

**Appendix D: Tribal Consultation Communications**

**From:** NAHC@NAHC <NAHC@nahc.ca.gov>  
**Sent:** Thursday, March 23, 2023 9:32 AM  
**To:** eanderson@denovoplanning.com  
**Cc:** Green, Andrew@NAHC  
**Subject:** RE: Sacred Lands File & Native American Contacts List Request - 385 Nyes Place Project, Laguna Beach CA  
**Attachments:** Laguna Beach\_385 Nyes\_SLF-NA-Contact-Form.pdf

Hello,

Thank you for your message. We're in receipt of your request. We have recently hired new staff, and this change in our office is creating some delays. We estimate a turn-around time of 4 weeks and don't anticipate responding sooner than the end of that time frame. Please let us know if you have any questions.

Kind regards,

**Native American Heritage Commission**

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

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**From:** eanderson@denovoplanning.com <eanderson@denovoplanning.com>  
**Sent:** Wednesday, March 22, 2023 3:57 PM  
**To:** NAHC@NAHC <NAHC@nahc.ca.gov>  
**Subject:** Sacred Lands File & Native American Contacts List Request - 385 Nyes Place Project, Laguna Beach CA

To whom it may concern,

Attached is a Sacred Lands File & Native American Contacts List Request for the 385 Nyes Place Project located in Laguna Beach, CA. We appreciate your assistance in this matter.

Thank you,

**Erik Anderson** | Associate Planner

De Novo Planning Group | [www.denovoplanning.com](http://www.denovoplanning.com)

[eanderson@denovoplanning.com](mailto:eanderson@denovoplanning.com) | 760-201-5977

**Southern California** | 180 East Main St. #108 | Tustin, CA 92780

**Northern California** | 1020 Suncoast Ln. #106 | El Dorado Hills, CA 95762

## NATIVE AMERICAN HERITAGE COMMISSION

April 3, 2023

Erik Anderson  
De Novo Planning Group

Via Email to: [eanderson@denovoplanning.com](mailto:eanderson@denovoplanning.com)

### Re: 385 Nyes Place Project, Orange County

Dear Mr. Anderson:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information submitted for the above referenced project. The results were positive. Please contact the Juaneno Band of Mission Indians Acjachemen Nation - Belardes on the attached list for information. Please note that tribes do not always record their sacred sites in the SLF, nor are they required to do so. A SLF search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with a project's geographic area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites, such as the appropriate regional California Historical Research Information System (CHRIS) archaeological Information Center for the presence of recorded archaeological sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. Please contact all of those listed; if they cannot supply information, they may recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: [Andrew.Green@nahc.ca.gov](mailto:Andrew.Green@nahc.ca.gov).

Sincerely,



Andrew Green  
Cultural Resources Analyst

Attachment



CHAIRPERSON  
**Laura Miranda**  
Luiseño

VICE CHAIRPERSON  
**Reginald Pagaling**  
Chumash

SECRETARY  
**Sara Dutschke**  
Miwok

COMMISSIONER  
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COMMISSIONER  
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Yokayo Pomo, Yuki,  
Nomlaki

COMMISSIONER  
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Luiseño

COMMISSIONER  
**Stanley Rodriguez**  
Kumeyaay

COMMISSIONER  
**[Vacant]**

COMMISSIONER  
**[Vacant]**

EXECUTIVE SECRETARY  
**Raymond C.  
Hitchcock**  
Miwok/Nisenan

**NAHC HEADQUARTERS**  
1550 Harbor Boulevard  
Suite 100  
West Sacramento,  
California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
NAHC.ca.gov

**Native American Heritage Commission  
Native American Contact List  
Orange County  
4/3/2023**

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

Andrew Salas, Chairperson  
P.O. Box 393 Gabrieleno  
Covina, CA, 91723  
Phone: (844) 390 - 0787  
admin@gabrielenoindians.org

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

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

**Gabrielino /Tongva Nation**

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

**Gabrielino Tongva Indians of  
California Tribal Council**

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

**Gabrielino Tongva Indians of  
California Tribal Council**

Christina Conley, Cultural  
Resource Administrator  
P.O. Box 941078 Gabrielino  
Simi Valley, CA, 93094  
Phone: (626) 407 - 8761  
christina.marsden@alumni.usc.edu

