Tribal Cultural Resources Assessment for the 11973 San Vicente Boulevard Barry Building Demolition Project, Los Angeles, Los Angeles County, California

NOVEMBER 2022

PREPARED FOR

Alston & Bird LLP

PREPARED BY

SWCA Environmental Consultants

TRIBAL CULTURAL RESOURCES ASSESSMENT FOR THE 11973 SAN VICENTE BOULEVARD BARRY BUILDING DEMOLITION PROJECT, LOS ANGELES, LOS ANGELES COUNTY, CALIFORNIA

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SWCA Project No. 069440.00
SWCA Cultural Resources Report No. 21-682

November 2022

Keywords: CEQA; tribal cultural resource sensitivity assessment; City of Los Angeles Department of City Planning; 11973 San Vicente Boulevard; Brentwood; 1951 Barry Building; Los Angeles City Historic-Cultural Monument #887 and #148; Hollywood quadrangle; Township 1 South, Range 15 West, Section 29

MANAGEMENT SUMMARY

Purpose and Scope: Alston & Bird LLP (the project applicant), retained SWCA Environmental Consultants (SWCA) to conduct a tribal cultural resources review and sensitivity assessment in support of the proposed 11973 San Vicente Boulevard Barry Building Demolition Project (project) in the city and county of Los Angeles, California. The 0.61-acre (approximately 26,586-square-foot) project site contains an extant two-story, nearly 14,000-square-foot commercial building known as the Barry Building, as well as a portion of an adjacent paved parking lot. The project applicant proposes to demolish the Barry Building. The Project would not demolish the existing on-site surface parking lot, and no demolition work is proposed within the public right-of-way. The following study was conducted to analyze the potential impacts this project may have on tribal cultural resources located in the project site to comply with the California Environmental Quality Act (CEQA), including relevant portions of Public Resources Code (PRC) Section 5024.1, Title 14 California Code of Regulations (CCR) Section 15064.5 of the CEQA Guidelines, and PRC Sections 21083.2 and 21084.1. The following report documents the methods and results of a confidential records search of the California Historical Resources Information System (CHRIS), summarizes the results of Assembly Bill 52 (AB 52) consultation between the City of Los Angeles (City) and California Native American tribes, and the methods and results of archival research used to evaluate the presence or likelihood of tribal cultural resources within the project site.

Study Constraints and Disclaimer: In creating the category of tribal cultural resources, the legislative intent of AB 52 is expressly stated as seeking to consider "the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation" and "recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated" (Gatto 2014). Analysis of tribal cultural resources in the absence of information provided by local tribes, therefore, is considered to be constrained insofar as the evidence considered may be confined to academic and archaeological sources, and the conclusions can only be considered as representing scientific and archaeological values. The analysis and conclusions stated herein are based on the expertise and professional judgment of SWCA's qualified archaeologists and are intended as a means of presenting evidence to be used in assessing the potential for tribal cultural resources under CEQA, and should not be considered a replacement for tribal expertise or assumed to represent tribal cultural values.

Dates of Investigation: A CHRIS search for the project site plus a 0.5-mile (0.8-km) radius was requested by CAJA Environmental Services. CAJA Environmental Services received a summary results letter from the South Central Coastal Information System (SCCIC), dated May 11, 2020; SWCA reviewed the summary results. SWCA also reviewed the results of a previously requested Sacred Lands File (SLF) search from the Native American Heritage Commission (NAHC), which was received by CAJA Environmental Services on March 20, 2020. SWCA requested a supplemental CHRIS records search for the project site plus a 0.4-km (0.25-mile) radius on November 10, 2021, from the SCCIC. The supplemental search includes a request for detail lists for the results summarized in the summary letter, as well as copies of previous studies intersecting the project site and of archaeological resources within the search radius. The supplemental CHRIS search results were received on February 3, 2022.

Summary of Findings: The previous CHRIS records search summary results letter indicates that there are no archaeological resources within the project site. The supplemental CHRIS records search identified a total of one previously documented historic building (P-19-190246) within a 0.4-km (0.25-mile) radius of the subject property, which does not intersect the project site. The supplemental records search results also identified two Los Angeles Historic-Cultural Monuments (LAHCMs) within a 0.4-km (0.25-mile) radius of the project; one of these is the subject property, the Barry Building (LAHCM No. 887), and the other is the collection of coral trees (*Erythrina caffra*) situated within the median along West San Vicente Boulevard directly south of the project site (LAHCM No. 148).

The NAHC's search of the SLF did not identify any sacred lands, sites, or potential tribal cultural resources. The Native American village of Kuruvungna is the closest named village documented in

ethnographic accounts, estimated to have been located approximately 1.2 km (0.75 mile) southeast of the project site. Other named villages in the larger vicinity of the project site are located approximately 1.6 km (2.0 miles) northeast of the project site. Other unnamed Native American settlements have been documented between approximately 2.81 km and 4.8 km (1.75 miles and 3.0 miles) southwest and north of the project site. The project site is the vicinity of at least one Native American trade route and within approximately 0.8 km (0.5 mile) of a portion of the route taken by the Portolá Expedition in 1769. Water features including perennial springs and small wetlands are known to have existed along the southeast-facing toeslopes of the Santa Monica Mountains and within a relatively undeveloped area just west of the project site between two small unnamed drainages. Seeps of asphaltum are another natural resource of known significance to Native Americans; the closest known source to the project site is one at the present-day La Brea Tar Pits 10.5 km (6.5 miles) east-northeast of the project site. No other evidence was found to suggest the project area offered any consistent or seasonal sources of water or other natural resources that would increase the likelihood of the presence of either a permanent or temporary Native American camp.

The entire project site and its vicinity were initially used for agriculture during the late nineteenth century. The project site witnessed expansion of the built environment from the City's historic core in the 1920s, as well as multiple mid-twentieth century redevelopments. Sometime in the 1940s the tract was razed and then redeveloped with the construction of the Barry Building and parking lot by 1951. Geotechnical bores identified artificial fill to depths of at least 2 feet below the existing ground surface; the artificial fill included evidence of construction debris, including brick and asphalt fragments. The artificial fill was determined to be the result of previous grading and construction activities within the project site, and it was noted that deeper artificial fill underlying the project site may exist. Older alluvial fan deposits were encountered beneath the artificial fill. Most or all of the sediments below the modern surfaces within the project site have been subject to at least some amount of ground disturbance, which, in most cases, diminishes the likelihood of encountering tribal cultural resources. SWCA considers the vicinity of the project area to have moderate sensitivity for prehistoric or historic Native American tribal cultural resources. The project site, however, consists of a comparatively small area within the greater region and has been subject to multiple episodes of ground disturbances. This lowers the potential sensitivity of the project site. Based on the results of this report, SWCA finds a low potential for encountering intact prehistoric and historic Native American tribal cultural resources within the project site.

Conclusion: No previously recorded tribal cultural resources were identified by the CHRIS within the project site. The NAHC's search of the SLF did not identify any sacred lands or sites. On July 27, 2020, the City submitted notification letters to the tribal parties listed on the City's AB 52 notification list. On July 31, 2020, the City received a response requesting consultation from the Gabrieleño Band of Mission Indians–Kizh Nation. A telephone consultation occurred on October 7, 2020, and was attended by the City and the Tribe. Evidence (Exhibits 1–9) was then submitted by the Tribe to support their claim for the presence of a tribal cultural resource within and/or near the project site. The City carefully considered Exhibits 1–9 in support of the Tribe's claim that this project has the potential to impact tribal cultural resources and the Tribe's request for the City to require its proposed mitigation measures to mitigate those potential impacts. The City concluded that there is no substantial evidence to support a determination that this project could reasonably and foreseeably impact tribal cultural resources. Thus, after acting in good faith and after reasonable effort, the City was unable to reach an agreement with the Gabrieleño Band of Mission Indians–Kizh Nation. The City's findings have been submitted to the Tribe in both an AB 52 Pre-Closure of Consultation letter on July 6, 2022, and in an official Closure of Consultation email on July 21, 2022. While the City concluded there is no evidence for tribal cultural resources on the project site, and that there would not be a potential significant impact on tribal cultural resources, the City will impose the standard Condition of Approval – Tribal Cultural Resources Inadvertent Discovery (Condition of Approval) protocol to protect any previously unidentified and potentially significant tribal cultural resources during construction activities.

The depth of excavation for the project is proposed to be up to approximately 5 feet below the modern ground surface, which would include excavation of both artificial fill and underlying alluvial sediments.

The project site was assessed for the potential to contain previously unidentified tribal cultural resources, specifically buried archaeological materials. Given the relative proximity to known tribal cultural resources and extent of disturbances to the physical setting of the project site, the potential for unknown tribal cultural resources is found to be low. Though unlikely, if present, any previously unidentified tribal cultural resources have the potential to be significant under CEQA. With the implementation of procedures set forth in the City's standard Condition of Approval, any potential impacts would be reduced to less than significant. Therefore, the project will have a less than significant impact to tribal cultural resources.

Disposition of Data: A final version of this report will be on file with Alston & Bird LLP, the Los Angeles Department of City Planning, the SCCIC at California State University, Fullerton, and SWCA's Pasadena Office.

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INTRODUCTION

Alston & Bird LLP (the project applicant) retained SWCA Environmental Consultants (SWCA) to conduct a tribal cultural resources review and sensitivity assessment in support of the proposed Barry Building Demolition Project (project) in the Brentwood-Pacific Palisades Community Plan area of the City of Los Angeles (City), Los Angeles County, California. The project applicant proposes to demolish an existing two-story (approximately 23.5 feet in height), approximately 13,956-square-foot commercial building (with 12,800 square feet of leasable space) commonly referred to as the Barry Building situated on a 0.61-acre property located at 11973-11975 San Vicente Boulevard (project site). The Barry Building was designed by Milton Caughey and was built in 1951. In 2007, the City of Los Angeles Cultural Heritage Commission designated the building as Historic-Cultural Monument (HCM) No. LA-887.

The City is the lead agency for the project. The following study addresses tribal cultural resources for the purposes of compliance with the California Environmental Quality Act (CEQA), specifically Assembly Bill 52 (AB 52), but also including relevant portions of Public Resources Code (PRC) Section 5024.1, Title 14 California Code of Regulations (CCR) Section 15064.5 of the CEQA Guidelines, and PRC Sections 21083.2 and 21084.1. In creating the category of tribal cultural resources, the legislative intent of AB 52 is expressly stated as seeking to consider "the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation" and "recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated" (Gatto 2014). Analysis of tribal cultural resources in the absence of information provided by local tribes, therefore, is considered to be constrained in so far as the evidence considered may be confined to academic and archaeological sources, and the conclusions can only be considered as representing scientific and archaeological values. The analysis and conclusions stated herein are based on the expertise and professional judgment of SWCA's qualified archaeologists, are intended as a means of presenting evidence to be used in assessing the potential for tribal cultural resources under CEQA, and should not be considered a replacement for tribal expertise or assumed to represent tribal cultural values. The following report documents the methods and results of a confidential records search of the California Historical Resources Information System (CHRIS), a sacred lands file (SLF) search through the Native American Heritage Commission (NAHC), and archival research used to evaluate the presence or likelihood of tribal cultural resources within the project site and inform the analysis of potential impacts in accordance with Appendix G of the CEQA Guidelines.

SWCA Archaeologist David K. Sayre, B.A., conducted background research and co-authored this report. SWCA Project Manager Aaron Elzinga, M.A., RPA, co-authored the report, and SWCA Cultural Resources Principal Investigator Michael Bever, Ph.D., RPA, reviewed the report for quality assurance/quality control. All figures in the report are included in Appendix A. Copies of the final report are on file with SWCA's Pasadena Office and the South Central Coastal Information Center (SCCIC) at California State University, Fullerton.

PROJECT DESCRIPTION

The project applicant proposes to demolish the existing building located at 11973-11975 San Vicente Boulevard. The existing building, known as the Barry Building and designated as HCM No. LA-887 by the City of Los Angeles Cultural Heritage Commission in 2007, will be removed during construction. In addition to demolition, the project will involve excavating approximately 2–5 feet below the current ground surface to remove existing underground utilities. Following the demolition of the Barry Building, the portion of the project site currently containing the building footprint would remain dirt; the remaining portion of the paved parking lot will not be demolished.

The adjacent paved parking lot (Assessor's Parcel Number [APN] 4404-025-016) to the north of the project site will be utilized as a staging and storage area for construction equipment during project implementation. A fence will be installed around the project site, and a landscaping buffer (including shrub plants and ground cover) will be established along the southern boundary of the project site along San Vicente Boulevard. In addition, three palm trees will be removed from the project site. A fourth on-site palm tree and two street trees located along San Vicente Boulevard will remain. No future development of the project site is proposed or considered as part of the project. Demolition of the building will result in the removal of approximately 4,174 cubic yards of debris from the project site.

Since 2017, the building has been vacant and fenced off and is boarded up with screwed-on plywood panels to prevent vandalism. The building is subject to the City's Soft Story Retrofit Program, Los Angeles Municipal Code (LAMC Section 91.9300 et seq., Ordinance 183,893, entitled Mandatory Earthquake Hazard Reduction in Existing Wood Frame Buildings with Soft, Weak or Open Front Walls) and must meet the minimum seismic standards of Ordinance 183,893 or apply for a permit to demolish the building within a specific period of time.

In March 2018, the City of Los Angeles issued the project applicant an Order to Comply with the City's Soft Story Retrofit Program. Specifically, the Order to Comply requires the project applicant to comply with the following requirements as set forth in LAMC Section 91.9305.2:

1. Within 730 days (2 years) of the effective date of the Order to Comply, submit one of the following: (1) a structural analysis and plans that show that the building, as is, complies with the minimum seismic retrofit requirements set forth in LAMC Section 91.9309; or (2) a structural analysis and plans to seismically retrofit the building to comply with the minimum requirements set forth at LAMC Section 91.9309; or (3) plans for demolition of the building.
2. Within 1,278 days (3.5 years) of the effective date of the Order to Comply, obtain all necessary permits for retrofit or demolition.
3. Within 2,555 days (7 years) of the effective date of the Order to Comply, complete construction or demolition work under all necessary permits.

A seismic assessment was prepared for the existing building that indicated high demand over capacity ratios for all parts of the building. Englekirk Structural Engineers further state that:

> These high ratios indicate that the building is likely to suffer significant damage when subject to a moderate to strong earthquake in the Los Angeles basin. Some portions of the building have no significant seismic resisting elements that can withstand the seismic forces from the roof and second floor and can result in a possible collapse when subject to a moderate to strong earthquake. According to the seismic assessment, these structural deficiencies represent safety hazards to occupants in and around the building. Therefore, the project applicant has proposed to demolish the existing building (Englekirk Structural Engineers 2021).

The project site is located at 11973-11975 San Vicente Boulevard in the city of Los Angeles, California (Appendix A, Figure A-1 and Figure A-2). The project site is in the Brentwood–Pacific Palisades Community Plan area of Los Angeles on a 0.61-acre parcel and is designated as APN 4404-025-008. The site is currently occupied by a single two-story office/retail building and a portion of a surface parking lot. The site is bounded by San Vicente Boulevard to the south and situated between South Saltair Avenue to the west and Montana Avenue to the east. This location is plotted in Section 29 of Township 1 South, Range 15 West, as depicted on the U.S. Geological Survey (USGS) Beverly Hills, California, 7.5-minute topographic quadrangle.

REGULATORY SETTING

State Regulations

The California Office of Historic Preservation (OHP), a division of the California Department of Parks and Recreation, is responsible for carrying out the duties described in the California PRC and maintaining the California Historic Resources Inventory and California Register of Historic Resources (CRHR). The state-level regulatory framework also includes CEQA, which requires the identification and mitigation of substantial adverse impacts that may affect the significance of tribal cultural resources.

California Environmental Quality Act

CEQA requires a lead agency to analyze whether tribal cultural resources may be adversely affected by a proposed project. Under CEQA, a "project that may cause a substantial adverse change in the significance of a historic resource is a project that may have a significant effect on the environment" (PRC Section 21084.1). Answering this question is a two-part process: first, the determination must be made whether the proposed project involves cultural resources. Second, if tribal cultural resources are present, the proposed project must be analyzed for a potential "substantial adverse change in the significance" of the resource.

