

**AMENDMENT TO THE  
MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL TRANSIT ADMINISTRATION AND  
THE CALIFORNIA STATE HISTORIC PRESERVATION OFFICER  
REGARDING THE LOS ANGELES WESTSIDE SUBWAY EXTENSION PROJECT,  
LOS ANGELES COUNTY, CALIFORNIA**

**WHEREAS**, the *Memorandum of Agreement between the Federal Transit Administration and the California State Historic Preservation Officer regarding the Los Angeles Westside Subway Extension Project, Los Angeles, California* (original MOA) for the Los Angeles Westside Subway Extension Project (Undertaking), currently known as the Westside Purple Line Extension, was executed on March 7, 2012; and

**WHEREAS**, the Undertaking comprises Sections 1, 2, and 3; and the Federal Transit Administration (FTA) and the Los Angeles County Metropolitan Transportation Authority (LACMTA) held a groundbreaking ceremony on November 7, 2014, for Section 1 of the Undertaking, which is a 3.92-mile section from the existing Wilshire/Western Station to Wilshire/La Cienega with three new stations: Wilshire/La Brea, Wilshire/Fairfax, and Wilshire/La Cienega; and held a groundbreaking ceremony on February 23, 2018, for Section 2 of the Undertaking, which is a 2.59-mile section from Wilshire/La Cienega to Century City with two new stations: Wilshire/Rodeo and Century City/Constellation; and

**WHEREAS**, Section 3 of the Undertaking is a 2.56-mile section from Century City to the U.S. Department of Veterans Affairs (VA) West Los Angeles (WLA) Campus of the Greater Los Angeles Healthcare System (GLAHS) with two new stations: Westwood/UCLA and Westwood/VA Hospital; and

**WHEREAS**, this amendment (MOA Amendment) to the original MOA was prepared for Section 3 of the Undertaking because refinements to the alignment, design of the stations, and construction staging of Section 3 of the Undertaking, located between Century City and the VA WLA Campus, have occurred and required a revision to the area of potential effects (APE) (Appendix A) and a reassessment of effects to previously identified historic properties, namely the Linde (Westwood) Medical Plaza, (Westwood) Federal Building, the West Los Angeles Veterans Affairs Historic District (WLA VA Historic District, formerly referred to as the VA Medical Center Historic District in the original MOA, but currently known as the WLA VA Historic District, consistent with the National Register of Historic Places (NRHP) listing in 2014), and the Los Angeles National Cemetery (LANC), News Stand (Streetcar Depot), and Wadsworth Chapel (Catholic-Protestant Chapels), which are eligible and individually listed in the NRHP but are also contributing properties to the WLA VA Historic District; and

**WHEREAS**, FTA, in consultation with the California State Historic Preservation Officer (SHPO), has determined the refinements to Section 3 of the Undertaking will not result in additional adverse effects to known historic properties, and that the previous finding of adverse effect for the Undertaking remains appropriate, per 36 CFR 800.5(d)(2); and

**WHEREAS**, the letter from SHPO dated December 12, 2018, stated the original MOA for the Undertaking should be amended to reflect the refinements to Section 3 of the Undertaking and inclusion of additional consulting parties; to incorporate the avoidance and minimization measures for properties

included in the *Historic Properties Reassessment of Effects Report* (October 2018) that are listed in or eligible for listing in the NRHP in order to avoid unanticipated adverse effects; and to provide an unanticipated discovery plan for any unknown archaeological resources and/or human remains; and

**WHEREAS**, in accordance with 36 CFR 800.6(a)(1), FTA has notified the Advisory Council on Historic Preservation (ACHP) of the project refinements and the finding of effect, and the ACHP has chosen to participate in the consultation pursuant to 36 CFR 800.6(a)(1)(iii) by letter dated February 5, 2018, and become a signatory; and

**WHEREAS**, the WLA Leasing Act of 2016 (Pub. L. No. 114-226) allows the Secretary of VA to grant easements or rights-of-way on, above, or under lands at the VA WLA Campus to any local or regional public transportation authority to access, construct, use, operate, maintain, repair, or reconstruct public mass transit facilities including fixed guideway facilities and transportation centers, and a portion of the Undertaking occurs within the boundaries of the VA WLA Campus and the LANC and requires approvals from VA, and therefore, VA is required to comply with Section 106 of the National Historic Preservation Act (NHPA) and has designated FTA as lead agency for the purposes of Section 106 compliance pursuant to 36 CFR 800.2(a)(2) for this Undertaking; FTA invited VA to be an invited signatory and VA accepted; and

**WHEREAS**, the Undertaking requires approval from the U.S. General Services Administration (GSA) for a subsurface easement under lands at the (Westwood) Federal Building, so that LACMTA is able to access, construct, use, operate, maintain, repair, and/or reconstruct public mass transit facilities, and therefore, GSA is required to comply with Section 106 of the NHPA and has designated FTA as lead agency for purposes of Section 106 compliance pursuant to 36 CFR 800.2(a)(2) for this Undertaking; FTA invited GSA to be an invited signatory and GSA accepted; and

**WHEREAS**, the Undertaking crosses Interstate 405, owned and administered by California Department of Transportation (Caltrans) District 7; an encroachment permit from Caltrans District 7 is necessary for portions of the Undertaking that cross these facilities; FTA invited Caltrans to be an invited signatory and Caltrans did not accept the invitation; and

**WHEREAS**, on January 17, 2018, FTA notified the following consulting parties of refinements to Section 3 of the Undertaking and solicited comments on resources within the APE: 1887 Fund, City of Beverly Hills Historic Preservation Division, City of Los Angeles Office of Historic Resources, Beverly Hills Historic Society, Los Angeles Conservancy, Los Angeles City Historical Society, Veterans Park Conservancy, and Muller Company (the property owner of the Linde (Westwood) Medical Plaza); and continued consultation with these consulting parties throughout 2018; and

**WHEREAS**, the following consulting parties have a demonstrated interest in Section 3 of the Undertaking and/or a demonstrated interest in effects to historic properties in Section 3 of the Undertaking and were invited to be concurring parties to this MOA Amendment on April 2, 2019: 1887 Fund, City of Los Angeles Office of Historic Resources, Los Angeles City Historical Society, Veterans Park Conservancy, and Los Angeles Conservancy; and none of these consulting parties accepted the invitation to become a concurring party, and 1887 Fund requested to be removed as a consulting party on September 19, 2019; and

**WHEREAS**, this MOA Amendment was developed with appropriate public involvement (pursuant to 36 CFR 800.2(d) and 800.6(a)) and the public was provided the opportunity to comment on Section 3 of the Undertaking; LACMTA, in coordination with FTA and VA, conducted public outreach beginning in April 2016, consisting of presentations to community groups to inform the public of project refinements to Section 3 of the Undertaking; and beginning in October 2017, conducted outreach with veterans and

veterans groups that included presentations at Veterans Advisory Group quarterly meetings, Community Veterans Engagement Board meetings, town hall meetings, and public outreach meetings; and

**WHEREAS**, FTA consulted with the California Native American Heritage Commission (NAHC) and identified two federally recognized Indian tribes, the Soboba Band of Luiseno Indians and Torres Martinez Desert Cahuilla Indians, as well as additional Native American tribes, including the Gabrielino-Tongva Tribe, Gabrielino Tongva Indians of California, Gabrielino/Tongva Nation, Gabrieleno/Tongva San Gabriel Band of Mission Indians, Fernandeno Tataviam Band of Mission Indians, Tongva Ancestral Territorial Tribal Nation, Gabrieleno Band of Mission Indians – Kizh Nation, and the San Fernando Band of Mission Indians, who may attach traditional religious and cultural importance to affected properties pursuant to 36 CFR 800.2 (c)(2)(ii) and has invited these tribes, who are consulting parties, to be concurring parties to this MOA Amendment; the Soboba Band of Luiseno Indians confirmed they have specific lineage in the project area, and have deferred to the Gabrieleno/Tongva San Gabriel Band of Mission Indians; and the Gabrieleno Band of Mission Indians – Kizh Nation, Tongva Ancestral Territorial Tribal Nation, Gabrieleno/Tongva San Gabriel Band of Mission Indians, and Gabrielino Tongva Indians of California have accepted; the Torres Martinez Desert Cahuilla Indians declined to participate in consultation; and

**WHEREAS**, the signatories and invited signatory to the original MOA (referred to as MOA parties in the original MOA) have agreed that an MOA Amendment should be executed to address the changes to Section 3 of the Undertaking, to memorialize the Section 106 consultation with all signatories and consulting parties conducted as a result of these changes to Section 3 of the Undertaking, to include the ACHP as a signatory and VA and GSA as invited signatories to this MOA Amendment, and to document the measures to avoid and minimize adverse effects for Section 3 of the Undertaking; and

**WHEREAS**, Sections 1 and 2 of the Undertaking are under construction and the original MOA remains in effect in accordance with the original MOA's Duration Stipulation (Stipulation III.E); this MOA Amendment only adds provisions for Section 3 of the Undertaking; and

**NOW, THEREFORE**, in accordance with the original MOA Stipulation III.C, the signatories (FTA and SHPO) and invited signatory (LACMTA) to the original MOA, agree to amend the original MOA to include the newly added signatory (ACHP) and invited signatories (VA and GSA) to this MOA Amendment (collectively referred to as all signatories), and to address refinements in Section 3 of the Undertaking and add provisions for Section 3 of the Undertaking as follows:

## **STIPULATIONS**

FTA, with the assistance of LACMTA, shall ensure that the following measures are carried out:

### **I. ARCHITECTURAL HISTORIC PROPERTIES**

#### **A. Treatment to Avoid Adverse Effects to Built Historic Properties in Section 3**

##### **1. Design Phase Planning**

LACMTA will design and implement Section 3 of the Undertaking to ensure consistency with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, the *Guidelines for Rehabilitating Historic Buildings*, and the *Guidelines for the Treatment of Cultural Landscapes* at the following historic properties that could be affected by either construction staging activities or station entrances to minimize effects to these properties:

- Linde (Westwood) Medical Plaza – WSE 10 (10921 Wilshire Boulevard)
- (Westwood) Federal Building – WSE 43 (11000 Wilshire Boulevard)
- WLA VA Historic District (formerly known as the VA Medical Center Historic District) – NRHP No. 14000926, WSE 41 (11301 Wilshire Boulevard) and Contributing Resources
- Wadsworth Chapel (Catholic-Protestant Chapels) – NRHP No. 72000229 (Eisenhower Avenue)
- News Stand (Streetcar Depot) – NRHP No. 72000232 (Pershing Avenue at Dewey Avenue)
- Los Angeles National Cemetery (LANC) – NRHP No. 14000926 (Veteran Avenue at Wilshire Boulevard)

LACMTA will ensure the designs preserve the character-defining features of the historic properties, and will seek to avoid damaging or destroying materials, features, or finishes that contribute to its significance or diminish the historic integrity of the property while also considering economic and technical feasibility. An architectural historian and/or historic architect who meets the Secretary of the Interior's Professional Qualification Standards (36 CFR 61) will provide input and review of design documents. FTA and LACMTA will provide SHPO an opportunity to review the design at 60% and 85% as described in Stipulation III.A of this MOA Amendment. For project activities and features on the VA WLA Campus and the LANC, FTA and LACMTA will consult with VA as described in Stipulation III.A.4 of this MOA Amendment.

## **2. Construction Phase Geotechnical Investigations**

For the historic properties noted in Stipulation I.A.1 of this MOA Amendment, LACMTA's contractor will complete further geotechnical investigations prior to and during construction, as needed, to evaluate soil, groundwater, seismic, and environmental conditions along the alignment. This analysis will assist in the development of appropriate support mechanisms and measures for cut and fill construction areas. The subsurface investigation would also identify areas that could cause differential settlement as a result of using a tunnel boring machine (TBM) in close proximity to historic properties. An architectural historian and/or historic architect who meets the Secretary of the Interior's Professional Qualification Standards (36 CFR 61) will provide input to the structural engineer and will review final design documents prior to implementation of the mechanisms and measures. The review will evaluate whether the geotechnical investigations and support measures for cut and fill and measures to prevent differential settlement meet the Secretary of the Interior's *Standards for the Treatment of Historic Properties*. LACMTA will provide the architectural historian's and/or historic architect's evaluation of the support measures for cut and fill to all signatories for review as described in Stipulation III.A of this MOA Amendment.

For geotechnical investigations as described in the preceding paragraph within the VA WLA Campus and LANC, LACMTA and FTA will also provide the evaluation of support mechanisms and measures for cut and fill areas to VA for review as described in Stipulation III.A of this MOA Amendment. Archaeological monitoring by Secretary of the Interior-qualified professional archaeologists will occur during geotechnical investigations on the VA WLA Campus and the LANC and follow the Historic Resources Monitoring and Discovery Plan (HRMDP) referenced in Stipulation II.C of this MOA Amendment and included as Appendix C.

## **B. Treatment to Avoid Adverse Effects to WLA VA Historic District Contributing Landscape Elements**

### **1. Landscape Protection Measures**

The results of the pre-construction WLA VA Historic District tree survey completed by LACMTA's certified arborist will be used for identifying trees to be avoided during construction, for implementation of relocation or replacement recommendations as necessary where avoidance of any of the trees is infeasible, and for onsite use during construction activities to ensure the historic trees remaining in place are protected. FTA and LACMTA will consult with all signatories and VA throughout the tree removal, storage, and replacement processes on appropriate replacement trees and placement within the historic landscape as described in Stipulation III.A of this MOA Amendment. Appendix B of this MOA Amendment illustrates the trees in the WLA VA Historic District that are identified as contributing elements to the historic district and planned to be transplanted or replaced. Information for avoiding adverse effects to historic landscape elements is included in the HRMDP developed per Stipulation II.C of this MOA Amendment and included as Appendix C.

#### *a. Palm-Tree Grove (also referred to as a grid of palms in the WLA VA Historic District NRHP Nomination Form) and Bonsall Avenue Palm Rows*

Palm trees in the designed landscape grove, identified as contributing elements to the WLA VA Historic District and the Bonsall Avenue palm rows, will be removed, stored in a location to be determined in consultation with all signatories as described in Stipulation III.A of this MOA Amendment, and monitored by LACMTA during project construction. Palm trees identified as "diseased" with treatable conditions will be treated prior to removal and stored as recommended by LACMTA's certified arborist. Palm trees exhibiting fusarium wilt and other fatal conditions will be removed and not replanted in order to prevent the disease from spreading to other healthy trees. These trees will be replaced by LACMTA with Canary Island date palms of similar size, in coordination with VA. Any palm tree that dies during the removal and storage period will also be replaced by LACMTA with an agreed-upon tree species after consultation with all signatories.

#### *b. Landscape Rehabilitation*

In addition to the Palm-Tree Grove and Bonsall Avenue Palm Rows are other landscaped areas within the WLA VA Historic District that were not identified as contributing landscape features to the historic district. However, these character-defining landscaped areas contribute to the district's setting and provide a natural, bucolic feel to the VA WLA Campus. LACMTA will photograph and correlate the images of these landscaped areas on a site map and provide the documentation to VA prior to construction activities commencing and to incorporate in the monitoring reporting required per Stipulation II.C of this MOA Amendment. At the completion of construction activities, LACMTA will replace trees, shrubs, and other landscape elements removed for project construction in consultation with all signatories in order to maintain the historic district's character. Specific plant species that maintain the area's character will be selected after coordination with VA and consultation with all signatories as described in Stipulation III.A of this MOA Amendment.

#### *c. Tree Establishment*

If any of the trees that are temporarily removed and replanted or if any new trees, shrubs, or other landscape elements that are planted do not survive two years after they are planted, as determined by a certified arborist or landscape architect, LACMTA will obtain and plant replacement trees, plants, or landscape elements of the same species or a substitute species to rehabilitate the historic landscape

as agreed upon through coordination with VA and consultation with all signatories as described in Stipulation III.A of this MOA Amendment.

## **2. Construction Monitoring**

LACMTA, in consultation with VA, will retain the services of a qualified historic preservation consultant with experience in the preservation of historic landscapes. The consultant will review the existing landscape designs and proposed construction activities and develop a plan for onsite periodic construction monitoring to ensure protection of historic fabric and compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and the *Guidelines for the Treatment of Cultural Landscapes*. FTA and LACMTA will afford the signatories and VA an opportunity to review VA WLA Campus landscape construction monitoring plans and landscape designs. These reviews will be in accordance with the process found in Stipulation III.A of this MOA Amendment.

## **II. ARCHAEOLOGICAL RESOURCES**

### **A. Consultation with Native American Individuals, Tribes, and Organizations and Coordination for Construction Monitoring**

LACMTA will retain the services of a Secretary of the Interior-qualified professional archaeologist to monitor construction activities. LACMTA's qualified professional will have experience in the identification and evaluation of tribal cultural resources. The professional will review the existing project designs and proposed construction activities to ensure protection of tribal cultural resources and compliance with state and federal laws. Construction monitoring will follow the plan described in Stipulation II.C of this MOA Amendment.

Native American tribes participating as consulting parties may provide tribal monitors to observe construction activities. These monitors do not need to meet the Secretary of the Interior's Professional Qualification Standards but may meet the standards established by their respective tribes. LACMTA will coordinate the monitoring schedules and the Native American monitoring will follow the plan described in Stipulation II.C of this MOA Amendment.

### **B. Unanticipated Effects and Post-Review Discoveries**

If FTA determines that project activities will affect a previously unidentified property that may be eligible for the NRHP or affect a known historic property in an unanticipated manner, FTA and LACMTA will address the discovery or unanticipated effect in accordance with 36 CFR 800.13(b)(3) and as described in the HRMDP for Section 3 of the Undertaking. Project activities within fifty (50) feet of the discovery must stop and construction work will be redirected in consultation with the Project Principal Archaeologist as described in the HRMDP. The LACMTA and FTA will notify all signatories and consulting parties as described in the HRMDP.

### **C. Historic Resources Monitoring and Discovery Plan**

FTA and LACMTA will implement the HRMDP developed for this project prior to construction commencing on Section 3 of the Undertaking (see Appendix C). The HRMDP includes contractor requirements to avoid and minimize potential adverse effects to historic properties, which include both built and archaeological resources. The HRMDP outlines the protocol for notification, evaluation, consultation, and development of any treatment of unanticipated discovery or unanticipated effects to historic properties; protocol for the treatment of human remains, including appropriate application of the Native American Graves Protection and Repatriation Act (NAGPRA)

at 25 U.S.C. § 3001 et seq.; protocol for consultation with SHPO, Native American tribes, and consulting parties; instructions for contractor training; and monitoring reporting. The HRMDP includes information from the VA's Archaeological Sensitivity Model (ASM) dated June 2018, information from surveys for this project, and consultation with the consulting parties to identify monitoring requirements for areas of prehistoric and historic sensitivity. VA will inform FTA and LACMTA of changes to the ASM, and LACMTA will inform the Project Principal Archaeologist and the contractor within 48 hours of receiving the VA's notification. Upon consultation with VA, LACMTA will update the HRMDP to include these changes and follow the process for revising the HRMDP as described below.

During the course of this Undertaking, any party to this MOA Amendment may propose revisions to the HRMDP by notifying the other parties in writing of the suggested changes, whereupon all parties will consult for thirty (30) days to consider the suggested changes. Any revisions to the HRMDP will not require amendments to this MOA Amendment. Comments regarding suggested changes shall be incorporated by FTA and LACMTA into the HRMDP, as appropriate, and compiled into a comment/response document that describes how the comments were addressed. FTA and LACMTA shall submit the HRMDP, including the comment/response document, to the SHPO for concurrence. Should SHPO determine that the HRMDP does not meet the standards set forth in 36 CFR 800.11(a), all signatories shall continue to consult on the document. If resolution is not achieved within thirty (30) days, disagreements will be resolved using the process described in Stipulation III.B of the original MOA. Updated copies of the HRMDP will be provided to all parties to this agreement, the Project Principal Archaeologist, and the contractor within two business days upon resolution of revisions and comments.

### **III. ADMINISTRATIVE PROVISIONS**

#### **A. Reviews**

##### **1. Review and Comment**

Upon completion of the design phase documents described in Stipulation I.A of this MOA Amendment, the landscape plan described in Stipulation I.B of this MOA Amendment, historic resources documentation, and any draft and final documentation prepared for Section 3 of the Undertaking, all signatories and consulting parties shall have thirty (30) days to review the draft and comment on the level of effort, results, and eligibility recommendations; those comments shall be incorporated by FTA and LACMTA into the final report, as appropriate, and compiled into a comment/response document that describes how the comments were addressed. If no responses are received by FTA and/or LACMTA within thirty (30) days, FTA and LACMTA will finalize the technical report and comment/response document.

##### **2. Document Submittal**

FTA and LACMTA shall submit the final documents or reports, including the comment/response document, to the SHPO for concurrence. Should SHPO determine that the final document or report does not meet the standards set forth in 36 CFR 800.11(a), all signatories shall continue to consult on the document or report. If resolution is not achieved within thirty (30) days, disagreements will be resolved using the process described in Stipulation III.B of the original MOA.

Final documents or reports shall also be submitted to the South Central Coastal Information Center; VA if the document or report relates to resources on the VA WLA Campus and/or the LANC; GSA, if the document or report relates to resources on GSA property; and the Native American tribe(s)

engaged as consulting parties to Section 3 of the Undertaking, and shall make it available to other consulting parties consistent with Section 304 of the NHPA and confidentiality provisions in 36 CFR 800.11(c). Documents or reports prepared with archaeological site information shall not be distributed to the general public, except in an abridged form that does not include sensitive information about archaeological locations or human remains.

### **3. Document and Report Standards**

All documents and reports generated as a result of this MOA Amendment shall be consistent with contemporary professional standards and the Secretary of the Interior's guidelines.

### **4. VA Review and Comment**

FTA and LACMTA will coordinate with VA on planned project activities on the VA WLA Campus and the LANC. VA will provide comments to FTA within thirty (30) days of receipt of project documentation, including but not limited to project plans and revisions of project plans, design proposals, construction monitoring activities, eligibility determinations, effects assessments, information on unanticipated discoveries, and landscape plans occurring within the VA WLA Campus and the LANC.

