

Appendix M

Ethnographic Report (Tribal Cultural Resources)

**ETHNOGRAPHIC REPORT OF THE
4th AND HEWITT PROJECT SITE
CITY OF LOS ANGELES, CALIFORNIA**

Prepared for:

**LIG – 900, 910 AND 926 E. 4TH ST.,
405-411 S. HEWITT ST., LLC**
6600 Bandini Boulevard
Los Angeles, California 90040

Prepared by:

ENVICOM CORPORATION
4165 E. Thousand Oaks Boulevard, Suite 290
Westlake Village, California 91362
Contact: Wayne Bischoff, Ph.D.

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MANAGEMENT SUMMARY

On December 4, 2017, Envicom Corporation completed an ethnographic [also referred to as a Tribal Cultural Resource (TCR)] assessment for the 4th and Hewitt project (Project), located in the Arts District of the City of Los Angeles (City), California, at the corner of 4th Street and Hewitt Street (Project Site). No site survey was conducted due to the urbanization of the Project Site landscape. Separate technical reports evaluate built environment resources and cultural resources (including additional archaeological and paleontological resources) for the Project Site. The purpose of this assessment is to address TCRs as required by Assembly Bill 52 (AB 52) and under the California Environmental Quality Act (CEQA).

The findings of the ethnographic assessment were negative for prehistoric cultural resources or TCRs within the Project Site. The Native American Heritage Commission (NAHC) results indicated that the Project Site is located in an area that is considered sensitive for prehistoric cultural resources, as did the response letter from Andrew Salas of the *Gabrieleño Band of Mission Indians – Kizh Nation*. While historic and ethnographic research supported that Native American villages had existed along the Los Angeles River in the City for several thousand years, none of the documents reviewed apply directly to the Project Site or demonstrate that TCRs are located within the boundaries of the Project Site.

The conclusion of the ethnographic assessment is that no known prehistoric resources or TCRs exist within the Project Site. However, as the Project Site is located in an area that is considered sensitive for such resources by the NAHC and tribal representatives, and Project development requires excavation to a depth of approximately 38 feet, the City would apply its standard Condition of Approval for the inadvertent discovery of a TCR during Project construction. The City has established a standard Condition of Approval under its police power and land use authority to address the inadvertent discovery of a TCR. In the event that a TCR is inadvertently discovered during the Project development activities, the Project Applicant would be required to comply with the City's standard Condition of Approval for the treatment of inadvertent TCR discoveries. The City's standard Condition of Approval requires the immediate halt of construction activities in the vicinity of the discovery, coordination with the City and appropriate tribal representatives, and development and implementation of appropriate actions for treating the discovery. In addition, the Project would be subject to the requirements of Public Resources Code (PRC) Section 5097.98 in the event that human remains are discovered during Project development.

1.0 PROJECT SUMMARY AND SCOPE OF STUDY

On December 4, 2017, Envicom Corporation completed an ethnographic, or Tribal Cultural Resource (TCR), assessment for the proposed 4th and Hewitt project (Project), which would be located in the Arts District of the City, for purposes of California Environmental Quality Act (CEQA) compliance. The Project would retain the existing 7,800-square-foot (sf) building formerly occupied by the Architecture and Design (A+D) Museum and includes the demolition of 6,030 sf of office and related garage space, 1,000 sf of storage space, and approximately 39,751 sf of surface parking lots. The Project would include construction of an 18-story commercial office building that would consist of 327,976 sf of office and exterior common office space and 8,149 sf of ground level restaurant spaces. The Project would also provide vehicle and bicycle parking spaces.

The purpose of the TCR assessment was to determine if the Project would have negative impacts to known TCRs within or adjacent to the Project Site. This assessment was completed in part to meet the obligations of the Project toward complying with the CEQA, and to assist the City, as Lead Agency, with their compliance obligations under AB 52.

A cultural resource is often defined as a building, structure, object, or archaeological site that is older than 50 years in age and can include historic or prehistoric locations of human habitation. However, the definition of TCRs is much broader, and can include geological landforms (such as specific mountains), environmental landmarks (such as hot springs), or the locations of oral history events or areas of importance. Further, by definition under AB 52, any prehistoric or historic Native American cultural resource that has been found to be or recommended as significant and/or eligible for the California Register of Historic Resources (CRHR), automatically is considered a TCR for management and planning purposes. AB 52 language also provides more definition of cultural resources that are automatically considered TCRs, such as cemeteries, village sites, or religious sites.

As part of the TCR assessment, a cultural resource record search was completed by the South Central Coast Information Center (SCCIC), a Native American cultural resource record search was completed by the Native American Heritage Commission (NAHC), and a thorough examination of ethnographic and early historic era documents that reference Native American culture and history was conducted for the Project area. The purpose of the record searches is to identify previously discovered TCRs that have been recorded within the Project Site and vicinity, to provide prehistoric and ethnographic TCR context for the Project, and to assess the overall prehistoric and ethnographic sensitivity of the Project region. The purpose of the ethnographic documents review is to determine whether primary or secondary documents, manuscripts, photographs, or other types of written material exist and demonstrate that TCRs have been or are likely to be located within or adjacent to the Project Site.

In compliance with AB 52, the City of Los Angeles Department of City Planning (Department of City Planning) submitted Project notification letters on June 14, 2017, to 10 Tribal group representatives identified on City Planning's AB 52 Notification List, which is utilized citywide for all projects under the City's jurisdiction as Lead Agency. This notification task under AB 52 includes an offering by the Department of City Planning to open consultation with those Tribal Group representatives that wish to consult, if they do so desire, in writing within 30 days of receipt of the Project notification. For those representatives that respond to the Project notification letter, but do not request consultation, the Department of City Planning will respond with a follow-up

communication addressing the concerns of the representative. For those Tribal Group representatives that request consultation, the Department of City Planning will arrange a suitable time and place for both parties to meet for such consultation. Formal consultation may include the Project Site owner or their consultant, but only if agreed to by both the Tribal Group representative and the Department of City Planning. One representative, Andrew Salas of the *Gabrieleño Band of Mission Indians – Kizh Nation* responded to the Department of City Planning's Project notification letter within the required 30-day response period.

This report summarizes the results of the SCCIC record search, the NAHC record search, information supplied by Native American Tribal Group representatives, and general documents research. This report also catalogues all correspondence between the Department of City Planning and Tribal Group representatives that has occurred to date to demonstrate DCP's compliance toward meeting AB 52 and CEQA requirements for the Project. Finally, this report presents information related to TCR findings within and in the vicinity of the Project Site and presents recommended Conditions of Approval to be required by the Lead Agency and implemented during development of the Project.

2.0 ENVIRONMENTAL SETTING

The environmental setting provides a basic physical context for the Project Site, through locational information, geological and natural setting information (both current and historic), and prehistoric and historic information about the Project Site and the surrounding region (State of California 1990). In this case, the Project Site is located within the Los Angeles Basin, which will be considered the Project Site “region” for developing environmental context.

2.1 PROJECT LOCATION

The Project Site, shown in **Figure 1** and **Figure 2**, consists of Assessor Parcel Numbers 5163-022-001, 5163-022-002, 5163-022-003, 5163-022-005, 5163-022-022, and 5163-022-023 and is fully contained on the United States Geological Survey (USGS) 7.5-minute Los Angeles topographic quadrangle (quad). The general location of the Project Site is as follows:

Latitude – 34° 2'35.52"North
Longitude – 118°14'9.15"West
Township – 1 South
Range – 13 West
USGS Quad - Los Angeles, CA

The 4th and Hewitt Project Site is located east of Alameda Street at the southwest corner of E. 4th and S. Hewitt Streets.

2.2 GEOLOGIC SETTING

The regional setting of the Project Site is the Los Angeles River floodplain, also known as the Los Angeles Basin. The Los Angeles Basin consists of alluvial materials deposited by flood events from the surrounding California Transverse Ranges, which are comprised of generally east-west trending mountains and valleys created by north-south compressive deformation linked to the movement of the San Andreas Fault and the motion of the Pacific Plates. The mountains and hills of the Transverse Ranges include a mix of volcanic bedrock and marine sandstone layers. The Los Angeles Basin itself mostly consists of older and newer alluvial material, which date from the Pleistocene (2.5 million to 11,000 years ago) through the modern Holocene, and which are loosely sorted. Such material is prone to sliding and movement, especially during erosion events, such as during wet years after a brush fire. The Project Site is located just south of the Transverse Ranges. To the north, northeast, and east of the Project Site are the Santa Monica Mountains and the Puente, Elysian, and Repetto Hills. To the southeast are the Santa Ana Mountains and the San Joaquin Hills, and to the west is the Pacific Ocean.

Below the upper alluvial layers are deeper sandstone formations of the Fernando, Sespe, Monterey, Topanga, and Puente formations. Most of these formations date to the Miocene (23 million to 5 million years ago). This material, though still prone to slippage, is more sorted and compacted. Multiple fault lines run through the Los Angeles Basin, which contribute to earthquakes of various magnitude. Also of note are pools of asphaltum (naturally-occurring asphalt) that can be found throughout the Puente Formation. During the Pleistocene, such pools, including the La Brea Tar Pits, trapped numerous savannah animals and birds, providing important fossils for paleontological research (Yerkes 1965).

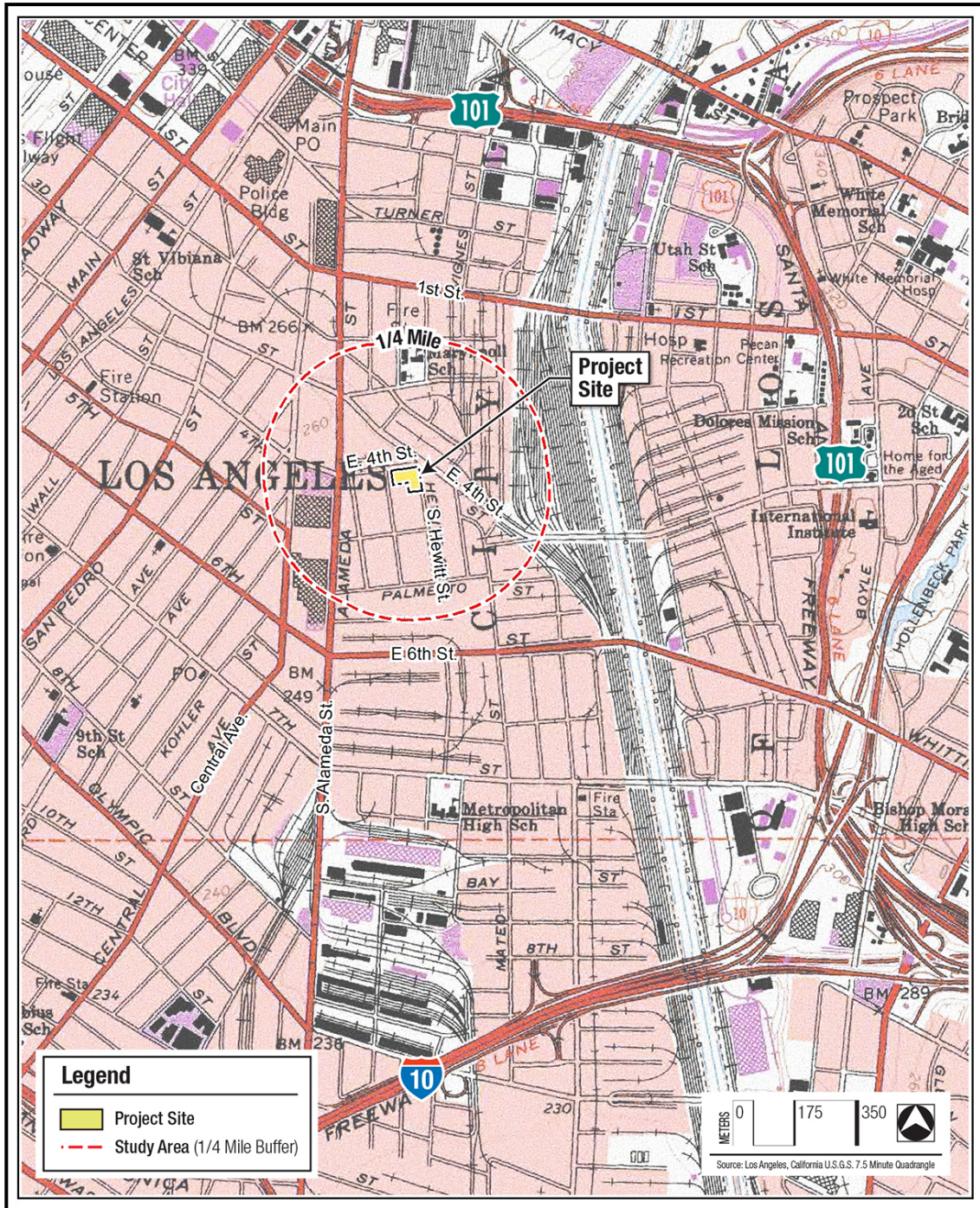


Figure 1: Project Site location in the City of Los Angeles, California, also showing the 0.25-mile study area.



Figure 2: Aerial view of the Project Site location in the City of Los Angeles, California.

The Project Site has been previously graded, developed, and paved. As part of geotechnical investigations performed for the Project, six exploratory borings were drilled and reached a maximum depth of 80 feet. Fill materials (silty sands and sands) were encountered in all exploratory excavations to depths ranging from 2.5 to 5 feet below grade. The fill is generally underlain by native alluvial soils, consisting of interlayered mixtures of silty sands and sands. Boring logs show that native soils (alluvial) are present at depths as shallow as 2.5 feet and are also present at 80 feet (Geotechnologies 2016, 2018). These results indicate the presence of a variable amount of fill and alluvial material across much of the Project Site. The original landscape, therefore, no longer exists within or adjacent to the Project Site. Since many types of TCRs include natural landscape features, such as the mountains described above or springs, such resources that once existed within or near the Project Site have been modified or removed through the urbanization of Los Angeles, as demonstrated by the channelization of the Los Angeles River.

2.3 EXISTING SITE CONDITIONS

The Project Site is located in a completely urban environment. The Project Site contains a larger building along the E. 4th Street frontage (**Figure 3**), a smaller north-south building along the Hewitt Street frontage (**Figure 4**), and a garage and smaller structures that are interior to the Project Site. Pavement and parking make up the rest of the Project Site (**Figure 5**). The larger building was formerly occupied by the A+D Museum of Los Angeles. This building will remain in place and is not expected to be impacted by the Project development.



Figure 3: The west side of the building formerly occupied by the A+D Museum that fronts Colyton Street.



Figure 4: The west side of the S. Hewitt Street frontage building.



Figure 5: The interior parking area, facing west/northwest.

2.4 CULTURAL SETTING

This section provides the historic, ethnographic, and archaeological Native American context for the Project. The prehistoric context comes primarily from past archaeological research, though ethnographic accounts are frequently used for later time periods, especially after the first contact between Native Americans and European groups. Historic cultural context comes from a number of written documents, including both primary (original) documents and secondary (books, manuscripts, and articles) documents. Photographs and artwork can also provide cultural setting information. Both can be original images of subjects or landscapes within their original context, or representational images that have been recreated at a later time.

