

DEPARTMENT OF
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CALIFORNIA



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August 3, 2023

The Honorable Karen Bass
Mayor of Los Angeles
City Hall, Room 303
Los Angeles, CA 90012
Attention: Heleen Ramirez

The Honorable Los Angeles City Council
City Hall, Room 395
c/o City Clerk's Office
Los Angeles, CA 90012

**EXECUTIVE DIRECTIVE NO. 3 TRANSMITTAL: 2023-2024 CALIFORNIA CERTIFIED LOCAL
GOVERNMENT GRANT APPLICATION, AGREEMENT EXECUTION, AND AWARD ACCEPTANCE**

SUMMARY

In accordance with Executive Directive No. 3, the Department of City Planning ("DCP") requests approval to apply for and, if awarded, execute a grant agreement for an amount not to exceed \$40,000 and to subsequently receive grant funds from the State Office of Historic Preservation ("OHP"), for services related to the 2023-2024 California Local Government ("CLG") Grant. This agreement is for one year and work must be performed between October 1, 2023, and September 30, 2024, to be eligible for reimbursement.

BACKGROUND

The City of Los Angeles proposes to use a \$40,000 CLG grant to assist DCP, Office of Historic Resources ("OHR") in completing the creation of a First Peoples of Los Angeles Historic Context that would become a part of the citywide historic context statement. Last year the City of Los Angeles received a CLG grant (CF #22-1051) to create a framework and strategy on how to approach the development of a context (Phase 1), and the project proposed for 2023-2024 (Phase 2) would continue this work through additional community engagement and the preparation of the final context statement. The completed context will strive to tell the story of tribal communities in Los Angeles and create a framework for evaluating historic resources associated with the tribes.

While many of these resources may no longer be extant and much of the information that may be included in such a context statement may be sensitive and or confidential, it is critical to document what we do know to better inform decision makers and the general public, and to chronicle intangible cultural heritage. Considering the accessibility and the various purposes historic context statements serve in today's historic preservation practice, it is also desired for the context statement to not only recognize indigenous history but also uplift and aid in the understanding of the City's indigenous communities. The completed context will develop key historical themes associated with political, social, and cultural practices and the institutions of First Peoples, while also identifying individuals, groups and organizations that played significant roles.

FISCAL IMPACT

Although there is an in-kind staff time match component of \$28,771, there is no additional General Fund impact because no new staff will be needed. Current staff will continue with their regular work programs, regardless of grant funding, which includes the work this grant intends to augment.

Grant funds will be used for consultant services and will be disbursed to DCP by the California Office of Historic Preservation on a reimbursement basis upon submission of final deliverables, invoices, and reports. Existing funds from DCP's contractual services account will support consultant grant work prior to reimbursement.

RECOMMENDATION

That the City Council authorize the Director of Planning, or designee, subject to the approval of the Mayor, to take the following actions:

1. Apply for, and if awarded, execute a grant project agreement and any subsequent amendment(s) as needed from time to time, subject to the approval of the City Attorney as to form and legality, with the California Office of Historic Preservation and to subsequently accept grant award to facilitate CLG Grant related work for the term of one year.
2. If awarded the grant, set up a grant receivable in the amount awarded and establish an appropriation account within the City Planning Grant Trust Fund No. 46Y, Dept. 68 for the disbursement of funds for the project.
3. Submit a grant reimbursement request to the California Office of Historic Preservation and deposit grant receipts in the City Planning Grants Trust Fund No. 46Y, Dept. 68.

For additional information please contact Jason Valencia, Jason.Valencia@lacity.org.

VINCENT P. BERTONI, AICP
Director of Planning

Shana Bonstin

SHANA BONSTIN
Deputy Director

Attachments: Grant Application

cc: Kelly O'Malley, Office of the City Administrative Officer
Livea Yeh, Senior Management Analyst I, City Planning

CLG GRANT APPLICATION CHECKLIST

Include checklist in application package. Include documents in order listed below.
Items in **bold** are available on OHP's [CLG Grants Program](#) website at

- ☒ **CLG GRANT APPLICATION (Including narrative)**
- ☒ Copy of Preservation Element, if available
- ☐ n/a Applicable Maps and Estimated Acreage (see Application Form) for Survey Projects
- ☐ n/a Applicable Maps, Photographs, and Significance Statement for NR Projects
- ☒ Resumes of Key Personnel and/or Volunteers who will work on Project
- ☒ **PROFESSIONAL QUALIFICATIONS FORM FOR KEY PERSONNEL**
- ☒ **ENVIRONMENTAL CERTIFICATION**
- ☒ **CERTIFICATION OF PROFESSIONALISM AND CONFORMANCE**
- ☒ **ASSURANCES – NON-CONSTRUCTION PROGRAMS CERTIFICATION**
- ☒ **UNIQUE ENTITY IDENTIFIER NUMBER (UEI)**

CLG GRANT APPLICATIONCLG APPLICANT: City of Los Angeles County: Los AngelesGRANT CYCLE (e.g., 2021-2022, 2022-2023): 2023-2024

Contact Person	Responsible for PROGRAM Management	Responsible for FISCAL management
Name Title	Sara Delgadillo, Preservation Planner	Livea Yeh, Senior Management Analyst
Address	221 N Figueroa St. Room 1350, MS #994, Los Angeles CA 90012	200 N. Spring Street, Room 575, Los Angeles, CA 90012
Phone	213-847-3650	213-978-1285
FAX	n/a	n/a
EMAIL	Sara.Delgadillo@lacity.org	Livea.Yeh@lacity.org

LEGISLATIVE REPRESENTATIVES

	State Senator	State Assembly	U. S Representative
Name	Maria Elena Durazo	Miguel Santiago	Jimmy Gomez
District	District 24	District 53	34th Congressional District
Address	1808 W. Sunset Blvd, Los Angeles, CA 90026	320 W. 4th St. #1050, Los Angeles, CA 90013	350 S. Bixel St. #120, Los Angeles, CA 90017

Federal \$ Requested 40,000 ☒ Narrative Attached**TYPE of PROJECT:**

- ☐ Archeological Preservation Plan/Ordinance
 ☐ Design Guidelines
☒ General Plan Historic Preservation Element
 ☐ Ordinance Revision
☐ Historic Context
 ☐ Other Considerations

☐ Survey (Required Information)

Approx. number of buildings to be surveyed _____

Reconnaissance Approx. Acreage _____ Intensive Approx. Acreage _____

- ☐ Historic Structure Report/HS Preservation Plan
 ☐ Information Management
☐ National Register District or MPD Nomination
 ☐ Education & Outreach

I have read and will ensure that the applicant CLG will comply with the [Project General and Special Provisions](#) and the Secretary of the Interior's Standards and Guidelines, as applicable.



 Authorized Representative Signature

4-27-23

 Date

Vince Bertoni, Director of Planning

Name and Title of Authorized Representative

2023-2024 CLG GRANT APPLICATION NARRATIVE
Los Angeles Indigenous Peoples Historic Context - Phase 2

1. PROJECT SUMMARY

The City of Los Angeles (UEI number JJ4DTG62BLD6) proposes to use a \$40,000 Certified Local Government (CLG) grant to assist Los Angeles City Planning (LACP), Office of Historic Resources (OHR) in completing the creation of an Indigenous Peoples Historic Context that would become a part of the citywide historic context statement. Last year the City of Los Angeles received a CLG grant to create a framework and strategy on how to approach the development of a context (Phase 1), and the project proposed for 2023-2024 (Phase 2) would continue this work through additional community engagement and the preparation of the final context statement.

2. PROJECT SCOPE NEED

The City of Los Angeles is striving to expand and improve its engagement with the tribal communities within the city and region. The City has not always embraced or included tribes within its legislative and planning processes. In recent years, this sentiment has shifted for the better, and it is now a priority of the City to build relationships with each of the tribes in the area.

In 2019, Mayor Eric Garcetti convened a Civic Memory Working Group which was tasked with determining how to engage more productively and honestly with its past. The group met throughout 2020, and in 2021 released the City's [*Past Due*](#) report which outlines priorities and strategies as to how to best address the city's history more comprehensively. One of the identified goals was to recognize indigenous history.

To build upon this initiative and to create a more comprehensive citywide framework for the identification and preservation of tribal cultural resources, Los Angeles City Planning is seeking to develop an Indigenous Peoples Historic Context. This year, through funding from a 2022-2023 CLG grant, City Planning has begun work on Phase 1 of the project which includes community outreach, development of a preliminary resources list, and an outline for the context. The completed context will strive to tell the story of tribal communities in Los Angeles and create a framework for evaluating historic resources associated with the tribes.

While many of these resources may no longer be extant and much of the information that may be included in such a context statement may be sensitive and or confidential, it is critical to document what we do know to better inform decision makers and the general public, and to chronicle intangible cultural heritage. Considering the accessibility and the various purposes historic context statements serve in today's historic preservation practice, it is also desired for the context statement to not only recognize indigenous history but also uplift and aid in the understanding of the City's indigenous

2023-2024 CLG GRANT APPLICATION NARRATIVE
Los Angeles Indigenous Peoples Historic Context - Phase 2

history and communities. The completed context will develop key historical themes associated with political, social, and cultural practices and the institutions of Indigenous Peoples, while also identifying individuals, groups and organizations that played significant roles.

The proposed project meets the goals of the Cultural and Historical section of the Conservation Element of the City's General Plan which includes a policy to "continue to survey buildings and structures in neighborhoods throughout the city in order to develop a record that can be used in the present and future for evaluating their historic and cultural value." The context is also consistent the City's Cultural Heritage Ordinance and the purposes of the Historic Preservation Overlay Zone (HPOZ) Ordinance which specifically "promotes the involvement of all aspects of the City's diverse communities in the historic preservation process." Finally, the project is consistent with the California Statewide Historic Preservation Plan and meets Goal 1 (Objectives I.A, I.B, and I.C).

