

ATLANTIC BLVD. HOTEL

TRIBAL CULTURAL RESOURCES MITIGATION MEASURES:

MM1: Tribal Monitor. Prior to the issuance of any grading permit, the Applicant shall retain a qualified Tribal monitor (Tribal Monitor) who is approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government to provide monitoring/consulting services. The Applicant shall submit a letter to the County of Los Angeles (“County”) to confirm the name and contact information of the Tribal Monitor who had been retained for the project.

MM2: Tribal Cultural Resources Monitoring Plan. Prior to the commencement of ground disturbance activities, the Tribal Monitor shall prepare and submit a Tribal Cultural Resources Monitoring Plan (“Monitoring Plan”) to the County for review and approval at least 15 days before those activities commence. The Monitoring Plan shall include methods for monitoring ground disturbance activities; procedures to follow when resources are discovered; protocol for identifying and evaluating tribal cultural resources; and proposed measures to mitigate potential impacts to tribal cultural resources to less than significant.

MM3: Preconstruction Meeting. The Tribal Monitor shall attend a preconstruction meeting(s) to obtain pertinent information about the project construction activities, including grading depths/limits, from the contractors and to explain the requirements of the Monitoring Plan to the contractors.

MM4: Worker Training (optional). Prior to the commencement of ground disturbance activities, all project construction managers and personnel shall attend a tribal cultural resources awareness training. The Tribal Monitor shall administer the training to inform project personnel about the types of resources that could be encountered; the procedures to follow if tribal cultural resources are discovered; and the potential penalties for failing to adhere to applicable laws and regulations. Construction managers shall maintain a log to document all construction personnel who have completed the training. The log shall be provided to the County upon request within five business days.

MM5: Monitoring. The Tribal Monitor shall be present to monitor all project ground disturbance activities for the presence of tribal cultural resources. The term “ground disturbance activities”, as found in these project mitigation measures, refer to activities that may include pavement removal, grading, excavation, trenching, drilling, and potholing/auguring within the project site. The Tribal Monitor shall complete a daily log documenting all ground disturbance activities, the locations where those activities occurred, the types of soils involved, and any tribal cultural resources encountered. Monitoring shall end when ground disturbance activities are completed, or when the Tribal Monitor has determined that the site has a low potential for impacting tribal cultural resources. Within 30 days after monitoring has ended, the Tribal Monitor shall submit the daily logs to the County.

MM6: Discovery of Tribal Cultural Resources. If tribal cultural resources are encountered during construction, all ground disturbance activities within 25 feet of the find shall stop until the Tribal Monitor can evaluate the significance of the find. Construction activities may continue in other areas of the project site. If the discovery proves significant, the Tribal Monitor shall recommend appropriate measures, subject to County approval, to mitigate potential impacts to tribal cultural resources to less than significant. Such measures may include but are not limited to resource avoidance, reburial, and preservation for educational purposes. The Tribal Monitor shall coordinate with the project Applicant to ensure that all measures approved by the County are implemented. Within 90 days after monitoring has ended, the Tribal Monitor shall prepare and submit a final monitoring report documenting all encountered tribal cultural resources, the significance of the resources, and the treatment of the resources to the County and the California Native American Heritage Commission.

MM7: Archaeological Monitor If archaeological resources are encountered during construction and the Tribal Monitor has determined that the find is not Native American in origin, all ground disturbance activities within 25 feet of the find shall stop until a qualified archaeologist can evaluate the significance of the find. Upon receiving notification of the find, the Applicant shall retain a qualified archaeologist to evaluate the significance of the find. Thereafter, the qualified archaeologist or a trained archeological monitor, under the supervision of the qualified archaeologist, shall monitor all ground disturbance activities along with the Tribal Monitor. A qualified archaeologist is defined as an archaeologist who meets the Secretary of the Interior’s Professional Qualifications Standards for Archaeology.

If the find is determined significant, the qualified archaeologist shall recommend appropriate measures, subject to County approval, to mitigate potential impacts to cultural resources to less than significant. Such measures may include, but are not limited to, avoidance, preservation in place and data recovery.

Where preservation in place is not feasible, treatment may include archaeological data recovery. The qualified archaeologist shall record all recovered archaeological resources on the appropriate California Department of Parks and Recreation Site Forms to be filed with the California Historical Resources Information System—South Central Coastal Information

Center (SCCIC). Recovered resources that are determined to be significant shall be curated at an appropriate facility that will ensure their long-term preservation and will allow access to interested scholars. If no institution accepts the archaeological resource(s), they shall be offered to a local school or historical society in the area for educational purposes. Within 90 days after monitoring has ended, the qualified archaeologist shall prepare and submit a final monitoring report documenting all encountered archaeological resources, the significance of the resources, and the treatment of the resources to the County and SCCIC.

MM8: Unanticipated Discovery of Human Remains. If human remains are encountered during construction, all ground disturbance activities within 150 feet of the discovery shall be suspended and the construction manager shall immediately notify the County coroner. If the human remains are determined to be of Native American descent, the coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours of identification. The NAHC shall identify and immediately notify the Most Likely Descendant (MLD) of the deceased Native American. Within 48 hours of being granted access to the site, the MLD shall complete the inspection of the site of the discovery and make recommendations to the Applicant/landowner for the treatment or disposition of the human remains and any associated funerary objects. All measures, as required by the County, shall be implemented under the supervision of the MLD and/or Tribal Monitor.

If the designated MLD is the Gabrieleno Band of Mission Indians – Kizh Nation (Tribe), the following treatment measures shall be implemented. To the Tribe, the term “human remains” encompass more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains shall be treated in the same manner as bone fragments that remain intact. Associated funerary objects, as part of the death rite or ceremony of a culture, include objects that are reasonably believed to have been placed with individual human remains either at the time of death or later and other items made exclusively for burial purposes or to contain human remains. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on the Native American human remains. In addition, there shall be no publicity regarding any cultural materials recovered.

Treatment Measures:

If the Tribe and the landowner mutually agree to an alternate location (reburial location) within the project site for the respectful reburial of the human remains and/or funerary objects, the reburial location shall be protected in perpetuity. Where the human remains cannot be fully documented and recovered on the same day, the remains shall be covered with muslin cloth and a steel plate that can be moved by heavy equipment shall be placed over the excavation opening to protect the remains. If this type of steel plate is not available, a security guard shall be present onsite during non-construction hours. Each occurrence of human remains and associated funerary objects shall be stored in an opaque cloth bag. All human remains, funerary objects, sacred objects and objects of cultural patrimony shall be

removed and temporarily stored in a secured container, on site if possible. These items shall be retained and reburied in the reburial location within six months of recovery. Ground disturbing activities within the vicinity of the discovered human remains may resume after recovery is completed.

If the project cannot be diverted and reburial within the project site is not feasible, data recovery may be recommended in which the burials would be removed. If data recovery is approved, the Tribal Monitor shall oversee the excavation to ensure that the human remains are treated carefully, ethically and respectfully. Cremations shall either be removed in bulk or by other methods to ensure that all materials are completely recovered. As part of the data recovery measure, the Tribal Monitor shall prepare detailed descriptive notes and sketches of the burials and any other types of documentation required by the County, which shall be incorporated into the final report. Within 30 days after data recovery is completed, the Tribal Monitor shall prepare a final report documenting all activities related to the data recovery. The final report shall be submitted to the Tribe, NAHC, and the County.

If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be prepared by the Tribal Monitor, subject to County approval. The Tribal Monitor shall oversee implementation of the approved plan to ensure all requirements are completed in compliance with the approved plan.