



5.4 Tribal and Cultural Resources



5.4 TRIBAL AND CULTURAL RESOURCES

The purpose of this section is to identify existing cultural (including historic and archeological resources), paleontological, and tribal cultural resources within and around the Site and to assess the significance of such resources. Mitigation measures are recommended, as necessary, to minimize impacts as a result of Project implementation. This section is primarily based upon the *Cultural and Paleontological Resources Assessment for the California Grand Villages Azusa Greens* and the *Addendum Memorandum to the Cultural and Paleontological Resources Assessment California Grand Villages Azusa Greens, City of Azusa, Los Angeles County, California* (Cultural and Paleontological Resources Assessment), prepared by Duke Cultural Resources Management, LLC, dated June 2017 and amended on September 11, 2018, refer to [Appendix 11.4, Cultural/Paleontological Resources Assessment](#).

5.4.1 EXISTING SETTING

NATURAL SETTING

California is divided into 11 geomorphic provinces, each naturally defined by unique geologic and geomorphic characteristics. The Site is located at the border of the Peninsular Ranges geomorphic province and the Transverse Ranges geomorphic province. The Peninsular Ranges province is distinguished by northwest trending mountain ranges and valleys following faults branching from the San Andreas Fault. The Peninsular Ranges are bound to the east by the Colorado Desert and extend north locally to the Santa Monica Mountains, west into the submarine continental shelf, and south to the California State line. The Transverse Ranges province is distinguished by east-west trending mountain ranges and valleys, in contrast to the respective northwest-southeast trend in the provinces to the north and south. The Transverse Ranges extend west to include the San Miguel, Santa Rosa, and Santa Cruz Islands, are bordered to the north by the San Gabriel and San Bernardino Mountains and the San Andreas Fault, and locally extend south to a series of faults along the southern base of the Santa Monica Mountains.

The Site is located in the Los Angeles Basin, an actively subsiding basin bound by the Santa Monica and San Gabriel Mountains to the north, the Santa Ana Mountains to the east, and the Palos Verdes Hills to the south. Locally, the Project area is in the northeastern end of the San Gabriel Valley, a subdivision of the Los Angeles Basin north of the Puente Hills. The San Gabriel Basin is directly connected with the rise of the San Gabriel Mountains with the sediment eroded from the mountains accumulating in the associated basin. The rapid deposition and resulting deep sediment fill has resulted in the accumulation of notable petroleum resources and fossil resources. The sediments in the Project area record fluvial deposition from the San Gabriel River with eroded material sourced from the San Gabriel Mountains starting in the Pleistocene Epoch (2.6 million years ago) and continuing to present time.

CULTURAL SETTING

Prehistoric Period

The Site is located within the traditional boundaries of the Gabrielino Indians. Historically, tribal boundaries were not established definitively and were considered to be fluid, due to either sociopolitical features or a lack of reliable data. The Serrano Indians are also known to have



occupied territories just to the east of the Gabrielino. These territories encompassed the San Bernardino Mountains east of the Cajon pass, along the base of the mountains to the east and to the north, east across the desert to Twentynine Palms, and south into the Yucaipa Valley. There is documented interaction between the two tribal groups in the form of social relationships (in this case intermarriage between the different groups) and trade. The Gabrielino include the Fernandeno who were associated with the Mission San Fernando Rey de España. The Gabrielino (Fernandeno) territory included all of the Los Angeles Basin, parts of the Santa Ana and Santa Monica Mountains, along the coast from Aliso Creek in the south, to Topanga Canyon in the north, and San Clemente, San Nicolas, and Santa Catalina Islands.

The Gabrielino spoke a dialect of the Cupan group of the Takic language family. This language was part of the larger Uto-Aztecan language stock, which migrated west from the Great Basin. The language was shared with their neighbors to the south and east.

Groups of Gabrielino lived in villages that were autonomous from other villages. Each village had access to hunting, collecting, and fishing areas. Villages were typically located in protected coves or canyons near water. Acorns were the most important food for the Gabrielino, although the types and quantity of different foods varied by season and locale. Other important sources of food were grass and many other seed types, deer, rabbit, jackrabbit, woodrat, mice, ground squirrels, quail, doves, ducks and other fowl, fish, shellfish, and marine mammals.

Typically, women gathered and men hunted, although work tasks often overlapped. Each village had a chief who controlled religious, economic, and warfare authorities. The chief had an assistant and an advisory council who assisted in important decisions and rituals. Each of these positions was hereditary being passed down from generation to generation.

Historic Period

The first Europeans to explore what would become the State of California was Juan Rodriguez Cabrillo and his expedition in 1542 that sailed along and occasionally landed on the California coast. Europeans are thought to have first visited portions of the interior in 1769, when Gaspar de Portola led an expedition from San Diego to Monterey. Two later expeditions led by Juan Bautista de Anza in 1774 and 1775 from Sonora through southwestern Arizona and southern California crossed the Santa Ana River at Anza Narrows in today's Santa Ana River Regional Park.

The Spanish government subsequently established missions and military outposts in San Diego in 1769 to facilitate colonization of the area and to keep rival European nations out of the area. After Mexico won independence from Spain in 1822, colonization efforts in Alta California decreased. The Spanish mission system was largely abandoned and the Mexican government bestowed land grants or ranchos to those loyal to the Mexican government including some Anglo settlers. The Mexican period (1822-1848) is largely identified with the ranchos acquired by individuals through the land grant system as well as the secularization of the missions. Mission secularization began on July 25, 1826 with a decree by Governor Jose Maria Echeandfa and was completed by 1836 after an additional decree in 1831.