**Gabrielino-Tongva Tribe**

Charles Alvarez,  
23454 Vanowen Street Gabrielino  
West Hills, CA, 91307  
Phone: (310) 403 - 6048  
roadkingcharles@aol.com

**Juaneno Band of Mission  
Indians**

Sonia Johnston, Chairperson  
P.O. Box 25628 Juaneno  
Santa Ana, CA, 92799  
sonia.johnston@sbcglobal.net

**Juaneno Band of Mission  
Indians Acjachemen Nation -  
Belardes**

Joyce Perry, Cultural Resource  
Director  
4955 Paseo Segovia Juaneno  
Irvine, CA, 92603  
Phone: (949) 293 - 8522  
kaamalam@gmail.com

**Juaneno Band of Mission  
Indians Acjachemen Nation 84A**

Heidi Lucero, Chairperson, THPO  
31411-A La Matanza Street Juaneno  
San Juan Capistrano, CA, 92675  
Phone: (562) 879 - 2884  
jbmian.chairwoman@gmail.com

**La Jolla Band of Luiseno  
Indians**

Norma Contreras, Chairperson  
22000 Highway 76 Luiseno  
Pauma Valley, CA, 92061  
Phone: (760) 742 - 3771

**Pala Band of Mission Indians**

Alexis Wallick, Assistant THPO  
PMB 50, 35008 Pala Temecula  
Road Cupeno  
Pala, CA, 92059 Luiseno  
Phone: (760) 891 - 3537  
awallick@palatribe.com

**Pala Band of Mission Indians**

Shasta Gaughen, Tribal Historic  
Preservation Officer  
PMB 50, 35008 Pala Temecula  
Road Cupeno  
Pala, CA, 92059 Luiseno  
Phone: (760) 891 - 3515  
Fax: (760) 742-3189  
sgaughen@palatribe.com

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

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed 385 Nyes Place Project, Orange County.

**Native American Heritage Commission  
Native American Contact List  
Orange County  
4/3/2023**

***Pauma Band of Luiseno Indians***

Temet Aguilar, Chairperson  
P.O. Box 369 Luiseno  
Pauma Valley, CA, 92061  
Phone: (760) 742 - 1289  
Fax: (760) 742-3422  
bennaecalac@aol.com

***Santa Rosa Band of Cahuilla Indians***

Lovina Redner, Tribal Chair  
P.O. Box 391820 Cahuilla  
Anza, CA, 92539  
Phone: (951) 659 - 2700  
Fax: (951) 659-2228  
Isaul@santarosa-nsn.gov

***Soboba Band of Luiseno Indians***

Isaiah Vivanco, Chairperson  
P. O. Box 487 Cahuilla  
San Jacinto, CA, 92581 Luiseno  
Phone: (951) 654 - 5544  
Fax: (951) 654-4198  
ivivanco@soboba-nsn.gov

***Soboba Band of Luiseno Indians***

Joseph Ontiveros, Cultural  
Resource Department  
P.O. BOX 487 Cahuilla  
San Jacinto, CA, 92581 Luiseno  
Phone: (951) 663 - 5279  
Fax: (951) 654-4198  
jontiveros@soboba-nsn.gov

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

This list is only applicable for contacting local Native Americans with regard to cultural resources assessment for the proposed 385 Nyes Place Project, Orange County.



May 25, 2023

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

Dear Chairperson Salas,

The City of Laguna Beach is commencing its Assembly Bill (AB) 52 consultation process for the 385 Nyes Place Project (Project). The Project site consists of one parcel (APNs 656-169-27) totaling approximately 0.18 acre. A map of the Project site is provided as Attachment 1.

The Project site is undeveloped and comprised primarily of disturbed maritime chaparral-sagebrush vegetation. The elevations on the Project site vary from approximately 128 feet above mean sea level (amsl) at the western property boundary along Nyes Place to approximately 200 feet amsl at the eastern property boundary of the lot. The property slopes primarily to the southwest with the western third of the Project site consisting of a steep west-facing slope that tapers off to a moderately steep slope.