ACTIVITIES

The OHR will contract with a consultant team, preferably with Indigenous Peoples representation and experience in historic preservation, community engagement, tribal consultation, historic and prehistoric archaeology. Under the guidance of the OHR, the contract consultant will develop content and complete tasks related to the project.

1. Community Engagement Plan and Meetings: Develop a community engagement strategy to continue to collaborate with tribal leaders and community members, key community connectors, stakeholders, experts, and organizations who were engaged in Phase 1 of the project. Continue to engage with the Advisory Council created in Phase 1 who will inform and guide project deliverables. It is important to have tribal representation through as many of the project phases as possible. Thus, the budget for this effort includes compensation for tribal members and key community connectors for their time (see proposed budget).
2. Final Historic Resources and Known Resources List: Based on the methodologies used for the development of the Los Angeles Citywide Historic Context, the National Register MPD format, the National Register Bulletin *Guidelines for Evaluating and Registering Archeological Properties*, as well as research and community engagement from Phase 1, finalize a list of designated and eligible historic resources including individual resources and historic districts (historic districts are unlikely).
3. Context Narrative and Final Context Statement: Develop and complete context narrative (two drafts and one final) for review by OHR and the Advisory Committee.

2023-2024 CLG GRANT APPLICATION NARRATIVE
Los Angeles Indigenous Peoples Historic Context - Phase 2

The Context Narrative shall build upon the outline and work plan for the context developed in Phase 1 and will incorporate the Final Historic Resources and Known Resources List to complete the final context statement.

4. Working Meetings: Attend kick-off meeting and working meetings as needed.

PUBLIC INVOLVEMENT

As discussed in the Project Activities above, the OHR and the consultant will develop a community engagement strategy to identify tribal leaders and community members, stakeholders, experts, and organizations to contact and collaborate with regarding the documentation and telling of the history and legacy of tribal communities in Los Angeles, and to solicit further input from tribal communities and the public on important places and history to be included in the context.

The final Indigenous Peoples context will be published on HistoricPlacesLA as well as on LACP's website (<https://planning.lacity.org/preservation-design/historic-resources-survey>).

DELIVERABLES

The deliverables for this project are:

- Community Engagement Plan
- Summary of Stakeholder Engagement
- Final Historic Resources and Known Resources List
- Draft Context Narrative
- Final Context Statement

3. ADMINISTRATION

A. PERSONNEL

The proposed project will be completed by OHR staff and a contract consultant. The OHR will work directly with the consultant through the length of the project to ensure the highest quality product. The City will contract with a consultant with requisite historic preservation experience, outreach and engagement experience, archaeology, and anthropology.

Professional Qualification Forms and resumes for Key Personnel are attached.

Ken Bernstein, Manager, OHR, LACP: Project administration, attend working project meetings, review developed content and provide feedback.

2023-2024 CLG GRANT APPLICATION NARRATIVE
Los Angeles Indigenous Peoples Historic Context - Phase 2

Shannon Ryan, Senior Planner, OHR, LACP: Project administration, attend working project meetings, review developed content and provide feedback.

Sara Delgadillo, Preservation Planner, OHR, LACP: Project administration, manage contract consultant, complete progress reports, attend working project meetings, review developed content and provide feedback.

Contract Consultant: Research, strategy, and community engagement. Consultant to be selected through a competitive bid process using the LA City Planning on-call lists of pre-qualified consultants.

B. SCHEDULE

Note: Schedule assumes execution of contract by OHP by September 1, 2023.

August 2023

- Prepare Contract Consultant Scope of Work/Submit to OHP for review and comment

September - October 2023

- Release Task Order Solicitation (TOS)
- Consultant Selection (Review of TOSs, Selection of consultant, Preparation and issue of Notice to Proceed)
- Project kick-off meeting

November 2023 - January 2024

- Prepare Community Engagement Strategy and Engage with Advisory Committee
- November: Prepare CLG progress report/submit to OHP evidence that a consultant contract has been executed

February - April 2024

- Complete development of Community Engagement Plan
- Hold Community Engagement Meetings; Finalize list of Historic Resources; Begin preparation of Context Narrative
- February: Prepare CLG progress report/submit to OHP Summary Report on the Community Engagement plan

May - July 2024

- Complete Community Engagement Meetings and Summary of Stakeholder Engagement

2023-2024 CLG GRANT APPLICATION NARRATIVE
Los Angeles Indigenous Peoples Historic Context - Phase 2

- Prepare 1st Draft of Context Narrative, including final list of Historic resources, and meet with Advisory Committee to review
- June: Prepare CLG Progress report/submit to OHP Summary Report for the completion of Community Engagement Meetings and commencement of final list of Historic Resources and development of draft Context Narrative

August 2024

- Complete 2nd draft of Context Narrative
- August: Prepare CLG progress report/submit to OHP Summary Report for completion of Historic Resources list and first draft of Context Statement

September 2024

- Finalize Context Statement
- Submit to OHP final performance report per the CLG grant contract requirements

4. BUDGET

A.	Federal funds (Grant) requested	CLG's matching share
	<u>\$40,000</u>	<u>\$26,680</u>
B.	Source of Non-Federal Match	

Note: In-kind Match activities must directly relate to proposed project

Donor 1: City of Los Angeles
Source: General Fund
Kind: Employee Wages + Fringe Benefits
Amount: \$28,771

C. For budget details see attached sheet, "CLG Grant Budget 2023-24"

Los Angeles City Planning Salaried Employees

Ken Bernstein, Manager, Office of Historic Resources

Project admin: 5 hours

Attend project meetings: 5

Review developed content provide feedback: 20

TOTAL HOURS: 30

2023-2024 CLG GRANT APPLICATION NARRATIVE
Los Angeles Indigenous Peoples Historic Context - Phase 2

Shannon Ryan, Senior Planner, Office of Historic Resources

Project admin: 20 hours

Attend working project meetings: 20 hours

Review developed content provide feedback: 40 hours

TOTAL HOURS: 100

Sara Delgadillo, Preservation Planner, Office of Historic Resource

Project admin: 40 hours

Attend project meetings: 50 hours

Grant progress reports: 20 hours

Manage contract consultant: 30 hours

Review developed content provide feedback: 40 hours

TOTAL HOURS: 180

Contract Consultants:

Project Contract Consultant

(\$30,000 fixed-fee contract)

Additional Project Support

Advisory Council Stipend

(\$10,000 to be split among council members, roughly \$700-\$1,000 per member)

5. Development Points

The City of Los Angeles is not entitled to Development Points because it has participated in the last three CLG grant cycles.

CLG Grant Budget 2023-24
City of Los Angeles
Indigenous Peoples Historic Context - Phase 2

4C. Budget Details (UEI number JJ4DTG62BLD6)

Salaried Employees*						
EMPLOYEE	COST SUB-CATEGORY	HOURS	RATES BY HOUR	CASH FROM GRANT	OTHER CASH	IN-KIND SERVICES/ CASH MATCH
Ken Bernstein, Principal City Planner	wage	30	\$97.68			\$2,930.40
	fringe benefits		45.03%			\$1,319.56
Shannon Ryan, Senior City Planner	wage	100	\$76.97			\$7,697.00
	fringe benefits		45.03%			\$3,465.96
Sara Delgadillo, Preservation Planner	wage	180	\$51.17			\$9,210.60
	fringe benefits		45.03%			\$4,147.53
Contracted Services*						
SERVICE AND COST TYPE	COST SUB-CATEGORY	HOURS	RATES BY HOUR	CASH FROM GRANT	OTHER CASH	IN-KIND SERVICES/ CASH MATCH
Historic Preservation Consultant (flat fee)				\$30,000.00		
Stipend for Advisory Council				\$10,000.00		
Volunteers*						
Supplies, copying, postage, etc.						
Travel Costs**						
Totals				\$40,000.00		\$28,771.05

* Rate shall not exceed a salary of \$105.52 per hour or \$844.16 per day.

** Maximum allowable car mileage rate is \$0.66 cents per mile.

CONSERVATION ELEMENT
OF THE
CITY OF LOS ANGELES GENERAL PLAN

City Plan Case No. 2001-0413-GPA
Council File No. 01-1094

Adopted by the City Council September 26, 2001
Approved by the City Planning Commission March 10, 2001

An Equal Employment Opportunity/Affirmative Action Employer

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services and activities.

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establishment and retention of rural uses. For example, small parcels of public land have been formally or informally opened for neighborhood gardens tended by local residents; special overlay districts and equine oriented parks and trails have been established to encourage equine uses; and power system rights-of-way and other public lands have been leased for nurseries.

Continuing issue: loss of the last remaining animal keeping, nursery and crop gardening uses.

Animal keeping, nurseries, crop gardens objective, policy and program:

Objective: retain, to the extent feasible, the last remaining agricultural features of the city as part of the city's heritage and economy.

Policy: continue to encourage the retention of parcels in agricultural and low density land use and zoning categories that will encourage their retention in agricultural and related uses.

Program: community plan review and revision.

Responsibility: *Department of City Planning.

For related information see:

N Agricultural Lands Section and

N Equine Areas Section.

SECTION 3: ARCHAEOLOGICAL AND PALEONTOLOGICAL

Archaeological. Pre-historic and historic archaeological sites exist throughout the city. Hunter-gatherer Indians inhabited the Los Angeles region long before Europeans arrived. Remnants of their various cultures continue to be unearthed and documented. The oldest find is the partial skeleton of La Brea Woman, among the oldest human bones ever found in California. She is believed to have been buried approximately 9,000 years ago. Her grave became engulfed in tar and was discovered in 1914, during an excavation for tar ("brea") in what is now called La Brea Tar Pits in the Wilshire community.