The end of the Mexican period in California began on June 14, 1846 when a band of American settlers supported by the American explorer John C. Fremont and his team captured Mexican General Mariano Guadalupe Vallejo in a dawn raid in Sonoma. The Americans raised a flag for the



“California Republic” and their actions became known as the “Bear Flag Revolt.” On February 2, 1848, the war between the U.S. and Mexico ended with the signing of the Treaty of Guadalupe Hidalgo, which greatly expanded U.S. territory (including California) and resulted in Mexico being paid \$15 million for the land.

Although gold had been found prior to this in various parts of California, the well-publicized discovery of gold near Sutter’s fort in 1848 dramatically increased the Anglo settlement of California. Despite property rights of rancho owners being secured by provisions in the Treaty of Guadalupe Hidalgo, California in the early American period experienced the transfer and subdivision of many of the ranchos as well as a shift from ranching to agriculture as the primary means of subsistence.

The City of Azusa was founded in 1887 and is approximately nine square miles. The first written reference of the area was by Father Juan Crespi during the Portola Expedition in 1769. The first adobe within the City named “El Susa Rancho” was constructed in 1841 and built by Luis Arenas. The land on El Susa Rancho spanned approximately three-square miles and was obtained through a Mexican land grant. Shortly after, the land was sold to Henry Dalton and the property name changed to “Azusa Rancho de Dalton.” The property served as a winery, smokehouse, mill, and vinegar house. Years later, Dalton would import the first honeybees to the United States. After the United States Land Office distributed some of Dalton’s land for homesteading, Dalton turned the property over to Jonathan S. Slauson in 1887, which then founded the City of Azusa.

CULTURAL RESOURCES

Records Search

A records search for archaeological and historical resources was conducted through the South Central Coastal Information Center (SCCIC), located at the California State University, Fullerton. The records search included a half-mile radius surrounding the Site. The records search did not identify any previously recorded archaeological sites or historic resources within the search radius. Four cultural resource studies/reports within the search radius were previously conducted. These previous studies were obtained for reference and to gather a comprehensive context of the area surrounding the Site.

Field Surveys

Reconnaissance field surveys were conducted on March 10, 2017 and September 6, 2018. The Site vicinity lies on a modern golf course. The field methodology employed for the Site included walking evenly spaced survey transects set approximately 10 meters apart along both the interior and exterior of the Site boundary. Digital photos were taken to document the survey areas and overall Site conditions.

The existing golf course opened in 1966 and was designed by Robert Baldock. Based on available information and literature reviews, Baldock was not identified as a master golf course designer with recognition and the Azusa Greens golf course has not received any design recognition. The bathroom structure on-site is ordinary in its construction and lacks any architectural design elements. It is made of cinder blocks and asphalt shingles and is approximately 20 feet wide, 25 feet long and 10 feet tall. Only modern disturbances, including gravel, imported cobbles, pavement, golfing greens, asphalt, and mulch were observed. No cultural or tribal resources were found.



Historical Resource Findings

Based on the records search and reconnaissance field surveys, no historic resources have been identified on-site. The golf course and designer of the course was not identified as having any significant design recognition and the bathroom structure on-site is ordinary in its construction and lacks any architectural design elements. As such, the Site was found to have a low potential for historical resources to occur on-site.

Archaeological Resource Findings

Based on the record search and reconnaissance field surveys, no archaeological resources have been identified on-site. Based upon the documentation of extensive ground disturbance through the historic and current use of the Site as a golf course and the absence of recorded cultural resources within the search radius, the Site was found to have a low potential for archaeological resources to occur on-site.

TRIBAL CONSULTATION

Communication was initiated by City staff with potentially interested Native American tribes and individuals to request information related to the project site's sensitivity for Tribal Resources. The following tribes were notified of the Project and invited to consult: Gabrieleno/Tongva Nation; Gabrieleno/Tongva San Gabriel Band of Mission Indians; Gabrieleno Band of Mission Indians – Kizh Nation; Gabrieleno-Tongva Tribe; Gabrieleno Tongva Indians of California Tribal Council; and San Fernando Band of Mission Indians. The City sent letters inviting tribes to consult on the Project per SB 18 and AB 52 on August 30, 2017 and September 6, 2018, respectively. No responses were received regarding the SB 18 letters; however, the City received a request for consultation from the Gabrieleno Band of Mission Indians – Kizh Nation on September 10, 2018 per AB 52. The City and the Gabrieleno Band of Mission Indians – Kizh Nation consulted on October 30, 2018. The consultation identified possible Native American artifact locations associated with a native village in the Site vicinity located along two nearby Native American trails/paths. Given the passage of time and past flooding near the San Gabriel River, the Gabrieleno Band of Mission Indians – Kizh Nation anticipates artifacts or burials exist on-site buried underneath sedimentation.

Tribal Resources Findings

Based on the records search, literature review, and field survey results, the City has determined that no tribal cultural resources are known to exist on-site. However, as stated above, the City consulted with the Gabrieleno Band of Missions Indians – Kizh Nation and there is the potential for unknown resources to be discovered on-site during Site disturbance activities.