TRIBAL CULTURAL RESOURCES

Assembly Bill 52 of 2014 (AB 52) amended 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. Section 4 of AB 52 adds Sections 21074(a) and (b) to the PRC, which address tribal cultural resources and cultural landscapes. Section 21074(a) defines tribal cultural resources as one of the following:

1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
    a. Included or determined to be eligible for inclusion in the California Register of Historical Resources.
    b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.
2. A resource 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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

Section 1(a)(9) of AB 52 establishes that "a substantial adverse change to a tribal cultural resource has a significant effect on the environment." Effects on tribal cultural resources should be considered under CEQA. Section 6 of AB 52 adds Section 21080.3.2 to the PRC, which states that parties may propose mitigation measures "capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource." Further, if a California Native American tribe requests consultation regarding project alternatives, mitigation measures, or significant effects to tribal cultural resources, the consultation shall include those topics (PRC Section 21080.3.2[a]). The environmental document and the mitigation monitoring and reporting program (where applicable) shall include any mitigation measures adopted (PRC Section 21082.3[a]).

AB 52 Tribal Consultation

California Native American tribes are defined in AB 52 as any Native American tribe located in California that is on the contact list maintained by the NAHC regardless of whether they are federally recognized. AB 52 specifies that California Native American tribes traditionally and culturally affiliated with a geographic area may have expertise concerning their tribal cultural resources. Once an application for a project is completed or a public agency makes a decision to undertake a project, the lead agency has 14 days to send formal notification to notify Native American tribes designated by the NAHC as having traditional and cultural affiliation with a given project site as well as those Native American tribes that previously requested in writing to be notified by the lead agency (PRC Section 21082.3.1[b][d]). The notification shall include a brief description of the proposed project, the location, contract information for the agency contact, and notice that the Tribe has 30 days to request (in writing) consultation (PRC Section 21082.3.1[d]). Consultation must be initiated by the lead agency within 30 days of receiving any California Native American tribe's request for consultation. Furthermore, consultation must be initiated prior to the release of a negative declaration, mitigated negative declaration, or environmental impact report for a project (PRC Section 21082.3.1[b][e]).

Consistent with the stipulations stated in Senate Bill 18 (Government Code Section 65352.4), consultation may include discussion concerning the type of environmental review necessary, the significance of the project's impacts on the tribal cultural resources, and, if necessary, project alternatives or the appropriate measures for preservation and mitigation that the California Native American tribe may recommend to the lead agency. The consultation shall be considered concluded when either the parties agree to measures mitigating or avoiding a significant effect, if one exists, on a tribal cultural resource; or a party, acting in good faith and after reasonable effort, concludes that agreement cannot be reached (PRC Section 21082.3.2[b]).

Pursuant to Government Code Sections 6254 and 6254.10, and PRC Section 21082.3(c), information submitted by a California Native American tribe during consultation under AB 52 shall not be included in the environmental document or otherwise disclosed to the public by the lead agency, project applicant, or the project applicant's agent, unless written permission is given. Exemptions to the confidentiality provisions include any information already publicly available, in lawful possession of the project applicant before being provided by the Tribe, independently developed by the project applicant or the applicant's public agent, or lawfully obtained by a third party (PRC Section 21082.3[c]).

California Register of Historical Resources

Created in 1992 and implemented in 1998, the CRHR is "an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse change" (PRC Sections 21083.2 and 21084.1). Certain properties, including those listed in or formally determined eligible for listing in the NRHP and California Historical Landmarks numbered 770 and higher, are automatically included in the CRHR. Other properties recognized under the California Points of Historical Interest program, identified as significant in historical resources surveys, or designated by local landmarks programs may be nominated for inclusion in the CRHR. According to PRC Section 5024.1(c), a resource, either an individual property or a contributor to a historic district, may be listed in the CRHR if the State Historical Resources Commission determines that it meets one or more of the following criteria, which are modeled on NRHP criteria:

- **Criterion 1:** It is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
- **Criterion 2:** It is associated with the lives of persons important in our past.

- **Criterion 3:** It 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.
- **Criterion 4:** It has yielded, or may be likely to yield, information important in history or prehistory.

Resources nominated to the CRHR must retain enough of their historic character or appearance to convey the reasons for their significance. Resources whose historic integrity does not meet NRHP criteria may still be eligible for listing in the CRHR.

Treatment of Human Remains

The disposition of burials falls first under the general prohibition on disturbing or removing human remains under California Health and Safety Code Section 7050.5. More specifically, remains suspected to be Native American are treated under CEQA at CCR Section 15064.5; PRC Section 5097.98 illustrates the process to be followed if remains are discovered. If human remains are discovered during excavation activities, the following procedure shall be observed:

- Stop immediately and contact the County Coroner:
  1104 N. Mission Road
  Los Angeles, CA 90033
  (323) 343-0512 (8 a.m. to 5 p.m. Monday through Friday), or
  (323) 343-0714 (after hours, Saturday, Sunday, and holidays)
  http://coroner.co.la.ca.us/htm/intro.cfm
- If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the NAHC.
- The NAHC will immediately notify the person it believes to be the most likely descendant (MLD) of the deceased Native American.
- The MLD has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- If the owner does not accept the MLD's recommendations, the owner or the MLD may request mediation by the NAHC.

Local Regulations

Los Angeles Historic-Cultural Monuments

Local landmarks in the City of Los Angeles are known as Historic-Cultural Monuments (HCMs) and are under the aegis of the City of Los Angeles Planning's Office of Historic Resources (OHR). An HCM, monument, or local landmark is defined in the Cultural Heritage Ordinance as follows:

> Historic-Cultural Monument (Monument) is any site (including significant trees or other plant life located on the site), building or structure of particular historic or cultural significance to the City of Los Angeles, including historic structures or sites in which the broad cultural, economic or social history of the nation, State or community is reflected or exemplified; or which is identified with historic personages or with important events in the main currents of national, State or local history; or which embodies the distinguishing characteristics of an architectural type specimen, inherently valuable for a study of a

period, style or method of construction; or a notable work of a master builder, designer, or architect whose individual genius influenced his or her age (Municipal Code Section 22.171.7).

Conditions of Approval

The City developed the following standard conditions of approval to ensure that if any tribal cultural resources are found during construction of the proposed project, they will be handled in compliance with state law such that any potential impacts would be reduced to less-than-significant levels.

Inadvertent discovery of tribal cultural resources: If objects or artifacts that may be tribal cultural resources are identified during 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 at (213) 482-7077.
- If the City determines, pursuant to 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 Applicant 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 Applicant shall implement the tribe's recommendations if a qualified archaeologist, retained by the City and paid for by the Applicant, reasonably concludes that the tribe's recommendations are reasonable and feasible.
- The Applicant 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 Applicant 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 Applicant and the City who has the requisite professional qualifications and experience to mediate such a dispute. The Applicant shall pay any costs associated with the mediation.
- The Applicant 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 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 public under the applicable provisions of the California Public Records Act, California PRC, and shall comply with the City's AB 52 Confidentiality Protocols.

METHODS

The following section presents an overview of the methodology used to identify the potential for tribal cultural resources within the project site.

CHRIS Records Search

A CHRIS records search was previously requested by CAJA Environmental Services, and a summary letter of the results, dated May 11, 2020, was provided to SWCA for review. On October 10, 2021, SWCA requested a supplementary confidential search of the CHRIS at the SCCIC, located on the campus of California State University, Fullerton, to identify previously documented cultural resources within a 0.25-mile (0.4-km) radius of the project site. The supplemental search included a request for detail lists for the results presented in the records search summary letter obtained by CAJA Environmental Services, as well as for copies of previous studies intersecting the project site and of archaeological resources within the search radius. The SCCIC maintains records of previously documented cultural resources (including those that meet the definition of a tribal cultural resource) and technical studies, and maintains copies of the OHP's portion of the Historical Resources Inventory. A summary results letter from the CHRIS is included here as a confidential attachment (Appendix B). A map showing the location(s) of previously conducted studies and previously recorded resources are also included in Appendix B.

Sacred Lands File

A search of the SLF was also previously requested by CAJA Environmental Services and was conducted to determine if known sacred sites that could be considered tribal cultural resources are present within the vicinity of the project site or could potentially occur within the project site. The results of this SLF search from the NAHC was received on May 20, 2020. A copy of the results letter is included here as Appendix C.

Archival Research

SWCA reviewed property-specific historical and ethnographic research to identify information relevant to the project site. Research focused on a variety of primary and secondary materials relating to the history and development of the project site, including historical maps, aerial and ground photographs, ethnographic reports, maps of ethnographic village locations, and other environmental data. Historical maps drawn to scale were geo-referenced using ESRI ArcMAP v10.7 to show precise relationships to the project site. Sources consulted included the following publicly accessible data sources: City of Los Angeles Office of Historic Resources (SurveyLA); Huntington Library Digital Archives; Santa Monica Public Library; Library of Congress; Los Angeles Public Library Collection; Sanborn Fire Insurance Company Maps (Sanborn maps); USGS historical topographic maps; University of California, Santa Barbara, Digital Library (aerial photographs); and University of Southern California Digital Library.

In addition to the above, SWCA reviewed the preliminary geologic-seismic hazard evaluation prepared for the project by Geocon West Inc. (Geocon) (Kirkgard and Adams 2020). Geocon evaluated the project

site to address potential soils and geologic-seismic hazards that could impact the site. Geocon had previously performed a geotechnical investigation for a larger property that included the project site. Two of the previous four 8-inch-diameter hollow stem auger borings were located within the project site (Borings B3 and B4).

Sensitivity Assessment

SWCA also assessed the project site for the potential to contain unidentified tribal cultural resources below the surface (i.e., sensitivity). That determination considers whether the location was favorable for Native American habitation, historical and ethnographically documented use of the project vicinity broadly, and the physical setting specifically, including an assessment of whether the setting could contain buried sites, features, or objects (i.e., preservation potential). Lacking any data specifically gathered to assess the presence or absence of such material below the surface, the resulting sensitivity is by nature qualitative, ranging along a spectrum of increasing probability for encountering such material, designated here as low, moderate, and high. Indicators of favorable habitability by Native Americans in the Prehistoric period include proximity to natural features (e.g., perennial water sources, plant or mineral resources, animal habitat), other known sites, flat topography, and relatively dry conditions. Ethnographic or historical accounts are also considered where they provide additional information about former communities, village sites, place names, or areas otherwise frequented or occupied by Native Americans during the Historic period. Areas with a favorable setting for habitation or temporary use, soil conditions capable of preserving buried material, and little to no disturbances are considered to have a high sensitivity. Areas lacking these traits are considered to have low sensitivity. Areas with some but not all of these traits are considered to have a moderate sensitivity.

ENVIRONMENTAL SETTING

The project site is within the northwestern portion of the Los Angeles Basin. The Santa Monica Mountains are approximately 1.6 km (1.0 mile) north of the project site, and the current shoreline of the Pacific Ocean is approximately 4.8 km (3.0 miles) to the west-southwest. The Los Angeles Basin consists of a broad, level coastal plain defined by the Pacific Ocean to the west, the Santa Monica Mountains and Puente Hills to the north, and the Santa Ana Mountains and San Joaquin Hills to the south. The basin is underlain by a deep structural depression that has been filled by both marine and continental sedimentary deposits and is underlain by igneous and metamorphic basement rock (Yerkes et al. 1965). This extensive alluvial wash basin is primarily filled with Quaternary alluvial sediments. It is drained by several major watercourses, including the Los Angeles, Rio Hondo, San Gabriel, and Santa Ana Rivers. The project site and vicinity are within a fully urbanized setting on an open aspect plain at an elevation of 315 to 319 feet (96 to 97.2 meters) above mean sea level.

The project site is located on the Santa Monica Plain, an older elevated and dissected alluvial fan surface that is located along the southern edge of the Santa Monica Mountains and extends from the Pacific Ocean to the west to the Newport-Inglewood Fault Zone to the east. The plain has been dissected by drainages that include Sepulveda, Dry, Stone, and Brown Canyons that originate in the Santa Monica Mountains and were formed by large coalescing fans originating from these canyons and other subsidiary drainages (California Department of Water Resources 1961, in Geocon 2020). Geotechnical studies conducted by Geocon in 2009 were for a larger property that included the project site (see Geocon 2020). Two of the four 8-inch-diameter hollow stem auger borings were located within the project site (Borings B3 and B4) and were drilled to depths of 25.5 and 30.5 feet, respectively, beneath the existing ground surface. The borings encountered artificial fill to depths of approximately 2 feet below the existing ground surface and consisted of silty sand that was characterized as slightly moist and moderately dense with construction debris. The construction debris consisted of brick and asphalt fragments. The artificial fill

was determined to be the result of past grading and construction activities within the project site. It was also noted that deeper artificial fill may exist between auger borings and in other portions of the project site that were not directly explored. Older alluvial fan deposits (designated Qof2) were encountered beneath the artificial fill and consisted of interbedded silty sand and sandy silt (Figure A-3). The alluvial soils were characterized as moderately dense to very dense or firm to hard. Geocon further noted that:

> Based on the historical seismicity of the Los Angeles area and the location of nearby faults, the site could be subjected to severe ground shaking in the event of an earthquake. This hazard is common in Southern California and the effects of ground shaking can be mitigated if the proposed structures are designed and constructed in conformance with current building codes and engineering practices (Geocon 2020).

CULTURAL SETTING

Prehistory

Prehistoric Overview

In the last several decades, researchers have devised numerous prehistoric chronological sequences to aid in understanding cultural changes in southern California. Building on early studies and focusing on data synthesis, Wallace (1955, 1978) developed a prehistoric chronology for the southern California coastal region that is still widely used today and is applicable to near-coastal and many inland areas. Four horizons are presented in Wallace's prehistoric sequence: Early Man, Milling Stone, Intermediate, and Late Prehistoric. Although Wallace's 1955 synthesis initially lacked chronological precision due to a paucity of absolute dates (Moratto 1984:159), this situation has been alleviated by the availability of thousands of radiocarbon dates obtained by southern California researchers in the last three decades (Byrd and Raab 2007:217). As such, several revisions were subsequently made to Wallace's 1955 synthesis using radiocarbon dates and projectile point assemblages (e.g., Koerper and Drover 1983; Koerper et al. 2002; Mason and Peterson 1994). The summary of prehistoric chronological sequences for southern California coastal and near-coastal areas presented below is a composite of information in Wallace (1955) and Warren (1968), as well as more recent studies, including Koerper and Drover (1983).

HORIZON I: EARLY MAN (CA. 10,000–6,000 B.C.)

The earliest accepted dates for archaeological sites on the southern California coast are from two of the northern Channel Islands, located off the coast of Santa Barbara. On San Miguel Island, Daisy Cave clearly establishes the presence of people in this area approximately 10,000 years ago (Erlandson 1991:105). On Santa Rosa Island, human remains have been dated from the Arlington Springs site to approximately 13,000 years ago (Johnson et al. 2002). Present-day Orange and San Diego Counties contain several sites dating from 9,000 to 10,000 years ago (Byrd and Raab 2007:219; Macko 1998:41; Mason and Peterson 1994:55–57; Sawyer and Koerper 2006). Although the dating of these finds remains controversial, several sets of human remains from the Los Angeles Basin (e.g., "Los Angeles Man," "La Brea Woman," and the Haverty skeletons) apparently date to the Middle Holocene, if not earlier (Brooks et al. 1990; Erlandson et al. 2007:54).

Recent data from Horizon I sites indicate that the economy was a diverse mixture of hunting and gathering, with a major emphasis on aquatic resources in many coastal areas (e.g., Jones et al. 2002), and a greater emphasis on large-game hunting inland.

HORIZON II: MILLING STONE (6,000–3,000 B.C.)

Set during a drier climatic regime than the previous horizon, the Milling Stone horizon is characterized by subsistence strategies centered on collecting plant foods and small animals. The importance of the seed processing is apparent in the dominance of stone grinding implements in contemporary archaeological assemblages, namely milling stones (metates) and handstones (manos). Recent research indicates that Milling Stone horizon food procurement strategies varied in both time and space, reflecting divergent responses to variable coastal and inland environmental conditions (Byrd and Raab 2007:220).