VA may request an additional thirty (30) day review period. If no written comments or a request for an extension are received by FTA from VA by the conclusion of the initial thirty (30)-day period, FTA and LACMTA will proceed with project implementation. In the event VA provides written comments requesting revisions of project documentation or plans, FTA and LACMTA will consult with VA to resolve concerns. If resolution is not achieved in thirty (30) days, disagreements will be resolved using the process described in Stipulation III.B of the original MOA.

## **B. Original MOA Administrative Stipulations**

With the exception of items explicitly delineated in this MOA Amendment, all other terms and stipulations of the original MOA shall remain unchanged and in full force and effect including but not limited to the Dispute Resolution, Amendments, Termination, and Duration Stipulations (Stipulations III.B through III.E of the original MOA).

Execution of this MOA Amendment by FTA, ACHP, and SHPO and implementation of its terms, shall evidence, that FTA has taken into account the effects of the Undertaking on historic properties and has afforded the ACHP an opportunity to comment on the Undertaking and its effects on historic properties.




Signature Pages for Signatories, Invited Signatories,  
and Concurring Parties

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**SIGNATORY**


**Advisory Council on Historic Preservation**

By:  Date 11/25/19  
John M. Fowler  
Executive Director

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**SIGNATORY**

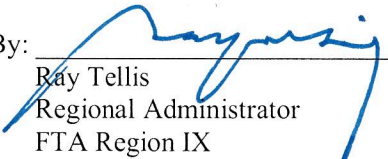
**California State Office of Historic Preservation**

By:  Date 19 NOV 2019  
Julianne Polanco  
State Historic Preservation Officer

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**SIGNATORY**

**Federal Transit Administration**

By:  \_\_\_\_\_ Date 10-24-19

Ray Tellis  
Regional Administrator  
FTA Region IX

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**INVITED SIGNATORY**

**Los Angeles County Metropolitan Transportation Authority**

By: 

Date

10/29/2019

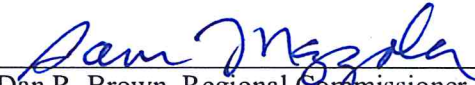
Phillip A. Washington  
Chief Executive Officer


Los Angeles County Metropolitan Transportation Authority

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**INVITED SIGNATORY**

**U.S. General Services Administration**

By:  Date: 11/1/19  
for Dan R. Brown, Regional Commissioner  
Public Buildings Service, Region 9

By:  Date: 10/31/2019  
Beth L. Savage  
Director, Center for Historic Buildings  
Federal Preservation Officer

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**INVITED SIGNATORY**

**U.S. Department of Veterans Affairs**

By: \_\_\_\_\_

Steven E. Braverman, M.D.  
Director, Greater Los Angeles Healthcare System

Date \_\_\_\_\_

11/19/19

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**CONCURRING PARTY**

**Gabrieleno Band of Mission Indians - Kizh Nation**

By: \_\_\_\_\_ Date \_\_\_\_\_  
Andrew Salas  
Gabrieleno Band of Mission Indians - Kizh Nation



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**CONCURRING PARTY**

**Tongva Ancestral Territorial Tribal Nation**

By: \_\_\_\_\_ Date \_\_\_\_\_  
John Tommy Rosas  
Tongva Nation- Tribal Administrator/ Litigator  
Tongva Ancestral Territorial Tribal Nation

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**CONCURRING PARTY**

**Gabrieleno/Tongva San Gabriel Band of Mission Indians**

By: \_\_\_\_\_ Date \_\_\_\_\_  
Anthony Morales  
Gabrieleno/Tongva San Gabriel Band of Mission Indians

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**CONCURRING PARTY**

**Gabrielino Tongva Indians of California**

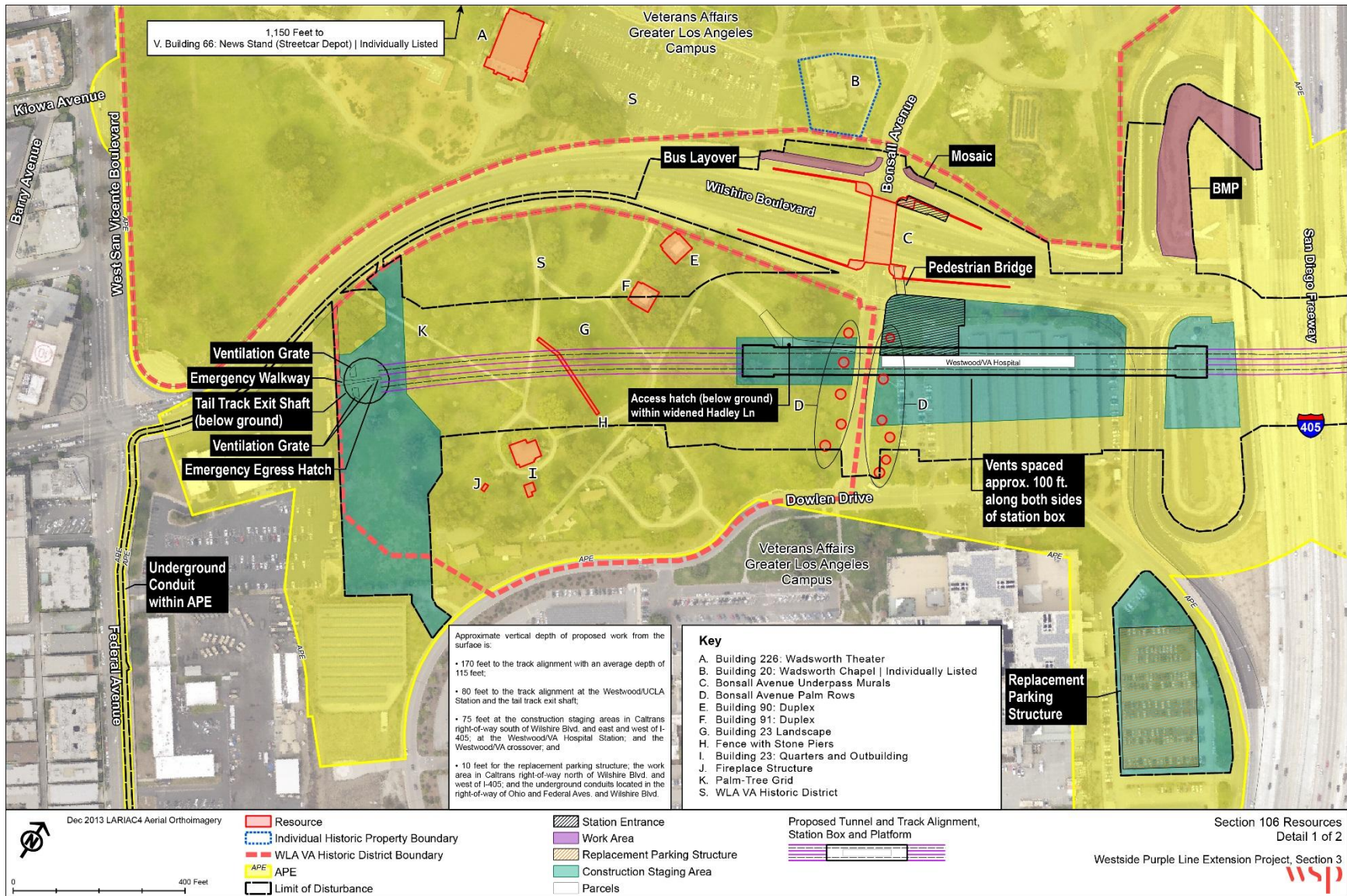
By: \_\_\_\_\_ Date \_\_\_\_\_  
Robert Dorame  
Gabrielino Tongva Indians of California

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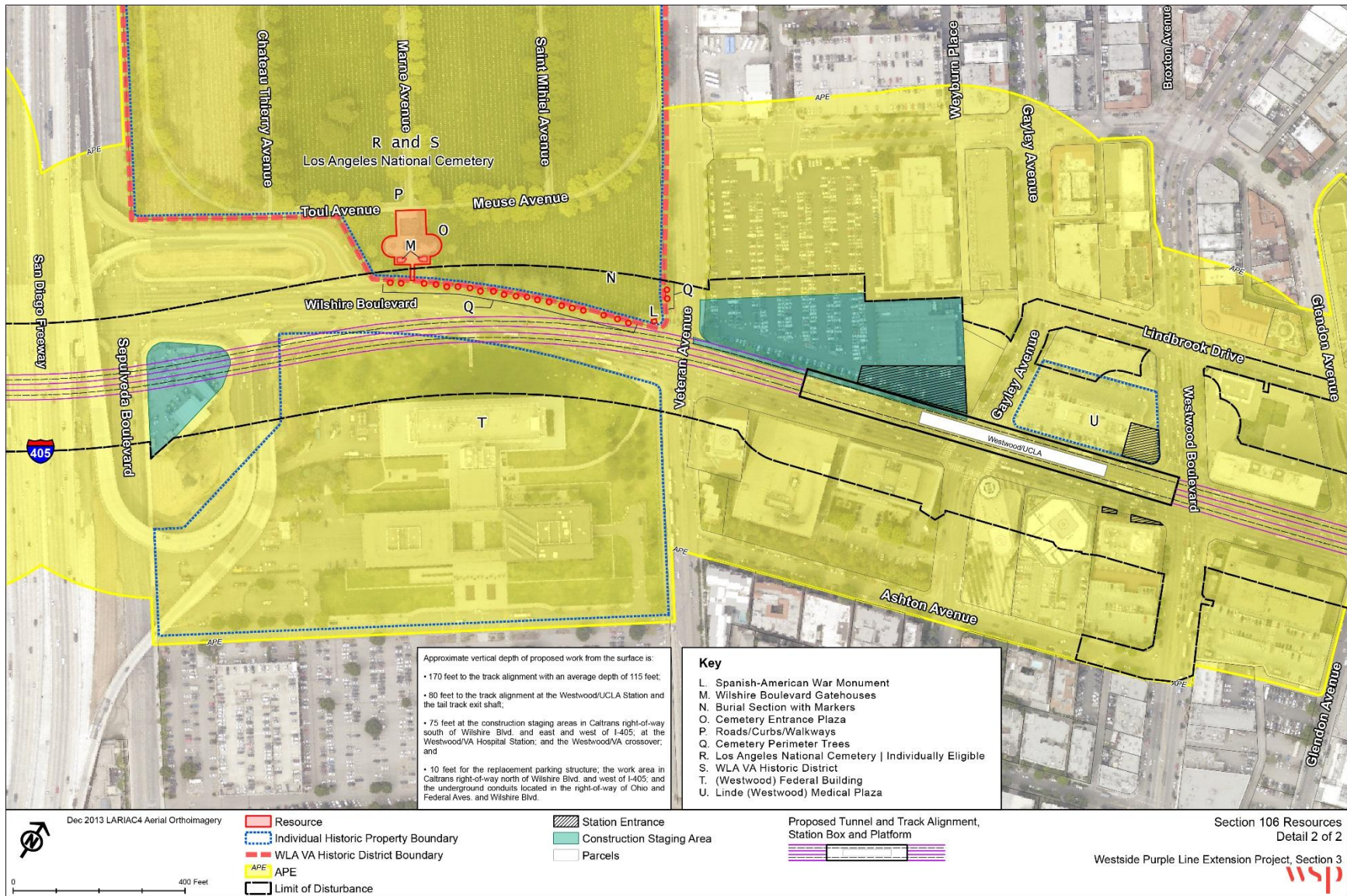
## APPENDIX A

### Revised Area of Potential Effects (APE)

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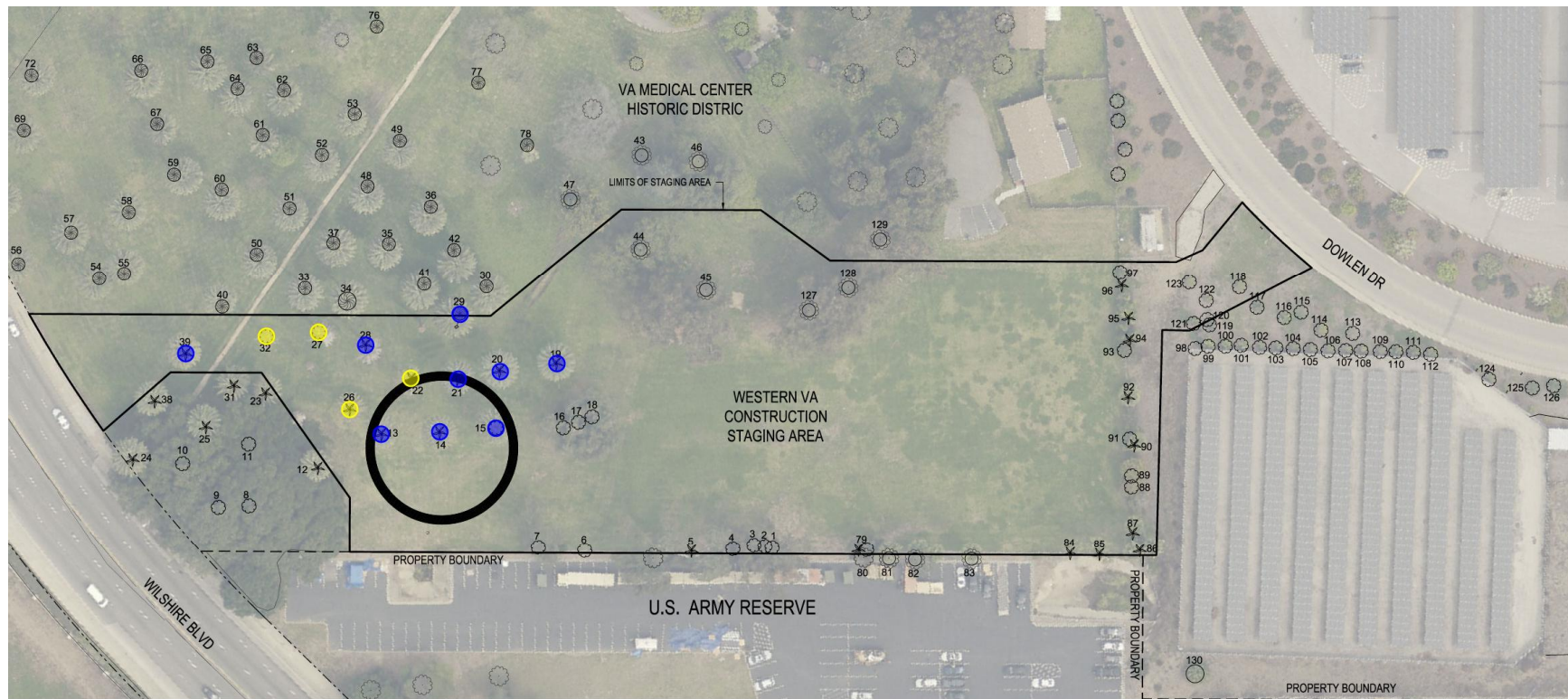




## APPENDIX B

Canary Island Date Palm Trees in WLA VA Historic District (VA Medical Center Historic District)  
Proposed for Removal and Replanting/Replacement

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### Legend

- Remove & Replace
- Transplant & Replant

Tail Track Exit Shaft



Palm-Tree Grove and Western VA Construction Staging Area.



Bonsall Avenue Palm Rows and Cut-and-Cover Work Area

## APPENDIX C

### Historic Resources Monitoring and Discovery Plan for Westside Purple Line Extension Section 3 of the Undertaking

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LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY  
**WESTSIDE PURPLE LINE EXTENSION PROJECT, SECTION 3**



## Historic Resources Monitoring and Discovery Plan

*Prepared for:*

*Federal Transit Administration*



U.S. Department of Transportation

**Federal Transit Administration**

*and*

*Los Angeles County Metropolitan Transportation Authority*



**Metro**

October 2019

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## **Acronyms, Terms, and Abbreviations**

36 CFR 61	Secretary of the Interior Professional Qualification Standards
36 CFR 800	Protection of Historic Properties, also referred to as the Section 106 process
ACHP	Advisory Council on Historic Preservation
AEA	Access and Easement Agreement
All Signatories	Signatory and Invited Signatory parties to the MOA Amendment
APE	Area of Potential Effects
ASM	Archaeological Sensitivity Model
Caltrans	California Department of Transportation
CFR	Code of Federal Regulations
Effect	Alteration to the characteristics of a historic property qualifying it for inclusion in or eligibility for the National Register of Historic Places
ESA	Environmentally Sensitive Area
FTA	Federal Transit Administration
GSA	U.S. General Services Administration
HAZWOPER	Hazardous Waste Operations and Emergency Response
Historic Property	Any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register of Historic Places
HRMDP	Historic Resources Monitoring and Discovery Plan
In/sec	Inches per second
LACMTA	Los Angeles County Metropolitan Transportation Authority
LANC	Los Angeles National Cemetery
LOD	Limits of Disturbance
MLD	Most Likely Descendent
MMRP	Mitigation Monitoring and Reporting Plan
MOA	Memorandum of Agreement
NAGPRA	Native American Graves Protection and Repatriation Act
NAHC	California Native American Heritage Commission
NHPA	National Historic Preservation Act of 1966 (54 U.S.C. 300101 et seq.)
NRHP	National Register of Historic Places
POA	Plan of Action
PPV	peak particle velocity

Project	Westside Purple Line Extension
Property owner	Entity or agency with ownership, responsibility, or oversight of a parcel
Section 106	Section 106 of the National Historic Preservation Act
SHPO	State Historic Preservation Office/Officer
TBM	tunnel boring machine
Tribe or Native American Tribe	Tribes identified by the California Native American Heritage Commission and invited to participate as consulting parties for this project
U.S.C.	United States Code
UCLA	University of California, Los Angeles
VA	U.S. Department of Veterans Affairs
VA WLA	U.S. Department of Veterans Affairs West Los Angeles
WPLE	Westside Purple Line Extension

## 1.0 INTRODUCTION

This Historic Resources Monitoring and Discovery Plan (HRMDP) has been prepared to guide cultural resources monitoring activities during construction of the Westside Purple Line Extension Project, Section 3 (Project). The Federal Transit Administration (FTA) is providing financial assistance to the Los Angeles County Metropolitan Transportation Authority (LACMTA) who is the project sponsor. Because the Project involves federal funding, compliance with Section 106 of the National Historic Preservation Act (NHPA) is required.

The HRMDP is part of FTA and LACMTA actions undertaken to assure compliance with Section 106 of the NHPA, as well as the Native American Graves Protection and Repatriation Act (NAGPRA) and other federal and local regulations. Section 106 of the NHPA requires that federal agencies avoid, minimize, or mitigate a project's adverse effect to historic properties. Stipulation II.C of the *Amendment to the Memorandum of Agreement between the Federal Transit Administration and the California State Historic Preservation Officer regarding the Los Angeles Westside Subway Extension Project, Los Angeles County, California* (MOA Amendment), as executed in 2019, requires FTA and LACMTA to implement the HRMDP as part of efforts to avoid, minimize, or mitigate the project's effects to historic properties. It is FTA's responsibility to ensure that LACMTA fulfills the actions of the HRMDP.

This HRMDP has been prepared in consultation with the following parties: FTA is the Section 106 lead agency and the U.S. Department of Veterans Affairs (VA) and the U.S. General Services Administration (GSA) are invited signatories to the MOA Amendment. Additionally, FTA consulted with the Advisory Council on Historic Preservation (ACHP), a signatory to the MOA Amendment, and the California State Historic Preservation Officer (SHPO), which was a signatory to the original MOA and the MOA Amendment. LACMTA is the project sponsor and an invited signatory to both the original MOA and MOA Amendment. These federal and state agencies are collectively referred to as "all signatories" within this HRMDP and in the MOA Amendment. The California Department of Transportation (Caltrans), District 7 was consulted and invited to be an invited signatory, but they declined. For the purposes of this HRMDP, the term property owner refers to the entity or agency with ownership, responsibility, or oversight of a parcel of land within the project vicinity.

FTA consulted with the California Native American Heritage Commission (NAHC) and identified two federally recognized tribes, the Soboba Band of Luiseno Indians and Torres Martinez Desert Cahuilla Indians, as well as additional Native American tribes, including the Gabrielino-Tongva Tribe, Gabrielino Tongva Indians of California, Gabrielino/Tongva Nation Gabrieleno/Tongva San Gabriel Band of Mission Indians, Fernandeno Tataviam Band of Mission Indians, Tongva Ancestral Territorial Tribal Nation, Gabrieleno Band of Mission Indians – Kizh Nation, and the San Fernando Band of Mission Indians, who may attach traditional religious and cultural importance to affected properties pursuant to 36 CFR § 800.2 (c)(2)(ii). The Soboba Band of Luiseno Indians have deferred to the Gabrieleno/Tongva San Gabriel Band of Mission Indians. FTA invited these tribes, who are consulting parties, to be concurring parties to the MOA Amendment. Four tribes have requested to be concurring parties to the MOA Amendment: the Gabrieleño Band of Mission Indians-Kizh Nation, the Tongva Ancestral Territorial Tribal Nation, Gabrieleno/Tongva San Gabriel Band of Mission Indians, and Gabrielino Tongva Indians of California.

## 1.1 Purpose of the HRMDP

This HRMDP was developed for construction of Section 3 of the Project. The HRMDP provides best practices and contractor requirements to avoid or minimize project-related effects to any known or discovered historic properties, human remains, and cultural items. The HRMDP is being implemented in parallel with the Mitigation Monitoring and Reporting Plan (MMRP)<sup>1</sup> for the U.S. Department of Veterans Affairs West Los Angeles (VA WLA) Campus. The purpose of the MMRP is to ensure that the mitigation measures identified in the *Westside Subway Extension Final Environmental Impact Statement/Environmental Impact Report* to mitigate potentially significant environmental effects of the project are properly carried out. The MMRP for the Project includes a mitigation measure for post-review discoveries during construction; this HRMDP supports compliance with that mitigation measure and provides further specificity on required actions in the event of a post-review discovery.

