



Appendix H. Assembly Bill 52 Tribal Consultation Correspondence

This page is intentionally blank.

SB 18 and AB 52 Project Notification



CITY OF LONG BEACH

LONG BEACH DEVELOPMENT SERVICES

333 W. Ocean Blvd. - Long Beach, CA 90802 - 562/570-6194 - FAX 562/570-6068

PLANNING BUREAU

November 2, 2018

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

**RE: SB 18 and AB 52 Project Notification
1500 E. Anaheim Street Project**

Dear Mr. Salas:

This letter is to notify you of the proposed 1500 E. Anaheim Street Project (Project) in the City of Long Beach (City), Los Angeles County, California. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City, as Lead Agency under CEQA, will prepare a Mitigated Negative Declaration (MND) for this Project.

The Project is located on an approximately 1.5 acre site at the southwestern corner of Anaheim Street and Walnut Avenue (see attached Site Plan). The Project proposes a 5-story, 88 dwelling unit apartment building with 18,136 square feet of ground floor medical clinic space, 1,100 square feet of ground floor commercial office space, and a 212 stall parking structure. All Project dwelling units will be affordable housing units and will take advantage of State density bonus as provided under California Government Code Section 65915.

The Project would require approval of a Zone Change, General Plan Amendment, Site Plan Review, and Tentative Tract Map. The Zone Change and General Plan Amendment are required since the Project site current zoning designation (CCA – Community Commercial Automobile-Oriented District) and current General Plan designation (LUD No. 8A – Traditional Retail Strip Commercial) do not permit residential land uses. The requested zoning designation change to CCN (Community R-4-N Commercial District) would allow the requested mixed-use development. The General Plan designation would be changed to LUD No. 8R – Mixed Retail-Residential Strip, which permits both residential and commercial land uses. Additionally, a zoning High Rise (HR) Overlay District would be included, in accordance with Chapter 21.39 of the Long Beach Municipal Code, to allow a building height of 5-stories and 65-feet (the standard CCN District height limit is 3-stories and 38-feet) that would result in a final zoning designation of CCN(HR-65/5).

The Project would take advantage of the State law provisions that require local governments to grant development standards waivers and additional development standards concessions for affordable housing projects (California Government Code Section 65915) and commercial development components of affordable housing projects (California Government Code Section 65917.5) if the strict application of regular development standards would not allow an affordable housing/mixed use proposal. The Project as proposed would request the following waivers and concessions from the City's established development standards:

- Building setbacks (front, side, street side, and rear)
- Building step-backs for 2nd, 3rd, and 4th stories (rear)
- Required private open space areas/dimensions
- Screening standards for private open space
- Privacy standards between facing windows of separate dwelling units (interior courtyard-facing units)
- Residential parking spaces (144 stalls required, 118 stalls proposed)

Since the Project requires a General Plan Amendment and Zone Change, the City must therefore comply with California Public Resources Code Sections 65352.3- 65352.4 per Senate Bill 18 (SB 18), which requires local governments to conduct meaningful consultation with California Native American tribes on the contact list maintained by the California Native American Heritage Commission prior to approval of the Project.

This letter also serves to initiate consultation in compliance with Assembly Bill 52 (AB 52, Chapter 532, Statutes of 2014), which is required to consider the Project potential impacts to tribal cultural resources as part of the CEQA environmental review. To ensure compliance with AB 52 and Public Resources Code Section 21080.3.1, we are requesting any information you may have of tribal cultural resources within the Project area boundaries and offer this opportunity to request consultation with the City regarding this Project.

Your input is important to the City's planning process. We request that you advise the City if you wish to initiate consultations with the City on the Project. Under the provisions of SB 18, you have 90 days from the date of this notice to advise the City if you are interested in further consultation. Under the provisions of AB 52, you have 30 days from the receipt of this notice to advise the City if you are interested in consultation.

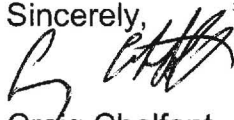
Andrew Salas
November 2, 2018
Page 3

If you know of any cultural resources that may be of religious and/or cultural significance to your community within the Project area, or if you would like more project information, please contact me by letter, phone or email at this address:

Craig Chalfant, Senior Planner
City of Long Beach
Development Services Department, Planning Bureau
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802
(562) 570-6368
craig.chalfant@longbeach.gov

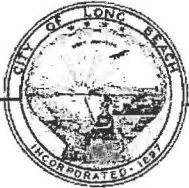
Your comments are important to the City. Thank you for your involvement in this process.

