

### 5.4 CULTURAL RESOURCES

Cultural resources include places, object, and settlements that reflect group or individual religious, archaeological, architectural, or paleontological activities. Such resources provide information on scientific progress, environmental adaptations, group ideology, or other human advancements. This section of the Draft Environmental Impact Report (DEIR) evaluates the potential for implementation of the Torrance General Plan update to impact cultural resources in the City of Torrance. The analysis in this section is based, in part, upon the following information:

- *An Historic Context Statement Prepared for the Draft Environmental Impact Report. The City of Torrance General Plan Update, Los Angeles County, California: A Brief History and Summary of the Known Cultural Resources Located within the Incorporated City of Torrance, Los Angeles County, California, McKenna et. al., February 2009.*

A complete copy of this study is included in the Technical Appendices to this Draft EIR (Volume II, Appendix F).

#### 5.4.1 Environmental Setting

##### Regulatory Background

##### Federal and State Regulations

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

The National Historic Preservation Act of 1966 authorized the National Register of Historic Places and coordinates public and private efforts to identify, evaluate, and protect the nation's historical and archaeological resources. The National Register includes districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture.

Section 106 (Protection of Historic Properties) of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies to take into account the effects of their undertakings on historic properties. Section 106 review refers to the federal review process designed to ensure that historic properties are considered during federal project planning and implementation. The Advisory Council on Historic Preservation, an independent federal agency, administers the review process, with assistance from state historic preservation offices.

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

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

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

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



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#### *California Public Resources Code*

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

- California Public Resources Code 5020–5029.5 continued the former Historical Landmarks Advisory Committee as the State Historical Resources Commission. The Commission oversees the administration of the California Register of Historical Resources, and is responsible for the designation of State Historical Landmarks and Historical Points of Interest.
- California Public Resources Code 5079–5079.65 defines the functions and duties of the Office of Historic Preservation (OHP). The OHP is responsible for the administration of federally and state mandated historic preservation programs in California and the California Heritage Fund.
- California Public Resources Code 5097.9–5097.991 provides protection to Native American historical and cultural resources, and sacred sites and identifies the powers and duties of the Native American Heritage Commission (NAHC). It also requires notification of discoveries of Native American human remains, descendants and provides for treatment and disposition of human remains and associated grave goods.
- California Public Resources Code 5097.98 states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation...until the coroner...has determined...that the remains are not subject to...provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible....The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and...has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

#### *California Senate Bill 18*

The law provides limited protection for Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places. These places may include sanctified cemeteries, religious and ceremonial sites, shrines, burial grounds, prehistoric ruins, archaeological or historic sites, Native American rock art inscriptions, or features of Native American historic, cultural, and sacred sites.

SB 18 institutes a new process that requires a city or county to consult with the NAHC and any appropriate Native American tribe for the purpose of preserving relevant traditional tribal cultural places (TTCP) prior to the adoption, revision, amendment, or update of a city's or county's general plan. While SB 18 does not specifically mention consultation or notice requirements for adoption or amendment of specific plans, the Final Tribal Guidelines advise that SB 18 requirements extend to specific plans as well, as state planning law requires local governments to use the same process for amendment or adoption of specific plans as general plans (defined in Government Code § 65453). In regards to proving traditional association of sites, SB 18 requires sites to provide evidence that it had actually been used for activities related to traditional Native American beliefs, cultural practices, or ceremonies. In addition, SB 18 law also adds California Native

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American tribes to the list of entities that can acquire and hold conservation easements for the purpose of protecting their cultural places.

#### **Natural Setting**

The City of Torrance covers an area of 20.5 square miles and has an average elevation of 87 feet above mean sea level (msl). Torrance is within the southwestern block of the Los Angeles Basin, an area described as consisting of the lowland areas (coastal plain) between the Santa Monica Mountains and the Santa Ana Mountains.

#### **Cultural Setting**

##### ***Historical Resources***

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

Cultural resources investigations completed in the City of Torrance have been documented, compiled, and maintained at the California State University, Fullerton, South Central Coastal Information Center (SCCIC), Fullerton, California. Of 97 studies completed, 50 studies addressed cell tower sites, therefore covering relatively small areas. The remaining 47 studies included specific property studies (e.g., building evaluations) or block studies (e.g., road alignment improvements, redevelopment areas).

Cultural resources identified in or directly adjacent to the City of Torrance were compiled through the SCCIC. Torrance has a preliminary total of 141 reported historical structures, including 47 properties evaluated and identified as eligible for recognition as historical resources, 91 properties evaluated and determined ineligible for recognition, 3 properties listed on the National Register of Historic Places or as State Historic Landmarks, and one property with no definitive information.

##### ***Archaeological Resources***

Archaeological resources are the physical remains of past human activities and can be either prehistoric or historic in origin. Archaeological sites are locations that contain significant evidence of human activity. Generally a site is defined by a significant accumulation or presence of one or more of the following: food remains, waste from the manufacturing of tools, tools, concentrations or alignments of stones, modification of rock surfaces, unusual discoloration or accumulation of soil, or human skeletal remains. Archaeological sites are often located along creek areas and ridgelines.

The City of Torrance is primarily builtout. However, 12 prehistoric archaeological sites have been identified in or adjacent to the City. Of these, the status of 5 is unknown; 5 have been destroyed, and the remaining two have been disturbed. The most noteworthy site is CA-LAN-138, the Malaga Cove site—a large village site with dense midden deposits in the Hollywood Riviera portion of the site and overlooking the Pacific Ocean.