PALEONTOLOGICAL RESOURCES

The geology in the vicinity of the Site indicates that the Site vicinity is located on surficial sediments (Qg). Surficial sediments in this area are composed of Holocene (11,700 years ago) unconsolidated and undissected alluvial deposits. In the Site vicinity specifically, the surficial sediments are composed of gravel and sand of major stream channels and alluvial fan outwash from major



canyons. Borehole logs from the Site vicinity have documented modern artificial fill to a depth of 0.5 to 4.5 feet, then alluvial deposits to 219 feet below ground surface. Surficial sediments increase in age with depth and could transition into older Pleistocene (2.5 million to 11,700 years ago) deposits documented in the area.

Paleontological Record Search

On March 9, 2017 the Natural History Museum of Los Angeles County (LACM) performed a paleontological records search to locate fossil localities within and in the vicinity of the Site vicinity. No fossil localities were documented in the Site vicinity; however, a fossil locality was found in similar deposits in Chino, which produced remains of a fossil horse (*Equus*) and camel (*Camelops*) at a depth of 15 to 20 feet.

On March 14, 2017, a search of the University of California Museum of Paleontology online collections, the online Paleobiology Database, and other published literature for fossil localities from similar deposits nearby (within five miles) was conducted. Fossil localities from Pleistocene deposits are abundant in Los Angeles County, but are concentrated much further to the south (La Brea Tar Pits, San Pedro, etc.). No additional fossil localities were found in similar deposits near the Site vicinity. The surficial sediments in the Site vicinity have a low sensitivity in the shallower, more recent levels, but due to the potential to transition at depth into potentially fossiliferous Pleistocene deposits, they are assigned a high sensitivity at a depth of four feet below ground surface (bgs); refer to [Table 5.4-1, *Geologic Units and Associated Paleontological Sensitivity*](#), and Cultural and Paleontological Resources Assessment Figure 5, *Paleontological Sensitivity Map*.

**Table 5.4-1
Geologic Units and Associated Paleontological Sensitivity**

Age	Geologic Unit	Fossils Present	Paleontological Sensitivity
Holocene	Surficial sediments (Og)	None	Low
Pleistocene		Horse, Camel	High

Source: Duke Cultural Resources Management, LLC, *Cultural and Paleontological Resources Assessment for the California Grand Villages Azusa Greens*, June 2017 (Amended September 2018); refer to [Appendix 11.4](#).

Field Surveys

Reconnaissance field surveys were conducted on March 10, 2017 and September 6, 2018 to identify any paleontological resources. The Site vicinity lies on a modern golf course. The field methodology employed for the Site included walking evenly spaced survey transects set approximately 10 meters apart along both the interior and exterior of the Site boundary. Digital photos were taken to document the survey areas and overall Site conditions. Only modern disturbances, including gravel, imported cobbles, pavement, golfing greens, asphalt, and mulch were observed. No paleontological resources were observed during the field reconnaissance.



Paleontological Findings

Based on the record search and field surveys, the surficial sediments in the Site vicinity have a low sensitivity in shallower areas. However, due to the potential to transition at depth into potentially fossiliferous Pleistocene deposits, the Site is assigned a high paleontological sensitivity at depths of four feet bgs or greater.

5.4.2 REGULATORY SETTING

Numerous laws and regulations require Federal, State, and local agencies to consider the effects a project may have on cultural resources. These laws and regulations stipulate a process for compliance, define the responsibilities of the various agencies proposing the action, and prescribe the relationship among other involved agencies (i.e., State Historic Preservation Office and the Advisory Council on Historic Preservation). The National Historic Preservation Act (NHPA) of 1966, as amended, the California Environmental Quality Act (CEQA), and the California Register of Historical Resources, Public Resources Code 5024, are the primary Federal and State laws governing and affecting preservation of cultural resources of Federal, State, regional, and local significance. The applicable regulations are discussed below.

FEDERAL LEVEL

National Historic Preservation Act of 1966

Enacted in 1966 and amended in 2000, the NHPA declared a national policy of historic preservation and instituted a multifaceted program, administered by the Secretary of the Interior, to encourage the achievement of preservation goals at the Federal, State, and local levels. The NHPA authorized the expansion and maintenance of the National Register of Historic Places (NRHP), established the position of SHPO and provided for the designation of State Review Boards, set up a mechanism to certify local governments to carry out the purposes of the NHPA, assisted Native American tribes to preserve their cultural heritage, and created the Advisory Council on Historic Preservation (ACHP).

Section 106 Process

Through regulations associated with the NHPA, an impact to a cultural resource would be considered significant if government action would affect a resource listed in or eligible for listing in the NRHP. The NHPA codifies a list of cultural resources found to be significant within the context of national history, as determined by a technical process of evaluation. Resources that have not yet been placed on the NRHP, and are yet to be evaluated, are afforded protection under the Act until shown to be not significant.

Section 106 of the NHPA and its implementing regulations (36 Code of Federal Regulations Part 800) note that for a cultural resource to be determined eligible for listing in the NRHP, the resource must meet specific criteria associated with historic significance and possess certain levels of integrity of form, location, and setting. The criteria for listing on the NRHP are applied within an analysis when there is some question as to the significance of a cultural resource. The criteria for evaluation are defined as the quality of significance in American history, architecture, archeology, engineering, and culture. This quality must be present in districts, sites, buildings, structures, and objects that



possess integrity of location, design, setting, materials, workmanship, feeling, and association. A property is eligible for the NRHP if it is significant under one or more of the following criteria:

- Criterion A: It is associated with events that have made a significant contribution to the broad patterns of our history; or
- Criterion B: It is associated with the lives of persons significant in our past; or
- Criterion C: It embodies 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
- Criterion D: It has yielded, or may be likely to yield, information important in prehistory or history.

