TREATMENT PLAN FOR POTENTIAL CULTURAL RESOURCES WITHIN PROPOSED METRO RAIL SUBWAY STATION LOCATIONS IN METROPOLITAN LOS ANGELES, CALIFORNIA

Prepared For:

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TREATMENT PLAN

1.0 SUMMARY AND INTRODUCTION

This plan prescribes the procedures to be followed if potentially significant archaeological resources are discovered during construction of the Los Angeles Rail Rapid Transit Project (Metro Rail).

These procedures, termed a Treatment Plan for Cultural Resources, are required by the Memorandum of Agreement (MOA) contained in the December 1983 Final Environmental Impact Statement (FEIS) for the Metro Rail Project. Signatories to the MOA are the Advisory Council on Historic Preservation, California State Historic Preservation Officer, Urban Mass Transportation Administration and Southern California Rapid Transit District. The MOA called for development of an Identification Study, which has been prepared separately. This Treatment Plan establishes treatments to be followed in case of discovery of the resources described in the Identification Study. Both the Identification Study and the Treatment Plan follow the September 29, 1983 Secretary of the Interior's "Standards and Guidelines for Archaeology and Historic Preservation". The District also has responsibility to protect archaeological resources under the California Public Resources Code, Section 21083.2.

The program presented herein is consistent with Section XII.1.C, of Part II of the Advisory Council's "Treatment of Archaeological Properties: A Handbook" (Handbook). As stated in the "Handbook":

> "A Memorandum of Agreement that provides for archaeological monitoring or other forms of data recovery as guards against uncertain discovery possibilities (for example, where there is a possibility that archaeological data will be discovered when a building is demolished). In such an instance, it may not be feasible to develop a detailed data recovery plan because the nature of the possible discovery situation is too uncertain (1980:20)."

The Handbook recognizes that it may not be possible to "develop a detailed data recovery plan . . ." at this stage of project design given the uncertainty about the existence, precise location and significance of subsurface cultural resources within the affected area. However, given the existing information, it is possible to develop and provide a Treatment Plan that sets forth examples of potential impacts to various types of possible resources and then pose specific plans for dealing with such resources.

The FEIS and the Identification Study for the project identify a potential for encountering archaeological resources at the subway station at the Los Angeles Union Passenger Terminal (LAUPT) and at the intersection of 5th and Hill Streets. Two types of resources at Union Station and one at Fifth and Hill streets may be eligible for the National Register. The extent and significance of the potential resources is unknown, although research has provided a range of resource types that may be encountered. Implementation of several differing strategies and treatments will ensure that significant cultural resources are not destroyed or impaired. The procedures in this plan vary from on-site monitoring by a gualified archaeologist during initial grading and excavation to implementation of a data recovery program if significant cultural resources are encountered during construction. The effective implementation of the Treatment Plan requires close coordination between the Project Archaeologist retained by the District under the terms of the MOA and the Resident Engineer directing construction activities at the Station.

The Identification Plan also recommended a program of subsurface testing including trenching and monitoring the installation of the excavation support system. This program is intended to supplement the data contained in the Identification Study. If significant archaeological or historical resources are encountered during this effort they will be given a preliminary evaluation, photographed and left intact. Because the purpose of the test trenching is to verify the presence/absence of such resources, the documentation of any resources discovered in the trenching will necessarily be brief. More comprehensive evaluation and treatment will be conducted during a data recovery phase if warranted, and as described below by resource type.

2.0 GENERAL PROCEDURES

The following general procedures will apply to the treatment of resources described in this plan: 1) curation arrangements for the ultimate disposition of artifacts, 2) a pre-work meeting between contractors, archaeologists, Rapid Transit District (District) managers and the Resident Engineer, 3) archaeological monitoring during testing/boring and during removal of fill material, 4) Federal research design guidelines compliance for those resources, if any, that are National Register eligible and 5) funding procedures.

Throughout the project, the District will keep the Los Angeles Cultural Heritage Board and the Los Angeles Conservancy informed of the proceedings.

