



Renata Ooms <renata.ooms@lacity.org>

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**7222 North Tyrone Street, Van Nuys, CA 91405 CASE NO.: APCSV-2022-6052-ZC-HCA,  
ENV-2020-6053-EAF**

2 messages

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**Sarah Brunzell** <Sarah.Brunzell@tataviam-nsn.us>  
To: "renata.ooms@lacity.org" <renata.ooms@lacity.org>  
Cc: THCP <thcp@tataviam-nsn.us>

Tue, Oct 25, 2022 at 10:16 AM

Dear Renata,

On behalf of the Cultural Resource Management (CRM) Division of the **Fernandeño Tataviam Band of Mission Indians (FTBMI)**, thank you for the formal notification and opportunity to consult on the project located at 7222 North Tyrone Street, Van Nuys, CA 91405. We will not be requesting Assembly Bill 52 (AB52) tribal consultation. This Project is situated outside the FTBMI's ancestral Tribal boundaries.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this electronic transmission in error, please delete it from your system without copying it and notify the sender by reply e-mail so that the email address record can be corrected. Thank You.

**Sarah Brunzell**

*Manager*

*Cultural Resources Management Division*

Tribal Historic and Cultural Preservation Department

**Fernandeño Tataviam Band of Mission Indians**

1019 Second Street, Suite 1

San Fernando, California 91340

Office: (818) 837-0794

Cell: 310-913-4838

Website: <http://www.tataviam-nsn.us>



"[AcknowledgeRent.org](http://AcknowledgeRent.org)" is a tangible way for the residents of northern Los Angeles County to make meaningful land acknowledgements through contributions to the Fernandeño Tataviam Band of Mission Indians. Through AcknowledgeRent, people who reside or work on our homelands can help undo the harm caused by the theft of a land base that causes ongoing ramifications for this community. Visit the link to learn more!



## GABRIELENO BAND OF MISSION INDIANS - KIZH NATION

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

September 30, 2022

Project Name: 7222 North Tyrone Street, Van Nuys, CA 91405

Dear Renata Ooms,

Thank you for your letter dated September 27, 2022 regarding AB52 consultation. The above proposed project location is within our Ancestral Tribal Territory; therefore, our Tribal Government requests to schedule a consultation with you as the lead agency, to discuss the project and the surrounding location in further detail.

Please contact us at your earliest convenience. ***Please Note: AB 52, "consultation" shall have the same meaning as provided in SB 18 (Govt. Code Section 65352.4).***

Thank you for your time,

Andrew Salas, Chairman  
Gabrieleno Band of Mission Indians – Kizh Nation  
1(844)390-0787

Andrew Salas, Chairman

Albert Perez, treasurer I

Nadine Salas, Vice-Chairman

Martha Gonzalez Lemos, treasurer II

Dr. Christina Swindall Martinez, secretary

Richard Gradias, Chairman of the council of Elders

PO Box 393 Covina, CA 91723

[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)



Renata Ooms <renata.ooms@lacity.org>

**7222 North Tyrone Street, Van Nuys, CA 91405**

7 messages

**Gabrieleño Administration** <admin@gabrieleñoindians.org>  
To: Renata Ooms <renata.ooms@lacity.org>

Fri, Sep 30, 2022 at 2:36 PM

Hello Renata,

Thank you for your letter dated September 27,2022. Please see the attachment below.

Thank you

Sincerely,

Savannah Salas  
Admin Specialist  
Gabrieleño Band of Mission Indians - Kizh Nation  
PO Box 393  
Covina, CA 91723  
Office: 844-390-0787  
website: [www.gabrieleñoindians.org](http://www.gabrieleñoindians.org)



*The region where Gabrieleño culture thrived for more than eight centuries encompassed most of Los Angeles County, more than half of Orange County and portions of Riverside and San Bernardino counties. It was the labor of the Gabrieleño who built the missions, ranchos and the pueblos of Los Angeles. They were trained in the trades, and they did the construction and maintenance, as well as the farming and managing of herds of livestock. "The Gabrieleño are the ones who did all this work, and they really are the foundation of the early economy of the Los Angeles area ". "That's a contribution that Los Angeles has not recognized--the fact that in its early decades, without the Gabrieleño, the community simply would not have survived."*

 **7222 North Tyrone Street, Van Nuys, CA 91405 .pdf**  
165K

**Renata Ooms** <renata.ooms@lacity.org>  
To: Gabrieleño Administration <admin@gabrieleñoindians.org>

Fri, Sep 30, 2022 at 3:23 PM

Hello,  
I hope you are well. When is your earliest available consultation meeting?  
Thank you,  
Renata



**Renata Ooms**  
Pronouns: She, Hers, Her  
City Planner  
**Los Angeles City Planning**  
200 N. Spring St., Room 763  
Los Angeles, CA 90012

T: (213) 978-1222 | [Planning4LA.org](http://Planning4LA.org)



[Quoted text hidden]

**Gabrieleno Administration** <admin@gabrielenoindians.org>  
To: Renata Ooms <renata.ooms@lacity.org>

Fri, Sep 30, 2022 at 3:52 PM

Hello Renata

Thank you for your email. The earliest time we have available will be on November 15th at 4:30 pm. Please let us know if this time works for you.

