region.

Archeological Background

Archaeologically speaking, more information is available on the Santa Clarita Valley area, although here, too, less is known than for many of the surrounding Southern California regions. In general terms, the prehistory of this inland area appears to parallel that of the Santa Barbara Channel/Southern California coastal zone.

The earliest evidence for human occupation of this region corresponds to the *Early Millingstone Period* (or, alternatively, the Early Horizon), dated from about 7,000 to 4,000 years before present (BP). This represents a period during which subsistence and adaptation are said to have emphasized the collecting and processing of hard seeds, with inland artifact assemblages, dominated by mullers and milling stones, known as *manos* and *metates*. Evidence for an Early Millingstone occupation of the upper Santa Clara Valley region is very limited, and has been found at only two sites. Both of these sites are located near Vasquez Rocks, with temporal attribution based on the presence of a small number of *Olivella* barrel beads. Further, recent excavations at one of these putative early locales, the Escondido Canyon Site, failed to uncover evidence for occupation prior to about 2,700 years BP.

The second temporal unit is the *Intermediate Period* (or Middle Horizon), dated from 3,500 to 1,500 years BP. It is marked by a shift to the mortar and pestle, with an increased emphasis on hunting and hunting tools in artifact assemblages. Evidence for *Intermediate Period* occupation of the upper Santa Clara Valley region is substantial; a number of sites have been found based on radiocarbon, obsidian hydration, and typological dating. The Agua Dulce village complex, for example, includes occupation extending back to the *Intermediate Period*, at which time population of the village may have been 50 or more people.

Assuming that the upper Santa Clara Valley region was first significantly occupied during the *Intermediate Period*, as existing evidence now suggests, a parallel can be drawn with the inland Ventura County region, where a similar pattern has been identified, as well as possibly the Antelope Valley and

western Mojave Desert. In all of these areas a major expansion in settlement, the establishment of large site complexes, and an increase in the range of environments exploited appear to have occurred sometime roughly around 3,000 years ago.

There is continuity in the inland regions between the *Intermediate Period* and subsequent times, labeled the *Late Prehistoric Period*, lasting from 1,500 years BP to historic contact at about 200 years BP. Site complexes first occupied in the *Intermediate Period* continued to be inhabited, although they increased in size, with more specialized and diversified sites added to the kinds of sites present. In fact, the principal distinction between *Intermediate Period* and *Late Prehistoric Period* sites in the inland regions is a change in certain diagnostic artifact types (notably, projectile points, with a shift from spear points to bow and arrow points). This change may not signify consequential changes in culture, adaptation, or subsistence, although the trends begun in the *Intermediate Period* accelerate over time during the *Late Prehistoric Period*. For example, a large number of *Late Prehistoric Period* sites are known from the upper Santa Clara Valley/Agua Dulce region, with the Agua Dulce village complex estimated to have grown to a population of 200 to 300 people around AD 1500–1600. Sometime during this period the Tataviam can be hypothesized to have occupied this region, although it is likely that they may have appeared somewhat earlier.

During the *Historic Period*, the aboriginal population appears to have dropped considerably. This, without doubt, can be attributed to the effects of missionization and its attendant relocation of the aboriginal population to centralized locales, along with the depredations of introduced Old World diseases. The upper Santa Clara Valley region appears to be one of those inland zones, like the Antelope Valley to the north, which quickly and completely lost its aboriginal population. In particular, the aboriginal population from the upper Santa Clara Valley was moved into Mission San Fernando in the San Fernando Valley, and the area was effectively depopulated.

Historic Context

The first Euro-American identification of the Santa Clarita region occurred in the chronicles of the Portolá expedition of 1769. This expedition passed through the San Fernando Valley to Newhall, then to the Castaic Junction area, and then down the Santa Clara River to Ventura on its way to Monterey. Although the region was traversed by a number of Spanish explorers in subsequent years, it initially remained isolated due to rugged topography, even though it had been suggested as a locale for a mission. With the establishment of Missions San Buenaventura in 1782, and San Fernando in 1797, late 18th-century historical events largely occurred in areas to the west and south of the upper Santa Clarita Valley proper.

As the missions increased in size and their herds grew, it became necessary for many of them to establish mission ranchos, or *estancias*, to allow their cattle to graze some distance from the mission vineyards and fields. With this geographical expansion of mission influence and activities, the upper Santa Clarita Valley region became important, if not pivotal, in a number of events central to the development of Southern California. Rancho San Francisco, comprising the upper reaches of the Santa Clarita Valley down to Piru, served as the *estancia* for Mission San Fernando, and was established a few years after the founding of the mission itself.