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#### **Paleontological Resources**

Paleontologic resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. These resources are valued for the information they yield about the history of the earth and its past ecological settings. There are two types of resources: vertebrate and invertebrate. These resources are found in geologic strata conducive to their preservation, typically sedimentary formations. Paleontological sites are those areas that show evidence of prehuman activity. Often they are simply small outcroppings visible on the surface or sites encountered during grading. While the sites are important indications, it is the geologic formations that are the most important since they may contain important fossils. Potentially sensitive areas for the presence of paleontologic resources are based on the underlying geologic formation. The City of Torrance is located within an area known to be sensitive for fossil specimens. These resources may be identified as fossil shell, fossilized flora, and/or vertebrate fossil specimens.

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

CEQA Guidelines Section 15064.5 provides direction on determining significance of impacts to archaeological and historical resources. Generally, a resource shall be considered “historically significant” if the resource meets the criteria for listing on the California Register of Historical Resources (Pub. Res. Code SS5024.1, Title 14 CCR, Section 4852), including the following:

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

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

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

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

### 5.4.3 Environmental Impacts

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

**IMPACT 5.4-1: DEVELOPMENT IN ACCORDANCE WITH THE PROPOSED GENERAL PLAN LAND USE DESIGNATIONS COULD IMPACT AN IDENTIFIED HISTORICAL RESOURCE. [THRESHOLD C-1]**

**Impact Analysis:** The adoption of the general plan update would not directly affect any historical structures. However, identified historic structures and sites that are eligible for National Register of Historic Resources listing may be vulnerable to development activities accompanying revitalization. Additionally, other structures that could meet the National Register criteria upon reaching 50 years of age might be impacted by development activity.

At the time a development or redevelopment is proposed, the project-level CEQA document would need to identify any impacts to potentially historic structures. Section 15064.5 of the CEQA Guidelines identifies historical resources as those listed or eligible for the California Register of Historic Resources, a site listed on a local register of historical resources, or a site, building, or area determined to be historic by the lead agency. Any site or building that is not listed but has historic value as determined by a historical resources survey cannot be precluded from qualifying as a historical resource. Although implementation of the general plan update would involve the redevelopment of areas that would contain potentially historic buildings, general plan policies and state and federal regulations restricting minor and/or major alterations and demolitions of historic resources would protect any future designated historic sites. Impacts on historical resources would be less than significant.

**IMPACT 5.4-2: DEVELOPMENT PURSUANT TO GENERAL PLAN IMPLEMENTATION COULD IMPACT ARCHAEOLOGICAL RESOURCES OR PALEONTOLOGICAL RESOURCES. [THRESHOLD C-2 AND C-3]**

**Impact Analysis:** Adoption of the General Plan Update would not directly affect archaeological or paleontological resources. However, long-term implementation of the proposed land use plan could allow development and redevelopment, including grading, of sensitive areas.

Although Torrance is almost entirely built out, grading and construction activities would potentially uncover archaeological or paleontological remains. Some archaeological resources have been discovered in the City of Torrance during past excavations or development activities. Paleontological resources, such as fossils and geologic artifacts, are most likely to be found in shallow contexts in the City of Torrance. In the event that archaeological or paleontological resources are discovered during development pursuant to the Torrance General Plan update, the appropriate measures would be taken to identify and assess the materials. Impacts related to archaeological and/or paleontological resources are less than significant.

**IMPACT 5.4-3: GRADING ACTIVITIES IN THE CITY OF TORRANCE WOULD COMPLY WITH THE CALIFORNIA PUBLIC RESOURCES CODE § 5097.98 SO AS NOT TO DISTURB HUMAN REMAINS. [THRESHOLD C-4]**

**Impact Analysis:** The majority of Torrance has already been developed and graded. The proposed general plan update would allow for an additional 4,388 dwelling units and 75 acres of nonresidential development. This would potentially reveal undiscovered human remains or burial sites. In the event that this occurs, the



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City would be required to alert the county coroner of the presence of these remains so that the appropriate persons and/or Native American tribe may be notified.

The City would follow the above procedure upon discovery of remains or burial sites and would therefore be consistent with California Public Resources Code Section 5097.98. Impacts to these cultural resources caused by implementation of the general plan update are less than significant.

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

Proposed General Plan policies that promote the protection of historic structures, archaeological resources, paleontological resources, and human remains and reduce potential impacts of development on these resources include:

#### **Community Resources Element**

- Encourage the preservation of public and private buildings which are of local, historical, or cultural importance. (Policy CR.12.1)
- Support the work of local historic groups such as the Torrance Historical Society and others to identify and preserve local structures and sites of historical interest and importance. (Policy CR.12.2).

#### **5.4.5 Existing Regulations**

Future projects shall comply with the provisions of the following regulations:

- National Historic Preservation Act.
- Native American Graves Protection and Repatriation Act of 1990.
- Archaeological Resources Protection Act of 1979.
- California Public Resources Code § 5020-5029.5; 5079–5079.65; 5097.9.–5097.98.
- California Health and Safety Code Section 7050.5.
- California Senate Bill 18.

#### **5.4.6 Level of Significance Before Mitigation**

Upon implementation of regulatory requirements and standard conditions of approval, the following impacts would be less than significant: 5.4-1, 5.4-2, and 5.4-3.

#### **5.4.7 Mitigation Measures**

No mitigation measures are required. Impacts to cultural resources are less than significant.

#### **5.4.8 Level of Significance After Mitigation**

No mitigation measures are required. Buildout of the Torrance General Plan Update would not cause significant impacts to cultural resources.