Thank you

Brandy Salas  
Admin Specialist  
Gabrieleno Band of Mission Indians - Kizh Nation  
PO Box 393  
Covina, CA 91723  
Office: 844-390-0787  
website: [www.gabrielenoindians.org](http://www.gabrielenoindians.org)



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[Quoted text hidden]

**Renata Ooms** <renata.ooms@lacity.org>  
To: Gabrieleno Administration <admin@gabrielenoindians.org>

Fri, Sep 30, 2022 at 4:03 PM

Yes, Nov 15 at 4pm works. Should i send a virtual meeting invitation?



**Renata Ooms**

Pronouns: She, Hers, Her

City Planner

**Los Angeles City Planning**

200 N. Spring St., Room 763

Los Angeles, CA 90012

T: (213) 978-1222 | [Planning4LA.org](http://Planning4LA.org)



[Quoted text hidden]

**Gabrieleno Administration** <admin@gabrielenoindians.org>  
To: Renata Ooms <renata.ooms@lacity.org>

Fri, Sep 30, 2022 at 4:20 PM

Hello Renata

Just to confirm we only have 4:30 pm open. Please let me know if this time will work for you.

Thank you

Brandy Salas

Admin Specialist  
Gabrieleno Band of Mission Indians - Kizh Nation  
PO Box 393  
Covina, CA 91723  
Office: 844-390-0787  
website: [www.gabrielenoindians.org](http://www.gabrielenoindians.org)



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**Renata Ooms** <[renata.ooms@lacity.org](mailto:renata.ooms@lacity.org)>  
To: Gabrieleno Administration <[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)>

Fri, Sep 30, 2022 at 4:57 PM

Yes, that works. Sorry for the mix up. I will send a google meeting invite.



**Renata Ooms**  
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**Los Angeles City Planning**  
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[f](#) [@](#) [t](#) [v](#) [in](#) [E-NEWS](#)

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**Gabrieleno Administration** <[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)>  
To: Renata Ooms <[renata.ooms@lacity.org](mailto:renata.ooms@lacity.org)>

Mon, Oct 3, 2022 at 10:18 AM

Hello Renata

Sounds good. You are confirmed for a phone call November 15th at 4:30 pm.

Thank you

Brandy Salas  
Admin Specialist  
Gabrieleno Band of Mission Indians - Kizh Nation  
PO Box 393  
Covina, CA 91723  
Office: 844-390-0787  
website: [www.gabrielenoindians.org](http://www.gabrielenoindians.org)



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[Quoted text hidden]



Renata Ooms <renata.ooms@lacity.org>

**AB52 : 7222 North Tyrone Street**

**Gabrieleno Administration** <admin@gabrielenoindians.org>  
To: Renata Ooms <renata.ooms@lacity.org>

Mon, Nov 28, 2022 at 4:31 PM

Hello Renata

Yes we are sorry about that, here are the mitigation measures down below.

Thank you

Brandy Salas  
Admin Specialist  
Gabrieleno Band of Mission Indians - Kizh Nation  
PO Box 393  
Covina, CA 91723  
Office: 844-390-0787  
website: www.gabrielenoindians.org



*The region where Gabrieleño culture thrived for more than eight centuries encompassed most of Los Angeles County, more than half of Orange County and portions of Riverside and San Bernardino counties. It was the labor of the Gabrieleño who built the missions, ranchos and the pueblos of Los Angeles. They were trained in the trades, and they did the construction and maintenance, as well as the farming and managing of herds of livestock. "The Gabrieleño are the ones who did all this work, and they really are the foundation of the early economy of the Los Angeles area ". "That's a contribution that Los Angeles has not recognized--the fact that in its early decades, without the Gabrieleño, the community simply would not have survived."*

On Mon, Nov 28, 2022 at 4:06 PM Renata Ooms <renata.ooms@lacity.org> wrote:

Hello,  
Thank you for your prompt response. Did you intend to attach proposed mitigation measure language? I do not see that attachment.