Finally, other than providing a Native American historic and ethnographic context for the Project, the purpose of the cultural setting section is to present any specific locations, events, individuals, or other information that may be important for identifying existing TCRs within or immediately adjacent to the Project Site, or for the sensitivity of encountering TCRs during construction.

As previously described, the Project Site is located within the Los Angeles Basin, which is a subset of the Southern California geographic region. The prehistoric archaeological literature for Southern California contains many temporal chronologies that attempt to differentiate prehistoric time periods using defining characteristics related to artifact types, subsistence, trade, habitation, or culture. Examples of different chronologies can be found in Chartkoff and Chartkoff (1984), Glassow (1996), Moratto (2004), and Arnold and Graesch (2004:4). Erlandson et al. (2008:18) provides an excellent summary of seven past attempts to create time period chronologies for the Channel Island Region, which often includes the Los Angeles coastal area (2008:18). For this report, the Project Site will be examined as part of the Southern Coastal Region and will follow the Glassow et al. (2007) time period chronology as this approach is more refined as to temporal divisions and incorporates more recent research and interpretation into period development.

Paleo-Indian Period (11,000 B.C. – 9000 B.C.)

Paleo-Indian Period sites are the least common archaeological sites related to Native American occupation in California. Low numbers of Paleo-Indian sites come from smaller prehistoric population numbers during this time period, highly mobile populations that did not produce stable settlement sites, and drastic changes in the California shoreline from a rise in ocean levels, which has resulted in most coastal paleo sites being under water today. Often, the Paleo-Indian history of a region, such as the Southern Coastal Region, is built on inferences from the few known Paleo-Indian sites found in the larger Southern California region.

Early coastal people probably concentrated on the exploitation of hunting both terrestrial and marine resources (Gamble 2008). They most likely followed a hunter-gatherer way of life that utilized a wide spectrum of accessible food sources. Moratto (2004) suggests that there is some incidental evidence that humans may have been in the coastal region of California much earlier than 11,000 B.C., however clear evidence for this conclusion remains elusive (Ciolek-Torrello et al. 2006).

The potentially oldest known human remains found in North America are the *Arlington Springs Man*, uncovered by Phil C. Orr in 1959-1960 on Santa Rosa Island. Recent Radiocarbon Dating analysis undertaken by Dr. John Johnson of the Santa Barbara Natural History Museum revealed that the remains are from roughly 11,000 years B.P. (before present) (2015) (Johnson et al. 2002). The discovery of such ancient Native American remains on Santa Rosa Island demonstrates that

the earliest Paleo-Indians had watercraft capable of crossing the Santa Barbara Channel, and lends credence as well to a “coastal migration/ kelp highway” theory for the peopling of the Americas, using boats to travel south from Siberia and Alaska (Erlandson 2007).

Native Americans of this time would have been highly mobile, with limited trade between groups. Small, family-centered groups may have come together as bands during certain annual meetings, linked with seasonality, however, such sedentary living was an exception in their wide-ranging yearly movement cycle. A warming trend toward the end of the Paleo-Indian period led to distinct changes in available food sources. Herds of large mammals were replaced by small to medium-sized mammals, which in turn led to changes in lifestyle for the earliest of California’s Native American groups.

Archaic Period (9000 B.C. to 7000 B.C.)

The earliest prehistoric Native American archaeological sites found in the Los Angeles basin are associated with the Archaic Period. The Archaic Period for Southern California has been re-interpreted and refined often over the last 50 years. Some original chronology models extended this period to include almost the entire time between the migration of the Paleo-Indians and the formation of larger Native American settlements that occurred in late prehistoric times. The original Archaic Period has recently been refined and is now believed to include a number of distinct sub-periods. This report uses the more recent interpretation of the *Archaic Period*, as the two thousand years after the transition away from a predominant hunting lifestyle to a less mobile hunting and gathering lifestyle by coastal Native Americans (Glassow et al. 2007).

Changes during the Archaic Period are considered to be a response to changes in the climate and environment at the end of the Paleo-Indian period. The hunting and gathering lifestyle of Archaic Period people is characterized by a wide array of bifaces, choppers, scrapers, and other tools associated with a high-mobility strategy to exploit a wider range or regional resources. This period is poorly represented in the Los Angeles Basin with few sites identified within this time period located in the region (Ciolek-Torrello et al. 2006). Many authors, therefore, begin the prehistoric chronology of the Southern Coastal Region at the end of this period, even though Native Americans most likely occupied the area from the earliest times.

Milling Stone Period (7000 B.C. to 5000 B.C.)

The prehistoric chronology after 7000 B.C. has been divided into several distinct periods, as outlined by Glassow et al. (2007), and based on archaeological sites with known Carbon-14 dates. Earlier authors used different period indicators, or have different starting or ending dates than those presented below; however, for the purpose of this study, Glassow et al. represents the most recent, widely referenced chronology. The 2000 years starting in 7000 B.C. is often referred to as the Milling Stone Period or Millingstone Cultural Horizon, based on the prominent mano (hand tools) and metates (flat, grinding surfaces) found on sites dating to this time period (Glassow et al. 2007; Wallace 1955).

The Milling Stone Period is characterized by small, mobile Native American groups with a general shift in diet to the primary collecting of plant materials, accompanied by a dependence on groundstone implements associated with the grinding of seeds (Glassow et al. 2007). Throughout the Milling Stone Period, mobility decreased and sedentary occupation of more permanent villages increased, as did core group size, as dependence on seed-bearing plant materials intensified. These groups appear to have relied on a seasonal shifting of settlement, which

included travels to and between inland and coastal residential bases. The larger settlements were focused on coastal resources, being located near estuaries, lagoons, lakes, streams, and marshes in order to exploit a wide-range of resources, including seeds, fish, shellfish, small mammals, and birds.

Prehistoric occupation sites from this time period often have thick midden deposits (soil build up over time from the activities of a habitation), cooking features, and long-term habitation of re-used locations within the yearly settlement cycle. Flaked tools are made of cherts, quartzite, basalt, and other lithic materials. Most archaeological sites from this time period have been identified on the coast, but near-coastal inland sites have also been recorded. Residue and wear on groundstone tools indicate the milling of plant seeds and possibly hard nuts. Middens (refuse dumps) contain shellfish, some fish bones, and fragmented larger mammal bones, such as deer. *Olivella* shell beads appear at this time, indicating the beginnings of regional trade (Glassow 2007).

Middle Period (5000 B.C. to 2000 B.C.)

Cultural sites identified as being within the Middle Period are characterized by changes in the size and shape of metates and manos, and the introduction of mortars and pestles. Mortars and pestles are primarily used to reduce harder or larger seed materials, such as acorns, into a processed food source. These changes signify a greater reliance on large seed food sources in the diet. The use of the acorn as a diet staple provided a high-calorie and storable food source, which in turn is believed to have allowed for greater population sedentism, and higher levels of social organization. Protein quantity in the diet did not change, however, the number and types of projectile points increased during this time. Projectile points included large side-notched, stemmed, and leaf-shaped forms used for spears and atlatl (the stick to which the spearhead would be attached) darts (Erlandson 1999; Wallace 1955; Warren 1968). Circular shell fishhooks were used on the coast, and a more diverse set of hunting equipment appears to have been used, both of which support increasing specialization of resource use.

Specialized sites during the Middle Period included temporary camps, single primary-focus activity areas, such as quarries, and long-term settlement locations. Regional trade, primarily between the mainland and the Channel Islands, took place with large numbers of diverse ornaments and shell beads found in mortuary settings dating to the period. Characteristic burial practices include fully flexed burials placed face-down or face-up and oriented toward the north or west (Warren 1968). Red ochre (a red-colored pigment) was commonly used, and internments sometimes were placed beneath cairns or broken artifacts. These later changes are thought to indicate an increase in social status differential and access to trade goods.

Transition Period (2000 B.C. to A.D. 1)

The Transition Period indicated an intensification of prehistoric fishing and sea mammal hunting, with a reduction in shellfish utilization and an increase in regional trade networks (Glassow et al. 2007:200-203). Several new artifacts appear in cultural sites of this period, including net weights, circular fishhooks, asphaltum-use, and the shift from the use of atlatl darts to arrow points. Subsistence is characterized by an increased emphasis on acorns, as well as local intensification of plant and small mammal food sources.

At this time, sedentism and long-term occupation of sites increased, accompanied by more elaborate social practices and formal cemeteries. Ritual burial objects become common and

mortuary practices suggest an increase in social wealth and status. Specialized labor emerged, and trade networks became increasingly important, with both functional and non-utilitarian materials being transported over increasingly wider trade routes.

As was seen elsewhere along the Southern California coast, the Los Angeles River drainage was an optimal location for prehistoric Native American settlements during the Transition Period. The local marshes, seasonal rivers, and swamps provided abundant shellfish, migrant waterfowl, and plant resources, and the access to coastal waters allowed for marine animal resources as well. The Los Angeles River area was also ideal for access to trade routes, both along the coast and inland to more distant resource areas.

Late Period (A.D. 1 – A.D. 1000)

The Late Prehistoric Period (and the following Ethnographic Period) marked the highpoint of the Southern California coastal Native American cultures, including the Los Angeles Basin *Tongva-Gabrieliño* tribal group (Wallace 1955). The Project is located in the middle of the traditional *Tongva-Gabrieliño* occupation territory. The term “Gabrieliño” is a general term used originally by the Spanish to refer to Native Americans residing at or administered by the Spanish of the Mission San Gabriel Arcángel. Since the name “Gabrieliño” is associated with the Spanish forced relocation and Missionization of the Native Americans of the Los Angeles Basin region, many of the descendants of the *Gabrieliño* today prefer the use of “*Tongva*” to describe the Native American peoples descended from the Los Angeles Basin region (Welch 2006:2).

Coastal habitation sites had relatively dense populations by the end of the Middle Period, as well as an exchange relationship between the occupied coastal islands, the mainland coast, and interior regions that expanded during the *Late Period* (Glassow et al. 2007:203-205). Glassow et al. (Ibid.:203-205) note that certain trends continued during the Late Period, including substantial midden deposits, defined cemetery use, and the first evidence of true bow and arrow use. Overall, the variety and complexity of material culture increased during this time period, demonstrated by more diverse classes of artifacts. Glassow et al. (2007:204) summarize this period as:

“The period between cal A.D. 1 to 1000 was one of significant changes in technology, society, and economy. It is a period in which regional populations apparently grew to much higher levels and several important steps were taken along the road to increasing social and economic complexity.”

Small, finely knapped projectile points, usually stemless with convex or concave bases, point to an increased utilization of the bow and arrow rather than the atlatl dart for hunting. Mortuary practices, including cremation and interment, were more elaborate than in preceding periods, and some burials contain abundant grave goods. Seagoing vessels were introduced and plank canoes allowed Native Americans the ability to hunt deep-sea fish, such as tuna and swordfish (Chartkoff and Chartkoff 1984:169-203). As Glassow et al. (2007:211) state “...by the time of European contact, the *Chumash* and their coastal *Tongva-Gabrieliño* neighbors had hereditary political offices and a social elite, different sorts of regional organizations, and a well-developed shell bead currency that facilitated inter-village and cross-channel commerce.”

The prehistoric Late Period also saw the production of many beautiful and complex objects of utility, art, and decoration. These artifacts include steatite cooking vessels and containers, steatite arrow shaft straighteners, perforated stones, a variety of bone tools, and personal ornaments

made from bone, stone, and shell, including drilled whole *Chione* (Venus clam) and drilled abalone. During this period, an increase in population size was accompanied by the establishment of larger, more permanent villages with greater numbers of inhabitants (Wallace 1955:223).

The Native American Ethnographic Period (A.D. 1000 – 1542)

The period after A.D. 1000 to contact with the Spanish marks the Ethnographic Period of Native American history in Southern California, when the material culture and social organizations later observed by the Spanish explorers were being developed and were established by the time of contact between the Spanish and the Native American cultures of Southern California. The period from A.D. 1000 to 1542 represented a time of cultural change for Southern California Native Americans, with several researchers pointing to changes in water temperature, climate change, and drought as prominent factors in social and material cultural changes from the Late Prehistoric Period to the Ethnographic Period. However, whether these changes were gradual or punctuated is still debated (Glassow et al. 2007:205).

The dominant ethnographic group in the Project region during the Ethnographic Period was the *Tongva-Gabrieliño* (which includes the *Tongva-Fernandeño*, located in the San Fernando Valley); historically one of the larger and more complex groups of California Native Americans. The *Tongva-Gabrieliño* people of the Los Angeles Basin area occupied land that was bordered to the north and northwest by the *Chumash*, to the north by the *Tataviam*, to the northeast by the Serrano, and to the south by the Cahuilla and Luiseño Tribal Groups. The San Fernando Valley appears to have been a shared area, with both *Tongva-Fernandeño* and *Tataviam* peoples having villages in the Valley. Similarly, the Topanga Creek Valley area was shared by both the *Chumash* and the *Tongva-Gabrieliño* peoples, with the creek forming a rough boundary between the two groups. The Channel Islands were another important shared area, with different islands being occupied by either the *Chumash* or the *Tongva-Gabrieliño* peoples. Due to limitations of the historic and ethnographic literature, exact inland borders between the various Native American groups are less a solid boundary line and more a general transition zone between different peoples.

The wealth of resources of the Pacific Coast and the inland waterways allowed the *Tongva-Gabrieliño* people to occupy a number of large village areas, as well as retain a population density greater than other Native American groups in California except for possibly the *Chumash* to the west. Current research points to a time of change for the *Tongva-Gabrieliño* people, with social reorganization, and fluctuations in subsistence models from earlier time periods. An abundance of resources appears to have led to increasingly complex social, political, and economic structures, expanded craft specialization, with specialized regional workshops, specialized tools, shell money, and an expanded trade network. Craft specialization centered on the production of shell beads, both for adornment and for currency, lithic micro blades, deer bone tools, basket production, and basket asphalted to make them watertight. Coastal canoe construction also reached a height of construction specialization, organization, and ownership during this time period (Glassow et al. 2007:206-208; Bean and Smith 1978).

The archaeological and ethnographic literature suggests that populations in the interior of the Los Angeles Basin and interior areas occupied by the *Tongva-Gabrieliño* were not as dense as what took place along the coast or on the Channel Islands. The relationship between the less chronicled interior areas and the coastal region is a current research question in Southern California archaeology; with different models of seasonal migration between the coast and the inland areas being proposed. Another research question is whether the interior archaeological sites were

inhabited season-round, centering on larger residential settlements. It is known that exchange with coastal villages and inter-village social and political ties based on marriage occurred, however the question remains whether actual movement of people occurred between the inland areas and the coast, or whether the extensive trade network of the *Tongva-Gabrielino* and *Chumash* peoples were providing subsistence goods during seasonal scarcity (Glassow et al. 2007:208-210).

The Tongva-Gabrielino at the Time of Contact (A.D. 1542 – A.D. 1769)

The earliest Spanish explorers of the California coast included Juan Rodriguez Cabrillo in 1542, Pedro de Unamuno in 1587, Sebastian Rodriguez Cermeño in 1595, and Sebastián Vizcaíno in 1602 (Chartkoff and Chartkoff 1984: 251-258). These early expeditions were transient in nature, and rarely impacted the areas traveled through except as a novelty. When the Spanish first came to the Los Angeles Basin, they encountered a region already long-settled by the *Tongva-Gabrielino* peoples.