2.1 Curation

In accordance with Section X, Part III of the Handbook, the District is responsible for curation of recovered specimens that are eligible for the National Register. Approved curation arrangements may include permanent storage at a regional research center or appropriate public or private repository meeting the standards set forth at 36 CFR Sec. 1210.4(q)(1), provided reasonable access is guaranteed for future study. Institutions such as EL Pueblo de Los Angeles State Park, University of California, Los Angeles, the Los Angeles County Museum of Natural History and others are potential repositories.

2.2 Pre-Work Meeting

Prior to commencement of excavation at the Union Station site and the 5th and Hill site, a pre-work meeting shall be held to discuss the process to be used in the field and establish lines of communication.

The meeting will also help to familiarize the Resident Engineer and Contractor as to the specific types of archaeological materials that may be encountered and the methods of dealing with such resources. Similarly, the Resident Engineer and Contractor can familiarize the Archaeologist with project construction procedures, schedule information and unique situations that may occur on the project.

Attendees at the meeting will include an authorized RTD representative, the Resident Engineer, a representative of the State Office of Historic Preservation, the Project Archaeologist, the Contractor's representative, and others as may be appropriate.

2.3 Archaeological Monitoring

Archaeological monitoring of the excavation of the LAUPT and 5th/Hill subway stations will ensure that discrete deposits or individual features not identified through subsurface testing and monitoring the installation of the excavation support system are not inadvertently lost. If any of the significant cultural resources described in the Identification Study are encountered, the treatment procedures contained in this Plan for the specific resource will be implemented.

Archaeological monitoring consists of assigning a trained observer under the direction of the Project Archaeologist to observe earth-moving activities. It will be necessary to temporarily suspend earth-moving activities if archaeological resources are found. The Project Archaeologist will determine the type, period and significance of the resource so that the appropriate treatment procedure described in Section 3 below may be followed.

Monitoring activities will continue until the excavation has passed the zone where archaeological finds are considered likely, as described in the Identification Study.

2.4 Research Design Guidelines

As is discussed below on a resource-by-resource basis, discovery of National Register archaeological deposits during excavation and construction may require preparation of research designs. In general, research designs are resource specific and require a definition of the nature of a given resource to actually prepare the design. However, the following guidelines would apply to the development of research designs for virtually all of the resources that may exist in the project area. Types of research questions and problems that may be addressed by excavation or analysis are discussed later in the subsections dealing with each resource.

2.4.1 Design Objectives

Any research design that is prepared for any of the potentially National Register eligible archaeological resources in the project area should follow the guidelines provided in the Secretary of the Interior's "Standards and Guidelines" and the Handbook. At a minimum, the research design will:

- Evaluate the significance of the resource to be studied and provide a statement of resource significance in clearly understood terms.
- Provide research problems or other issues pertinent to the significance of the resource.
- Clearly state the amount and kinds of information required to address the research questions in the project design. This should include a discussion of how much data needs to be collected before the extra data becomes redundant or when additional effort does not produce an equivalent amount of data.
- Provide the methods that will be used to extract and analyze the data.
- Discuss the relationship of the proposed archaeological investigation to anticipated historical or structural documentation or other treatments.

2.4.2 Design Content

A primary focus for archaeological data recovery and documentation is to gather information that would address the specific research problem. In this process some non-relevent data sets may be intentionally omitted. Exclusion of such data should be justified and concisely presented as a limiting factor within the data recovery plan.

Because one major function of a research design is to provide limits to data recovery, the following information should be stated within the research design:

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- Specific data needs: what tyes of data are required, how much data is needed and what limitations can be placed on the recovery of data.
- Define the work schedule and funding available to recover the data and to perform analysis.
- o A statement of the relative cost efficiency of various strategies. For example, when is a backhoe trench acceptable, and when would controlled manual excavation be preferred over backhoe work. Each strategy should be evaluated in terms of cost versus data loss and cost versus time. In all probability, no one strategy will work for all resource types potentially present within the project.