Sincerely,

A handwritten signature in black ink, appearing to read 'Craig Chalfant', is written over the printed name.

Craig Chalfant
Senior Planner

Attachments: Site Plan



CITY OF LONG BEACH

LONG BEACH DEVELOPMENT SERVICES

333 W. Ocean Blvd. - Long Beach, CA 90802 - 562/570-6194 - FAX 562/570-6068

PLANNING BUREAU

November 2, 2018

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

**RE: SB 18 and AB 52 Project Notification
1500 E. Anaheim Street Project**

Dear Mr. Morales:

This letter is to notify you of the proposed 1500 E. Anaheim Street Project (Project) in the City of Long Beach (City), Los Angeles County, California. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City, as Lead Agency under CEQA, will prepare a Mitigated Negative Declaration (MND) for this Project.

The Project is located on an approximately 1.5 acre site at the southwestern corner of Anaheim Street and Walnut Avenue (see attached Site Plan). The Project proposes a 5-story, 88 dwelling unit apartment building with 18,136 square feet of ground floor medical clinic space, 1,100 square feet of ground floor commercial office space, and a 212 stall parking structure. All Project dwelling units will be affordable housing units and will take advantage of State density bonus as provided under California Government Code Section 65915.

The Project would require approval of a Zone Change, General Plan Amendment, Site Plan Review, and Tentative Tract Map. The Zone Change and General Plan Amendment are required since the Project site current zoning designation (CCA – Community Commercial Automobile-Oriented District) and current General Plan designation (LUD No. 8A – Traditional Retail Strip Commercial) do not permit residential land uses. The requested zoning designation change to CCN (Community R-4-N Commercial District) would allow the requested mixed-use development. The General Plan designation would be changed to LUD No. 8R – Mixed Retail-Residential Strip, which allows both residential and commercial land uses. Additionally, a zoning High Rise (HR) Overlay District would be included, in accordance with Chapter 21.39 of the Long Beach Municipal Code, to allow a building height of 5-stories and 65-feet (the standard CCN District height limit is 3-stories and 38-feet) that would result in a final zoning designation of CCN(HR-65/5).

The Project would take advantage of the State law provisions that require local governments to grant development standards waivers and additional development standards concessions for affordable housing projects (California Government Code Section 65915) and commercial development components of affordable housing projects (California Government Code Section 65917.5) if the strict application of regular development standards would not allow an affordable housing/mixed use proposal. The Project as proposed would request the following waivers and concessions from the City's established development standards:

- Building setbacks (front, side, street side, and rear)
- Building step-backs for 2nd, 3rd, and 4th stories (rear)
- Required private open space areas/dimensions
- Screening standards for private open space
- Privacy standards between facing windows of separate dwelling units (interior courtyard-facing units)
- Residential parking spaces (144 stalls required, 118 stalls proposed)

Since the Project requires a General Plan Amendment and Zone Change, the City must therefore comply with California Public Resources Code Sections 65352.3- 65352.4 per Senate Bill 18 (SB 18), which requires local governments to conduct meaningful consultation with California Native American tribes on the contact list maintained by the California Native American Heritage Commission prior to approval of the Project.

This letter also serves to initiate consultation in compliance with Assembly Bill 52 (AB 52, Chapter 532, Statutes of 2014), which is required to consider the Project potential impacts to tribal cultural resources as part of the CEQA environmental review. To ensure compliance with AB 52 and Public Resources Code Section 21080.3.1, we are requesting any information you may have of tribal cultural resources within the Project area boundaries and offer this opportunity to request consultation with the City regarding this Project.

Your input is important to the City's planning process. We request that you advise the City if you wish to initiate consultations with the City on the Project. Under the provisions of SB 18, you have 90 days from the date of this notice to advise the City if you are interested in further consultation. Under the provisions of AB 52, you have 30 days from the receipt of this notice to advise the City if you are interested in consultation.

Anthony Morales
November 2, 2018
Page 3

If you know of any cultural resources that may be of religious and/or cultural significance to your community within the Project area, or if you would like more project information, please contact me by letter, phone or email at this address:

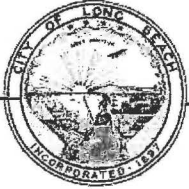
Craig Chalfant, Senior Planner
City of Long Beach
Development Services Department, Planning Bureau
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802
(562) 570-6368
craig.chalfant@longbeach.gov

Your comments are important to the City. Thank you for your involvement in this process.