Though Juan Rodriguez Cabrillo in 1542 was the first European recorded to have made contact with the *Tongva-Gabrielino* Native Americans of the southern Channel Islands and mainland areas of Los Angeles and Orange Counties, it is unclear how much European contact influenced the Native Americans of California through this time period. Erlandson et. al. (2008:103-104) note that diseases may have predated the Spanish Settlement of Southern California, with diseases passing between populations of Native Americans along established trade routes. Such diseases may have had an impact on regional village size, population patterns, or Native American culture before many of the California Native American groups had even met the Spanish. Gamble (2008:38-42) also notes that Spanish goods were being passed through coastal Native American groups long before the Spanish settlement of California began, though contact was infrequent. The earliest Spanish descriptions of the *Tongva-Gabrielino* may, therefore, not have been entirely reflective of Native American society and culture as it existed during the earlier Ethnographic Period before contact.

What is recorded by the early Spanish explorers is that the *Tongva-Gabrielino* had large villages with extensive craft specialization and community wealth. Highly skilled artisans specialized in certain craft trades, such as stone bowl making or canoe building (Heizer and Whipple 1971: 355-357). The *Tongva-Gabrielino* and their *Chumash* neighbors represented the most heavily populated Native American groups in California at the time of contact (Moratto 1984: 117-118).

Tongva-Gabrielino diet sources consisted of hunting, with small terrestrial game being hunted with deadfalls, rabbit hunts, and by burning undergrowth, and larger game such as deer being hunted using bows and arrows. Fish were also exploited, being taken by hook and line, nets, traps, spears, and poison. Finally, gathering of plant resources probably made up a large percentage of the *Tongva-Gabrielino* diet, with the primary plant resources being fall-harvested acorns and late spring and summer seeds, bulbs, and tubers (Bean and Smith 1978; Reid 1977 [1852]). Seeds harvested included chia, sages, various grasses, and *islay* or holly-leaved cherry (Reid 1977 [1852]; Timbrook 2007).

The *Tongva-Gabrielino* language, like the *Tataviam* language, is part of the *Takic* branch of the *Uto-Aztecan* language family, which originated in the Great Basin region. The *Chumash* language is not of Takic origin, and the *Chumash* Native Americans were likely already located in their

traditional lands when the ancestors of the *Tongva-Gabrieliño* migrated into the region (Titus 1987; Sutton 2009).

The *Tongva-Gabrieliño* are estimated to have had a population of around 5,000 before the contact period (Kroeber 1925). At least 26 *Tongva-Gabrieliño* villages were noted by the Spanish as existing within the proximity of the Los Angeles River, with an additional 18 being located farther into the Los Angeles Basin interior (Gumprecht 2001). The highest number of villages, and hence the densest *Tongva-Gabrieliño* populations, were reported to have been in the San Fernando Valley, the Glendale Narrows area north of present-day Downtown Los Angeles, and around the Los Angeles River's coastal outlets (Gumprecht 2001).

Some of the more historically important villages in the Project region included *Maawnga* in the Glendale Narrows, *Totongna* and *Kawengna* in the San Fernando Valley, *Hahamongna*, northeast of Glendale, and *Yangna*, located in the vicinity of present-day Downtown Los Angeles. The exact location of *Yangna* is currently unknown, with several Downtown locations being speculated upon (McCawley 1996; and Chartkoff and Chartkoff 1984:64). It is very possible, given the shifting location of the Los Angeles River, that the village was moved several times during the Ethnographic and early Historic Period. The village of *Maawnga*, also recorded as *Maungna*, is believed to have been located "high on a bluff overlooking Glendale Narrows in the hills now occupied by Elysian Park" (Gumprecht 2001:31). A third possible village, named *Geveronga*, may have been located in the present-day Downtown Los Angeles city center area, as it is reported in the San Gabriel Mission baptismal records of Native American converts and the villages they came from as being located "in the rancheria adjoining the Pueblo of Los Angeles" (McCawley 1996:57).

San Gabriel Mission baptismal records also show the village of *Yangna* (also referred to as *Yaanga*, or *Ya'anga*) being occupied until at least 1813, which would have placed the village occupation well into the Missionization period (McCawley 1996:57). Since most Native Americans were forced to live and work at mission sites by this time, it is unclear whether these records meant that they were people originally from *Yaanga* who may have been baptized later during Missionization, or whether the actual village was still in use by this time. Regardless, Mexican Independence in 1822 and the secularization of the mission system led to the original village residents being again displaced to a location south of the village site at what is currently the City block north of Los Angeles Street and W. 1st Street (Morris et al. 2016).

By 1836, the displaced *Gabrieliño* community lived on what was then known as the *Rancho de los Pablinos*. Under pressure from Los Angeles residents complaining about the *Gabrieliño* bathing in the *Zanja* irrigation ditches, the *Tongva-Gabrieliño* were moved to a location further to the east near what is presently the intersection of Alameda Street and Commercial Street (Morris et al. 2016). During the Mexican-American War, the *Tongva-Gabrieliño* were again displaced in 1947, but without new community lands being provided, Native Americans dispersed throughout Los Angeles (Morris et al. 2016).

The European Historic Period (A.D. 1769 – 1900)

From 1542 to 1769, Southern California was mostly ignored by the Spanish. This did not mean that Spanish goods, culture, and disease did not influence the *Tongva-Gabrieliño* people, just that direct involvement with the Spanish was rare for the Native Americans of the Los Angeles Basin region (Erlandson et. al. 2008:103-104). After Gaspar de Portolá and his 1769-1770 expedition, which passed through the Los Angeles area heading from San Diego to Monterey, then back

again, the Spanish began to concentrate on occupying and developing the coastal areas from Orange County to Santa Barbara. The purpose of de Portolá's mission, then, was to support the larger planned permanent Spanish settlement of California by assessing the areas to be settled by later missions and Spanish outposts (Chartkoff and Chartkoff 1984:251-258; de Portolá 1769:79).

Starting in 1769, the Spanish government began establishing religious missions along the coast of California, as well as presidios (fortified settlements), and pueblos (ranch houses), to advance the colonization of the California region. The Spanish Government established missions to act as outposts on the California frontier and to educate and convert Native Americans to Christianity. Missions also periodically housed Spanish soldiers. Under the leadership of the Franciscan Father Junipero Serra, a total of 21 coastal missions were built, between 1769 and 1823 (Chartkoff and Chartkoff 1984:251-270).

In the Project area, the Mission San Gabriel Arcángel – fourth mission of the Spanish mission system – was founded on the banks of the Rio Hondo in 1771 near the present-day City of Montebello. The newcomers built a chapel, dormitories, and barracks buildings surrounded by stockade. *Zanjas*, or ditches, were built to tap the nearby river to irrigate fields; the nearest being just west of Los Angeles Street, about five blocks west of the Project Site. Corn and beans were the major crops, but grapes and other fruits were also grown. Cattle, horses, sheep, and other livestock were kept, grazing in the nearby Puente Hills. The fathers were successful at converting to Catholicism several dozen Native American families, who took up residence near the compound (Smith et al. 2010:27-28; King 2011:4-6; and Miller 1991:17-27).

Early on, missionaries encouraged Native Americans to abandon their ancestral homes and move to the missions as converts. However, as stated by Hurtado (1988:197-198), "Indian neophytes formed a labor pool for the missions, which were the primary economic institutions in the (Spanish) colony; but they died at a rapid rate, thus requiring the Franciscans to recruit new converts from the interior valley." The high loss of life from the mission experience led to most Native Americans eventually being "missionized," or forced from their village to live on local mission lands. In the Project area, the *Tongva-Gabrieliño* people were forced to move to either the San Fernando Mission (established in 1798 in the San Fernando Valley) or to the San Gabriel Mission) (McCall and Perry 1990:13-17). Often, villages located at a point between two missions would have different families and individuals resettle to different missions, based on their lineage or family connections. By the early 1800s, most of the surviving *Tongva-Gabrieliño* had been forced into the mission system from their traditional villages.

Missionization destroyed the traditional social subsistence system, disrupted regional trade networks, and transformed the Native American material culture into a mixture of surviving ethnographic artifacts and European goods. Disease, the loss of a lifestyle that had been adapted to the California environment for generations, and the predation of the Spanish all led to a rapid decline in Native American population numbers (Chartkoff and Chartkoff 1984:258-270, and Erlandson et. al. 2008:25).

Along with the Spanish missions, Spanish pueblos and ranchos began to be organized during this time. On September 4, 1781, the *Pueblo de la Reina de los Angeles* was established not far from the site where Portola and his men camped. Taking advantage of the Los Angeles River as a water source and the area's rich soils, the original pueblo occupied 28 square miles and

consisted of a central public plaza surrounded by 12 houses, and 36 surrounding agricultural fields occupying 250 acres, established to the east between the town and the river (Gumprecht 2001). This settlement formed the nucleus of what would later become the City of Los Angeles. Under the Spanish, the King made only a few land grants in the Los Angeles region. In addition to the large tracts granted to the Mission San Gabriel Arcángel, Rancho Los Nietos was awarded to Corporal Manuel Nieto in 1784. The rancho, which incorporated approximately 160,000 acres, included significant portions of what is now Los Angeles and Orange Counties. The current cities of Whittier, Fullerton, Buena Park, Huntington Beach, Long Beach and Lakewood are located within the rancho boundaries. The Nietos family retained control massive estate well into the Mexican Era. In 1834, the family requested, and was granted, the division of the property into six separate ranchos, which was redistributed to Corporal Nieto's heirs (King 2011:5).

When Mexico won independence from Spain in 1822 the political system in California changed dramatically. The missions and the mission lands were secularized in 1834, with the lands dispersed to individuals loyal to the new Mexican government. These land grants, both the original Spanish crown grants and the Mexican national grants, were primarily used as cattle and sheep ranches, which dominated most of Southern California (including the Project area) up through the early 1900s (McCall and Perry 1990, Maulhardt 2010, Chartkoff and Chartkoff 1984:270-278, and Erlandson 2008:105).

Mexican land grants were awarded to soldiers, friends, and relatives of Spanish governors who ruled California between 1823 and 1846. The 1840s saw a significant increase in land grants given by the Mexican government. With the continuing influx of immigrants, particularly Americans, the threat of invasion by the United States was very real. Land grants were seen as a way to develop the state and discourage an assault by the US. Foreigners could acquire property but first had to become Mexican citizens. Many Americans were able to secure significant holdings throughout the state. By the mid-1840s there were over a dozen ranchos located in the Los Angeles Basin region.

The Mexican Revolution and the later dismantling of the mission system led to great disruptions in the lives of the remaining Native Americans, as mission lands were incorporated into the rancho system. Tensions between Native Americans and Mexican settlers and soldiers led to a number of Native American revolts; all of which were short-lived. Guerrilla warfare and raiding by displaced Native Americans continued throughout the Mexican period, and into the later United States territorial period (Chartkoff and Chartkoff 1984:270-278).

During the Mexican-American War, the territory known in Mexico as Alta California officially became a United States territory with the signing the Treaty of Guadalupe Hidalgo between Mexico and the United States in 1848. At the same time, the United States government began a decades-long process of determining the fate of the original Mexican land grants in California, several of which were located within in the Conejo Valley. This process left ownership of many parcels and ranches in question for long periods of time. These land grants changed hands several times, especially after Mexican independence, until land ownership legal issues were finally settled in the 1870s. After this time, the original Spanish-heritage families began selling off smaller parcels to American investors, which expanded the ranching of cattle and sheep in the area (Maulhardt 2010:7-8).

From 1848 to 1900, California Native Americans were reduced in number from 150,000 to 20,000; most of this decline came from the continued marginalization of Native Americans into the worst

land and lowest economic positions in the new state. Other factors were abuse by the European settlers, disease, and the impacts of government laws and policies that did not favor native populations (Chartkoff and Chartkoff 1984:296-297). Robert F. Heizer (1974), an American anthropologist, has collected numerous documents from 1847 through 1865 chronicling many of the injustices done upon the Native Americans of California, including within the Los Angeles Area. His collection provides a broad account of the poor treatment of California's earliest occupants under United States ownership of the land.

Development of the Project Site (1894 – Present)

The Project Site was developed with three dwellings by 1894. A three-story hotel structure and four additional dwellings were developed by 1906. A 4,600-sf window shade factory was constructed in 1919 in the west portion of the Project Site along E. 4th Street. Based on the Phase I Environmental Site Assessment Report (Citadel Environmental Services, Inc. 2017), the current oblong office structure along S. Hewitt Street appears developed by 1920. A store and a grocery store were developed in the northeast portion of the Project Site in 1920 and 1922, respectively. A mattress manufacturer occupied the window shade factory by 1944. The current small structure in the west portion of the Project Site was constructed in 1947 and 1951 for leather curing/animal hair processing. The current oblong office structure along S. Hewitt Street appears to have been occupied for carton paper storage by 1950. The current building in the northeast corner of the Site was built in 1952 as an office/warehouse structure, which was then occupied for asbestos fabrication in 1953 and metal fabrication by 1954. The mattress manufacturer was occupied as a woodworking company by 1954. The dwellings and stores at the Project Site were demolished between 1951 and 1954.

The southeast portion of the Project Site contained a truck storage yard. A store was relocated to the northeast corner of the Project Site in 1954 and was occupied as a café/restaurant in 1955. The hotel was demolished in 1955. The two commercial structures in the northwest corner of the Project Site were vacant/unoccupied by 1960 and reoccupied as a warehouse by 1967. Permits reviewed indicated a former underground storage tanks pit in the southeast portion of the Project Site that was excavated, removed, and backfilled in 1990 under the permit and oversight of the Los Angeles Fire Department. That same area was graded and compacted in 1991 prior to the development of the current garage structure along the south portion of the Project Site. The smaller commercial structure in the northwest corner and the restaurant were demolished by 2009 (Citadel Environmental Services, Inc. 2017).

As described above, the Project Site currently consists of a building formerly occupied by the A+D Museum and associated storage shed, a one-story office structure with a garage, and surface parking lots.

3.0 REGULATORY CONTEXT

This section includes the relevant regulations for the ethnographic assessment.

California Environmental Quality Act [Public Resources Code (PRC) Sections 21000 – 21189] and Guidelines [California Code of Regulations (CCR) Title 14, Division 6, Chapter 3, Sections 15000 – 15387]

Cultural resources are recognized as part of the environment under CEQA. The CRHR is an inventory of the State's historical resources. Criteria have been developed for determining whether a property is significant enough to be placed on the CRHR, and therefore, evaluating whether a cultural resource is or can be considered significant for the purposes of CEQA (PRC Sections 21083.2 and 21084.1).

The CEQA Guidelines, Section 15064.5(a)(3), require that all private and public activities not specifically exempted be evaluated against the potential for environmental damage, including effects to historical resources. It defines historical resources as "any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California."