2.5 Funding

Public Law 93-291 establishes procedures whereby up to one percent of Project funds may be used for data recovery and curation. For the purpose of compliance with this requirement, two specific projects are defined as follows:

- o Union Station, Stage I, A-135.
- o 5th/Hill Station, Stage I, A-145.

Curation costs would depend on the type of storage arrangement. If permanent storage is required and the chosen institution requires payment for curation, the curation fees may be based on the number of trays or drawers used to house a collection or the volume of the material curated.

As an alternative to permanent storage, the District may:

- return artifacts to private owners where private property rights so require, after description, study, and analysis in accordance with the data recovery plan are complete;
- o loan or lease to public or private parties, after description, study, and analysis in accordance with the data recovery plan are complete, provided access for future study and proper care of the specimens can be expected; and
- o return specimens having religious or cultural significance to practitioners of the religion or cultural institutions in question, after description, study and analysis in accordance with the data recovery plan are complete.

3.0 TREATMENT OF RESOURCES

3.1 Organization of the Treatment Plan

This plan provides step-by-step instructions for treatment of each type of archaeological resource contained in the Identification Study. The types of resources that might be encountered are as follows:

- Artifacts and materials ranging from a midden deposit to isolated artifacts associated with the prehistoric (prior to 1769) period of the village of Yangna, especially in the western portion of Union Station, or artifacts and materials ranging from a midden deposit to isolated artifacts associated with the contact period (circa 1769 to 1840) village of Yangna. These are described in Section 3.2.
- Historic (after 1840) deposits of the Anglo-American period; specifically the Sisters of Charity Orphanage complex and those associated with the nearby Chinese settlements. These are described in Section 3.3.
- Historic irrigation canal (Zanja Madre) at the 5th/Hill Station which is discussed in Section 3.4.
- Unanticipated resources which are discussed in Section
 3.5.

In the following sections, the Plan first discusses the resources at Union Station, followed by those at the 5th/Hill Station.

3.2 Prehistoric or Contact Period Resources at the Los Angeles Union Passenger Terminal

Prehistoric or contact period resources within the affected area at Union Station may be encountered below the original fill level at what was once the historic ground surface. The exact depth of fill varies across the facility; it may be as shallow as 3-4 feet in front of the Union Station and as deep as 20 feet in the track area. Because documentation of the exact location of previous archaeological finds is ambiguous, it is difficult to pinpoint an area of higher or lower sensitivity. Resources that may have existed in the track area to the rear of Union Station may be relatively undisturbed by historic activities and the placement of up to 20 feet of fill. However, they may have suffered severe displacement by past flooding and natural soil movement. Conversely, prehistoric resources that may exist under the more shallow 3-4 feet of fill in the front may have been disturbed by historic land use. Contact period resources are those artifacts or cultural debris that were manufactured or used by native peoples after Spanish intrusion in 1769, but before wide-scale acculturation, circa 1840. Examples might include glass arrowpoints, metal spears or ceramic vessels with handles. The potential for significant contact period resources is greater near the intersection of Alameda and Commercial Streets in the general area of the reported historic rancheria. There is relatively lower potential for finding significant contact period resources at the site of the Metro Rail Union Station.

The type of prehistoric artifacts and cultural debris or contact period artifacts that could be found subsurface may range from intact midden deposits and human remains to isolated artifact finds. The plan for each is discussed below.

3.2.1 Midden Deposits

Generally, a midden deposit is defined as a soil deposit containing cultural debris, greasy soils, faunal remains, ash/ charcoal, seeds and other evidence of a broad range of rather intensive human use. An intact midden deposit possessing a full range of artifacts might qualify for the National Register and would potentially pose the greatest constraint to construction in terms of delay time and temporary avoidance. A step-by-step plan for this potential resource follows.

3.2.1.1 Preliminary Evaluation

If a midden deposit is encountered during excavation, it will be necessary to temporarily halt work in the immediate area so that the project archaeologist can conduct a preliminary evaluation to determine whether the resources are of national significance. Criteria used in the evaluation are taken from 36 CFR Part 60 quoted below:

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

"(A) that are associated with events that have made significant contribution to the broad patterns of our history; or

(B) that are associated with the lives of persons significant in our past; or

(C) that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

(D) that have yielded, or may be likely to yield, information important in prehistory or history."