HORIZON III: INTERMEDIATE (3,000 B.C.–A.D. 500)

The Intermediate horizon is characterized by a shift toward a hunting and maritime subsistence strategy, along with a wider use of plant foods. An increasing variety and abundance of fish, land mammal, and sea mammal remains are found in sites from this horizon along the California coast. Related chipped stone tools suitable for hunting are more abundant and diversified, and shell fishhooks became part of the toolkit during this period. Mortars and pestles became more common during this period, gradually replacing manos and metates as the dominant milling equipment and signaling a shift away from the processing and consuming of hard seed resources to the increasing importance of the acorn (e.g., Glassow et al. 1988; True 1993).

HORIZON IV: LATE PREHISTORIC (A.D. 500–HISTORIC CONTACT)

In the Late Prehistoric horizon, there was an increase in the use of plant food resources in addition to an increase in land and sea mammal hunting. There was a concomitant increase in the diversity and complexity of material culture during the Late Prehistoric horizon, demonstrated by more classes of artifacts. The recovery of a greater number of small, finely chipped projectile points suggests increased use of the bow and arrow rather than the atlatl (spear thrower) and dart for hunting. Steatite cooking vessels and containers are also present in sites from this time, and there is an increased presence of smaller bone and shell circular fishhooks; perforated stones; arrow shaft straighteners made of steatite; a variety of bone tools; and personal ornaments such as beads made from shell, bone, and stone. There was also an increased use of asphalt for waterproofing and as an adhesive. Late Prehistoric burial practices are discussed in the Ethnographic Overview section below.

By AD 1000, fired clay smoking pipes and ceramic vessels were being used at some sites (Drover 1971, 1975; Meighan 1954; Warren and True 1961). The scarcity of pottery in coastal and near-coastal sites implies that ceramic technology was not well developed in that area, or that occupants were trading with neighboring groups to the south and east for ceramics. The lack of widespread pottery manufacture is usually attributed to the high quality of tightly woven and watertight basketry that functioned in the same capacity as ceramic vessels.

During this period, there was an increase in population size accompanied by the advent of larger, more permanent villages (Wallace 1955:223). Large populations and, in places, high population densities are characteristic, with some coastal and near-coastal settlements containing as many as 1,500 people. Many of the larger settlements were permanent villages in which people resided year-round. The populations of these villages may have also increased seasonally.

In Warren's (1968) cultural ecological scheme, the period between AD 500 and European contact, which occurred as early as 1542, is divided into three regional patterns: Chumash (Santa Barbara and Ventura Counties), Takic/Numic (Los Angeles, Orange, and western Riverside Counties), and Yuman (San Diego County). The seemingly abrupt introduction of cremation, pottery, and small triangular arrow points in parts of modern-day Los Angeles, Orange, and western Riverside Counties at the beginning of the Late

Prehistoric period is thought to be the result of a Takic migration to the coast from inland desert regions. Modern Gabrielino, Juaneño, and Luiseño people in this region are considered the descendants of the Uto-Aztecan, Takic-speaking populations that settled along the California coast in this period.

Ethnographic Overview

The project site is in an area historically occupied by the Gabrielino (Bean and Smith 1978:538; Kroeber 1925:Plate 57). Surrounding native groups included the Chumash and Tataviam/Alliklik to the north, the Serrano to the east, and the Luiseño/Juaneño to the south. There is well-documented interaction between the Gabrielino and many of their neighbors in the form of intermarriage and trade.

The name "Gabrielino" (sometimes spelled Gabrieleno or Gabrieleño) denotes those people who were enslaved by the Spanish at Mission San Gabriel. This group is now considered a regional dialect of the Gabrielino language, along with the Santa Catalina Island and San Nicolas Island dialects (Bean and Smith 1978:538). In the post-European contact period, Mission San Gabriel included natives of the greater Los Angeles area, as well as members of surrounding groups such as Kitanemuk, Serrano, and Cahuilla. There is little evidence that the people we call Gabrielino had a broad term for their group (Dakin 1978:222); rather, they identified themselves as inhabitants of a specific community with locational suffixes (e.g., a resident of Yaanga was called a Yabit, much the same way that a resident of New York is called a New Yorker) (Johnston 1962:10).

Native words suggested as labels for the broader group of Native Americans in the Los Angeles region include Tongva (or Tong-v) (Merriam 1955:7–86) and Kizh (Kij or Kichereno) (Heizer 1968:105), although there is evidence that these terms originally referred to local places or smaller groups of people within the larger group that we now call Gabrielino. Nevertheless, many present-day descendants of these people have taken on Tongva as a preferred group name because it has a native rather than Spanish origin (King 1994:12). Given its common usage, the term Gabrielino is used in the remainder of this report to designate native people of the Los Angeles Basin and their descendants.

Gabrielino subsistence economy was centered on gathering and hunting. The surrounding environment was rich and varied, and the tribe exploited mountains, foothills, valleys, deserts, riparian, estuarine, and open and rocky coastal eco-niches. Like that of most native Californians, acorns were the staple food (an established industry by the time of the Early Intermediate period). Inhabitants supplemented acorns with the roots, leaves, seeds, and fruits of a variety of flora (e.g., islay, cactus, yucca, sages, and agave). Freshwater and saltwater fish, shellfish, birds, reptiles, and insects, as well as large and small mammals, were also consumed (Bean and Smith 1978:546; Kroeber 1925:631–632; McCawley 1996:119–123, 128–131).

The Gabrielino used a variety of tools and implements to gather and collect food resources. These included the bow and arrow, traps, nets, blinds, throwing sticks and slings, spears, harpoons, and hooks. Groups residing near the ocean used oceangoing plank canoes and tule balsa canoes for fishing, travel, and trade between the mainland and the Channel Islands (McCawley 1996:7). Gabrielino people processed food with a variety of tools, including hammer stones and anvils, mortars and pestles, manos and metates, strainers, leaching baskets and bowls, knives, bone saws, and wooden drying racks. Food was consumed from a variety of vessels. Catalina Island steatite was used to make ollas and cooking vessels (Blackburn 1963; Kroeber 1925:629; McCawley 1996:129–138).

At the time of Spanish contact, the basis of Gabrielino religious life was the Chinigchinich religion, centered on the last of a series of heroic mythological figures. Chinigchinich gave instruction on laws and institutions, and also taught the people how to dance, the primary religious act for this society. He later withdrew into heaven, where he rewarded the faithful and punished those who disobeyed his laws

(Kroeber 1925:637–638). The Chinigchinich religion seems to have been relatively new when the Spanish arrived. It was spreading south into the southern Takic groups even as Christian missions were being built and may represent a mixture of native and Christian belief and practices (McCawley 1996:143–144).

Deceased Gabrielino were either buried or cremated, with inhumation more common on the Channel Islands and the neighboring mainland coast, and cremation predominating on the remainder of the coast and in the interior (Harrington 1942; McCawley 1996:157). Remains were buried in distinct burial areas, either associated with villages or without apparent village association (Altschul et al. 2007). Cremation ashes have been found in archaeological contexts buried within stone bowls and in shell dishes (Ashby and Winterbourne 1966:27), as well as scattered among broken ground stone implements (Cleland et al. 2007). Archaeological data such as these correspond with ethnographic descriptions of an elaborate mourning ceremony that included a variety of offerings, including seeds, stone grinding tools, otter skins, baskets, wood tools, shell beads, bone and shell ornaments, and projectile points and knives (Dietler et al. 2018). Offerings varied with the sex and status of the deceased (Dakin 1978:234–365; Johnston 1962:52–54; McCawley 1996:155–165).

Native American Communities in Los Angeles

The project site is within the traditional territory of the Gabrielino (King 2004; McCawley 1996:36–40). In general, it has proven very difficult if not impossible to establish definitively the precise location of Native American villages occupied in the Ethnohistoric period (McCawley 1996:31–32). Native American place names referred to at the time of Spanish contact did not necessarily represent a continually occupied settlement within a discrete location. Instead, in at least some cases, the communities were represented by several smaller camps scattered throughout an approximate geography, shaped by natural features subject to change over generations (see Johnston 1962:122). Many of the villages had long since been abandoned by the time ethnographers, anthropologists, and historians attempted to document any of their locations, at which point the former village sites were affected by urban and agricultural development, and Native American lifeways had been irrevocably changed. Alternative names and spellings for communities, and conflicting reports on their meaning or locational reference, further confound efforts at relocation. McCawley quotes Kroeber (1925:616) in his remarks on the subject, writing that "the opportunity to prepare a true map of village locations 'passed away 50 years ago'" (McCawley 1996:32). Thus, even with archaeological evidence, it can be difficult to conclusively establish whether any given assemblage represents the remains of a former village site.

Although the precise location of any given village is subject to much speculation, it is clear the greater Los Angeles area once contained many Gabrielino villages, including several concentrated along the banks of major waterways (Figure A-4). This settlement pattern is reflected in historical maps published by the Southwest Museum (1962; reprinted in Johnston 1962) and George Kirkman (1938), shown here with the project site plotted in Figure A-5 and Figure A-6, respectively. Maps such as these convey a general sense of significant historical areas based on the geographic information available at the time and are considered as a representational depiction of these locations rather than explicit geographic points.

The closest ethnographically documented village to the project site is Kuruvungna (alternative spellings and names include Kuruvangna), also known as Kuruvungna Sacred Springs and Gabrieleno Tongva Springs. Kuruvungna Sacred Springs is a California Historical Landmark on the grounds of University High School and is situated approximately 1.2 km (0.75 mile) southeast of the project site (Figure A-5). The village of Topangna was located to the west of the project site, in present-day Malibu; the approximate location for the village of Yaangna (alternative spellings and names include Yang-na, Yangna, and Yabit) was to the east, in present-day downtown Los Angeles; and the village of Sa'angna was located to the south. Though the actual location is disputed, generally Yaanga is believed to have been located near present-day Union Station (McCawley 1996:57), approximately 20 km (12.4 miles) east

of the project site. Historical records place Yaanga near Los Angeles's original plaza, located near present-day Union Station. Historians and archaeologists have presented multiple possible village locations in this general area; however, like the pueblo itself, it is likely that the village was relocated from time to time due to major shifts of the Los Angeles River during years of intense flooding (Figure A-4). Dillon (1994) presented an exhaustive review of the potential locations, most within several blocks of the pueblo plaza. Johnston (1962:122) concluded that "in all probability Yaanga lay scattered in a fairly wide zone along the whole arc [from the base of Fort Moore Hill to Union Station], and its bailiwick included as well seed-gathering grounds and oak groves where seasonal camps were set up." A second village, known as Geveronga, has also been described in ethnographic accounts as immediately adjoining the Pueblo of Los Angeles, though much like Yaanga, its location can only be inferred from ethnographic information (McCawley 1996:57).

Aside from the ethnographic evidence suggesting the location of these villages, little direct, indisputable archaeological evidence for the location of either village has been produced to date. Archaeological materials reportedly were unearthed during the construction of Union Station in 1939, and "considerably more" in 1970 during the rebuilding of the Bella Union Hotel on the 300 block of North Main Street (Johnston 1962:121; Robinson 1979:12). The preponderance of available evidence indicates that there were one or more early Historic-period Native American communities west of the Los Angeles River near the original pueblo site. This assumption is supported through several lines of ethnographic evidence, including the expedition journal of Fr. Juan Crespi and engineer Miguel Costansó, both of whom were associated with the 1769 Portolá expedition. The notes from these sources indicate the village was located between 2.0 and 2.4 km (1.3 and 1.5 miles) west-southwest from the Los Angeles River on high, level ground. The Pueblo of Los Angeles was documented to have been founded directly adjacent to this village. The location of Yaanga was also referenced by long-time Los Angeles resident Narciso Botello and Gabrielino consultant José María Zalvidea, who indicated that Yaanga was originally located adjacent to the original site of the Los Angeles plaza (Morris et al. 2016:112).

After the settlement of Los Angeles in 1781, Yaanga faced many new challenges because of its proximity to the new city. The history of the indigenous inhabitants after the incorporation of the City of Los Angeles is one of forced relocation and adaptation. The Native Americans who left the newly secularized mission lands and came to Los Angeles attempted to resettle near the original location of Yaanga, choosing a location near First and Los Angeles Streets called Rancheria de Los Poblanos. This rancheria existed for approximately 10 years, between 1826 and 1836, after which the indigenous population was again forced to relocate, to a plot of land near Commercial and Alameda Streets (Morris et al. 2016).

This rancheria existed for approximately another 10 years, between 1836 and 1845, during which nearby landowners attempted to forcibly relocate the Native American community to obtain more land for agricultural use. When the landowners were finally successful, the Native American community was once again forced to relocate even further east, across the Los Angeles River to a site called Pueblito, which itself was razed in 1847, at which time legislation was passed to require the indigenous population to live in dispersed settlements or with their employers throughout the city. Other indigenous villages and community sites were present throughout the city concurrently with Rancheria de los Poblanos, including numerous smaller settlements along Commercial Street, and another rancheria, Rancheria de los Pipimares, within downtown Los Angeles along 7th Street.

History

Post-contact history for the state of California is generally divided into three periods: the Spanish period (1769–1822), Mexican period (1822–1848), and American period (1848–present). Although Spanish, Russian, and British explorers visited the area for brief periods between 1529 and 1769, the Spanish period in California begins with the establishment in 1769 of a settlement at San Diego and the founding

of Mission San Diego de Alcalá, the first of 21 missions constructed between 1769 and 1823. Independence from Spain in 1821 marks the beginning of the Mexican period, and the signing of the Treaty of Guadalupe Hidalgo in 1848, ending the Mexican–American War, signals the beginning of the American period, when California became a territory of the United States.

Spanish Period (1769–1822)

Spanish explorers made sailing expeditions along the coast of southern California between the mid-1500s and mid-1700s. In search of the legendary Northwest Passage, Juan Rodríquez Cabríllo stopped in 1542 at present-day San Diego Bay. With his crew, Cabríllo explored the shorelines of present Catalina Island, as well as San Pedro and Santa Monica bays. Much of the present California and Oregon coastline was mapped and recorded in the next half-century by Spanish naval officer Sebastián Vizcaíno. Vizcaíno's crew also landed on Santa Catalina Island and at San Pedro and Santa Monica bays, giving each location its long-standing name. The Spanish crown laid claim to California based on the surveys conducted by Cabríllo and Vizcaíno (Bancroft 1886:96–99; Gumprecht 2001:35).

More than 200 years passed before Spain began the colonization and inland exploration of Alta California. The 1769 overland expedition by Captain Gaspar de Portolá marks the beginning of California's Historic period, occurring just after the King of Spain installed the Franciscan Order to direct religious and colonization matters in assigned territories of the Americas. With a band of 64 soldiers, missionaries, Baja (lower) California Native Americans, and Mexican civilians, Portolá established the Presidio of San Diego, a fortified military outpost, as the first Spanish settlement in Alta California. In July 1769, while Portolá was exploring Southern California, Franciscan Fr. Junípero Serra founded Mission San Diego de Alcalá at Presidio Hill, the first of the 21 missions that would be established in Alta California by the Spanish and the Franciscan Order between 1769 and 1823.

The Portolá expedition first reached the present-day boundaries of Los Angeles in August 1769, thereby becoming the first Europeans to visit the area. Father Juan Crespí, a member of the expedition, named the campsite by the river Nuestra Señora la Reina de los Angeles de la Porciúncula or "Our Lady the Queen of the Angeles of the Porciúncula." Two years later, Fr. Junípero Serra returned to the valley to establish a Catholic mission, the Mission San Gabriel Arcángel, on September 8, 1771 (Engelhardt 1927). In 1781, a group of 11 Mexican families traveled from Mission San Gabriel Arcángel to establish a new pueblo called El Pueblo de la Reyna de Los Angeles ("the Pueblo of the Queen of the Angels"). This settlement consisted of a small group of adobe-brick houses and streets and would eventually be known as the Ciudad de Los Angeles ("City of Angels").

Mexican Period (1822–1848)

After more than a decade of intermittent rebellion and warfare, New Spain (Mexico and the California territory) won independence from Spain in 1821. In 1822, the Mexican legislative body in California ended isolationist policies designed to protect the Spanish monopoly on trade, and decreed California ports open to foreign merchants.

Extensive land grants were established in the interior during the Mexican period, in part to increase the population inland from the more settled coastal areas where the Spanish had first concentrated their colonization efforts. The secularization of the missions following Mexico's independence from Spain resulted in the subdivision of former mission lands and establishment of many additional ranchos.