Rancho San Francisco and the upper reaches of the Santa Clarita Valley figured in three important episodes in Southern California, two of which are landmarks in the economic history of the state. The first was the discovery of gold in Placerita Canyon in 1842 by Francisco Lopez, Manuel Cota, and Domingo Bermudez. The upper Santa Clarita Valley also was the first location of true oil drilling. Petroleum exploration began about 1865, when oil seeps were discovered in Pico Canyon. This led to discoveries of oil on Rancho San Francisco and, ultimately, throughout the Valley. Lack of a local market and cost of shipping prevented major development of this natural resource until 1876, when the Southern Pacific Railroad crossed the region. This initiated an oil boom in the area, with the development of the Newhall oil field and establishment of the Pioneer Oil Refinery (ultimately, the predecessor to Chevron Oil) in 1876.

The third local event of historical importance in Southern California was the collapse of the St. Francis Dam and the resulting flood of the Santa Clara Valley on March 12 and 13, 1928. With the failure of the dam near midnight on March 12, water raged down San Francisquito Canyon to Castaic Junction, which it effectively leveled, and then on to Fillmore, Santa Paula and ultimately to the Pacific Ocean. The flood caused at least 336 deaths, and destroyed 990 homes and many acres of orchards.

In summary, the study area falls outside the areas of major historical development and use in the region. It is undeveloped today, making it unlikely that earlier remains are present within the property.

EXISTING CONDITIONS

Geologic Conditions

The subject road alignment is situated in the western Transverse Ranges geomorphic province in the extreme western portion of the Soledad Basin. The San Gabriel fault zone is mapped at the proposed intersection of Golden Valley Road and Via Princessa. A thick accumulation of Cenozoic period (from 65 million years ago to present day) sedimentary rocks has accumulated in this structural/depositional basin and has subsequently been faulted and folded by repeated tectonic deformation. Quaternary (from 1.8 million years ago to present day) alluvium covers the valley floors.

The property is situated south of the terminus of Via Princessa, to the east of Golden Valley Road, to the north of adjacent Golden Valley High School. The project site is at an elevation of approximately 1,600 feet above sea level.

The vicinity surrounding the road alignment has been affected by slope movements that range in size from small debris flows and surficial (surface) failures to large, deep-seated landslide failures. Numerous landslides including a large deep seated landslide complex have been mapped along the subject road alignment. As a result, the general surface geology of the project site is best described as landslide deposits. The Saugus Formation is exposed at the surface of nearly the entire site but a large portion of it has been disturbed by landsliding. Intact Saugus Formation bedrock is located on the southwest portion of the site. Minor amounts of recent river-channel deposits are present in the lower elevations of the property, largely underlying the immediate modern drainage and major tributaries of the Santa Clara River.

Archeological Conditions

The review of archaeological knowledge pertinent to the prehistory of the study area raises two areas of research concern. These stem partly from recent research in surrounding areas to the north and west which has identified a series of demographic and settlement shifts that appear to be widespread within the inland zone, but did not occur on the coast.⁵ Because the emphasis in Southern California archaeological research has been so heavily coastal, these seemingly major changes have been overlooked in cultural historical and processual reconstructions, yet they have significant implications for the prehistory of the region in general.

The first of the research problems is the post-Altithermal radiation of sites and peoples into a wide range of new ecological zones, off of the coast where Early Millingstone Period sites and population had been concentrated. This interpretation of the inland Southern California archaeological record suggests that: (1) little or no visible occupation or use of the inland zones occurred before approximately 3,500 to 4,000 years BP (during the Intermediate Period); and (2) that, at about this time, large numbers of sites appear in the inland zone. Moreover, this Intermediate Period population expansion is particularly notable in mid-elevation zones. (It is possible that this radiation into the inland zone was at least in part a reflection of the movement of Takic speaking peoples, including ancestral Gabrielino, into the inland coastal zone from their heartland in east-central California.) Evidence on the age and nature of the initial occupation of prehistoric sites in the study region would clearly be valuable with respect to determining

⁵ W & S Consultants, *Phase I Archaeological Survey of the West Ridge Study Area, Los Angeles County, California*, 1994.

both how widespread this pattern actually was, and whether or not it may be linked to the Takic ethnolinguistic spread.

A second aspect of inland Southern California prehistory which warrants investigation is a parallel problem which pertains to essentially the same village and hamlet sites first occupied about 3,500 to 4,000 years BP. This is their apparent abandonment at about AD 1,000–1,200.⁶ That is, recent evidence from the Santa Clara Valley and the Simí Corridor, to the north, suggests that this post-4,000 years BP radiation represented an increase in settlement numbers which terminated immediately before the beginning of the Late Prehistoric or Canaliño Period, as marked by the abandonment of large numbers of village sites. Whether this reflects a reduction in total population or instead a change in population distribution (towards aggregation into fewer but larger sites, closer to or on the coast) is as yet unknown.