This HRMDP addresses considerations for both architectural and archaeological historic properties proximate to construction activities. Methods for responding to issues that may arise during construction are provided for the following:

- Monitoring procedures and reporting;
- Notification, evaluation, consultation, and treatment of any post-review discoveries;
- Treatment of human remains, including the application of NAGPRA at 25 United States Code (U.S.C.) § 3001 et seq.;
- Consultation and coordination with the SHPO, ACHP, VA, Caltrans, GSA, Native American tribes, and consulting parties; and
- Instructions for contractor training.

LACMTA will monitor the work sites to ensure that proper procedures, as indicated in this HRMDP, are followed. Five hard copies of this HRMDP will be kept on the construction site at all times.

## 1.2 Project Description

The WPLE Project is an approximate nine-mile, seven-station extension of the existing Purple Line subway. It will be constructed in three sections. Section 1 extends from the existing Wilshire/Western Station in Koreatown to the proposed Wilshire/La Cienega Station at Wilshire Boulevard and La Cienega Boulevard in Beverly Hills. Section 2 extends from Wilshire/La Cienega Station to the proposed Century City/Constellation Station at Constellation Boulevard in Century City. Section 3 extends from Century City to the proposed Westwood/VA Hospital Station on the VA WLA Campus of the Greater Los Angeles Healthcare System in Westwood. LACMTA began construction on Sections 1 and 2 and completed advanced engineering for Section 3, which resulted in design refinements to the alignment and stations between the Westwood/University of California Los Angeles (UCLA) and Westwood/VA Hospital Stations.

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<sup>1</sup> Note that the use of the word “mitigation” in this document references the definition under the National Environmental Policy Act as it applies to assessments involving quantifiable measurements. It does not refer to the definition contained in Section 106, which implies that there is an adverse effect to historic properties. There are no adverse effects to historic properties in Section 3 of the WPLE. The MMRP is available at [http://media.metro.net/projects\\_studies/westside/images/Westside\\_rod\\_Attachment\\_A.pdf](http://media.metro.net/projects_studies/westside/images/Westside_rod_Attachment_A.pdf).

Within Section 3 of the Project, the Linde (Westwood) Medical Plaza at 10291 Wilshire Boulevard and the (Westwood) Federal Building at 11000 Wilshire Boulevard were previously determined eligible for listing in the National Register of Historic Places (NRHP). The West Los Angeles Veterans Affairs Historic District (WLA VA Historic District, consistent with name in the NRHP nomination forms, but formerly referred to as the VA Medical Center Historic District in prior documentation) is listed in the NRHP. It consists of a portion of the VA WLA Campus. Within the WLA VA Historic District, two historic properties are contributing elements to the historic district but also listed individually in the NRHP: the Wadsworth Chapel and the News Stand (Streetcar Depot). One contributing element, the Los Angeles National Cemetery (LANC), is also individually eligible for listing in the NRHP.

At the Westwood/UCLA Station, locations of two station entrances shifted east and closer to Gayley Avenue. The station's northeastern entrance at Wilshire and Westwood Boulevards was relocated within the east side of the Linde (Westwood) Medical Plaza in a previously altered space currently occupied by Chase Bank. Relocation of the station entrance to this area would require reconstruction of the one-story bank space. Additionally, four planters located in front of the building would be removed to support station construction. The planters are not proposed to be replaced in order to promote safe pedestrian circulation at the station.

Refinements within the Westwood/VA Hospital Station area include straightening the tunnel alignment beneath the VA WLA South Campus so that the underground alignment no longer curves along the south side of Wilshire Boulevard. Additionally, a subterranean track crossover, previously located near the GSA (Westwood) Federal Building at 11000 Wilshire Boulevard was eliminated. Instead, a crossover will be constructed via a cut-and-cover method west of the Westwood/VA Hospital Station, which is located in Lot 42 on the VA WLA Campus.

The Project has been further refined to launch the tunnel boring machine (TBM) at the western edge of the VA WLA Campus adjacent to the U.S. Army Reserve site to the west. Canary Island date palm trees located along Bonsall Avenue and within the Palm-Tree Grove (also referred to as the Palm-Tree Grid in documentation) near the TBM launch site would be temporarily relocated during project construction and replanted in their original location following construction as described in Stipulation I.B.1 of the MOA Amendment. Permanent project features include small methane vents that will be flush with the ground, three slightly raised ventilation grates, an emergency egress hatch, and an emergency egress gravel path. A parking structure is proposed to offset the temporary parking loss on the VA WLA Campus that would occur during construction. The proposed parking structure would be located within an existing VA parking lot.

Underground conduits along Ohio and Federal Avenues and Wilshire Boulevard are required to provide temporary and permanent power to construction staging areas and the Westwood/VA Hospital Station.

### **1.3 Preparers' Qualifications**

This document was prepared by the WSP Cultural Resources Team and staff at Cogstone Resource Management Inc. All personnel meet the Secretary of the Interior Professional Qualification Standards at 36 CFR 61 and include the following individuals: Stephanie Foell (WSP), Guy Blanchard (WSP), Aimee Paquin (WSP), Sherri Gust (Cogstone), and Desiree Martinez (Cogstone). Additionally, archaeological components of this document were reviewed by Mike Chavez (WSP).

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## 2.0 ARCHITECTURAL HISTORIC PROPERTIES

### 2.1 Architectural Historic Properties in Section 3

Six architectural historic properties are located in the Area of Potential Effects (APE) of Section 3 (refer to Appendix D for the APE). The *Westside Purple Line Extension Section 3 Historic Properties Reassessment of Effects Report* found that the project would result in no adverse effect to historic properties following avoidance and minimization measures. SHPO concurred with these findings on December 12, 2018. These Section 3 historic properties that were individually listed or eligible for the NRHP include:

- Linde (Westwood) Medical Plaza – WSE 10 (10921 Wilshire Boulevard)
- (Westwood) Federal Building – WSE 43 (11000 Wilshire Boulevard)
- WLA VA Historic District – NRHP No. 14000926, WSE 41 (11301 Wilshire Boulevard) and Contributing Resources, including the LANC (Veteran Avenue at Wilshire Boulevard).
- Wadsworth Chapel (Catholic-Protestant Chapels) – NRHP No. 72000229 (Eisenhower Avenue)
- News Stand (Streetcar Depot) – NRHP No. 72000232 (Pershing Avenue at Dewey Avenue)
- Los Angeles National Cemetery (LANC, Veteran Avenue at Wilshire Boulevard)

The chapel, news stand, and LANC are also contributing resources to the WLA VA Historic District. Sixteen contributing resources to the WLA VA Historic District were identified to be within the Project's Area of Potential Effects (APE) and are proximate to the proposed Westwood/UCLA Station, Westwood/VA Hospital Station, underground alignment, and/or construction staging areas. These contributing resources include Building 226: Wadsworth Theater, Building 20: Wadsworth Chapel, Bonsall Avenue Palm Rows, Building 90: Duplex, Building 91: Duplex, Building 23 Landscape, Fence with Stone Piers, Building 23: Quarters and Outbuilding (Building 14), Fireplace Structure, Palm Tree Grove, Spanish-American War Monument, Wilshire Boulevard Gatehouses, Burial Section with Markers, Los Angeles National Cemetery Entrance Plaza, Los Angeles Cemetery Roads/Curbs/Walkways, Cemetery Perimeter Trees.

## 2.2 Monitoring

### 2.2.1 Pre-Construction Survey

LACMTA will complete a pre-construction photographic survey to establish baseline conditions for the architectural historic properties that are within or proximate to the project and identified below. These historic properties are within all areas where construction activities could cause impacts. The following historic properties will be surveyed:

- Linde (Westwood) Medical Plaza – WSE 10 (10921 Wilshire Boulevard)
- Northernmost face of the (Westwood) Federal Building – WSE 43 (11000 Wilshire Boulevard)
- Portions of WLA VA Historic District – NRHP No. 14000926, WSE 41 (11301 Wilshire Boulevard) and Contributing Resources, including Building 91: Duplex, Fence with Stone Piers, and Building 23: Quarters and Outbuilding (Building 14), Spanish-American War Monument, Wilshire Boulevard Gatehouses, Burial Section with Markers, and Cemetery Entrance Plaza. Although predicted ground-

born vibration levels determined to be below the threshold for damage, Building 20: Wadsworth Chapel will also be included in the pre-construction survey in response to consulting party concerns and a request by VA.

The survey will document exterior building conditions and landscape features. Documentation for each property will include digital photographs, location information, identification of existing damage, measurements of existing cracks, and potential vulnerabilities during project implementation, if necessary.

FTA and LACMTA will submit contractor qualifications for the pre-construction survey and all technical investigations to all MOA Amendment signatories, which include SHPO, ACHP, VA, and GSA. An architectural historian or historic architect who meets the Secretary of the Interior Professional Qualification Standards at 36 CFR 61 will assist in completing the pre-construction survey. Appendix B of this HRMDP provides the names, titles, and contact information of individuals, as presently known, who are involved in the field monitoring tasks and participate in decision-making actions. FTA and LACMTA will update Appendix B of the HRMDP if this information changes. Note that any updates of this information will not require a formal amendment to the project's MOA Amendment.

### **2.2.2 Geotechnical Monitoring**

Geotechnical investigations will be undertaken by LACMTA to evaluate soil, groundwater, seismic, and environmental conditions along the alignment per Stipulation I.A.2 of the MOA Amendment. This analysis will assist in the development of appropriate support mechanisms and measures for cut-and-fill construction areas. The subsurface investigation would also identify areas that could cause differential settlement as a result of using a TBM in close proximity to historic properties.

Construction monitoring will include TBM location and data, current and future ground conditions, ground loss and grouting operations, ground settlement data, and updates on measures to prevent settlement. Project specifications require daily communications between LACMTA and the project contractor regarding TBM activities. Construction monitoring report charts will be included in the monthly monitoring reports used to create the annual HRMDP monitoring report described in Section 6.0.

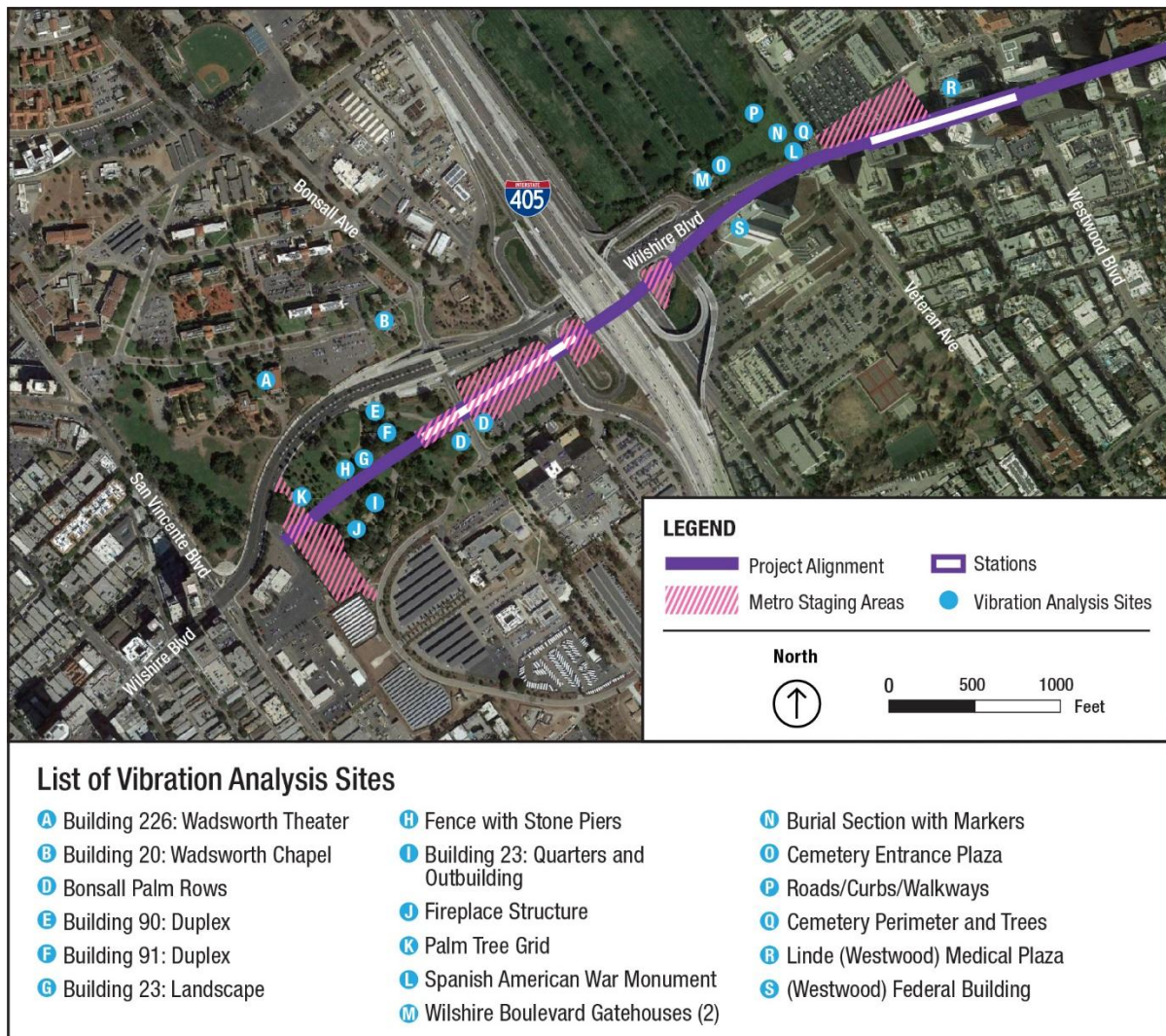
According to technical studies completed for this project, differential vertical movement across each historic property identified in Section 2.2.1 should not exceed ½ inch, and slope of differential vertical movement across each bay or structural support of the building or 50 feet of wall should not exceed 1/600 inch unless a more stringent criteria is required by project specifications.

An architectural historian or historic architect who meets the Secretary of the Interior Professional Qualification Standards at 36 CFR 61 will assist in geotechnical monitoring activities. If an exceedance in differential vertical movement or slope of differential vertical movement occurs, construction activities causing the exceedance must stop and LACMTA will be notified. Architectural historic properties in the vicinity will be inspected to identify and document any changes. If no changes are present, when compared to the pre-construction survey, work may continue once protective measures are implemented to prevent further movement. On the VA WLA Campus and LANC, LACMTA and FTA will coordinate with VA on protective measure implementation and will notify VA of any exceedances within two business days. In the event of an unanticipated effect, LACTMA will notify FTA and follow the protocol in Section 2.2.5.

### 2.2.3 Vibration Monitoring

Older buildings and structures, including Linde (Westwood) Medical Plaza, (Westwood) Federal Building, and WLA VA Historic District and select contributing resources will be monitored for changes caused by construction vibration, although initial studies do not indicate a potential for impacts. Sensitive receivers are shown in the following Figure 2-1.

**Figure 2-1: Section 106 Vibration Sensitive Receivers**



Construction specifications for the project require that short-term vibration measurements be conducted at the built historic properties closest to the haul truck routes and construction activities during periods of construction when equipment that generate a substantial amount of ground-born vibration are in use. These peak-generating construction activities are those that utilize impact or vibratory equipment such as pavement breakers, jackhammers, compactors, or haul trucks. The contractor will utilize monitors as needed for these short-term activities when construction is with close proximity to historic buildings or structures rather than Continuous Vibration Monitor Stations (CVSM) that are used for the full duration of construction or other long-term activities. LACMTA will monitor the

historic properties and contributing resources listed in Section 2.2.1 for potential cosmetic damage using vibration and/or crack monitors.

The monitoring devices will provide instant vibration measurements and alert construction staff of exceedances and the potential for damage so that staff can respond immediately to prevent issues. An architectural historian or historic architect who meets the Secretary of the Interior Professional Qualification Standards at 36 CFR 61 will assist in vibration monitoring activities. In the event of an unanticipated effect, LACTMA will notify FTA and follow the protocol in Section 2.2.5.

On the VA WLA Campus, vibration monitoring will occur at: Building 20 Wadsworth Chapel, Building 23: Quarters and Outbuilding (Building 14), Building 91: Duplex, Fence with Stone Piers, Fireplace Structure, Spanish-American War Monument, Wilshire Boulevard Gatehouses, Burial Section with Markers, and Cemetery Entrance Plaza. Maximum vibration levels from construction activities on the VA WLA Campus and LANC, at UCLA Lot 36, and along Wilshire Avenue's haul truck routes are not anticipated to exceed the FTA Construction Damage Risk Criteria for buildings extremely susceptible to vibration (0.12 inches per second [in/sec] peak particle velocity [PPV]); non-engineered timber and masonry buildings (0.20 in/sec PPV); reinforced concrete, steel or timber (no plaster) (0.5 in/sec PPV); or engineered concrete and masonry (no plaster) (0.3 in/sec PPV). Note that predicted ground-born vibration levels were determined to be below the threshold for damage at Building 20: Wadsworth Chapel; it is included as part of project vibration monitoring in response to consulting party concerns and a request by VA.

At the (Westwood) Federal Building, construction activities would occur at staging areas in the Caltrans infiltration basin located east of I-405 and south of Wilshire Boulevard. Ground-born vibration levels from these activities are predicted to be 0.00143 in/sec PPV, which is substantially lower than the building damage risk threshold of 0.20 in/sec PPV for this type of building.

At the Linde (Westwood) Medical Plaza, no ground-born vibration exceedances of the thresholds during TBM mining and haul/supply train activities are anticipated. Vibration-generating equipment and activities would be used during deconstruction of the Chase Bank building section, excavation, reconstruction, and restoration of the Westwood/UCLA Station site. Except for roller compactors, none of the equipment would exceed the damage risk criteria of 0.2 in/sec PPV at distances of 15 feet or more from the Linde (Westwood) Medical Plaza building. If a roller compactor is operated closer than 30 feet from the building, small devices will monitor vibration at the closest exterior wall of the building to determine if the damage risk vibration criteria of 0.20 in/sec PPV would be exceeded, consistent with Mitigation Measure CON-46 (Metro Ground-Borne Noise and Ground-Borne Vibration Limits) from the MMRP. If exceeded, the contractor will be required to use an alternative method of compacting with lower ground vibration levels.

Consistent with Mitigation Measure CON-46, construction vibration levels from activities associated with deconstruction of the existing Chase Bank building and the installation of the piling for the support of excavation within the Chase Bank site will be monitored at the closest exterior wall of the Linde (Westwood) Medical Plaza building to the construction activities to verify that the 65 vibration decibel threshold is not exceeded.

The contractor is required to follow project specifications and obtain vibration monitoring data and submit a monthly Noise Monitoring Report and Vibration Measurement Report to LACMTA. These



reports will assist in the development of monthly monitoring reports and the annual HRMDP monitoring reports required in Section 6.0.

If a vibration exceedance occurs, construction activities causing the exceedance must stop and LACMTA will be notified. Architectural historic properties in the vicinity will be inspected to identify and document any changes to historic buildings. If no changes are present, as determined by referencing the pre-construction survey, work may continue once an alternative construction method or additional vibration abatement measures can be implemented to prevent exceedances. On the VA WLA Campus and the LANC, LACMTA and FTA will coordinate with the VA Greater Los Angeles Healthcare System Engineering Department and VA Greater Los Angeles Healthcare System Strategic and Facility Planning Department on alternative construction methods or additional vibration abatement measures and will notify VA of any exceedances within two business days. In the event of an unanticipated effect, LACTMA will notify FTA and follow the protocol in Section 2.2.5.

**If a vibration level exceedance occurs:**

- Work shall immediately stop and LACMTA shall be notified.
- The area shall be investigated and assessed to identify and document any changes when compared with the pre-construction survey images.
- The cause of the exceedance will be identified.
- If no changes are present, work may be allowed to continue provided that such work does not result in elevated vibration levels.
- If changes occur, LACMTA and FTA must be notified following the unanticipated effects protocol in Section 2.2.5.

Any changes to surrounding buildings or new cracks identified by LACMTA or other project personnel must be immediately reported to LACMTA and FTA.

## **2.2.4 Historic Landscape Elements on the VA WLA Campus**

During consultation, two landscape elements on the VA WLA Campus were identified as contributing elements to the WLA VA Historic District. These elements include the Palm-Tree Grove, a designed landscape grid of Canary Island date palms, and the Bonsall Avenue Palm Rows, comprising regularly spaced Canary Island palms flanking Bonsall Avenue. LACMTA's certified arborist completed a survey of trees within the Palm Tree Grove and Bonsall Avenue Palm Rows which documented tree locations, species, and size. As part of the project, LACMTA will remove a portion of trees within these contributing elements. LACMTA will temporarily store and replant these trees as part of consultation with VA, SHPO, and ACHP as described in Stipulation I.B.1 of the MOA Amendment; the remaining trees will be preserved in place.