During the supremacy of the ranchos (1834–1848), landowners largely focused on the cattle industry and devoted large tracts to grazing. Cattle hides became a primary southern California export, providing a commodity to trade for goods from the east and other areas in the United States and Mexico. The number of

nonnative inhabitants increased during this period because of the influx of explorers, trappers, and ranchers associated with the land grants. The rising California population contributed to the introduction and rise of diseases foreign to the Native American population, who had no associated immunities.

American Period (1848–Present)

War in 1846 between Mexico and the United States began at the Battle of Chino, a clash between resident Californios and Americans in the San Bernardino area. This battle was a defeat for the Americans and bolstered the Californios' resolve against American rule, emboldening them to continue the offensive in later battles at Dominguez Field and in San Gabriel (Beattie 1942). However, this early skirmish was not a sign of things to come and the Americans were ultimately the victors of this two-year war. The Mexican–American War officially ended with the Treaty of Guadalupe Hidalgo in 1848, which resulted in the annexation of California and much of the present-day southwest, ushering California into its American period.

California officially became a state with the Compromise of 1850, which also designated Utah and New Mexico (with present-day Arizona) as U.S. territories. Horticulture and livestock, based primarily on cattle as the currency and staple of the rancho system, continued to dominate the southern California economy through the 1850s. The Gold Rush began in 1848; with the influx of people seeking gold, cattle were no longer desired mainly for their hides, but also as a source of meat and other goods. During the 1850s cattle boom, rancho vaqueros drove large herds from southern to northern California to feed that region's burgeoning mining and commercial boom. Cattle were at first driven along major trails or roads such as the Gila Trail or Southern Overland Trail, then were transported by trains when available. The cattle boom ended for southern California as neighbor states and territories drove herds to northern California at reduced prices. Operation of the huge ranchos became increasingly difficult, and droughts severely reduced their productivity (Cleland 1941).

On April 4, 1850, only two years after the Mexican–American War and five months prior to California's achieving statehood, Los Angeles was officially incorporated as an American city. Settlement of the Los Angeles region continued steadily throughout the Early American period. Los Angeles County was established on February 18, 1850, one of 27 counties established in the months prior to California's acquiring official statehood in the United States. At that time, the city was bordered on the north by the Los Felis and the San Rafael Land Grants and on the south by the San Antonio Luge Land Grant. Many of the ranchos in the area now known as Los Angeles County remained intact after the United States took possession of California; however, a severe drought in the 1860s resulted in many of the ranchos being sold or otherwise acquired by Americans. Most of these ranchos were subdivided into agricultural parcels or towns (Dumke 1944).

Ranching retained its importance through the mid-nineteenth century, and by the late 1860s, Los Angeles was one of the top dairy production centers in the country (Rolle 2003). By 1876, the county had a population of 30,000 (Dumke 1944:7). Los Angeles maintained its role as a regional business center, and the development of citriculture in the late 1800s and early 1900s further strengthened this status (Caughey and Caughey 1977). These factors, combined with the expansion of port facilities and railroads throughout the region, contributed to the impact of the real estate boom of the 1880s on Los Angeles (Caughey and Caughey 1977; Dumke 1944). By the late 1800s, government leaders recognized the need for water to sustain the growing population in the Los Angeles area. Irish immigrant William Mulholland personified the city's efforts for a stable water supply (Dumke 1944; Nadeau 1997). By 1913, the City of Los Angeles had purchased large tracts of land in the Owens Valley, and Mulholland planned and completed the construction of the 240-mile aqueduct that brought the valley's water to the city (Nadeau 1997).

Los Angeles continued to grow in the twentieth century, in part due to the discovery of oil in the area and its strategic location as a wartime port. The county's mild climate and successful economy continued to draw new residents in the late 1900s, with much of the county transformed from ranches and farms into residential subdivisions surrounding commercial and industrial centers. Hollywood's development into the entertainment capital of the world and southern California's booming aerospace industry were key factors in the county's growth in the twentieth century.

Los Angeles: From Pueblo to City

On September 4, 1781, 44 settlers from Sonora, Mexico, accompanied by the governor, soldiers, mission priests, and several Native Americans, arrived at a site along the Rio de Porciúncula (later renamed the Los Angeles River), which was officially declared El Pueblo de Nuestra Señora de los Angeles de Porciúncula, or the Town of Our Lady of the Angels of Porciúncula (Robinson 1979:238; Ríos-Bustamante 1992; Weber 1980). The site chosen for the new pueblo was elevated on a broad terrace 0.8 km (0.5 mile) west of the river (Gumprecht 2001). By 1786, the area's abundant resources allowed the pueblo to attain self-sufficiency, and funding by the Spanish government ceased.

Efforts to develop ecclesiastical property in the pueblo began as early as 1784 with the construction of a small chapel northwest of the plaza. Though little is known about this building, it was located at the pueblo's original central square near the corner of present-day Cesar Chavez Avenue and North Broadway (Newcomb 1980:67–68; Owen 1960:7). Following continued flooding, however, the pueblo was relocated to its current location on higher ground, and the new town plaza soon emerged.

Alta California became a state in 1821, and the town slowly grew as the removal of economic restrictions attracted settlers to Los Angeles. The population continued to expand throughout the Mexican period and on April 4, 1850, only 2 years after the Mexican–American War and 5 months prior to California earning statehood, the City of Los Angeles was formally incorporated. Los Angeles maintained its role as a regional business center in the early American period and the transition of many former rancho lands to agriculture, as well as the development of citriculture in the late 1800s, further strengthened this status (Caughey and Caughey 1977). These factors, combined with the expansion of port facilities and railroads throughout the region, contributed to the real estate boom of the 1880s in Los Angeles (Caughey and Caughey 1977; Dumke 1944).

Newcomers poured into the city, nearly doubling the population between 1870 and 1880, resulting in an increased demand for public transportation options. As the city neared the end of the nineteenth century, numerous privately owned passenger rail lines were in place. Though early lines were horse and mule drawn, they were soon replaced by cable cars in the early 1880s and by electric cars in the late 1880s and early 1890s. Many of these early lines were subsequently consolidated into Henry E. Huntington's Los Angeles Railway Company (LARy) in 1898, which reconstructed and expanded the system into the twentieth century and became the main streetcar system for central Los Angeles, identified by their iconic "yellow cars." During this period, Huntington also developed the much larger Pacific Electric system (also known as the "red cars") to serve the greater Los Angeles area. Just as the horse-and-buggy street cars were replaced by electric cars along the same routes, gas-powered buses (coaches) eventually served former yellow car routes. Both the red cars and LARy served Los Angeles until they were eventually discontinued in the early 1960s.

Los Angeles continued to grow outward from the city core in the twentieth century in part due to the discovery of oil and its strategic location as a wartime port. The military presence led to growth in the aviation and, eventually, aerospace industries in the city and region. Hollywood became the entertainment capital of the world through the presence of the film and television industries and continues to tenuously maintain that position. With nearly 4 million residents, Los Angeles is the second largest city in the

United States (by population), and it remains a city with worldwide influence that continues to struggle with its population's growth and needs.

Historical Development of the Project Site

The project site is located in the former rancho lands of Rancho San Vicente y Santa Monica, a 33,000-acre Mexican land grant in present-day Los Angeles County. The land grant was given by Governor Juan Alvarado to Francisco Sepulveda in 1839. The lands given to Francisco Sepulveda were originally known as San Vicente and included a piece of pasture (*potrero*) named Santa Monica. Since the boundaries of the land grant were not well defined, a dispute arose when Francisco Marquez and Ysidro Reyes were awarded the grant to Rancho Boca de Santa Monica, which also included the *potrero* of Santa Monica in 1839. Following the Mexican-American War and the Treaty of Guadalupe Hidalgo of 1848, which allowed for the previous Mexican land grants to be honored, the Rancho San Vicente y Santa Monica grant was finally patented to the Sepulveda heirs after years of litigation. In 1872, the Sepulvedas sold their Rancho San Vicente y Santa Monica property to Robert S. Baker who then sold a three-quarter interest in the land to the Comstock millionaire John Percival Jones in 1874 (Basten 1974).

In 1887, the modern development of the area began after the establishment of the Pacific Branch of the National Home for Disabled Soldiers (now known as the Veterans Home of California), a 600-acre parcel that is located approximately 0.87 km (0.54 mile) northeast of the project site. The original lands of the Veterans Home were donated by Senator John P. Jones and Arcadia B. de Baker. Westgate, a small community that sprang up outside the facility's west gate. Westgate Avenue, which is located just east of the project site is one of the last reminders of that namesake. The area surrounding the project site was annexed by the City on June 14, 1916, and included large parts of what is now the Pacific Palisades and a portion of current day Bel-Air.

Development began to increase in the area in the first half of the twentieth century. With the completion of the Pasadena and Pacific Electric Railroad Line and the establishment of the National Home for Disabled Soldiers, sparking what turned into a population boom in the early twentieth century, developments expanded from the historic core, especially to the west towards the project site. Through the 1890s and into the early twentieth century, the City annexed new lands and the large lots originally used for agricultural lands were subdivided and developed into city blocks with residential buildings being erected around the vicinity of the project site. By 1966 the entire area was heavily developed as residential neighborhoods with some commercial properties such as the Barry Building and shops in the vicinity, as well as some religious institutions.

The project site is situated on the north side of San Vicente Boulevard, which is divided by a wide median and is currently populated with many large coral trees. This median originally contained a Pacific Electric trolley track, and the large coral trees that currently transit along the median have also been named a City of Los Angeles Historic-Cultural Monument (HCM No. 148).

BARRY BUILDING (HCM NO. 887)

The Barry Building is a two-story commercial, mid-twentieth-century-modern building located at 11973 San Vicente Boulevard and is situated in the heart of the Brentwood neighborhood of Los Angeles (Figure A-7). The building was commissioned by its owner David Barry and was completed in 1951. The building was designed by architect Milton Caughey, who also designed the Garred House and the Goss House in Los Angeles, and was one of Caughey's few commercial buildings. Caughey adopted the use of indoor and outdoor space that is now associated with mid-twentieth-century-modern architecture in southern California. The building was listed as a Los Angeles Historic-Cultural Monument in 2007 and was designated as HCM No. 887. The Barry Building is one of a few mid-twentieth-century-modern

commercial buildings to gain this status and was identified by the Los Angeles Cultural Heritage Commission as being a well-preserved and notable example of the California-style modern design.

The Barry Building consists of four wings arranged around a central garden courtyard that forms an open square (Figure A-8 and Figure A-9). Dutton's Bookstore was the building's most famous tenant and was established in 1960 within the courtyard of the Barry Building (Figure A-10). For more than two decades authors such as Kurt Vonnegut and Isabel Allende held readings and signings at the bookstore (Werris 2008). Dutton's Bookstore closed in 2008. Ownership of the building turned over to investor Charlie Munger, Vice-Chairman of Berkshire Hathaway Corporation, the diversified investment corporation chaired by Warren Buffet (Forbes.com 2021). The property has been vacant and fenced since 2017, and the building has been boarded up to prevent vandalism. The building is subject to the City's Soft Story Retrofit Program (LAMC Section 91.9300 et seq., Ordinance 183,893, entitled Mandatory Earthquake Hazard Reduction in Existing Wood Frame Buildings with Soft, Weak or Open Front Walls) and must meet the minimum seismic standards of Ordinance 183,893 or apply for a permit to demolish the building within a certain period of time.

The Barry Building was determined to be significant because it reflects "the broad cultural, political, economic, or social history of the nation, state, or community" and "embodies the distinguishing characteristics of an architectural type specimen, inheritably valuable for a study of a period, style, or method of construction" (Historic Places LA 2014). The building comprises office and retail space arranged around a central courtyard, with the courtyard on the ground floor separating the building into four wings: north, south, east, and west. The north and south wings are raised from the east and west wings, creating a varying floorplan and roof. The second story of the building that fronts San Vicente Boulevard, the south wing, is supported by slender steel pipe columns, which creates an open ground floor along San Vicente Boulevard and the courtyard. Raised planters are located throughout the courtyard, and two curvilinear staircases provide access to the second story.

RESULTS

CHRIS Records Search

On October 10, 2021, SWCA requested a supplementary confidential search of the CHRIS at the SCCIC, located on the campus of California State University, Fullerton, to identify previously documented cultural resources within a 0.25-mile (0.4-km) radius of the project site. The supplemental search includes a request for detail lists for the results summarized in the letter received by CAJA Environmental Services, as well as copies of previous studies intersecting the project site and of archaeological resources within the search radius. The supplementary CHRIS records search results were received on February 3, 2022.

The summary letter from the SCCIC provided by CAJA Environmental Services following their records search in 2020 reported that there were no archaeological resources identified within the project site or within the 0.5-mile (0.8-km) search radius. The summary letter identified one built environment resource within a 0.25-mile radius of the project site, as well as two reports and studies within the project site and four reports and studies within the 0.25-mile search radius. Lastly, the summary letter and supplemental CHRIS search indicated that there are two HCMs (No. 148 and No. 887) within the 0.25-mile search radius.

Previously Conducted Studies

Results of the supplemental records search at the SCCIC indicate that four cultural resource studies have been conducted within 0.4 km (0.25 mile) of the project site, two of which intersect the project site (Table 1). Of the two previous cultural resource studies that intersect the project site, one is a field study that includes the entirety of project site and the 0.4 km (0.25 mile) buffer (LA-11114); and the other is an overview and architectural evaluation of the current project site, the Barry Building (LA-08932). The remaining two previous studies that do not intersect the project site consist of field investigations within the search radius. A confidential records search results map depicting previous cultural resource studies within 0.4 km (0.25 mile) of the project site is included in Appendix B.

Table 1. Prior Cultural Resource Studies within a 0.4-km (0.25-mile) Radius of the Project Site

SCCIC Report Number	Title	Author: Affiliation	Year	Proximity to Project Site
LA-08932	*A Cultural Resources Overview and Architectural Evaluation of the Barry Building at 11973 San Vicente Boulevard in the Brentwood Area of the City of Los Angeles, California*	McKenna, Jeanette A.: McKenna et al.	2007	Within
LA-11114	*Archaeological Investigation, Partial Inventory Secondary Sewer Renewal Program Bundy and San Vicente Project*	Foster, John M.: Greenwood and Associates	2011	Within
LA-11606	*Phase I Cultural Resources Assessment, Sylmar Ground Return Replacement Project, Los Angeles County, California*	Maxon, Patrick: BonTerra Consulting	2011	Outside (within 0.25-mile)
LA-12109	*Cultural Resources Records Search and Site Visit Results for T-Mobile West, LLC Candidate LA02682A (LA269 CalFed Bldg) 12001 San Vicente Boulevard, Los Angeles, California*	Bonner, Wayne and Crawford, Kathleen: MBA	2013	Outside (within 0.25-mile)

Previously Recorded Cultural Resources

The supplemental CHRIS records search identified a total of one previously documented cultural resource within a 0.4-km (0.25-mile) radius of the subject property, which does not intersect the project site (Table 2). The previously recorded resource outside of the project site is the Comerica Bank, Brentwood Branch at 12001 West San Vicente Boulevard (P-19-190246). The records search results included two Los Angeles Historic-Cultural Monuments (LAHCMs) within a 0.4-km (0.25-mile) radius of the project area, one of which is the subject property of the Barry Building (LAHCM No. 887) and the other is the collection of coral trees (*Erythrina caffra*) that are situated within the median along West San Vicente Boulevard directly south of the project site (LAHCM No. 148). A confidential records search results map depicting previously recorded resources within 0.4 km (0.25 mile) of the project site is included in Appendix B.