**Renata Ooms**  
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City Planner  
**Los Angeles City Planning**  
200 N. Spring St., Room 763  
Los Angeles, CA 90012  
T: (213) 978-1222 | Planning4LA.org



On Wed, Nov 23, 2022 at 11:33 AM Gabrieleno Administration <admin@gabrielenoindians.org> wrote:  
Hello Renata,

**Text has been removed. It is confidential pursuant to AB 52.**

Admin Specialist  
Gabrieleno Band of Mission Indians -  
PO Box 393  
Covina, CA 91723  
Office: 844-390-0787  
website: [www.gabrielenoindians.org](http://www.gabrielenoindians.org)



*The region where Gabrieleno culture thrived for more than eight centuries encompassed most of Los Angeles County, more than half of Orange County and portions of Riverside and San Bernardino counties. It was the labor of the Gabrieleno who built the missions, ranchos and the pueblos of Los Angeles. They were trained in the trades, and they did the construction and maintenance, as well as the farming and managing of herds of livestock. "The Gabrieleno are the ones who did all this work, and they really are the foundation of the early economy of the Los Angeles area ". "That's a contribution that Los Angeles has not recognized--the fact that in its early decades, without the Gabrieleno, the community simply would not have survived."*

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## GABRIELEÑO BAND OF MISSION INDIANS – KIZH NATION

California State Recognized Aboriginal Tribe of the Los Angeles Basin  
(Historically known as the Gabrieleño Tribal Council - San Gabriel Band of Mission Indians)



### GABRIELENO BAND OF MISSION INDIANS – KIZH NATION - PROPOSED TCR MITIGATION MEASURES

#### TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

- A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
- B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
- C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.
- D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.
- E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

### TCR-2: Unanticipated Discovery of Human Remains and Associated Funerary Objects

- A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
- B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.
- C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)
- E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.
- F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

### TCR-3: Procedures for Burials and Funerary Remains:

- A. As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.
- B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.
- C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will

either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

- D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.
- E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.
- F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.
- G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

***PLEASE NOTE THE FOLLOWING:***

Any/all revisions to the Kizh's proposed TCR mitigations set forth above must be requested in writing, and not more than ten (10) calendar days from the date that we consulted on the subject Project. Requested revisions shall be delivered to the Kizh via email at [admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org), and in a Word document, redline format. Please include as the email subject: "REQUEST FOR MITIGATION REVISIONS," and identify the project name and location/address. If revisions are not requested within 10 calendar days of consultation, the Kizh's proposed mitigations are presumed accepted as proposed (i.e., as set forth above).

Thank you for your anticipated cooperation.



Renata Ooms &lt;renata.ooms@lacity.org&gt;

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**AB52 : 7222 North Tyrone Street**

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Renata Ooms <renata.ooms@lacity.org>  
To: Gabrieleno Administration <admin@gabrielenoindians.org>

Mon, Feb 13, 2023 at 4:11 PM

Hello,

We have reviewed the recommended Mitigation Measures. We will incorporate the City of Los Angeles standard language for a Mitigation Measure for Tribal Monitoring and standard language for a Condition of Approval regarding inadvertent discovery. The language is included below. Attached is a table which shows how the City of LA language aligns with the language you have requested. Please respond by confirming receipt of this email and confirming conclusion of consultation.

Thank you,  
Renata

**Mitigation Measure for Tribal Monitoring**

Prior to commencing any ground disturbance activities at the Project site, the Applicant, or its successor, shall retain archeological monitors and tribal monitors that are qualified to identify subsurface tribal cultural resources. Ground disturbance activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity at the project site. Any qualified tribal monitor(s) shall be approved by the Gabrieleno Band of Mission Indians – Kizh Nation. Any qualified archaeological monitor(s) shall be approved by the Department of City Planning, Office of Historic Resources ("OHR").

The qualified archeological and tribal monitors shall observe all ground disturbance activities on the project site at all times the ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archeological and tribal monitor shall be assigned to each location where the ground disturbance activities are occurring. The on-site monitoring shall end when the ground disturbing activities are completed, or when the archeological and tribal monitor both indicate that the site has a low potential for impacting tribal cultural resources.

Prior to commencing any ground disturbance activities, the archaeological monitor in consultation with the tribal monitor, shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in ground disturbance activities that provides information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should a crew member discover tribal cultural resources during ground disturbance activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor and tribal monitor. The Applicant shall maintain on the Project site, for City inspection, documentation establishing the training was completed for all members of the construction crew involved in ground disturbance activities.