If the midden deposit meets the criteria of significance required for eligibility for listing in the National Register of Historic Places, the plan described below will be followed.

If the midden deposit does not meet the criteria for the National Register, no further treatment is required.

3.2.1.2 Plan for National Register Eligibility

- O <u>Step 1 Research Design</u>: Preparation of the research design may require up to one work week and shall follow guidelines and examples provided in the "Treatment of Archaeological Properties: A Handbook". Research questions will include:
 - determining site function as it relates to the known settlement pattern for the region;
 - describing the diet and food procurement of the inhabitants as evidenced by faunal remains, soil pollens, and diagnostic artifacts;
 - 3) placing the site in a temporal framework through the use of radiometric dating, analysis of time-sensitive artifacts and comparison with similar sites that have been dated and
 - 4) determining the range of human activities that took place at the site. Other research topics or avenues of research may be applicable based on the extent and nature of the midden deposit.

The research design also includes the methods of data recovery. This consists of:

- selection of a number of samples totalling 3 to 5 percent of the affected resources;
- 2) controlled excavation of units 1 meter square in 10 centimeter levels;
- 3) mapping, sketching and recording position information;
- screening of all excavated soils through 1/8 inch mesh hardware cloth;
- 5) retrieval of all cultural materials from the units or from the screen;

- 6) cataloging and analysis of all recovered materials to cover speciation of shellfish and other faunal remains, typological study of stone tools and other implements, radiometric dating of organic matter as deemed relevant to the research goals; and
- 7) preparation of a technical report that describes the field methods, research design, lab techniques, and interpretation of the findings.

The Project Archaeologist will complete the data recovery research plan by adding to the above information, the relevant photographs, sketches and other supporting data obtained through preliminary tests of the deposit.

o Step 2 - Consultation: Initial consultation with SHPO and ACHP has been accomplished during preparation of this Treatment Plan. The District will forward the data recovery research plan to SHPO and the ACHP and consult either in person or by phone with SHPO and obtain their final approval after specific information has been filled in from preliminary evaluation of the resource deposit. Approval will probably take two to three work days.

A copy of the Research Design will be forwarded to the Advisory Council for their review. Copies will be provided to the Los Angeles Cultural Heritage Board and the Los Angeles Conservancy for their information.

If comments are received from the Advisory Council, they can be worked into the analysis and interpretation phase of the data recovery program.

- Step 3 Data Recovery: The Project Archaeologist can begin excavation and removal of cultural materials, following the research design, while the final data recovery research design is being reviewed by the Advisory Council. Throughout the data recovery phase, work can continue at other areas. Resources and data will be recovered by the Project Archaeologist and staff by means of sampling the affected resource. Data recovery at a midden deposit may require a work day at a minimum and as long as two work weeks.
- Step 4 Submit Preliminary Report: When the in-field data recovery program is completed the Project Archaeologist will immediately report the findings and preliminary conclusions to the District who will transmit them to SHPO. After SHPO concurs with the preliminary findings construction may resume in the affected area while concurrent laboratory analysis and report preparation are conducted. Thirty days may be required from completion of in-field work to SHPO concurrence.

 Step 5 - Produce Final Technical Report: The final product of such a discovery, field program and laboratory analysis will be a professionally acceptable technical report that adheres to Federal guidelines, including 36 CFR 1210 and the ACHP's "Recommendation for Archaeological Data Recovery", for format and content.