Criterion (D) is usually reserved for archaeological resources. Eligible cultural resources must meet at least one of the above criteria and exhibit integrity, measured by the degree to which the resource retains its historical properties and conveys its historical character.

The Section 106 evaluation process does not apply to projects undertaken under City environmental compliance jurisdiction. However, should the undertaking require funding, permits, or other administrative actions issued or overseen by a Federal agency, analysis of potential impacts to cultural resources following the Section 106 process would likely be necessary. The Section 106 process typically excludes cultural resources created less than 50 years ago unless the resource is considered highly significant from the local perspective. Finally, the Section 106 process allows local concerns to be voiced and the Section 106 process must consider aspects of local significance before a significance judgment is rendered.

Secretary of the Interior's Standards for the Treatment of Historic Properties

Evolving from the *Secretary of the Interior's Standards for Historic Preservation Projects with Guidelines for Applying the Standards* that were developed in 1976, the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings* were published in 1995 and codified as 36 CFR 67. Neither technical nor prescriptive, these standards are "intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources." "Preservation" acknowledges a resource as a document of its history over time, and emphasizes stabilization, maintenance, and repair of existing historic fabric. "Rehabilitation" not only incorporates the retention of features that convey historic character, but also accommodates alterations and additions to facilitate continuing or new uses. "Restoration" involves the retention and replacement of features from a specific period of significance. "Reconstruction," the least used treatment, provides a basis for recreating a missing resource. These standards have been adopted, or are used informally, by many agencies at all levels of government to review projects that affect historic resources.



STATE LEVEL

California Environmental Quality Act

CEQA requires a lead agency determine whether a project may have a significant effect on historical resources (Public Resources Code Section 21084.1). A historical resource is a resource listed in, or determined to be eligible for listing, in the CRHR, a resource included in a local register of historical resources, or any object building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (State CEQA Guidelines, Section 15064.5[a][1-3]).

A resource is considered historically significant if it meets any of the following criteria:

- 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- 2) Is associated with the lives of persons important in our past;
- 3) 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
- 4) Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, if it can be demonstrated that a project would cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (Public Resources Code Section 21083.2[a], [b], and [c]). Public Resources Code Section 21083.2(g) defines a unique archaeological resource as 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; or
- 3) Is directly associated with a scientifically recognized important prehistoric or historic event or person.

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is “an authoritative guide in California to be used by State and local agencies, private groups, and citizens to identify the State’s historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change.” Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks numbered 770 and



higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest program, identified as significant in historical resources surveys or designated by local landmarks programs, may be nominated for inclusion in the CRHR. A resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the State Historical Resources Commission determines that it meets one or more of the criteria modeled on the NRHP criteria.

Senate Bill 18

California Senate Bill (SB) 18 states that prior to a local (city or county) government's adoption of any general plan or specific plan, or amendment to general and specific plans, or a designation of open space land proposed on or after March 1, 2005, the city or county shall conduct consultations with California Native American tribes for the purpose of preserving or mitigating impacts to Cultural Places.

A Cultural Place is defined in the PRC sections 5097.9 and 5097.995 as:

1. Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine (PRC Section 5097.9), or
2. Native American historic, cultural, or sacred site, that is listed or may be eligible for listing in the California Register of Historic Resources pursuant to Section 5024.1, including any historic or prehistoric ruins, any burial ground, or any archaeological or historic site (PRC Section 5097.995).

The intent of SB 18 is to establish meaningful consultation between tribal governments and local governments ("government-to-government") at the earliest possible point in the planning process so that cultural places can be identified and preserved and to determine necessary levels of confidentiality regarding Cultural Place locations and uses. According to the Government Code (GC) Section 65352.4, "consultation" is defined as:

The meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American Tribes shall be conducted in a way that is mutually respectful of each party's sovereignty. Consultation shall also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance.

Assembly Bill 52

On September 25, 2014, Governor Brown signed AB 52. In recognition of California Native American tribal sovereignty and the unique relationship of California local governments and public agencies with California Native American tribal governments, and respecting the interests and roles of project proponents, it is the intent of AB 52 to accomplish all of the following:

- 1) Recognize that California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities.



- 2) Establish a new category of resources in CEQA called “tribal cultural resources” that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation.
- 3) Establish examples of mitigation measures for tribal cultural resources that uphold the existing mitigation preference for historical and archaeological resources of preservation in place, if feasible.
- 4) Recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated. Because CEQA calls for a sufficient degree of analysis, tribal knowledge about the land and tribal cultural resources at issue should be included in environmental assessments for projects that may have a significant impact on those resources.
- 5) In recognition of their governmental status, establish a meaningful consultation process between California Native American tribal governments and lead agencies, respecting the interests and roles of all California Native American tribes and project proponents, and the level of required confidentiality concerning tribal cultural resources, at the earliest possible point in CEQA environmental review process, so that tribal cultural resources can be identified, and culturally appropriate mitigation and mitigation monitoring programs can be considered by the decision making body of the lead agency.
- 6) Recognize the unique history of California Native American tribes and uphold existing rights of all California Native American tribes to participate in, and contribute their knowledge to, the environmental review process pursuant to CEQA.
- 7) Ensure that local and tribal governments, public agencies, and project proponents have information available, early in CEQA environmental review process, for purposes of identifying and addressing potential adverse impacts to tribal cultural resources, and to reduce the potential for delay and conflicts in the environmental review process.
- 8) Enable California Native American tribes to manage and accept conveyances of, and act as caretakers of, tribal cultural resources.
- 9) Establish that a substantial adverse change to a tribal cultural resource has a significant effect on the environment.

