

IV. Environmental Impact Analysis

K. Tribal Cultural Resources

1. Introduction

This section identifies and evaluates potential Project impacts on tribal cultural resources. The analysis in this section is based on the results of consultation with California Native American Tribes conducted by the City of Los Angeles (City) for the Project pursuant to the requirements of the California Environmental Quality Act (CEQA), as amended by Assembly Bill (AB) 52, as well as the results of the analysis of resources in the *Tribal Cultural Resources Assessment* included as Appendix K of this Draft EIR.¹ The Native American consultation documentation is also provided in Appendix K of this Draft EIR.

2. Environmental Setting

a. Regulatory Framework

The following describes the primary regulatory requirements regarding tribal cultural resources. Applicable plans and regulatory documents/requirements include the following:

- Assembly Bill 52;
- California Public Resources Code Section 5097; and
- California Penal Code.

(1) State

(a) Assembly Bill 52

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

¹ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

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

PRC Section 21080.3.1 requires that, within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the project (as defined in PRC Section 21073) and who have requested in writing to be informed by the lead agency of projects within their geographic area of concern.² Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency’s formal notification and the lead agency must begin consultation within 30 days of receiving the tribe’s request for consultation.³

PRC Section 21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of tribal cultural resources; the significance of the project’s impacts on the tribal cultural resources; project alternatives or appropriate measures for preservation of tribal cultural resources; and mitigation measures capable of avoiding or substantially lessening potential significant impacts to tribal cultural resources. Consultation is considered concluded when either: (1) the parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached.⁴

In addition to other CEQA provisions, the lead agency may certify an EIR or adopt a mitigated negative declaration for a project with a significant impact on an identified tribal cultural resource, only if a California Native American tribe has requested consultation

² *Public Resources Code, Section 21080.3.1(b) and (c).*

³ *Public Resources Code Sections 21080.3.1(d) and 21080.3.1(e).*

⁴ *Public Resources Code, Section 21080.3.2(b).*

pursuant to PRC Section 21080.3.1 and has failed to provide comments to the lead agency, or requested a consultation but failed to engage in the consultation process, or the consultation process occurred and was concluded as described above, or if the California Native American tribe did not request consultation within 30 days.⁵

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

Confidentiality does not apply to data or information that are, or become publicly available, are already in lawful possession of the project applicant before the provision of the information by the California Native American tribe, are independently developed by the Applicant or the Applicant's agents, or are lawfully obtained by the Project applicant from a third party that is not the lead agency, a California Native American tribe, or another public agency.⁶

PRC Section 21084.2 states that a project that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.

(b) California Public Resources Code

PRC Section 5097.98, as amended by AB 2641, provides procedures in the event human remains of Native American origin are discovered during project implementation. PRC Section 5097.98 requires that no further disturbances occur in the immediate vicinity of the discovery, that the discovery is adequately protected according to generally accepted cultural and archaeological standards, and that further activities take into account the possibility of multiple burials. PRC Section 5097.98 further requires the Native American Heritage Commission (NAHC), upon notification by a County Coroner, designate and notify a Most Likely Descendant (MLD) regarding the discovery of Native American human remains. Once the MLD has been granted access to the site by the landowner and inspected

⁵ *Public Resources Code, Section 21082.3(d)(2) and (3).*

⁶ *Public Resources Code, Section 21082.3(c)(2)(B).*

the discovery, the MLD then has 48 hours to provide recommendations to the landowner for the treatment of the human remains and any associated grave goods. In the event that no descendant is identified, or the descendant fails to make a recommendation for disposition, or if the land owner rejects the recommendation of the descendant, the landowner may, with appropriate dignity, reinter the remains and burial items on the property in a location that will not be subject to further disturbance.

PRC Section 5097.99 prohibits acquisition or possession of Native American artifacts or human remains taken from a Native American grave or cairn after January 1, 1984, except in accordance with an agreement reached with the NAHC.

PRC Section 5097.5 provides protection for tribal resources on public lands, where PRC Section 5097.5(a) states, in part, that:

No person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.

(c) California Penal Code

California Penal Code Section 622.5 provides the following: “Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor.”

California Penal Code Section 623 provides the following: “Except as otherwise provided in Section 599c, any person who, without the prior written permission of the owner of a cave, intentionally and knowingly does any of the following acts is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding one year, or by a fine not exceeding one thousand dollars (\$1,000), or by both such fine and imprisonment: (1) breaks, breaks off, cracks, carves upon, paints, writes or otherwise marks upon or in any manner destroys, mutilates, injures, defaces, mars, or harms any natural material found in any cave. (2) disturbs or alters any archaeological evidence of prior occupation in any cave. (3) kills, harms, or removes any animal or plant life found in any cave. (4) burns any material which produces any smoke or gas which is harmful to any plant or animal found in any cave. (5) removes any material found in any cave. (6) breaks, forces, tampers with, removes or otherwise disturbs any lock, gate, door, or any other structure or obstruction designed to prevent entrance to any cave, whether or not entrance is gained.”

b. Existing Conditions

The Project Site is located in a highly urbanized area within the Hollywood Community Plan area of the City of Los Angeles. The Project Site is currently occupied primarily by an automotive dealership for Toyota that includes a showroom, parts storage structure, auto repair facility with five service bays, and surface parking. Landscaping within the Project Site includes ornamental trees and landscaping. The area surrounding the Project Site is highly urbanized and includes a mix of low- to mid-rise buildings containing a variety of uses, including a myriad of dining, entertainment, commercial, and residential uses.