The Project proposes to construct a new three-story, single-family residence, accessory dwelling unit, and two street-level garages, with an elevated deck, elevator tower, pool and spa, hardscaping and landscaping. The residence would be accessed via a driveway from Nyes Place. The existing curb along the eastern side of Nyes Place would be reconstructed to allow driveway access. Outdoor stairways/pathways along the perimeter of the residence would provide fire access. The residence would be built into the hillside with retaining walls located along the northern, eastern, and southern borders of the site. The Project would result in a lot coverage of 37 percent of the parcel. Development, as proposed, would include on-site grading of approximately 722 cubic-yards of cut and 567 cubic-yards of fill. Construction activities would include grading, construction of retaining walls, and construction of the proposed residence and associated improvements.

The proposed Project is consistent with the corresponding General Plan and Zoning designations. The project would require approval of Design Review and a Coastal Development Permit by the City of Laguna Beach. The City is preparing an Initial Study/Mitigated Negative Declaration (IS/MND) for the Project.

The City of Laguna Beach maintains a list of interested tribes pursuant to AB 52. You are receiving this letter because you have requested to be contacted for CEQA projects pursuant to AB 52. A record search of the NAHC Sacred Lands File (SLF) was completed on the above referenced project and results were positive.

Your participation in this local planning process is important. If you possess any information or knowledge regarding Native American Sacred Lands or other cultural resources in and around the Project site, and wish to consult with the City of Laguna Beach, please contact Amber Dobson, Planning Manager, at the City. Please consider this letter as the initiation of the process required pursuant to AB 52. Pursuant to

Public Resources Code (PRC) Section 21080.3.1(d), your organization has 30 days upon receipt of this letter to submit a written request for AB 52 consultation on the Project to the City of Laguna Beach. Should consultation be desired, please identify a primary point of contact for the Tribe in your written request.

Amber Dobson  
Planning Manager  
City of Laguna Beach  
515 Forest Avenue, Laguna Beach, CA 92651  
(949) 497-0362 | [adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)

Thank you very much for your assistance. We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to be 'AD', followed by a horizontal line extending to the right.

CITY OF LAGUNA BEACH

Amber Dobson  
Planning Manager

Attachments

1. Project Location Map



May 25, 2023

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

Dear Mr. Morales,

The City of Laguna Beach is commencing its Assembly Bill (AB) 52 consultation process for the 385 Nyes Place Project (Project). The Project site consists of one parcel (APNs 656-169-27) totaling approximately 0.18 acre. A map of the Project site is provided as Attachment 1.

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CITY OF LAGUNA BEACH

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Planning Manager

Attachments

1. Project Location Map



May 25, 2023

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

Dear Ms. Goad,

The City of Laguna Beach is commencing its Assembly Bill (AB) 52 consultation process for the 385 Nyes Place Project (Project). The Project site consists of one parcel (APNs 656-169-27) totaling approximately 0.18 acre. A map of the Project site is provided as Attachment 1.

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(949) 497-0362 | [adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)

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CITY OF LAGUNA BEACH

Amber Dobson  
Planning Manager

Attachments

1. Project Location Map



May 25, 2023

Gabrielino Tongva Indians of  
California Tribal Council  
Robert Dorame, Chairperson  
P.O. Box 490  
Bellflower, CA, 90707

Dear Mr. Dorame,

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Planning Manager  
City of Laguna Beach  
515 Forest Avenue, Laguna Beach, CA 92651  
(949) 497-0362 | [adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)

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CITY OF LAGUNA BEACH

Amber Dobson  
Planning Manager

Attachments

1. Project Location Map



May 25, 2023

Gabrielino-Tongva Tribe  
Charles Alvarez,  
23454 Vanowen Street  
West Hills, CA, 91307

Dear Mr. Alvarez,

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Planning Manager  
City of Laguna Beach  
515 Forest Avenue, Laguna Beach, CA 92651  
(949) 497-0362 | [adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)