LOCAL LEVEL

City of Azusa General Plan

City policies and implementation programs pertaining to tribal and cultural resources are contained in the Historic/Cultural Resources Element of the General Plan. The Historic/Cultural Resources Element establishes a framework to develop a rich and diverse cultural experience that enhances daily life. The City’s historical and cultural resources are those buildings, objects, landmarks, and features of the land that evoke a sense of the past and reflect the cultural history of the City. These programs and policies include, but are not limited to, the following:



GOALS AND POLICIES

Goal 1 – Acknowledge, preserve, and protect the City’s Native American heritage.

Policy 1.1: Determine, early in the planning process, through field surveys and Native American consultation, whether archaeological or cultural resources are located within a proposed development site.

IMPLEMENTATION PROGRAM

HR2 Archaeological Surveys. Require archaeological surveys of undeveloped areas including those areas that although part of the built environment, may have the potential for subsurface archaeological sites. In the case of the San Gabriel River corridor, which may not have project specific actions, conduct surveys as part of the overall planning process so that resources can be integrated into the planning and enhancement process. If resources are encountered, encourage avoidance of the resources if they are determined to be significant as defined in CEQA Guidelines Section 15064.5. If avoidance is not feasible, implement a mitigation plan to excavate, analyze, and report on the discoveries.

In the event that any prehistoric, historic, or paleontological resources are discovered during construction-related earth-moving activities, all work within 50 feet of the resources shall be halted and the developer shall consult with a qualified archaeologist or paleontologist to assess the significance of the find. If any finds are determined to be significant by the qualified archaeologist, then representatives from the City of Azusa and the qualified archaeologist and/or paleontologist shall meet to determine the appropriate course of action.

Should human remains be discovered during the implementation of a proposed project, the local coroner must be contacted immediately. Both the Native American Heritage Commission (pursuant to NAGPRA) and any identified descendants should be notified, and recommendations received, if the remains are determined to probe of Native American origin (CEQA Guidelines Section 15064.5, Health and Safety Code Section 7070.5, Public Resources Code Sections 5097.94 and 5097.98).

City of Azusa Municipal Code

Azusa’s zoning code is found in Municipal Code Chapter 88, *Development Code* (Development Code), and carries out the General Plan policies by regulating development and land uses within the City. The Development Code was adopted to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare of the City’s residents and businesses. Development Code Article 3, *Site, Development and Operational Standards*, provides standards for the planning, design, and operation of new development for specific zones. Development Code Section 88.30.012, *Archaeological Resource Protection*, regulates construction activities when archeological resources are unearthed or discovered during. Section 88.30.012 provides the following standards:

- A. Construction activities shall cease, and the department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, approved by the city, and funded by the applicant, and disposition of artifacts may be accomplished in compliance with State and Federal law.



- B. In the event archeological resources are found to include human remains, or in any other case when human remains are discovered during construction, the county coroner shall be notified in addition to the department so proper disposition may be accomplished.

5.4.3 IMPACT THRESHOLDS AND SIGNIFICANCE CRITERIA

The purpose of this analysis is to identify any potential cultural resources within or adjacent to the Site, and to assist the Lead Agency in determining whether such resources meet the official definitions of “historical resources,” as provided in the Public Resource Code, in particular CEQA.

SIGNIFICANCE GUIDELINES

Historical Resources

Impacts to a significant cultural resource that affect characteristics that would qualify it for the NRHP or that adversely alter the significance of a resource listed in or eligible for listing in the CRHR are considered a significant effect on the environment. These impacts could result from “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired” (*CEQA Guidelines*, Section 15064.5 [b][1], 2000). Material impairment is defined as demolition or alteration “in an adverse manner [of] those characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in, the California Register” (*CEQA Guidelines*, Section 15064.5[b][2][A]).

Archaeological Resources

A significant prehistoric archaeological impact would occur if grading and construction activities result in a substantial adverse change to archaeological resources determined to be “unique” or “historic.” “Unique” resources are defined in Public Resources Code Section 21083.2; “historic” resources are defined in Public Resources Code Section 21084.1 and *CEQA Guidelines* Section 15126.4.

Public Resources Code Section 21083.2(g) states:

As used in this section, “unique archaeological resource” means 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; or*
- 3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.*



Paleontological Resources

An impact on paleontological materials would be considered a significant impact if a project results in the direct or indirect destruction of a unique or important paleontological resource or site. The following criteria are used to determine whether a resource is unique or important:

- The past record of fossil recovery from the geologic unit(s);
- The recorded fossil localities in the project site;
- Observation of fossil material on-site; and
- The type of fossil materials previously recovered from the geologic unit (vertebrate, invertebrate, etc.).

Tribal Cultural Resources

AB 52 established a new category of resources in CEQA called Tribal Cultural Resources. (Public Resources Code Section 21074.) “Tribal cultural resources” are either of the following:

- (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also created a process for consultation with California Native American Tribes in the CEQA process. Tribal Governments can request consultation with a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed project. The Public Resources Code now requires avoiding damage to tribal cultural resources, if feasible. If not, lead agencies must mitigate impacts to Tribal Cultural Resources to the extent feasible.