In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by a qualified archeologist, in consultation with a qualified tribal monitor, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, 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 OHR.
2. If OHR determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource in its discretion and supported by substantial evidence, 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, or its successor, and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
3. The Applicant, or its successor, shall implement the tribe's recommendations if a qualified archaeologist retained by the City and paid for by the Applicant, or its successor, in consultation with the tribal monitor, reasonably conclude that the tribe's recommendations are reasonable and feasible.
4. In addition to any recommendations from the applicable tribe(s), a qualified archaeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation.
5. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or qualified tribal monitor, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may (1) require the recommendation be implemented as originally proposed by the archaeologist or tribal monitor; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant

impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate any significant impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation.

6. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by both the qualified archaeologist and qualified tribal monitor and determined to be reasonable and appropriate.
7. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 5 above.
8. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.
9. Notwithstanding paragraph 8 above, any information that the Department of City Planning, in consultation with the City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols.

**Condition of Approval: Human Remains Inadvertent Discovery.** In the event that human skeletal remains are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5 which requires that no further ground disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code Section 5097.98. In the event human skeletal remains are discovered during construction or during any ground disturbance activities, the following procedures shall be followed:

- o 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)
- o If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).
- o The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- o The most likely descendent has 48 hours to make recommendations to the Applicant, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- o If the Applicant does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC.



**Renata Ooms**

Pronouns: She, Hers, Her

City Planner

**Los Angeles City Planning**

200 N. Spring St., Room 763

Los Angeles, CA 90012

T: (213) 978-1222 | [Planning4LA.org](http://Planning4LA.org)



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**MM and COA comparison.pdf**

164K

Gabrieleño Band of Mission Indians – Kizh Nation	City of LA
<b>TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities</b>	<b>LA City Mitigation Measure for Tribal Monitoring</b>
<p><b>A.</b> The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.</p>	<p><b>[1<sup>st</sup> Paragraph]</b> Prior to commencing any ground disturbance activities at the Project site, the Applicant, or its successor, shall retain archeological monitors and tribal monitors that are qualified to identify subsurface tribal cultural resources. Ground disturbance activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity at the project site.</p>
<p><b>B.</b> A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.</p>	<p><b>[1<sup>st</sup> Paragraph cont...]</b> Any qualified tribal monitor(s) shall be approved by the Gabrieleño Band of Mission Indians – Kizh Nation. Any qualified archaeological monitor(s) shall be approved by the Department of City Planning, Office of Historic Resources (“OHR”).</p>
<p><b>C.</b> The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.</p>	<p><b>[2nd Paragraph]</b> The qualified archeological and tribal monitors shall observe all ground disturbance activities on the project site at all times the ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archeological and tribal monitor shall be assigned to each location where the ground disturbance activities are occurring</p>
<p><b>D.</b> On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.</p>	<p><b>[2nd Paragraph cont...]</b> The on-site monitoring shall end when the ground disturbing activities are completed, or when the archaeological and tribal monitor both indicate that the site has a low potential for impacting tribal cultural resources.</p>
<p><b>[n/a]</b></p>	<p><b>[3rd Paragraph]</b> Prior to commencing any ground disturbance activities, the archaeological monitor in consultation with the tribal monitor, shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in ground disturbance activities that provides information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should a crew member discover tribal cultural resources during ground disturbance activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor and tribal monitor. The Applicant shall maintain on the Project site, for City inspection, documentation establishing the training was completed for all members of the construction crew involved in ground disturbance activities.</p>
<p><b>E.</b> Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.</p>	<p><b>[4th Paragraph]</b> In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by a qualified archeologist, in consultation with a qualified tribal monitor, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:</p> <ol style="list-style-type: none"> <li>1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, 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 OHR.</li> <li>2. If OHR determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource in its discretion and supported by substantial evidence, the City shall provide any affected tribe a reasonable period of time, not less than 14 days, to conduct a site</li> </ol>