To be sure, the above suggested research problems are not ones that can be fully resolved within the scope of the current survey project. On the other hand, the basic kinds of empirical data collected during a survey of this nature, including the numbers, distributions, functional types and ages of sites, contribute important evidence towards our understanding of these large issues in regional prehistory.

Historic Conditions

The Class III Inventory/Phase I Study identified the Los Angeles Department of Water and Power (LADWP) transmission line as eligible for designation on the National Register of Historic Places.

Class III Inventory/Phase I Study

Records Search

An archival records search of the Via Princessa study area, which is approximately 102 acres in size, was completed by staff at the California State University, Fullerton, Archaeological Information Center (AIC) to determine whether the study area contains any known prehistoric or historical sites, and/or whether all or portions of the area had been systematically surveyed by archaeologists.

The records search revealed that eight previous archaeological studies have covered small portions of the study area and that five of the studies covered the project site. One historical site (19-002132) has been identified within a 0.125-mile radius of the project site. This site is located within the western portion of the study area and is summarized as follows:

⁶ W & S Consultants, 1994.

19-002132: This historic site consists of a Los Angeles Department of Water and Power (LADWP) transmission line that extends from Power Plant 1 in San Francisquito Canyon to the Olive Switching Station in the San Fernando Valley. Originally constructed in 1917, this transmission line is part of the first electrical power generation and transmission system for the City of Los Angeles. Power Plant 1 in San Francisquito Canyon and a transmission line from Power Plant 1 to the Olive Switching Station were developed after completion of the aqueduct, which was built between 1908 and 1911 to provide water to the City of Los Angeles. Site 19-002132 was determined eligible for listing in the National Register of Historic Places on November 11, 2004.

The 1900 and 1940 San Fernando 15-foot topographic quadrangles also were examined to determine if there is evidence of early use of the property. The study area was essentially undeveloped at least until 1940, with only the LADWP transmission line (19-002132) in the area.

In summary, the records search indicates that the study area is known to contain only one historic property.

Field Survey Results

The intensive Class III inventory/Phase I archaeological survey was conducted in July 2010. Field procedures involved walking the property in transects spaced at approximately 10 to 15 meter intervals. The ground surface was examined during these transects to identify evidence of prehistoric and historical sites. For prehistoric sites, evidence might include surface artifacts, dark organically rich midden soils, fire-cracked rock resulting from earth ovens and roasting pits, and shell and bone that might represent remnants of dietary remains. Alternatively, historical remains in the form of metal, glass, and ceramic were also considered possible finds within the study area.

During the survey special attention was paid to geomorphological conditions that affect the preservation of archaeological remains. Road or bank-cuts that expose subsurface stratigraphy, for example, along with stable geomorphic and depositional environments, were carefully examined for evidence of cultural remains. Furthermore, rodent backdirt piles were carefully examined inasmuch as they can reveal the presence of buried archaeological deposits.

Field conditions and ground surface visibility for the survey of the study area were good. A moderate to light density of groundcover was observed over much of the undisturbed portions of the study area. Disturbed areas on the study area were found to be primarily associated with dirt roads and trails. The disturbed areas, which were clear of vegetation, were inspected carefully for surface cultural remains.

Only one historic site (19-002132) was found to occur within the study area, which confirms the results from the previous surveys that covered the current project site.

REGULATORY SETTING

Federal Regulations

National Historic Preservation Act

Enacted in 1966, the National Historic Preservation Act (NHPA) has become the foundation and framework for historic preservation in the United States.⁷ Briefly, the NHPA authorizes the Secretary of the Interior to expand and maintain an NRHP; it establishes an Advisory Council on Historic Preservation as an independent federal entity, requires federal agencies to take into account the effects of their undertakings on historic properties, and affords the Advisory Council a reasonable opportunity to comment on any undertaking that may affect historic properties listed, or eligible for listing, in the NRHP; and makes the heads of all federal agencies responsible for the preservation of historic properties owned or controlled by their agencies. In addition, the NHPA authorizes funding for state programs with provisions for pass-through funding and participation by local governments. In summary, the NHPA provides the legal framework for most state and local preservation laws.

National Park Service

The National Park Service has issued regulations governing the NRHP.⁸ Among the topics covered in detail in these regulations are the effects of listing under federal law, definition of key terms (e.g., building, site, structure, and district), nomination procedures, nomination appeals, and removing properties from the NRHP. Importantly, the regulations present the following criteria by which historic properties are evaluated for the NRHP:⁹

The quality of significance in American history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and

- (a) That are associated with events that have made a significant contribution to the broad patterns of our history; or*
- (b) That are associated with the lives of persons significant in our past; or*

⁷ US Code, Title 16, Part 470 *et seq.*, Public Law 890665, National Historic Preservation Act.