3.2.2 Human Burials/Remains

- Step 1 Discovery/Determination of Age: If human remains or burials are encountered during excavation, the Contractor is required under California State law (Public Resources Code Section 5097.98) to seek temporary suspension of excavation and contact the local coroner. It is the coroner's responsibility to determine that the death does not require further investigation and to determine if the remains are or are not Native American. The coroner shall make these determinations within two working days of receiving notice. If no further investigation is needed and the remains are not Native American, the contractor should dispose of them in accordance with Section 7100 of the California Health and Safety Code.
- Step 2 Consultation: If the burial or human remains is determined to be Native American, the coroner shall contact the Native American Heritage Commission (Commission) by telephone with 24 hours. Under the provisions of Section 5097.98 of the Public Resources Code, the Commission shall immediately notify the likely descendants of the deceased. The descendants may recommend to the excavators means for treating or disposing of the human remains and associated grave goods, and shall make their recommendations within 24 hours of notification by the Commission. See the cited laws for further information.
- Step 3 Disposition of Remains: Final disposition of human remains or a burial will be determined by the procedures in Section 5097.98 of the California Public Resource Code and Section 7100 of the California Health and Safety Code. Frequently, Native American religious leaders prefer that human burials be removed from the immediate impact area and reinterred at a contiguous area beyond the construction zone. Removal may require anywhere from a work day to a work week. Research designs and formal data recovery plans are not required for excavation and removal of a burial or human remains.

3.2.3 Isolated Artifacts/Features

o Step 1 - Preliminary Evaluation: If an isolated artifact or small grouping of artifacts is encountered during excavation, it will be necessary to temporarily halt work in the immediate area so that the Project Archaeologist can determine if the artifacts are an isolated find and whether the artifacts are significant. The Archaeologist will also determine if the artifact(s) justify removal and further study. Without reference to a larger site, isolated artifacts are likely to be of local significance which depends on the resource's association with events or persons that are significant in local history. A formal research design is not required to guide artifact removal.

O Step 2 - Artifact Removal: Cultural materials will be removed from the deposit of isolated artifacts or small groups of artifacts as necessary using appropriate archaeological techniques to record the contextual data as well as retrieve the artifacts. Cataloging and analysis can be performed at a later date and will not impede construction. Agency review and concurrence of findings is not required.

3.3 Historic Resources at Union Station

As identified in the Identification Study, historic resources may exist in the area west of Union Station and particularly in the northwest area between Alameda and Macy Street near the proposed cross-over box. To be significant, such resources must possess unique architectural style, yield information important in the interpretation of history or otherwise make a significant contribution to our understanding of the past. Given these criteria and other standards for significance, historic resources must be either in-place architectural units, historical features or possess some other standard of uniqueness to be considered as a National Register eligible property. It is unlikely that National Register eligible Anglo-American period resources will be encountered. The potential types of resources are discussed below.

3.3.1 Sisters of Charity Orphanage and Associated Resources

 Step 1 - Preliminary Evaluation: Should resources associated with the historic orphanage be encountered during trenching or excavation it will be necessary to temporarily suspend work in the affected area until the Project Archaeologist can determine whether the resources are significant. This assessment usually takes less than a day.

Should the Archaeologist determine that the resource is of limited quality or research potential, he/she may require that the resource be documented, photographed, and sketched prior to resumption of soil removal. Such documentation can usually be performed in a work day to a work week. If isolated architectural features are discovered, they may also require photodocumentation and drawings as a means of recording the data. In some cases, exposure of an isolated feature and documentation by these means may be the primary data set; no other treatment being required.

3.3.2 Chinese Period Artifact Deposit

There is no evidence of a National Register eligible deposit, architectural feature or other in-place concentration of Chinese culture within the Project area. Chinese period artifacts and other evidence of their material culture have been found underneath the fill in the southern portion of the surface parking lot in front of Union Station and west of Alameda Street at LAn-7. If such resources are found in the project area, they could be significant because their recovery and analysis may contribute to our understanding of Chinese economics, social life, and history in early Los Angeles.

o Step - 1 Determine Eligibility: The Project Archaeologist should make an in-field assessment of any resources uncovered. Because of the relatively low potential for significant historic Chinese resources in the project area, we anticipate no major work stoppage although there may be the need to temporarily divert grading or soil removal if resources are encountered. No formal research design will be necessary unless a deposit is found that meets National Register criteria. If a significant deposit is found the steps under Section 3.5 (Discovery of Unanticipated Resources) below will be followed.