Table 2. Previously Recorded Cultural Resources within a 0.4-km (0.25-mile) Radius of the Project Site

SCCIC Primary No.	Trinomial	LAHCM No.	Resource Age	Resource Type	Description	Year Recorded (Recorder)	Proximity to Project Site
P-19-190246	N/A	N/A	Historic	Building	Comerica Bank, Brentwood Branch; 12001 San Vicente	2013 (K.A. Crawford, Micheal Brandman Associates)	Outside (within 0.25-mile)

SCCIC Primary No.	Trinomial	LAHCM No.	Resource Age	Resource Type	Description	Year Recorded (Recorder)	Proximity to Project Site
					Boulevard Los Angeles, California (APN 4404-023-019) Other - T-Mobile West LLC LA02682A/LA269 CalFed Bldg		
N/A	N/A	148	Historic	Trees	Coral Trees (*Erythrina caffra*) on West San Vicente Boulevard between 26th and Bringham	1976 (unknown)	Outside (within 0.25-mile)
N/A	N/A	887	Historic	Building	Barry Building 11973 West San Vicente Boulevard Los Angeles, California	2007 (unknown)	Within (Subject property)

Archival Research

SWCA's archival research included a review of historical maps for the project site and vicinity and focused on documenting modifications to the physical setting and identifying any potential natural or artificial features with relevance for use by Native Americans (e.g., stream courses, vegetation, historical topography, roads, habitation markers) or use of the location by non–Native American people in the Historic period. One important landmark was the *brea* ("tar") pits, now known as the La Brea Tar Pits, located 10.5 km (6.5 miles) east-northeast of the project site. Asphaltum—the naturally formed substance found in seeps—was an important resource to Native American populations, who used it as a binding and waterproofing element. The asphaltum at the La Brea Tar Pits would have been accessed via footpaths from neighboring camp and village sites. Kirkman's map depicts a number of pathways including two parallel east-west routes–the Portolá Expedition of 1769 directly to the northeast and "La Brea Road" (Kirkman 1938) (Figure A-6). The project site is shown on Figure A-6 as being on, or next to, "La Brea Road". An undated plat map in the Huntington Library Collections (ink on tracing cloth) depicts a sectioned portion of Rancho San Vicente y Santa Monica within Section 29 (Figure A-11).

Review of Sanborn Fire Insurance maps, newspaper articles, and building permits document the development of the area directly south of the project site from just prior to the construction of the Barry Building to the late 1960s. An Environmental Data Resources (EDR) search request returned two Sanborn Fire Insurance maps that date from 1948 and 1969. Both maps depict development south of the project site and San Vicente Boulevard, but the area north of San Vicente Boulevard, including the project site, is devoid of any development (Figure A-12 and Figure A-13). The southern frontage of San Vicente Boulevard is mostly undeveloped in the 1948 Sanborn map south of the project site and consisted of Brentwood Community Presbyterian Church west of the project site at South Bundy Drive, a Boys and Girls Club south of the project site, and shops and a gas station further east of the project site at Montana Avenue (Figure A-12). The 1969 Sanborn map shows increased development south of San Vicente Boulevard, including the frontage along the south side of San Vicente Boulevard (Figure A-13). A large complex has grown out of the Brentwood Presbyterian Church eastward and includes an auditorium and an Education Building. Shops, offices, and a Swim School with an indoor pool are situated where the Boys and Girls Club was shown on the 1948 Sanborn map and the gas station was converted to shops by 1969.

Historic topographic maps reflect the growth of development within the northwestern portion of the Los Angeles Basin from the late nineteenth century through the mid twentieth century. An 1894 topographic

map depicts the project site within the southern toeslopes of the Santa Monica Mountains within a relatively undeveloped area west of the National Soldiers Home and between two small unnamed drainages (Figure A-14). The Pasadena and Pacific Electric Railroad Line is one of the few developments in the area and is depicted approximately 1.6 km (1.0 mile) southeast of the project site. A rail spur turnaround is depicted next to the Soldiers Home. By 1921, a USGS topographic map shows the growth of development around the community of Westgate, which grew westward from the west gate of the Soldiers Home (Figure A-14). A structure is present within the project site and is depicted as immediately north of San Vicente Boulevard. Brentwood Park is depicted to the west, and while roads are established surrounding the project site, development in the area is still in its early stages. Further expansion and development are evident on the 1934 USGS topographic map of the vicinity; Brentwood Country Club is present southwest of the project site, and by 1966 the entire area around the project site is fully developed (Figure A-15).

Historic aerials further reflect the developments of the project site and its surrounding areas from the early to mid-twentieth century. A 1928 historic aerial shows a residence with a long walkway within the project area (Figure A-16). The majority of the area north of San Vicente Boulevard is mostly agricultural lands with many of the current roads already established, and the growing community of Westgate is present south of San Vicente Boulevard (Figure A-17). The Brentwood Country Club golf course can be seen in the lower left portion of the aerial. The 1938 historic aerial depicts many more residences south of San Vicente and the agricultural lands north of San Vicente show the early stages of developments within the agricultural lands. The project site still has a residence situated within it. By 1947, the residence within the project site has been demolished or removed and almost all of the area surrounding the project site has been established with housing developments (Figure A-18). The earliest historic aerial identified following the construction of the Barry Building is from 1952 and shows the entirety of the area surrounding the project site as having been developed (Figure A-19).

NATIVE AMERICAN COORDINATION

Sacred Lands File Search

On May 20, 2020, CAJA Environmental Services received the results of an SLF search from the NAHC; SWCA reviewed the results. The NAHC letter indicated that there are no sacred sites in the SLF documented within the project site and search radius. The letter notes that the SLF and CHRIS are not exhaustive inventories of resources that may be present in any given area and that tribes may uniquely possess information on the presence of a tribal cultural resource. The NAHC provided a list of five Native American contacts and suggested contacting them to provide information on sacred lands that may not be listed in the SLF. Each of these individuals and five other Native American contacts were already included in the City's AB 52 notification list, and all additional outreach is being conducted by the City as part of compliance with AB 52. The NAHC letter is included in Appendix C.

AB 52 Notification and Consultation

As lead agency, the City mailed letters to the 10 listed Native American tribes identified by the NAHC and included on the City's consultation list. Letters were sent out to all contacts on July 27, 2020. Table 3 summarizes the results of Native American outreach conducted in compliance with AB 52 (PRC Section 21082.3).

Table 3. Native American Outreach Results

Native American Contact	City of Los Angeles Consultation Effort	Tribal Response
Gabrielino-Tongva Tribe Attn: Charles Alvarez 23454 Vanowen Street West Hills, CA 91307	**07/27/2020:** Certified letter sent by U.S. Mail.	No response.
Gabrielino Tongva Indians of California Tribal Council Robert F. Dorame, Chairperson P.O. Box 490 Bellflower, CA 90707	**07/27/2020:** Certified letter sent by U.S. Mail.	No response.
Gabrielino/Tongva Nation Sandonne Goad, Chairperson 106 ½ Judge John Aiso St., #231 Los Angeles, CA 90012	**07/27/2020:** Certified letter sent by U.S. Mail.	No response.
Fernandeño Tataviam Band of Mission Indians Rudy Ortega, Tribal President 1019 2nd Street, Ste. 1 San Fernando, CA 91340	**07/27/2020:** Certified letter sent by U.S. Mail.	No response.
Fernandeño Tataviam Band of Mission Indians Jairo Avila, Tribal Historic and Cultural Preservation Officer 1019 2nd Street, Ste. 1 San Fernando, CA 91340	**07/27/2020:** Certified letter sent by U.S. Mail.	**08/04/2020:** Response letter sent to the City acknowledging receipt of notification letter, and indicating that the project is situated outside of the Fernandeño Tataviam Band of Mission Indians (FTBMI) ancestral Tribal boundaries. The FTBMI deferred "consultation for this project to members of the Gabrielino Indian Tribe."
Torres Martinez Desert Cahuilla Indians Thomas Tortez, Chairperson P.O. Box 1160 Thermal, CA 92274	**07/27/2020:** Certified letter sent by U.S. Mail.	No response.
Gabrielino/Tongva San Gabriel Band of Mission Indians Anthony Morales, Chairperson P.O. Box 693 San Gabriel, CA 91778	**07/27/2020:** Certified letter sent by U.S. Mail.	No response.
Soboba Band of Luiseño Indians Scott Cozart, Chairperson P.O. Box 487 San Jacinto, CA 92581	**07/27/2020:** Certified letter sent by U.S. Mail.	No response.

Native American Contact	City of Los Angeles Consultation Effort	Tribal Response
Gabrieleño Band of Mission Indians-Kizh Nation Andrew Salas, Chairperson P.O. Box 393 Covina, CA 91723	**07/27/2020:** Certified letter sent by U.S. Mail. **08/04/–10/06/2020:** Correspondences via email coordinating consultation. **10/07/2020:** Email follow-up to conference call, and summary of discussion.	**07/31/2020:** Email with attached response letter sent to the City acknowledging receipt of notification letter and indicating that the project location is within Ancestral Tribal Territory; the Tribal Government requested formal consultation. **08/04–10/06/2020:** Correspondences via email coordinating consultation. **10/07/2020:** Conference call. **11/02/2020:** Email sent with some information from multiple sources regarding Native American trails, waterways, trade routes, sacred landscapes, and villages in the vicinity of the project site, screenshots of 1871, 1881, 1898, 1900, 1920, and 1938 maps of Los Angeles County, and screenshots of book excerpts discussing Rancherias and the village of Kuruvungna. Lastly, additional attachments included Kizh Nation Mitigation Measures, a CHRIS center Archaeological Sensitivity Letter, and a letter from Environmental Research Archaeologists (ERA).
San Fernando Band of Mission Indians Donna Yocum, Chairperson P.O. Box 221838 Newhall, CA 91322	**07/27/2020:** Certified letter sent by U.S. Mail.	No response.

To date, the City has received two responses to the notification letters. Jairo Avila, Tribal Historic and Cultural Preservation Officer for the Fernandeño Tataviam Band of Mission Indians (FTBMI), stated that the project site is situated outside of the FTBMI ancestral Tribal boundaries; the FTBMI deferred consultation for the project to members of the Gabrielino Indian Tribe. Andrew Salas, Chairman of the Gabrieleño Band of Mission Indians-Kizh Nation, stated that the project site is within Ancestral Tribal Territory. Chairman Salas requested formal consultation with the City. A telephone consultation occurred on October 7, 2020, and was attended by City staff and Chairman Salas. On October 7, 2020, the City followed the telephone consultation with an email summarizing two main points taken from the discussion. The summary indicated that 1) the Tribe is interested in the soils between 0 and 5 feet below ground, and the City will contact the appropriate consultants to retrieve and share soil information with the Tribe; and 2) the Tribe will provide the City with information on the site's history. On November 2, 2020, the Tribe provided the City with an email providing information on tribal history and traditional land uses associated with the project site and noted that resources may exist below existing developments; the email included a number of attachments as supporting evidence. The email also stated that protective measures (including tribal monitoring) shall be created and implemented if it is found that the original soils, which may contain tribal cultural resources, are still present within the project site. Chairman Salas provided the City with the following exhibits as evidence to support the claims stated during consultation and in the November 2 email:

- **Exhibit 1:** five book excerpts discussing sacred landscapes, village locations, and sacred places (1962, 1996; no author)
- **Exhibit 2:** three screen shots of maps cropped to show the project site and vicinity in relation to trade routes (1871, 1881, 1898)
- **Exhibit 3:** screenshot of the Kirkman-Harriman Map (Kirkman 1938) projected onto an aerial street map showing the project site and vicinity, and depicting several village locations

- **Exhibit 4:** screenshot of a 1900 traced plat map of Los Angeles County, cropped to show the project site and vicinity along San Vicente Boulevard, in proximity to the railroad, and within the Rancho San Vicente and Santa Monica land grants
- **Exhibit 5:** screenshot of 1920 topographic map of Los Angeles County, cropped to show the project site and vicinity along San Vicente Boulevard and in proximity to railroad
- **Exhibit 6:** Archaeological Sensitivity statement in Letter from the CHRIS center at California State University, Fullerton (the SCCIC)
- **Exhibit 7:** Kizh Nation Mitigation Measures – July 2020
- **Exhibit 8:** email including excerpts from PRC 21080.3.1. (a), 21082.3, subd. (b,c,d)(1), and 21074(a)(1 and 2) defining a tribal cultural resource and cultural landscape
- **Exhibit 9:** letter from Environmental Research Archaeologists – A Scientific Consortium (ERA) (Stickel 2018)

The City carefully considered Exhibits 1–9 in support of the Tribe's claim that this project has the potential to impact tribal cultural resources, as well as the Tribe's request for the City to require its proposed mitigation measures to mitigate those potential impacts. The City has concluded that there is no substantial evidence to support a determination that this project could reasonably foreseeably impact tribal cultural resources. Thus, after acting in good faith and after reasonable effort, the City was unable to reach an agreement with the Gabrieleño Band of Mission Indians-Kizh Nation. The City's findings will be submitted in a memo to the Tribe. The City's findings have been submitted to the Tribe in an AB 52 Pre-Closure of Consultation letter on July 6, 2022, and in an official Closure of Consultation email on July 21, 2022. While the City concluded there is no evidence for tribal cultural resources on the project site, and that there would not be a potential significant impact on tribal cultural resources, the City will impose the standard Condition of Approval – Tribal Cultural Resources Inadvertent Discovery (Condition of Approval) protocol to protect any previously unidentified and potentially significant tribal cultural resources during construction activities. Exhibits 1–6 are taken from publicly available sources and therefore are not considered to be confidential under Government Code Sections 6254 and 6254.10 or PRC Section 21082.3(c). The Tribal response letter, email correspondences, and ERA letter are included here as part of a confidential attachment (Appendix D).

SENSITIVITY ASSESSMENT

Tribal Cultural Resources

A CHRIS records search did not identify any known tribal cultural resources within the project site or a 0.5-mile (0.8-km) radius, and the NAHC search of the SLF did not identify any traditional lands or sites. The Native American village of Kuruvungna is the closest named village documented in ethnographic accounts, estimated to have been located approximately 1.2 km (0.75 mile) southeast of the project site (see also Zachary 2007). Other named villages in the larger vicinity of the project site are located approximately 1.6 km (2.0 miles) northeast of the project site. Other unnamed Native American settlements have been documented between approximately 2.81 km and 4.8 km (1.75 miles and 3.0 miles) southwest and north of the project site. The project site is in the vicinity of at least one Native American trade route and approximately 0.8 km (0.5 mile) southwest of a portion of the 1769 Portolá Expedition route. Generally speaking, Native American artifacts and sites are more likely to be found near sources of water. Water features including perennial springs and small wetlands are known to have existed along the southeast-facing toeslopes of the Santa Monica Mountains and within a relatively undeveloped area just

west of the project site between two small unnamed drainages; these resource locations would have been frequented by Native Americans. Seeps of asphaltum are another natural resource of known significance to Native Americans; the closest known source to the project site is at the present-day La Brea Tar Pits 10.5 km (6.5 miles) east-northeast of the project site. The La Brea Tar Pits served as an important source of asphaltum for Native Americans dating back at least 10,000 years. There is no other evidence available to suggest that the project site itself offered any consistent or seasonal sources of water or other natural resources that would increase the likelihood of the presence of a temporary Native American camp.

The physical environment of the project site and its vicinity has undergone massive alterations in the last 150 years—from the initial use of the area for agriculture, to the westward expansion of the built environment from the City's historic core, including the construction of the sewer system and other utilities, to multiple mid-twentieth century redevelopments. As a result, most or all of the sediments below the modern surfaces within the project site have been subject to at least some amount of ground disturbance, which, in most cases, diminishes the likelihood of encountering tribal cultural resources. Geotechnical studies conducted by Geocon (2020) in 2009 indicate that the project site is underlain with artificial fill to depths of approximately 2 feet below the existing ground surface; the artificial fill included evidence of construction debris, including brick and asphalt fragments. According to Geocon (2020), the artificial fill was determined to be the result of previous grading and construction activities within the project site, and deeper artificial fill underlying the project site may exist. Older alluvial fan deposits were encountered beneath the artificial fill.

Archaeological finds near the historic core of the city clearly demonstrate that the remains of Native American sites can exist within alluvial sediment, underneath disturbed fill or strata containing historic-period archaeological resources. However, because the demolition of the former structure and construction of the parking lot required excavation within the entirety of the project site, the depth and extent of the disturbances reduce the preservation potential for unknown tribal cultural resources within the alluvium.

Archaeological remains associated with prehistoric or historical Native Americans can occur below paved surfaces within developed urban settings. While the previous CHRIS records search results did not identify any such tribal cultural resources within the project site or vicinity, most of the project site was not inspected for tribal cultural resources before being developed. Ethnographic sources described above have identified the village site of Kuruvungna as having been located approximately 1 mile southeast of the project site. SWCA considers the greater region of the project area as having moderate sensitivity for prehistoric or historic Native American tribal cultural resources, specifically remains from a temporary open camp identified by the presence of flaked stone tools, tool-making debris, stone milling tools, shell, fire-altered rock, and sediment discoloration or carbonization. The project site, however, consists of a comparatively small area within the greater region and has been subject to multiple episodes of ground disturbance.