The California Register includes resources listed in or formally determined eligible for listing in the National Register of Historic Places (NRHP), as well as some California State Landmarks and Points of Historical Interest that are not federally recognized. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts), or that have been identified in a local historical resources inventory may also be eligible for listing in the CRHR, and are presumed to be significant resources for purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC Section 21084.1).

Lead agencies have a responsibility to evaluate historical resources against the CRHR criteria prior to making a finding as to a proposed project's impacts to historical resources. CEQA rules of determining significance closely follow the criteria outlined by the NRHP, but which have been modified for state use in order to include a range of historical resources which better reflect the history of California (CCR Section 4852). The similarity between the two criteria allows for a known cultural resource to easily be evaluated for both registers at the same time. Often, therefore, a cultural resource narrative provides enough information to justify a suggested evaluation for the resource under both laws and a recommendation of significance under both criteria.

Pursuant to the CEQA Guidelines, Section 15064.5(a)(3), a cultural resource must meet one of the four following criteria to be included or eligible for the CRHR:

- (1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- (2) Is associated with the lives of persons important in our past;
- (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
- (4) Has yielded, or may be likely to yield, information important in prehistory or history.

The criteria for inclusion on the CRHR closely follow the federal criteria for inclusion on the NRHP, as outlined under the National Historic Preservation Act. Projects with a joint National Environmental Policy Act (NEPA)/CEQA component often evaluate a cultural resource for both listings simultaneously. It is important to note that a cultural resource is significant under CEQA if it is determined to be *eligible* for listing on the CRHR, not that it *has to be* listed on the CRHR. The formal listing process is a potentially time-consuming and lengthy procedure that often is not completed once a cultural resource has been determined eligible; however, the determination of *eligibility* for the CRHR itself provides a cultural resource equal status and protection under CEQA to that of formally listed cultural resources.

It should also be noted that, even though cultural resource consultants often are the first professionals to evaluate newly discovered or re-examined cultural resources for significance and eligibility for listing on the CRHR (or the NRHP), the lead agency for a project has the final determination of eligibility of a cultural resource within the context of the project that is triggering the evaluation process. The lead agency can either concur with the recommendation of a cultural resource consultant, object to the recommendation, or determine that more work must be done by the project proponent.

Findings of eligibility are important for the ethnographic assessment of a project as prehistoric or ethnographic Native American cultural resources that have previously been found to be eligible for the CRHR under any criteria are automatically TCRs, as defined under AB 52 (see below). Such cultural resources would then become subject for consideration as both significant cultural resources and as TCRs for management and/or mitigation purposes.

California Health and Safety Code (Section 7050.5)

This section of the Health and Safety Code requires that further excavation or disturbance of land, upon discovery of human remains outside of a dedicated cemetery, cease until a county coroner makes a report. It requires a county coroner to contact the NAHC within 48 hours if the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the remains to be those of a Native American.

California Health and Safety Code (Section 7052)

Section 7052 of the Health and Safety Code establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

California Public Resources Code (Section 5097.98)

If a county coroner notifies the NAHC that human remains are Native American and outside the coroner's jurisdiction per Health and Safety Code Section 7050.5, the NAHC must determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 24 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

California Assembly Bill 52 (AB 52)

AB 52 was approved on September 25, 2014. The act amended California PRC Section 5097.94, and added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. The primary intent of AB 52 is to involve California Native American Tribes early in the environmental review process and to establish a category of resources related to Native Americans, known as tribal cultural resources, that require consideration under CEQA. PRC

Section 21074(a)(1) and (2) defines tribal cultural resources as “sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe” that are either included or determined to be eligible for inclusion in the California Register or included in a local register of historical resources, or a resource that is determined to be a TCR by a lead agency, in its discretion and supported by substantial evidence. A TCR is further defined by PRC Section 20174(b) as a cultural landscape that meets the criteria of subdivision (a) to the extent that the landscape is geographically defined in terms of the size and scope of the landscape. PRC Section 20174(c) provides that a historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a TCR if it conforms with the criteria of subdivision (a).

PRC Section 21080.3.1 requires that, within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the project (as defined in PRC Section 21073) and who have requested in writing to be informed by the lead agency of projects within their geographic area of concern. Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency’s formal notification and the lead agency must begin consultation within 30 days of receiving the tribe’s request for consultation.

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of tribal cultural resources; the significance of the project’s impacts on the tribal cultural resources; project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.

In addition to other CEQA provisions, the lead agency may certify an Environmental Impact Report (EIR) or adopt a Mitigated Negative Declaration (MND) for a project with a significant impact on an identified tribal cultural resource, only if a California Native American tribe has requested consultation pursuant to Section 21080.3.1 and has failed to provide comments to the lead agency, or requested a consultation but failed to engage in the consultation process, or the consultation process occurred and was concluded as described above, or if the California Native American tribe did not request consultation within 30 days.

PRC Section 21082.3(c)(1) states that any information, including, but not limited to, the location, description, and use of the tribal cultural resources, that is submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public without the prior consent of the tribe that provided the information. If the lead agency publishes any information submitted by a California Native American tribe during the consultation or environmental review process, that information shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public.

Confidentiality does not apply to data or information that are, or become publicly available, are already in lawful possession of the project applicant before the provision of the information by the California Native American tribe, are independently developed by the project applicant or the project applicant's agents, or are lawfully obtained by the project applicant from a third party that is not the lead agency, a California Native American tribe, or another public agency.

4.0 NATIVE AMERICAN TRIBAL CULTURAL RESOURCE FINDINGS

This section provides the findings of several record searches conducted as part of the ethnographic assessment, as well as the results of the literature review of documents that focus on the prehistoric and ethnographic history of the Los Angeles Great Basin area. All record searches conducted for this study included the Project Site, plus a 0.25-mile radius around the Project Site (collectively referred to as the “study area”) for TCR context in order to develop general understandings of resource sensitivity for the study area. A 0.25-mile radius around the Project Site was determined to be appropriate for the Project due to the urban development of the Site and vicinity, which reduces the expectation for intact tribal cultural resources, as well as due to the fact that impacts to tribal cultural resources are generally limited to a Project Site and immediate (i.e., adjacent) vicinity. An expanded record search would not produce a more statistically sound understanding of non-built environmental (archaeological) TCR sensitivity for the area. As previously stated, separate technical reports cover built environment resources and cultural (archaeological) resources for this Project.

4.1 RECORD SEARCH RESULTS

The following section provides the record search results conducted by the SCCIC and the NAHC, as well as a review of historical map databases for the Arts District area of the City.

4.1.1 SCCIC Record Search Findings

On March 2, 2017, Envicom Corporation contacted the SCCIC with a request that they search their database for cultural resources within the Project Site, plus the 0.25-mile radius, for broader context (see Figure 1). The request letter is attached in **Appendix A**. The record search included a request for all complete site records for cultural resources within the study area, as well as copies of available cultural resource technical reports that intersect with the Project Site. The findings from the SCCIC are considered confidential by State law and therefore are not included in their entirety in this report; however, a summary is provided below. The full findings are on file at Envicom Corporation and can be made available when the appropriate contact is identified.

Envicom Corporation received the results of the record search for the study area from the SCCIC on April 18, 2017. The record search findings obtained from the SCCIC were negative for cultural resources within the Project Site. The SCCIC identified that roughly a fifth of the northeast corner of the Project Site had been previously investigated by one cultural resource report (LA-04448). However, this cultural resource report did not identify cultural resources on the Project Site. The report, therefore, was not examined in more detail due to the lack of findings affecting this portion of the Project Site.

The summary of the SCCIC findings for the Project Site is as follows.

Resources located within the Project Site: None.

Reports located within the Project Site: One partial.

LA-04448 *Section 106 Documentation for the Metro Rail Red Line East Extension in the City and County of Los Angeles, California.* Myra L. Frank and Associates, Inc., Los Angeles, California.

Resources located outside the Project Site but within the 0.25-mile radius:

The SCCIC identified 16 previously recorded cultural resources that are located outside the Project Site but within the 0.25-mile radius surrounding the Project Site. The SCCIC cultural resource site numbers are P-19-002610, P-19-004460, P-19-150194, P-19-173336, P-19-174977, P-19-174978, P-19-175845, P-19-175846, P-19-187085, P-19-188195, P-19-190035a, P-19-190035b, P-19-190038, P-19-190036, P-19-190521, and P-19-190586. The majority of these cultural resources are historic built environment commercial and residential structures associated with the urban environment of the Project area, but they also include a road bridge over a nearby rail yard, a railway station, and public utility buildings.

Reports located outside the Project Site but within the 0.25-mile radius:

The SCCIC also identified 23 previously published cultural resource reports involving parcels located outside the Project Site but within the 0.25-mile search area. These technical studies fell into two primary categories: infrastructure and public utilities improvements, which involved urban transportation, railroad tracks and yards, fiber optics lines, cell towers, roadways, metro services, or other City improvement projects; and commercial development projects, which included individual retail and commercial property development or renovation projects.

Additionally, the SCCIC identified 10 general overview reports that cover the Project region, which is considered to be the City for this study. Such reports do not specifically focus on cultural resources, and instead provide general historical, architectural, or archaeological background on an area.

Based on the information provided above, no eligible prehistoric or ethnographic Native American cultural resources were identified by the SCCIC within the Project Site or study area. Therefore, the SCCIC findings indicate that the study is considered as not sensitive for TCRs. This finding was aggregated with the information from other record searches and from the documents review to produce an overall Project sensitivity for TCRs.

4.1.2 NAHC Record Search Findings

The NAHC was contacted by Envicom Corporation to determine whether known sacred lands exist on or near the Project Site. Envicom Corporation contacted the NAHC initially on March 2, 2017, with a request that they search their database for Native American cultural resources within the Project Site and within a 0.25-mile radius of the Project Site. A sacred lands file search was provided by the NAHC on May 3, 2017, which was negative for cultural resources within the Project Site. However, the response letter indicated the Project area is considered as “sensitive” for Native American cultural resources by the NAHC. The letter request and NAHC response are attached in **Appendix B**.

To protect the confidentiality of information regarding the nature and location of resources, the NAHC does not provide information on actual Native American cultural resources or criteria for the designation of an area as “sensitive” for Native American cultural resources. Such discovery, however, may take place during government to government consultation, as between the Department of City Planning and NAHC and/or tribal group representatives, for example. The City, as Lead Agency for the Project, is empowered to communicate directly with the NAHC to determine the background that substantiates issuing a determination of “sensitive” for the Project area, if it so chooses.

The NAHC also provided a list of tribal representatives with whom they suggest Envicom Corporation consult in order to acquire additional information regarding potential impacts of the Project. However, such consultation is now undertaken by the City, as Lead Agency for the Project, pursuant to AB 52. The DCP mailed Project notification letters to 10 Native American tribes on June 14, 2017 (refer to **Appendix C**). The TCR consultation process that has occurred to date for the Project is described in Section 4.3.1, Tribal Group Consultation, below.

4.2 INVESTIGATION OF HISTORIC AREA MAPS

USGS topographic maps and other regional historic maps for the Project Site area date back to 1894 and were updated regularly through the end of the 20th Century. Examination of 17 historic USGS maps did not yield indicators that Native American TCRs are located within the study area. The 1894 USGS Los Angeles map shows this urban nature of the Project Site and surrounding area (today referred to as the Arts District) (see the red “cross” in the center of image in **Figure 6**). Urbanization expanded rapidly, so that by 1928, the area was a dense urban environment (**Figure 7**). Urban in-filling took place throughout the early 20th Century, resulting in the region being part of a total urban environment on the 1953 USGS Los Angeles Quadrangle map and on all subsequent maps (**Figure 8**, as well as Figure 1 above).



Figure 6: 1894 USGS Los Angeles Map.

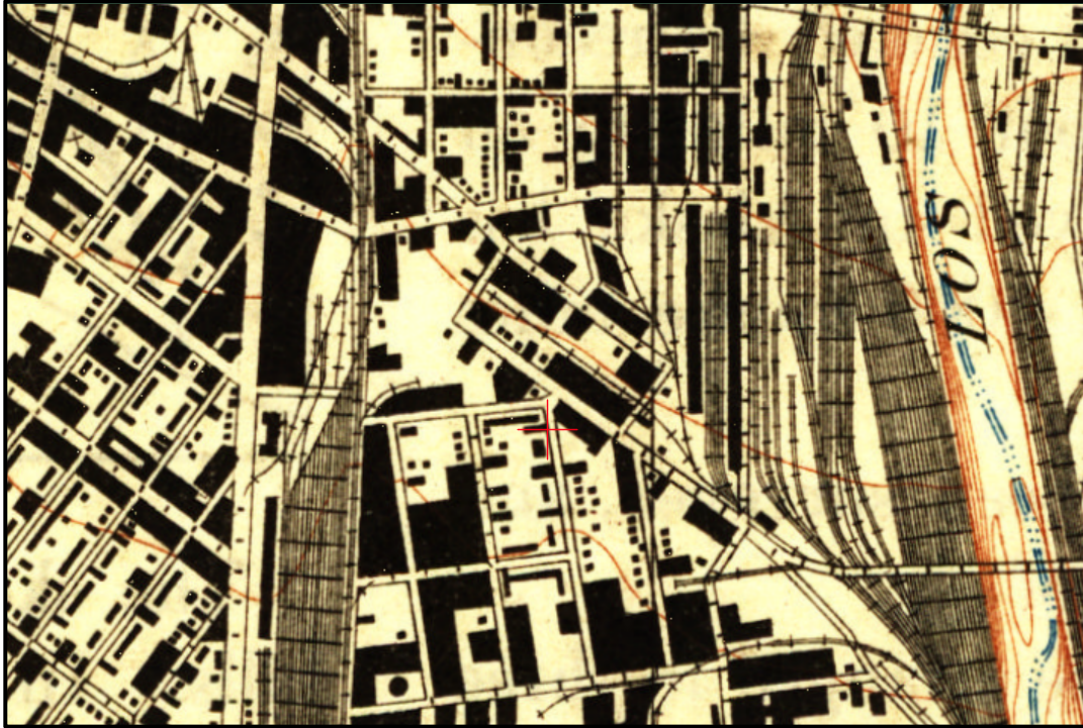


Figure 7: 1928 USGS Los Angeles Map.

