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Maya Zaitzevsky
Project Coordinator
Department of City Planning
200 North Spring Street, Room 763
Los Angeles, California 90012

December 6, 2003

RE: Canyon Hills Project Draft Environmental Impact Report Prepared by Christopher A. Joseph & Associates, Prepared for the City of Los Angeles (ENV-2002-2481-EIR, SCH No. 2002091018).

Dear Ms. Zaitzevsky,

The following comments concern the cultural resources section of the DEIR. I am a member of VOICE, a former Historic Preservation Commissioner for the City of Glendale, and a retired Cultural Resources Consultant and Archaeologist. I have several concerns regarding the adequacy of the impact analysis, and have identified potential flaws in the technical study conducted for the project.

1) The DEIR does not provide the reader with a definition of "cultural resources" as defined by federal, state, and local guidelines. The significance criteria for cultural resources and the thresholds of significance for impacts cannot be applied without an adequate definition of what constitutes a cultural resource under the law.

16-1

2) Local City of Los Angeles historic preservation guidelines and ordinances are not referenced and appear to have not been consulted. The City of Los Angeles Cultural Heritage Commission was not consulted, nor was the City of Los Angeles Hillside Ordinance zoning regulations as they pertain to cultural resources and effective mitigation measures for protecting those resources.

16-2

3) The DEIR references compliance with the California Environmental Quality Act, the National Environmental Policy Act, and the National Historic Preservation Act (NHPA) without mentioning why these are important to the study. Each of these laws defines cultural resources in detail and outline significance criteria utilized by professionals to determine a project's significance on the environment; these should be outlined in the DEIR. In addition, neither the DEIR nor the technical report, are in compliance with NHPA. Potentially affected Native American or other ethnic groups were not consulted during the cultural resources study. Section 106 of the NHPA is requisite when a project receives federal monies or requires federal permits; the Canyon Hills project is reported to need Army Corps of Engineers Section 404 permits, among others. It is incumbent on the authors of the DEIR to disclose to the public all potential controversy, impacts and legal issues before the report is completed and/or approved. While it is common practice to complete Section 106 review after the project's approval, or when the federal permits are actually applied for, this does not provide the public with an opportunity to comment.

16-3

4) The mitigation measures offered in the DEIR for archaeological resources are vague and would be ineffectual. A "halt work" order if resources are discovered during construction is ineffectual because construction workers are not trained to recognize archaeological remains. The potential for discovering prehistoric and historic archaeological remains is a lot higher than reported in the DEIR. The technical report points out that less than fifty acres of the 887-acre project site was examined by an archaeologist; the DEIR fails to disclose this fact. The record search conducted for the project also failed to consult relevant local archival depositories. An adjacent portion of the Verdugo Mountains in the City of Glendale, with similar topography and a similar history was found to contain a number of undiscovered and unrecorded cultural resources when subjected to more thorough and rigorous investigations (*Archaeological Resources Management Report*, Shelley Owen, Compass Rose Archaeological, Inc. 2001; also see: VOICE EIR review Oakmont V, 2002).

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16-5

5) The archaeological consultant surveyed less than fifty acres of the project area. It is statistically true in Southern California that in areas of rugged, steep topography, archaeological and historical cultural resources are often found on ridgetops. The consultant did not survey the ridges and hilltops that are a part of this project area for this impact analysis; therefore the survey is incomplete.

16-6

6) The archaeological consultant failed to consult the local experts in the history of the Tujunga area at Bolton Hall. Bolton Hall contains a comprehensive archive of primary and secondary research documents, reports, anecdotes and photographs. Long recognized as the local experts on the region's history, Bolton Hall contains information not available at the State's regional information centers. Furthermore, ethnographic research suggests that a historic Tongva Indian village once existed on or near the project area (*The First Angelinos*, William McCawley, 1996). The archaeological consultant completed the bare minimum of acceptable research and survey for this project. Based on my 15 years experience in the field, I contend that the days of bear bones research should be over for professional cultural resource consultants. To do an adequate job, one must consult local agencies, local historical societies and repositories, and must review any current professional literature, in addition to the standard records check at the state information center. An archaeological consultant should always oversee the presentation of their findings in environmental documents, as EIR preparers are often unfamiliar with the professional jargon and can misrepresent findings. As noted, the DEIR's omission of the fact that less than fifty acres out of 887 was surveyed reveals that something was lost in the translation from technical report to DEIR.

16-7

In conclusion, both the DEIR and the technical study are incomplete and mislead the public about the potential for impacts to cultural resources. The mitigation measures offered are inadequate based on local preservation guidelines and would be ineffectual (Los Angeles Hillside, Zoning and preservation ordinances).

16-8