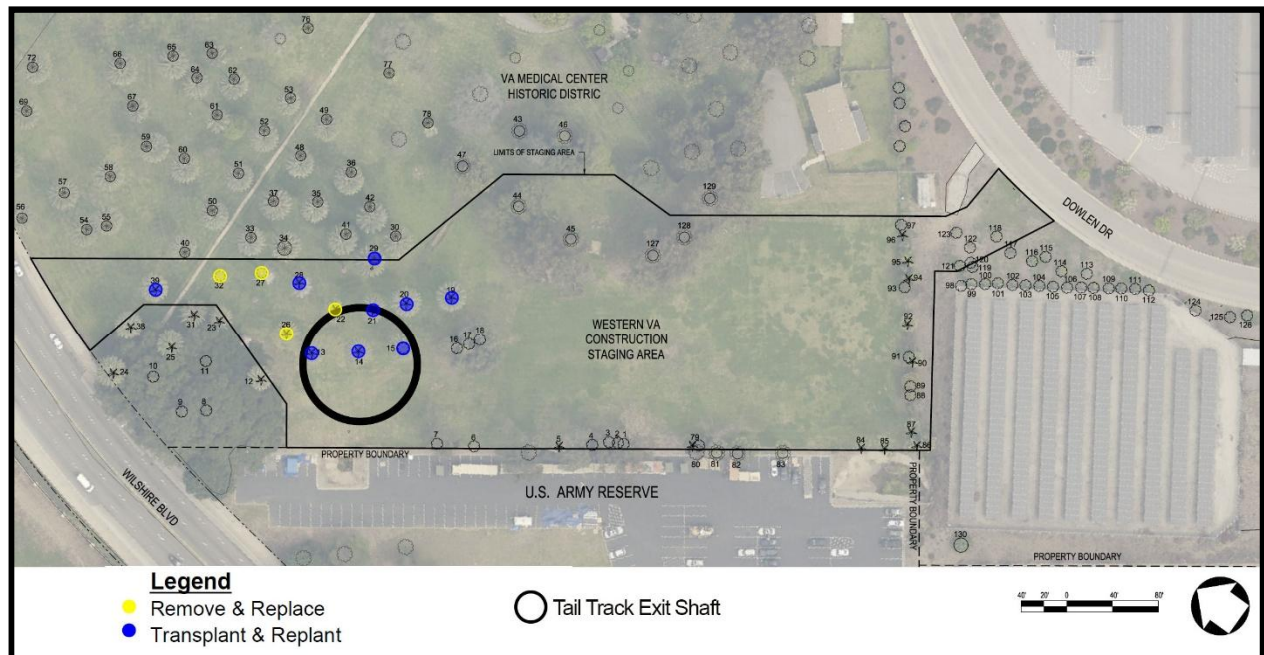
LACMTA will ensure the following protection measures are implemented during project construction:

- Trees proximate to construction activities and preserved in place will be protected with fences and appropriate signage no less than 6 inches outside the tree's drip line.

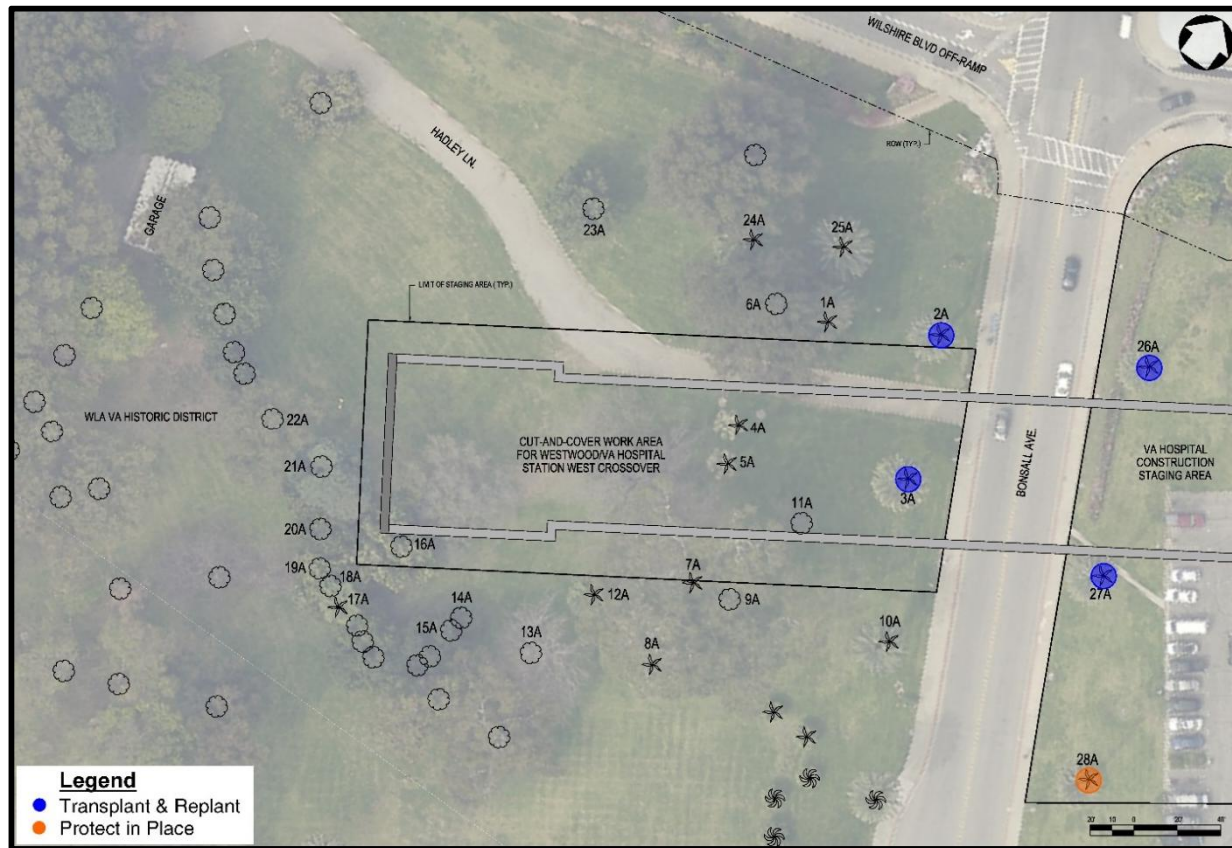
- Excavations that occur within the drip line will be done by hand to allow root relocation if possible. If roots must be pruned, the tree canopy will be trimmed to stabilize the tree. Cut roots will be wrapped with wet root wrap.
- Tree roots will be protected from compactions, flooding, erosion, and excessive watering within the drip line.
- Roots will be wrapped in burlap if trees will be relocated.
- Work vehicles will not be parked near tree roots or near protective fencing.

LACMTA or its contractor will ensure that trees that are removed for storage will receive regular monitoring by LACMTA's certified arborist and maintenance through watering, pruning, fertilizing, and pest control throughout project construction and replanting. LACMTA will provide quarterly reports on the condition of the stored Canary Island date palms and describe anticipatory actions if required by VA and consulting parties. An architectural historian who meets the Secretary of the Interior Professional Qualification Standards at 36 CFR 61 will assist in landscape monitoring activities. LACMTA will replace trees that do not survive with an agreed-upon species following coordination with VA and consultation with SHPO and ACHP as described in Stipulation I.B.1 of the MOA Amendment. Unanticipated effects to historic landscape features will be resolved using the protocols in Section 2.2.5 of this HRMDP. Trees proposed for removal are shown in Figure 2-2.

**Figure 2-2: Canary Island Palm Trees in WLA VA Historic District Proposed for Removal and Replanting/Replacement**



**Figure 2-2: Canary Island Palm Trees in WLA VA Historic District Proposed for Removal and Replanting/Replacement (Continued)**



In addition to the contributing landscape elements to the WLA VA Historic District, the landscaped setting of the area within and surrounding proposed project work is distinctly verdant compared to other areas of the VA WLA Campus. As part of the project, LACMTA will remove a subset of noncontributing trees; of these, some trees are in poor health and are not well-suited to the region, according to LACMTA's certified arborist. LACMTA will replace these trees and will perpetuate the landscaped character of the area to maintain its natural, bucolic feel. Specific decisions on tree species will be determined following LACMTA and FTA coordination with VA and consultation with all signatories and consulting parties conducted according to the protocols in Stipulation I.B.1.c of the MOA Amendment.

### **2.2.5 Unanticipated Effects to Architectural Historic Properties**

If unanticipated effects occur to architectural historic properties during project implementation, project activities within fifty (50) feet of the affected property, including construction vehicle trips, must stop. The condition of the historic property will be compared to pre-construction surveys to determine the nature and extent of the unanticipated effect. If unanticipated effects are confirmed, LACMTA must notify FTA immediately and FTA will then notify SHPO, ACHP, and if on the VA WLA Campus or LANC, VA; and if on GSA property, GSA.

For properties outside the VA WLA Campus and LANC, FTA, in coordination with LACMTA, will notify SHPO, ACHP, VA, and consulting parties of those actions or treatments that it proposes to avoid, minimize, or mitigate effects. Parties will have two business days to provide their comments on the proposed actions. The FTA will ensure that the timely filed recommendations of consulting parties are taken into account prior to granting approval of the measures that LACMTA will implement to mitigate. LACMTA will carry out the approved measures prior to resuming construction activities in the location of the discovery.

For properties on the VA WLA Campus and LANC, FTA will coordinate with VA before notifying all signatories and consulting parties of actions proposed to avoid, minimize, or mitigate further effects. FTA and LACMTA will develop a treatment plan in conjunction with VA that will be presented to SHPO and ACHP and consulting parties for comment. Similarly, FTA will also coordinate with GSA to develop an appropriate treatment plan for unanticipated effects on GSA property that will then be presented to all signatories and consulting parties for comment.

**If unanticipated effects occur to an identified architectural historic property:**

- All work in the vicinity must cease.
- The monitor will notify the on-site supervisor and LACMTA.
- LACMTA will notify FTA.
- Efforts must be made by LACMTA to stabilize historic property features, if necessary.
- If additional effects are not imminent, the property should not be disturbed.
- LACMTA and FTA will notify SHPO, ACHP, VA, and GSA, as appropriate. LACMTA and FTA will develop a treatment plan to resolve the unanticipated effect and present that plan to SHPO, ACHP, VA, GSA, and consulting parties for comment. For properties on the VA WLA Campus and LANC and GSA facility, FTA will coordinate with VA and GSA as appropriate to develop an appropriate treatment plan that will then be presented to all signatories and consulting parties for review and comment.



### 3.0 ARCHAEOLOGICAL RESOURCES

As part of the WPLE project, archaeologists that meet the Secretary of the Interior Professional Qualification Standards (36 CFR 61) have undertaken numerous archaeological investigations and developed related reports describing the findings of those investigations. Additionally, VA's archaeological consultants have also conducted investigations and reported findings because of VA undertakings on the VA WLA Campus. Collectively, these reports contain useful information that informs archaeological inquiries and potential post-review discoveries. This information includes information on prehistoric and historic periods; ethnography; settlement and growth patterns; potential research questions and data requirements; archival research sources; and methods for assessing archaeological resources and statutory requirements. Summary information is included below, but readers are encouraged to refer to prior reports for detailed information. These reports include:

- 2010 Cultural Resources Technical Report for Westside Subway Extension Project. Prepared by URS Corporation. On file at the South Central Coastal Information Center, California State University, Fullerton, California.
  
- 2012a Archaeological Resources Supplemental Survey Technical Report for Westside Subway Extension Project. Prepared by Cogstone Resource Management Inc. On file at the South Central Coastal Information Center, California State University, Fullerton, California.
  
- 2012b Historic Properties Supplemental Survey Report for Westside Subway Extension Project. Prepared by Cogstone Resource Management Inc.. On file at the South Central Coastal Information Center, California State University, Fullerton, California.
  
- 2012c Westside Subway Extension Final Environmental Impact Statement/Environmental Impact Report. March 2012. Available at: <http://www.metro.net/projects/westside/final-eis-eir/>
  
- 2014 Work Plan and Research Design for Evaluation and Treatment of Unanticipated Archaeological Discoveries for the Los Angeles County Metropolitan Transportation Westside Subway Extension Project, Los Angeles, Los Angeles County, California. Prepared by Cogstone Resource Management Inc.. On file at the South Central Coastal Information Center, California State University, Fullerton, California.
  
- 2017a Archaeological Extended Phase I and Phase II Testing Proposal for Los Angeles County Metropolitan Transportation Westside Subway Extension Project, Los Angeles, Los Angeles County, California. Prepared by WSP. On file at the South Central Coastal Information Center, California State University, Fullerton, California.
  
- 2017b Archaeological Research and Extended Phase I Identification Recommendations for Revised Area of Potential Effects, Report, Los Angeles County Metropolitan Transportation Authority Westside Purple Line Extension Project, Section 3, Advanced Preliminary Engineering. Prepared by WSP.
  
- 2018 Archaeological Extended Identification Report, Los Angeles County Metropolitan Transportation Authority Westside Purple Line Extension Project, Section 3, Advanced Preliminary Engineering. Prepared by WSP.

2018 Archaeological Sensitivity Model, Veterans Affairs West Los Angeles Campus Master Plan, City of Los Angeles, Los Angeles County, California. Prepared by Duke CRM on behalf of VA. On file at the South Central Coastal Information Center, California State University, Fullerton, California.

Based on the results of investigations documented in these reports, no prehistoric or historical archaeological sites are known in the APE of Section 3. Consultation by LACMTA and FTA with Native American tribes also did not identify any specific cultural resources within the APE. SHPO concurred with this finding on December 12, 2018. Section 4.0 of this HRMDP applies to post-review archaeological discoveries in Section 3 of the WPLE Project.

In support of Section 106 efforts being undertaken by VA on the VA WLA Campus (independent of the Westside Purple Line Project), the Archaeological Sensitivity Model (ASM) (June 2018) was prepared for the campus to predict where prehistoric and historic archaeological resources are most likely to occur. The model used information regarding surficial geology, soils, pre-development slope, locations of prehistoric sites, locations of springs, locations of areas of previously mechanically graded, and the locations of built environmental resources to produce sensitivity maps that characterized areas based on high, moderate, low, or very low sensitivity. Based on this model, the majority of construction activities for the Project are located in areas of very low to low prehistoric sensitivity, with the exception of the eastern portion of the station box in VA Parking Lot #42. The model indicates that the majority of construction would be located in areas of high historic sensitivity, with the exception of the Western VA construction staging area, associated with the TBM launch site. The northern portion of this staging area is identified as low sensitivity whereas the southern portion is identified as moderate sensitivity.

The methodology used to determine sensitivity in the ASM was applied to archaeological research and consultation undertaken by FTA and LACMTA in support of the Section 106 efforts for the Project. As a result, new areas were identified as having high prehistoric sensitivity. When the most conservative sensitivity is considered, all construction activities on the VA WLA Campus would be located in areas of high prehistoric or historic sensitivity.

### **3.1 Personnel and Organization**

Monitoring for both prehistoric and historic period archaeological materials and human remains shall be conducted by archaeological monitors who meet the Secretary of the Interior's Professional Qualifications Standards (36 CFR 61) and Native American monitors (MOA Amendment Stipulation II.A). The monitors are contracted by LACMTA's Project Principal Archaeologist to provide monitoring during ground-disturbing activities during the construction phase of the Project and must abide by this HRMDP. Appendix B provides the names, titles, and contact information of individuals, as presently known, who are involved in the field monitoring tasks and participate in decision-making actions. It will be updated periodically, as project circumstances dictate.

LACMTA is responsible for managing construction monitoring operations. LACMTA provides FTA with monthly updates of the progress of the construction monitoring. FTA, as the lead federal agency responsible for Section 106 compliance, provides input regarding the process at their discretion.

Ground-disturbing activities are monitored by archaeological and Native American monitors per Section 3.2. The Contractor Project Superintendent or the LACMTA Environmental Protection Specialist

communicates construction schedules to the Project Monitoring Coordinator on Fridays for the following work week. The same day (Friday), the Project Monitoring Coordinator then provides this information to the archaeological monitors and the Native American monitors by phone and in writing and coordinates activities with the monitors as needed.

The Native American tribes who have requested to monitor construction activities do so on a schedule agreed upon by participating tribes. It is the responsibility of the monitors in the field to communicate with the appropriate LACMTA management, the Project Principal Archaeologist, and contractor management and staff about current and upcoming issues.

Archaeological and Native American monitors, including the Project Monitoring Coordinator and the Project Principal Archaeologist, are required to have certification of 40-hour HAZWOPER (Hazardous Waste Operations and Emergency Response; 29 Code of Federal Regulations 1910.120) training. The Project Monitoring Coordinator reviews all archaeological and Native American monitor resumes and HAZWOPER certificates to confirm they are HAZWOPER trained prior to working on the project site. The archaeological and Native American monitors are also required to complete the construction contractor's project-specific training and participate in regularly scheduled project safety meetings. Additionally, the archaeological and Native American monitors are required to complete LACMTA's project-specific lead awareness training and cultural resources awareness training before working on the project site.

Archaeological monitors will meet or exceed the Secretary of the Interior's Professional Qualifications Standards (36 CFR 61) in Archaeology and be knowledgeable of artifact identification for materials such as fauna bone, prehistoric and historic period artifacts, and other typically expected features to avoid repeated or unnecessary halts of construction for false identification of geological materials as artifacts or features. Principal personnel must meet the Secretary of Interior Professional Qualification Standards (36 CFR 61) for archaeology and have a minimum of ten years of experience as a principal investigator in southern California. The Project Principal Archaeologist shall ensure that all other personnel are appropriately trained and qualified. Archaeological and Native American monitors must report each morning to the Project Monitoring Coordinator and sign in at the construction trailer. Archaeological and Native American monitors must prepare daily written monitoring logs and photo logs of their activities and observations including the location of monitoring activities throughout the day, observations of sediment type and distribution, observations regarding resources, collection of resources and other information. The monitor is responsible to photograph, where permitted by this document, activities, sediments and resources for documentation purposes and to fill out a Photograph Record Sheet daily. Hand-drawn illustrations will be utilized when photography is not permitted. Paperwork and photographs will be submitted at the end of each week to the Project Principal Archaeologist.

**Table 3-1. Monitoring Actions**

Monitoring Activity	Responsible Individual	LACMTA Oversight	Subsequent Actions
Inform monitors of schedule	Project Monitoring Coordinator	LACMTA Construction Manager	Transmit schedule by phone and in writing to archaeological and Native American monitors on Fridays, prior to start of construction on Mondays as described in Section 3.1.
Conduct monitoring	Archaeological Monitor, Native American Monitor	LACMTA Construction Manager	Complete daily Monitoring and Photo log, transmit to Project Monitoring Coordinator as described in Section 3.1.
Discovery of isolated find	Archaeological Monitor, Native American Monitor, Project Principal Archaeologist	LACMTA Construction Manager	Archaeological monitor temporarily halts construction in 50-foot radius and redirects construction in consultation with the Project Principal Archaeologist. Archaeological monitor documents items via photo, GPS, and records descriptive information in daily monitoring log. No evaluation is required for isolates. This process is described in Sections 3.2.1 and 3.2.2.
Request by monitor to screen fill sample	Archaeological Monitor, Native American Monitor, Project Monitoring Coordinator, Project Principal Archaeologist	LACMTA Construction Manager	Archaeological or Native American Monitor screens sample. Project Monitoring Coordinator or Project Principal Archaeologist is informed on the results of the screening. This process is described in Section 3.2.
Discovery of human remains	Archaeological Monitor, Native American Monitor, Project Monitoring Coordinator, Project Principal Archaeologist	LACMTA Construction Manager, LACMTA Environmental Specialist	Archaeological monitor halts construction in 50-foot radius around discovery, and redirects construction in consultation with the County Coroner, and follows the protocol described in Section 4.2.
Treatment of Native American human remains on state or private property	LACMTA, Most Likely Descendant (MLD), Project Principal Archaeologist	LACMTA Project Manager, LACMTA Environmental Specialist	NAHC appoints a MLD and FTA will follow the process in Section 4.2.2.
Treatment of Native American human remains on federal property	LACMTA, GSA (if on GSA property), VA (if on VA WLA Campus or LANC), Project Principal Archaeologist	LACMTA Project Manager, LACMTA Environmental Specialist	Treatment is specified in the NAGPRA Plan of Action in Appendix C.
Discovery of features or sites	Archaeological Monitor, Native American Monitor, Project Monitoring Coordinator, Project Principal Archaeologist	LACMTA Construction Manager, LACMTA Environmental Specialist	Archaeological monitor halts construction in 50-foot radius around discovery and redirects construction in consultation with the Project Principal Archaeologist and follows the process described in Section 4.0.

Monitoring Activity	Responsible Individual	LACMTA Oversight	Subsequent Actions
Evaluation and treatment of discovered features or sites	Project Principal Archaeologist	LACMTA Project Supervisor, LACMTA Environmental Specialist	LACMTA and FTA will assess eligibility and create a treatment plan for the feature or site per the process described in Section 4.0.
Disputes	FTA	LACMTA Environmental Specialist	Disputes will be resolved as described in the original MOA at Stipulation III.B.
Monthly Progress Reports	Project Principal Archaeologist	LACMTA Environmental Specialist	Monthly reports submitted to LACMTA and distributed to the parties identified in Section 6.0 will describe the progress of the project and review all finds.
Final monitoring report	Project Principal Archaeologist	LACMTA Environmental Specialist	A final monitoring report will be compiled at the completion of project construction activities as described in Section 6.0.

## 3.2 Monitoring

Archaeological and Native American monitors will examine select and discreet sediments disturbed during earth-moving activities such as, but not limited to, grading, excavation, trenching, and drilling. Archaeological monitors will meet the Secretary of the Interior's Professional Qualifications Standards in Archaeology. Native American Monitors protect the tribal interest and would provide information regarding the immediate treatment of any cultural properties to which the tribe might ascribe religious and cultural significance that are discovered.

For work on the VA WLA Campus, monitoring will be conducted as described in the Archaeological Sensitivity Model. This model designates areas as being very low, low, moderate, or high for prehistoric or historic archaeological sensitivity and outlines the monitoring efforts required based on that sensitivity. Based on the model, much of the construction area on the VA WLA Camps is considered very low or low probability for prehistoric archaeology and high for historic archaeology. Based on the model, monitoring requirements are as follows:

- Full-time monitoring is recommended in areas of high sensitivity
- Part-time monitoring in areas of moderate sensitivity
- Spot-check monitoring in areas of low sensitivity
- No monitoring in areas of very low sensitivity

As stated in the beginning of Section 3.0 of the HRMDP, all areas of Project construction on the VA WLA Campus would be located in areas that are high sensitivity for prehistoric or historic resources. As such, full time monitoring will be required.

Standard methods of excavation, such as grading and trenching, are monitored by observation of the excavations as they occur. LACMTA determines safety procedures during construction. Archaeological and Native American monitors, as well as the Project Monitoring Coordinator and the Project Principal Archaeologist, must follow these safety procedures when they are on site.