Generally, tribal cultural resources that are archaeological in nature have the highest likelihood of preservation within low-energy depositional sedimentary environments where the sediments are correlated with the period of human occupation in North America, i.e., Upper Pleistocene or Holocene epochs. Buried tribal cultural resources can also occur below historic-period disturbances or underneath redeposited artificial fill. In some cases, Native American sites, features, and objects can also be intermixed with artificially deposited sediments.

As previously discussed, the original surface of the project area has undergone at least some degree of development and redevelopment beginning in the early and mid-twentieth century. Archival research documents the land-use history of the project site and its transitions from former pueblo and agricultural lands, into a relatively dense residential neighborhood in the early twentieth century, and eventually into

commercial uses during the mid-twentieth century. The project site, specifically, was likely heavily impacted by the construction of San Vicente Boulevard on its southern boundary. In addition, a 1928 historic aerial shows a likely residential structure with a long walkway present within the project site; the structure had been demolished or removed by 1947, and nearly all of the area surrounding the project site had been established with residential developments. Later, the construction of the Barry Building in 1951 (which still occupies the site) similarly impacted the project site, including at least 2 feet of soil removal. While it is somewhat unclear to what extent these developments disturbed the natural, alluvial sediments that had formerly defined the surface, it is very likely that any archaeological features or objects that once existed on the surface or near-surface were destroyed or removed from their original contexts by these developments. For this reason, as well as the reasons noted above, the overall potential for preservation of tribal cultural resources is reduced and SWCA finds that the project site has a low sensitivity for containing unknown tribal cultural resources.

Based on the above considerations, SWCA finds a **low potential for encountering intact prehistoric and historic Native American archaeological resources** within the project site. To the extent that the proposed ground disturbance extends into undisturbed soils buried beneath previously disturbed sediment, there may be some potential for preservation of resources in Quaternary alluvial sediments.

CONCLUSION

A previous CHRIS summary letter and an SLF search revealed that no known tribal cultural resources are present within or within the vicinity of the project site. SWCA requested a supplementary confidential search of the CHRIS at the SCCIC; the supplemental search included a request for detail lists for the results summarized in the summary letter, as well as for copies of previous studies intersecting the project site and of archaeological resources within the search radius. The supplemental CHRIS records search results identified one previously documented historic building within a 0.4-km (0.25-mile) radius of the subject property, which does not intersect the project site. The supplemental records search also identified two Los Angeles Historic-Cultural Monuments (LAHCMs) within a 0.4-km (0.25-mile) radius of the project; one of these is the subject property, the Barry Building (LAHCM No. 887), and the other is the collection of coral trees (*Erythrina caffra*) that are situated within the median directly south of the project site (LAHCM No. 148). Neither LAHCM No. 148 nor the historic Comerica Bank, Brentwood Branch building would be impacted by the project.

The City submitted notification letters to the tribal parties listed on the City's AB 52 notification list. To date, the City has received two responses to the notification letters. In one response, the Fernandeño Tataviam Band of Mission Indians deferred consultation for the project to members of the Gabrielino Indian Tribe. The second response the City received was from the Gabrieleño Band of Mission Indians–Kizh Nation, requesting consultation with the City. A telephone consultation occurred on October 7, 2020, and was attended by the City and Chairman Salas. On November 2, 2020, the Tribe presented the City with an email providing information on tribal history and traditional land uses associated with the project site and noted that resources may exist below existing developments; the email included a number of attachments as supporting evidence. After tribal consultation, the City concluded there is no substantial evidence of a tribal cultural resource within the project site. SWCA finds that the Project would have no impacts to known tribal cultural resources. Although the deepest level of excavation proposed is estimated to be 1.5 m (5 feet), the project site was further assessed for the potential to contain deeply buried, previously unidentified tribal cultural resources and was found to be low. As such, no tribal cultural resources are anticipated to be affected by the project. Though unlikely, if present, any unidentified tribal cultural resources have the potential to be significant under CEQA. However, the Project is subject to the City's standard Condition of Approval for the inadvertent discovery of tribal cultural resources. Based on the condition of approval, any potential impacts would be reduced to less

than significant. Therefore, SWCA finds that the Project will have less-than-significant impacts to tribal cultural resources.

There were no tribal cultural resources identified within the project site, and SWCA finds that the project site is not likely to contain undocumented tribal cultural resources beneath the surface. Therefore, no mitigation measures are recommended for impacts to known tribal cultural resources, although the City's standard Condition of Approval for the inadvertent discovery of tribal cultural resources, replicated in the Regulatory Setting section of this report and included in the City's AB 52 Pre-Closure of Consultation letter sent to the Tribe on July 6, 2022 (see Confidential Appendix D), will apply.

Although the potential for encountering both undocumented tribal cultural resources and archaeological resources is considered to be low, the unanticipated discovery of human remains is always a possibility. If human remains are encountered, provisions of appropriate state law will apply:

- State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Los Angeles County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The Los Angeles County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner will notify the NAHC, which will determine and notify an 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.

To reiterate, the analysis and conclusions stated herein are based on the expertise and professional judgment of SWCA's qualified archaeologists and are intended as a means of presenting evidence to be used in assessing the potential for tribal cultural resources under CEQA and should not be considered a replacement for tribal expertise or assumed to represent tribal cultural values. It should also be noted that this study has not assessed impacts or sensitivity relevant to other types of (non-tribal) cultural resources, including built environment, historic archaeological resources, or paleontological resources. Additional mitigation measures may be appropriate relative to these other types of resources.

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APPENDIX A.

Report Figures

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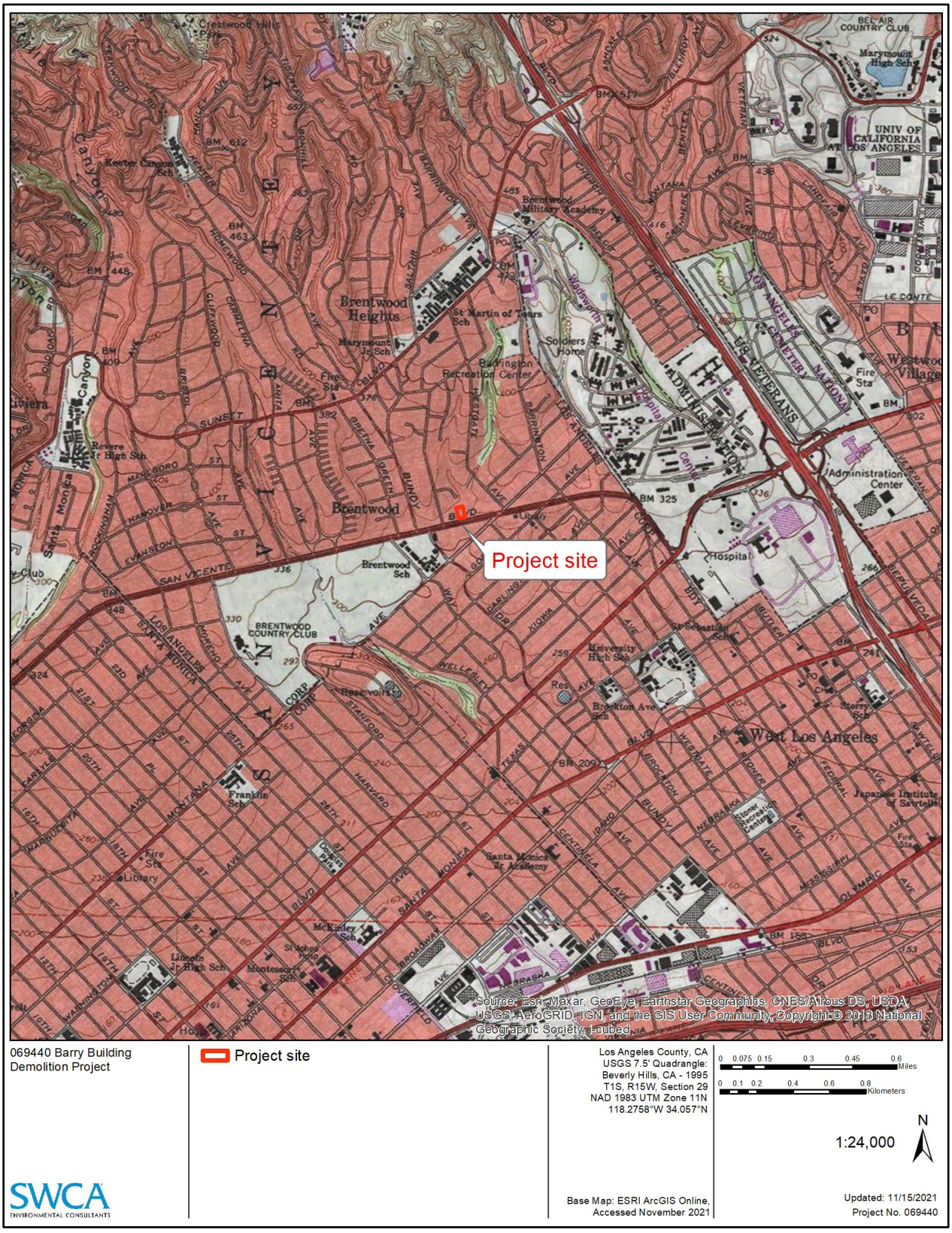

Figure A-1. Project site plotted on USGS Beverly Hills, California, 7.5-minute topographic quadrangle.

Figure A-2. Project site with associated parcels on a 2017 aerial and street map.

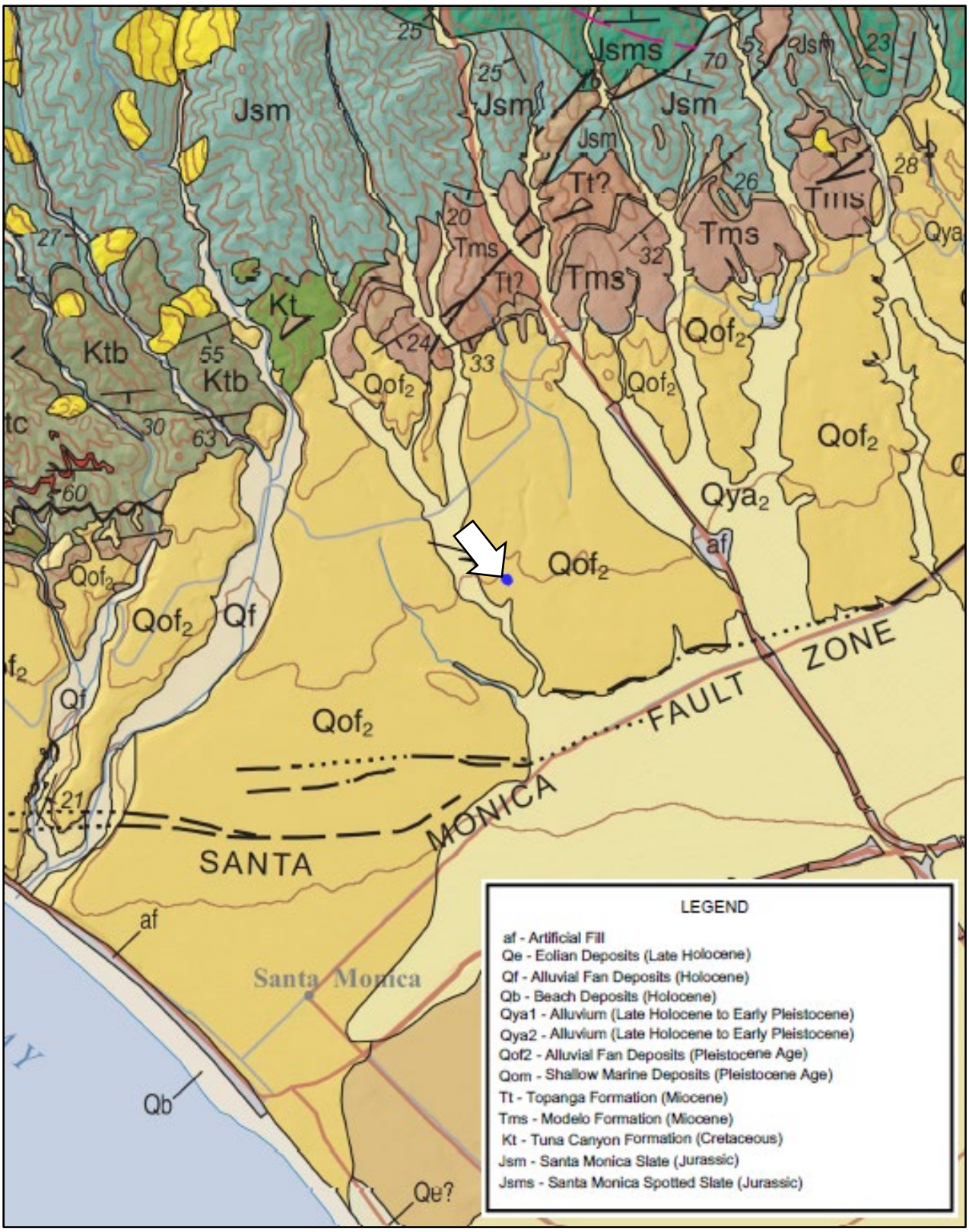

Figure A-3. Map of geological unit of the project site (blue dot) and surrounding area (from GEOCON [2020]).

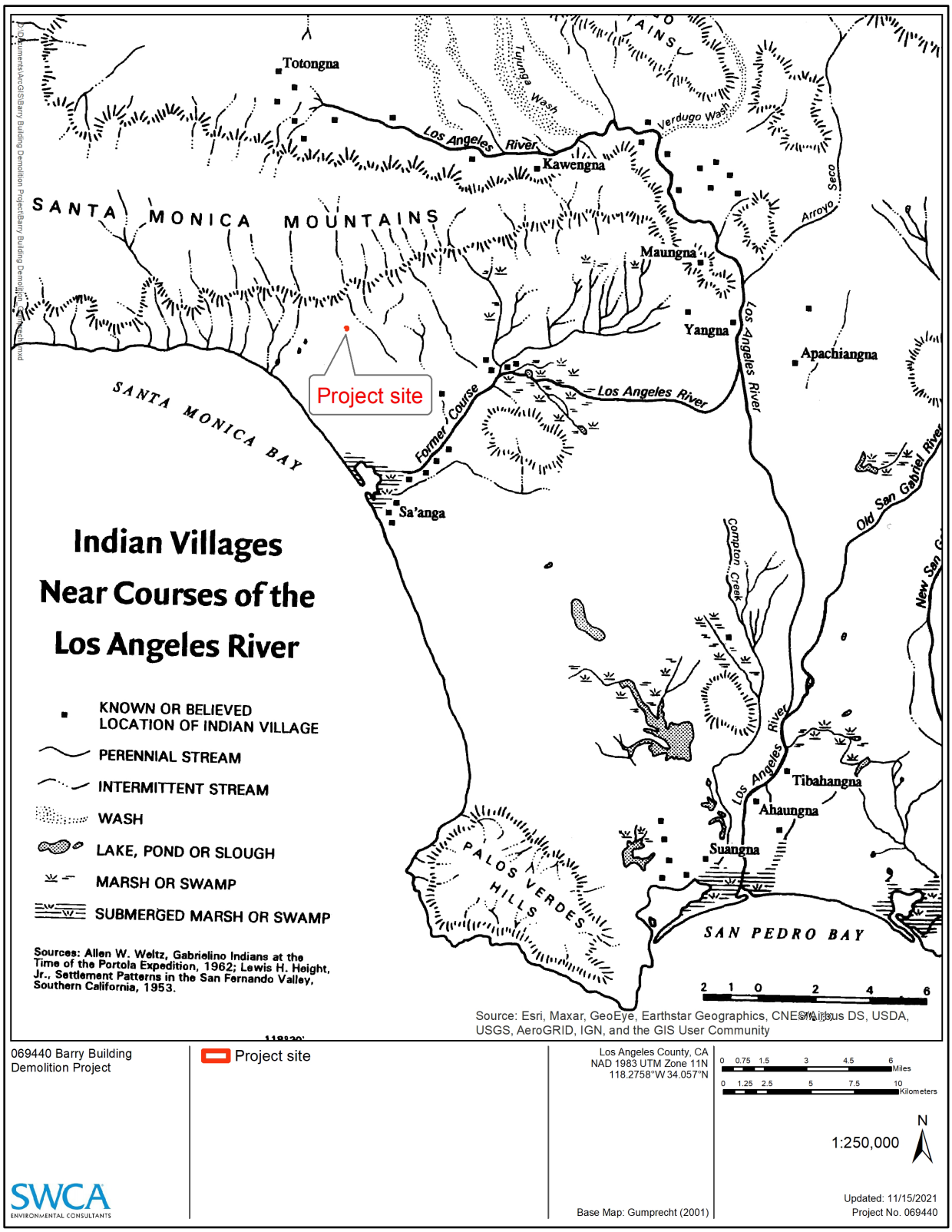

Figure A-4. Project site plotted on Gumprecht's (2001) map of villages and courses of the Los Angeles River.