Site protection. Various federal, state and local regulations have been promulgated to protect archaeological sites and resources. Although the state general plan law calls for mapping of the sites, all mapping of pre-historic sites is confidential, pursuant to California Government

Code Section 6254.10. This is to protect sites from disturbance, scavenging and vandalism.

The federal Archaeological Resources Protection Act of 1979 (Public Law 96-95) protects archaeological resources and sites on federal and Indian lands, including requirements for issuance of permits by federal land managers to excavate or remove archaeological resources. The Native American Graves and Repatriation Act (1990) and the Native American Heritage Act (1984 and 1992) provide guidelines for protection of Native American remains and artifacts.

The California Environmental Quality Act (CEQA) provides guidelines for identification and protection of archaeological sites and artifacts as a part of local development permit processing. CEQA guidelines define an archaeological resource as "significant," i.e., to be protected if: (1) it is associated with an event or person of recognized significance to California or American history or of recognized scientific importance in pre-history, including culturally significant Native American sites; (2) it can provide information that is of demonstrable public interest and is useful in addressing scientifically consequential and reasonable archaeological research questions; (3) it has a special or particular quality, such as the oldest, best, largest or last surviving example of its kind; (4) it is at least one hundred years old and possesses substantial stratigraphic integrity; or (5) it involves important research questions that historical research has shown can be answered only with archaeological methods.

If it is determined that a development project may disrupt or damage such a site, the project is required to provide mitigation measures to protect the site or enable study and documentation of the site, including funding of the study by the applicant. The city's environmental guidelines require the applicant to secure services of a bona fide archaeologist to monitor excavations or other subsurface activities associated with a development project in which all or a portion is deemed to be of archaeological significance. Discovery of archaeological materials may temporarily halt the project until the site has been assessed, potential impacts evaluated and, if deemed appropriate, the resources protected, documented and/or removed.

Under CEQA, discovery of human remains requires evaluation by the county coroner of the nature of the remains and cause of death. If the remains are determined to be of Native American origin, the Native American Heritage Commission is asked to determine the descendants who are to be notified or, if unidentifiable, to establish procedures for burial.

The state-designated repository in the Los Angeles area for archaeological data is the South Central Coastal Information Center. Reports concerning archaeological investigations are to be filed with the center. Other academic institutions, research facilities and museums in the area also have archaeological resource information and expertise.

Paleontological. Los Angeles is rich in paleontological sites. Fossils have been found mostly in sedimentary rock that has been uplifted, eroded or otherwise exposed. Most of the sites are in local mountains. However, the best known and most abundant fossil resource are La Brea Tar Pits, which are owned and operated by the County of Los Angeles. They are within and surround the 23-acre Hancock Park, which includes an art museum and the Page Museum (tar pit related displays and activities). The tar pits have provided an abundance of animal and plant fossils. Most are from the Pleistocene epoch (Ice Age) and date as far back as 40,000 years. Finds include mammoths, saber-tooth cats, insects and birds.

Site protection. Pursuant to CEQA, if a land development project is within a potentially significant paleontological area, the developer is required to contact a bona fide paleontologist to arrange for assessment of the potential impact and mitigation of potential disruption of or damage to the site. If significant paleontological resources are uncovered during project execution, authorities are to be notified and the designated paleontologist may order excavations stopped, within reasonable time limits, to enable assessment, removal or protection of the resources. For Los Angeles city and county, the Los Angeles County Museum of Natural History, including the George C. Page Museum, provides advice concerning paleontological resources.

Conclusion. The city has a primary responsibility in protecting significant archaeological and paleontological resources.

Continuing issues: loss of or damage to archaeological and paleontological sites due to development, unauthorized removal and vandalism.

Archaeological and paleontological objective, policy and program:

Objective: protect the city's archaeological and paleontological resources for historical, cultural, research and/or educational purposes.

Policy: continue to identify and protect significant archaeological and paleontological sites and/or resources known to exist or that are

identified during land development, demolition or property modification activities.

Program: permit processing, monitoring, enforcement and periodic revision of regulations and procedures.

Responsibility: departments of *Building and Safety, *City Planning and Cultural Affairs and/or the *lead agency responsible for project implementation.

For related information see: Cultural and Historical Section.

SECTION 4: CONSERVATION

Conservation is the managed or controlled use of natural, cultural and historical resources. In Los Angeles it includes a diversity of programs, including acquiring, preserving and protecting large tracts of open space for habitat conservation, species protection, watershed maintenance and other purposes; acquiring, preserving and protecting cultural and historical resources; reducing the demand for nonrenewable mineral and petroleum resources, water and other natural resources; recycling water, wood products, metals, glass and other materials. Conservation is addressed by various sections of this element in relation to particular subject matter.

SECTION 5: CULTURAL AND HISTORICAL

The city's form, institutions and culture have been shaped by a diversity of events, individuals and groups and the city's environmental setting. Modern cultural history of Los Angeles dates to the establishment of the pueblo (town) in 1781 by a Spanish expedition which originated in Sonora of Lower California (now Mexico). With the establishment of the Republic of Mexico (1821) Los Angeles came under Mexican rule. From 1847 to 1850 it was occupied by United States military forces. In 1850 California became a state of the United States and Los Angeles became a U.S. city. A combination of the gold rush and the opening of California spurred immigration, mostly by settlers from the midwest and eastern United States. Population growth continued almost unabated until the 1970s. Settlers, merchants and imported workers brought new cultural traditions or reinforced old traditions. Today over 100 languages and dialects are spoken in the local schools, over 42% of the population is of Hispanic origin, over 12% of African American origin, slightly under 10% of Asian and Pacific Islander origin and one percent is Native American.

To identify, protect and preserve historic sites and structures for the enrichment of future generations various city, state and federal

procedures have been promulgated. The most significant for Los Angeles are described in the following. The general plan Historic Preservation and Cultural Resources Element will address historic and cultural protection issues in greater detail.

Conservation and protection. Five types of historic protection designations apply in the city: (1) Historic-Cultural Monument designation by the city's Cultural Heritage Commission and approved by the City Council; (2) placement on the California Register of Historical Resources or (3) the National Register of Historic Places (1980 National Historic Preservation Act); (4) designation by the Community Redevelopment Agency (CRA) as being of cultural or historical significance within a designated redevelopment area; and (5) classification by the City Council (recommended by the planning commission) as an Historic Preservation Overlay Zone. Designations help protect structures and support rehabilitation fund requests.

The California Environmental Quality Act (CEQA) also protects significant cultural and historic resources. CEQA was revised in 1998 to redefine "historic resource" to include resources that are presumed to be significant, unless the preponderance of evidence is to the contrary. A property no longer must be designated officially as a landmark or of historic importance to be considered under CEQA review. The lead agency for permit processing may deem properties not formally listed and not included in historic surveys as "historically significant," if they meet criteria for listing in the California Register.

Under the city's CEQA guidelines, an environmental assessment must be prepared for any proposed demolition, destruction or significant modification of an Historic-Cultural Monument or resource listed on the national or state registers, or on the CRA list, or cited as a proposed historical resource by a community plan or historic preservation overlay zone survey, or which are over 50 years old and are substantially intact examples of an architectural style important in Los Angeles or are associated with an architect or other person of importance in Los Angeles history. Under the 1998 amendment, buildings less than 50 years old may also be considered.

Historic-Cultural Monuments. In 1962, at the request of the Los Angeles Chapter of the American Institute of Architects, the city drafted and approved an ordinance designed to protect and/or identify architectural, historical and cultural buildings, structures and sites of importance in the city's history and/or cultural heritage. In the intervening 30 years the Cultural Heritage Commission (CHC) has designated almost 700 sites as Historic-Cultural Monuments.

The list of the designated sites is maintained by the CHC. It includes historic buildings, corridors (tree lined streets) and geographic areas. In some instances plaques have been erected on sites of historic events or former structures that were of cultural or historic significance. Sites are mapped on the city's zoning maps to guide permit processing. The building department will not issue permits for modification of a designated monument unless authorized to do so by the CHC, which may impose conditions of permit approval.

Additional protections apply to structures or sites that are listed on the state or national registers. The National Park Service administers the National Register of Historic Places and the California Office of Historic Preservation administers the state register. Criteria applied to determine qualification for the registers includes context (importance to an historic theme, place, time), integrity (location, design, setting, workmanship, materials) and, if a recent resource, exceptional importance.

The Community Redevelopment Agency maintains a list of buildings and structures of historical significance for purposes of project planning and evaluating neighborhood improvement proposals.

Historic Preservation Overlay Zones (HPOZ). The HPOZ provision of the zone code, Los Angeles Municipal Code (LAMC) Section 12.20.3, was adopted in 1979; amended 2001. It contains procedures for designation and protection of areas that have structures, natural features or sites of historic, architectural, cultural or aesthetic significance. Fourteen areas of the city are classified as HPOZs and twelve other areas are under study. HPOZ areas contain significant examples of architectural styles characteristic of different periods in the city's history. They may be a few blocks or a few square miles in area.

Property owners are encouraged to make property improvements that will enhance the historic character of the HPOZ area. Neighbors often join together to secure period street lights and other features that will contribute to historic and cultural emphasis. Alleys may be converted to park-like uses or street signs or circulation modified to support the HPOZ area goals. Street fairs and other activities generate community involvement and general public awareness of the unique area and help raise funds for neighborhood and property improvement.

A consultant to the planning department prepared (1997) a general survey of all pre-1950s structures within five community plan areas of the city. It provides a primary data resource for establishing future HPOZ areas and for guiding public and private efforts to preserve individual structures. The consultant also prepared a computerized survey, including digital photos, of historic structures within the

Highland Park HPOZ. Using the same techniques, staff are preparing similar surveys for other HPOZ areas. The data is used to assist city personnel and citizen design review boards in evaluating proposed projects and building modifications and to help them assess trends and devise preservation strategies.