⁸ US Code, Title 36, Chapter I, Part 60, National Register of Historic Places, revised July 1, 2004.

⁹ US Code, Section 60.4.

- (c) *That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
- (d) *That have yielded, or may be likely to yield, information important in prehistory or history (36 CFR 60.4).*

A historic property does not have to be nominated for, or listed in, the NRHP to be afforded protection under the NHPA. Most of the properties managed under this and other federal historic-preservation authorities have never been nominated for the NRHP. The significance of a historic district, site, building, structure, or object—and thus its required consideration under the law—is determined by the property’s eligibility for the NRHP with respect to the criteria set forth in 36 Code of Federal Regulations (CFR) 60.4.

NHPA Section 106 Review

The NHPA established the Section 106 review procedure to protect historic and archaeological resources (that are listed in or eligible for listing in the NRHP) from impacts of projects by a federal agency, projects funded or permitted by a federal agency, or projects located on federally owned land or Native American-owned land.¹⁰ The responsible federal agency first determines whether it has an undertaking that is a type of activity that could affect historic properties. Historic properties are properties that are included in the NRHP or that meet the criteria for listing in the NRHP. If so, it must identify the appropriate State Historic Preservation Officer/Tribal Historic Preservation Officer (SHPO/THPO) to consult during the process.

Native American Consultation

In 2008, the Advisory Council on Historic Preservation (ACHP) issued a handbook to guide and assist lead agencies and other entities, with the federal Native American consultation process within the regulatory framework of Section 106 of the NHPA.

State Regulations

California Environmental Quality Act

Cultural resources management work conducted as part of the project must comply with the CEQA statutes and the *State CEQA Guidelines*, and any potential historic and prehistoric resources that might exist within the proposed project area would have to be evaluated under these guidelines.¹¹ Enacted in

¹⁰ US Code, National Historic Preservation Act, Section 106.

¹¹ California Public Resources Code, Title 14, Division 6, Chapter 3, *California Environmental Quality Act Guidelines*, Section 15064.5.

1971, CEQA and the *State CEQA Guidelines* direct lead agencies to determine whether an archaeological site is a “historically significant” cultural resource.

For purposes of this section, the term "historical resources" shall include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the CRHR.¹²
2. A resource included in a local register of historical resources, as defined the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.¹³
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the CRHR including the following:¹⁴
 - A. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
 - B. Is associated with the lives of persons important in our past;
 - 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
 - D. Has yielded, or may be likely to yield, information important in prehistory or history.
4. The fact that a resource is not listed in, or determined to be eligible for listing in the CRHR, 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 as defined in Public Resources Code.¹⁵

¹² California Public Resources, *California Register of Historical Resources* Section 4850 et seq.

¹³ California Public Resources, *California Register of Historical Resources*, Sections 5020.1(k) and 5024.1(g).

¹⁴ California Public Resources, *California Register of Historical Resources*, Section 4852.

¹⁵ California Public Resources, *California Register of Historical Resources*, Sections 5020.1 and 5024.1; *State CEQA Guidelines* Section 15064.5.

The term “unique archaeological resource” has the following meaning under CEQA:¹⁶

An archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- (1) *Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.*
- (2) *Has a special and particular quality such as being the oldest of its type or the best available example of its type.*
- (3) *Is directly associated with a scientifically recognized important prehistoric or historical event or person.*

A project with an effect that may cause a substantial adverse change in the significance of a historical resource or a unique archaeological resource is a project that may have a significant effect on the environment. Effects on cultural properties that qualify as historical resources or unique archaeological resources can be considered adverse if they involve physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.

The cited statutes and guidelines specify how cultural resources are to be managed in the context of projects. Briefly, archival and field surveys must be conducted, and identified cultural resources must be inventoried and evaluated in prescribed ways. Prehistoric and historical resources deemed historically significant would be considered in the context of the proposed project’s planning and development. Any proposed undertaking that may affect historically significant cultural resources must be submitted to the SHPO for review and comment prior to project approval by the responsible agency (in this case the County) and prior to construction. Subsequent sections of the *State CEQA Guidelines* detail methods by which significant effects may be mitigated, and discuss procedures for treatment of human remains discovered in the course of project development.

Office of Historic Preservation

The mission of the Office of Historic Preservation (OHP) and the State Historical Resources Commission (SHRC), in partnership with the people of California and governmental agencies, is to preserve and enhance California's irreplaceable historic heritage as a matter of public interest so that its vital legacy of cultural, educational, recreational, aesthetic, economic, social, and environmental benefits will be maintained and enriched for present and future generations.

¹⁶ California Environmental Quality Act, Section 21083.2(g).