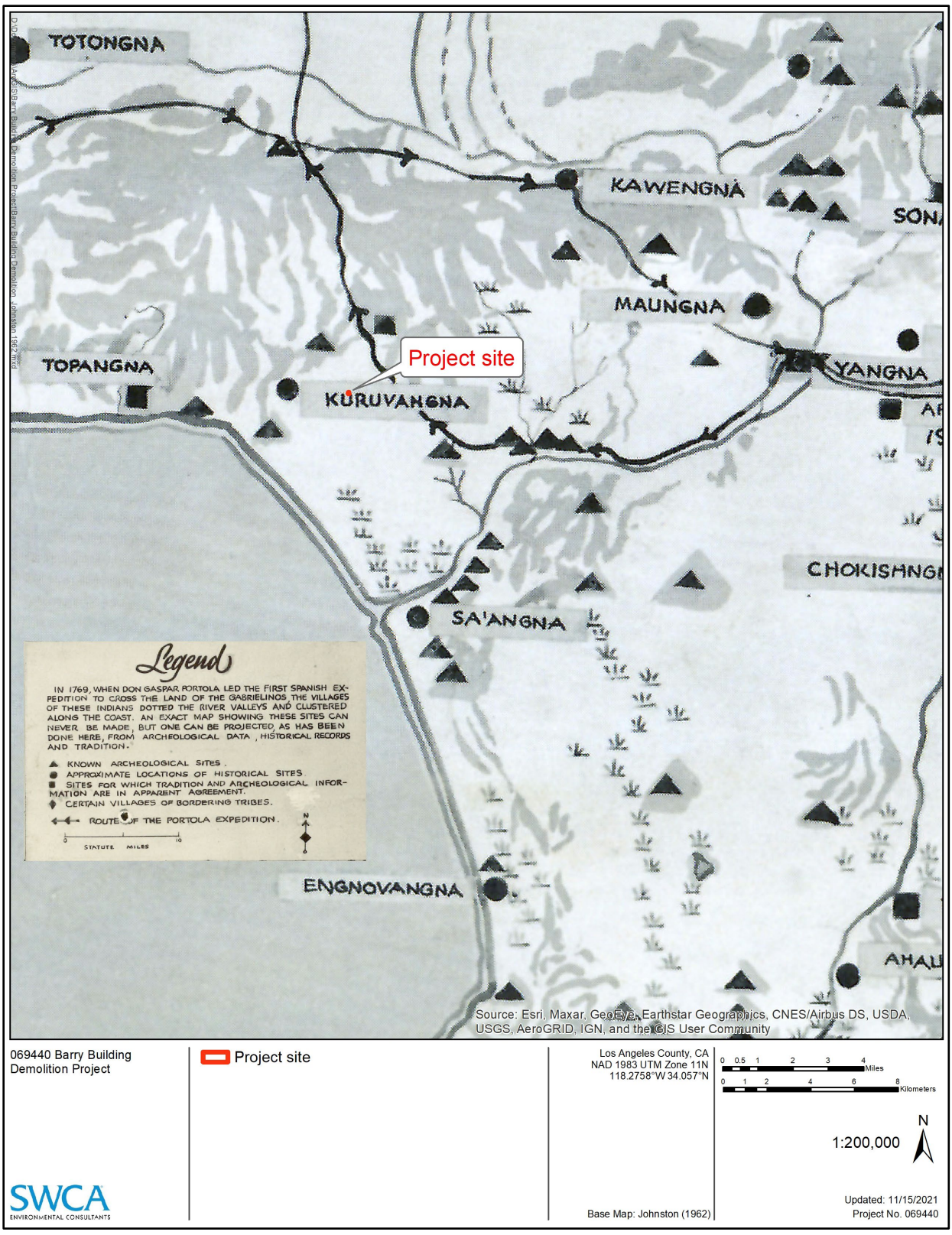

Figure A-5. Project site plotted on a map of Native American and historical sites in the Los Angeles Basin published by the Southwest Museum (1962) and re-printed in Johnston (1962).

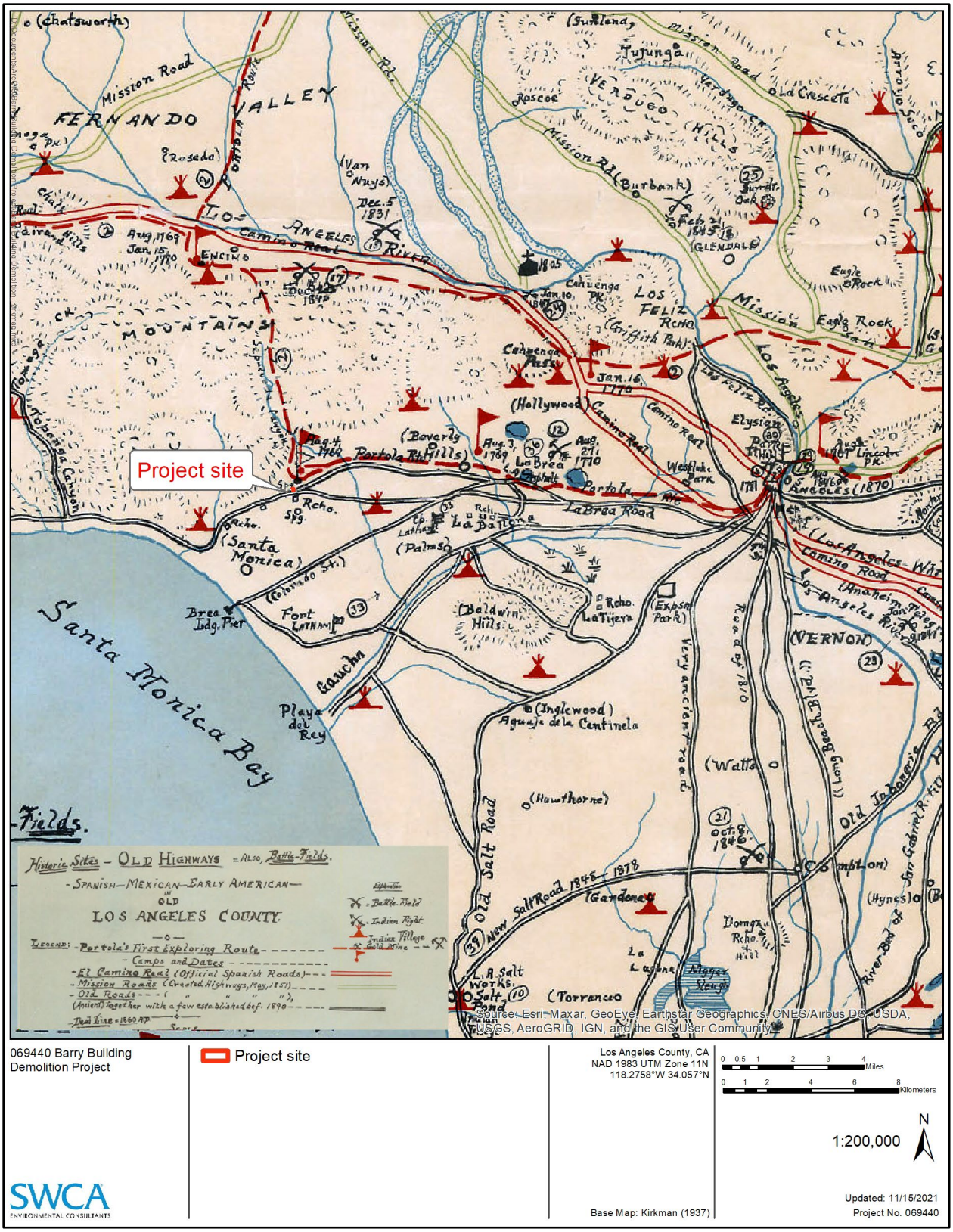

Figure A-6. Project site plotted on the Kirkman-Harriman map (Kirkman 1938).

Figure A-7. Barry Building from San Vicente Boulevard facing northward (Los Angeles Conservancy 2020a).

Figure A-8. Interior courtyard of the Barry Building facing northward (Los Angeles Conservancy 2020b).

Figure A-9. Interior courtyard of the Barry Building facing southward (Los Angeles Conservancy 2020b).

Figure A-10. Dutton's Brentwood Books (Los Angeles Times 2008).

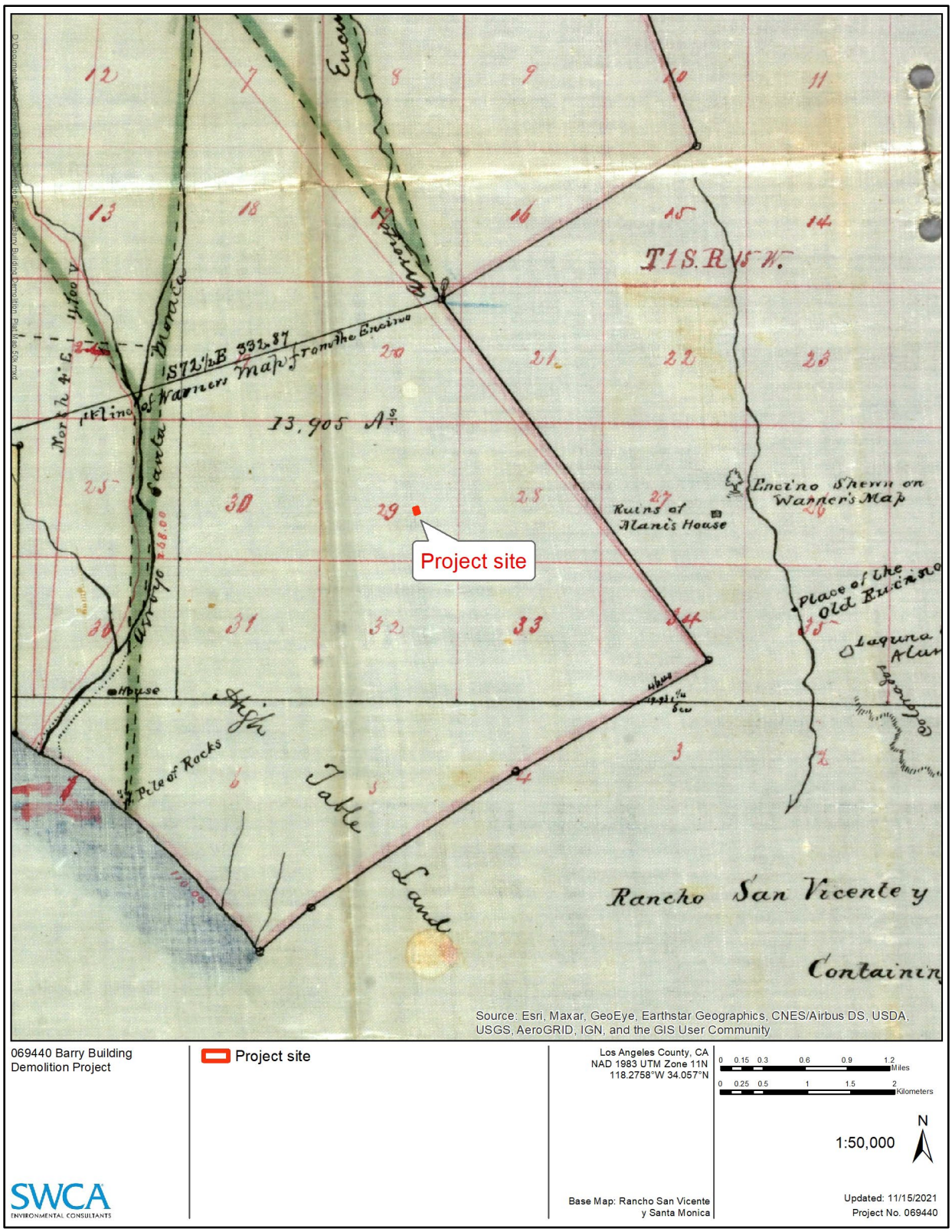

Figure A-11. Project site depicted on an undated traced map of the Rancho San Vicente y Santa Monica plat map.

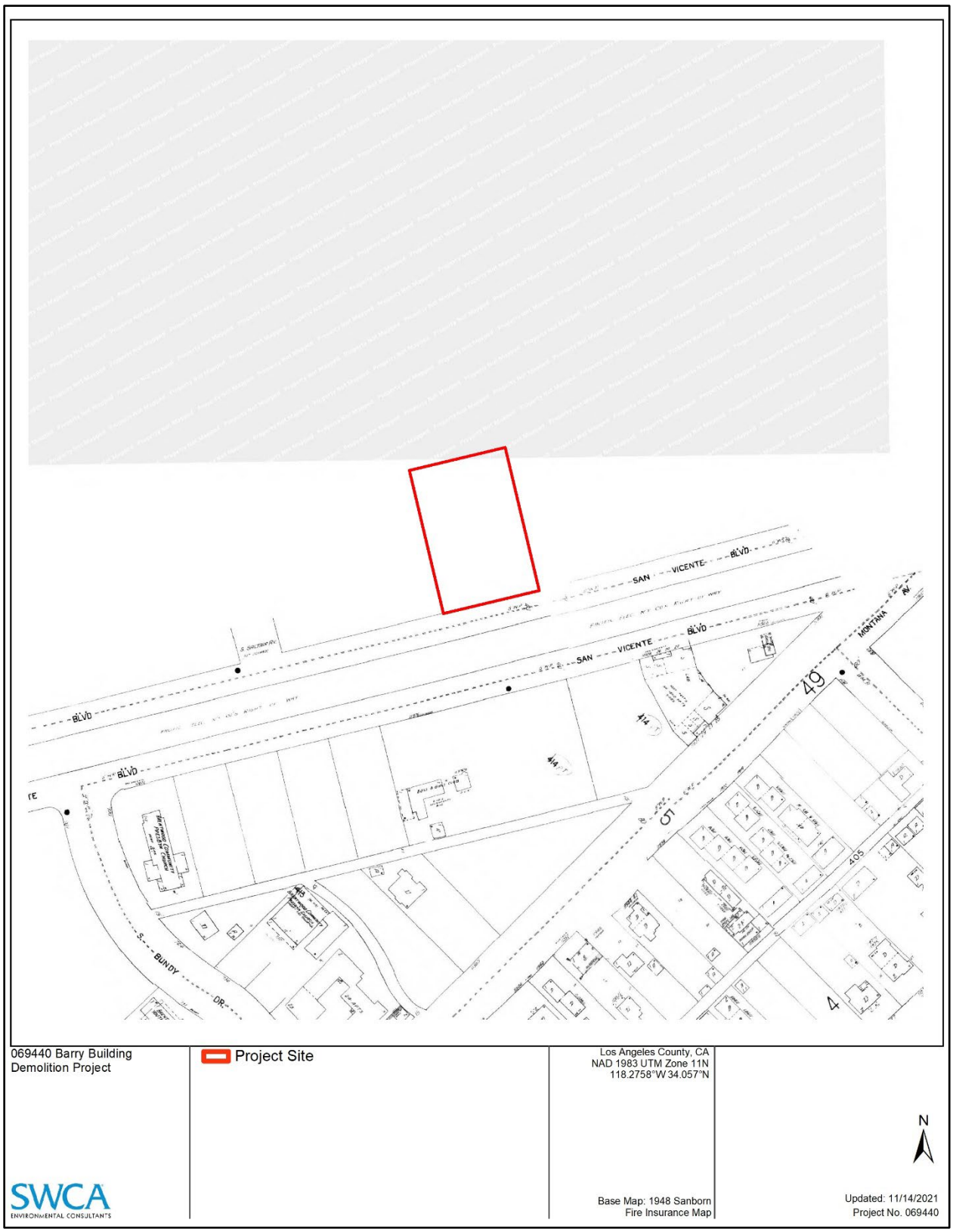

Figure A-12. Sanborn Fire Insurance map from 1948 and the project site (red outline).