Conclusion. The city has primary responsibility for identifying and protecting its cultural and historical heritage.

Continuing issues: loss of significant, important or contributory cultural and historical sites and structures to neglect, site redevelopment or damage.

Cultural and historical objective, policy and programs:

Objective: protect important cultural and historical sites and resources for historical, cultural, research, and community educational purposes.

Policy: continue to protect historic and cultural sites and/or resources potentially affected by proposed land development, demolition or property modification activities.

Program 1: development permit processing, monitoring, enforcement and periodic revision of regulations and procedures.

Responsibility: departments of *Building and Safety, *City Planning, *Cultural Affairs and *Community Redevelopment Agency and/or the *lead agency responsible for project implementation.

Program 2: prepare the Historic Preservation and Cultural Resources Element of the general plan.

Responsibility: departments of *City Planning and Cultural Affairs.

Program 3: continue to survey buildings and structures of any age in neighborhoods throughout the city in order to develop a record that can be used in the present and future for evaluating their historic and cultural value as individual structures and within the context of surrounding structures.

Responsibility: departments of Building and Safety, *City Planning, and *Cultural Affairs and the *Community Redevelopment Agency.

Program 4: continue to establish Historical Preservation Overlay Zones throughout the city.

Responsibility: departments of Building and Safety, *City Planning and Cultural Affairs and the Community Redevelopment Agency.

For related information see:

N Archaeological/Paleontological Section;

N "Cultural and Historical Monuments Plan, an Element of the Master Plan of the City of Los Angeles," Department of City Planning and Cultural Heritage Board, 1969.

N "Cultural Heritage Master Plan," under preparation by the Cultural Affairs Department.

N Historic-Cultural Monuments list, Cultural Heritage Commission, City of Los Angeles Cultural Affairs Department;

N "Historic Preservation and Cultural Resources Element," City of Los Angeles General Plan (to be prepared); and

N "Public Facilities and Services Element," City of Los Angeles General Plan (under preparation) for cultural and historical facilities within city parks.

SECTION 6: ENDANGERED SPECIES

Without protection of habitats suitable for species propagation, entire species of native plants and animals gradually will decline or become extinct. A couple of hundred plants and animals that live in Los Angeles habitats are listed on the federal and/or state endangered, threatened or species of special concern lists. Within the Santa Monica Mountains National Recreation Area alone 26 plants and animals are classified as rare, threatened or endangered and 58 more have been placed on the list of species of special concern by the National Park Service. Within the city more than 180 plant and animal species are listed by the Environmental Affairs Department for the city as a whole.

Definitions:

Endangered species. In danger of extinction throughout all or a significant portion of their range.

Certified Local Government Professional Qualifications (36 CFR Part 61):
History Professional Qualifications

Local Government City of Los Angeles

Name Kenneth Bernstein

Commissioner ☐

Staff ☒

(Name of Commissioner or Staff)

Date of Appointment: _____ Date Term Expires: _____

Certified Local Government procedures require local commissions to meet specific professional requirements. The commission shall include a minimum membership of five individuals with all members having demonstrated interest, competence, or knowledge in historic preservation. At least two Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation. **In addition to completing the form below for any commission member or staff who meets the requirements for this profession, please attach a resume for this individual.**

Alternative A

☐ MA or PhD in History

or

☒ MA/MS or PhD in CRF

MA in Public Affairs

(specify field)

Alternative B1

☐ BA in History

or

☐ BA in CRF

(specify field)

and

☐ Two years full-time experience in history (check appropriate boxes below and attach explanation and dates)

____ research

____ writing

____ teaching

____ interpretation

____ other (specify) _____

☐ With a professional institution

(specify institution)

____ academic institution

____ historical org./agency

____ museum

____ other (specify) _____

Alternative B2

☐ BA in History

or

☐ BA in CRF

(specify field)

and

☐ Substantial contribution through research and publication to body of scholarly knowledge in history (attach explanation)

To meet the standards in this discipline you must be able to check either a big box or a big circle, and check all the smaller boxes under that alternative. One year = 12 months. Full-time = 35-40 hours per week. A year of professional experience need not consist of a continuous year of full-time work, but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent period. CRF = Closely Related Field; field closely related to this or other discipline in historic preservation (Urban or Regional Planning, American Studies, Historic Preservation, Art History, Architecture, Material Culture, Landscape Architecture, or Folklore). Coursework should be evaluated if discipline itself is not always or obviously related.

Certified Local Government Professional Qualifications (36 CFR Part 61):
History Professional Qualifications

Local Government City of Los Angeles

Name Shannon Ryan Commissioner ☐ Staff ☒
(Name of Commissioner or Staff)

Date of Appointment: _____ Date Term Expires: _____

Certified Local Government procedures require local commissions to meet specific professional requirements. The commission shall include a minimum membership of five individuals with all members having demonstrated interest, competence, or knowledge in historic preservation. At least two Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation. **In addition to completing the form below for any commission member or staff who meets the requirements for this profession, please attach a resume for this individual.**

Alternative A

☐ MA or PhD in History

or

☒ MA/MS or PhD in CRF
MA in Urban Planning
(specify field)

Alternative B1

☐ BA in History

or

☐ BA in CRF

(specify field)

and

- ☐ Two years full-time experience in history (check appropriate boxes below and attach explanation and dates)
- ____ research
____ writing
____ teaching
____ interpretation
____ other (specify) _____

- ☐ With a professional institution

(specify institution)
____ academic institution
____ historical org./agency
____ museum
____ other (specify) _____

Alternative B2

☐ BA in History

or

☐ BA in CRF

(specify field)

and

- ☐ Substantial contribution through research and publication to body of scholarly knowledge in history (attach explanation)

To meet the standards in this discipline you must be able to check either a big box or a big circle, and check all the smaller boxes under that alternative. One year = 12 months. Full-time = 35-40 hours per week. A year of professional experience need not consist of a continuous year of full-time work, but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent period. CRF = Closely Related Field; field closely related to this or other discipline in historic preservation (Urban or Regional Planning, American Studies, Historic Preservation, Art History, Architecture, Material Culture, Landscape Architecture, or Folklore). Coursework should be evaluated if discipline itself is not always or obviously related.

Shannon C. Ryan

221 N. Figueroa Street, Ste. 1350 Mail stop #994
Los Angeles, CA 90012

310.266.3126
shannonryanchristine@gmail.com

Work Experience:

Los Angeles Department of City Planning

Senior City Planner in Office of Historic Resources

March 2020 - Present

- Directly supervise, train, and mentor staff in the Office of Historic Resources including eight staff within the Historic Preservation Overlay Zone unit, one architect assigned to the Cultural Heritage Commission, and one planner responsible for SurveyLA and HistoricPlacesLA.
- Prepare and direct work programs. Monitor and adjust staff workloads to meet deadlines.
- Assist staff in tackling issues related to plan implementation, project review, Historic-Cultural Monument case processing, and environmental clearances. Review staff recommendation reports.
- Implement equal employment opportunity responsibilities.
- Present at Area Planning Commission, Cultural Heritage Commission, City Planning Commission, PLUM, and City Council.
- Coordinate and work closely with Council Offices, Mayor's Office, and City Departments.
- Manage grants and consultants working on specialized projects.
- Work with long range planning teams to craft new land use policies related to historic resources.
- Engage regularly with stakeholders and community members.

City Planner in West/South/Coastal Project Planning Division

June 2019 - March 2020

- Supervised, trained, and motivated a team of planners and assisted them in tackling day-to-day issues related to case processing and implementation of the General Plan, Specific Plans, and Zoning Code.
- Reviewed staff reports and letters of determination prepared by staff such as Coastal Development Permits, Zoning Adjustments, Project Permit Compliance, Parcel Maps, Zone Variances, and associated environmental clearances. Prepared staff to present to APC, CPC, PLUM, and City Council.
- Monitored and adjusted staff workload as needed, prepared work program to keep case processing on schedule, and implemented equal employment opportunity in training, promotions, and personnel actions.
- Coordinated and worked closely with Council Offices and City Departments to problem solve.
- Reviewed and processed entitlement applications; held hearings; presented to APC, CPC, PLUM, and Council.
- Engaged with stakeholders and applicants to address questions or concerns.

Office of Los Angeles Mayor Eric Garcetti

Planning and Development Manager/City Planner

June 2017 - June 2019

- Served as Mayoral liaison to the Department of City Planning, Department of Building and Safety, City Planning Commission, Area Planning Commissions, and Cultural Heritage Commission to advance Mayoral initiatives and priorities.
- Facilitated and convened regular meetings with department General Managers, Assistant General Managers, Council Offices, and city staff and/or stakeholders to address issues and find solutions.
- Served as a representative of the Mayor to craft and refine policies, and improve planning and building operations in the City.

Los Angeles Department of City Planning

City Planning Associate in Code Studies Unit

June 2016 - May 2017

- Prepared Zoning Code Amendments and brought them through the legislative process.
 - Completed adoption of R1 Variation Zones Code Amendment, effective 3/17/17.
- Interpreted the Zoning Code and assisted stakeholders, elected officials, and other City departments.
- Conducted outreach, research, and data collection in preparation of proposed Code Amendments.

- Wrote staff reports, conducted environmental review, and gave presentations to elected officials, Council Committees, City Planning Commission, and the public.
- Studied and reviewed zoning practices locally and nationally.