As discussed in the Tribal Cultural Resources Assessment, included as Appendix K of this Draft EIR, the Project Site is in the northwestern portion of the Los Angeles Basin, a broad, level 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. This extensive alluvial wash basin is filled with Quaternary alluvial sediments deposited as unconsolidated material eroded from the surrounding hills. Several major watercourses drain the Los Angeles Basin, including the Los Angeles, Rio Hondo, San Gabriel, and Santa Ana Rivers. The Project Site and vicinity are within a fully urbanized setting at an elevation of approximately 375 feet to 395 feet above mean sea level.

Based on the Preliminary Geotechnical Report prepared for the Project by Langan Engineering and Environmental Services, Inc., dated May 2023 (see Appendix IS-3 of the Initial Study included as Appendix A of this Draft EIR), up to 11 feet of undocumented fill is present within the Project Site beneath the asphalt pavement. Notably, brick and concrete fragments were identified within the first six feet of fill in two of the seven borings. The fill is described as brown, dark brown, clay or silt with varying amounts of sand or gravel. Underlying the undocumented fill, alluvium was encountered to a maximum depth of 101.5 feet. The alluvium was described as being brown, reddish brown, dark brown, silt or clay with varying amounts of sand and gravel.

c. City of Los Angeles Ethnographic Context

(1) Gabrielino Ethnography

As discussed in the Tribal Cultural Resources Assessment, the Project Site is in an area historically occupied by the Gabrielino. The name “Gabrielino” (also spelled Gabrieleno and Gabrieleño) denotes those people who were associated with the Mission San Gabriel, whereas those who were associated with the Mission San Fernando were referred to as Fernandeno. In the Mission and Rancho Periods, 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. Instead, it appears that people identified themselves as inhabitants of

a specific community with locational suffixes. For example, a resident of a Yaanga was called a Yabit. Native words suggested as labels for the broader group of Native Americans in the Los Angeles region include Tongva and Kizh, and many present-day descendants have taken on their preferred group name. As discussed in the Tribal Cultural Resources Assessment, the term Gabrielino is used herein to designate native people of the Los Angeles Basin and their descendants.

The Gabrielino subsistence economy was centered on gathering and hunting. The surrounding environment was rich and varied, and the people used resources in mountains, foothills, valleys, deserts, riparian, estuarine, and open and rocky coastal eco-niches. Like that of most native Californians, acorns were the staple food. Inhabitants supplemented acorns with the roots, leaves, seeds, and fruits of a variety of flora. Freshwater and saltwater fish, shellfish, birds, reptiles, and insects, as well as large and small mammals, were also consumed.⁷

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. 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 including soapstone bowls and Catalina Island steatite was used to carve ollas and cooking vessels.⁸

At the time of Spanish contact, the basis of Gabrielino religious life was the figure of Chinigchinich centered on the last of a series of mythological figures. According to Gabrielino religious beliefs, Chinigchinich gave instruction on laws and institutions and taught the people how to dance as a form of religious practice. He later withdrew into heaven, where he rewarded the faithful and punished those who disobeyed his laws. The origins of the figure of Chinigchinich are somewhat unclear as it seems to have been relatively new when the Spanish arrived. The figure of Chinigchinich was spreading south into the southern Tadic groups even as Christian missions were being built and may represent a mixture of native and Christian belief and practices.⁹

Deceased Gabrielino were either buried or cremated, with inhumation more common on the Channel Islands and the neighboring mainland coast, and cremation predominating

⁷ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

⁸ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

⁹ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

on the remainder of the coast and in the interior. Remains were buried in distinct burial areas, either directly associated with villages or without apparent village association. Cremation ashes have been found in archaeological contexts buried within stone bowls and in shell dishes, as well as scattered among broken ground stone implements. Related archaeological data correspond with ethnographic descriptions of an elaborate mourning ceremony that included a variety of offerings, including seeds, stone grinding tools, otter skins, baskets, wooden tools, shell beads, bone and shell ornaments, and projectile points and knives. Offerings varied with the sex and status of the deceased.¹⁰