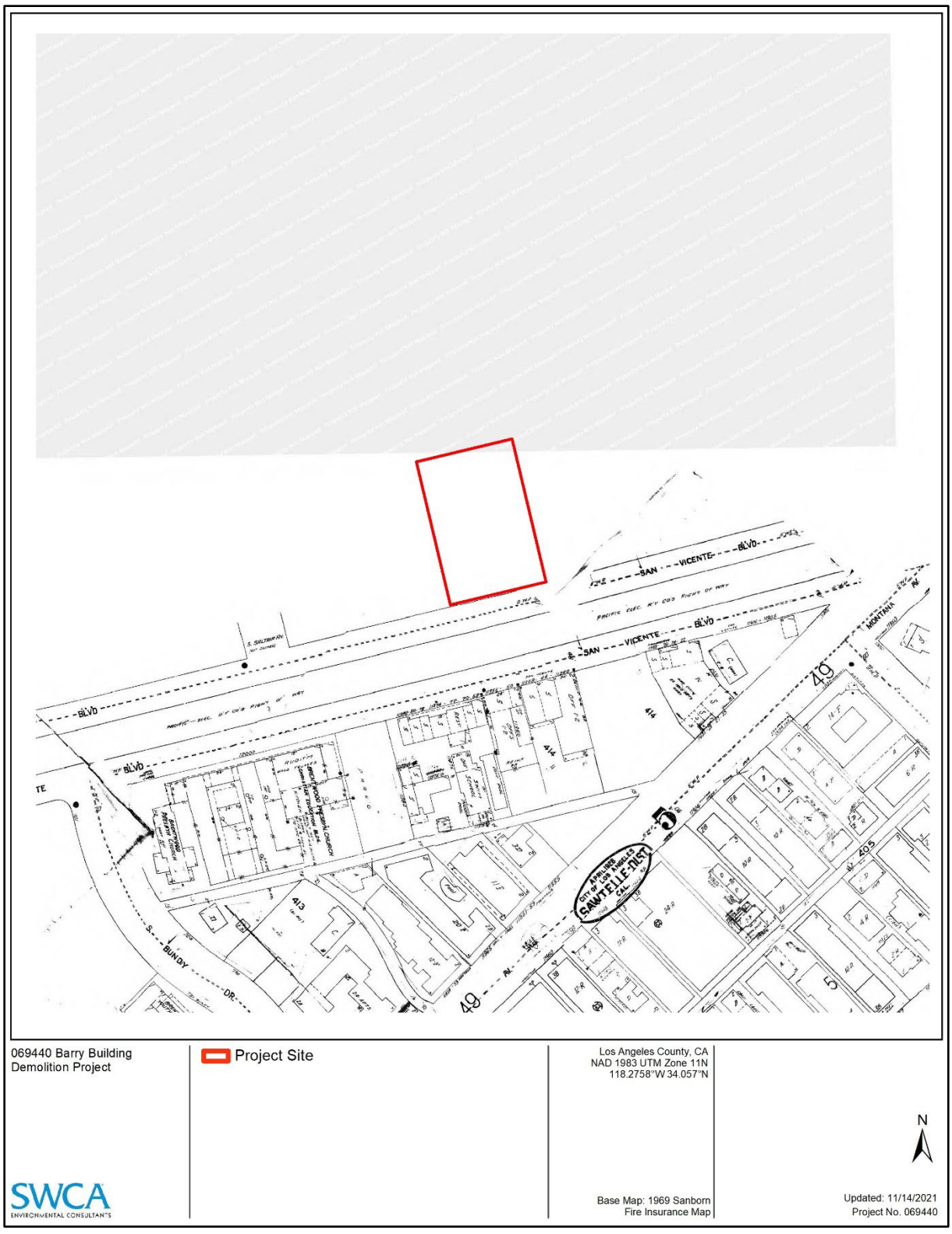

Figure A-13. Sanborn Fire Insurance map from 1969 and the project site (red outline).

Figure A-14. Project site plotted on 1894 USGS Los Angeles (top) and 1921 USGS Santa Monica (bottom) topographic quadrangles.

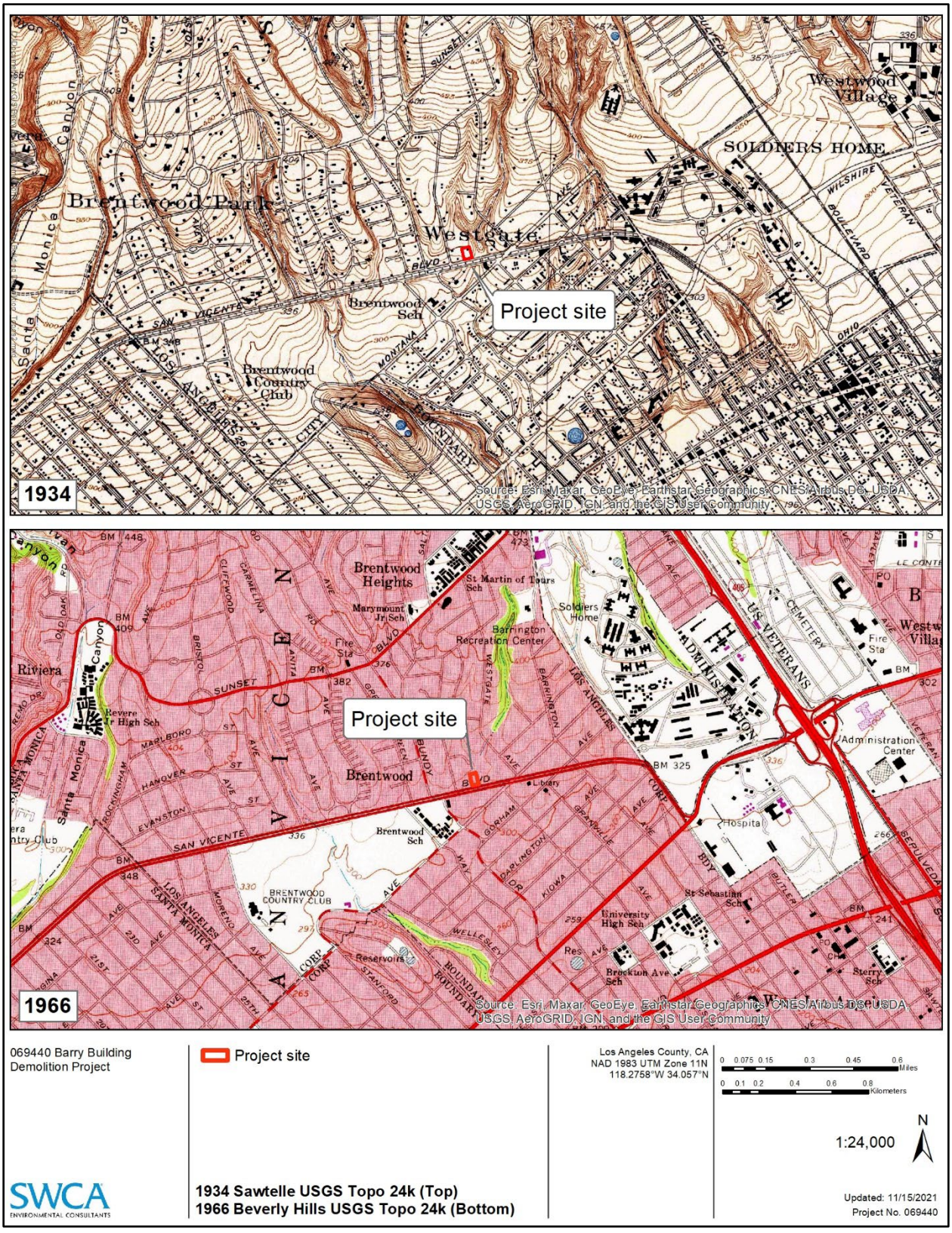

Figure A-15. Project site plotted on 1934 USGS Sawtelle (top) and 1966 USGS Beverly Hills (bottom) topographic quadrangles.

Figure A-16. 1928 historic aerial and project site (outlined in red).

Figure A-17. 1938 historic aerial and project site (outlined in red).

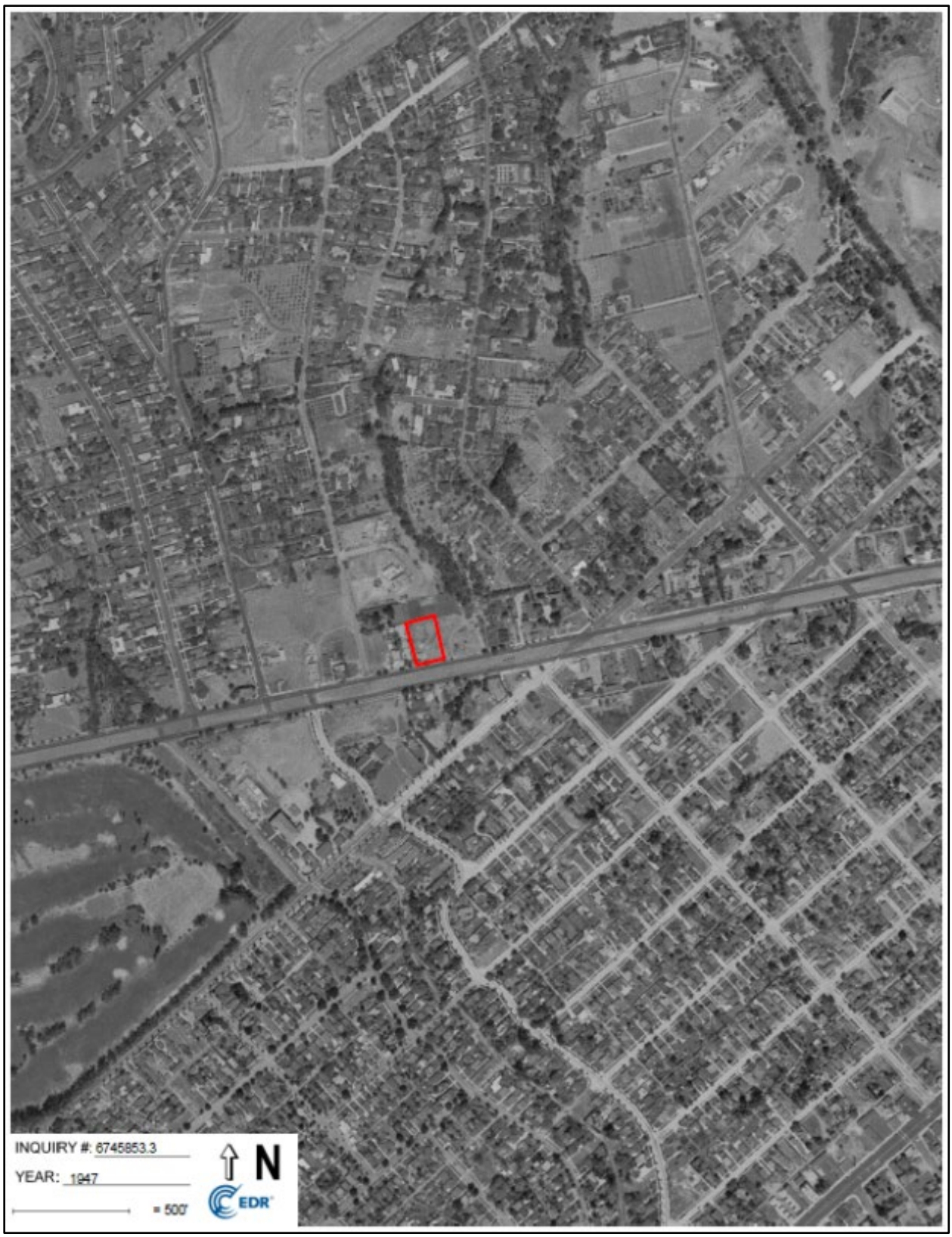

Figure A-18. 1947 historic aerial and project site (outlined in red).

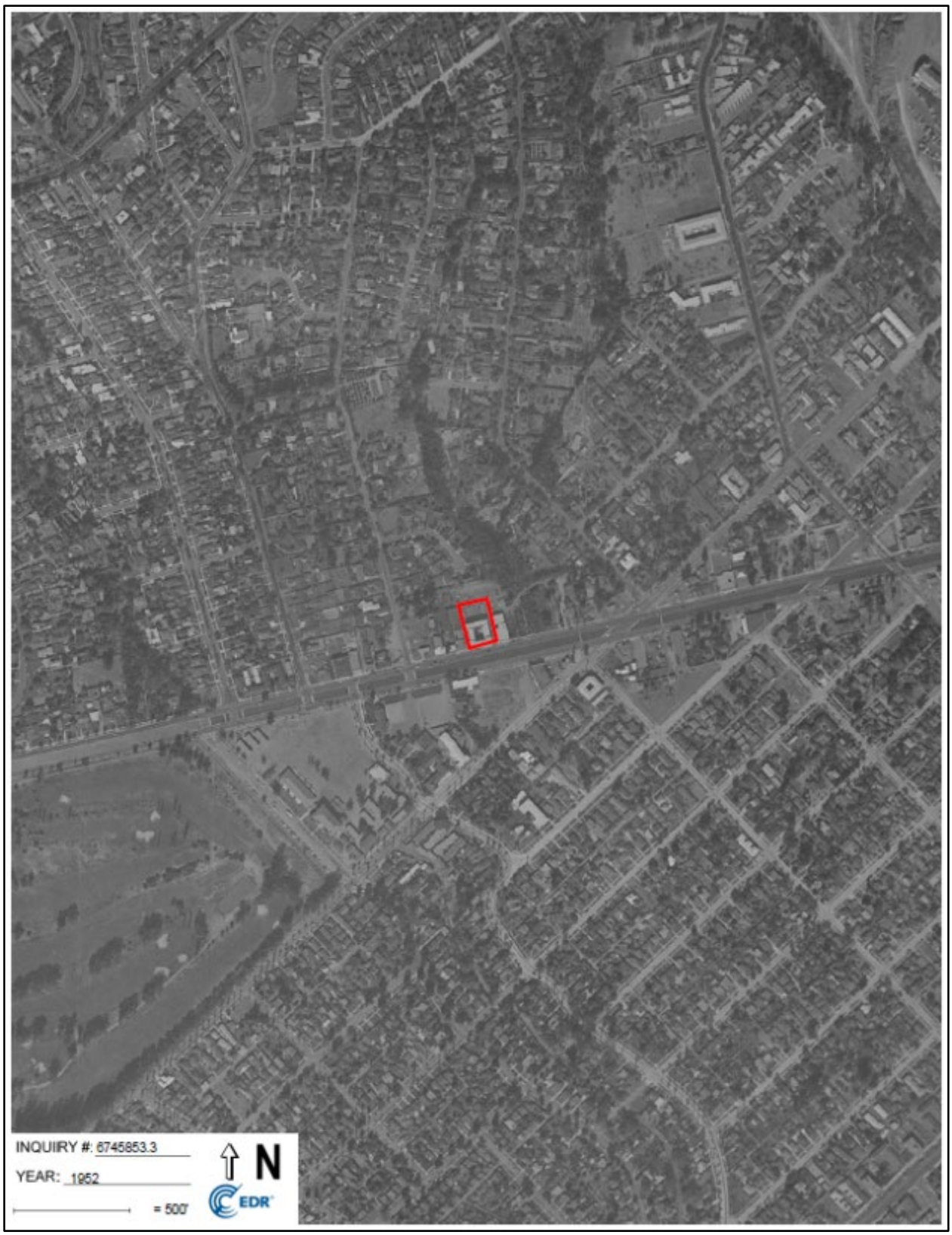

Figure A-19. 1952 historic aerial and project site (outlined in red).

APPENDIX B.

California Historical Resources Information System Records Search Results

[CONFIDENTIAL—NOT FOR PUBLIC DISTRIBUTION]

Archaeological and other heritage resources can be damaged or destroyed through uncontrolled public disclosure of information regarding their location. This document contains sensitive information regarding the nature and location of archaeological sites, which should not be disclosed to the general public or unauthorized persons.

Information regarding the location, character, or ownership of a cultural resource is exempt from the Freedom of Information Act pursuant to 54 United States Code (USC) 307103 (National Historic Preservation Act) and 16 USC Section 470(h) (Archaeological Resources Protection Act)

APPENDIX C.

Sacred Lands File Search

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APPENDIX D.

Confidential Native American Coordination Documents

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