City Planning Associate in Office of Historic Resources

May 2015 - June 2016

- Staffed the Cultural Heritage Commission and reviewed Historic-Cultural Monument (HCM) nominations.
 - Processed over 40 Historic-Cultural Monument nominations that were adopted by Council.
- Prepared two City-initiated HCM nominations and processed over 80 Mills Act applications.
- Provided excellent customer service when guiding consultants, developers, and property owners on regulations pertaining to historic resources.
- Reviewed and signed off permits found to be in compliance with the Cultural Heritage Ordinance, the Secretary of the Interior's Standards for Rehabilitation, and the Zoning Code.
- Analyzed environmental impacts to historic resources and provided CEQA guidance to other units.
- Worked closely with and made presentations to elected officials, Council Committees, Cultural Heritage Commission, and the public.

City Planning Associate in HPOZ Unit

November 2014 - May 2015

Planning Assistant in HPOZ Unit

February 2013 - November 2014

- Managed eight Historic Preservation Overlay Zones (HPOZs) and adoption of two new HPOZs.
 - Completed adoption of 52nd Place HPOZ in 2015
 - 27th and 28th Streets HPOZ is pending Council action
- Processed cases, conducted environmental review, held hearings, reviewed plans, signed off permits, and issued Determination Letters.
- Staffed weekly HPOZ Board Meetings and worked closely with Board members, property owners, architects, and developers to maintain a fair and clear design review process.
- Provided excellent customer service on the phone, over e-mail, and in person.
- Collaborated with LADBS on Code Enforcement cases.
- Worked closely with and made presentations to elected officials, Council Committees, Planning Commission, Cultural Heritage Commission, and the public.

Education:

University of California, Los Angeles

September 2009 - June 2011

Master of Arts in Urban Planning (Design and Development Concentration)
3.81 GPA

New York University

September 2004 - May 2008

Bachelor of Arts Double Major in Urban Design/Architecture and Italian Studies
3.54 GPA with Cum Laude Honors

Community Activities/Awards:

- Los Angeles Conservancy and Santa Monica Conservancy member and volunteer
- Co-edited the Los Angeles Department of City Planning Newsletter 2013-2016
- American Planning Association Member and 2012 Conference Volunteer
- California Redevelopment Association William A. Carlson Fellowship 2011

Certified Local Government Professional Qualifications (36 CFR Part 61):
History Professional Qualifications

Local Government City of Los Angeles

Name Sara Delgadillo Commissioner ☐ Staff ☒
(Name of Commissioner or Staff)

Date of Appointment: _____ Date Term Expires: N/A

Certified Local Government procedures require local commissions to meet specific professional requirements. The commission shall include a minimum membership of five individuals with all members having demonstrated interest, competence, or knowledge in historic preservation. At least two Commission members are encouraged to be appointed from among professionals in the disciplines of history, architecture, architectural history, planning, pre-historic and historic archeology, folklore, cultural anthropology, curation, conservation, and landscape architecture or related disciplines, such as urban planning, American studies, American civilization, or cultural geography, to the extent that such professionals are available in the community. Commission membership may also include lay members who have demonstrated special interests, competence, experience, or knowledge in historic preservation. **In addition to completing the form below for any commission member or staff who meets the requirements for this profession, please attach a resume for this individual.**

Alternative A

☐ MA or PhD in History

or

☒ MA/MS or PhD in CRF

MHC (Heritage Conservation)
University of Southern California
(specify field)

Alternative B1

☐ BA in History

or

☐ BA in CRF

(specify field)

and

☐ Two years full-time experience in history (check appropriate boxes below and attach explanation and dates)
____ research
____ writing
____ teaching
____ interpretation
____ other (specify) _____

☐ With a professional institution

(specify institution)
____ academic institution
____ historical org./agency
____ museum
____ other (specify) _____

Alternative B2

☐ BA in History

or

☐ BA in CRF

(specify field)

and

☐ Substantial contribution through research and publication to body of scholarly knowledge in history (attach explanation)

To meet the standards in this discipline you must be able to check either a big box or a big circle, and check all the smaller boxes under that alternative. One year = 12 months. Full-time = 35-40 hours per week. A year of professional experience need not consist of a continuous year of full-time work, but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent period. CRF = Closely Related Field; field closely related to this or other discipline in historic preservation (Urban or Regional Planning, American Studies, Historic Preservation, Art History, Architecture, Material Culture, Landscape Architecture, or Folklore). Coursework should be evaluated if discipline itself is not always or obviously related.

EDUCATION

University of Southern California, School of Architecture – Los Angeles, California
Master of Heritage Conservation (MHC), December 2015

- Concentration: Historic Preservation and City Planning

Woodbury University – Burbank, California
Bachelor of Arts (BA), Interdisciplinary Studies, May 2007

- Concentration: Interior Architecture, Design, and Fine Art

EXPERIENCE

City Planning Associate May 2016 – Present

Office of Historic Resources, Department of City Planning, City of Los Angeles, California

- Data coordinator for HistoricPlacesLA, Los Angeles Historic Resources Inventory
- CEQA compliance project review for cultural resources
- Historic Preservation Overlay Zone (HPOZ) project review and case processing
- Conduct SurveyLA and project-specific community presentations and outreach.

Instructor's Assistant December 2008 – May 2016

A to Z Grant Writing, with Linda Vallejo

- Provide overall lesson support to instructor and manage online correspondence with students.
- Provide students with a detailed list of potential funders, including students currently working for certified local governments and historic preservation organizations.
- Compile and design monthly funding opportunities newsletter and marketing.

Cultural Resources Intern, Latino Heritage Internship Program June 2015 – September 2015

National Park Service (NPS), Pacific West Regional Office, San Francisco, California

- Researched and prepared a draft nomination for a National Historic Landmark.
- Conducted preliminary research on historic cultural sites associated with NPS Heritage Initiatives including Latino, Asian American, African American, LGBTQ, and Women's History within the region.
- Assisted in the identification and prioritization of potential National Historic Landmarks.

Assistant Director, Financial Aid Office December 2009 – August 2014

University of Southern California, Los Angeles, California

- Advised students and parents regarding financial aid through in-person, telephone, and email contact.
- Represented the university and administered presentations during national recruitment travel.
- Served as the point of contact for many Spanish-speaking families and first generation college attendees.
- Processed and coordinated federal and private agency financial aid.

Service Delivery Specialist – Outreach December 2008 – December 2009

Girl Scouts of Greater Los Angeles, San Fernando Valley, California

- Managed and established community outreach partnerships in underserved Latino communities.
- Provided volunteer and membership support to membership and recruitment team.

Junior Designer (consultant) August 2007 – August 2008

with Jaclyn Harris, Designer, Pasadena, California

- Reviewed and produced construction documents.
- Developed concept designs for commercial and theme park projects.

COMMUNITY INVOLVEMENT

Latinos in Heritage Conservation, Secretary and Executive Committee Member May 2015 – Present

- Responsible for meeting minutes, assisting with scheduling, and maintaining organizational files.

SKILLS

- Computer: MS Windows, MS Office, Mac OS, Adobe Creative Suite, ArcGIS, AutoCAD, Autodesk Revit.
- Languages: Fluent in both English and Spanish.

Chapter 11 - Environmental Compliance Requirements

A. National Environmental Policy Act (NEPA).

This Chapter details the Department of the Interior requirements concerning compliance with the National Environmental Policy Act and related legislation, regulations and Executive Orders, as they apply to the Historic Preservation Fund grant program.

1. Policy. The national policy concerning the assessment of the environmental impact of Federal and federally funded actions is contained in the National Environmental Policy Act of 1969 (42 U.S.C. 4321-4347). All NPS Historic Preservation Fund grant actions are subject to the provisions of NEPA and the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA (CEQ Regulations) (40 CFR 1500-1508).
2. Grantee Responsibility. Except for Reduced Review States (see Chapter 8, Section G), the applicant must submit appropriate environmental documentation to NPS with the HPF grant Project Notification (either an Environmental Certification, see section A.5 below, or an Environmental Assessment, see section A.8 below). Certain categories of proposed actions may be excluded from the NEPA process. Categorical Exclusions approved for NPS appear in Section A.4., below. All other proposed actions require the preparation of either an Environment Assessment (EA) or an Environmental Impact Statement (EIS). All grantees are required to submit necessary information as an Environmental Assessment, unless the proposed grant-assisted activity is covered by a Categorical Exclusion. If appropriate, grantees with statewide jurisdiction that qualify under NEPA section 102(2)(D) may be required to submit an EIS. The scope, content, and objectivity of the document shall comply with NEPA, CEQ Regulations, and the Departmental Manual. (See Section A.8. below.)

A State that has environmental laws equivalent to or more stringent than NEPA may submit environmental documentation meeting both State and Federal requirements.

3. NPS Responsibility. NPS is responsible for determining and advising the State on whether a proposed grant action is either categorically excluded or requires an EA or EIS. NPS is also responsible for ensuring the adequacy of any required EA or EIS.

Projects involving floodplains and wetlands must comply with the requirements of 44 CFR 3642; Executive Order 11988, Floodplain Management; Executive Order 11990, Protection of Wetlands; Department of the Interior Manual (520 DM) and NPS Floodplain/Wetland Protection Guidelines. This compliance requires information in addition to that required by NEPA. See Section B, below.

4. Categorical Exclusions. Authorized Categorical Exclusions are those referred to in 516 DM 6 Appendix 7. The actions shown qualify for Categorical Exclusion unless NPS determines that there is cause for exception under 516 DM 2.3A(3), (see Section A.6 below for the exceptions). The exclusions found in Section A.6.f. and A.6.g. are particularly relevant to HPF grantees. (However, note that the list of Categorical Exclusions is not necessarily a list of activities eligible for HPF grant assistance.)