The OHP is responsible for administering federally and state-mandated historic preservation programs to further the identification, evaluation, registration, and protection of California's irreplaceable archaeological and historical resources under the direction of the SHPO and the SHRC. OHP's responsibilities include

- identifying, evaluating, and registering historic properties;
- ensuring compliance with federal and state regulatory obligations;
- encouraging the adoption of economic incentives programs designed to benefit property owners; and
- encouraging economic revitalization by promoting a historic preservation ethic through preservation education and public awareness and, most significantly, by demonstrating leadership and stewardship for historic preservation in California.

OHP reviews and comments on several thousand federally sponsored projects and state programs and projects annually pursuant to Section 106 of NHPA.

California Register of Historic Places

The California Register of Historical Resources (California Register) is an authoritative guide to California's significant historical and archaeological resources to be used by state and local agencies, private groups, and citizens in identifying the existing historical resources of the state, and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change. The State of California OHP administers the California Register of Historic Places program.¹⁷ As a recipient of federal funding, the OHP meets the requirements of the NHPA, as it has a SHPO who enforces a designation and protection process, has a qualified historic preservation review commission, maintains a system for surveys and inventories, and provides for adequate public participation in its activities. As the recipient of federal funds that require pass-through funding to local governments, the OHP administers the Certified Local Government program for the State of California. The OHP also administers the California Register of Historical Landmarks and California Points of Local Historical Interest programs.

The NRHP and CRHR criteria mirror each other in terms of determination of site significance and listing eligibility. As previously stated, an NRHP eligible historic property qualifies for CRHR eligibility; however, CEQA addresses local resources of historical significance, provided the local resource meets the criteria set forth in Title 14, California Code of Regulations Section 15064.5(a)(3).

¹⁷ California State Parks, Office of Historic Preservation, http://ohp.parks.ca.gov/?page_id=21238.

Health and Safety Code

It should also be noted that sites that may contain human remains important to Native Americans must be identified and treated in a sensitive manner, consistent with the California Health and Safety Code and Public Resources Code as reviewed below:¹⁸

In the event that human remains are encountered during project development and in accordance with the Health and Safety Code Section 7050.5, the County Coroner must be notified if potentially human bone is discovered. The Coroner will then determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the Native American Heritage Commission (NAHC) by phone within 24 hours, in accordance with Public Resources Code Section 5097.98. The NAHC will then designate a Most Likely Descendant (MLD) with respect to the human remains. The MLD then has the opportunity to recommend to the property owner or the person responsible for the excavation work means for treating or disposing, with appropriate dignity, the human remains and associated grave goods.

Public Resources Code Sections

Public Resources Code Section 21083.2(a) pertains to archaeological resources, specifically, those determined significant per CEQA.

(a) As part of the determination made pursuant to Section 21080.1, the lead agency shall determine whether the 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 environmental impact shall address the issue of the resources. An environmental impact report, if necessary, shall not address the issue of non-unique resources. A negative declaration shall be issued with respect to a project if, but for the issue of nonunique archaeological resources, the negative declaration would be otherwise issued.

A “significant effect” upon an historic resource, is considered a “substantial adverse change” per CEQA 15064.5(b)(1,2); “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historic resource would be materially impaired,” possibly resulting in a determination of ineligibility for the CRHR.

Public Resources Code 21084.1 also addresses CEQA compliance and archaeological resources:

A project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. For purposes of this section, an historical resource is a resource listed in, or determined to be eligible for listing in, the CRHR. Historical resources included in a local register of historical resources, as defined in subdivision (k) of Section 5020.1, or deemed significant pursuant to criteria set forth in subdivision (g)

¹⁸ California Health and Safety Code, Sections 7050.5 and 5097.98

Section 5024.1, are presumed to be historically or culturally significant for purposes of this section, unless the preponderance of evidence demonstrates that the resource is not historically or culturally significant.

The fact that a resource is not listed in, or determined to be eligible for listing in, the CRHR, not included in a local register of historical resources, or not deemed significant pursuant to criteria set forth in subdivision (g) of Section 5024.1 shall not preclude a lead agency from determining whether the resource may be an historical resource for purposes of this section.

California State Historical Building Code, CCR Title 24, Part 8

The intent of the California State Historic Building Code (SHBC) is the appropriate treatment of historical buildings while simultaneously providing for the health and safety of potential occupants, and energy conservation.¹⁹

It is the purpose of the State Historical Building Code to provide regulations and standards for the rehabilitation, preservation, restoration (including related reconstruction) or relocation as applicable to all historical buildings, structures and properties deemed of importance to the history, architecture, or culture of an area by an appropriate local or state governmental jurisdiction. Such standards and regulations are intended to facilitate the restoration or change of occupancy so as to preserve their original or restored elements and features, to encourage energy conservation and a cost effective approach to preservation, and to provide for reasonable safety from fire, seismic forces or other hazards for occupants and users of such "buildings, structures and properties" and to provide reasonable availability and usability by the physically disabled.