Drilling of project features result in earthen materials being delivered to the ground surface as loosened spoils. Archaeological and Native American monitors may examine spoils removed from the drill holes while the drilling occurs. The LACMTA Construction Manager must provide the monitors a safe location and opportunity to view spoils as they are being stored prior to being hauled away from the work area. The LACMTA Construction Manager may limit access of the monitors to the spoils material because of safety concerns or by hazardous materials contamination.

Archaeological or Native American monitors may screen or rake spoils to determine if the spoils contain cultural materials. The monitors will coordinate with the LACMTA Construction Manager and, if needed, the Project Monitoring Coordinator and Project Principal Archaeologist, to determine a safe area to conduct these activities.

### **3.2.1 Halt of Construction**

If a discovery is made during standard excavation, such as grading and trenching, archaeological monitors are empowered to halt construction in the area of that discovery and establish a 50-foot buffer zone. Construction activities will be redirected in consultation with the Project Principal Archaeologist. However, if a discovery is made within spoil piles from drilling, spoil piles may not be removed until the monitor can examine them in consultation with the Project Principal Archaeologist.

- The Project Principal Archaeologist will evaluate all finds and provide LACMTA with recommendations and treatment options.
- LACMTA will notify FTA and the property owner (e.g., VA, GSA, and Caltrans, as appropriate) immediately and FTA will notify all signatories and consulting parties within two business days.
- Based on results of this process, the Project Principal Archaeologist may revise the 50-foot buffer zone to consider the extent of the discovery or may approve restarting construction activities if the Project Principal Archaeologist determines that the discovery is not significant.
- If the Project Principal Archaeologist recommends that the discovery is significant, LACMTA will follow the procedures in Section 4.0.
- All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken.

### **3.2.2 Finds**

For this project, less than three artifacts (where any artifact broken into pieces is counted as a single item) within a 100 square-meter area, redeposited material without human remains, and artifact scatters without temporally diagnostic items/materials that can be dated through radiometric techniques are considered isolates regardless of time period. These may consist of, for example, a single projectile point, culturally modified animal bone, or a glass bottle.

- If an Archaeological or Native American monitor observes an isolated find, the Archaeological monitor will temporarily halt construction in order to document the find. The monitor should carefully examine the surrounding area to ensure that other artifacts are not present. Documentation will be completed by collecting GPS coordinates of the location, photography with a scale bar, and recording information onto the daily monitoring log.

- Additionally, the monitor will record and document the isolate on the monitoring log and determine if it is part of a feature. All isolated prehistoric artifacts will be collected and reburied. Diagnostic historic-era items will be collected. Once an isolated item is documented, construction may resume. Modern (post-1945, post-World War II) debris will not be collected, documented, or evaluated.
- Cataloging procedures and packaging will conform to the requirements specified at 36 CFR 79 (Curation of Federally Owned and Administered Archaeological Collections) and of the Fowler Museum at UCLA, the curation facility for this Project. During the cataloging procedure, the collected cultural material will be segregated by type for further analysis.
- Building foundations, retaining walls, utilities, transportation infrastructure, and paths are likely to be encountered. These features have no potential to yield information and will not be significant according to NRHP criteria. FTA will not proceed with SHPO consultation for these types of not eligible isolated finds.
- Monitors will determine if items are isolates or diagnostic materials and will collect and photograph distinctive diagnostic materials and discuss with the Project Principal Archaeologist the item's potential to yield information.
- Any Mexican Period (1821-1848) diagnostic historic items will be documented and the Archaeological Monitor will record according to cataloging best practices and consult with LACMTA on disposition.
- If the find is a component of a larger feature, it will be evaluated in the context of the larger feature.

All other observations of archaeological artifacts that do not meet the definition of an isolated find, and all observations of archaeological features, will follow the process to address new discoveries of historic properties, described in Section 4.0 of the HRMDP, under the heading "Post-Review Discoveries."

### **3.2.3 Contaminated Materials**

If contaminated sediments or water are found, the monitors and the Project Principal Archaeologist will observe safety procedures as prescribed by LACMTA or its designated contractor.

- FTA will notify property owners, including VA, GSA, or Caltrans, within two business days.
- If artifacts or potential human remains are found within a contaminated context, these materials will not be handled by the monitors or Project Principal Archaeologist unless they are wearing appropriate protective gloves and/or clothing, as specified by an onsite specialist who is knowledgeable of likely contamination and only after the County Coroner and/or Native American tribes have made appropriate assessments and allowed access to the human remains and the surrounding site.
- LACMTA staff or its designated contractor may need to decontaminate materials prior to examination by the monitoring staff.
- The monitors, Project Principal Archaeologist, and LACMTA will determine if discovered cultural materials are of sufficient potential importance or significance to warrant decontamination. As a standard practice, cultural items such as brick, glass, and whiteware fragments will not be decontaminated.



- All human remains and suspected human remains, funerary objects, and sacred items, if discovered in a contaminated context, will be decontaminated, subject to the approval of the County Coroner and Native American tribes and with property owners.

### **3.2.4 Non-Compliance**

Any incident of non-compliance with monitoring procedures by construction personnel will be immediately reported to the Project Principal Archaeologist who will then contact the LACMTA Environmental Specialist via phone and followed up by email.

- The LACMTA Environmental Specialist will contact the LACMTA Director of Construction via phone, followed up by email. Written incident reports of non-compliance must be submitted to the Project Principal Archaeologist within two business days of the incident. The specifics of the incident must be described. The Project Principal Archaeologist will investigate to determine if significant archaeological materials may have been affected and will notify LACTMA.
- FTA, in coordination with LACMTA, will notify all signatories and consulting parties of those actions that it proposes to avoid, minimize, or mitigate adverse effects for any significant archaeological materials assumed eligible pursuant to 36 CFR 800.13(c). Signatories and consulting parties will have two business days to provide their comments on the proposed actions.
- FTA will ensure that the timely filed recommendations of consulting parties are taken into account prior to granting approval of the measures that LACMTA will implement to resolve adverse effects. LACMTA will carry out the approved measures prior to resuming construction activities in the location of the significant archaeological material.
- FTA and LACMTA will coordinate with VA to determine what actions will be taken to avoid, minimize, or mitigate adverse effects for any significant archaeological materials on VA property. FTA and LACMTA will similarly coordinate with GSA and Caltrans on finds on their respective properties. The completed measures will then be presented to all signatories and consulting parties.

### **3.2.5 Disputes**

Disputes will be resolved in accordance with Stipulation III.B of the original MOA. If an archaeological or Native American monitor objects to a decision made by the LACMTA Construction Manager or Project Archaeologist, the matter will be brought to the LACMTA Environmental Protection Specialist who will notify FTA. FTA and LACMTA will discuss the issue with the disputing party as well as the SHPO, ACHP, or other consulting parties, as described in Stipulation III.B of the original MOA. FTA will notify all parties of the proposed resolution, and the parties will implement and/or abide by the resolution. LACMTA will prepare a report outlining the dispute and resolution of the dispute. The report will be included in the monthly and annual monitoring reports described in Section 6.0.

## **3.3 Documentation**

### **3.3.1 Daily Monitoring Logs and Weekly/Monthly Reports**

Each archaeological and Native American monitor must complete a Daily Monitoring Log form, documenting the location of monitoring activities throughout the day and the type, location of, and any action taken regarding identified cultural resources (e.g., temporary halt of work, etc.). Photographs of activities and resources may be taken where appropriate. The monitors will submit the Daily Monitoring Logs to the Project Principal Archaeologist for use in the monthly cultural resources monitoring reports



and for submittal to LACMTA. The consulting Native American tribes will also be given monthly reports regarding the progress of the Project and any finds identified during construction. The monthly reports will be used to create the annual monitoring reports described in Section 6.0 of the HRMDP.

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## 4.0 POST-REVIEW DISCOVERIES

### 4.1 Post-Review Discoveries

If buried prehistoric or historic materials, including sites, or human remains are encountered during construction, the archaeological or Native American monitor(s) will halt project construction in a 50-foot radius around the discovery and will immediately contact the LACMTA Project Manager, LACMTA Environmental Protection Specialist, and Project Principal Archaeologist. The LACMTA Construction Manager will halt all project construction work involving ground disturbance within the discovery area and surrounding 50-foot buffer where additional resources might reasonably be expected to be identified and will establish an Environmentally Sensitive Area (ESA) in consultation with the Project Principal Archaeologist until necessary cultural resources fieldwork is completed. Construction work, including ground disturbance activities, may continue outside of the ESA in accordance with the HRMDP and in consultation with the Project Principal Archaeologist. The Project Principal Archaeologist may revise the 50-foot buffer as appropriate and upon consultation with the County Coroner, as appropriate.

If subsurface features are present, the archaeological monitors will investigate the area to determine if an isolate, a feature, or a site is present. For any discovery of an intact archaeological feature (not including rubble or partial foundations), regardless of NRHP eligibility, the LACMTA Environmental Protection Specialist will notify FTA and the applicable property owner immediately. FTA will notify all signatories within two business days of the. Notifications will not be made for ubiquitous infrastructure elements such as modern utilities (cistern, electric, gas, sewer, and water supply lines), transportation infrastructure (bridge piers, buried roadways, and rail segments), sidewalks, and concrete rubber, fill, or waste.

For properties determined NRHP-eligible in consultation with SHPO or assumed to be NRHP-eligible (36 CFR 800.13(c)), LACMTA will notify FTA and the applicable property owner (e.g., VA, GSA, or Caltrans) of the actions proposed to avoid, minimize, or treat adverse effects. FTA will notify ACHP, SHPO, and the consulting parties of these proposed actions. Consulting parties will have two business days to provide their views on the proposed actions. FTA will consider recommendations of consulting parties and provide final recommendations to SHPO for concurrence. Upon receiving SHPO concurrence, FTA will grant approval of the measures that the LACMTA will implement to resolve adverse effects.

### 4.2 Discovery and Treatment of Human Remains

The State of California Health and Safety Code § 7050.5 addresses the finding of human remains, as does the California Public Resources Code 5097.98. Additionally, because portions of the Project are located on federal lands, the discovery of Native American remains during construction is also subject to the jurisdiction of the federal NAGPRA as described in Pub. L. 101-601, 25 U.S.C. 3001 et seq., 104 Stat. 3048.

#### 4.2.1 Discovery and Treatment of Human Remains on Federal Lands

If human remains and/or funerary objects are inadvertently identified on federal lands during project construction, the archaeological monitor must halt construction and establish a 50-foot buffer around the discovery. The archaeological monitor will immediately notify the LACMTA Project Manager, LACMTA Environmental Protection Specialist, and the Project Principal Archaeologist. The LACMTA Environmental Protection Specialist will immediately notify FTA by phone and by written confirmation. VA will be notified concurrent with FTA for discoveries on the VA WLA Campus and the LANC and the GSA will be notified concurrent with FTA for discoveries on the (Westwood) Federal Building property.

The LACMTA Construction Manager will halt all construction work involving ground disturbance within the discovery area and surrounding 50-foot buffer and will establish an ESA. The LACMTA Environmental Protection Specialist will notify the Los Angeles County Coroner for human remains and FTA and VA for finds on the VA WLA Campus and the LANC on the same day of discovery. FTA will notify all signatories and other consulting parties within two business days of discovery.

Project work will be permitted to continue outside the buffer to maintain the construction schedule. The ESA will be marked off with temporary construction fencing or another agreed upon method. The fencing will clearly designate the area for avoidance and protect it from inadvertent intrusions by machinery while providing for construction to continue in other areas. If human remains are uncovered during construction, and given the sensitivity of such a discovery, LACMTA may invite additional archaeological and Native American monitors to observe activities at the construction site to observe earth-moving activities as construction continues. On the VA WLA Campus and LANC, such invitations will only be extended in coordination with VA.

According to the California Health and Safety Code, six or more human burials at one location constitute a cemetery (Section 8100), and the disturbance of Native American cemeteries is a felony (California Public Resources Code 5097.9). California Health and Safety Code Section 7050.5 requires that excavation be stopped in the vicinity of discovered human remains until the County Coroner is contacted and takes control of the discovery location. Because of the potential for human remains to be a crime scene, California Health and Safety Code § 7050.5 will be followed until the remains have been determined not to constitute a crime scene as determined by the County Coroner.

If the County Coroner determines that the human remains are not a crime scene, then FTA will follow the stipulations as set forth in the NAGPRA Plan of Action in Appendix C and the MOA Amendment.

#### **4.2.2 Discovery and Treatment of Human Remains on Non-Federal Lands**

If human remains and/or funerary objects are inadvertently identified on non-federal lands during project construction, the archaeological monitor must halt construction and establish a 50-foot buffer around the discovery. The archaeological monitor will immediately notify the LACMTA Project Manager, LACMTA Environmental Protection Specialist, and the Project Principal Archaeologist. The LACMTA Environmental Protection Specialist will immediately notify FTA by phone and by written confirmation. The LACMTA Construction Manager will halt all construction work involving ground disturbance within the discovery area and surrounding 50-foot buffer and will establish an ESA. The LACMTA Environmental Protection Specialist will notify the Los Angeles County Coroner for human remains. FTA will notify all signatories and consulting parties within two business days of discovery.

For non-federal land, the treatment of Native American human remains is defined in various California laws and codes. If, pursuant to California Health and Safety Code § 7050.5 (c), the County Coroner determines that the human remains are not a crime scene, then the discovery will be treated in accordance with the provisions of § 5097.98 (a)-(d) of the California Public Resources Code. Native American burials fall within the jurisdiction of the California Native American Heritage Commission (NAHC) (Public Resources Code Section 5097). The NAHC acts as a central point of contact for notification of Native Americans, and arbitration between the Native American representative and the property owner (who has responsibility to rebury the remains) and any associated archaeological materials. These procedures are set forth in the California Public Resources Code § 5097.98, notification

of discovery of Native American human remains, descendants, disposition of human remains, and associated grave goods.

The County Coroner will determine if the remains are not a crime scene (California Health and Safety Code § 7050.5(b)). This is often done in consultation with the Project Principal Archaeologist or in consultation with a forensic or physical anthropologist. When a determination is made, the County Coroner will notify LACMTA, or its representatives, and the FTA. If, pursuant to § 7050.5(c) of the California Health and Safety Code, the County Coroner determines that the human remains are or may be of Native American origin, then the discovery shall be treated in accordance with the provisions of § 5097.98 (a)-(d) of the California Public Resources Code.

If the discovered human remains are of Native American origin, the County Coroner must contact the California NAHC within 24 hours. The NAHC will determine and immediately notify the Most Likely Descendent (MLD). The MLD, with permission of the land owner, will be given access to inspect the site and will have two business days from the time of the site inspection to make recommendations to FTA and LACMTA regarding the treatment and disposition of the remains and associated artifacts.

LACMTA, the MLD, and the Project Principal Archaeologist will determine the most appropriate means of treating the human remains and any associated grave artifacts. They will prepare a brief plan describing this treatment that will be submitted for approval to FTA. Once FTA approves the plan, LACMTA, the MLD, and the Project Principal Archaeologist will oversee disposition of the human remains and associated artifacts according to the plan.

#### **4.2.2.1 Removal and Repatriation of Native American Human Remains**

Once the above protocols have been applied and the appropriate treatment method has been agreed upon, excavation of human remains within the APE will be required. Each burial or cremation will be carefully removed using hand excavation techniques. There will be no excavation of Native American human remains in the absence of the MLD, unless the MLD stipulates otherwise. The soil matrix surrounding a burial will also be excavated for the recovery of all associated artifacts as determined by the Project Principal Archaeologist, in consultation with the MLD.

Excavations will be conducted in a respectful but efficient manner. The excavations will be designed for complete removal of the burial within one to three business days to allow construction to return to the affected portion of the Project. Sediments will be screened through 1/8-inch or 1/16-inch mesh, and cultural materials will be separated from the soil matrix. Water screening of soil will be arranged, if necessary. The soil matrix may be retained for reburial, if so requested by the MLD. Crew members will comport themselves in a respectful manner during these excavations and access to the excavations will be restricted to official business to ensure that the burial does not become an attraction for onlookers, construction workers, other archaeologists, etc. Photos of the burial will be taken only with approval of the MLD.

All recovered human remains will be handled respectfully and packaged in a culturally appropriate manner (e.g., wrapped in white cotton fabric and placed within clean cardboard boxes) as requested by the MLD. The placement of the excavated human remains and artifacts at the completion of each working day will be determined in consultation with the MLD, which may include storing in situ or removal to a secured locked storage area to be provided by LACMTA; an effort will be made to reunite all remains and store together with any prior related finds at the end of each day. The burial site will be covered with metal plates or plywood sheets when excavations are not occurring. If necessary,

overnight security will be provided to protect the discovery from disturbance and/or vandalism. When burial recovery is complete, the burial site will be immediately backfilled with the same soil excavated from the site if possible. Once all excavations and analyses have been completed, recovered Native American remains and associated artifacts and soil matrix will be conveyed to the MLD. The MLD will then determine the final disposition of these materials.

Documentation of any discovered human remains and their disposition will be included in the monitoring reports prepared by the Project Principal Archaeologist per Section 6.0. This information will also be provided to the NAHC.

#### **4.2.2.2 Modern and Non-Native American Historic Period Human Remains**

If modern human remains are identified on federal or non-federal lands, they shall be turned over to the Los Angeles County Coroner. If the human remains are from the historic period, but are not Native American and are not retained by the Coroner, they will be recovered and analyzed by a qualified osteologist and an attempt will be made to identify a lineal descendant in order to obtain recommendations for appropriate treatment and disposition. The remains shall be temporarily curated at the Project Principal Archaeologist's laboratory facilities, using professional standards, until such time as their proper disposition is determined. If a lineal descendant or appropriate cultural group cannot be located, then the human remains shall be reburied within one year of removal at a location as determined by LACMTA and FTA and VA, if discovered on VA WLA Campus or the LANC or if the remains are determined to be a Veteran eligible for burial benefits.

Documentation of any discovered modern and non-Native American historic period human remains and their disposition will be included in the monitoring report prepared by the Project Principal Archaeologist per Section 6.0.

#### **4.2.3 Release of Environmentally Sensitive Areas for Construction**

The FTA, in accordance with the MOA Amendment, will investigate cultural resources and develop measures to mitigate adverse effects to assumed or determined NRHP-eligible resources, and in consultation with the SHPO, ACHP, and consulting parties. Project construction outside the discovery location may continue while documentation and assessment of the cultural resources proceed.

Once LACMTA and FTA notify SHPO, ACHP, VA, and consulting parties on the completion of treatment, FTA will recommend construction to resume. FTA will notify LACMTA, who will authorize the Project Principal Archaeologist to release the area of avoidance to construction activity. Construction, including ground-disturbing activities, can resume. Post field analysis will continue offsite, and documentation will be described in the monitoring reports prepared by the Project Principal Archaeologist per Section 6.0 of the HRMDP.

**In the event of a post-review discovery:**

- Construction must immediately stop and a 50-foot buffer around the find will be established.
- Contractors must report the discovery to the appropriate supervisor.
- The site will be protected.
- On-site archaeologists will assess the discovery.
- LACMTA will be notified of the find and will notify FTA and the property owner.
- FTA will notify all signatories and consulting parties within two business days and after coordinating with the property owner. FTA will assess NRHP eligibility in consultation with the property owner, all signatories, and consulting parties.
- LACMTA and FTA will develop a treatment plan to resolve adverse effects for resources determined eligible for the NRHP.
- LACMTA and FTA will consult with all signatories and consulting parties for review and comment on the treatment plan.

**4.2.4 Release of Environmentally Sensitive Areas Involving Human Remains and NAGPRA Items for Construction on Federal Lands**

In accordance with §10.4 (2) of NAGPRA, project construction may resume within ESAs that were established around areas where Native American human remains or NAGPRA items were identified if either of the following two conditions are met:

- 1) 30 days after the appropriate Federal agency (i.e., VA for the VA WLA Campus and the LANC and the GSA for the (Westwood) Federal Building property) certifies the receipt of the written confirmation of notification of inadvertent discovery if the resumption of the activity is otherwise lawful
- 2) if otherwise lawful, at any time after a written, binding agreement is executed between the appropriate federal agency and the affiliated Native American tribe(s) that adopt a recovery plan for the excavation or removal of the human remains and NAGPRA items following §10.3 (b)(1) of NAGPRA.

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## **5.0 CONTRACTOR TRAINING**

Prior to initiating ground-disturbing activities in Section 3 of the Project, all construction workers and supervisory personnel shall complete a short cultural resources awareness training. Native American monitors will also be invited to this training. The cultural resources awareness training will be provided by LACMTA and will be conducted by an architectural historian, archaeologist, and/or historic architect who meets the Secretary of the Interior Professional Qualification Standards at 36 CFR 61, Appendix A. LACMTA's qualified professional will provide information regarding built and archaeological historic properties located within the APE and visual representations of artifacts that may be found. Each worker will learn the proper procedures to follow in the event built environment resources are affected by project construction activities or cultural resources or human remains are uncovered during ground-disturbing activities. This information is also included in the HRMDP's Appendix A, the Historic Resources Monitoring and Discovery Plan Field Manual. Five hard, color copies of this manual should be kept on site at all times.

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## **6.0 REPORTING**

During construction, the Project Principal Archaeologist will prepare monthly monitoring status reports when cultural monitoring is required which will be consolidated into annual monitoring reports.

LACMTA will provide the monthly and annual monitoring reports to SHPO, ACHP, VA, GSA, Caltrans, and consulting parties. The annual reports will be submitted no later than one month following the close of the twelve-month period. For archaeological historic properties, the annual monitoring report will summarize the daily monitoring logs and monthly reports; note monitoring activities performed; and describe any discoveries, inadvertent effects to archaeological properties, mitigation, and resolution of any disputes.

For architectural historic properties, LACMTA will provide incident reports that include exceedances to SHPO, ACHP, VA, and consulting parties. Monthly monitoring status reports will also be provided and consolidated into annual monitoring reports that contain a log of vibration and geotechnical readings as well as effects to historic properties, if any. Digital photographs will be used to illustrate incidents and subsequent repairs for comparison to the pre-construction survey. Note that this annual monitoring reporting is separate from other Section 106 reporting requirements that may be stipulated in the MOA, MMRP, or Record of Decision.