Sincerely,

Craig Chalfant
Senior Planner

Attachments: Site Plan



CITY OF LONG BEACH

LONG BEACH DEVELOPMENT SERVICES

333 W. Ocean Blvd. - Long Beach, CA 90802 - 562/570-6194 - FAX 562/570-6068

PLANNING BUREAU

November 2, 2018

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

**RE: SB 18 and AB 52 Project Notification
1500 E. Anaheim Street Project**

Dear Mr. Dorame:

This letter is to notify you of the proposed 1500 E. Anaheim Street Project (Project) in the City of Long Beach (City), Los Angeles County, California. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City, as Lead Agency under CEQA, will prepare a Mitigated Negative Declaration (MND) for this Project.

The Project is located on an approximately 1.5 acre site at the southwestern corner of Anaheim Street and Walnut Avenue (see attached Site Plan). The Project proposes a 5-story, 88 dwelling unit apartment building with 18,136 square feet of ground floor medical clinic space, 1,100 square feet of ground floor commercial office space, and a 212 stall parking structure. All Project dwelling units will be affordable housing units and will take advantage of State density bonus as provided under California Government Code Section 65915.

The Project would require approval of a Zone Change, General Plan Amendment, Site Plan Review, and Tentative Tract Map. The Zone Change and General Plan Amendment are required since the Project site current zoning designation (CCA – Community Commercial Automobile-Oriented District) and current General Plan designation (LUD No. 8A – Traditional Retail Strip Commercial) do not permit residential land uses. The requested zoning designation change to CCN (Community R-4-N Commercial District) would allow the requested mixed-use development. The General Plan designation would be changed to LUD No. 8R – Mixed Retail-Residential Strip, which allows both residential and commercial land uses. Additionally, a zoning High Rise (HR) Overlay District would be included, in accordance with Chapter 21.39 of the Long Beach Municipal Code, to allow a building height of 5-stories and 65-feet (the standard CCN District height limit is 3-stories and 38-feet) that would result in a final zoning designation of CCN(HR-65/5).

The Project would take advantage of the State law provisions that require local governments to grant development standards waivers and additional development standards concessions for affordable housing projects (California Government Code Section 65915) and commercial development components of affordable housing projects (California Government Code Section 65917.5) if the strict application of regular development standards would not allow an affordable housing/mixed use proposal. The Project as proposed would request the following waivers and concessions from the City's established development standards:

- Building setbacks (front, side, street side, and rear)
- Building step-backs for 2nd, 3rd, and 4th stories (rear)
- Required private open space areas/dimensions
- Screening standards for private open space
- Privacy standards between facing windows of separate dwelling units (interior courtyard-facing units)
- Residential parking spaces (144 stalls required, 118 stalls proposed)

Since the Project requires a General Plan Amendment and Zone Change, the City must therefore comply with California Public Resources Code Sections 65352.3- 65352.4 per Senate Bill 18 (SB 18), which requires local governments to conduct meaningful consultation with California Native American tribes on the contact list maintained by the California Native American Heritage Commission prior to approval of the Project.

This letter also serves to initiate consultation in compliance with Assembly Bill 52 (AB 52, Chapter 532, Statutes of 2014), which is required to consider the Project potential impacts to tribal cultural resources as part of the CEQA environmental review. To ensure compliance with AB 52 and Public Resources Code Section 21080.3.1, we are requesting any information you may have of tribal cultural resources within the Project area boundaries and offer this opportunity to request consultation with the City regarding this Project.

Your input is important to the City's planning process. We request that you advise the City if you wish to initiate consultations with the City on the Project. Under the provisions of SB 18, you have 90 days from the date of this notice to advise the City if you are interested in further consultation. Under the provisions of AB 52, you have 30 days from the receipt of this notice to advise the City if you are interested in consultation.

Robert Dorame
November 2, 2018
Page 3

If you know of any cultural resources that may be of religious and/or cultural significance to your community within the Project area, or if you would like more project information, please contact me by letter, phone or email at this address:

Craig Chalfant, Senior Planner
City of Long Beach
Development Services Department, Planning Bureau
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802
(562) 570-6368
craig.chalfant@longbeach.gov

Your comments are important to the City. Thank you for your involvement in this process.