Tribal Consultation (Senate Bill 18)

Cities and counties are required, pursuant to Senate Bill (SB) 18, to notify and consult with California Native American Tribes about proposed local land use planning decisions for protecting Traditional Tribal Cultural Places.²⁰ Cities and counties must obtain a list of the California Native American tribes from the NAHC whose traditional lands within the agency's jurisdiction may be affected by a proposed adoption or amendment of a General Plan or Specific Plan. Prior to the adoption or any amendment of a General Plan or Specific Plan, a local government must notify the appropriate tribes of the opportunity to conduct consultations on the proposed action. Prior to the adoption or substantial amendment of the General Plan or Specific Plan, a local government must refer the proposed action to those tribes on the Native American contact list that have traditional lands within the agency's jurisdiction.

To help local officials meet these new obligations, SB 18 requires the Governor's Office of Planning and Research (OPR) to amend its General Plan Guidelines to include advice to local government on how to consult with California Native American tribes.

¹⁹ Health and Safety Code, Division 13, Part 2.7, Section 18950 to 18961, State Historical Building Code.

²⁰ California Senate Bill 18, Chapter 905, Statutes of 2004.

Developed in consultation with the NAHC, the OPR guidelines include advice for consulting with California Native American Tribes for

- the preservation of, or the mitigation of impacts to, cultural places;
- procedures for identifying through the NAHC the appropriate California Native American tribes;
- procedures for continuing to protect the confidentiality of information concerning the specific identity, location, character, and use of cultural places; and
- procedures to facilitate voluntary landowner participation to preserve and protect the specific identity, location character, and use of cultural places.²¹

Local Regulations

City of Santa Clarita General Plan

The Open Space and Conservation Element of the General Plan identified goals, objectives, and policies pertaining to historical resources and archeological resources but did not identify specific goals, objectives, and policies related to paleontological resources. These goals, objectives, and policies are identified below.

Goal CO 5: Protection of historical and culturally significant resources that contribute to community identity and a sense of history.

Objective CO 5.1: Protect sites identified as having local, state, or national significance as a cultural or historical resource.

Policy CO 5.1.1: For sites identified on the Cultural and Historical Resources Map, review appropriate documentation prior to issuance of any permits for grading, demolition, alteration, and/or new development, to avoid significant adverse impacts. Such documentation may include cultural resource reports, environmental impact reports, or other information as determined to be adequate by the reviewing authority.

Policy CO 5.1.2: Review any proposed alterations to cultural and historic sites identified in Table CO-1 or other sites which are so designated, based on the guidelines contained in the Secretary of the Interior's Standards for the Treatment of Properties (Title 36,

²¹ California Government Code, Section 65040.2(g).

Code of Federal Regulations, Chapter 1, Part 68, also known as 36 CFR 68), or other adopted City guidelines.

Policy CO 5.1.3: As new information about other potentially significant historic and cultural sites becomes available, update the Cultural and Historical Resources Inventory and apply appropriate measures to all identified sites to protect their historical and cultural integrity.

Objective CO 5.3: Encourage conservation and preservation of Native American cultural places, including prehistoric, archaeological, cultural, spiritual, and ceremonial sites on both public and private lands, throughout all stages of the planning and development process.

Policy CO 5.3.1: For any proposed general plan amendment, specific plan, or specific plan amendment, notify and consult with any California Native American tribes on the contact list maintained by the California Native American Heritage Commission that have traditional lands located within the City's jurisdiction, regarding any potential impacts to Native American resources from the proposed action, pursuant to State guidelines.

Policy CO 5.3.2: For any proposed development project that may have a potential impact on Native American cultural resources, provide notification to Native American tribes on the contact list maintained by the California Native American Heritage Commission that have traditional lands located within the City's jurisdiction, and consider the input received prior to a discretionary decision.

Policy CO 5.3.3: Review and consider a cultural resources study for any new grading or development in areas identified as having a high potential for Native American resources, and incorporate recommendations into the project approval as appropriate to mitigate impacts to cultural resources.

Goal CO 10: Preservation of open space to meet the community's multiple objectives for resource preservation.

Objective CO 10.1: Identify areas throughout the Santa Clarita Valley which should be preserved as open space in order to conserve significant resources for long-term community benefit.

Policy CO 10.1.4: Maintain and acquire, where appropriate, open space to preserve cultural and historical resources.

Goal LU 2: A mix of land uses to accommodate growth, supported by adequate resources and maintaining community assets.

Objective LU 2.2: Protect significant community resources from encroachment by incompatible uses, where feasible and appropriate.

Policy LU 2.2.2: Identify sites and areas with historical or cultural value to the community, and ensure that uses in or adjacent to these areas will not impact their historical integrity.