CEQA SIGNIFICANCE CRITERIA

Appendix G of the *CEQA Guidelines* contains the Initial Study Environmental Checklist form, which includes questions relating to cultural resources. The issues presented in the Initial Study Checklist have been utilized as thresholds of significance in this section. Accordingly, a project may create a significant adverse environmental impact if it would:



Cultural Resources

- a) Cause a substantial adverse change in the significance of a historical resource as defined in *CEQA Guidelines* Section 15064.5 (refer to Impact Statement CUL-1);
- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to *CEQA Guidelines* Section 15064.5 (refer to Impact Statement CUL-2);
- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature (refer to Impact Statement CUL-3); and/or
- d) Disturb any human remains, including those interred outside of dedicated cemeteries (refer to Impact Statement CUL-4).

Tribal Cultural Resources

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k) (refer to Impact Statement CUL-5); or
- b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe (refer to Impact Statement CUL-5).

Based on these standards/criteria, the effects of the Project have been categorized as either a “less than significant impact” or a “potentially significant impact.” If a potentially significant impact cannot be reduced to a less than significant level through the application of goals, policies, standards, or mitigation, it is categorized as a significant and unavoidable impact. The standards used to evaluate the significance of impacts are often qualitative rather than quantitative because appropriate quantitative standards are either not available for many types of impacts or are not applicable for some types of projects.

5.4.4 IMPACTS AND MITIGATION MEASURES

HISTORICAL RESOURCES

CUL-1 Would the Project cause a significant impact to an historical resource?

Impact Analysis: Based on the Cultural and Paleontological Resources Assessment, the Azusa Greens Country Club golf course was developed in 1966. Based on available information and literature reviews, Robert Baldock, the golf course designer, was not identified as a master golf course designer with known recognition and the golf course itself has not received any design recognition. The bathroom structure on-site is ordinary in its construction (made of cinder blocks and asphalt shingles) and lacks any architectural design elements. Only modern disturbances, including gravel, imported cobbles, pavement, golfing greens, asphalt, and mulch were observed. Additionally, the records search did not identify any historic properties on-site or within a half-mile



radius of the Site. Given the lack of historical resources documented within or near the Site, the Site was found to have a low potential for historical resources to occur on-site. As such, no impacts would result.

Standard Conditions of Approval: No standard conditions of approval are applicable.

Mitigation Measures: No mitigation measures are required.

Level of Significance: No Impact.

ARCHAEOLOGICAL RESOURCES

CUL-2 Would the Project cause a significant impact to an archaeological resource on-site?

Impact Analysis: The archaeological records search conducted for the Project determined that there are no known cultural resources within the Site boundaries. The SCCIC reported four studies conducted within one-half mile of the Site. These previous studies were obtained for reference and to gather a comprehensive context of the area surrounding the Site. The Cultural and Paleontological Resources Assessment concluded that there are no known archaeological resources that would be impacted by the Project and that there is a low sensitivity for archaeological resources to occur.

The Site and surrounding area have been highly disturbed as part of development that has occurred on-site, and the Site occurs in a highly urbanized area. The potential for impacts to unknown buried archaeological resources is considered low. However, in accordance with General Plan Implementation Program HR2, in the unlikely event that cultural resources are exposed during ground-disturbing activities, avoidance or a mitigation plan should be prepared to excavate, analyze, and report on the discoveries. Further, Municipal Code Section 88.30.012 regulates construction activities when archeological resources are unearthed or discovered during construction. Section 88.30.012 requires construction activities to stop and the City be notified so that the extent and location of discovered materials can be recorded by a qualified archaeologist, approved by the City, and funded by the Applicant, and disposition of artifacts may be accomplished with compliance with State and Federal law. Section 88.30.012 also requires the County coroner be notified, in addition to the City, should archaeological resources uncovered during construction activities be identified as human remains so proper disposition can be accomplished. Further, Mitigation Measure CUL-1 would ensure Workers Environmental Awareness Program (WEAP) training is implemented to address cultural resources issues anticipated at the Site; Mitigation Measure CUL-2 would require archaeological and Native American monitoring on-site; and Mitigation Measures CUL-3 and CUL-4 establish protocol should any archaeological resources or tribal cultural resources be identified during grading and ground-disturbing activities. Therefore, adherence to General Plan Implementation Program HR2, Municipal Code Section 88.30.012, and Mitigation Measures CUL-1 through CUL-4 would reduce impacts related to archaeological resources to less than significant levels.

Standard Conditions of Approval: No standard conditions of approval are applicable.



Mitigation Measures:

CUL-1 Workers Environmental Awareness Program. The Project Applicant shall prepare and implement a Workers Environmental Awareness Program (WEAP) training to address cultural resources issues anticipated at the Site. The WEAP shall include information of the laws and regulations that protect cultural resources, the penalties for a disregard of those laws and regulations, what to do if cultural resources are unexpectedly uncovered during demolition and construction, and contact information for a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology, who shall be contacted in the case of unanticipated discoveries. The WEAP shall also include Project-specific information regarding the potential for and types of prehistoric and historic resources that may potentially be encountered.