The following exclusions for the Department of the Interior are provided in 516 DM 2, Appendix 1 (also see additional Categorical Exclusions authorized for NPS in 516 DM 6, Appendix 7, and listed below in Section A.4.b-g, of this Chapter):

- a. Departmental Categorical Exclusions. These are general in nature and include the following:
- 1) Personnel actions and investigations and personnel services contracts;
 - 2) Internal organizational changes and facility and office reductions and closings;
 - 3) Routine financial transactions, including such things as salaries and expenses, procurement contracts, guarantees, financial assistance, income transfers, audits, fees, bonds and royalties;
 - 4) Law enforcement and legal transactions, including such things as arrests, investigations, patents, claims, legal opinions, and judicial activities including their initiation, processing, and/or settlement, appeal or compliance;
 - 5) Regulatory and enforcement actions, including inspections, assessments, administrative hearings, and decisions; when the regulations themselves or the instruments of regulations (leases, permits, licenses, etc.) have previously been covered by the NEPA process or are exempt from it in 516 DM 2, Appendix 1 (also see additional categorical exclusions listed below in Section A.4.b-g, of this Chapter);
 - 6) Non-destructive data collection, inventory (including field, aerial and satellite surveying and mapping), study, research and monitoring activities;
 - 7) Routine and continuing government business, including such things as supervision, administration, operations, maintenance, and replacement activities having limited context and intensity; (e.g. limited size and magnitude or short-term effects);
 - 8) Management, formulation, and allocation of the Department's budget at all levels. (This does not exclude the preparation of environmental documents for proposals included in the budget when otherwise required.);
 - 9) Legislative proposals of an administrative or technical nature, including such things as changes in authorizations for appropriations, and minor boundary changes and transactions; or having primarily economic, social, individual or institutional effects; and comments and reports on referrals of legislative proposals;
 - 10) Policies, directives, regulations and guidelines of an administrative, financial, legal, technical or procedural nature; or the environmental effects of which are too broad, speculative or conjectural to lend themselves to meaningful analysis and will be subject later to the NEPA process, either collectively or case-by-case; and
 - 11) Activities which are educational, informational, advisory or consultative to other agencies, public and private entities, visitors, individuals or the general public.

The following are NPS-specific Categorical Exclusions:

b. Actions Related to General Administration:

- 1) Changes or amendments to an approved action, when such changes would cause no or only minimal environmental impact;
- 2) Land and boundary surveys;
- 3) Minor boundary changes;
- 4) Reissuance/renewal of permits, rights-of-way or easements not involving new environmental impacts;
- 5) Conversion of existing permits to rights-of-way, when such conversions do not continue or initiate unsatisfactory environmental conditions;
- 6) Issuances, extensions, renewals, reissuances or minor modifications of concession contracts or permits not entailing new construction;
- 7) Commercial use licenses involving no construction;
- 8) Leasing of historic properties in accordance with 36 CFR 18 and NPS-38;
- 9) Preparation and issuance of publications;
- 10) Modifications or revisions to existing regulations, or the promulgation of new regulations for NPS-administered areas, provided the modifications, revisions or new regulations do not:
 - a) Increase public use to the extent of compromising the nature and character of the area or causing physical damage to it;
 - b) Introduce noncompatible uses which might compromise the nature and characteristics of the area, or cause physical damage to it;
 - c) Conflict with adjacent ownerships or land uses; or
 - d) Cause a nuisance to adjacent owners or occupants.
- 11) At the direction of the NPS responsible official, actions where NPS has concurrence or coapproval with another bureau and the action is a categorical exclusion for that bureau.

c. Plans, Studies and Reports.

- 1) Changes or amendments to an approved plan, when such changes would cause no or only minimal environmental impact;

- 2) Cultural resources maintenance guides, collection management plans and historic furnishings reports;
 - 3) Interpretive plans (interpretive prospectuses, audio-visual plans, museum exhibit plans, wayside exhibit plans);
 - 4) Plans, including priorities, justifications and strategies, for nonmanipulative research, monitoring, inventorying and information gathering;
 - 5) Statements for management, outlines of planning requirements and task directives for plans and studies;
 - 6) Technical assistance to other Federal, State and local agencies or the general public;
 - 7) Routine reports required by law or regulation;
 - 8) Authorization, funding or approval for the preparation of Statewide Comprehensive Outdoor Recreation Plans;
 - 9) Adoption or approval of surveys, studies, reports, plans and similar documents which will result in recommendations or proposed actions which would cause no or only minimal environmental impact;
 - 10) Preparation of internal reports, plans, studies and other documents containing recommendations for action which NPS develops preliminary to the process of preparing a specific Service proposal or set of alternatives for decision;
 - 11) Land protection plans which propose no significant change to existing land or visitor use; and
 - 12) Documents which interpret existing mineral management regulations and policies, and do not recommend action.
- d. Actions Related to Development.
- 1) Land acquisition within established park boundaries;
 - 2) Land exchanges which will not lead to significant changes in the use of land;
 - 3) Routine maintenance and repairs to non-historic structures, facilities, utilities, grounds and trails;
 - 4) Routine maintenance and repairs to cultural resource sites, structures, utilities and grounds under an approved Historic Structures Preservation Guide or Cyclic Maintenance Guide; or if the action would not adversely affect the cultural resource;
 - 5) Installation of signs, displays, kiosks, etc.;

- 6) Installation of navigation aids;
- 7) Establishment of mass transit systems not involving construction, experimental testing of mass transit systems, and changes in operation of existing systems (e.g., routes and schedule changes);
- 8) Replacement in kind of minor structures and facilities with little or no change in location, capacity or appearance;
- 9) Repair, resurfacing, striping, installation of traffic control devices, repair/replacement of guardrails, etc., on existing roads;
- 10) Sanitary facilities operation;
- 11) Installation of wells, comfort stations and pit toilets in areas of existing use and in developed areas;
- 12) Minor trail relocation, development of compatible trail networks on logging roads or other established routes, and trail maintenance and repair;
- 13) Upgrading or adding new overhead utility facilities to existing poles, or replacement poles which do not change existing pole line configurations;
- 14) Issuance of rights-of-way for overhead utility lines to an individual building or well from an existing line where installation will not result in significant visual intrusion and will involve no clearance of vegetation other than for placement of poles;
- 15) Issuance of rights-of-way for minor overhead utility lines not involving placement of poles or towers and not involving vegetation management or significant visual intrusion in an NPS-administered area;
- 16) Installation of underground utilities in previously disturbed areas having stable soils, or in existing overhead utility right-of-way;
- 17) Construction of minor structures, including small improved parking lots, in previously disturbed or developed areas;
- 18) Construction or rehabilitation in previously disturbed or developed areas, required to meet health or safety regulations, or to meet requirements for making facilities accessible to the disabled;
- 19) Landscaping and landscape manipulation in previously disturbed or developed areas; and
- 20) Construction of fencing enclosures or boundary fencing posing no effect on wildlife migrations.

e. Actions Related to Visitor Use.

- 1) Carrying capacity analyses;
- 2) Minor changes in amounts or types of visitor use for the purpose of ensuring visitor safety or resource protection in accordance with existing regulations;
- 3) Changes in interpretive and environmental educational programs;
- 4) Minor changes in programs and regulations pertaining to visitor activities;
- 5) Issuance of permits for demonstrations, gatherings, concerts, arts and crafts shows, etc., entailing only short-term or readily mitigable environmental effects; and
- 6) Designation of trailside camping zones with no or minimal improvements.

f. Actions Related to Resource Management and Protection.

- 1) Archeological surveys and permits, involving only surface collection or small-scale test excavations;
- 2) Day-to-day resource management and research activities;
- 3) Designation of environmental study areas and research natural areas;
- 4) Stabilization by planting native plant species in disturbed areas;
- 5) Issuance of individual hunting and/or fishing licenses in accordance with State or Federal regulations;
- 6) Restoration of noncontroversial native species into suitable habitats within their historic range, and elimination of exotic species;
- 7) Removal of park resident individuals of nonthreatened/endangered species which pose a danger to visitors, threaten park resources or become a nuisance in areas surrounding a park, when such removal is included in an approved resource management plan;
- 8) Removal of non-historic materials and structures in order to restore natural conditions; and
- 9) Development of standards for, and identification, nomination, certification and determination of eligibility of properties for listing in the National Register of Historic Places and the National Historic Landmark and National Natural Landmark Programs.

g. Actions Related to Grant Programs.

- 1) Proposed actions essentially the same as those listed in Sections A.4.b-f, above;

- 2) Grants for acquisition of areas which will continue in the same or lower density use with no additional disturbance to the natural setting;
- 3) Grants for replacement or renovation of facilities at their same location without altering the kind and amount of recreational, historical or cultural resources of the area; or the integrity of the existing setting;
- 4) Grants for construction of facilities on lands acquired under a previous NPS or other Federal grant provided that the development is in accord with plans submitted with the acquisition grant;
- 5) Grants for the construction of new facilities within an existing park or recreation area provided that the facilities will not:
 - a) Conflict with adjacent ownerships or land use, or cause a nuisance to adjacent owners or occupants, e.g., extend use beyond daylight hours;
 - b) Introduce motorized recreation vehicles;
 - c) Introduce active recreation pursuits into a passive recreation area;
 - d) Increase public use or introduce noncompatible uses to the extent of compromising the nature and character of the property, or causing physical damage to it; or
 - e) Add or alter access to the park from the surrounding area.
- 6) Grants for preservation of properties listed on or eligible for listing on the National Register of Historic Places, at their same location and provided that such actions:
 - a) Will not alter the integrity of the setting;
 - b) Will not increase public use of the area to the extent of compromising the nature and character of the property; and
 - c) Will not cause a nuisance to adjacent property owners or occupants.
5. Certification. When a proposed project appears to qualify as one of the categorical exclusions listed in Section A.4 above, and does not involve one or more of the exceptions in 516 DM 2.3(a)(3) listed in Section A.6 below, the grantee shall indicate on the Environmental Certification Form the categorical exclusion into which the project falls. If NPS concurs, the Certification will be signed by the grant approving official, and maintained as part of the grant documentation. (See form at end of this chapter.) If the project does not qualify for an exclusion, an Environmental Assessment must be prepared (see Section A.8).