Goal LU 6: A scenic and beautiful urban environment that builds on the community's history and natural setting.

Objective LU 6.4: Protect the Santa Clarita Valley's significant historical and cultural resources in a scenic setting through appropriate land use designations.

Policy LU 6.4.3: Maintain cultural resources from pre-historical Native American habitation and historical settlement in the areas around Vasquez Rocks, Elsmere Canyon, and along the Santa Clara River, through designation of these areas as Open Space on the Land Use Map.

Policy LU 6.4.6: Through the environmental review and development review processes, evaluate impacts on historic and cultural sites from proposed development and require appropriate mitigation.

City of Santa Clarita Unified Development Code

The Property Development Standards²² of the City of Santa Clarita includes the requirement that all historical points of interest, as identified in the Open Space and Conservation Element of the Santa Clarita General Plan, shall be shown on the site plan. Any development that would detrimentally affect the historical point of interest shall comply with the requirements of City, state, and federal law.

The purpose of the Historic Preservation Review is to promote the economic and general welfare of the City of Santa Clarita by preserving and protecting public and private historic, cultural, and natural resources which are of special historic or aesthetic character or interest, or relocating such resources where necessary for their preservation and for their use, education, and view by the general public. Through historic preservation review, the Director of Community Development shall ensure that the project complies with all of the provisions of the Unified Development Code, the General Plan, specific plans and other legislative planning documents.²³

PROJECT IMPACTS

Thresholds of Significance

In order to assist in determining whether a project will have a significant effect on the environment, the *State CEQA Guidelines*, Appendix G identify criteria for conditions that may be deemed to constitute a substantial or potentially substantial adverse change in physical conditions. Specifically, Appendix G of the *State CEQA Guidelines* (Environmental Checklist Form) lists the following items to be considered when determining whether a project may be deemed to have a significant impact on cultural resources if it would:

- cause a substantial adverse change in the significance of a historical resource, as defined in Section 15064.5 of the *State CEQA Guidelines*;
- cause a substantial adverse change in the significance of an archaeological resource, as defined in Section 15064.5 of the *State CEQA Guidelines*;
- disturb any human remains, including those interred outside of formal cemeteries; or
- directly or indirectly destroy a unique paleontological resource of site or unique geologic feature.

²² City of Santa Clarita. Unified Development Code. Title 17 Zoning Section 17.15.020. "Property Development Standards."

²³ City of Santa Clarita. Section 17.15.020. "Property Development Standards." Section 17.03.145. "Historic Preservation Review."

Impact Analysis

Impact Threshold 4.3-1 Cause a substantial adverse change in the significance of a historical resource, as defined in Section 15064.5 of the *State CEQA Guidelines*

The proposed project is located in the City of Santa Clarita approximately 1.5 miles west of the State Route 14/Golden Valley Road interchange. The project site consists of portions of Via Princessa between Golden Valley Road in the west and Sheldon Avenue in the east. The majority of the project site is currently undeveloped rural land consisting of hilly terrain with extensive native vegetation. However, there has already been construction activity within the western terminus of the Via Princessa Road alignment due to the construction of Golden Valley Road in conjunction with the construction of Golden Valley High School. This recently constructed area is located near the southeast portion of the intersection of Via Princessa and Golden Valley Roads. As a result, several hundred feet of the western end of the alignment has already been graded within the vicinity of the historical site (19-002132), also known as the LADWP transmission line.

The records search revealed that eight previous archaeological studies have covered small portions of the study area and that five of the studies covered the project site. One historical site (19-002132) has been identified within a 0.125-mile radius of the project site. This property was determined eligible for listing in the National Register of Historic Places.

None of the LADWP transmission towers are located within the Via Princessa road alignment. Based on the proposed construction plan of the proposed project, the existing LADWP transmission line towers (19-002132) will be avoided. Therefore, the development of the proposed project does not have the potential to result in adverse effects to the LADWP transmission line and towers. Accordingly, no additional archaeological work is recommended for this property. However, as described in the Class III Inventory/Phase I report, the remainder of the project site is undisturbed and therefore there is the potential for uncovering unknown historic properties.

Mitigation Measures

The following mitigation measures shall be implemented:

MM 4.3-1 In the event that cultural resources are found during construction, activity shall stop and a qualified archaeologist shall be contacted to evaluate the resources. If the find is determined to be a historical or unique archaeological resource, contingency funding and a time allotment sufficient to allow for implementation of avoidance measures or appropriate mitigation will be made available. Construction on other parts of the project site may proceed in accordance with Public Resources Code section 21083.2(i).

Residual Impacts

Impacts would be less than significant with mitigation.