(2) Native American Communities in Los Angeles

As discussed in the Tribal Cultural Resources Assessment, included as Appendix K of this Draft EIR, in general, it has proven difficult to establish the precise location of Native American settlements occupied immediately preceding and following Spanish arrival in California approximately 250 years ago. Many of the settlements and so-called villages had long since been abandoned by the time ethnographers, anthropologists, and historians attempted to document any of their locations, at which point Native American lifeways had been irrevocably changed.¹¹

As discussed in the Tribal Cultural Resources Assessment, the villages or placenames described in ethnographic literature that are nearest to the Project Site include Geveronga, Maawnga, and Yaanga to the east-southeast in the downtown Los Angeles area, Kuruvungna to the west-southwest near Santa Monica, and Guaspel (also named Waachnga) in the Ballona area near Marina del Rey to the southwest, which is hypothesized to have been on the north-facing side of the Santa Monica Mountains at the terminus of what is known as the Cahuenga Pass. Other notable sites that have archaeological components from the region have been recorded at the Fern Dell recreation area (LAN-1096) to the northwest, the La Brea Tar Pits (LAN-159/H) to the southwest, as well as several sites along Ballona Creek and around the Baldwin Hills to the southwest. As illustrated in the Tribal Cultural Resources Assessment, the Project Site is situated somewhat equidistant from the three nearest named Native American settlements, Kawenga, Maawnga (which has two proposed locations), and Geveronga. These settlements are estimated to have been between 3.60 and 5 miles from the Project Site.¹²

¹⁰ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

¹¹ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

¹² SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

(a) *Fern Dell*

The site recorded at Fern Dell (also spelled Ferndell) recreation area is listed in the CHRIS as LAN-1096 and was designated as Historic-Cultural Monument (HCM) No. 112 by the Office of Historic Resources in 1973. The Fern Dell recreation area consists of a narrow trail situated at the south end of Griffith Park, at the base of the Santa Monica Mountains, approximately one mile northeast of the Project Site. The trail is landscaped with imported plants—most notably multiple species of fern—and an artificially constructed landscape with water and rock features. A commemorative plaque was placed at the recreation area and identifies the location as a Gabrielino Indian site associated with a natural spring and refers to the area as “Mocohuenga Canyon.”¹³

(b) *La Brea Tar Pits, Kuruvungna, Ballona, and La Cienegas*

(i) *La Brea Tar Pits*

Among the other notable sites identified in the region are the natural asphaltum seeps now referred to as the La Brea Tar Pits, located approximately 3.3 miles southwest of the Project Site. The tar seeps are also known to have been an important terrestrial asphaltum source used by Native Americans, who also acquired tar from marine sources. Human remains found at the La Brea Tar Pits site suggest it was known to Native Americans more than 10,000 years ago. The asphaltum from the La Brea Tar Pits locality was used by Native Americans for toolmaking and waterproofing baskets and watercraft, among many other uses.¹⁴

(ii) *Kuruvungna*

Kuruvungna is a site within the campus of present-day University High School, located approximately 8.8 miles west of the Project Site. The site is also known as Kuruvunga Springs due to the presence of a natural spring. Kuruvungna is recognized as a sacred site for local Native American tribes, a historical point of interest, California Historical Landmark No. 522, and includes an archaeological component designated in the CHRIS as LAN-328/H that contains a variety of artifact types, as well as human remains that were identified in 1975 and described simply as a post-cranial skeleton presumed to be from the Late Period. The springs were an important natural resource to generations of Native Americans before Spanish colonialization. A few of these pools are still present and are an important part of

¹³ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

¹⁴ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

the cultural center constructed in the 1990s by the Gabrielino community, which remains actively used for education, ceremonial events, and various types of gatherings.¹⁵

(iii) Las Cienegas

As described in the Tribal Cultural Resource Assessment, the northwestern part of the Los Angeles Basin is also notable for the water features once present. These included perennial springs and several types of wetland features along Ballona Creek and tributaries to the south and southwest of the Project Site. The area near the north end of the Baldwin Hills, where the tributaries converged into the primary drainage channel, sustained highly saturated soils described by the Spanish as “las cienegas,” which is the origin of the contemporary placename of Las Cienegas. Numerous Native American archaeological sites have been identified in the periphery of the former wetlands here, approximately 6 miles south-southwest of the Project Site.¹⁶

(iv) Ballona

Downstream and southwest from the Las Cienegas area is the Ballona wetlands and a settlement named Guaspét (alternately referred to in Spanish Mission registers as Guaspét, Guasna, Guashna, Guachpét, Guashpét). All accounts of Guaspét point to an area either on the bluffs to the south of Ballona Creek or in the lowlands near the creek, approximately 11 miles southwest of the Project Site. Based on archaeological and ethnographic data, it is clear the Ballona area—composed of the wetland, creek, bluffs, and beach—was important to Native American lifeways in the past. The area remains important to contemporary Gabrielino descendants.¹⁷

(c) Kaweengna

Among the many Native American settlements in the San Fernando Valley, the site of Kawenga was prominent. Alternative spellings for the site from mission registers and ethnographic accounts include Kaweenga, Kawengna, Kawengnavit, Kawepét, Cabuenga, and Cabuepét. The Hispanicized version of Kawenga is the modern placename of Cahuenga. Kawenga means “Place of the Mountain,” which is most likely a reference to what is now known as Cahuenga Peak. The site is recorded as having a historical association with Rancho Cahuenga, approximately three miles northwest of the Project Site. Kawenga, like other Native American settlements, was likely a composite of many smaller settlements/rancherías located in a general area rather than being one settlement.