LACMTA and FTA will complete an annual monitoring report that includes information on all archaeological and architectural historic property monitoring. SHPO, ACHP, VA, and consulting parties will review the annual monitoring report and provide comments within thirty (30) days of receipt. A final version will be prepared by LACMTA and a public version, with any confidential information about the location, character, or ownership of a historic property removed when disclosure may cause a significant invasion of privacy; risk harm to the historic property; or impede the use of a traditional religious site by practitioners consistent with the confidentiality provisions of 36 CFR §800.11(c), will be permanently retained by the LACMTA Library and Archive, One Gateway Plaza, 15<sup>th</sup> Floor, Los Angeles, California 90012.

A final monitoring report is required at the completion of project construction activities. This report will focus entirely on any resources discovered that are significant under the NHPA Criteria for Evaluation and will include their discovery; the treatment applied; a consultation summary; features, deposits, and artifacts recovered; and NHPA significance evaluations. Appended materials will include qualifications of staff, a final catalog of artifacts, and any outside specialist reports such as radiocarbon dates. LACMTA and FTA will provide SHPO, ACHP, VA, and consulting parties the final report for a 30-day review and comment period. This report will be filed with the South Central Coastal Information Center, Dept. of Anthropology, MH 477, CSU Fullerton, Fullerton, CA 92834.

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**APPENDIX A      HISTORIC RESOURCES MONITORING AND DISCOVERY  
PLAN FIELD MANUAL**



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## APPENDIX A HISTORIC RESOURCES MONITORING AND DISCOVERY PLAN FIELD MANUAL

### Introduction

#### What is the purpose of the Historic Resources Monitoring and Discovery Plan?

The Historic Resources Monitoring and Discovery Plan (HRMDP) informs contractors working on Section 3 of the Westside Purple Line Extension (WPLE or Project) of federal and state laws requiring the consideration and/or protection of cultural resources, including architectural historic properties and archaeological resources, during project construction. Architectural historic properties include built resources such as buildings, bridges, historic districts, or designed landscapes, such as parks, that have been listed in or determined eligible for listing in the National Register of Historic Places (NRHP). The NRHP is the official federal list of properties recognized for their significance in American history, architecture, archaeology, engineering, and culture. Archaeological resources are the remains of past human activity, are 50 years old or older, and are usually below ground.

Federal law requires consideration of architectural historic properties and archaeological resources when planning projects receive federal funding or require federal permits. The WPLE Project is required to comply with the National Historic Preservation Act of 1966, as amended (NHPA). Section 106 of the NHPA requires that federal agencies avoid, minimize, or mitigate a project's adverse effect to historic properties. This HRMDP was developed in response to Stipulation II.C of the *Amendment to the Memorandum of Agreement between the Federal Transit Administration and the California State Historic Preservation Officer regarding the Los Angeles Westside Subway Extension Project, Los Angeles County, California* (MOA Amendment), a legal document executed in 2019 as part of required project planning studies. Stipulation II.C requires the Federal Transit Administration (FTA) and the Los Angeles County Metropolitan Transportation Authority (LACMTA) to develop a HRMDP to avoid project-related construction damage to previously identified and unknown architectural historic properties, archaeological resources, and archaeologically sensitive areas.

This HRMDP Field Manual was developed for contractors to use during work for Section 3 of the WPLE. Throughout this manual, questions that on-site workers may have are posed in purple text, with responses following. The guidelines in the HRMDP Field Manual provide protocols and stipulations for avoiding unanticipated construction-related adverse effects to historic properties and cultural resources located adjacent to or within construction area boundaries. Situations and issues relating to cultural resources that may arise during project construction are also discussed and methods for dealing with or responding to these situations are presented.

**Five hard, color copies of this manual must be kept on site during construction.**

**Removal of any historic or prehistoric objects by WPLE Project construction personnel is strictly forbidden and illegal.**

**All contractors are responsible for protecting historic properties and cultural resources during construction activities and must adhere to the guidance provided in this plan.**

All employees are accountable for the information presented in this manual and are responsible for complying with it. It is imperative that contractors ensure that historic properties and cultural resources within the work zone are not damaged by construction activities. LACMTA's cultural resources team will monitor the work sites to ensure that proper procedures as indicated in this manual are followed.

### What area of the project alignment is covered by this HRMDP?

The WPLE Project is a proposed nine-mile, seven-station extension of the existing Metro Purple Line. It will be constructed in three sections, known as Sections 1, 2, and 3. The HRMDP covers only Section 3, a project segment that extends from Century City to the Veterans Affairs West Los Angeles Campus. Maps in Part IV of this manual show the project alignment in addition to identified architectural historic properties within Section 3.

This manual is divided into four parts:

- **Part I** provides a brief overview of the federal law that considers historic properties.
- **Part II** addresses required and recommended procedures for working near historic properties during construction. Information on special provisions for select historic properties is also included, containing specific information and measures to be taken.
- **Part III** addresses required and recommended procedures for working in areas with archaeological potential.
- **Part IV** contains maps of Section 3 with historic properties noted.

In accordance with Section 106, the FTA determined that the project would have an adverse effect on historic properties. Because of this adverse effect, which is located in Section 2 of the Project, FTA implemented a legally binding MOA for this Project that includes a detailed compliance process for minimizing and avoiding additional adverse effects to historic properties. FTA and LACMTA are responsible for implementing the content of the MOA. Because additional unanticipated adverse effects may result from construction activities near historic properties, it is important that all contractors are aware of the locations of all historic properties. Historic properties' settings, which may include landscape features, often contribute to their significance and should also be considered when making decisions about construction methods. FTA and LACMTA are committed to avoiding unanticipated adverse effects whenever possible, and increasing awareness is important in reaching this goal.

## I. Laws that Require Consideration of Historic Properties

### Why do I have to be concerned about historic properties?

Section 106 of the NHPA requires that federal agencies avoid, minimize, or mitigate a project's adverse effect to historic properties. FTA identified six historic properties within Section 3 of the WPLE project area. Historic properties may be buildings, structures, sites, districts, or objects. The project area includes a large historic district that contains many buildings within the district boundaries; this area includes built resources and landscape features that have been determined historically significant as a group. Any construction activity within or near this district should take care to avoid harming any individual element as it could have serious negative implications to the entire district. There are also



individually designated buildings and sites. This manual contains information on all architectural historic properties and construction staging areas where any type of work should be confined.

**National Historic Preservation Act of 1966:** This act establishes a national policy to consider historic properties (i.e., those properties listed in or determined eligible for the NRHP, the federal government’s official list of properties recognized for their significance in American history, architecture, archaeology, engineering, and/or culture). Section 106 of the NHPA requires federal agencies to consider their projects’ effects on historic properties.



## II. Built Historic Properties






### What built historic properties are in or near the project area?

Six built historic properties are located within the previously established Area of Potential Effects (APE) for the WPLE Project. The APE considers areas that may be affected by the Project, both during construction and operation. Effects can include demolition or physical alterations caused by the Project, as well as noise, vibration, or dust resulting from the Project’s construction or operation. Note that although historic districts contain many buildings or other elements, the district itself is considered as a single historic property and care should be taken for all elements within the district, including its landscape. Section 3’s only historic district, the West Los Angeles Veterans Affairs (WLA VA) Historic District, contains 16 historic elements (referred to as contributing elements) within the project APE. The contractor should take care when working near all historic properties.




The six historic properties and sixteen contributing elements are shown on the project alignment mapping in Part IV of this field manual. These properties and contributing elements are shown in Figure A-1, the historic properties matrix. The map letters in the first column of the matrix correspond to the mapping in Section IV: Historic Resource Monitoring and Discovery Plan Maps, with the photographic images in the table matching those in the map series.




**Figure A-1: Built Historic Properties Located within Section 3**

Map Ref. No.	Photograph	Name	Description	Individually NRHP Eligible or Listed	Contributing to WLA VA Historic District	Distance from nearest Above-Ground Project Activities
A		<b>Building 226: Wadsworth Theater</b>	Constructed in 1940, this Mission Revival-style theater building is rectangular in plan and clad in smooth stucco with a terra cotta-tile gable roof.	No	Yes	300 feet
B		<b>Building 20: Wadsworth Chapel</b>	Built c. 1900, the Shingle-style Wadsworth Chapel is roughly rectangular in plan, one-and-a-half stories tall, and covered with wood siding and shingles with decorative wood ornamentation.	Yes	Yes	110 feet

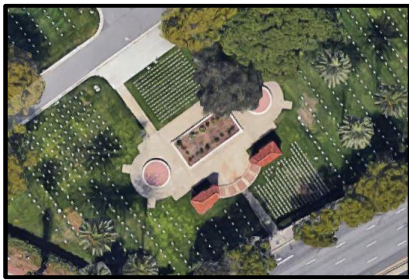



Map Ref. No.	Photograph	Name	Description	Individually NRHP Eligible or Listed	Contributing to WLA VA Historic District	Distance from nearest Above-Ground Project Activities
D		<b>Bonsall Avenue Palm Rows</b>	A row of palm trees along the southern portion of Bonsall Avenue are evident in historic photos from the historic district's NHDVS period (1888-1930) and are a contributing landscape feature.	No	Yes	0 feet
E		<b>Building 90: Duplex</b>	Building 90 is a two-story residential duplex that was constructed in 1927. It shows modest elements of the Colonial Revival style, including a symmetrical façade, multi-pane, double-hung windows, and semi-circular dormers.	No	Yes	225 feet
F		<b>Building 91: Duplex</b>	Building 91 is a two-story residential duplex that was constructed in 1927. It shows modest elements of the Colonial Revival style, including a symmetrical façade, multi-pane, double-hung windows, and semi-circular dormers.	No	Yes	210 feet
G		<b>Building 23 Landscape</b>	Wide expanses of lawn with mature trees front Building 23 (Quarters), a three-story Shingle-style building constructed in 1900, to the north of the residence.	No	Yes	320 feet
H		<b>Fence with Stone Piers</b>	A fence consisting of stone piers supporting wood rails is identified as a contributing landscape element to the historic district in the WLA VA Historic District NRHP documentation.	No	Yes	300 feet






Map Ref. No.	Photograph	Name	Description	Individually NRHP Eligible or Listed	Contributing to WLA VA Historic District	Distance from nearest Above-Ground Project Activities
I		<b>Building 23: Quarters and Outbuilding (Building 14)</b>	<p>Constructed in 1900, the three-story Shingle-style building is rectangular in plan with a brick foundation and an asphalt-shingle, cross-gabled gambrel roof with an overhanging third story. A porch with wood columns wraps around the east elevation.</p> <p>A small garage with modern-era alterations and carport are present to the south of the residence.</p>	No	Yes	160 feet
J		<b>Fireplace Structure</b>	<p>Located south of Building 23 is a freestanding stone fireplace structure clad in rubble stone laid in a randomly coursed pattern. A segmentally arched hearth opening is topped by a chimney flue with two additional small openings. Stone benches flank the fireplace.</p>	No	Yes	95 feet
K		<b>Palm Tree Grove</b>	<p>A regular grid of at least 50 mature Canary Island palm trees is located near the intersection of Wilshire Boulevard and Federal Avenue. Based on historic aerial photographs, the grove appears to have been planted before 1930 and during the historic district's period of significance.</p>	No	Yes	0


Map Ref. No.	Photograph	Name	Description	Individually NRHP Eligible or Listed	Contributing to WLA VA Historic District	Distance from nearest Above-Ground Project Activities
L		<b>Spanish-American War Monument</b>	Roger Noble Burnham sculpted the original marble United Spanish War Veterans Monument in 1950, depicting Columbia, also known as Liberty, flanked by two soldiers. The original 1950 marble monument was rebuilt in 1973 after earthquake damage in 1971.	No	Yes	90 feet
M		<b>Wilshire Boulevard Gatehouses (2)</b>	Two small gatehouses are located at the Wilshire Boulevard pedestrian entrance to the Los Angeles National Cemetery. Originally built c. 1940 as men's and women's comfort stations, the buildings are now used for storage. Designed in a modest Spanish Colonial style, the brick-clad, single-story buildings are mirror images of each other.	No	Yes	640 feet
N		<b>Burial Section with Markers</b>	Within Los Angeles National Cemetery are burial markers comprising rectangular pieces of granite that contain the name, rank, conflict, and dates of the military personnel being memorialized. These markers are carefully set at regular intervals established in the National Cemetery Administration Facilities Design Guide.	No	Yes	90 feet



Map Ref. No.	Photograph	Name	Description	Individually NRHP Eligible or Listed	Contributing to WLA VA Historic District	Distance from nearest Above-Ground Project Activities
O		<b>Los Angeles National Cemetery Entrance Plaza</b>	The Los Angeles National Cemetery entrance plaza includes the pedestrian entrance area accessed from Wilshire Boulevard. The area includes the gatehouses and modern gates and boundary fencing. Originally, several pools with fountains were present; these are now planted beds set into a modern concrete paved area.	No	Yes	615 feet
P		<b>Los Angeles National Cemetery Roads/Curbs/Walkways</b>	The Los Angeles National Cemetery contains roads, curbs, and walkways; these circulation features are inside and outside the cemetery boundary and the historic district boundary.	No	Yes	350 feet
Q		<b>Cemetery Perimeter Trees</b>	The Los Angeles National Cemetery is separated from surrounding roadways by a series of street trees located inside and outside of the cemetery boundary and the historic district boundary that provide a buffer to the cemetery from its surrounding urban environment.	No	Yes	75 feet
R		<b>Los Angeles National Cemetery</b>	The Los Angeles National Cemetery contains many of the individual features described in this list. Dedicated in 1889, the cemetery currently encompasses more than 114 acres.	Yes	Yes	80 feet

Map Ref. No.	Photograph	Name	Description	Individually NRHP Eligible or Listed	Contributing to WLA VA Historic District	Distance from nearest Above-Ground Project Activities
S	 <p>Map 12: West Los Angeles Veterans Affairs campus showing boundaries of historic district</p>	<b>WLA VA Historic District (VA)</b>	WLA VA Historic District is located in the Brentwood neighborhood and is approximately 400 acres in size with a disparate collection of buildings constructed over the course of more than 100 years.	Yes	N/A	0
T		<b>(Westwood) Federal Building (GSA)</b>	Built in 1968-1969, the (Westwood) Federal Building at 11000 Wilshire Boulevard is a federal office complex designed by Charles Luckman and Associates comprising an 18-story tower along Wilshire Boulevard; a central, single-story lobby on the tower's south-facing façade elevation; and two single-story buildings joined by covered walkways that form a courtyard in front of the lobby.	Yes	N/A	110 feet
U		<b>Linde (Westwood) Medical Plaza</b>	Built in 1960-1961, the Linde (Westwood) Medical Plaza at 10901-10921 Wilshire Boulevard is a single complex constructed in the International Style comprising five distinct design components: a 12-story tower; a single-story, curved-glass section on the southwest corner of the tower; a single-story glass box form comprising the Chase Bank retail space attached to the tower's east side; a three-story parking garage; and	Yes	N/A	0

**WESTSIDE PURPLE LINE EXTENSION PROJECT**

Map Ref. No.	Photograph	Name	Description	Individually NRHP Eligible or Listed	Contributing to WLA VA Historic District	Distance from nearest Above-Ground Project Activities
			a landscaped plaza. Master architect Paul Revere Williams (1894-1980) designed the medical complex and the plaza.			
V		<b>News Stand (Streetcar Depot)</b>	Built in 1893 and moved to its present location at Dewey and Pershing Avenues in 1908, the Queen Anne-style News Stand (Streetcar Depot) is a one-story, rectangular, wood-framed building with a two-bay, open-air porch waiting area and an enclosed, four-bay section.	Yes	Yes	1,540 feet

### What should I do to protect built historic properties from construction damage?

Appropriate protective measures safeguard built historic properties' physical conditions and settings from deterioration or damage caused by construction activity. Construction methods near built historic properties will be at the contractors' discretion. Care should be taken to not damage areas outside construction staging areas that have been designated for project activities. Other built historic properties should not be physically affected by the work, although effects such as noise or vibration impacts may occur.

#### Any alterations or repairs to built historic properties required due to contractor damage:

- Shall be coordinated with and approved by SHPO and MOA Amendment signatories and invited signatories if necessary; and
- Must be completed according to *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

### Simple precautions can greatly reduce potential harm to historic properties!

- Confine all work to the pre-established project construction staging areas.
- Pay attention when moving large equipment.
- Do not stack or lean construction materials, products, or supplies against or within falling range of historic properties.
- Properly manage and dispose of construction debris.

- Cover adjacent surfaces to avoid concrete splatter.
- Be aware of your surroundings when jack hammering.
- Take extra care when using cranes, hoists, or other means to carry materials near historic properties.

If heavy construction will occur immediately adjacent to a historic property, coordinate with LACMTA to use the least damaging methods to protect the property. For example, some properties may need to be covered with protective materials, which would need to both be carefully applied prior to the start of work and removed when work is complete. Other methods or approaches might be appropriate, depending on the property.

## A.1 Architectural Features

Due to the sensitive nature of some historic properties' exterior fixtures or components, some common protective measures may cause additional unexpected damage to the property. Apply protective measures cautiously to avoid this damage. **Ask your supervisor if you have questions or concerns.**

**Contractors shall not remove any material or architectural features from historic properties without LACMTA's approval.** If any historic material or architectural feature cannot be protected in place, the LACMTA cultural resources team should be notified immediately.

Assume all buildings, landscaping, and features (such as steps and railings) within the WLA VA Historic District are historic and should not be damaged unless they are to be removed as part of the Project. Historic buildings may be weaker than newer ones due to deferred maintenance and past alterations that may have produced structural weak points susceptible to damage. Historic finishes, such as plaster walls and ceilings, lack the flexibility to accommodate abnormal movement.

If architectural features must be removed for protective purposes, the LACMTA cultural resources team will directly oversee all work and coordinate with property owners. At this time, only the Chase Bank portion of the Linde (Westwood) Medical Plaza requires removal of materials or storing building components. If the need for this type of work arises at other locations, coordination with all MOA Amendment signatories and consulting parties will occur. At the very least, photographic documentation will take place prior to work being executed and *The Secretary of the Interior's Standards for the Treatment of Historic Properties* will be followed where applicable. Detailed information on the standards can be found at <https://www.nps.gov/tps/standards/four-treatments/treatment-guidelines.pdf>

## A.2 Landscape Features/Plantings

Landscape components are often an important feature of historic properties. Vegetation may be located on the historic property's parcel or nearby and, therefore, may be a part of the property's visual setting. **Be careful when walking, driving, moving equipment, or storing materials so as not to disturb or damage landscape features within or near a historic property. Vegetation should only be removed when directed by a supervisor. Soil compaction due to vehicle placement or movement can damage plant root systems.**



### **A.3 Vibration and Noise**

Many older buildings and structures are susceptible to damage caused by construction vibration or noise. Often, vibrations can be perceived by people, but they do not pose a structural risk to buildings simply because they can be felt. However, constant and repetitive vibration events can cumulatively impact historic buildings and structures unless they are addressed. Therefore, on-site workers should be aware of new cracks and visual changes to surrounding buildings and report any issues to your supervisor.

LACMTA has developed a detailed Mitigation Monitoring and Reporting Plan (MMRP)<sup>2</sup> and has agreed to:

- Implement all practicable noise attenuation measures to minimize construction noise.
- Implement special precautions and noise abatement measures to reduce public exposure to construction noise.
- Perform work in such a manner to prevent and minimize nuisance conditions such as noise that exhibits a specific audible frequency or tone.
- Monitor groundborne noise and groundborne vibration limits within City and County of Los Angeles limits

### **A.4 Ground Displacement**

Excavation and foundation work can cause ground displacement and movement of adjacent historic properties. Because of their age, historic properties are often susceptible to structural damage. Ground displacement is not anticipated for any historic property in the project area, with the exception of the landscape elements proposed for removal, storage, and replanting. However, it is important that the contractor use appropriate measures, such as underpinning or strengthening excavation walls with tie backs, if warranted, when completing excavation and foundation work near historic properties.

### **A.5 Dust**

The contractors should also be mindful of the effect dust may have upon historic properties. The MMRP's mitigation measures allow the project to avoid adverse air quality impacts and include dust control, street watering, and measures to reduce PM<sub>10</sub> levels and street debris.

### **A.6 Water Damage**

Water damage is one of the most common sources of harm to historic properties. Construction or demolition work can easily damage a property's water drainage system. Take care to ensure debris from the construction site does not flow into sewers and drains near historic properties. Be careful not to inadvertently seal off or collapse pipes. If blocked pipes are unable to carry water away from a historic property, flooding and excessive moisture levels may occur. In addition, do not allow construction site runoff from cement mixing or cleaning and dust suppression activities to flow toward historic properties. Wire cages over exposed drainage areas and low-pressure water washes should be used to protect

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<sup>2</sup> Available at [http://media.metro.net/projects\\_studies/westside/images/Westside\\_rod\\_Attachment\\_A.pdf](http://media.metro.net/projects_studies/westside/images/Westside_rod_Attachment_A.pdf).

water drainage systems. Excavated soils should not be staged near any historic buildings or structures in order to avoid runoff and water damage.

**The LACMTA cultural resources team will monitor the work sites to make certain that proper procedures as indicated in this plan are followed.**

### **What should I do if a historic property is damaged?**

It is the contractor's responsibility to avoid altering historic properties in any way. Alterations include, but are not limited to, breaking windows, damaging decorative architectural features, removing historic building materials, or altering significant landscape features that are not identified for removal. **If any damage occurs, cease all work and notify your supervisor and Jessica Feldman, Architectural Historian (213) 312-1763 immediately. The contractor will notify LACMTA and it will begin to implement the protocol described below.**

Repairing damage caused to a historic property is time consuming and costly; it may result in a construction delay. In all cases, FTA and LACMTA must inform SHPO, which is the State Historic Preservation Office, of the damage. SHPO will require time to review damages and alterations and approve necessary repairs. In some cases, specialized, labor-intensive historic construction techniques executed by skilled craftspeople may be required to restore the historic property to its original condition. LACMTA will investigate all instances of damage. VA will be notified when the damage occurs to elements within the WLA VA Historic District.