Impact Threshold 4.3-2 Cause a substantial adverse change in the significance of an archaeological resource, as defined in Section 15064.5 of the *State CEQA Guidelines*

As described above in **Existing Conditions**, the Santa Clarita Valley region was the traditional homeland of the Tataviam, and possibly the Gabrieleno/Tongva and Chumash Native American culture groups. As described above in Class III Inventory/Phase I, a field survey was conducted to determine the presence of prehistoric sites.

In terms of cultural resources, no new sites and/or isolates of prehistoric or historic archaeological type were identified within the project site. The archival research and literature reviewed in support of the proposed project did not indicate a prehistoric site or isolate within 0.125-miles, however, the LADWP transmission line was identified within the project site. As described above under **Impact Threshold 4.3-1**, the proposed alignment of Via Princessa would avoid the LADWP transmission line. As a result, no additional archeological work is required for the project site.

As described in the **Section 4.4, Geology and Soils**, the soils underneath the project site contain landslide material, quaternary alluvium, and Saugus Formation. The southwestern portion adjacent to the project site was graded for the development Golden Valley Road. As a result, the likelihood for discovery of archaeological resources would be low due to previous earth disturbance of the site. However, as the proposed project would involve earth moving operations there is the potential for accidental discovery of archeological resources.

Mitigation Measures

Mitigation Measure MM 4.3-1 shall be implemented.

Residual Impacts

Impacts would be less than significant with mitigation.

Impact Threshold 4.3-3 Disturb any human remains, including those interred outside of formal cemeteries

The archaeological survey conducted for the proposed project (see **Appendix 4.3**) concluded that there were no known formal cemeteries on the project site. As described above in **Ethnographic Setting**, the project area was used, specifically along the local waterways, by the Tataviam and neighboring cultural groups. However, this investigation does not provide conclusive evidence for the absence of potential human remains to exist on the project site. Therefore, there is the potential for discovery of human remains during grading activities.

Mitigation Measures

The following mitigation measure shall be implemented.

MM 4.3-2 If human remains are encountered during a public or private construction activity, other than at a cemetery, State Health and Safety Code 7050.5 states that no further disturbance shall occur until the Los Angeles County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The Los Angeles County Coroner must be notified within 24 hours.

- a. If the coroner determines that the burial is not historic, but prehistoric, the Native American Heritage Commission (NAHC) or other represented ethnic groups, must be contacted to determine the most likely descendent (MLD) for this area. The MLD may become involved with the disposition of the burial following scientific analysis.

Residual Impacts

Impacts would be less than significant with mitigation.

Impact Threshold 4.3-4 Directly or indirectly destroy a unique paleontological resource of site or unique geologic feature

The project site is geologically situated on a surficial deposit of landslide and alluvium consisting of younger Quaternary gravels and sands, the Sunshine Ranch Member (Upper Facies) of the Saugus Formation, and compacted fill, as described in **Section 4.4 Geology and Soils**. Alluvial deposits are known to be fossiliferous and may contain paleontologic remains, although fossil bearing soil in this location is within the deeper Saugus Formation. Therefore, the likelihood to discover paleontologic resources is low during earth moving activities. However, because the proposed project will involve

earthmoving activities, there is the potential to accidentally discover paleontological resources, which could result in significant impacts.

Mitigation Measures

The following mitigation measures shall be implemented.

MM 4.3-3 During grading activities, in the unlikely event that paleontological resources are found, a paleontologist will be notified to stabilize, recover, include laboratory preparation, analysis, cataloging, curation, and final acceptance to a legal repository will be required. Those findings shall be included in a Report of Findings, which documents the results of monitoring service activities, to the Department of Community Development Planning Division. If isolated artifacts, archaeological sites (prehistoric and/or historic), or features are located; laboratory preparation, analysis, cataloging, curation, and final acceptance to a legal repository will be required, and those findings shall be included in the aforementioned Report of Findings, in order to fulfill the federal and state regulations and requirements.

MM 4.3-4 Prior to grading activities, a paleontologist shall be retained to monitor construction activities.

Residual Impacts

Impacts would be less than significant with mitigation.

CUMULATIVE IMPACTS

Impacts upon cultural and paleontological resources tend to be site specific and are assessed on a site-by-site basis. Where resources exist, implementation of cumulative development in the region would represent an incremental adverse impact to cultural resources. However, provided that proper mitigation, as defined by *State CEQA Guidelines* Section 15126.4(b) and as defined in mitigation measures **MM 4.3-1** to **MM 4.3-4**, is implemented in conjunction with development of related projects in the City of Santa Clarita, no significant cumulative impacts are anticipated.

CUMULATIVE MITIGATION MEASURES

No mitigation measures other than that required for the project-level impacts are required.

UNAVOIDABLE SIGNIFICANT IMPACTS

No unavoidable significant cultural resource impacts would result with implementation of the proposed project.