¹⁵ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

¹⁶ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

¹⁷ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

Kaweenga was strategically located along the south bank of the Los Angeles River and between the Santa Monica foothills to the south and the San Fernando Basin to the north.¹⁸

(d) Yaanga and Rancherías in Downtown Los Angeles

Yaanga is among the major Native American communities encountered by the Portolá party when they passed through the Los Angeles Basin in 1769 and was perhaps the largest Gabrielino settlement within the Los Angeles Basin. Yaanga is referenced in mission registers and ethnographic accounts that incorporate the alternative spellings of Yang-na, Yangna, and Yabit. The location of Yaanga has long been considered synonymous with that of Los Angeles, first as the Spanish pueblo, then the town and city. Historians and archaeologists have presented multiple possible locations for Yaanga, such as the general area of the plaza and church, around which Los Angeles developed, which is approximately 5.68 miles southeast of the Project Site. However, it is likely that the village relocated from time to time due to major shifts of the Los Angeles River during years of intense flooding. After the Pueblo of Los Angeles was established in 1781, Yaanga faced many challenges because of its proximity to the new Spanish settlement. The last recorded birth at Yaanga is believed to have been in 1813, after which the settlement was forced to relocate to the south. This new settlement, known by the Angelenos as *Ranchería de los Poblanos*, is believed to have been located at the intersection of Los Angeles Street and 1st Street. *Ranchería de los Poblanos* was the first of at least five forced relocations of Native Americans between 1836 and 1847. City records from the time typically referred to these sites of relocation as *rancherías*.¹⁹

Although most of the natural landscape features that would have characterized Yaanga and its surroundings are no longer present and the precise location of the settlement remains an open question, the general location still retains its association with Yaanga and is considered an important place by contemporary Gabrielino groups. The proximity of Yaanga to a massive sycamore tree known as El Aliso is also commonly cited and often referred to synonymously with that of Yaanga. The tree is visible in early photographs and plotted on plat maps showing the vineyard and winery established by Louis Vignes. A memorial plaque was recently placed to commemorate Yaanga and its location—on the north side of Commercial Street near the intersection with Vignes Street. The location was chosen based on proximity to the place where El Aliso had once grown, which was in what is now in the channel excavated for the Hollywood Freeway.²⁰

¹⁸ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

¹⁹ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

²⁰ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

Geveronga and Maawnga are two additional settlements near downtown Los Angeles. Geveronga was recorded as a place of origin in Mission San Gabriel records. Ethnographic accounts describe the location of the settlement as having been immediately adjoining the Pueblo of Los Angeles to the east; however, no physical evidence of its location has ever been identified. The approximated location for Geveronga is five miles southeast of the Project Site. Maawnga was a small settlement somewhere within Rancho Los Feliz. The two proposed locations for Maawnga are approximately 3.55 and 4.6 miles north and east, respectively, from the Project Site.²¹

d. Assembly Bill 52 Notification and Consultation

In compliance with the requirements of AB 52, the City provided formal notification of the Project on April 25, 2023 to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the Project and who have requested in writing to be informed by the lead agency of projects within their geographic area of concern. All tribal representatives identified by the NAHC, as provided in Appendix K of this Draft EIR, were notified of the Project in compliance with AB 52. Letters were sent via FedEx and certified mail to the following California Native American tribes that requested notification:

- Gabrielino Tongva Indians of California Tribal Council
- Gabrielino-Tongva Tribe
- Gabrieleño Band of Mission Indians—Kizh Nation
- Gabrielino/Tongva Nation
- Gabrielino/Tongva San Gabriel Band of Mission Indians
- San Fernando Band of Mission Indians
- Soboba Band of Luiseño Indians
- Torres Martinez Desert Cahuilla Indians
- Fernandeño Tataviam Band of Mission Indians

The letters described the Project and asked for a written reply if consultation was requested. A record of the AB 52 request for consultation letters is included within Appendix C of the Tribal Cultural Resources Assessment included in Appendix K of this Draft EIR. As

²¹ SWCA, *Tribal Cultural Resources Assessment for the 6000 Hollywood Boulevard Project*, October 2024.