	<p>visit and make recommendations to the Applicant, or its successor, and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.</p> <ol style="list-style-type: none"> <li>3. The Applicant, or its successor, shall implement the tribe's recommendations if a qualified archaeologist retained by the City and paid for by the Applicant, or its successor, in consultation with the tribal monitor, reasonably conclude that the tribe's recommendations are reasonable and feasible.</li> <li>4. In addition to any recommendations from the applicable tribe(s), a qualified archeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation.</li> <li>5. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or qualified tribal monitor, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may (1) require the recommendation be implemented as originally proposed by the archaeologist or tribal monitor; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate an significant impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation.</li> <li>6. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by both the qualified archaeologist and qualified tribal monitor and determined to be reasonable and appropriate.</li> <li>7. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 5 above.</li> <li>8. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.</li> <li>9. Notwithstanding paragraph 8 above, any information that the Department of City Planning, in consultation with the City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols.</li> </ol>
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Gabrieleño Band of Mission Indians – Kizh Nation	City of LA
TCR-2: Unanticipated Discovery of Human Remains and Associated Funerary Objects	City of LA Condition for Inadvertent Discovery of Human Remains
<p><b>A.</b> Native American human remains are defined in <b>PRC 5097.98</b> (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.</p> <p><b>B.</b> If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section <b>7050.5</b> dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section <b>5097.98</b> shall be followed.</p> <p><b>C.</b> Human remains and grave/burial goods shall be treated alike per California Public Resources Code section <b>5097.98</b>(d)(1) and (2).</p>	<p><b>Human Remains Inadvertent Discovery.</b> In the event that human skeletal remains are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to <b>State Health and Safety Code Section 7050.5</b> which requires that no further ground disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to <b>California Public Resources Code Section 5097.98</b>. In the event human skeletal remains are discovered during construction or during any ground disturbance activities, the following procedures shall be followed:</p> <ul style="list-style-type: none"> <li>o 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)</li> <li>o If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).</li> <li>o The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.</li> <li>o The most likely descendent has 48 hours to make recommendations to the Applicant, for the treatment or disposition, with proper dignity, of the human remains and grave goods.</li> <li>o If the Applicant does not accept the descendant’s recommendations, the owner or the descendent may request mediation by the NAHC.</li> </ul>
<p><b>D.</b> Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)</p>	<p><b>NOTE: LA Language for Inadvertent Discovery of Human Remains notes: “The most likely descendent has 48 hrs to make recommendations to the Applicant, for the treatment or disposition, with proper dignity, of the human remains and grave goods.”</b></p>
<p><b>E.</b> Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.</p>	
<p><b>F.</b> Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.</p>	

Gabrieleño Band of Mission Indians – Kizh Nation	City of LA
<b>TCR-3: Procedures for Burials and Funerary Remains:</b>	
<p><b>A.</b> As the Most Likely Descendant (“MLD”), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.</p>	<p><b>NOTE: LA Language for Inadvertent Discovery of Human Remains notes: “The most likely descendent has 48 hrs to make recommendations to the Applicant, for the treatment or disposition, with proper dignity, of the human remains and grave goods.”</b></p>
<p><b>B.</b> If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.</p>	
<p><b>C.</b> The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.</p>	
<p><b>D.</b> In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.</p>	
<p><b>E.</b> In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.</p>	
<p><b>F.</b> Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.</p>	
<p><b>G.</b> The Tribe will work closely with the project’s qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.</p>	



Renata Ooms &lt;renata.ooms@lacity.org&gt;

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**AB52 : 7222 North Tyrone Street**

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**Gabrieleno Administration** <admin@gabrielenoindians.org>  
To: Renata Ooms <renata.ooms@lacity.org>

Fri, Feb 17, 2023 at 10:32 AM

Hello Renata

Thank you for your email. Please see the attachments down below.

Thank you

Brandy Salas  
Admin Specialist  
Gabrieleno Band of Mission Indians - Kizh Nation  
PO Box 393  
Covina, CA 91723  
Office: 844-390-0787  
website: [www.gabrielenoindians.org](http://www.gabrielenoindians.org)



*The region where Gabrieleño culture thrived for more than eight centuries encompassed most of Los Angeles County, more than half of Orange County and portions of Riverside and San Bernardino counties. It was the labor of the Gabrieleño who built the missions, ranchos and the pueblos of Los Angeles. They were trained in the trades, and they did the construction and maintenance, as well as the farming and managing of herds of livestock. "The Gabrieleño are the ones who did all this work, and they really are the foundation of the early economy of the Los Angeles area ". "That's a contribution that Los Angeles has not recognized--the fact that in its early decades, without the Gabrieleño, the community simply would not have survived."*

[Quoted text hidden]

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**2 attachments**

**7222 North Tyrone Street .pdf**  
150K



**7222 North Tyrone Street Mitigation Measures .pdf**  
206K



GABRIELENO BAND OF MISSION INDIANS - KIZH NATION  
Historically known as The San Gabriel Band of Mission Indians recognized by  
the State of California as the aboriginal tribe of the Los Angeles basin

Dear Renata Ooms,

We spoke to our tribal counsel and Mr. Salas and with all due respect we disagree with the language proposed for the mitigations do not protect our Tribal Cultural resources. Please note that Tribal cultural resources are their own element and must be separate than archeological, Paleo, and Bio to fulfill CEQA's requirements under AB52. Tribes are their own experts regarding their Tribal cultural resources within their geographic and ancestral lands. Also understand that each tribe who consults on each project they claim their geographic and ancestral area must provide their own mitigation measures to protect their Tribal cultural resources they claim. Please see the attached mitigations below that pertain to our tribe only. If you have any questions, feel free to contact me.