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CITY OF LAGUNA BEACH

Amber Dobson  
Planning Manager

Attachments

1. Project Location Map



May 25, 2023

Juaneno Band of Mission Indians  
Sonia Johnston, Chairperson  
P.O. Box 25628  
Santa Ana, CA, 92799

Dear Ms. Johnston,

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Planning Manager  
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CITY OF LAGUNA BEACH

Amber Dobson  
Planning Manager

Attachments

1. Project Location Map



May 25, 2023

Juaneno Band of Mission Indians Acjachemen Nation - Belardes  
Joyce Perry, Tribal Manager  
4955 Paseo Segovia  
Irvine, CA, 92603

Dear Ms. Perry,

The City of Laguna Beach is commencing its Assembly Bill (AB) 52 consultation process for the 385 Nyes Place Project (Project). The Project site consists of one parcel (APNs 656-169-27) totaling approximately 0.18 acre. A map of the Project site is provided as Attachment 1.

The Project site is undeveloped and comprised primarily of disturbed maritime chaparral-sagebrush vegetation. The elevations on the Project site vary from approximately 128 feet above mean sea level (amsl) at the western property boundary along Nyes Place to approximately 200 feet amsl at the eastern property boundary of the lot. The property slopes primarily to the southwest with the western third of the Project site consisting of a steep west-facing slope that tapers off to a moderately steep slope.

The Project proposes to construct a new three-story, single-family residence, accessory dwelling unit, and two street-level garages, with an elevated deck, elevator tower, pool and spa, hardscaping and landscaping. The residence would be accessed via a driveway from Nyes Place. The existing curb along the eastern side of Nyes Place would be reconstructed to allow driveway access. Outdoor stairways/pathways along the perimeter of the residence would provide fire access. The residence would be built into the hillside with retaining walls located along the northern, eastern, and southern borders of the site. The Project would result in a lot coverage of 37 percent of the parcel. Development, as proposed, would include on-site grading of approximately 722 cubic-yards of cut and 567 cubic-yards of fill. Construction activities would include grading, construction of retaining walls, and construction of the proposed residence and associated improvements.

The proposed Project is consistent with the corresponding General Plan and Zoning designations. The project would require approval of Design Review and a Coastal Development Permit by the City of Laguna Beach. The City is preparing an Initial Study/Mitigated Negative Declaration (IS/MND) for the Project.

The City of Laguna Beach maintains a list of interested tribes pursuant to AB 52. You are receiving this letter because you have requested to be contacted for CEQA projects pursuant to AB 52. A record search of the NAHC Sacred Lands File (SLF) was completed on the above referenced project and results were positive.

Your participation in this local planning process is important. If you possess any information or knowledge regarding Native American Sacred Lands or other cultural resources in and around the Project site, and wish to consult with the City of Laguna Beach, please contact Amber Dobson, Planning Manager, at the City. Please consider this letter as the initiation of the process required pursuant to AB 52. Pursuant to

Public Resources Code (PRC) Section 21080.3.1(d), your organization has 30 days upon receipt of this letter to submit a written request for AB 52 consultation on the Project to the City of Laguna Beach. Should consultation be desired, please identify a primary point of contact for the Tribe in your written request.

Amber Dobson  
Planning Manager  
City of Laguna Beach  
515 Forest Avenue, Laguna Beach, CA 92651  
(949) 497-0362 | [adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)

Thank you very much for your assistance. We look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to be 'AD', followed by a horizontal line extending to the right.

CITY OF LAGUNA BEACH

Amber Dobson  
Planning Manager

Attachments

1. Project Location Map



May 25, 2023

Juaneno Band of Mission Indians Acjachemen Nation 84A  
Heidi Lucero, Chairperson  
31411-A La Matanza Street  
San Juan Capistrano, CA, 92675

Dear Ms. Lucero,

The City of Laguna Beach is commencing its Assembly Bill (AB) 52 consultation process for the 385 Nyes Place Project (Project). The Project site consists of one parcel (APNs 656-169-27) totaling approximately 0.18 acre. A map of the Project site is provided as Attachment 1.