of the date of this report, one response has been received requesting consultation, which was from the Gabrieleño Band of Mission Indians–Kizh Nation (hereafter referred to as the Kizh Nation). On May 15, 2023, an administrative specialist with the Kizh Nation emailed a response to the City’s notification letter. No communication or request for consultation was received from any other of the notified tribes to date within the 30-day response period, which ended on May 25, 2023.

e. Background Research

(1) California Historical Resources Information System Review

On May 2, 2023, staff at the South Central Coastal Information Center (SCCIC), located on the campus of California State University, Fullerton provided the results of a California Historical Resources Information System (CHRIS) records search for the Project Site and a 0.5-mile records search buffer. The records search included SCCIC’s collections of mapped prehistoric, historic, and built environment resources, Department of Parks and Recreation site records, technical reports, and ethnographic references. Additional consulted sources included historical maps of the Project Site vicinity, the California Points of Historical Interest, the California Historical Landmarks, the California Register, the National Register of Historic Places (National Register), the California State Historic Properties Directory, the City of Los Angeles Historic-Cultural Monuments, and the Archaeological Determinations of Eligibility.

Results of the records search indicate that 28 cultural resources surveys have been conducted within 0.5 mile of the Project Site. Only one of the previous studies (LA-11797) included a portion of the Project Site and was a historic resources survey report prepared in February 2010 by Chattel Architecture, Planning, and Preservation for the Hollywood Redevelopment Project Area, which addressed historical resources in the area and not archaeological or tribal cultural resources. An update to this historic survey report was prepared in January 2020 by Architectural Resources Group, Consulting GPA, and Historic Resources Group. However, this report was not included in the results from the SCCIC. The 2020 report also addressed historical resources in the area and not archaeological resources. No resources affiliated with Native Americans were identified in the records search or survey.

The nearest Native American archaeological site to the Project Site is LAN-1096 (Fern Dell recreation area), which is described above in Subsection 2.c.(2)(i). The archaeological site at the La Brea Tar Pits (LAN-159/H) is the next closest site with Native American archaeological components, which is more than one mile to the southwest. Aside from these two sites, very few Native American archaeological sites are recorded in the Hollywood area or adjacent neighborhoods in this part of the Los Angeles Basin.

(2) Sacred Lands File Review

A Sacred Lands File (SLF) search request was submitted to the NAHC for the Project. As discussed in the Tribal Cultural Resources Assessment, on April 18, 2023, the NAHC submitted the results of the SLF search, which were negative. In the response letter, the NAHC noted that the lack of recorded sites does not indicate the absence of tribal cultural resources within the Project Site; as such, NAHC's response also included a list of nine Native American contacts representing several tribal organizations who may have knowledge of cultural resources in or near the Project Site study area and recommended they be contacted to confirm whether they have information about potential resources. As noted above, all tribal representatives identified by the NAHC, as provided in Appendix C of the Tribal Cultural Resources Assessment included as Appendix K of this Draft EIR, were notified of the Project by the City in compliance with AB 52.

(3) Archival Research (Map and Aerial Photograph Review)

As detailed in the Tribal Cultural Resources Assessment, based on a review of maps and aerial photographs, during the mid- to late nineteenth century, the Project Site remained undeveloped open space between the northeastern boundary of Rancho La Brea and the southwestern boundary of Rancho Los Feliz. Late nineteenth century and early twentieth century topographic maps show several small south-flowing streams mapped within the foothills of the Santa Monica mountains, between approximately 0.3 and 0.5 mile north of the Project Site. These streams appear to have been intermittent and ephemeral, i.e., they only contained water for short periods of time during the wet season. An 1877 plat map depicts the Project Site and surrounding area at a time when many lots were being sold and subdivided. This map indicates that the Project Site was still vacant, unsubdivided land at this time.

In the early twentieth century, the Project Site was occupied primarily with single-family residential developments that were oriented toward Hollywood Boulevard, known at the time as Prospect Avenue. The Hollywood Lot contained multiple single-family developments, some with smaller ancillary buildings in the backyard area which may have functioned as sheds, garages, or smaller residences. Additionally, the Mountain View Inn also existed within the Hollywood Lot. Within the Carlton Lot, one single-family domestic residence was present.

By the 1920s, Hollywood Boulevard had experienced a transformation from its primarily residential beginnings into a commercial center. At this time most of the blocks along Hollywood Boulevard contained smaller storefronts on the interior of the block and larger, impressive buildings at the corners. In 1919, the Project Site still consisted primarily of residential developments, though smaller stores began popping up along Hollywood Boulevard. These stores did not replace the earlier developments but were developed

adjacent to them. However, by 1950 many of the original houses that had existed within the Hollywood Lot had been replaced. The largest development during this time was at the western edge of the Hollywood Lot and consisted of the development of Hollywood Ford, which sold and serviced cars. By 1955, only one of the original houses within the Hollywood Lot was present, and the house within the Carlton Lot was also present. The rest of the Project Site had been effectively transitioned to commercial uses. By 1970, all buildings on the Project Site were demolished to construct the extant Toyota of Hollywood car dealership.