Sincerely,



Craig Chalfant
Senior Planner

Attachments: Site Plan



CITY OF LONG BEACH

LONG BEACH DEVELOPMENT SERVICES

333 W. Ocean Blvd. - Long Beach, CA 90802 - 562/570-6194 - FAX 562/570-6068

PLANNING BUREAU

November 2, 2018

Sandonne Goad
Gabrielino/Tongva Nation
106 ½ Judge John Aiso Street, #231
Los Angeles, CA 90012

**RE: SB 18 and AB 52 Project Notification
1500 E. Anaheim Street Project**

Dear Ms. Goad:

This letter is to notify you of the proposed 1500 E. Anaheim Street Project (Project) in the City of Long Beach (City), Los Angeles County, California. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City, as Lead Agency under CEQA, will prepare a Mitigated Negative Declaration (MND) for this Project.

The Project is located on an approximately 1.5 acre site at the southwestern corner of Anaheim Street and Walnut Avenue (see attached Site Plan). The Project proposes a 5-story, 88 dwelling unit apartment building with 18,136 square feet of ground floor medical clinic space, 1,100 square feet of ground floor commercial office space, and a 212 stall parking structure. All Project dwelling units will be affordable housing units and will take advantage of State density bonus as provided under California Government Code Section 65915.

The Project would require approval of a Zone Change, General Plan Amendment, Site Plan Review, and Tentative Tract Map. The Zone Change and General Plan Amendment are required since the Project site current zoning designation (CCA – Community Commercial Automobile-Oriented District) and current General Plan designation (LUD No. 8A – Traditional Retail Strip Commercial) do not permit residential land uses. The requested zoning designation change to CCN (Community R-4-N Commercial District) would allow the requested mixed-use development. The General Plan designation would be changed to LUD No. 8R – Mixed Retail-Residential Strip, which allows both residential and commercial land uses. Additionally, a zoning High Rise (HR) Overlay District would be included, in accordance with Chapter 21.39 of the Long Beach Municipal Code, to allow a building height of 5-stories and 65-feet (the standard CCN District height limit is 3-stories and 38-feet) that would result in a final zoning designation of CCN(HR-65/5).

The Project would take advantage of the State law provisions that require local governments to grant development standards waivers and additional development standards concessions for affordable housing projects (California Government Code Section 65915) and commercial development components of affordable housing projects (California Government Code Section 65917.5) if the strict application of regular development standards would not allow an affordable housing/mixed use proposal. The Project as proposed would request the following waivers and concessions from the City's established development standards:

- Building setbacks (front, side, street side, and rear)
- Building step-backs for 2nd, 3rd, and 4th stories (rear)
- Required private open space areas/dimensions
- Screening standards for private open space
- Privacy standards between facing windows of separate dwelling units (interior courtyard-facing units)
- Residential parking spaces (144 stalls required, 118 stalls proposed)

Since the Project requires a General Plan Amendment and Zone Change, the City must therefore comply with California Public Resources Code Sections 65352.3- 65352.4 per Senate Bill 18 (SB 18), which requires local governments to conduct meaningful consultation with California Native American tribes on the contact list maintained by the California Native American Heritage Commission prior to approval of the Project.

This letter also serves to initiate consultation in compliance with Assembly Bill 52 (AB 52, Chapter 532, Statutes of 2014), which is required to consider the Project potential impacts to tribal cultural resources as part of the CEQA environmental review. To ensure compliance with AB 52 and Public Resources Code Section 21080.3.1, we are requesting any information you may have of tribal cultural resources within the Project area boundaries and offer this opportunity to request consultation with the City regarding this Project.

Your input is important to the City's planning process. We request that you advise the City if you wish to initiate consultations with the City on the Project. Under the provisions of SB 18, you have 90 days from the date of this notice to advise the City if you are interested in further consultation. Under the provisions of AB 52, you have 30 days from the receipt of this notice to advise the City if you are interested in consultation.

Sandonne Goad
November 2, 2018
Page 3

If you know of any cultural resources that may be of religious and/or cultural significance to your community within the Project area, or if you would like more project information, please contact me by letter, phone or email at this address:

Craig Chalfant, Senior Planner
City of Long Beach
Development Services Department, Planning Bureau
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802
(562) 570-6368
craig.chalfant@longbeach.gov

Your comments are important to the City. Thank you for your involvement in this process.

Sincerely,



Craig Chalfant
Senior Planner

Attachments: Site Plan



CITY OF LONG BEACH

LONG BEACH DEVELOPMENT SERVICES

333 W. Ocean Blvd. - Long Beach, CA 90802 - 562/570-6194 - FAX 562/570-6068

PLANNING BUREAU

November 2, 2018

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

**RE: SB 18 and AB 52 Project Notification
1500 E. Anaheim Street Project**

Dear Mr. Alvarez:

This letter is to notify you of the proposed 1500 E. Anaheim Street Project (Project) in the City of Long Beach (City), Los Angeles County, California. In accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City, as Lead Agency under CEQA, will prepare a Mitigated Negative Declaration (MND) for this Project.