6. Exceptions. The following exceptions apply to individual actions within categorical exclusions. Environmental Assessments (EAs) must be prepared for actions which would otherwise fall under categorical exclusions, but which may:
 - a. Have significant adverse effects on public health or safety;
 - b. Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation, or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas, including those listed on the Department's National Register of Natural Landmarks;
 - c. Have highly controversial environmental effects;
 - d. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks;
 - e. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects;
 - f. Be directly related to other actions with individually insignificant but cumulatively significant environmental effects;
 - g. Adversely affect properties listed or eligible for listing on the National Register of Historic Places;
 - h. Adversely affect a species listed or proposed to be listed on the List of Endangered or Threatened Species, or designated Critical Habitat for these species;
 - i. Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act; or
 - j. Threaten to violate a Federal, State, local or tribal law or requirement imposed for the protection of the environment.
7. Special Cases. NPS may find that some actions which normally qualify for Categorical Exclusion merit special consideration. In such cases NPS will require submission of an EA, or if the grantee qualifies under NEPA section 102(2)(D), an EIS.
8. Environmental Assessments.
 - a. An EA must cover the points listed in subparagraph 8b. below in sufficient detail to resolve the test of "major and significant" (see CEQ Regulations, 40 CFR 1508.18 and 1508.27) and provide a basis for deciding whether to prepare an EIS on the project. Such assessments generally need be no more than two or three pages in length, except when complex projects are involved. The grantee or subgrantee may not proceed with the proposed action until NPS has reviewed the EA and issued a Finding of No Significant Impact (FONSI; see Section A.9 below), or notified the SHPO that an EIS must be prepared by NPS. The EA must be submitted with the Project

Notification (see Chapter 8, Exhibit 8-A). Note: even Reduced Review States must submit an Environmental Assessment if required by the provisions of Chapter 11, Sec. A.

An EA should not be prepared if the need for an EIS is self evident; go directly to the EIS.

b. Format and Content. Pertinent information of sufficient scope and depth must be provided in an EA to allow NPS to accurately ascertain the impact of the project and to determine whether an EIS is needed. Whenever possible, an environmental impact should be quantified (see 40 CFR 150). In all cases the level of activities involved should be given--number of trees to be removed, cubic yards of debris to be removed, cubic yards of fill to be required, etc. For projects with property rights outstanding, the environmental information must also explain how the outstanding rights are to be dealt with and how the State plans to assure that the environment will not be affected significantly. An EA will cover the following four points at a minimum:

- 1) The Proposed Action. Include a description of the proposed action, a statement regarding the need for it, a description of what the action is designed to accomplish, location of the project, its scope, the level of impact causing activities associated with the project, when the action is to take place, and, if applicable, its relation to other Federal, State, or local projects and proposals. Cite other Federal actions (i.e., 404 Permit, etc.). Include a map.
- 2) Alternatives to the Proposed Action. This section will include a brief discussion of alternatives as required by NEPA. The EA must include a description of appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources. The environmental impacts of the proposal and the alternatives should be presented in comparative form and should define the issues, pros, and cons of a reasonable range of alternatives, and provide a clear basis for choice between them by NPS and the public.
- 3) Environmental Impacts of Proposed Action. Succinctly describe those environmental elements which would be affected. Discuss anticipated impacts on the following elements and any means to mitigate adverse environmental impacts:

- land use (project site and surrounding area)
- fish and wildlife
- vegetation
- geology and soils
- mineral resources
- air and water quality
- water resources/hydrology
- historic/archeological resources
- transportation/access
- consumption of energy resources
- socioeconomic effects

"Impacts" are defined as causing direct or indirect changes in the existing environment, whether beneficial or adverse, which are anticipated as a result of the proposed action or related future actions. To the extent appropriate, the document will discuss impacts of the

action, including environmental damage which could be caused by users, upon physical and biological environment as well as upon cultural, aesthetic, and socioeconomic conditions. Elements of impacts which are unknown or only partially understood should be indicated. Any off-site impacts, such as increased traffic on neighborhood roads or increased noise levels in surrounding areas, should be described.

- 4) A listing of agencies and persons consulted.
- c. Public Notice. Public notice should be provided in accordance with 40 CFR-7506.6 and, where appropriate, the public involved in the environmental assessment process.
- d. Adoption. In accordance with 40 CFR 1506.3, an EA prepared for a Federal grant program not administered by NPS may be submitted if adequate to meet environmental documentation requirements of proposed HPF grant actions.
- e. Points to Consider in Environmental Assessments.
 - (1) Environmental documentation should be free of project justification and personal bias. The project should be justified elsewhere in the grant application.
 - (2) Do not rely on generalities. Specific facts are essential. All statements and conclusions should be supported, and quantified where possible.
 - (3) Use graphics to help explain the project.
 - (4) Be concise, clear and to the point.
 - (5) Adverse impacts should be addressed as fairly as beneficial impacts; and impacts should be presented without conclusionary statements as to their significance.
9. Finding of No Significant Impact (FONSI). If NPS, after reviewing the environmental assessment, determines that the proposed project will not have a significant effect on the quality of the human environment and that an EIS is therefore unnecessary, a Finding of No Significant Impact (FONSI) will be signed and included in the project file. See Exhibit 11-B at end of this Chapter.
10. Guideline to Determine when an Environmental Impact Statement Should be Prepared. NPS will require sufficient environmental data from the grantee to prepare an EIS on a proposed project deemed to be a major Federal action having a significant impact on the physical, biological, and/or socioeconomic environment of the project site and/or surrounding area. Cumulative impacts and/or subsequent actions must be considered in environmental data submitted.

The occurrence of one or more of the following factors indicates that an EIS may be needed:

- a. Marshes or wetlands, unique animal or plant ecosystems, lakes, streams, or marine areas are affected significantly.

- b. The proposed HPF project would or might result in major natural or physical changes, including interrelated social and economic changes and residential and land use changes, within the project area or its immediate environs.
- c. An archeological or historical site on or eligible for nomination to the National Register of Historic Places would be subjected to significant adverse effects by the proposed project.
- d. Highly controversial issues involving the environmental effects of the project exist or are expected.
- e. The project site contains threatened or endangered species of flora or fauna, significant mineral values, or a unique geologic formation.
- f. Actions which foreclose other beneficial uses of mineral, agricultural, timber, water, energy, or transportation resources critical to the Nation's or a State's welfare.

11. Adoption of Previous Statement.

- a. In accordance with 40 CFR 1506.3, an EIS prepared for a Federal grant program not administered by NPS may be adopted by NPS if adequate to meet the requirements of a proposed HPF action. When another agency's statement is adopted, only the final statement must be circulated.
- b. An EIS previously prepared for the acquisition of land under a Land and Water Conservation Fund (L&WCF) grant, or other Federal actions, will satisfy section 102(2)(C) of NEPA for an HPF project provided that:
 - 1) the development is in accordance with the plans submitted with the acquisition project; and
 - 2) the EIS for the acquisition project adequately describes the environmental impacts of the facility to be developed and public use of the area.

12. Preparing and Processing an EIS.

- a. Policy. Each EIS shall be prepared in accordance with: (1) 40 CFR 1500-1508; (2) DOI Manual, 516 DM 4; and (3) NPS Environmental Guidelines, NPS-12. For any EIS prepared by a State agency with statewide jurisdiction under NEPA section 102(2)(D), the responsible NPS official shall actively furnish guidance and participate in the preparation of the EIS and shall independently evaluate the EIS prior to its approval and adoption.
- b. Notice of Intent. (40 CFR 1501.7 and 1508.22; 516 DM 2.3D).
After a decision is made to prepare an EIS, a Notice of Intent (NOI) will be published by NPS in the Federal Register and made available to the affected public--see 40 CFR 1506.6.
- c. Scoping Process. (40 CFR 1501.7; 516 DM 2.6).
Scoping is an early and open process to determine the scope of significant issues to be addressed in an EIS. An invitation to affected Federal, State, and local agencies and interested persons to participate in the scoping process should be included in the Notice of Intent.

- d. Format and Content of an EIS. The necessary in-depth environmental information and analysis must use the following format:
- 1) Cover Sheet. (May be satisfied by SF 424).
 - 2) Summary.
 - 3) Table of Contents.
 - 4) Purpose of and need for the Action.
 - 5) Alternatives including the Proposed Action.
 - 6) Affected Environment.
 - 7) Environmental Consequences.
 - 8) Consultation and Coordination in the Development of the Proposal and in Preparation of the Environmental Impact Statement. (This section will contain the List of Agencies, Organizations, and Persons to Whom Copies of the Statement are sent.)
 - 9) Index.
 - 10) Appendices (if any).

Each element of the format should contain the information called for in 40 CFR 1502.11 through 1502.18, 516 DM 4.6C, and NPS-12 (NEPA Handbook), plus appropriate maps/graphics of the area affected by the proposed action.

- e. Final EIS.
- 1) The final EIS shall include a "Public and Other Agency Comment and Response Section." This section is an expansion of the Consultation/Coordination Chapter described in item 12(d)(8) above. All written comments on the Draft EIS from Federal and State agencies should be printed in full and not summarized, even if voluminous. All other substantive written comments should either be printed in the final EIS or summarized if exceptionally voluminous.
 - 2) Distribution of the final EIS. At a minimum, a copy of the final EIS will be sent to each commenter and all Federal agencies that were sent the draft EIS. Ordinarily, no more than 500 copies of the final EIS need be printed. Copies of the EIS should be available for public inspection at NPS and other appropriate government offices and local libraries.
 - 3) Comments on final EIS. Comments are not solicited on a final EIS. However, any comments received within 30 days of distributing a final EIS should be considered in deciding whether to approve an HPF grant or subgrant.

f. Record of Decision.