#### **If damage occurs:**

1. Cease all work in the vicinity immediately.
2. Notify your supervisor.
3. Determine if the building, structure, or landscape element is in immediate danger of additional damage or collapse. If the property's structural integrity is in question, it should be secured and stabilized to avoid additional damage and injury to others. If additional damage is not imminent, do not disturb the property. Emergency stabilization work could damage fragile property features and increase the repair effort.
4. LACMTA, in consultation with FTA, will develop a treatment plan according to *The Secretary of the Interior's Standards for the Treatment of Historic Properties*. The plan will be submitted to all MOA Amendment signatories and consulting parties for review and comment before repairs begin.
5. Upon written notice from all MOA Amendment signatories and invited signatories, repairs may begin according to the approved treatment plan.
6. All repairs will be inspected by LACMTA staff to ensure that all work complies with *The Secretary of the Interior's Standards for the Treatment of Historic Properties*. Work that does not meet these standards or is not compatible with the historic character of the property will need to be executed again in an appropriate manner.

### How do I report historic property concerns?

In order to ensure that historic properties are protected during project construction, LACMTA has established a line of responsibility on the construction site. This line of responsibility will reduce confusion, clarify accountability, and streamline any coordination and approvals that may be needed from LACMTA. To report an issue or concern, notify your supervisor and Jessica Feldman, Architectural Historian (213) 312-1763.

**When in doubt, always contact your supervisor before proceeding!**

## III. Archaeological Resources

Federal law also requires that federal agencies avoid, minimize, or mitigate a project's adverse effect to archaeological resources. Unlike historic buildings, which are readily visible, underground archaeological resources require identification and investigation through subsurface testing or excavation. As a result, it is very important that the HRMDP address potential impacts to significant archaeological resources that may occur from construction-related soil disturbance.

### Is anything down there?

The process of identifying and recording archaeological resources has been incorporated into each stage of the planning for the WPLE Project and has included consideration of a number of possible archaeological resources. For each area to be impacted by construction-related soil disturbance, archaeologists try to answer the following questions.

### Are any known archaeological resources present in this area?

Previously identified archaeological sites are resources uncovered during prior investigations and whose locations are known and mapped. In the case of the WPLE Section 3, there are no known archaeological sites located within the Project's limits of disturbance (LOD).

### Could unknown archaeological resources be present in this area?

During the early stages of project planning, specific areas of archaeological sensitivity were identified along the alignment based on historic land use and environmental settings.

The LOD for Section 3 was investigated for potential archaeological sensitivity. At this time, it appears that construction occurs in areas with both high and low prehistoric sensitivity. There is the potential that the remains of demolished buildings, as well as features associated with those buildings, may exist under the paved surface of the roadway, sidewalks, parking lots, or in open landscape areas. In addition, it is possible that the remains of previously unidentified prehistoric archaeological sites might be uncovered during construction-related ground disturbance.

Archaeologists and Native American tribal monitors will be present to observe project construction activities and assess any subsurface features. If such features are discovered, project activities will temporarily cease in the vicinity of the feature.

### Could we find anything important during construction?

Possibly. As the project area has grown and changed, older buildings have been demolished to make way for new buildings and new roads resulting in excavations that may contain some debris from the past use of an area. These scattered pieces of brick, building stone, and mortar may be of interest to archaeologists, but are not an archaeologist's primary concern; archaeologists look for evidence of intact remains buried beneath the surface that help to tell the story of the past.

Archaeologists look for the remains of intact building foundations and buried concentrations of non-construction material such as broken pottery, glass, animal bone, oyster shell, coal, and/or coal ash. These artifacts provide archaeologists with important information about past people and their lives. Prehistoric archaeological sites usually lack structural features and can be more difficult to identify. However, they may contain concentrations of shells (even in areas away from water sources), animal bone, stone flakes, ground stone tools, charcoal, or fire-altered stones and/or soils.

Contractors and employees should be aware of the following and immediately contact a supervisor, who should contact LACMTA, if any of the following are discovered:

**Chipped Stone Artifacts:** Glass-like material, angular rocks with sharp or jagged edges, "unusual" material for area, "unusual" shape (e.g., recognizable shapes like triangles, circles, crescent moons, etc.), regularity of flaking, variability of size. May look like modern-day tools used for cutting, scraping, boring, etc.

**Figure A-2: Examples of Chipped Stone Artifacts**



**Ground Stone Artifacts:** Striations or scratching, unusual or unnatural shapes (e.g., shapes resembling mortars and pestles), unusual stone, etching, perforations, pecking, regularity in modifications, and variability of size, function, and complexity,

**Figure A-3: Examples of Ground Stone Artifacts**





**Bone or Shell Artifacts:** Often smooth, unusual shape, carved, often pointed if used as a tool, often wedge-shaped like a “shoe horn,” perforated, variability of size.

**Figure A-4: Examples of Bone or Shell Artifacts**



**Historic Period Artifacts:** Prior to the twentieth century, many neighborhoods lacked indoor plumbing, and homes relied on privies, wells, and cisterns. Many of these features take the form of brick-lined shafts that extended deep into the ground. When exposed, it is possible to identify the top of these features by a distinct circle or oval of bricks. These features were dry-laid to promote drainage and are characterized by a distinctive pattern of over-lapping bricks. Less frequently, these shaft features may be formed by buried wooden boxes of fastened planks or by wooden barrels stacked on top of each other. These shafts were often filled with household debris before being sealed and abandoned and may contain hundreds or thousands of objects from a specific time period. These are considered to be particularly important archaeological features. **These shafts often contain intact bottles that might be of special interest to collectors. However, removal of any bottles or other objects by WPLE Project construction personnel is strictly forbidden and illegal.**

**Figure A-5: Historic Period Artifacts**





**Strange, Different, or Interesting Looking Dirt, Rocks, or Shells:** Human activities leave traces in the ground that may or may not have artifacts associated with them. Look for “unusual” accumulations of rock or piles of rock (especially fire-cracked rock), “unusual” shaped accumulations of rock (e.g., similar to a fire ring), charcoal or charcoal-stained soils, oxidized or burnt-looking soils, accumulations of shell, accumulations of bone or artifacts. Often a layered or “layer cake” appearance is observed, which is associated with black or blackish soil, and have very crushed and compacted shell.

**Figure A-6: Unusual Rocks, Dirt, or Shells**





**Building Foundations, Buried Structures, Hearths, Door Thresholds, Cellars:** It is possible that some foundations may be encountered. These foundation walls may surround buried basements and could contain important historic deposits.

**Figure A-7: Building Foundations**



**Concentrations of Fire Debris:** Remains of burned buildings and other fire debris may be encountered. This material can usually be identified by large amounts of charred wood, blackened brick, and melted glass and metal objects.

**Figure A-8: Fire Debris**





**Human Graves or Skeletal Material:** As noted below, extreme care must be taken if any human remains are uncovered. Very important legal procedures must be followed if human remains of any kind are found. The current LOD for the WPLE Project does not include any known cemeteries or burial grounds (the LANC is within the project APE). However, given the sensitivity of any such discoveries, everyone working on construction must be careful and diligent. Historic period burials will almost always be enclosed in a coffin with its characteristic five-sided shape. Though the actual wood may have rotted away, the shape may still be visible as a darker stain in the soil. It is unlikely that construction excavation will uncover exposed human skeletons or loose human bones. However, it may be difficult to distinguish human or large animal bones. Prehistoric period burials will not have the remains of a coffin but can be identified by an oval-shaped area of darker soil and the concentrated bones of one or more individuals. Any significant concentration of bones should be immediately noted and reported following the procedure below. Only qualified professionals should make determinations regarding any bones.

**Figure A-9: Human Burial**



### What do we do if we find something?

**Identify, Protect, and Report Archaeological Resources:** In areas of high archaeological sensitivity, archaeologists may be on site to monitor the construction process and identify potential archaeological resources directly. In many areas, archaeologists may not be present during all construction excavation. However, full-time monitoring will be required for all ground-disturbing project activities on the VA WLA Campus as all areas of Project construction on the VA WLA Campus are located in areas that are high sensitivity for either prehistoric or historic resources. It will be the responsibility of the construction team to bring potential archaeological resources to the attention of construction supervisors who can

contact LACMTA and have archaeologists quickly respond to a discovery. The basic process follows these steps:

1. **Report Discovery:** Workers will immediately notify their supervisor of an discovery.
2. **Stop Work and Protect the Resource:** The supervisor will direct a **Stop Work** order and flag or fence off the archaeological discovery location to ensure site security. Any discovery made on a weekend will be protected until all appropriate parties are notified of the discovery. Contractors will not restart work in the area of the find until LACMTA has granted clearance.
3. **Report Location to LACMTA:** The contractor reports the location and date of the discovery on the project plans and notifies LACMTA.
4. **Archaeologist Assesses Discovery:** LACMTA will arrange for a qualified archaeologist to make an immediate site visit to assess the significance of the discovery.
5. **FTA and LACMTA coordinate with SHPO:** LACMTA will immediately notify SHPO of the find, and they will work with archaeologists to determine the significance of the discovery. VA will be notified if the discovery occurs on VA property. GSA will be notified if the discovery occurs on GSA property. Caltrans will be notified if the discovery occurs on Caltrans property.
6. **If Discovery is Not Significant:** If archaeologists determine the discovery is not significant, it will be recorded as necessary, and contractors will be informed that it is a *Cleared Site* and work in the area can resume.
7. **If Discovery is Significant:** An archaeological plan will be developed in consultation with all MOA Amendment signatories and consulting parties, and all necessary archaeological investigations will be completed as quickly as possible. Construction work with the potential to disturb the archaeological resources will not be restarted until LACMTA informs the contractors that it is a *Cleared Site* and work can resume.

## DISCOVERY OF HUMAN REMAINS

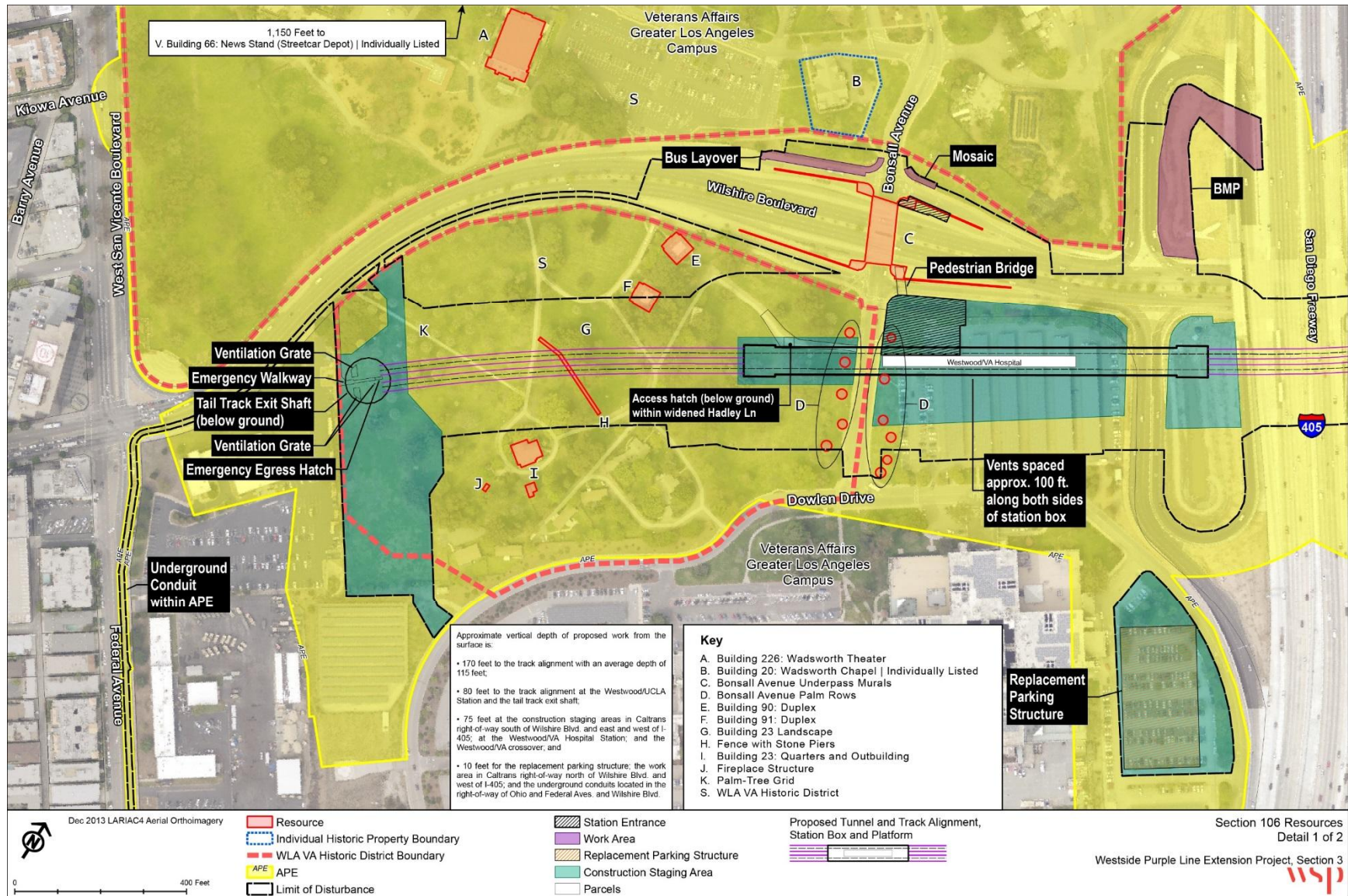
It is not anticipated that burials or other human remains will be encountered during construction work along the Purple Line. However, given the legal requirements and cultural sensitivity related to human remains, special care should be taken to identify, protect, and report any human skeletal remains or other large intact bones. The procedures outlined above will be followed, but every effort should be made to immediately identify, protect, and report any such discoveries without delay. Very strict legal requirements related to the disturbance of human remains must be followed in coordination with the police, the Medical Examiner's Office, and the coroner. LACMTA will post a guard at the location of any discovered burials.

To report an issue or concern, notify your supervisor and call Robert Pak at (213) 660-6895 or Karen Crawford, archaeologist, at (858) 525-3915.

## IV. Historic Resources Monitoring and Discovery Plan Maps

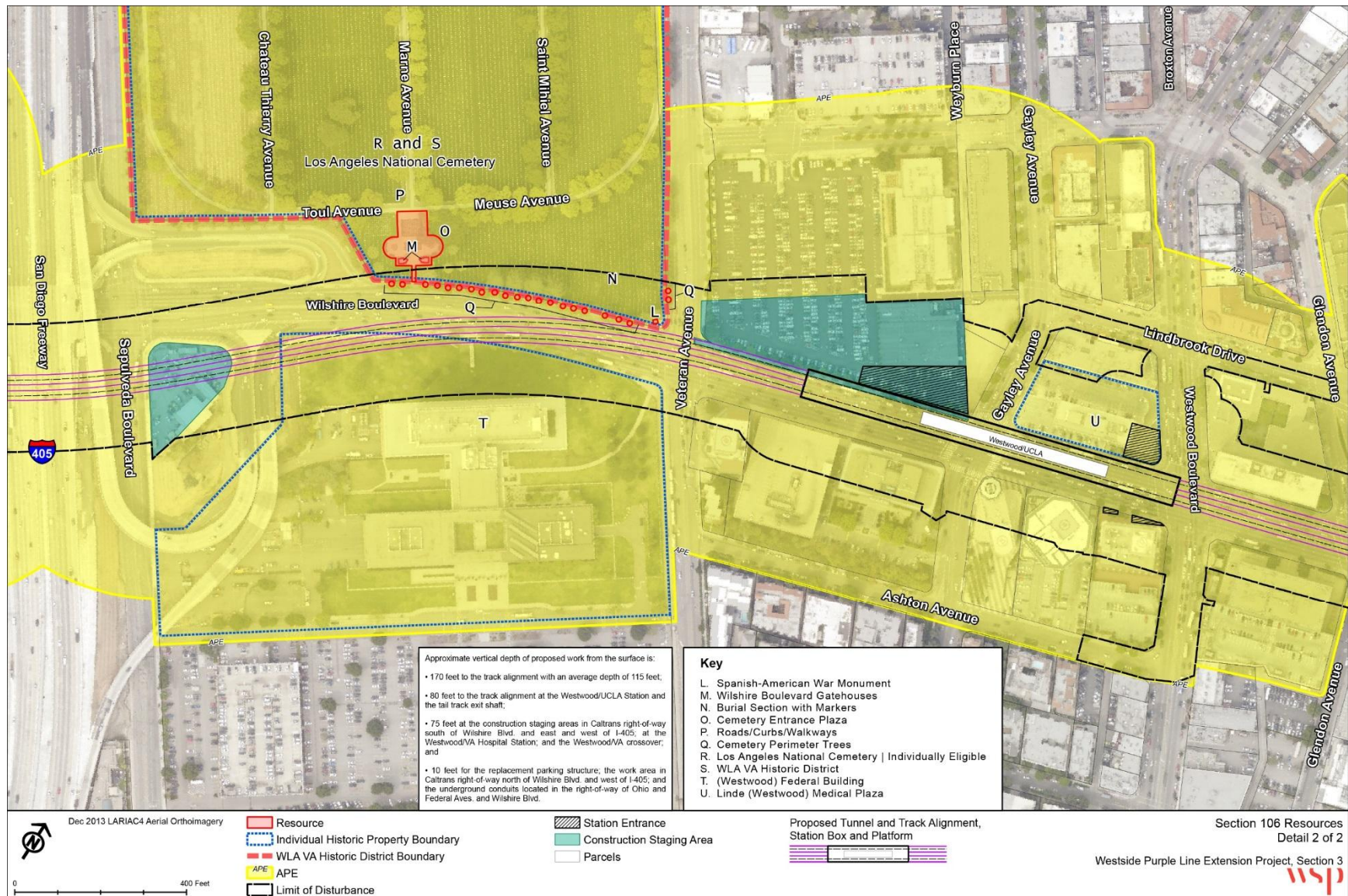
The following maps include all six historic properties, including sixteen contributing resources, which are within Section 3. Some of these properties are not within the project's LOD and are located outside of an area that may potentially be damaged during construction. The historic property letter on the map corresponds to the letter in the historic property matrix (Figure A-1).





WESTSIDE PURPLE LINE EXTENSION PROJECT





**WESTSIDE PURPLE LINE EXTENSION PROJECT**

## **APPENDIX B      HISTORIC RESOURCES MONITORING PERSONNEL**

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## APPENDIX B HISTORIC RESOURCES MONITORING PERSONNEL

Title/Role	Name	Organization	Phone Number
Senior Environmental Protection Specialist		LACMTA Environmental Compliance and Sustainability	
Transportation Program Specialist		Federal Transit Administration	
Environmental Protection Specialist			
Project Manager		LACMTA	
LACMTA Construction Manager		LACMTA	
LACMTA Resident Engineer		LACMTA	
Contractor Project Superintendent			
Contractor Project Foreman			
Project Monitoring Coordinator			
Project Principal Archaeologist			
Archaeological Monitor			
Native American Monitor			
Native American Monitor			
Native American Monitor			
Native American Monitor			
Native American Monitor			
Native American Monitor			
Native American Monitor			
Most Likely Descendent	Determined by NAHC	NAHC	

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## **APPENDIX C    NAGPRA PLAN OF ACTION**

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## APPENDIX C      NAGPRA PLAN OF ACTION INCLUDING THE VETERANS AFFAIRS WEST LOS ANGELES CAMPUS AND THE GENERAL SERVICES ADMINISTRATION PROPERTIES PURSUANT TO THE NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT

### C.1      Introduction

In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA) (25 U.S.C. 3001 et seq.) and its implementing regulations (43 CFR 10), the following Plan of Action (POA) establishes conditions and directions for the treatment of Native American human remains, associated funerary objects, sacred objects, and objects of cultural patrimony recovered during this project on federal lands. This POA is also compliant with the Archaeological Resources Protection Act (ARPA) (16 U.S.C. 470 et seq.). This POA applies to the portions of the project that are on federal lands at the Veterans Affairs West Los Angeles Campus administered by the U.S. Department of Veterans Affairs (VA) and the 11000 Wilshire Boulevard property maintained by the U.S. General Services Administration (GSA).

### C.2      Definitions

The following definitions for terms used in this plan are taken from NAGPRA:

*Cultural Affiliation* means a relationship of shared group identity that can reasonably be traced historically or prehistorically between a present day Indian Tribe and an identifiable earlier group [25 USC 3001 (2)].

*Human Remains* are any physical remains of the body of a person of Native American ancestry. The term does not include remains or portions of remains that may reasonably be determined to have been freely given or naturally shed by the individual from whose body they were obtained, such as hair made into ropes or nets. For the purposes of determining cultural affiliation, human remains incorporated into a funerary object, sacred object, or object of cultural patrimony must be considered as part of that item [43 CFR 10.2(d)(1)].

*Cultural Items* [25 USC 3001 (3)] include but are not limited to the following:

*Associated Funerary Objects* are objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects [25 USC 3001 (3) (A)].

*Unassociated Funerary Objects* are objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, where the remains are not in the possession or control of the Federal agency or museum and the objects can be identified by a preponderance of the evidence as related to specific

individuals or families or to known human remains or, by a preponderance of the evidence, as having been removed from a specific burial site of an individual culturally affiliated with a particular Indian tribe. [25 USC 3001 (3)(B)]. These funerary objects for which the human remains with which they were placed intentionally are not in the possession or control of a museum or Federal agency [42 CFR 10.2 (d)(2)(ii)].

*Sacred Objects* are specific ceremonial objects that are needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present day adherents [25 USC 3001 (3)].

*Cultural Patrimony* is an object having ongoing historical, traditional, or cultural importance central to a Native American group or culture itself, rather than property owned by an individual Native American, and which, therefore, cannot be alienated, appropriated, or conveyed by any individual regardless of whether or not the individual is a member of the Native American group, and such object shall have been considered inalienable by such Native American group at the time the object was separated from such group [25 USC 3001 (3)(D)].