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CITY OF LAGUNA BEACH

Amber Dobson  
Planning Manager

Attachments

1. Project Location Map



May 25, 2023

Soboba Band of Luiseno Indians  
Isaiah Vivanco, Chairperson  
P. O. Box 487  
San Jacinto, CA, 92581

Dear Mr. Vivanco,

The City of Laguna Beach is commencing its Assembly Bill (AB) 52 consultation process for the 385 Nyes Place Project (Project). The Project site consists of one parcel (APNs 656-169-27) totaling approximately 0.18 acre. A map of the Project site is provided as Attachment 1.

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City of Laguna Beach  
515 Forest Avenue, Laguna Beach, CA 92651  
(949) 497-0362 | [adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)

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CITY OF LAGUNA BEACH

Amber Dobson  
Planning Manager

Attachments

1. Project Location Map



May 25, 2023

California Cultural Resources Preservation Alliance  
PO Box 54132  
Irvine, CA 92619-4132

Dear California Cultural Resources Preservation Alliance,

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City of Laguna Beach  
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CITY OF LAGUNA BEACH

Amber Dobson  
Planning Manager

Attachments  
1. Project Location Map



**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

June 1, 2023

Project Name: 385 Nyes Place Project, Laguna Beach, CA

Dear Amber Dobson,

Thank you for your letter dated May 25, 2023 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

**From:** Dobson, Amber CD <adobson@lagunabeachcity.net>  
**Sent:** Thursday, June 8, 2023 2:40 PM  
**To:** sbarker@denovoplanning.com; Gregg, Amber CD (Contractor)  
**Subject:** FW: 385 Nyes Place Project, Laguna Beach, CA  
**Attachments:** 385 Nyes Place Project Laguna Beach\_Mitigation Measures .pdf

---

**From:** Gabrieleno Administration <admin@gabrielenoindians.org>  
**Sent:** Monday, June 5, 2023 3:13 PM  
**To:** Dobson, Amber CD <adobson@lagunabeachcity.net>  
**Subject:** Re: 385 Nyes Place Project, Laguna Beach, CA

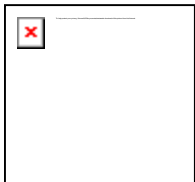
[NOTICE: This message originated outside of City of Laguna Beach -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello Amber CD

Please see the attached mitigation measures down below.

Thank you

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 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.”*

On Mon, Jun 5, 2023 at 1:27 PM Dobson, Amber CD <[adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)> wrote:

Thank you, Brandy. Please send the mitigation measures. We would be happy to include them.

-Amber

-----Original Message-----

From: Gabrieleno Administration <[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)>

Sent: Monday, June 5, 2023 12:42 PM

To: Dobson, Amber CD <[adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)>

Subject: Re: 385 Nyes Place Project, Laguna Beach, CA

[NOTICE: This message originated outside of City of Laguna Beach -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello Amber CD

Thank you for your response. If the dates I provided are too far out I can send mitigation measures and if you agree to them we will not need to have a meeting. Please let us know if this will work for you.

Admin Specialist

Gabrieleno Band of Mission Indians - Kizh Nation PO Box 393 Covina, CA 91723

Office: 844-390-0787

website: <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.”

On Mon, Jun 5, 2023 at 11:30 AM Dobson, Amber CD <[adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)> wrote:

>

> Hi Brandy,

>

> Thank you. We will accept the August 22 date at 11am.

> Chairman Salas and I have an established relationship and if there is anyway he may be comfortable with our standard approach regarding requiring Native American monitoring on the site, please let me know. We are happy to build that into the recommendation at this point. If there is any sooner consultation date, please keep me posted. Or if we can conduct consultation via email, if he prefers.

>

> Thank you!