3. Project Impacts

a. Thresholds of Significance

In accordance with the State CEQA Guidelines Appendix G, the Project would have a significant impact related to tribal cultural resources if it would:

Threshold (a): Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i. Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code section 5020.1(k), or***
- ii. 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 Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

The City's *L.A. CEQA Thresholds Guide* does not specifically address tribal cultural resources. In assessing impacts related to tribal cultural resources in this section, the City will use Appendix G as the thresholds of significance.

b. Methodology

A CHRIS records search was conducted to determine potential impacts associated with tribal cultural resources. The records search included a review of mapped prehistoric, historic, and built environment resources; Department of Parks and Recreation Site Records;

technical reports: ethnographic references; historical maps; the California Historic Property Data File; the National Register, California Register, California State Historical Landmarks, and California Points of Historical Interest listings; and the Archaeological Determinations of Eligibility. Pertinent academic and ethnographic literature was also reviewed for information pertaining to past Native American use of the Project Site as part of the Tribal Cultural Resources Assessment. Project notification letters were sent to California Native American Tribes as required by AB 52. In addition, an SLF search was conducted by the NAHC.

c. Project Design Features

No specific project design features are proposed with regard to tribal cultural resources.

d. Analysis of Project Impacts

Threshold (a): Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- i. Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code section 5020.1(k); or***
- ii. 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 Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?***

(1) Impact Analysis

As previously described above and detailed in the Tribal Cultural Resources Assessment, SWCA's review of ethnographic literature and regional archaeological information identified several native American placenames and sites in the vicinity of the Project Site, ranging from approximately one mile to 11 miles from the Project Site. These include named settlements such as Geveronga, Maawnga, and Yaanga to the east-southeast in the downtown Los Angeles area, Kuruvungna and Guaspeta in the Ballona area to the southwest, and Kawenga to the northwest. The nearest of these settlements is Kawenga, which is approximately 3.6 miles northwest of the Project Site. Other notable sites

that have archaeological components in the region have been recorded at the Fern Dell recreation area (LAN-1096) to the northeast, the La Brea Tar Pits (LAN-159/H) to the southwest, as well as several sites along Ballona Creek and around the Baldwin Hills to the southwest. LAN-1096, the site recorded at Fern Dell recreation area 1.61 km (1 mile) to the northeast, is the nearest archaeological site to the Project Site that was at least reported to contain a Native American component, although the materials were never described in detail and their whereabouts are unknown. The Native American archaeological site with confirmed components that is closest to the Project Site comes from the La Brea Tar Pits (LAN-159/H), which is approximately 3.30 miles southwest.

The Native American sites identified in SWCA's background research helps to convey basic regional patterns of settlement and use that show concentrations near permanent water sources and near but outside areas subject to substantial inundation or topography that is too steep. At distances ranging from approximately one mile to 11 miles away, these sites are a substantial distance from the Project Site. This substantial distance indicates that material components are unlikely to occur as a buried deposit within the Project Site, which is situated in open space somewhat equidistant to several of the mentioned Native American settlements and sites.

In addition to the above, SWCA considered the physical setting of the Project Site to help assess the potential for the preservation of any Native American archaeological resources that may have once been present as a buried deposit. As discussed in the Tribal Cultural Resources Assessment, the Project Site was located in an area between Rancho La Brea and Rancho Los Feliz and was used in the Mission and American Periods as open range for grazing cattle and sheep. The tracts that established the current parcels and street grid were surveyed by 1902 and slowly developed within the first two decades of the twentieth century. The Project Site was primarily devoted to residential uses for the first two decades of the twentieth century, after which the Hollywood Lot became occupied by primarily commercial developments while the Carlton Lot continued to contain the original house. By 1971, the entire Project Site was razed and developed into the extant Toyota of Hollywood car dealership.

Based on regional geologic mapping, the subsurface environment of the Project Site appears to be characterized by alluvium and fan deposits formed in the late Pleistocene age, meaning mostly before Native Americans are documented to have been present in North America. This suggests that any Native American activities that occurred on these surfaces and produced physical remains are, in general, more likely to occur as shallowly buried deposits, and are more vulnerable to mechanical alterations. As provided in the Preliminary Geotechnical Report included in Appendix IS-3 of the Initial Study included as Appendix A of this Draft EIR, geotechnical testing conducted within the Project Site indicated that the first 11 feet of the soils within the Project Site are made up of artificial fill, which is likely associated with the historical development of the Project Site. As discussed in the Tribal Cultural

Resources Assessment, the historical land uses on the Project Site, as well as the data from the Preliminary Geotechnical Report, suggests that the native surficial sediments have been almost completely altered by historical developments. The fill sediments cap the naturally deposited sediments beneath and have likely replaced, either partially or fully, the Pleistocene-age deposits that once formed the surface. Given that the surface of the Project Site has been completely developed, Native American archaeological deposits that may have once been on the surface or shallowly buried are less likely to have been preserved, and if they are, they would be identified as isolated objects that may have been moved from their original locations. Based strictly on the age of sedimentary deposits in the underlying sediments that are described by regional geologic mapping, a deeply buried Native American archaeological site is very unlikely to be present in the older Pleistocene sedimentary units within the Project Site as older Pleistocene sediment predates human occupation.