### C.3 Project Cultural Affiliation

The Los Angeles Basin, including the entirety of this project, is the traditional tribal territory of prehistoric peoples known in historic times as the Gabrielino. No band or group of these peoples is currently federally recognized. However, NAGPRA guidance specifically states that federal agencies will consult with organizations on whose aboriginal lands the remains and cultural items might be discovered, who are reasonably known to have a cultural relationship to the human remains and other cultural items, and who are likely to be culturally affiliated with the human remains or other cultural items. The Federal Transit Administration (FTA) consulted with the California Native American Heritage Commission (NAHC) and identified the two federally recognized tribes, the Soboba Band of Luiseno Indians and Torres Martinez Desert Cahuilla Indians, as well as additional Native American tribes, including the Gabrielino-Tongva Tribe, Gabrielino Tongva Indians of California, Gabrielino/Tongva Nation, Gabrielino/Tongva San Gabriel Band of Mission Indians, Fernandeno Tataviam Band of Mission Indians, Tongva Ancestral Territorial Tribal Nation, Gabrielino Band of Mission Indians – Kizh Nation, and the San Fernando Band of Mission Indians, who may attach traditional religious and cultural importance to affected properties pursuant to 36 CFR 800.2 (c)(2)(ii). The Soboba Band of Luiseno Indians has deferred to the Gabrielino/Tongva San Gabriel Band of Mission Indians. FTA invited these tribes, who are consulting parties, to be concurring parties to the *Amendment to the Memorandum of Agreement between the Federal Transit Administration and the California State Historic Preservation Officer regarding the Los Angeles Westside Subway Extension Project, Los Angeles County, California* (MOA Amendment). Four tribes have requested to be concurring parties to the MOA Amendment: the Gabrieleño Band of Mission Indians-Kizh Nation, the Tongva Ancestral Territorial Tribal Nation, Gabrielino/Tongva San Gabriel Band of Mission Indians, and Gabrielino Tongva Indians of California. Of note, the concurring parties to the MOA Amendment are additionally the consulting parties to the current POA and are referred to as Native American tribes throughout this document.

### C.4 Project Definitions Based on Consultation

Funerary objects are any items within a minimum 3-foot radius of human remains. However, a larger radius shall be used if demonstrated by stratigraphy.

Sacred objects include any items with ochre applied, bone whistles, quartz crystals, minerals, cogstones, discoidals, green soapstone items, sunstone/staff stones, and cupule sized bowls (less than 5-inch diameter). Other items may be recovered that are sacred and shall be determined by consultation with the Native American tribes identified as concurring parties in the MOA Amendment listed above.

Objects of cultural patrimony include sacred bundles and other community-owned items.

## **C.5 Treatment, Care, and Handling**

In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can only be moved by heavy equipment placed over the excavation opening to protect the remains. Placement of a steel plate shall only occur if it will not harm or damage the discovered human remains. If this type of steel plate is not available, or if placement of a steel plate may damage or harm the discovered human remains, a guard will be posted outside of the archaeologists' working hours.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags (no transparent or plastic bags may be used). Bone or teeth may be bagged separately from funerary objects but both must then be placed into one opaque box so they are not separated.

Human bone and teeth may be dry-brushed to remove sediment but not washed. All sediment should be retained and reburied. No skeletal elements may be scanned or photographed, but hand-drawn illustrations are permitted. Quartz crystals, sacred bundles, and items with ochre applied shall not be washed. Other artifacts may be washed, photographed, and scanned.

All human remains, funerary objects, sacred objects, and objects of cultural patrimony will be removed to an on-site secure storage container but not removed from the project site. Other cultural items outside of a mortuary context may be removed from the facility in limited quantities for research-design related purposes, such as radiocarbon dating, hydration analysis, and other scientific studies. It is important to the Native American tribes that reburial occur as soon as possible; however, of equal importance is preventing future disturbance of the remains and materials. The reburial location and timing require further consultation based on the types of recoveries.

There shall be no publicity regarding any cultural materials recovered unless agreed to in advance by the Native American tribes. Representatives of Native American tribes will be afforded the opportunity to inspect and review all artifact collections and records from the project for the purpose of identifying sacred objects and objects of cultural patrimony. Native American tribes will be afforded the opportunity to inspect the excavations while in progress for the same purpose and to conduct such ceremonies as are deemed appropriate, including an altar inside the on-site storage container.

## **C.6 Archaeological Recording**

Archaeological monitoring and excavation during construction will be consistent with the Historic Resources Monitoring and Discovery Plan (HRMDP). All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior Professional Qualification Standards (36 CFR 61) for archaeology and have a minimum of 10 years of experience as a principal

investigator in Southern California. The Project Principal Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

The archaeological monitor is responsible for completing daily documentation of monitoring activities, including the location of monitoring activities throughout the day, observations of sediment type and distribution, observations regarding resources, collection of resources, and other information (Daily Field Monitoring Summary and Artifact Collection Log). The monitor is responsible to photograph, where permitted by this document, activities, sediments, and resources for documentation purposes and to fill out a Photograph Record Sheet daily. Hand-drawn illustrations will be used when photography is not permitted. Paperwork and photographs will be submitted at the end of each week to the Project Principal Archaeologist.

### **C.6.1 Archaeological Isolates**

Less than three artifacts in one location (100 square-meter area) are considered to be isolates regardless of time period (as described in Section 3.2.2 of the HRMDP). These may consist of, for example, a single projectile point, culturally modified animal bone, or a glass bottle. When isolates are discovered, the monitor should carefully examine the surrounding area to ensure that other artifacts are not present. Subsequently the monitor should photograph the isolate with a scale bar, obtain GPS coordinates of the location, and record the isolate using standard California Department of Parks and Recreation (DPR) series 523 forms. All prehistoric isolates will be collected and reburied.

### **C.6.2 Archaeological Feature or Site Evaluation and Treatment**

Sites consist of more than three artifacts in one location regardless of time period. In addition, sites may have features such as rock ovens, burials, and other human-created alterations of the natural environment with or without the presence of actual artifacts.

Sites and features require evaluation to determine if they meet significance criteria according to the National Register of Historic Places guidance. Significance is positive if the resource is eligible or potentially eligible for the National Register of Historic Places. The monitor will immediately divert work a minimum of 50 feet and place an exclusion zone (lath and flagging) around the feature/site. The monitor will then notify the Project Principal Archaeologist and Los Angeles County Metropolitan Transportation Authority (LACMTA) construction manager or designated contractor manager.

The feature or site must be delineated, photographed, GPS coordinates taken, and feature and site records completed, including field maps and drawings. Samples of artifacts, soils, charcoal, and other components may be taken to assist in evaluation. Each specimen or sample will be maintained with a tag specifying the provenience and field identification information.

Hand excavation by the monitor and/or field supervisor or a team of personnel may be necessary. The monitor or field supervisor may request controlled machine-assisted excavation. For example, a historic well feature or prehistoric cooking feature may be bisected using a backhoe or excavator to reveal stratigraphy and outline, then hand excavation may be used to explore the feature.



### C.6.3 Human Burials

A special type of feature is prehistoric Native American or historic burials. State law (Health and Safety Code §7050.5 and Public Resources Code §5097.98) mandates that any discoveries of human skeletal material be immediately reported to the County Coroner. The monitor will immediately divert work a minimum of 50 feet and place an exclusion zone (lath and flagging) around the burial. The monitor will then notify the Project Principal Archaeologist and the LACMTA construction manager or designated contractor manager, who will call the coroner and inform the federal agencies.

Work must remain diverted while the coroner determines whether the remains are Native American and for any subsequent treatment. Protection of human burials while awaiting the coroner's results will include keeping the discovery confidential and securing the discovery location to prevent disturbance of the remains and associated materials. If Native American, the coroner will notify the NAHC as mandated by state law (Health and Safety Code §7050.5 and Public Resources Code §5097.98). The NAHC will appoint a Most Likely Descendent.

Following consultations, exposed remains and associated cultural items will be subject to preliminary archaeological recordation. An archaeologist with osteological expertise will carefully and respectfully excavate the burial to expose in place the skeletal remains and any associated funerary objects. During excavation, all matrix associated with burials will be screened using 1/8-inch mesh for artifacts and skeletal materials. The human remains and their associated funerary objects will be exposed *in situ* for measurement, mapping, and documentation. If burials are found in restricted excavation openings, the excavation will be expanded to permit recovery of the whole individual. Detailed descriptive records, including both standardized forms and field notes, will also be made. This information must include the position of the skeletal remains, degree of articulation, orientation, depth, and relationship between the skeletal remains and any associated funerary objects. Any pathological conditions observed while *in situ* will be described in detail. No photographs of human remains will be taken. Estimation of sex, stature, and age will be documented while *in situ*. Cremations will either be removed in bulk (especially if they are still contained within a mortuary vessel) or by such means as necessary to ensure complete recovery of all material. Following consultation on traditional treatment of remains with tribal representatives, the human remains and any associated funerary objects will be exhumed. The burial unit may be staged in secure storage until LACMTA locates an appropriate reburial location.

Reburial locations will be formally recorded on standard DPR forms as an Archaeological Redeposit. The site record will include maps of the original and reburial locations. The record will include dates of excavation and reinternment and a list of individuals (with affiliation) present during reburial.

### C.6.4 Site and Feature Documentation

Every feature and site requires a standard set of data be taken. This includes all information on the standard DPR forms, including UTM readings using a GPS unit, an accurate elevation measurement, the depth below surface, and true north reading. Additional information collected may include one or more column samples and samples for further analysis such as botanical, pollen or radiometric analyses.

### C.6.5 Cleaning and Stabilization

Recovered materials generally require cleaning to permit identification. Most will be washed with plain water. Human skeletal materials will be dry-brushed only and no preservatives will be applied.

### **C.6.6 Identification and Cataloging**

All materials and objects will be identified by experts, defined as those possessing a Master's Degree or Ph.D. in archaeology or anthropology and more than five years of experience in burial analysis. All identifications will be as specific as possible. All specimen information, including identifications, will be entered into a computerized catalog database. Each specimen will be maintained with a tag specifying the provenience and identification information.

### **C.7 Archaeological Analysis**

Analyses conducted depend to a great extent on the number of artifacts/ecofacts recovered and their condition. Typical analyses include botanical/pollen/phytolith or organic residues, radiocarbon dating, stone tool laser ablation, x-ray diffraction and hydration, manufacture, chronological indicators, placing recovered artifacts/ecofacts into the regional framework, intra-site distribution, trade, subsistence, and other relevant research topics.

Human skeletal remains shall not be subjected to any destructive (physically destroying any portion of the skeletal remains) or invasive (sampling within the cranium for example) analyses. No photographs or scans of human skeletal remains are permitted but hand-drawn illustrations are permitted for documentation. Human skeletal remains will be documented using OsteoWare (<https://osteoware.si.edu/>).

Funerary and sacred objects, objects of cultural patrimony, and artifacts of bone and shell shall not be subjected to any destructive analyses. Non-destructive documentation of the remains and cultural items will be carried out in consultation with the Native American tribes. Sacred objects and objects of cultural patrimony shall not be photographed or scanned without consent of the Native American tribes. Hand-drawn illustrations are permitted for documentation. All other artifacts may be photographed and scanned. Faunal (animal) bone and shell may be subjected to radiocarbon dating in limited quantities. Limited quantities of stone tools or debitage may be subjected to hydration or laser ablation.

### **C.8 Notice to Native American Tribes**

FTA will notify MOA Amendment signatories and Native American tribes within 24 hours for each discovery of human remains, sacred objects, or objects of cultural patrimony. In accordance with NAGPRA, the Native American tribes previously identified in Section C.3 will be afforded opportunity to consult on appropriate traditional treatment as outlined in Section C.9. Additionally, FTA will notify Native American tribes a minimum of one month in advance of reburials. The Native American tribes will be afforded the opportunity to perform traditional ceremonies for the reburials.

### **C.9 Traditional Treatment**

The traditional treatment of each occurrence of human remains will be conducted at the discretion of Native American tribes. Religious practices and traditional treatment may vary between different tribes.

Traditional treatment of each occurrence of human remains, sacred objects, and objects of cultural patrimony may include offerings of white sage and other traditional plants in addition to modern representations of traditional artifacts. Reburial treatment may involve all of the above in addition to traditional songs and chants.

## C.10 Reporting

Technical and public reports on cultural materials of all types will be in compliance with ARPA, Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, and California Office of Historic Preservation's Archaeological Resource Management Reports Office (<http://ohp.parks.ca.gov/pages/1054/files/armr.pdf>). The final project archaeological report will attempt to address previously unanswered/under-answered research questions for the geographical area per National Register Bulletin 15 (<https://www.nps.gov/nr/publications/bulletins/nrb15/>). The information recovered should be as complete as possible as it is the last opportunity of the scientific and descendant communities to learn about the archaeological site.

The entire project is a federal undertaking with FTA as the lead agency. However, two other federal entities own portions of the project area; these are VA and GSA. The Project Principal Archaeologist shall maintain all research and working documents containing information or photographs of cultural items removed from the properties of these specific federal agencies separately. Under the purview of the FTA, an inventory of remains and funerary objects and a summary of sacred objects, cultural patrimony objects, and unassociated funerary objects will be prepared. As a federal undertaking, all such information from the project is protected from public disclosure under Section 304(a) of the NHPA. Any and all reports, articles, or public available accounts of the human remains and other cultural items recovered shall treat them with respect and concern for the traditional values of the Native American tribes. Line drawings of Native American human remains will be allowed for illustration in publicly available documents, but no photographs shall be presented. Any illustrations or published description of ceremonial activities involving specifically identified sacred objects or objects of cultural patrimony will be prepared in consultation with Native American tribes.

## C.11 Disposition of Recoveries

Custody and disposition shall comply with 43 CFR 10.6 and 10.7. Based on consultation for this POA, all prehistoric cultural items and human remains discovered during excavations for the project shall be reburied within the Project's Area of Potential Effects, and thus no repatriation (change of physical custody) will occur and no notices of disposition are required.

## C.12 Review and Updating

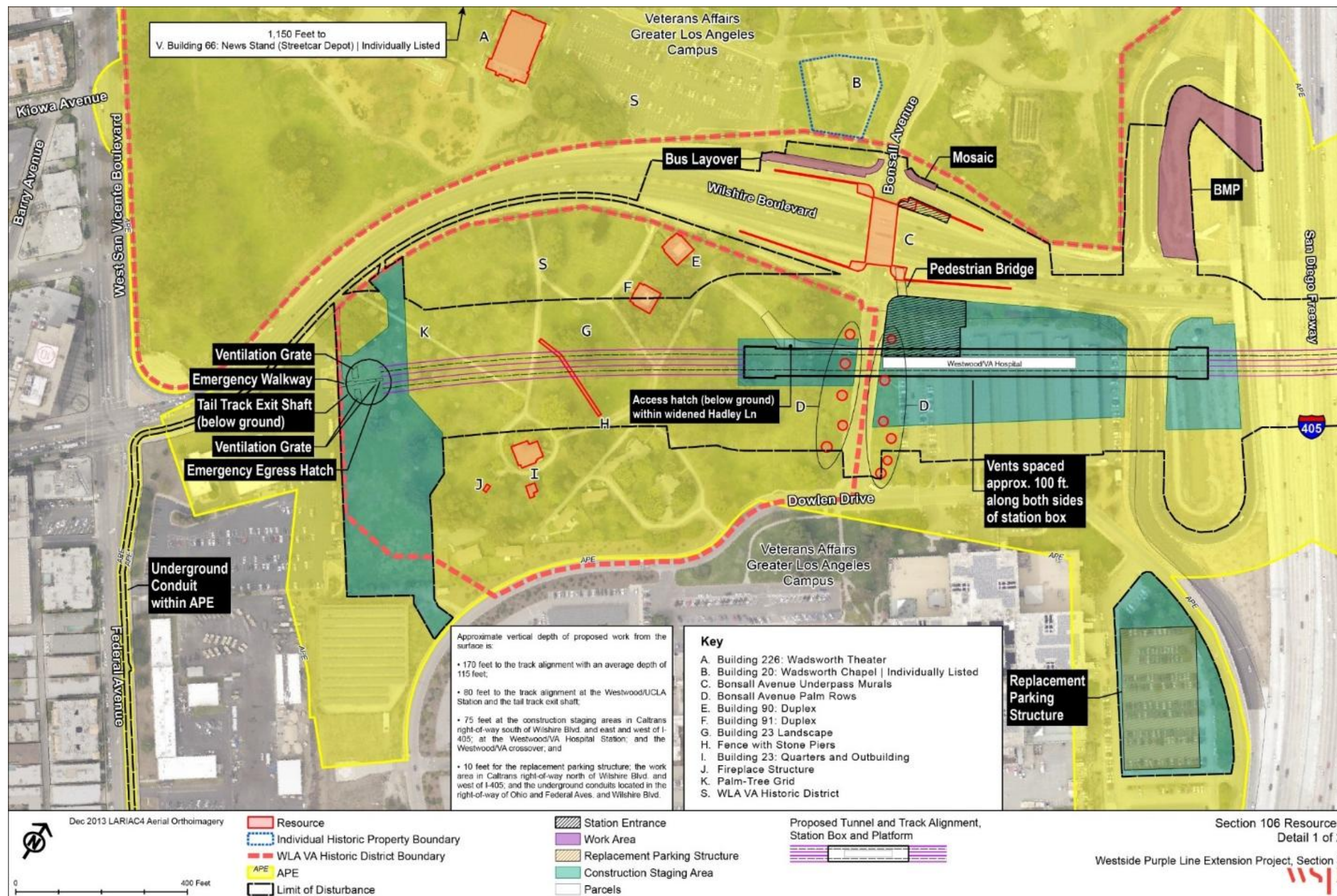
This POA shall be reviewed periodically by LACMTA, FTA, VA, and GSA and updated as necessary to comply with any changes in NAGPRA or its implementing regulations. Substantive changes will only be made after consultation with the California State Historic Preservation Officer, the Advisory Council on Historic Preservation, and Native American tribes.

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## **APPENDIX D    AREA OF POTENTIAL EFFECTS**

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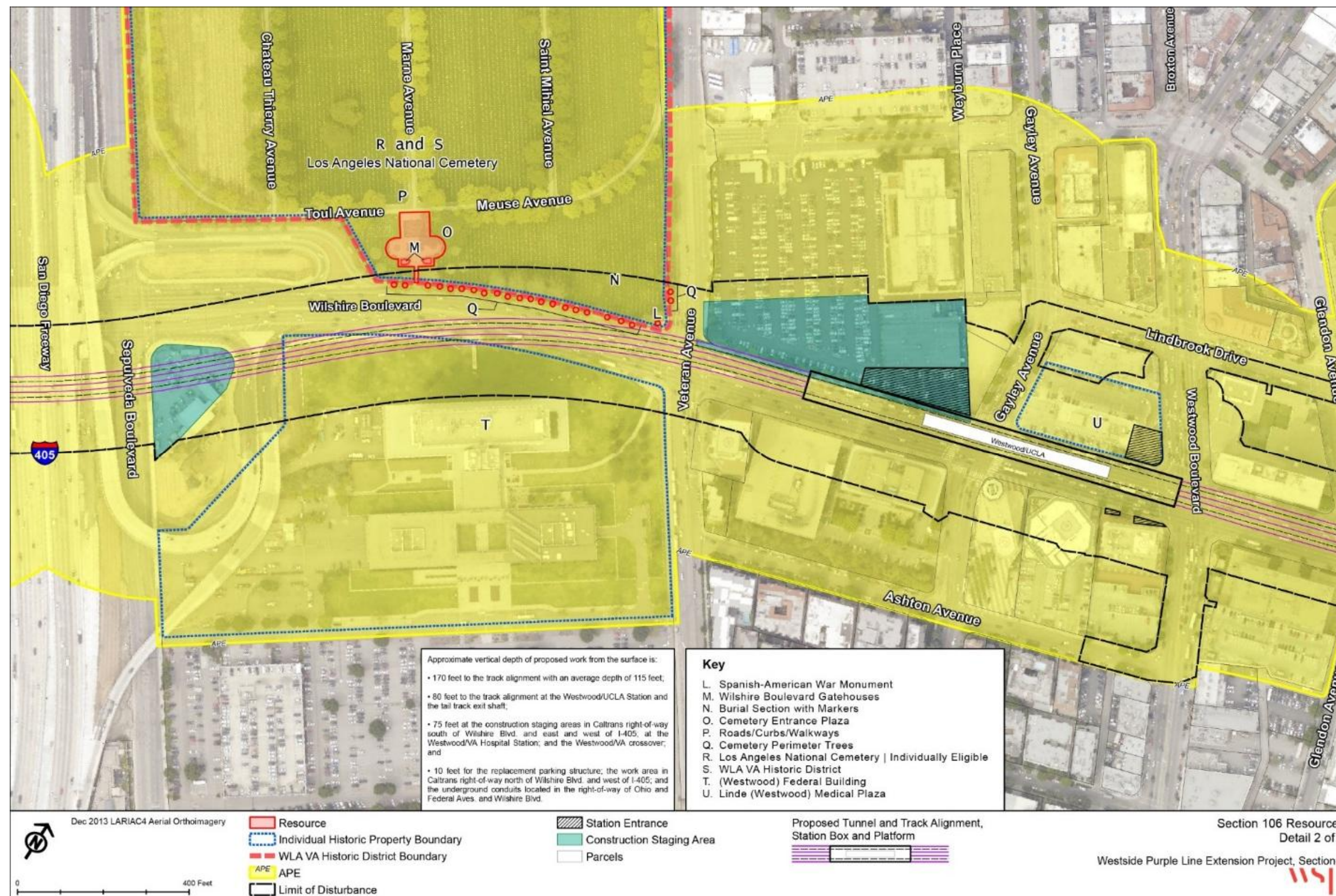
# WESTSIDE PURPLE LINE EXTENSION PROJECT





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# WESTSIDE PURPLE LINE EXTENSION PROJECT



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