No decision on the proposed action may be made until 30 days after notice of the filing of the EIS is published by the U.S. Environmental Protection Agency in the Federal Register. The record of decision shall be in accord with 40 CFR 1505.2.

B. Floodplain and Wetlands Management.

1. Policy. All projects must comply with Executive Order 11988, Floodplain Management; Executive Order 11990, Protection of Wetlands; the U.S. Water Resources Council's Floodplain Management Guidelines for Implementing Executive Order 11988 (43 CFR 6030); DOI Floodplain and Wetland Guidelines (520 DM), and NPS Floodplain and Wetlands Guidelines.

The objectives of the Executive Orders and of the procedures detailed in this Chapter are to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains and wetlands, and to avoid direct or indirect support of development of floodplains and wetlands wherever there is a practicable alternative. Where floodplains or wetlands cannot be avoided, these procedures will focus on mitigation of the adverse effects of any action. In the context of the Orders, mitigation means to:

- a. Design or modify actions so as to minimize harm to life, property, and natural values;
- b. Minimize destruction, loss or degradation of wetlands;
- c. Restore and preserve natural and beneficial floodplain values; and
- d. Preserve and enhance natural and beneficial floodplain values.

Direct or indirect funding of floodplain development or construction in wetlands should be avoided when practical alternatives exist. When activities or projects funded with assistance from an HPF grant must be carried out in floodplain or in wetlands because no practical alternatives exist, the work must be done in conformance with the requirements of Section 7.C of the NPS Floodplain/Wetlands Protection Guidelines.

2. Policy on Cultural Resources located in Floodplains or Wetlands. As part of its congressional mandate, the National Park Service preserves and interprets cultural resources possessing historical, archeological, architectural, engineering and cultural significance included on, or eligible for inclusion on, the National Register of Historic Places. In general, it is NPS policy that cultural resources located in floodplains will be managed to assure their in-place preservation. Floodproofing measures taken to protect the cultural property or site from the hydraulic or erosive forces of flooding will be designed so as not to adversely affect the historic integrity of the structure or site. When a cultural site or structure does not have the significance to merit action sufficient to ensure its preservation from flood loss, an appropriate level of study and an appropriate treatment plan will be prepared and implemented whenever possible.
3. Decision-Making Process. These guidelines require that a sequential analysis be implemented that includes the following steps:

- a. Determine if the Proposed Action is in, or could affect, a Floodplain or Wetland.
 - 1) Determine if the action is in the Base Floodplain by consulting Flood Insurance Rate Maps or Flood Hazard Boundary Maps. Grantees may contact the National Flood Insurance Program of the Federal Insurance Administration of the Federal Emergency Management Agency to obtain a flood map of their locality (call 800-638-6620). If no maps are available, consult the appropriate NPS Environmental Coordinator, or assume that the action may be in the base floodplain and begin compliance with the Executive Orders, or obtain the services of a licensed consulting hydrologist or engineer who is qualified to determine whether the action is located in the floodplain;
 - 2) Determine if the proposed action is in a Wetland by consulting with the responsible field office of the U.S. Fish and Wildlife Service to obtain a National Wetland Inventory Map. If there is no such map, the grantee should consult the wetland inventories maintained by the U.S. Corps of Engineers, the U.S. Environmental Protection Agency, the National Oceanic and Atmospheric Administration (U.S. Department of Commerce), and NPS.
- b. Public Review. See Section B.6., below.
- c. Variances. For purposes of floodplain management and compliance with Executive Orders 11988 and 11990, note that 44 CFR 60.6 stipulates procedures whereby a community may issue a variance to its floodplain management regulations for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or on a State Inventory of Historic Places. Issuance of such a variance allows a building permit to be issued and flood insurance to be purchased (although often at increased premium rates). Documentation of such a variance must be submitted to NPS with the HPF grant application and the Environmental Assessment.
4. Environmental Assessment--Floodplain/Wetland Areas. Grant proposals for projects which lie in floodplain or wetland areas normally require preparation of an environmental assessment. The assessment must include the following:
 - a. Need for the proposal, including an explanation of why the proposed action in the floodplain or wetland is to be taken;
 - b. The extent of the direct and indirect support of floodplain and wetlands development;
 - c. Measures to be taken to minimize harm to lives and property and the natural and beneficial floodplain values and to restore and preserve these values served by floodplains and wetlands;
 - d. Alternative actions (including no action, and renovation of eligible facilities at alternative sites) are to be considered;
 - e. Assurance that all Federal, State, and local floodplains/wetlands regulations and standards are being met;

- f. A location map delineating the floodplain or wetlands;
 - g. The environmental impacts of the proposed action and alternatives; and
 - h. A listing of persons and agencies consulted.
5. Statement of Findings. When the proposed action involves adverse impacts to floodplain or wetland areas, the environmental documents will be coupled with a separately identifiable Statement of Findings not to exceed three pages documenting the rationale for the determination that there is no practicable alternative location. The Statement of Findings shall conform with the requirements promulgated in Sections 6.C.3.c. and 6.C.6. of the NPS Floodplain/Wetlands Protection Guidelines, and must provide the following information:
- a. A description of why the proposed action must be located in the floodplain;
 - b. A description of all significant facts considered in making the determination, including alternative sites and actions;
 - c. A statement indicating whether the actions conform to applicable State or local floodplain protection standards;
 - d. A description of how the activity will be designed or modified to minimize harm to or within the floodplain;
 - e. A statement indicating how the action affects the natural or beneficial floodplain values;
 - f. A statement indicating why the National Flood Insurance Program criteria are demonstrably inappropriate for the proposed action (see 44 CFR 60);
 - g. A map showing the location of the floodplain or wetland and the site(s) of the proposed action; and
 - h. The signature of the SHPO recommending approval of the Statement of Findings and also recommending the approval of NPS on the combined Environmental Assessment and Statement of Findings.
6. Citizen Participation and Executive Order 12372 Review. The HPF applicant must ensure that the general public has an opportunity for early review of development plans or proposals for actions affecting floodplains or wetlands. In all cases, a press notice will be published in the local media briefly describing the proposed action and urging members of the public to provide their views to the sponsor. The notice must expressly state that the proposed site or portion of the proposed site is in a floodplain or wetland. The applicant jurisdiction must include a copy of the press notice, any public comments received, and the proposed environmental assessment with the HPF proposal information normally submitted to Executive Order 12372 review entities at the full application stage. When adverse comments have been received as a result of the Executive Order 12372 review process or early public review, NPS will forward copies of all notices and NEPA documents to the following agencies noted in Section 1.8C(4) of the Floodplain Guidelines and Wetland Protection Procedures,

and in 520 DM 1: U.S. Environmental Protection Agency; Federal Emergency Management Agency; U.S. Fish and Wildlife Service; U.S. Geological Survey; Bureau of Reclamation; U.S. Army Corps of Engineers; U.S. Soil Conservation Service; appropriate State Review Agencies as determined under Executive Order 12372; and Coastal or River Basin Commissions and State Coastal Zone Management Administrators, as appropriate.

EXHIBIT 11-A ENVIRONMENTAL CERTIFICATION

Based upon a review of the application, proposal narrative, and the supporting documentation contained in the application, it has been determined that the proposed HPF project, Indigenous Peoples Historic Context Statement Phase 2 meets the criteria for categorical exclusion under 516 DM 6. (You must indicate the appropriate categorical exclusion from those listed in Section A.4 of Chapter 11 of the Historic Preservation Fund Grants Manual.)

A.4.g(1)

Applicable Categorical Exclusion [give number of exclusion from Section A.4. of Chapter 11 [e.g., A.4.c.(6)]]



Grantee or Applicant

Vince Bertoni, City of Los Angeles

04/27/2023

Date

Director of Planning

Title

I Concur:

Grant Awarding Official
National Park Service

Date

NATIONAL PARK SERVICE

EXHIBIT 11-B FINDING OF NO SIGNIFICANT IMPACT

Project Number and Name

City, County, State

Proposed Federal Action:

Approval of HPF Grant for: _____

Federal Environmental Finding

After careful and thorough review and consideration of the facts contained in the attached Environmental Assessment for the proposed project, I find that the proposed Federal action will not significantly affect the quality of the human environment under the National Environmental Policy Act, Section 102(2)(c) and, therefore, an EIS is not required.

Name

Date

Title

**NATIONAL HISTORIC PRESERVATION FUND
SUBGRANT PROGRAM**

CERTIFICATE OF PROFESSIONALISM AND CONFORMANCE

I certify that all research, investigations, surveys, nomination studies and reports prepared as part of this grant-assisted project will be professionally prepared by individuals meeting the professional qualifications specified in the Federal Register, Volume 48, Number 190, September 29, 1983. All such work will be done according to the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation. Work not meeting these Standards will not be reimbursed.

Indigenous Peoples Historic Context Statement - Phase 2

Project Name



Vince Bertoni

Signature of Authorized Responsible Official

Director of Planning, City of Los Angeles

Title

April 27, 2023

Date

Assurances—Non-Construction Programs

OMB Approval No. 0348-0040

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Please do not return your completed form to the Office of Management and Budget; send it to the address provided by the sponsoring agency.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.O. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 36701 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a and 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (e) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of

project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the national Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).

14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984 or OMB Circular No. A-133, Audits of Institutions of Higher Learning and other Non-profit Institutions.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

Signature of Authorized Certifying Official



Vince Bertoni

Applicant Organization

City of Los Angeles

Title

Director of Planning

Date Submitted

April 27, 2023