CUL-2 Archaeological and Native American Monitoring. The Project Applicant shall retain and compensate for services a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology, and a qualified Native American monitor, approved by the Gabrieleno Band of Mission Indians – Kizh Nation Tribal Government and listed under the Native American Heritage Commission's (NAHC) Tribal Contact list for the region, to perform all mitigation measures related to prehistoric and historic cultural resources for the project. An archaeologist and Native American monitor shall be present to monitor all initial ground disturbing activities associated with the project, including but not limited to: demolition, removal of building foundations and asphalt, pot-holing or auguring, grubbing, tree removals/weed abatement, boring/grading of soils, drilling/trenching for utilities, excavations associated with development, etc. The monitors shall complete daily monitoring logs. The logs will provide descriptions of the daily activities, including construction activities, locations, soil, and any cultural materials identified. In addition, the monitors are required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the California Environmental Quality Act, California Public Resources Code Division 13, Section 21083.2 (a) through (k).

If, during initial ground disturbance, the monitors determine that the ground disturbing activities have little or no potential to impact cultural resources, and/or the monitors determine that ground disturbances would occur within previously disturbed and non-native soils, the qualified archaeologist may recommend that monitoring may be reduced or eliminated. This decision will be made in consultation with the Native American monitor and the City of Azusa. The final decision to reduce or eliminate monitoring shall be at the discretion of the City of Azusa. If cultural resources are encountered during ground disturbing activities, work within the immediate area must halt and the find must be evaluated for local and/or State significance.

CUL-3 Unanticipated Discovery of Cultural Resources. If cultural resources are encountered during demolition and ground-disturbing activities, work in the immediate area shall halt and a qualified archaeologist, defined as an archaeologist who meets the Secretary of the Interior's Professional Qualification Standards for archaeology, shall be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA,



additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any significant impacts.

- CUL-4 Unanticipated Discovery of Tribal Cultural Resources. If any archaeological resources are unearthed during project demolition and construction activities, the resource shall be evaluated by the qualified archaeologist and Native American monitor approved by the Gabrieleno Band of Mission Indians – Kizh Nation. If the resources are Native American in origin, the Gabrieleno Band of Mission Indians – Kizh Nation shall coordinate with the property owner regarding treatment and curation of the resource(s). Typically, the Native American tribe will request reburial or preservation for educational purposes. If a resource is determined by the qualified archaeologist to constitute a “historical resource” pursuant to CEQA Guidelines Section 15064.5(a) or as a “unique archaeological resource” pursuant to Public Resources Code Section 21083.2(g), the qualified archaeologist and Native American monitor shall coordinate with the Project Applicant and the City to develop a formal treatment plan that would serve to reduce impacts to the resources. The treatment plan established for the resource(s) shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be donated to a local school or historical society in the area for educational purposes.

Level of Significance: Less Than Significant Impact With Mitigation Incorporated.

PALEONTOLOGICAL RESOURCES

- CUL-3 **Would the Project could cause a significant impact to a paleontological resource?**

Impact Analysis: According to the records search, the surficial sediments in the Project area have a low sensitivity in the shallower, more recent levels. However, sediments deeper below the surface have the potential to contain fossiliferous Pleistocene deposits. Therefore, the Site is assigned a high paleontological sensitivity at depths of four feet bgs or greater; refer to [Table 5.4-1](#), and Cultural and Paleontological Resources Assessment Figure 5, *Paleontological Sensitivity Map*, provided in [Appendix 11.4](#).

While no paleontological resources were observed during the field reconnaissance surveys, ground-disturbing activities at depths greater than four feet bgs could uncover buried paleontological resources. As such, Mitigation Measures CUL-1 and CUL-5 are recommended. Mitigation Measure CUL-1 would require a WEAP be prepared and implemented to address cultural resource issues that could be expected on-site. The WEAP would train workers on the laws and regulations that protect cultural resources, penalties for disregarding such laws and regulations, what to do if cultural resources are unexpectedly uncovered, and contact information for a qualified archaeologist.



Mitigation Measure CUL-5 details the required procedures should unanticipated discoveries of paleontological resources occur. Overall, implementation of Mitigation Measures CUL-1 and CUL-5 would reduce Project impacts to less than significant levels.

Standard Conditions of Approval: No standard conditions of approval are applicable.

Mitigation Measures: Refer to Mitigation Measure CUL-1.

CUL-5 Unanticipated Discovery of Paleontological Resources. If paleontological resources are encountered during ground-disturbing activities, work in the immediate area shall halt and a qualified paleontologist, defined as a paleontologist who meets the Secretary of the Interior's Professional Qualification Standards for paleontology, shall be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any significant impacts.

Level of Significance: Less Than Significant Impact With Mitigation Incorporated.

HUMAN REMAINS

CUL-4 **Would the Project cause a significant impact to human remains?**

Impact Analysis: Although no conditions exist that suggest human remains are likely to be found on the Site, development of the Site could result in the discovery of human remains and potential impacts to these resources. Consistent with General Implementation Program HR2, if human remains are found, those remains would be required to conduct proper treatment, in accordance with applicable laws (Mitigation Measure CUL-6). State of California Public Resources Health and Safety Code Sections 7050.5 to 7055 describe the general provisions for human remains. Specifically, Health and Safety Code Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California Public Resources Code would be implemented, including notification of the County Coroner, notification of the NAHC and consultation with the individual identified by the NAHC to be the "most likely descendant (MLD)." The MLD would have 48 hours to make recommendations to landowners for the disposition of any Native American human remains and grave goods found.