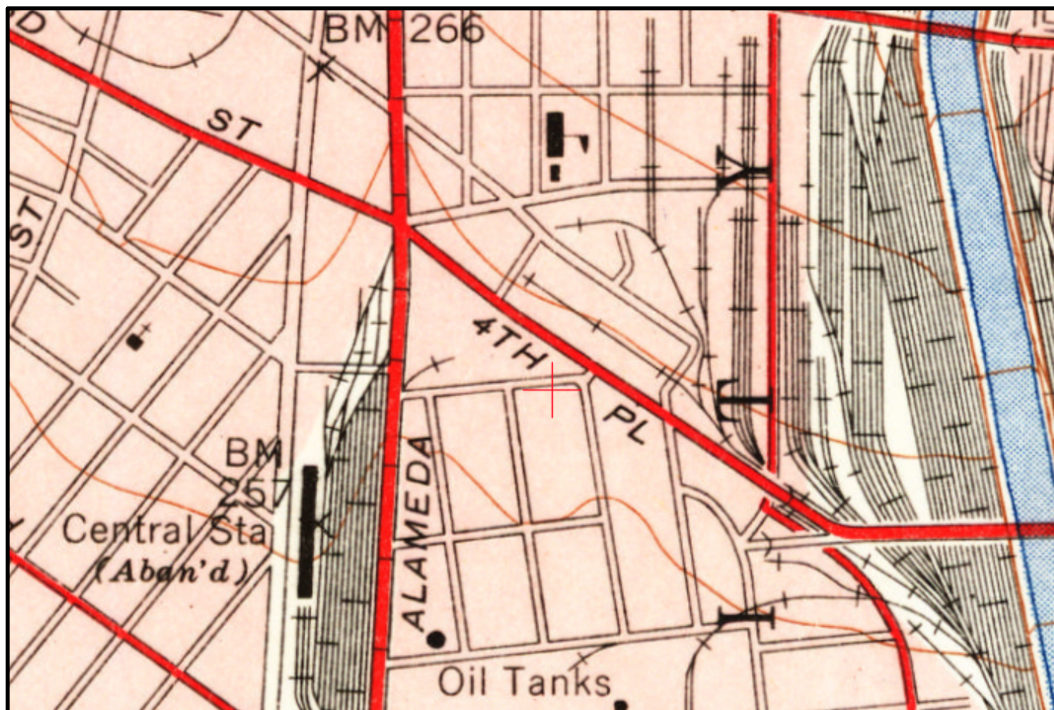


Figure 8: 1953 USGS Los Angeles Map.

4.3 ADDITIONAL TRIBAL CULTURAL RESOURCE INFORMATION

During the development of the cultural and historic context for the Project, numerous primary and secondary sources were consulted to determine whether such materials included accounts of TCRs that may not be described in the SCCIC or NAHC record searches, as described below.

4.3.1 Tribal Group Consultation

As previously described, one tribal group representative, Andrew Salas of the *Gabrieleño Band of Mission Indians – Kizh Nation*, responded to the Department of City Planning’s Project notification letter within the required 30-day response period under AB 52 via electronic mail on June 22, 2017 to Mr. William Lamborn, with the Department of City Planning, Major Projects Section (**Appendix D**). No other tribal representatives requested consultation with the Department of City Planning under AB 52. Tribal consultation was conducted via phone on July 12, 2017 for the Project and three other projects in the Project area. Tribal representatives for the Kizh Nation included Mr. Salas and Mr. Matt Teutimez. Representatives for the City included Mr. Lamborn, as well as Ms. Erin Strelch and Mr. Jonathan Chang, who are also with the Department of City Planning’s Major Projects section. During the consultation, Mr. Salas and Mr. Teutimez shared tribal information related to Native American use of the area, which they consider highly sensitive for tribal cultural resources, and they requested that a Native American monitor be present during construction. During the call, Mr. Salas and Mr. Teutimez stated that:

- The *Ya’angna* was a prominent tribe/village that existed in the Arts District area;
- The Los Angeles River is a ‘Mother’ river and is a sacred river;
- Historically, floods in the area may have resulted in the deposition of tribal cultural resources; and
- Areas around the Arts District were used as trading routes.

Discoveries made in Downtown Los Angeles near Union Station (located approximately one mile to the north of the Project Site), were also discussed on the call and in follow-up electronic mail correspondences. Following the phone consultation, on July 13, 2017 and July 14, 2017, Mr. Salas sent Mr. Lamborn additional documentation on *Gabrieleño* Native American history and ethnography for consideration as part of the consultation process via electronic mail. These documents included:

- AECOM. 2015. Cultural Resources Assessment for the Metro Emergency Security Operations Center, Los Angeles, California. Prepared for the Los Angeles County Metropolitan Transportation Authority. June 19.
- Johnston, Bernice. 1962. California’s *Gabrielino* Indians. Pages 1, 121, 122, 176.
- The Metropolitan Water District of Southern California. Headquarters Facility Project, Archaeological Investigations at CA-LAN-1575/H. Cover and pages 16, and 28-30.

Mr. Lamborn summarized the call discussion in electronic mail on July 12, 2017 to Mr. Salas. Pursuant to PRC Section 21082.3 (c), confidential exhibits and consultation details (i.e., the documents listed above) that contain potentially sensitive information are omitted from this report.

4.3.2 Tribal Group Consultation Document Review

According to PRC Section 21074 (a)(2), a TCR is any resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1, and that the significance of the resource to a California Native American tribe shall be considered. As Lead Agency for the Project, the City must determine whether substantial evidence exists, from the documents provided as part of AB 52 consultation, for a TCR to be located on the Project Site.

The documents supplied by Mr. Salas summarize the history of the Project area, including technical reports and book sections. The AECOM document provided a summary of prehistoric and ethnographic history for the Project area, similar to that included in this report. The most relevant information to the Project is as follows:

“Gabrielino villages are reported by early explorers to have been most abundant near the Los Angeles River, in the area north of what is now downtown known as the Glendale Narrows, and those areas along the river’s various outlets into the ocean. Among those villages north of what is now downtown Los Angeles were Maawnga near present-day Griffith Park; Totongna and Kawengna in the present-day San Fernando Valley; Hahamongna, northeast of present-day Glendale; and, closest to the APE, the village of *Ya’angna*, in present-day downtown Los Angeles. At the time of Portola’s visit, the village of *Ya’angna* is reported to have supported a population of at least 200 (Gumprecht 1999), and was later reported to have contained anywhere from 500 to 1,500 huts, implying an even greater population (Reid 1977 [1852]). The exact location of *Ya’angna* continues to be debated, although some believe it to have been located at the site of the present-day Civic Center (McCawley 1996). This settlement, widely regarded as a precursor of modern Los Angeles, was abandoned by 1836.

Gabrielino populations were particularly devastated by early Spanish colonization efforts, such that, by the late 1800s, very few Gabrielino people remained in their native homeland. Some fled to refuges with their kin farther inland or to villages of neighboring tribes to the north or south (Kroeber 1925). Many others perished from disease and conflict with the invading Spanish, who established the Pueblo of Los Angeles in the middle of Gabrielino territory. This early colonial pueblo quickly became a major political and economic center due to its strategic location along natural transportation corridors that ran east to west and north to south.”

Mr. Salas also provided excerpts regarding the general history of the *Gabrieleño* from a book written by Bernice Johnston (1962) and from The Metropolitan Water District of Southern California Headquarters Facility Project technical report. These also noted that several Native American villages were located along the Los Angeles River during prehistoric and contact time periods.

The conclusion of the documents research is that numerous *Tongva (Gabrieleño)* villages and other settlements were located along the ever-changing banks of the Los Angeles River for the last 10,000 years. These villages numbered few residents (between 50 and 200) until later ethnographic time, when changes in social organization and the use of the environment sustained villages with larger populations. However, even during the highest density eras just before and during contact with the Spanish, the footprint of these villages would have been small on the

landscape, compared with the current urbanization of the Los Angeles Basin. Since no specific account of the location of known ethnographic villages exists, only a general idea of proximity to the Los Angeles River can be established. In addition, Late 18th Century Missionization of the Los Angeles Basin communities forced most of the Native Americans of the Project area to live at the Mission San Gabriel, which still exists in its original location. Since this mission is located several miles from the Project Site, remnants of Native American occupation after the 1800s on the Project Site is unlikely.

With regard to the documents provided for review and considered during AB 52 consultation, the sensitivity findings and recommendations of the AECOM document were described as being applicable to the area of potential effect, which included the project site located at 401 Center Street and the immediately adjacent area. As that project is located 0.53 miles north of the Project Site, the AECOM report does not identify any known tribal cultural resources within the Project Site, the sensitivity assessment finding does not directly extend to the Project Site, and there is not substantial evidence for the presence of a known TCR or increased sensitivity for unidentified resources within the Project Site.

With regard to the excerpts from the Bernice Johnston (1962) book that discuss the *Gabrieleño* village of *Ya'angna* (spelled as *Yangna* in the book) and archaeological discoveries in the areas near Union Station and the Bella Union Hotel, these similarly lack applicability to the Project Site, as the areas discussed are located 0.5 mile or farther from the Project Site. Therefore, the Johnston book also lacks substantial evidence for the presence of a known TCR or increased sensitivity for unidentified tribal cultural resources within the Project Site.

The Metropolitan Water District report excerpts describe the prehistoric context of the discovery being investigated by the report (CA-LAN-1575/H). This report also describes other sites excavated in the vicinity of CA-LAN-1575/H; however, these included non-tribal remains that were historic or architectural in nature and related to the early pueblo, *Zanja Madre*, and a brothel. The Metropolitan Water District report focuses on the location, setting, and historic context of CA-LAN-1575/H. It does not specifically describe known archaeological or tribal cultural resources on or near the Project Site. Therefore, the excerpts from the Metropolitan Water District report do not provide substantial evidence for the presence of a known TCR or increased sensitivity for unidentified tribal cultural resources within the Project Site.

4.3.2 Conclusion of AB 52 Consultation

As detailed above and in the January 6, 2022 letter “AB 52 Completion of Consultation 4th and Hewitt Project at 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S. Colyton Street, Los Angeles, CA” from the Department of City Planning to Mr. Salas (included in **Appendix E**), the information and attachments presented during AB 52 Consultation “provide historic documentation of Indian settlements within the Los Angeles region. The information does not provide any site-specific evidence of tribal cultural resources occurring within the Project Site. While the history of the Gabrieleno Indians territory within the southern California region is well documented, the information provided by Chairman Salas does not provide any specific information or evidence regarding the presence of tribal cultural resources within the Project Site, and no criteria were provided to indicate why the project area should be considered sensitive enough such that monitoring for tribal cultural resources would be required to avoid adverse impacts.”

Therefore, the City, after acting in good faith and after reasonable effort, has concluded that mutual agreement cannot be reached for purposes of AB 52. Based upon the record, the City has determined that no substantial evidence exists to support a conclusion that the Project may cause a significant impact on tribal cultural resources. Therefore, the City has no basis under CEQA to impose any related mitigation measures; however, the City will add its standard Condition of Approval under its police powers to protect the inadvertent discovery of tribal cultural resources.

5.0 RECOMMENDED CONDITIONS OF APPROVAL AND REGULATORY COMPLIANCE

The results of the SCCIC record search were negative for prehistoric or ethnographic cultural resources within the Project Site. The NAHC record search was negative for Native American cultural resources; however, it was positive as a Native American-sensitive area. Information provided by Andrew Salas of the *Gabrieleño Band of Mission Indians – Kizh Nation* indicated that the Project area is sensitive for prehistoric cultural resources, including TCRs (specifically the remnants of prehistoric or ethnographic villages). Therefore, Mr. Salas recommended monitoring during all ground disturbance activities. However, documentary research did not support the finding that TCRs are likely to be located within the boundaries of the Project Site. Nevertheless, as construction of the Project would require excavation to a depth of 38 feet, the Project may result in the inadvertent discovery of a buried tribal cultural resource. The City has established a standard Condition of Approval under its police power and land use authority to address the inadvertent discovery of a tribal cultural resource. In the event that a TCR is inadvertently discovered during the Project development activities, the Project Applicant would be required to comply with the City's standard Condition of Approval for the treatment of inadvertent TCR discoveries. The City's standard Condition of Approval requires the immediate halt of construction activities in the vicinity of the discovery, coordination with the City and appropriate tribal representatives, and development and implementation of appropriate actions for treating the discovery.

The City's standard Condition of Approval for the inadvertent discovery of a tribal cultural resources is as follows below:

Tribal Cultural Resource Inadvertent Discovery: In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease on the Project Site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the Project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed Project; (2) and the Department of City Planning.
- If the City determines, pursuant to Public Resources Code (PRC) Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The Project Permittee shall implement the tribe's recommendations if a Qualified Archaeologist, retained by the City and paid for by the Project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The Project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any affected tribes that have been reviewed and determined by the Qualified Archaeologist to be reasonable and feasible. The Project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.

- If the Project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the Qualified Archaeologist, the Project Permittee may request mediation by a mediator agreed to by the Project Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Project Permittee shall pay any costs associated with the mediation.
- The Project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the Qualified Archaeologist and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study or tribal cultural resources study or report detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
- Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act and California PRC, and shall comply with the City's Assembly Bill 52 Confidentiality Protocols.

In addition, human remains may qualify as tribal cultural resources. As such, State regulations addressing the inadvertent discovery of human remains are provided below and would be required if such resources are encountered during Project development.

Inadvertent Discovery of Human Remains (Regulatory Compliance): The inadvertent discovery of human remains is a possibility during ground disturbances and is addressed by California Public Resources Code (PRC) Section 5097.98, as amended by Assembly Bill 2641, which protects cultural resources on public lands and provides procedures in the event human remains of Native American origin are discovered during construction activities. PRC Section 5097.98 requires notification of the County Coroner in the event of the unanticipated discovery of human remains and a prescribed protocol for their disposition in accordance with applicable regulations, notification of the Native American Heritage Commission (NAHC) and subsequent tribal coordination if remains are determined to be of Native American descent.

The Code states that, in the event human remains are uncovered, no further disturbance shall occur until the County Coroner has made a determination as to the origin and disposition of the remains pursuant to PRC Section 5097.98. The Coroner must be notified of the find immediately, together with the Lead Agency and the Project Site owner. If the human remains are determined to be prehistoric, the Coroner shall notify the NAHC, which shall determine and notify a Most Likely Descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials and an appropriate re-internment site. The Lead Agency and a qualified archaeologist shall also establish additional appropriate mitigation measures for further site development, which may include additional archaeological and Native American monitoring or subsurface testing. All responses to the discovery of human remains shall be outlined in a Recovery and/or Management Plan submitted to the Lead Agency for review prior to the recommencement of ground-disturbance activities.

6.0 CONCLUSIONS

On December 4, 2017, Envicom Corporation completed a TCR Assessment for the Project, which would be located in the City, for purposes of AB 52 and CEQA compliance. No site survey was conducted due to the urbanization of the Project Site landscape. Separate technical reports evaluate built environment resources and cultural resources (including additional archaeological and paleontological resources) for this Project.

The findings of the ethnographic assessment were negative for prehistoric cultural resources or TCRs within the Project Site. The NAHC results indicated that the Project Site is located in an area that is considered sensitive for prehistoric cultural resources, as did the response letter from Andrew Salas of the *Gabrieleño Band of Mission Indians – Kizh Nation*, Tribal group representative. Historic and ethnographic research provided by the Tribal group representative during consultation with the Department of City Planning supported that Native American villages had existed along the Los Angeles River in the City for several thousand years, but the research did not directly apply to the Project Site (due to either the nature of the documents provided for review or the geographic distance from the resources described in the documents and the Project Site). Therefore, the documents provided for review during AB 52 consultation do not provide substantial evidence that tribal cultural resources are located on the Project Site. The City concluded consultation on January 6, 2022.

Nevertheless, construction of the Project would require excavation to a depth of 38 feet; therefore, the Project may result in the inadvertent discovery of a buried tribal cultural resource. The City has established a standard Condition of Approval under its police power and land use authority to address the inadvertent discovery of a tribal cultural resource. In the event that a TCR is inadvertently discovered during the Project development activities, the Project Applicant would be required to comply with the City's standard Condition of Approval for the treatment of inadvertent TCR discoveries. The City's standard Condition of Approval requires the immediate halt of construction activities in the vicinity of the discovery, coordination with the City and appropriate tribal representatives, and development and implementation of appropriate actions for treating the discovery. In addition, the Project would be subject to the requirements of PRC Section 5097.98 in the event that human remains are discovered during Project development.