>

> -Amber Dobson

>

> -----Original Message-----

> From: Gabrieleno Administration <[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)>

> Sent: Monday, June 5, 2023 11:23 AM

> To: Dobson, Amber CD <[adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)>

> Subject: Re: 385 Nyes Place Project, Laguna Beach, CA

>

> [NOTICE: This message originated outside of City of Laguna Beach --

> DO NOT CLICK on links or open attachments unless you are sure the  
> content is safe.]  
>  
> Hello Amber CD  
>  
> Thank you for your email. The next time Chairman Salas is available for a phone call will be on August 22nd at 11am  
or August 24th at 1pm.  
> 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:  
> [http://www.g/](http://www.gabrielenoindians.org)  
> [abrielenoindians.org](http://www.gabrielenoindians.org)%2F&data=05%7C01%7Cadobson%40lagunabeachcity.net%7  
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>  
> 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  
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without the Gabrieleño, the community simply would not have survived."  
>  
> On Sun, Jun 4, 2023 at 1:51 PM Dobson, Amber CD <[adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)> wrote:  
>>  
>> Hello Chairman Salas,  
>>  
>> Please let us know your earliest availability for a consultation.  
>> Thank you, Amber Dobson  
>>  
>> Get Outlook for iOS  
>>  
>> \_\_\_\_\_  
>> From: Gabrieleno Administration <[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)>  
>> Sent: Thursday, June 1, 2023 3:21:48 PM  
>> To: Dobson, Amber CD <[adobson@lagunabeachcity.net](mailto:adobson@lagunabeachcity.net)>  
>> Subject: 385 Nyes Place Project, Laguna Beach, CA  
>>  
>> [NOTICE: This message originated outside of City of Laguna Beach --  
>> DO NOT CLICK on links or open attachments unless you are sure the  
>> content is safe.]  
>>  
>> Hello Amber,

>>  
>> Thank you for your letter dated May 25,2023. Please see the attachment below.  
>>  
>> Thank you  
>>  
>> Sincerely,  
>>  
>> Savannah Salas  
>> Admin Specialist  
>> Gabrieleno Band of Mission Indians - Kizh Nation PO Box 393 Covina,  
>> CA  
>> 91723  
>> Office: 844-390-0787  
>> website:  
>> <http://www/>  
>> .g%2F&data=05%7C01%7Cadobson%40lagunabeachcity.net%7C28303eee45b24f8  
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>> [abrielenoindians.org](http://abrielenoindians.org)%2F&data=05%7C01%7Cadobson%40lagunabeachcity.net  
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>> ta  
>> =ruuW%2BFoM9F%2FsvjiZZ31aDsV0ot6axps5EzLFBabLfY%3D&reserved=0  
>>  
>>  
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>> Angeles has not recognized--the fact that in its early decades,  
>> without the Gabrieleño, the community simply would not have survived.”



## 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.

#### TCR-2: Unanticipated Discovery of Tribal Cultural Resource Objects (Non-Funerary/Non-Ceremonial)

- A. 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-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial 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 are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 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. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.
- E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

**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 (30) calendar days from the date that we consulted on the subject Project so that we can conclude consultation. 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.



**P.O. Box 54132**  
**Irvine, CA 92619-4132**

**California Cultural Resource Preservation Alliance, Inc.**  
An alliance of American Indian and scientific communities working for  
the preservation of archaeological sites and other cultural resources.

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June 16, 2023

Amber Dobson, Planning Manager  
City of Laguna Beach  
505 Forest Avenue  
Laguna Beach, CA 92651

Re: AB52 Consultation Process for the 385 Nyes Place Project.

Dear Ms. Dobson:

Prior to European contact the Laguna Beach coast was densely populated by ancestors of the Juaneno/Acjachemen and there is the potential for the presence of buried archaeological resources. Given the fact that the project area is undeveloped and positive results were received from the Native American Heritage Commission's Sacred Lands File, we strongly recommend that a professional archaeologist conduct literature and records search at the at the South Central Coastal Information Center. This should be followed by an onsite archaeological survey. If there is the potential for the presence of archaeological resources or sacred site features, avoidance and preservation should be the primary mitigation measure. If avoidance and preservation are given the consideration required under CEQA and are found to be not feasible, archaeological test excavations and archaeological data recovery may be required. All ground disturbing activities should be monitored by a qualified archaeologist and culturally related Native American.

Please provide the opportunity to review future environmental documents regarding this project.

Sincerely,

Patricia Martz, Ph.D.  
President