Andrew Salas, Chairman  
Gabrieleno Band of Mission Indians – Kizh Nation

Andrew Salas, Chairman  
Albert Perez, treasurer I

Nadine Salas, Vice-Chairman  
Martha Gonzalez Lemos, treasurer II

Dr. Christina Swindall Martinez, secretary  
Richard Gradias, Chairman of the council of Elders

PO Box 393 Covina, CA 91723

[www.gabrielenoindians@yahoo.com](mailto:www.gabrielenoindians@yahoo.com)

[gabrielenoindians@yahoo.com](mailto:gabrielenoindians@yahoo.com)



## GABRIELEÑO BAND OF MISSION INDIANS – KIZH NATION

California State Recognized Aboriginal Tribe of the Los Angeles Basin  
(Historically known as the Gabrieleño Tribal Council - San Gabriel Band of Mission Indians)



### GABRIELENO BAND OF MISSION INDIANS – KIZH NATION - PROPOSED TCR MITIGATION MEASURES

#### TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

- A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
- B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
- C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.
- D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.
- E. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe’s sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

## TCR-2: Unanticipated Discovery of Human Remains and Associated Funerary Objects

- A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
- B. If Native American human remains and/or grave goods discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission, and Public Resources Code Section 5097.98 shall be followed.
- C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- D. Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)
- E. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.
- F. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

## TCR-3: Procedures for Burials and Funerary Remains:

- A. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.
- B. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.
- C. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred

materials.

- D. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.
- E. In the event preservation in place is not possible despite good faith efforts by the project applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.
- F. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.
- G. The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

***PLEASE NOTE THE FOLLOWING:***

Any/all revisions to the Kizh's proposed TCR mitigations set forth above must be requested in writing, and not more than ten (10) calendar days from the date that we consulted on the subject Project. Requested revisions shall be delivered to the Kizh via email at admin@gabrielenoindians.org, and in a Word document, redline format. Please include as the email subject: "REQUEST FOR MITIGATION REVISIONS," and identify the project name and location/address. If revisions are not requested within 10 calendar days of consultation, the Kizh's proposed mitigations are presumed accepted as proposed (i.e., as set forth above). The laws preserving the confidentiality of Native

***The laws preserving the confidentiality of Native***

***American documents and records prohibits the inclusion of any information about the location of Native American artifacts, sites, sacred lands, or any other information that is exempt from public disclosure pursuant to the Public Records Act. (Cal. Code Regs. § 15120(d) Rocklin (2011) 197 Cal.App.4th 200, at p. 220. Please be advised that these protective mitigation measures are property of the KIZH Nation Tribal***

*government and no other entity or Tribal government nor should they be utilized for any other Tribal government or entity and are protected under the AB52 confidentiality act*

Thank you for your anticipated cooperation.



Renata Ooms <renata.ooms@lacity.org>

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## AB52 : 7222 North Tyrone Street

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**Renata Ooms** <renata.ooms@lacity.org>

Mon, Apr 24, 2023 at 12:13 PM

To: Gabrieleno Administration <admin@gabrielenoindians.org>, Heather Bleemers <heather.bleemers@lacity.org>, Matthew Teutimez <Matthew.Teutimez@gabrielenoindians.org>

Hello Matthew,

I would like to extend an invitation to discuss the requested mitigation measures and the City proposed mitigation measures. Are you or one of your staff available to discuss this week?

We are available:

Tomorrow (Tuesday) before 11am or after 1pm

Wednesday at 11am

Thursday before 11am or after 1:30pm

Thank you,  
Renata



LOS ANGELES  
CITY PLANNING

**Renata Ooms**

Pronouns: She, Hers, Her

City Planner

**Los Angeles City Planning**

200 N. Spring St., Room 763

Los Angeles, CA 90012

T: (213) 978-1222 | Planning4LA.org



[Quoted text hidden]



Renata Ooms &lt;renata.ooms@lacity.org&gt;

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**AB52 : 7222 North Tyrone Street**

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**Matthew Teutimez - Kizh Gabrieleno** <matthew.teutimez@gabrielenoindians.org>

Mon, Apr 24, 2023 at 2:29 PM

To: Renata Ooms &lt;renata.ooms@lacity.org&gt;

Cc: Andy Teutimez-Salas &lt;gabrielenoindians@yahoo.com&gt;, Gabrieleno Administration &lt;admin@gabrielenoindians.org&gt;, Heather Bleemers &lt;heather.bleemers@lacity.org&gt;

Hi Renata,

I have forwarded your request to the administrative staff of the Tribe, they will be able to facilitate your request.