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APPENDIX A

Letter to the South Central Coastal Information Center (SCCIC)

(SCCIC's Confidential Findings are on file at Envicom Corporation)

March 2, 2017

Stacy St. James, Coordinator
South Central Coastal Information Center
C.S.U.F, Dept. of Anthropology, MH 426
800 N. State College Blvd.
Fullerton, CA 92834-6846

Attn: Ms. St. James

Subj: **Envicom Corporation: 4th and Hewitt EIR Phase I Cultural Survey (Envicom
Project #16-675-101)**

Dear Ms. St. James:

Envicom is requesting record search of the SCCIC database for cultural resources within the attached project area, plus a 0.25-mile buffer. **We also request the complete reports and/or site records for any cultural resources found within the project area only.**

The project is located at:

**Lat - 34° 2'35.52"N
Long - 118° 14'9.15"W
Township - 1S
Range - 13W
USGS Quad - Los Angeles, CA**

Envicom appreciates the SCCIC's help with this request. For correspondence or questions regarding this Project, please contact Wayne Bischoff at 818-879-4700 (wbischoff@envicomcorporation.com).

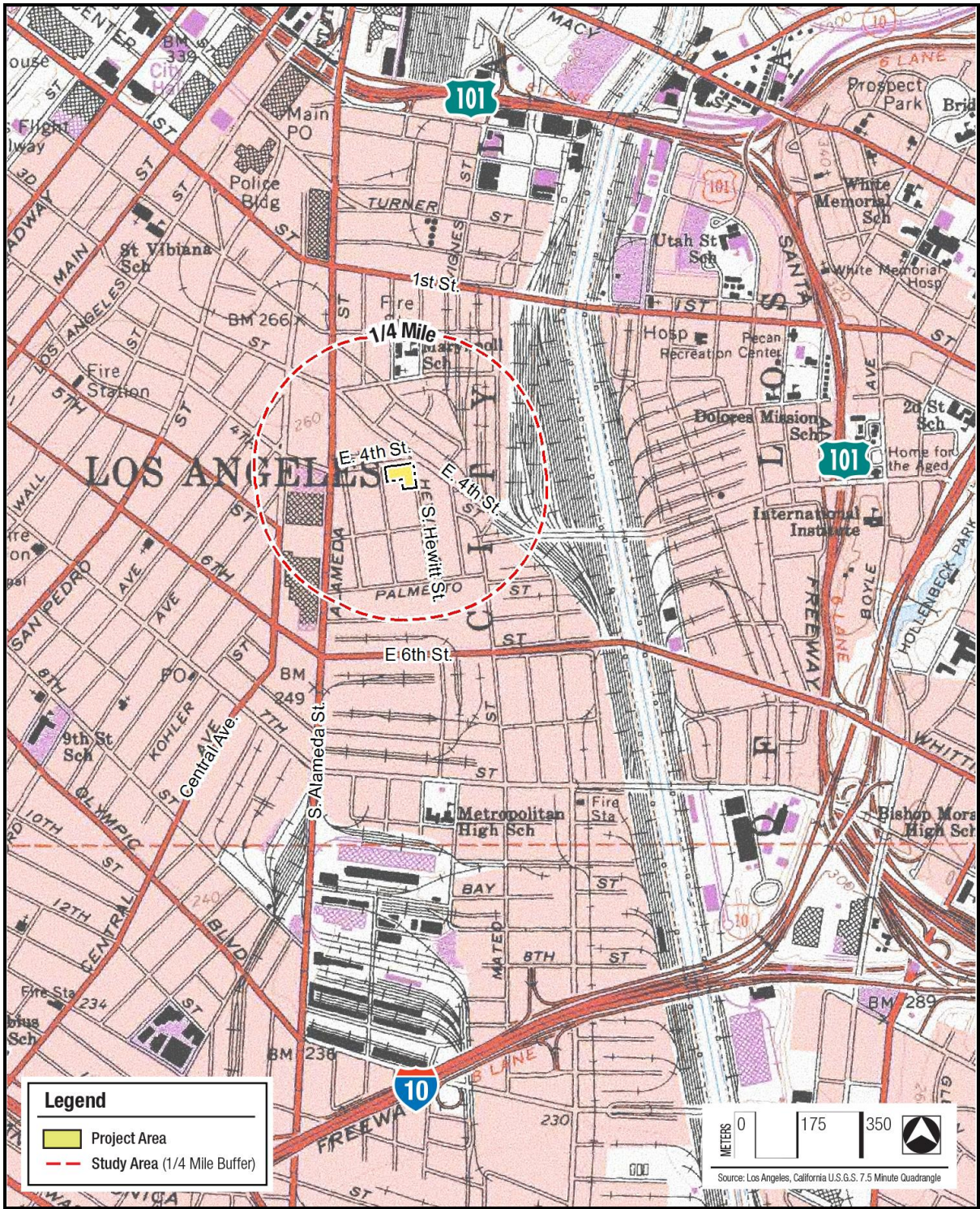
Sincerely,



Dr. Wayne Bischoff
Director of Cultural Resources

Attachment:

Project vicinity map on 1:24,000 topographic map



Legend

- Project Area
- Study Area (1/4 Mile Buffer)

METERS 0 175 350

Source: Los Angeles, California U.S.G.S. 7.5 Minute Quadrangle

APPENDIX B

**Letter to the Native American Heritage Commission (NAHC)
and NAHC Response Letter**

March 2, 2017

Native American Heritage Commission
1550 Harbor Boulevard, Room 100
West Sacramento, CA 95691

Subj: **Envicom Corporation: 4th and Hewitt EIR Phase I Cultural Survey (Envicom Project #16-675-101)**

Greetings,

Envicom is requesting a record review of your records for cultural resources for the project area, plus a 0.25-mile buffer. We also request a list of Tribal Group representatives who should be contacted regarding this project.

The project is located at:

Lat - 34° 2'35.52"N
Long - 118°14'9.15"W
Township - 1S
Range - 13W
USGS Quad - Los Angeles, CA

Envicom appreciates the NAHC's help with this request. For correspondence or questions regarding this Project, please contact Wayne Bischoff at 818-879-4700 (wbischoff@envicomcorporation.com).

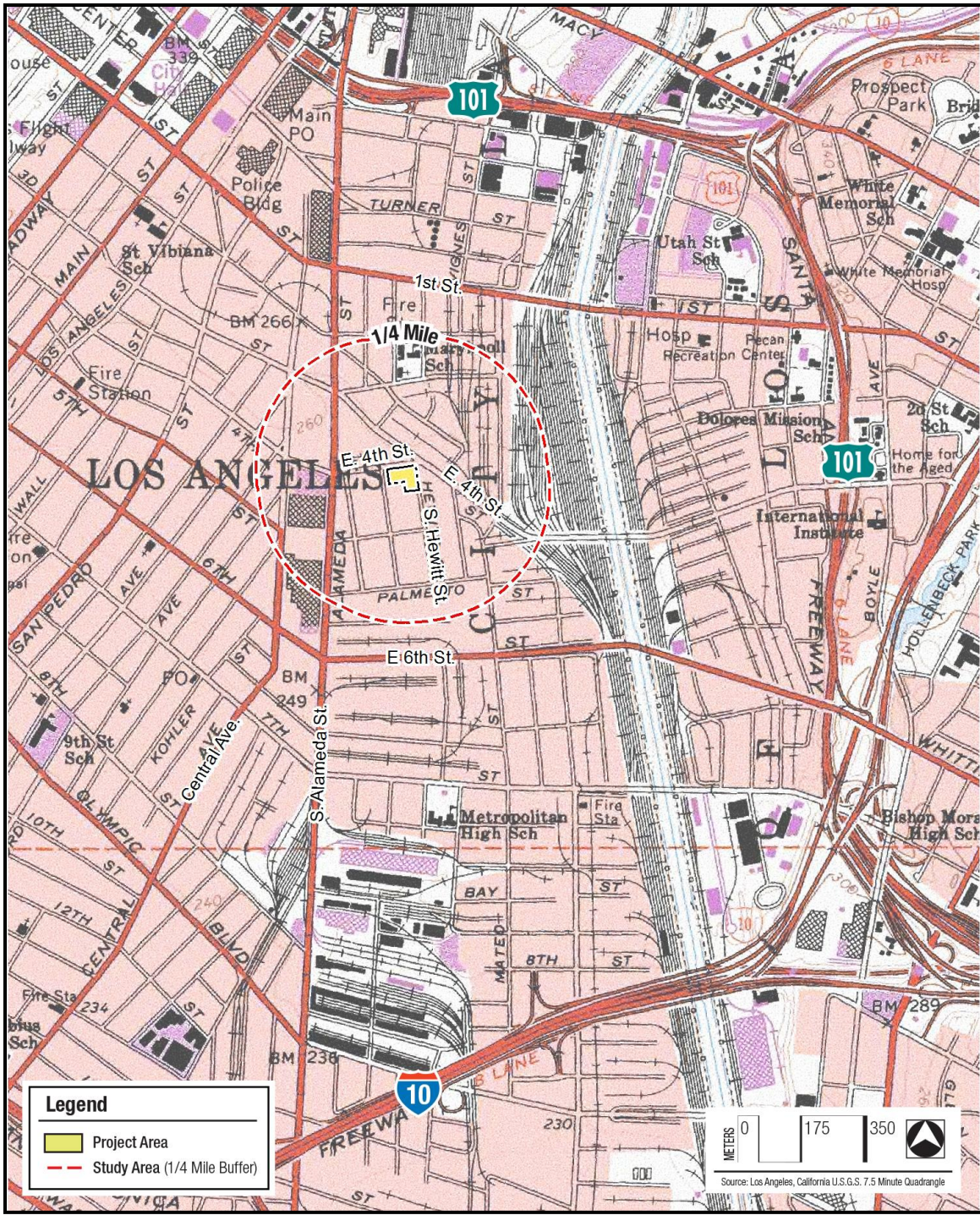
Sincerely,

A handwritten signature in black ink that reads "Wayne Bischoff". The signature is written in a cursive, flowing style.

Dr. Wayne Bischoff
Director of Cultural Resources

Attachment:


Project vicinity map on 1:24,000 topographic map



Legend

- Project Area
- Study Area (1/4 Mile Buffer)

METERS 0 175 350



Source: Los Angeles, California U.S.G.S. 7.5 Minute Quadrangle

NATIVE AMERICAN HERITAGE COMMISSION

Environmental and Cultural Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710



April 25, 2017

Dr. Wayne Bischoff
Envicom

Sent by E-mail: wbischoff@envicomcorporation.com

RE: Proposed 4th and Hewitt IER Phase I Cultural Study (Envicom Project #16-675-101)
Project, City of Los Angeles; Los Angeles USGS Quadrangle, Los Angeles County, California

Dear Dr. Bischoff:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results however the area is sensitive for cultural resources. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.

Attached is a list of tribes culturally affiliated to the project area. I suggest you contact all of the listed Tribes. If they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these individuals or groups, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact via email: gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

**Native American Heritage Commission
Native American Contact List
Los Angeles County
4/25/2017**

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

Andrew Salas, Chairperson
P.O. Box 393
Covina, CA, 91723
Phone: (626) 926 - 4131
gabrielenoindians@yahoo.com

Gabrieleno

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

Anthony Morales, Chairperson
P.O. Box 693
San Gabriel, CA, 91778
Phone: (626) 483 - 3564
Fax: (626)286-1262
GTTribalcouncil@aol.com

Gabrieleno

Gabrielino /Tongva Nation

Sandonne Goad, Chairperson
106 1/2 Judge John Aiso St.,
#231
Los Angeles, CA, 90012
Phone: (951)807-0479
sgoad@gabrielino-tongva.com

Gabrielino

***Gabrielino Tongva Indians of
California Tribal Council***

Robert Dorame, Chairperson
P.O. Box 490
Bellflower, CA, 90707
Phone: (562) 761 - 6417
Fax: (562) 761-6417
gtongva@gmail.com

Gabrielino

Gabrielino-Tongva Tribe

Linda Candelaria, Co-Chairperson
23453 Vanowen Street
West Hills, CA, 91307
Phone: (626) 676 - 1184
palmsprings9@yahoo.com

Gabrielino

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed 4th and Hewitt Project, Los Angeles County.

APPENDIX C

Letters to Tribal Group Representatives on the City's Notification List

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

RENEE DAKE WILSON
VICE-PRESIDENT

CAROLINE CHOE
RICHARD KATZ

JOHN W. MACK

SAMANTHA MILLMAN

MARC MITCHELL

VERONICA PADILLA-CAMPOS
DANA M. PERLMAN

ROCKY WILES
COMMISSION OFFICE MANAGER
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
DEPUTY DIRECTOR
(213) 978-1272

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

June 14, 2017

Gabrielino-Tongva Tribe
Linda Candelaria, Co-Chairperson
1999 Avenue of the Stars, Suite 1100
Los Angeles, CA 90067

CASE No.: ENV-2017-470-EIR

Project Address: 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S. Colyton Street

Community Plan: Central City North

Dear Tribal Representative:

This letter is to inform you that the Los Angeles Department of City Planning is reviewing the following proposed project:

The proposed 4th and Hewitt Project would be located on approximately 1.31 acres at the southwest corner of E. 4th and S. Hewitt Streets. The Project retains the approximately 7,800-square-foot (sf) existing Architecture and Design Museum (A+D Museum) and includes the demolition of 6,030 sf of office and related garage space, 1,000 sf of storage space, and approximately 38,000 sf of surface parking lots. The Project would include construction of an 11-story commercial office building that would consist of approximately 14,906 sf of ground floor commercial space, approximately 255,514 sf of office space and lobbies, and approximately 10,322 sf of common area. The proposed building would rise to a maximum height of 190 feet above grade, and the Project's proposed floor area ratio (FAR) would be approximately 5.03:1. The office component would be located on the 5th through 11th floors. The Project would provide 537 parking spaces on three subterranean levels and on the 2nd through 5th above-ground floors. In addition, the Project would provide 164 bicycle parking spaces, comprised of 44 bicycle spaces for short term use and 120 for long term use.