In summary, as determined in the Tribal Cultural Resources Assessment, no evidence was identified to suggest the Project Site was the focus of intensive use by Native Americans such that any substantial deposits would be likely to have been present. Historical maps and ecological reconstructions indicate that natural resources important to Native American communities were once in the general vicinity of the Project Site; however, the Project Site is not close enough to these resources to result in an increased sensitivity for tribal cultural resources or Native American archaeological resources. There have clearly been alterations to the physical setting from developments beginning in the early twentieth century within the Project Site and these alterations are visible in the subsurface sediments within the Project Site. The Project Site contains up to 11 feet of artificial fill underlain by alluvium dating to the late Pleistocene, both of which are sediments that are unlikely to yield either Native American archaeological resources or tribal cultural resources. Accordingly, the lack of any evidence suggesting the Project Site was intensively used by Native American peoples, coupled with the known poor preservation conditions caused by the historical development of the Project Site throughout the twentieth century, indicates that the Native American archaeological sensitivity within the Project Site is low. Therefore, as concluded in the Tribal Cultural Resources Assessment, the Project Site has low sensitivity for tribal cultural resources.

With regard to tribal consultation as set forth by AB 52, as noted previously, the City received one request for consultation from the Kizh Nation via email on May 15, 2023. In their email correspondence, the Kizh Nation summarized regulations related to the provisions of AB 52 and presented information that the Kizh Nation used to support their opinion that there is a high sensitivity for a tribal cultural resource within the Project Site based on the subsurface and proximity to certain features of the natural landscape and historical transportation network. Specifically, the email describes traditional cultural practices and historical background, which incorporates analysis of specific documents that were included as attachments in their email correspondence. Additional documents attached to the tribe's email correspondence were not specifically cited in the text but appear to be put forward as evidence to supplement the description and support their conclusion of their sensitivity

assessment and impact analysis. Because of the conclusion of their assessment that a tribal cultural resource may be present, the Kizh Nation also requested mitigation measures to mitigate potentially adverse impacts.

SWCA reviewed the information submitted during tribal consultation to assist the City in determining whether substantial information exists for a tribal cultural resource, and thereby inform the analysis of potential for impacts and, if necessary, ensure that appropriate means of mitigation and treatment have been requested by tribal parties or otherwise put forward. Because the content includes information considered confidential, the details of SWCA's review are in a confidential attachment (Attachment C) of the Tribal Cultural Resources Assessment and a generalized summary of the results are included herein. The following is the evaluation included in the Tribal Cultural Resources Assessment to address the comments and associated documentation provided by the Kizh Nation.

After considering all materials submitted as part of tribal consultation to date, SWCA found that there is not substantial evidence of any tribal cultural resources within the Project Site. The information contained in the documents provided by the Kizh Nation has a broader regional focus—the Los Angeles Basin and traditional Gabrielino territory—that lacks adequate detail and analysis of the Project Site. The information on the Native American land uses and traditional practices helps to convey that previously unidentified resources can occur essentially anywhere within the Los Angeles Basin; however, given the level of mechanical alterations that have occurred to sediments within the Project Site and the age of the naturally deposited sediments beneath the altered surface stratum, there is no evidence identified to date suggesting there is an increased likelihood for such a resource to be preserved within the Project Site, at least to the degree that a tribal monitor would be required to ensure any potentially significant impacts are avoided or reduced. Overall, as concluded in the Tribal Cultural Resources Assessment, further evidence is needed to link the contextual information submitted during consultation with the existing conditions of the Project Site to substantiate the claim that a tribal cultural resource is present or highly likely to be preserved below the surface such that the requested mitigation measures are necessary. In summary, as set forth in the Tribal Cultural Resources Assessment, no evidence was identified that was not otherwise considered in SWCA's analysis regarding the existence of a known tribal cultural resource within the Project Site or the increased likelihood for an as-yet unidentified tribal cultural resources being preserved within the Project Site.