3.4 Historic Resources at the Fifth and Hill Station

Archival research suggests a portion of the Zanja Madre, a potential National Register eligible property and the water system for historic Los Angeles, may remain intact within the proposed subway station at Fifth and Hill Streets. If present, this historical feature may cross Hill Street approximately 50 feet north of Fifth Street at a depth of up to 20 feet.

- o Step 1 Excavation Monitoring: To ensure that this historic feature is not destroyed, initial excavation activities within 20 feet of grade at the Fifth and Hill Streets subway station shall be monitored.
- Step 2 Research Design: A formal research design is not necessary because of the excavation of a portion of the Zanja Madre and development of a research design recently at El Pueblo de Los Angeles State Historic Park.

 Step 3 - Documentation/Removal: In the event this feature is found, construction activity within the affected area shall be suspended until such time as the feature can be efficiently exposed, photographed, sketched and removed in a professional, controlled manner.

- o <u>Step 4 Curation</u>: Following removal, the bricks and any associated artifacts will be donated to a public or private institution for curation or use at a publicly visible site where an interpretive display could be constructed. Officials at El Pueblo de Los Angeles State Historic Park have expressed some interest in such materials if they are encountered. Depending upon the extent and condition of resources encountered at this station location, the on-site assessment and removal could require anywhere from one work week to three work weeks.
- Step 5 Produce Final Technical Report: The final product of such a discovery, field program and laboratory analysis will be a professionally acceptable technical report that adheres to Federal and State guidelines, including 36 CFR 1210, the ACHP's "Recommendations for Archaeological Data Recovery" and California Public Resources Code 21083.2 for format and content.

3.5 Discovery of Unanticipated Resources

It is possible that the project may encounter resources that have not been anticipated in the above scenarios. If monitoring of construction reveals such resources that, because of quality, nature or extent, would be eligible for listing in the National Register of Historic Places or qualify as an important archaeological resource under Section 21083.2 of CEQA, the following procedures will be followed:

3.5.1 Preliminary Evaluation:

If unanticipated resources are encountered during excavation it will be necessary to temporarily halt work in the immediate area so that the project archaeologist can conduct a preliminary evalution to determine the nature of the resource(s) and whether they are significant according to the criteria in Section 3.2.1 above.

If the resource meets the criteria of significance for listing in the National Register of Historic Places, the plan below will be followed. If the resource is not eligible for the National Register no further treatment is required. The Project Archaeologist may require up to one work week to evaluate such resources.

3.5.2 Plan for National Register Eligible Resources:

- Step 1 Research Design. The Project Archaeologist will develop a research design covering research questions, data recovery methods, cataloging and laboratory analysis of recovered material and preparation of a technical report on the find. The research design will follow the guidelines in Section 2.4 above. The preparation of the research design may require up to one work week.
- Step 2 Consultation: The District will forward the research design to SHPO and the Advisory Council on Historic Preservation for their review and concurrence. The District and Project Archaeologist will consult with SHPO to gain concurrence for the research design. This process can take one or two weeks.
- o Step 3 Data Recovery: The research design will be implemented and data recovery accomplished accordingly after SHPO's concurrence with the research design. Data recovery may proceed while the Advisory Council is reviewing the research design.

If comments are received from the Advisory Council, they can be worked into the analysis and interpretation phase of the data recovery program. Throughout the data recovery phase, if required, work can occur at other areas if such work is monitored. Data recovery duration is unknown.

- Step 4 Submit Preliminary Report: When the in-field data recovery program is completed the Project Archaeologist will immediately report the findings and preliminary conclusions to the District who will transmit them to SHPO. After SHPO concurs with the preliminary findings, construction may resume in the affected area while concurrent laboratory analysis and report preparation are conducted. Thirty days may be required from completion of in-field work to SHPO concurrence.
- O Step 5 Produce Final Technical Report: The final product of such a discovery, field program and laboratory analysis will be a professionally acceptable technical report that adheres to federal guidelines, including 36 CFR 1210 and ACHP's "Recommendation for Archaeological Data Recovery," for format and content.

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