Just as an FYI, I just help the Tribe with AB52 consultations but have a full time job elsewhere. This request is for the Tribal Council and not me. Thank you for your understanding. I will direct your request to the appropriate folks in the Tribe.

Best,

Matt

[Quoted text hidden]

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**Matthew R. Teutimez****Tribal Biologist**

910 N. Citrus Ave

Covina, CA 91722

Toll Free: (844) 390-0787

Local: (626) 521-5827

Cell: (714) 872-3474

Website: [www.gabrielenoindians.org](http://www.gabrielenoindians.org)



Renata Ooms <renata.ooms@lacity.org>

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## AB52 : 7222 North Tyrone Street

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**Renata Ooms** <renata.ooms@lacity.org>

Mon, May 1, 2023 at 8:00 AM

Cc: Andy Teutimez-Salas <gabrielenoindians@yahoo.com>, Gabrieleno Administration <admin@gabrielenoindians.org>, Heather Bleemers <heather.bleemers@lacity.org>

Hello,

Thank you for our previous meeting and for providing recommended Mitigation Measure language. Does the Tribe wish to discuss the City's Mitigation Measure language further? If not, the City will submit a consultation conclusion letter this week.

Thank you.

Renata



LOS ANGELES  
CITY PLANNING

**Renata Ooms**

Pronouns: She, Hers, Her

City Planner

**Los Angeles City Planning**

200 N. Spring St., Room 763

Los Angeles, CA 90012

T: (213) 978-1222 | Planning4LA.org



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Renata Ooms <renata.ooms@lacity.org>

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## AB52 : 7222 North Tyrone Street

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**Renata Ooms** <renata.ooms@lacity.org>

Wed, May 10, 2023 at 11:26 AM

Cc: Andy Teutimez-Salas <gabrielenoindians@yahoo.com>, Gabrieleno Administration <admin@gabrielenoindians.org>, Heather Bleemers <heather.bleemers@lacity.org>

Hello,

Please see attached letter concluding consultation.

Thank you,  
Renata



LOS ANGELES  
CITY PLANNING

**Renata Ooms**

Pronouns: She, Hers, Her

City Planner

**Los Angeles City Planning**

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May 10, 2023

Andrew Salas, Chairperson  
P.O. Box 393  
Covina, CA 91723

RE: AB 52 Completion of Consultation  
7222 North Tyrone Street, Van Nuys, CA 91405  
(Case No. ENV-2020-6053-MND)("Proposed Project")

Dear Chairman Salas:

Based upon the record, the City has determined that there is substantial evidence exists to support a conclusion that this Proposed Project may cause a significant impact on tribal cultural resources and that mitigation is necessary to reduce that potential impact to a less than significant level. The City, after acting in good faith and after reasonable effort, has concluded that mutual agreement cannot be reached for purposes of AB 52 regarding the specific language to be included in Mitigation Measures.

The City is expecting to release its Mitigated Negative Declaration for public review in the next couple of weeks. Please do not hesitate to contact me if you wish to share any additional information, comments, or concerns.

This concludes AB 52 Consultation.

Respectfully,

Renata Ooms  
City Planner  
Department of City Planning - Expedited Processing Section

Attachment:  
Mitigation Measure & Condition of Approval

## Attachment

### Mitigation Measure: Tribal Monitoring

Prior to commencing any ground disturbance activities at the Project site, the Applicant, or its successor, shall retain archeological monitors and tribal monitors that are qualified to identify subsurface tribal cultural resources. Ground disturbance activities shall include excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, removing peat, clearing, driving posts, augering, backfilling, blasting, stripping topsoil or a similar activity at the project site. Any qualified tribal monitor(s) shall be approved by the Gabrieleño Band of Mission Indians – Kizh Nation. Any qualified archaeological monitor(s) shall be approved by the Department of City Planning, Office of Historic Resources (“OHR”).

The qualified archeological and tribal monitors shall observe all ground disturbance activities on the project site at all times the ground disturbance activities are taking place. If ground disturbance activities are simultaneously occurring at multiple locations on the project site, an archeological and tribal monitor shall be assigned to each location where the ground disturbance activities are occurring. The on-site monitoring shall end when the ground disturbing activities are completed, or when the archaeological and tribal monitor both indicate that the site has a low potential for impacting tribal cultural resources.