Additionally, while the Project would include excavation for the below-grade parking structure to an approximate depth of 40 feet below ground surface, the naturally deposited sediments from the alluvium and fan deposits have been mechanically altered by previous development of the land, and are now designated as fill, extending at least 11 feet below ground surface. Encountering tribal cultural resources that are archaeological in nature within these fill sediments is unlikely. **Given these observations, the fact that a tribal cultural resource has not been previously identified within the Project Site, and the**

evidence that indicates a low probability for a previously unidentified tribal cultural resource within the Project Site, as determined in the Tribal Cultural Resources Assessment, the Project would not cause a substantial adverse change in the significance of a tribal cultural resource, and the Project's impact to tribal cultural resources would be less than significant.

However unlikely, if a potential tribal cultural resource (i.e., Native American artifacts, objects, cultural items, or site) were identified in the Project Site during ground-disturbing activities, they would require evaluation and treatment to determine whether they met the criteria to be a tribal cultural resource, in addition to being assessed as an archaeological resource. To ensure that such tribal cultural resource discoveries are evaluated and treated appropriately, the City has established a standard condition of approval to address inadvertent discovery of tribal cultural resources. Should tribal cultural resources be inadvertently encountered, this condition of approval provides for temporarily halting construction activities near the encounter and notifying the City and Native American tribes that have informed the City they are traditionally and culturally affiliated with the geographic area of the Project. If the City determines that the potential resource appears to be a tribal cultural resource (as defined by PRC Section 21074), the City would provide any affected tribe a reasonable period of time to conduct a site visit and make recommendations regarding the monitoring of future ground disturbance activities, as well as the treatment and disposition of any discovered tribal cultural resources. The Project Applicant would then implement the tribe's recommendations if a qualified archaeologist reasonably concludes that the tribe's recommendations are reasonable and feasible. The recommendations would then be incorporated into a tribal cultural resources monitoring plan and once the plan is approved by the City, ground disturbance activities could resume. In accordance with the condition of approval, all activities would be conducted in accordance with regulatory requirements. Implementation of the City's established Condition of Approval to address any inadvertent discovery of a tribal cultural resource would further reduce the Project's less-than-significant impacts to tribal cultural resources.

With regard to tribal consultation, on October 23, 2024, the City provided the Kizh Nation a letter summarizing the City's and the Kizh Nation's combined efforts during tribal consultation and documenting the conclusion of the tribal consultation process, pursuant to Public Resources Code Section 21080.3.2. As concluded by the City, a review of the documents submitted by the tribe did not find substantial evidence of an existing tribal cultural resource within the Project Site. No evidence was submitted that considers the specific location of the Project Site, and no criteria were provided to indicate why the Project Site should be considered sensitive enough such that mitigation measures for tribal cultural resources would be required to avoid adverse impacts. Furthermore, the City has reviewed the suggested measures provided by the Kizh Nation. The City's standard Inadvertent Discovery Condition of Approval, discussed above, would not provide less protection of any finds in the event of inadvertent discovery of a prospective resource. As such, based upon

the record, the City has determined that no substantial evidence exists to support a conclusion that the Project may cause a significant impact on tribal cultural resources. Therefore, the City has no basis under the California Environmental Quality Act to impose any related mitigation measures. However, as an additional protection, the City will implement the City's Condition of Approval under its police powers to protect the inadvertent discovery of tribal cultural resources. The Condition of Approval has incorporated elements of the requested measures the Kizh Nation had provided, including specific notification requirements for the tribe which requested consultation.

(2) Mitigation Measures

Project level impacts related to tribal cultural resources would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Project level impacts related to tribal cultural resources were determined to be less than significant without mitigation. Therefore, no mitigation measures were required or included, and the impact level would remain less than significant.

e. Cumulative Impacts

(1) Impact Analysis

As indicated in Section III, Environmental Setting, of this Draft EIR, there are 15 related projects in the vicinity of the Project Site. The Project and the related projects are located within an urbanized area that has been disturbed and developed over time. Although impacts to tribal cultural resources tend to be site-specific, cumulative impacts would occur if the Project, related projects, and other future development within the Hollywood Community Plan area affected the same tribal cultural resources and communities. As discussed above, the Project would result in less-than-significant impacts to tribal cultural resources. However, in the event that tribal cultural resources are uncovered, each related project would be required to comply with the applicable regulatory requirements discussed in detail above as well as incorporate the City's standard Condition of Approval regarding the inadvertent discovery of tribal cultural resources. In addition, related projects would be required to comply with AB 52 consultation requirements to determine and mitigate any potential impacts to tribal cultural resources. **Therefore, the Project's contribution to impacts on tribal cultural resources would not be cumulatively considerable, and cumulative impacts to tribal cultural resources would be less than significant.**

(2) Mitigation Measures

Cumulative impacts related to tribal cultural resources would be less than significant. Therefore, no mitigation measures are required.

(3) Level of Significance After Mitigation

Cumulative impacts related to tribal cultural resources were determined to be less than significant without mitigation. Therefore, no mitigation measures are required, and the impact level would remain less than significant.