The Project is located on an approximately 1.5 acre site at the southwestern corner of Anaheim Street and Walnut Avenue (see attached Site Plan). The Project proposes a 5-story, 88 dwelling unit apartment building with 18,136 square feet of ground floor medical clinic space, 1,100 square feet of ground floor commercial office space, and a 212 stall parking structure. All Project dwelling units will be affordable housing units and will take advantage of State density bonus as provided under California Government Code Section 65915.

The Project would require approval of a Zone Change, General Plan Amendment, Site Plan Review, and Tentative Tract Map. The Zone Change and General Plan Amendment are required since the Project site current zoning designation (CCA – Community Commercial Automobile-Oriented District) and current General Plan designation (LUD No. 8A – Traditional Retail Strip Commercial) do not permit residential land uses. The requested zoning designation change to CCN (Community R-4-N Commercial District) would allow the requested mixed-use development. The General Plan designation would be changed to LUD No. 8R – Mixed Retail-Residential Strip, which allows both residential and commercial land uses. Additionally, a zoning High Rise (HR) Overlay District would be included, in accordance with Chapter 21.39 of the Long Beach Municipal Code, to allow a building height of 5-stories and 65-feet (the standard CCN District height limit is 3-stories and 38-feet) that would result in a final zoning designation of CCN(HR-65/5).

The Project would take advantage of the State law provisions that require local governments to grant development standards waivers and additional development standards concessions for affordable housing projects (California Government Code Section 65915) and commercial development components of affordable housing projects (California Government Code Section 65917.5) if the strict application of regular development standards would not allow an affordable housing/mixed use proposal. The Project as proposed would request the following waivers and concessions from the City's established development standards:

- Building setbacks (front, side, street side, and rear)
- Building step-backs for 2nd, 3rd, and 4th stories (rear)
- Required private open space areas/dimensions
- Screening standards for private open space
- Privacy standards between facing windows of separate dwelling units (interior courtyard-facing units)
- Residential parking spaces (144 stalls required, 118 stalls proposed)

Since the Project requires a General Plan Amendment and Zone Change, the City must therefore comply with California Public Resources Code Sections 65352.3- 65352.4 per Senate Bill 18 (SB 18), which requires local governments to conduct meaningful consultation with California Native American tribes on the contact list maintained by the California Native American Heritage Commission prior to approval of the Project.

This letter also serves to initiate consultation in compliance with Assembly Bill 52 (AB 52, Chapter 532, Statutes of 2014), which is required to consider the Project potential impacts to tribal cultural resources as part of the CEQA environmental review. To ensure compliance with AB 52 and Public Resources Code Section 21080.3.1, we are requesting any information you may have of tribal cultural resources within the Project area boundaries and offer this opportunity to request consultation with the City regarding this Project.

Your input is important to the City's planning process. We request that you advise the City if you wish to initiate consultations with the City on the Project. Under the provisions of SB 18, you have 90 days from the date of this notice to advise the City if you are interested in further consultation. Under the provisions of AB 52, you have 30 days from the receipt of this notice to advise the City if you are interested in consultation.

Charles Alvarez
November 2, 2018
Page 3

If you know of any cultural resources that may be of religious and/or cultural significance to your community within the Project area, or if you would like more project information, please contact me by letter, phone or email at this address:

Craig Chalfant, Senior Planner
City of Long Beach
Development Services Department, Planning Bureau
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802
(562) 570-6368
craig.chalfant@longbeach.gov

Your comments are important to the City. Thank you for your involvement in this process.

Sincerely,



Craig Chalfant
Senior Planner

Attachments: Site Plan



CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

PLANNING BUREAU

February 14, 2019

Mr. Andrew Salas
Gabrieleno Band of Mission Indians – Kizh Nation
PO Box 393
Covina, CA 91723

Via US Mail and Certified Mail, Return Receipt Requested (7018 1830 0000 2094 8120)

Re: SB 18 and AB 52 Consultation with the Gabrieleno Band of Mission Indians – Kizh Nation for the Anaheim and Walnut Development Project.