Prior to commencing any ground disturbance activities, the archaeological monitor in consultation with the tribal monitor, shall provide Worker Environmental Awareness Program (WEAP) training to construction crews involved in ground disturbance activities that provides information on regulatory requirements for the protection of tribal cultural resources. As part of the WEAP training, construction crews shall be briefed on proper procedures to follow should a crew member discover tribal cultural resources during ground disturbance activities. In addition, workers will be shown examples of the types of resources that would require notification of the archaeological monitor and tribal monitor. The Applicant shall maintain on the Project site, for City inspection, documentation establishing the training was completed for all members of the construction crew involved in ground disturbance activities.

In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any ground disturbance activities, all such activities shall temporarily cease within the area of discovery, the radius of which shall be determined by a qualified archeologist, in consultation with a qualified tribal monitor, until the potential tribal cultural resources are properly assessed and addressed pursuant to the process set forth below:

1. Upon a discovery of a potential tribal cultural resource, the Applicant, or its successor, 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 OHR.
2. If OHR determines, pursuant to Public Resources Code Section 21074 (a)(2), that the object or artifact appears to be a tribal cultural resource in its discretion and supported by substantial evidence, 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, or its successor, and the City regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources.
3. The Applicant, or its successor, shall implement the tribe’s recommendations if a qualified archaeologist retained by the City and paid for by the Applicant, or its successor, in consultation with the tribal monitor, reasonably conclude that the tribe’s recommendations are reasonable and feasible.
4. In addition to any recommendations from the applicable tribe(s), a qualified archeologist shall develop a list of actions that shall be taken to avoid or minimize impacts to the identified tribal cultural resources substantially consistent with best practices identified by the Native American Heritage Commission and in compliance with any applicable federal, state or local law, rule or regulation.
5. If the Applicant, or its successor, does not accept a particular recommendation determined to be reasonable and feasible by the qualified archaeologist or qualified tribal monitor, the Applicant, or its successor, may request mediation by a mediator agreed to by the Applicant, or its successor, and the

City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute. The City shall make the determination as to whether the mediator is at least minimally qualified to mediate the dispute. After making a reasonable effort to mediate this particular dispute, the City may (1) require the recommendation be implemented as originally proposed by the archaeologist or tribal monitor; (2) require the recommendation, as modified by the City, be implemented as it is at least as equally effective to mitigate a potentially significant impact; (3) require a substitute recommendation be implemented that is at least as equally effective to mitigate a potentially significant impact to a tribal cultural resource; or (4) not require the recommendation be implemented because it is not necessary to mitigate an significant impacts to tribal cultural resources. The Applicant, or its successor, shall pay all costs and fees associated with the mediation.

6. The Applicant, or its successor, may recommence ground disturbance activities outside of a specified radius of the discovery site, so long as this radius has been reviewed by both the qualified archaeologist and qualified tribal monitor and determined to be reasonable and appropriate.
7. The Applicant, or its successor, may recommence ground disturbance activities inside of the specified radius of the discovery site only after it has complied with all of the recommendations developed and approved pursuant to the process set forth in paragraphs 2 through 5 above.
8. Copies of any subsequent prehistoric archaeological study, tribal cultural resources study or report, detailing the nature of any significant tribal cultural resources, remedial actions taken, and disposition of any significant tribal cultural resources shall be submitted to the South Central Coastal Information Center (SCCIC) at California State University, Fullerton and to the Native American Heritage Commission for inclusion in its Sacred Lands File.
9. Notwithstanding paragraph 8 above, any information that the Department of City Planning, in consultation with the City Attorney's Office, determines to be confidential in nature shall be excluded from submission to the SCCIC or provided to the public under the applicable provisions of the California Public Records Act, California Public Resources Code, section 6254(r), and handled in compliance with the City's AB 52 Confidentiality Protocols

### **Condition of Approval: Human Remains Inadvertent Discovery.**

In the event that human skeletal remains are encountered at the project site during construction or the course of any ground disturbance activities, all such activities shall halt immediately, pursuant to State Health and Safety Code Section 7050.5 which requires that no further ground disturbance shall occur until the County Coroner has made the necessary findings as to the origin and disposition pursuant to California Public Resources Code Section 5097.98. In the event human skeletal remains are discovered during construction or during any ground disturbance actives, the following procedures shall be followed:

- 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)
- If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC).
- The NAHC will immediately notify the person it believes to be the most likely descendent of the deceased Native American.
- The most likely descendent has 48 hours to make recommendations to the Applicant, for the treatment or disposition, with proper dignity, of the human remains and grave goods.
- If the Applicant does not accept the descendant's recommendations, the owner or the descendent may request mediation by the NAHC