If human remains are found during excavation, excavation must stop in the vicinity of the find and any area that is reasonably suspected to overlay adjacent remains until the County coroner has been called out, and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains. Following compliance with existing State regulations (Mitigation Measure CUL-6), which detail the appropriate actions necessary in the event human remains are encountered, impacts in this regard would be reduced to less than significant levels.

Standard Conditions of Approval: No standard conditions of approval are applicable.



Mitigation Measures:

CUL-6 Unanticipated Discovery of Human Remains and Associated Funerary Objects. If human remains or associated funerary objects are discovered on-site, work shall be diverted a minimum of 150 feet from the find and an exclusion zone shall be placed around the burial. The qualified archaeologist and/or Native American monitor shall notify the construction manager who shall call the County Coroner. If the County Coroner determines the remains to be Native American, the County Coroner shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC) as mandated by State law who shall then appoint a Most Likely Descendent (MLD).

The discovery is to be kept confidential and secure to prevent any further disturbance. Prior to the continuation of ground disturbing activities, the property owner shall arrange a designated location with the Project footprint for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard shall be posted outside of working hours. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, it may be determined that burials should be removed. The applicable Native American tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Cremations shall either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. The Project Applicant shall consult with the tribe regarding avoidance of all cemetery sites. Once complete, a final report of all activities shall be submitted to the NAHC. No scientific study or utilization of any invasive diagnostics on human remains is allowed.

Each occurrence of human remains and associated funerary objects shall be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be removed to a secure container on-site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location mitigated between the tribe and the property owner at the site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

Level of Significance: Less Than Significant Impact With Mitigation Incorporated.



TRIBAL CULTURAL RESOURCES

CUL-5 Would the Project cause a significant impact to a tribal cultural resource?

Impact Analysis: Per Section Public Resources Code Section 21074, tribal cultural resources are either of the following:

- (1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
 - (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
 - (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
- (2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also created a process for consultation with California Native American Tribes in the CEQA process. Tribal Governments can request consultation with a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed project. The Public Resources Code now requires avoiding damage to tribal cultural resources, if feasible. If not, lead agencies must mitigate impacts to Tribal Cultural Resources to the extent feasible.

TRIBAL CONSULTATION

As stated above, the City sent letters inviting tribes to consult on the Project per SB 18 and AB 52 on August 30, 2017 and September 6, 2018, respectively. No responses were received regarding the SB 18 letters; however, the City received a request for consultation from the Gabrieleno Band of Mission Indians – Kizh Nation on September 10, 2018 per AB 52. The City and the Gabrieleno Band of Mission Indians – Kizh Nation consulted on October 30, 2018. As stated above, the consultation identified possible Native American artifacts associated with a native village in the Site vicinity. Given the passage of time and past flooding near the San Gabriel River, the Gabrieleno Band of Mission Indians – Kizh Nation anticipates artifacts or burials exist on-site buried underneath sedimentation.

TRIBAL CULTURAL RESOURCE DETERMINATION

Based on the records search, literature review, and field survey results, the City has determined that no tribal cultural resources are known to exist on-site. However, as stated above, the City consulted with the Gabrieleno Band of Missions Indians – Kizh Nation and there is the potential for unknown tribal cultural resources to be discovered on-site during Site disturbance activities. As such, implementation of Mitigation Measures CUL-1 through CUL-5 would ensure that in the event unknown cultural resources, including archaeological, paleontological, and tribal cultural resources



are discovered during ground-disturbing activities, appropriate measures are taken. As such, impacts to tribal cultural resources would be reduced to less than significant levels.

Standard Conditions of Approval: No standard conditions of approval are applicable.

Mitigation Measures: Refer to Mitigation Measures CUL-1 through CUL-5.

Level of Significance: Less Than Significant Impact With Mitigation Incorporated.

5.4.5 CUMULATIVE IMPACTS

- Would the Project, combined with other related cumulative projects, cause a cumulatively considerable impact to a historical resource, archaeological resource, paleontological resource, human remains, or a tribal cultural resource?

Impact Analysis: Table 4-1, *Cumulative Projects List*, identifies the related projects and other possible development in the area determined as having the potential to interact with the Project to the extent that a significant cumulative effect may occur. Project-related impacts to historical, archeological, paleontological, and tribal cultural resources, including burial sites have been determined to be less than significant with implementation of Mitigation Measures CUL-1 through CUL-6. Individual projects would be evaluated on a project-by-project basis to determine the extent of potential impacts to historical, archeological, paleontological, and/or tribal cultural resources. Adherence to State and Federal statutes, as well as project-specific mitigation measures, cumulative impacts to historical, archaeological, paleontological, and tribal cultural resources would be reduced to less than significant levels.

As discussed in Impact Statements CUL-1 through CUL-5, with compliance with the recommended Mitigation Measures CUL-1 through CUL-6, the Project would result in less than significant impacts to historical, archeological, paleontological, and tribal cultural resources (including human remains). Thus, the Project would not result in cumulatively considerable impacts pertaining to cultural resources or burial sites.

Standard Conditions of Approval: No standard conditions of approval are applicable.

Mitigation Measures: Refer to Mitigation Measures CUL-1 through CUL-6.

Level of Significance: Less Than Significant Impact With Mitigation Incorporated.

5.4.6 SIGNIFICANT UNAVOIDABLE IMPACTS

No significant unavoidable impacts related to cultural and tribal cultural resources have been identified following implementation of Municipal Code regulations and recommended standard conditions of approval.



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