Per AB 52, you have the right to consult on a proposed public or private project prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. You have 30 calendar days from receipt of this letter to notify us in writing that you wish to consult on this project. Please provide your contact information and mail your request to:

Los Angeles Department of City Planning
Attn: William Lamborn
200 N. Spring Street, Room 750
Los Angeles, CA 90012
Email: William.lamborn@lacity.org
Phone No.: 213-978-1470

Sincerely,

Vincent P. Bertoni, AICP
Director of Planning



William Lamborn
Major Projects Section

Enclosure: Site and Regional Location Map

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

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VICE-PRESIDENT

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JOHN W. MACK

SAMANTHA MILLMAN

MARC MITCHELL

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DANA M. PERLMAN

ROCKY WILES
COMMISSION OFFICE MANAGER
(213) 978-1300

CITY OF LOS ANGELES
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ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
DEPUTY DIRECTOR
(213) 978-1272

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

June 14, 2017

Gabrielino Tongva Indians of California Tribal Council
Robert F. Dorame, Tribal Chair/Cultural Resources
P.O. Box 490
Bellflower, CA 90707

CASE No.: ENV-2017-470-EIR

Project Address: 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S.
Colyton Street

Community Plan: Central City North

Dear Tribal Representative:

This letter is to inform you that the Los Angeles Department of City Planning is reviewing the following proposed project:

The proposed 4th and Hewitt Project would be located on approximately 1.31 acres at the southwest corner of E. 4th and S. Hewitt Streets. The Project retains the approximately 7,800-square-foot (sf) existing Architecture and Design Museum (A+D Museum) and includes the demolition of 6,030 sf of office and related garage space, 1,000 sf of storage space, and approximately 38,000 sf of surface parking lots. The Project would include construction of an 11-story commercial office building that would consist of approximately 14,906 sf of ground floor commercial space, approximately 255,514 sf of office space and lobbies, and approximately 10,322 sf of common area. The proposed building would rise to a maximum height of 190 feet above grade, and the Project's proposed floor area ratio (FAR) would be approximately 5.03:1. The office component would be located on the 5th through 11th floors. The Project would provide 537 parking spaces on three subterranean levels and on the 2nd through 5th above-ground floors. In addition, the Project would provide 164 bicycle parking spaces, comprised of 44 bicycle spaces for short term use and 120 for long term use.

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Sincerely,

Vincent P. Bertoni, AICP
Director of Planning



William Lamborn
Major Projects Section

Enclosure: Site and Regional Location Map

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CITY PLANNING COMMISSION

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COMMISSION OFFICE MANAGER
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
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(213) 978-1272

LISA M. WEBBER, AICP
DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

June 14, 2017

Gabrielino/Tongva Nation
Sam Dunlap, Cultural Resources Director
P.O. Box 86908
Los Angeles, CA 90086

CASE No.: ENV-2017-470-EIR

Project Address: 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S. Colyton Street

Community Plan: Central City North

Dear Tribal Representative:

This letter is to inform you that the Los Angeles Department of City Planning is reviewing the following proposed project:

The proposed 4th and Hewitt Project would be located on approximately 1.31 acres at the southwest corner of E. 4th and S. Hewitt Streets. The Project retains the approximately 7,800-square-foot (sf) existing Architecture and Design Museum (A+D Museum) and includes the demolition of 6,030 sf of office and related garage space, 1,000 sf of storage space, and approximately 38,000 sf of surface parking lots. The Project would include construction of an 11-story commercial office building that would consist of approximately 14,906 sf of ground floor commercial space, approximately 255,514 sf of office space and lobbies, and approximately 10,322 sf of common area. The proposed building would rise to a maximum height of 190 feet above grade, and the Project's proposed floor area ratio (FAR) would be approximately 5.03:1. The office component would be located on the 5th through 11th floors. The Project would provide 537 parking spaces on three subterranean levels and on the 2nd through 5th above-ground floors. In addition, the Project would provide 164 bicycle parking spaces, comprised of 44 bicycle spaces for short term use and 120 for long term use.

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Phone No.: 213-978-1470

Sincerely,

Vincent P. Bertoni, AICP
Director of Planning



William Lamborn
Major Projects Section

Enclosure: Site and Regional Location Map

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CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
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ROCKY WILES
COMMISSION OFFICE MANAGER
(213) 978-1300

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ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
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(213) 978-1272

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DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

June 14, 2017

Torres Martinez Desert Cahuilla Indians
Michael Mirelez, Cultural Resource Coordinator
PO Box 1160
Thermal, CA 92274

CASE No.: ENV-2017-470-EIR

Project Address: 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S. Colyton Street

Community Plan: Central City North

Dear Tribal Representative:

This letter is to inform you that the Los Angeles Department of City Planning is reviewing the following proposed project:

The proposed 4th and Hewitt Project would be located on approximately 1.31 acres at the southwest corner of E. 4th and S. Hewitt Streets. The Project retains the approximately 7,800-square-foot (sf) existing Architecture and Design Museum (A+D Museum) and includes the demolition of 6,030 sf of office and related garage space, 1,000 sf of storage space, and approximately 38,000 sf of surface parking lots. The Project would include construction of an 11-story commercial office building that would consist of approximately 14,906 sf of ground floor commercial space, approximately 255,514 sf of office space and lobbies, and approximately 10,322 sf of common area. The proposed building would rise to a maximum height of 190 feet above grade, and the Project's proposed floor area ratio (FAR) would be approximately 5.03:1. The office component would be located on the 5th through 11th floors. The Project would provide 537 parking spaces on three subterranean levels and on the 2nd through 5th above-ground floors. In addition, the Project would provide 164 bicycle parking spaces, comprised of 44 bicycle spaces for short term use and 120 for long term use.

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Los Angeles, CA 90012
Email: William.lamborn@lacity.org
Phone No.: 213-978-1470

Sincerely,

Vincent P. Bertoni, AICP
Director of Planning

A handwritten signature in blue ink, appearing to read "William Lamborn".

William Lamborn
Major Projects Section

Enclosure: Site and Regional Location Map

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
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ROCKY WILES
COMMISSION OFFICE MANAGER
(213) 978-1300

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ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
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(213) 978-1272

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DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

June 14, 2017

Gabrielino/Tongva San Gabriel Band of Mission Indians
Anthony Morales, Chairperson
P.O. Box 693
San Gabriel, CA 91778

CASE No.: ENV-2017-470-EIR

Project Address: 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S. Colyton Street

Community Plan: Central City North

Dear Tribal Representative:

This letter is to inform you that the Los Angeles Department of City Planning is reviewing the following proposed project:

The proposed 4th and Hewitt Project would be located on approximately 1.31 acres at the southwest corner of E. 4th and S. Hewitt Streets. The Project retains the approximately 7,800-square-foot (sf) existing Architecture and Design Museum (A+D Museum) and includes the demolition of 6,030 sf of office and related garage space, 1,000 sf of storage space, and approximately 38,000 sf of surface parking lots. The Project would include construction of an 11-story commercial office building that would consist of approximately 14,906 sf of ground floor commercial space, approximately 255,514 sf of office space and lobbies, and approximately 10,322 sf of common area. The proposed building would rise to a maximum height of 190 feet above grade, and the Project's proposed floor area ratio (FAR) would be approximately 5.03:1. The office component would be located on the 5th through 11th floors. The Project would provide 537 parking spaces on three subterranean levels and on the 2nd through 5th above-ground floors. In addition, the Project would provide 164 bicycle parking spaces, comprised of 44 bicycle spaces for short term use and 120 for long term use.

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200 N. Spring Street, Room 750
Los Angeles, CA 90012
Email: William.lamborn@lacity.org
Phone No.: 213-978-1470

Sincerely,

Vincent P. Bertoni, AICP
Director of Planning



William Lamborn
Major Projects Section

Enclosure: Site and Regional Location Map

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
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COMMISSION OFFICE MANAGER
(213) 978-1300

CITY OF LOS ANGELES
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ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
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DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

June 14, 2017

Soboba Band of Luiseño Indians
Joseph Ontiveros, Cultural Resource Director
P.O. Box 487
San Jacinto, CA 92581

CASE No.: ENV-2017-470-EIR

Project Address: 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S.
Colyton Street

Community Plan: Central City North

Dear Tribal Representative:

This letter is to inform you that the Los Angeles Department of City Planning is reviewing the following proposed project:

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200 N. Spring Street, Room 750
Los Angeles, CA 90012
Email: William.lamborn@lacity.org
Phone No.: 213-978-1470

Sincerely,

Vincent P. Bertoni, AICP
Director of Planning



William Lamborn
Major Projects Section

Enclosure: Site and Regional Location Map

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT

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VICE-PRESIDENT

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DANA M. PERLMAN

ROCKY WILES
COMMISSION OFFICE MANAGER
(213) 978-1300

CITY OF LOS ANGELES
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ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
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(213) 978-1272

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(213) 978-1274

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DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

June 14, 2017

Gabrieleño Band of Mission Indians – Kizh Nation
Andrew Salas, Chairperson
P.O. Box 393
Covina, CA 91723

CASE No.: ENV-2017-470-EIR

Project Address: 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S. Colyton Street

Community Plan: Central City North

Dear Tribal Representative:

This letter is to inform you that the Los Angeles Department of City Planning is reviewing the following proposed project:

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Email: William.lamborn@lacity.org
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Sincerely,

Vincent P. Bertoni, AICP
Director of Planning



William Lamborn
Major Projects Section

Enclosure: Site and Regional Location Map

DEPARTMENT OF
CITY PLANNING

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
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ROCKY WILES
COMMISSION OFFICE MANAGER
(213) 978-1300

CITY OF LOS ANGELES
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ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
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(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

<http://planning.lacity.org>

June 14, 2017

Gabrielino/Tongva Nation
Sandonne Goad, Chairperson
106 1/2 Judge John Aiso St., #231
Los Angeles, CA 90012

CASE No.: ENV-2017-470-EIR

Project Address: 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S. Colyton Street

Community Plan: Central City North

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Sincerely,

Vincent P. Bertoni, AICP
Director of Planning



William Lamborn
Major Projects Section

Enclosure: Site and Regional Location Map

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
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(213) 978-1300

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ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
DIRECTOR
(213) 978-1271

KEVIN J. KELLER, AICP
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(213) 978-1273

<http://planning.lacity.org>

June 14, 2017

Fernandeño Tataviam Band of Mission Indians
Kimia Fatehi, Director, Public Relations
1019 2nd Street, Ste. 1
San Fernando, CA 91340

CASE No.: ENV-2017-470-EIR

Project Address: 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S. Colyton Street

Community Plan: Central City North

Dear Tribal Representative:

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Sincerely,

Vincent P. Bertoni, AICP
Director of Planning



William Lamborn
Major Projects Section

Enclosure: Site and Regional Location Map

**DEPARTMENT OF
CITY PLANNING**

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
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COMMISSION OFFICE MANAGER
(213) 978-1300

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MAYOR

EXECUTIVE OFFICES
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801

VINCENT P. BERTONI, AICP
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(213) 978-1271

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(213) 978-1273

<http://planning.lacity.org>

June 14, 2017

San Fernando Band of Mission Indians
John Valenzuela, Chairperson
P.O. Box 221838
Newhall, CA 91322

CASE No.: ENV-2017-470-EIR

Project Address: 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414 S. Colyton Street

Community Plan: Central City North

Dear Tribal Representative:

This letter is to inform you that the Los Angeles Department of City Planning is reviewing the following proposed project:

The proposed 4th and Hewitt Project would be located on approximately 1.31 acres at the southwest corner of E. 4th and S. Hewitt Streets. The Project retains the approximately 7,800-square-foot (sf) existing Architecture and Design Museum (A+D Museum) and includes the demolition of 6,030 sf of office and related garage space, 1,000 sf of storage space, and approximately 38,000 sf of surface parking lots. The Project would include construction of an 11-story commercial office building that would consist of approximately 14,906 sf of ground floor commercial space, approximately 255,514 sf of office space and lobbies, and approximately 10,322 sf of common area. The proposed building would rise to a maximum height of 190 feet above grade, and the Project's proposed floor area ratio (FAR) would be approximately 5.03:1. The office component would be located on the 5th through 11th floors. The Project would provide 537 parking spaces on three subterranean levels and on the 2nd through 5th above-ground floors. In addition, the Project would provide 164 bicycle parking spaces, comprised of 44 bicycle spaces for short term use and 120 for long term use.

Per AB 52, you have the right to consult on a proposed public or private project prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. You have 30 calendar days from receipt of this letter to notify us in writing that you wish to consult on this project. Please provide your contact information and mail your request to:

Los Angeles Department of City Planning
Attn: William Lamborn
200 N. Spring Street, Room 750
Los Angeles, CA 90012
Email: William.lamborn@lacity.org
Phone No.: 213-978-1470

Sincerely,

Vincent P. Bertoni, AICP
Director of Planning



William Lamborn
Major Projects Section

Enclosure: Site and Regional Location Map

APPENDIX D

Request for Consultation from the *Gabrieleño Band of Mission Indians – Kizh Nation*

**(Confidential information shared as part of AB 52 Consultation is on file at
Envicom Corporation)**



William Lamborn <william.lamborn@lacity.org>

William Lamborn-Los Angeles-405-423 S.Hewitt St. 900-926 E. 4th St. 406-414

Gabrieleno Band of Mission Indians <gabrielenoindians@yahoo.com>
Reply-To: Gabrieleno Band of Mission Indians <gabrielenoindians@yahoo.com>
To: William Lamborn <william.lamborn@lacity.org>


Thu, Jun 22, 2017 at 2:14 PM

Please see attachment

Sincerely,

Brandy Salas

Andrew Salas, Chairman
Gabrieleno Band of Mission Indians - Kizh Nation
PO Box 393
Covina, CA 91723
cell: (626)926-4131
email: gabrielenoindians@yahoo.com
website: www.gabrielenoindians.org

 **William Lamborn-Los Angeles-405-423 S.Hewitt St. 900-926 E. 4th St. 406-414.pdf**
228K



GABRIELEÑO BAND OF MISSION INDIANS - KIZH NATION

Historically known as The San Gabriel Band of Mission Indians
recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Los Angeles
Department of City Planning
200 N. Spring St. Room 750
Los Angeles, CA 90012

June 22, 2017

Re: AB52 Consultation request for 405-423 S. Hewitt St. 900-926 E. 4th St. 406-414 S. Colyton St. Central City North

Dear William Lamborn,

Please find this letter as a written request for consultation regarding the above-mentioned project pursuant to Public Resources Code § 21080.3.1, subd. (d). Your project lies within our ancestral tribal territory, meaning descending from, or a higher degree of kinship than traditional or cultural affiliation. Your project is located within a sensitive area and may cause a substantial adverse change in the significance of our tribal cultural resources. Most often, a records search for our tribal cultural resources will result in a "no records found" for the project area. The Native American Heritage Commission, ethnographers, historians, and professional archaeologists can only provide limited information that has been previously documented about California Native Tribes. This is the reason the Native American Heritage Commission (NAHC) will always refer the lead agency to the respective Native American Tribe of the area because the NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & tribal historians are the experts for our Tribe and are able to provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area. Therefore, to avoid adverse effects to our tribal cultural resources, we would like to consult with you and your staff to provide you with a more complete understanding of the prehistoric use(s) of the project area and the potential risks for causing a substantial adverse change to the significance of our tribal cultural resources.

Consultation appointments are available on Wednesdays and Thursdays at our offices at 901 N. Citrus Ave. Covina, CA 91722 or over the phone. Please call toll free 1-844-390-0787 or email gabrielenoindians@yahoo.com to schedule an appointment.

** Prior to the first consultation with our Tribe, we ask all those individuals participating in the consultation to view a video produced and provided by CalEPA and the NAHC for sensitivity and understanding of AB52. You can view the video at: <http://nahc.ca.gov/2015/12/ab-52-tribal-training/>

With Respect,

Andrew Salas, Chairman

Andrew Salas, Chairman

Albert Perez, treasurer |

PO Box 393, Covina, CA 91723

Nadine Salas, Vice-Chairman

Martha Gonzalez Lemos, treasurer ||

www.gabrielenoindians.org

Christina Swindall Martinez, secretary

Richard Gradias, Chairman of the Council of Elders

gabrielenoindians@yahoo.com

APPENDIX E

AB 52 Completion of Consultation Letter

**DEPARTMENT OF
CITY PLANNING**

COMMISSION OFFICE
(213) 978-1300

CITY PLANNING COMMISSION

SAMANTHA MILLMAN
PRESIDENT

CAROLINE CHOE
VICE-PRESIDENT

HELEN CAMPBELL
JENNA HORNSTOCK
HELEN LEUNG

YVETTE LOPEZ-LEDESMA
KAREN MACK
DANA M. PERLMAN
RENEE DAKE WILSON

**CITY OF LOS ANGELES
CALIFORNIA**



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
(213) 978-1271

VINCENT P. BERTONI, AICP
DIRECTOR

SHANA M.M. BONSTIN
DEPUTY DIRECTOR

ARTHI L. VARMA, AICP
DEPUTY DIRECTOR

LISA M. WEBBER, AICP
DEPUTY DIRECTOR

January 6, 2022¹

Andrew Salas
Tribal Chairman
Gabrieleño Band of Mission Indians – Kizh Nation
PO Box 393
Covina, CA 91723

RE: AB 52 Completion of Consultation
4th and Hewitt Project at 405 – 423 S. Hewitt Street; 900 – 926 E. 4th Street; 406 – 414
S. Colyton Street, Los Angeles, CA
(Case No. ENV-2017-470-EIR)(“Proposed Project”)

Dear Chairman Salas:

City Planning Staff would like to thank you for your participation in the tribal consultation for the 4th and Hewitt Project at 405-423 South Hewitt Street, 900-926 East 4th Street, and 406-414 South Colyton Street in Los Angeles.

The purpose of this correspondence is to briefly summarize our combined efforts to engage in a meaningful and good faith consultation regarding the above named project’s potential impacts to tribal cultural resources and to document the conclusion of the tribal consultation process, pursuant to Public Resources Code, section 21080.3.2. The following provides a brief summary of the history of tribal consultation regarding this project:

On June 14, 2017, the City mailed a project notification letter to the Gabrieleño Band of Mission Indians – Kizh Nation (Tribe). On June 22, 2017, the City received the Tribe’s request for tribal consultation.

The City emailed Tribal Chairman Salas on June 22, 2017, requesting a date and time to initiate the AB 52 consultation for the Proposed Project.

The tribal consultation process commenced on July 12, 2017 with a conference call between representatives of the Department of City Planning and the Tribe. The call was set up to discuss the following projects:

- Arts District Center (1101 E. 5th St.)
- 4th and Hewitt (940 E. 4th St.)

¹ On January 6, 2022, this Close of Consultation letter was mailed to the Tribe with the incorrect date of January 6, 2021. This letter hereby supersedes and corrects the date of the previous letter; all other contents remain the same.

- 6AM (640 S. Alameda St.)
- 670 Mesquit St.

Prior to the discussion, both the City and Tribe agreed that consultation for the 4th and Hewitt could begin during this conference call.

During the conference call consultation we discussed the receipt of the Tribe's request for consultation and the general project information including proposed excavation activities, and existing soil conditions. Additionally, the Tribe stated that the project site is located in a sensitive area and within the vicinity of past village and trading route locations, and the Tribe requested that a monitor be continuously on site for grading activities during Project construction.

Following the conference call, on July 12, 2017 the City emailed the Tribe with a written summary of what had been discussed in the call, and requested that the Tribe provide further information regarding the tribal history, or archaeological finds in the Project vicinity.

On July 13 and July 14, 2017 the Tribe provided the following pictorial and general maps, and articles:

- Full text copy of Cultural Resources Assessment for the Metro Emergency Security Operations Center, Los Angeles, California (Beherec et al. 2015); and
- Multiple text citations and excerpts containing background information and graphics on the Gabrieleno Indians and Ya'angna communities.

On December 15, 2021, the City of Los Angeles sent a follow-up email to the Tribe requesting any additional evidence regarding potential tribal cultural resources on the site be submitted within 14 days, to ensure a complete and accurate Draft Environmental Impact Report is prepared.

On December 28, 2021, the Tribe submitted the following via email:

- Historical maps showing the general vicinity surrounding the Project Site;
- Multiple text citations and excerpts containing background information and graphics on rancherias, villages, and the Maungna and Ya'angna communities;
- General informational documents from the South Central Coastal Information Center on archaeological archival research Environmental Research Archaeologists on site surveys, as well as email correspondence from the Native American Heritage Commission; and
- Requested mitigation measure.

The information and attachments presented in the Tribe's emails provide historic documentation of Indian settlements within the Los Angeles region. The information does not provide any site-specific evidence of tribal cultural resources occurring within the Project Site. While the history of the Gabrieleno Indians territory within the southern California region is well documented, the information provided by Chairman Salas does not provide any specific information or evidence regarding the presence of tribal cultural resources within the Project Site, and no criteria were provided to indicate why the project area should be considered sensitive enough such that monitoring for tribal cultural resources would be required to avoid adverse impacts.

As a result of the information provided in the tribal cultural resources report prepared for the Proposed Project, and information provided by the Tribe during and after the July 12, 2017 conference call, the City, after acting in good faith and after reasonable effort, has concluded that mutual agreement cannot be reached for purposes of AB 52. Based upon the record, the City has determined that no substantial evidence exists to support a conclusion that this Proposed Project may cause a significant impact on tribal cultural resources. Therefore, the City has no basis under CEQA to impose any related mitigation measures. However, as an additional protection, the City will add the attached condition of approval under its police powers to protect the inadvertent discovery of tribal cultural resources.

The City is expecting to release its Draft Environmental Impact Report for this project. The release of the Draft EIR will commence a 45 day period during which interested parties and agencies, such as the Tribe, may submit written comments on the adequacy of the EIR. In the meantime please do not hesitate to contact me if you wish to share any additional information, comments, or concerns.

Respectfully,

A handwritten signature in black ink, appearing to read 'Courtney Shum', with a long horizontal flourish extending to the right.

Courtney Shum
City Planner
Department of City Planning – Major Projects

Condition of Approval - Tribal Cultural Resource Inadvertent Discovery

In the event that objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities², all such activities shall temporarily cease on the project site until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

- Upon a discovery of a potential tribal cultural resource, the project Permittee shall immediately stop all ground disturbance activities and contact the following: (1) all California Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the proposed project; (2) and the Department of City Planning.
- If the City determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be tribal cultural resource, the City shall provide any effected tribe a reasonable period of time, not less than 14 days, to conduct a site visit and make recommendations to the Project Permittee and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
- The project Permittee shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the project Permittee, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The project Permittee shall submit a tribal cultural resource monitoring plan to the City that includes all recommendations from the City and any effected tribes that have been reviewed and determined by the qualified archaeologist to be reasonable and feasible. The project Permittee shall not be allowed to recommence ground disturbance activities until this plan is approved by the City.
- If the project Permittee does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist, the project Permittee may request mediation by a mediator agreed to by the Permittee and the City who has the requisite professional qualifications and experience to mediate such a dispute. The project Permittee shall pay any costs associated with the mediation.
- The project Permittee may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by the qualified archaeologist and determined to be reasonable and appropriate.
- Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.
- Notwithstanding the above, any information determined to be confidential in nature, by the City Attorney's office, shall be excluded from submission to the SCCIC or the general public under the applicable provisions of the California Public Records Act, California Public Resources Code, and shall comply with the City's AB 52 Confidentiality Protocols.

² Ground disturbance activities shall include the following: excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, pounding posts, augering, backfilling, blasting, stripping topsoil or a similar activity

APPENDIX F

Resume of Dr. Wayne Bischoff



DR. WAYNE BISCHOFF
Director of Cultural Resources

Years of Experience
Over 25 years

Education
Ph.D. Anthropology,
Michigan State University

B.A. Anthropology, Purdue
University

Certifications
Registry of Professional
Archaeologists (RPA)

Professional Affiliations
Society of Historical
Archaeology

Society for California
Archaeology

Society for American
Archaeology

Specialized Training
Built Environment
Assessments

Paleontological
Assessments

Ethnographic Reports

AB-52/Tribal Consultation

Dr. Bischoff has over 25 years of experience in managing cultural resource projects and ensuring compliance with the California Environmental Quality Act (CEQA), Section 106 of the National Historic Preservation Act (NHPA), the National Environmental Protection Act (NEPA), and state, county, city, and local government cultural laws, guidelines, and procedures. He is experienced with the City of Los Angeles, having completed dozens of cultural resource projects within the City and surrounding municipalities. He has also completed numerous cultural, paleontological, and built environment projects throughout Los Angeles County. Dr. Bischoff has worked with all Tribal Groups of the Greater Los Angeles area and has provided expert consultation, including Assembly Bill (AB) 52 consultation, writing support, and coordination. He has also written, planned, and enforced cultural resource components of many forms of CEQA and NEPA documents and been a part of Memorandum of Agreement (MOA), Memorandum of Understanding (MOU), and Programmatic Agreement (PA) development teams.

Dr. Bischoff’s experience includes residential and commercial development, public works, storm and sewer projects, environmental restoration, water resources, energy and transmission line, highway and bridge, telecommunication, educational facility, and park and trail project. Dr. Bischoff has been the principal or project manager for hundreds of cultural projects in California, including Phase I literature searches and surveys, Phase I(b) subsurface surveys, Phase II evaluations, and Phase III data recoveries.

Dr. Bischoff also has extensive experience consulting with state and federal agencies, including the State Historic Preservation Office (SHPO), California Department of Transportation (Caltrans), the Department of Defense, the General Services Agency (GSA), California Department of Parks and Recreation, the U.S. Department of Agriculture (USDA), many U.S. Army Corps of Engineers (ACOE) districts, Fish and Wildlife, the California Public Utilities Commission (CPUC), and the National Park Service, among others.



REPRESENTATIVE PROJECT EXPERIENCE

West Hills Crest 37-acre Residential Subdivision, City of Los Angeles

Cultural principal and project manager for the completion of a cultural record search and project area site survey. Part of the project, located in the West Hills area, also involved the resurvey of a previously recorded cultural resource within the project boundary.

Faunal, Osteological, Archaeological, and Fossil for the Hollywood Park Development Project (New Rams National Football League Stadium), City of Inglewood

Osteological and paleontological consultant for Kiewit, Turner-Hunt, and Citadel for the construction of the new Rams National Football League stadium. The project has included the discovery and recordation of modern and fossil mammal bones.

Cultural Phase Ia Survey for the 12300 Valley Boulevard Hotel, El Monte

Cultural principal and project manager for the completion of a cultural record search, NAHC record search request, and a site survey for this commercial development.

Cultural Phase Ia Survey for the Holiday Inn Express Hotel, El Monte

Cultural principal and project manager for the completion of a cultural record search, NAHC record search request, and a site survey for this commercial development.

6658 Reseda Boulevard, City of Los Angeles

Cultural principal and project manager for a cultural Phase I record search for this urban mixed-use project.

Cultural Phase Ia Survey for the 18401 Nordhoff Mixed-Use Project, City of Los Angeles

Cultural principal and project manager for the completion of a cultural record search, NAHC record search, and a site survey. The mixed-use project also included a built-environment assessment of existing historic structures.

Cultural Phase Ia Survey for the Crisler Way Residential Project, City of Los Angeles

Cultural principal and project manager for the completion of a cultural record search, NAHC record search request, and a site survey.

Cultural Phase Ia Survey for 11301 & 11321 Camarillo Street Mixed-Use Project, City of Los Angeles

Cultural principal and project manager for the completion of a cultural record search, NAHC scoping, and site survey for a project in North Hollywood. This project also included a historic built environment assessment.

Cultural Phase Ia Survey for the Woodland Hills 19-Unit Subdivision Project, City of Los Angeles

Cultural principal and project manager for the completion of a cultural record search, NAHC scoping, and a site survey. This project also involved consultation with the City of Los Angeles on AB 52.

Canyon Park Homes, City of Los Angeles

Cultural principal, project manager, and Native American Tribal Group consultation with the Tataviam and the City of Los Angeles for the Phase I survey of this 80-acre residential property development in the Sylmar area. The project also included monitoring of pre-construction trenching.

Oakwood School Built Environment and Archaeological Assessment, City of Los Angeles

Cultural principal and project manager for the Phase I cultural resource assessment of the project property prior to the construction of new and updated middle and high school campus facilities within the North Hollywood area. The scope of work involved addressing a modern human cremation garden in the report.

Floral Canyon Residential Development Cultural Resource Survey, City of Los Angeles

Cultural principal and project manager for this Phase Ia cultural resource survey of an 8-acre property in North Hollywood. The cultural resource parts of the CEQA checklist were also completed.

Marinette Road Residential Development, City of Los Angeles

Cultural principal and project manager for this development project located in Pacific Palisades, which included a record search, site survey, Tribal Group scoping letters, and agency consultation. The major challenge was that the project property was within the Will Rogers State Monument and National Register site boundary.

Blossom Plaza Historic Structure Evaluation, City of Los Angeles

Cultural principal for this historic architecture project involving the updating of technical reports and a standing structure evaluation for a project in Chinatown.

Penmar Golf Course Water Quality Improvement Project, Pacific Hydrotech, City of Los Angeles

Cultural principal and project manager. Dr. Bischoff managed the review, budgets, and professional standards for the project located in the Venice area adjacent to the City of Santa Monica. Penmar was a multi-year waterline and tank improvement project in which evidence of ethnic Japanese barrios and fossil Pleistocene animal bones were discovered.

CEQA Services for Improvements to Polytechnic and Wilson High Schools, Long Beach Unified School District, City of Long Beach

Cultural principal. Dr. Bischoff provided oversight and incorporation of the historic architecture technical reports into the project CEQA documents.

Roosevelt School, Long Beach Unified School District, City of Long Beach

Cultural principal and project manager. Dr. Bischoff provided oversight, authorship, and counsel on the EIR for the demolition of the Roosevelt Elementary School in Long Beach. This proved to be a complex project, involving an historic built environment resource evaluation and mitigation plan, legal investigation, and extensive responses to public comments. This process resulted in a Historic American Buildings Survey/Historic American Engineering Record mitigation project.

Southern California Edison (SCE) Tehachapi Renewable Transmission Project (TRTP), Kern, Los Angeles, and San Bernardino Counties

Cultural field manager. Dr. Bischoff was responsible for all office and field operations that ensured the successful inventory and management of cultural resources related to this 300-mile transmission line project, including the management of standing historical structures and paleontological resources. Dr. Bischoff completed over 150 individual projects in Southern California including survey, evaluation, mitigation, and resource monitoring. He also met legal and agency guidelines for Section 106 of NHPA, CEQA, the Native American Graves Protection and Repatriation Act (NAGPRA), and the TRTP Cultural Resource Management Plan. The Angeles National Forest was the lead federal agency, but the California Public Utilities Commission and other federal and California agencies were also involved.