Dear Mr. Salas:

Please let this letter serve as notification that the City of Long Beach, as the lead agency, is initiating consultation in compliance with Senate Bill (SB) 18 and Assembly (AB) 52 for the Anaheim and Walnut Development Project (Application No. 1710-56). Please consider this letter and preliminary project information as the initiation of the California Environmental Quality Act procedures, specifically Public Resources Code (PRC) Section 65352.3–65352.4 (i.e., SB 18) and Public Resources Code Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52).

Under SB 18, the Gabrieleno Band of Mission Indians – Kizh Nation has 90 days upon receipt of this letter to request consultation regarding the Anaheim and Walnut Development Project. Under AB 52, the Gabrieleno Band of Mission Indians – Kizh Nation has 30 days (concurrent with the beginning of the above 90-day period) upon receipt of this letter to request consultation on the same project. Please respond within the above timeframes, pursuant to PRC Section 65352.3–65352.4 and Section 21080.3.1(d) if you would like to consult on this project.

Project Description: The project consists of a new 116,215-square foot mixed use building 59.2 feet above ground level (maximum five stories). The building includes an 88-unit, five-story apartment building, with 18,136 square feet for a medical clinic and 1,100 square feet of ground-floor commercial office space. The project would also include a four-story attached parking structure with approximately 212 parking spaces. The project consists of 100% affordable housing units.

As a matter of policy, the City requires a tribal monitor be given access to any construction site during grading activities. Typical condition text is found below:

Prior to the issuance of any Grading Permit for the project, the City of Long Beach Development Services Department shall ensure that the construction contractor provide access for Native American monitoring during ground-disturbing activities. This provision shall be included on project plans and specifications. The site shall be made accessible to any Native American tribe requesting to be present, provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall be approved by a local tribal representative and shall be present on-site during the construction phases that involve any ground disturbing activities. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the CEQA, California Public Resources Code Division 13, Section 21083.2 (a) through (k). Neither the City of Long Beach, project applicant, nor construction contractor shall be financially obligated for any monitoring activities. If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find, in order to recover and/or determine the appropriate plan of recovery for the resource. The recovery process shall not unreasonably delay the construction process. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has determined that the site has a low potential for archaeological resources.

Additionally, the following are typical mitigation measures the City has required as part of the Mitigation Monitoring and Reporting Program for an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND):

- **Retention of Qualified Archaeologist and Worker Training.** Prior to the issuance of a grading permit by the City of Long Beach, evidence shall be provided to the City that a qualified archaeologist meeting the Secretary of the Interior's Standards for professional archaeology (U.S. Secretary of the Interior 2008) has been retained by the Applicant to conduct any required training, evaluation, or treatment of archaeological resources that might be encountered during implementation of the project. As part of this, prior to the start of grading, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel must be informed of the types of archaeological resources that may be encountered (both prehistoric and historical), and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The Applicant must ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. This documentation shall be made available to the City upon request.
- **Native American Monitoring.** A Native American monitor from the tribe or tribes identified as a consulting party for the project under AB 52 shall be present during all earth-moving construction activities. The Native American monitor shall be given

the opportunity to participate in the cultural resources sensitivity training described in the preceding mitigation measure. At least 30 days prior to issuance of grading permits by the City of Long Beach for each of the four individual sites and any off-site improvements, a Native American Monitoring Agreement (Monitoring Agreement) shall be developed between the City and the consulting party. The Monitoring Agreement shall pertain to prehistoric archaeological resources and Tribal cultural resources, respectively, and shall identify any monitoring requirements and treatment of cultural resources to meet both the requirements of CEQA and those of the Tribal representative. The Monitoring Agreement shall also address communication protocols in the event of an unanticipated discovery of cultural materials, and the roles, responsibilities, and authorities of the Native American Monitor. The Monitoring Agreement shall also detail the protocols for treatment and final disposition of any Native American cultural resources, sacred sites, and human remains discovered on the site that the Native American Monitor shall implement in consultation and coordination with the Native American Most Likely Descendant, as identified by the NAHC. In accordance with the mitigation measure below, discovery and treatment of human remains shall comply with State Health and Safety Code Section 7050.5 and PRC Section 5097.98.

- **Archaeological Resource and/or Tribal Cultural Resource Discovery and Treatment.** In the event of the unanticipated discovery of archaeological or other cultural resources, whether discovered through Native American monitoring or not, all work activities in the area (within approximately 100 feet of the discovery) shall be halted or redirected until the discovery can be evaluated by a qualified archaeologist. Construction shall not resume until a qualified archaeologist has conferred with the City and, in the case of prehistoric archaeological resources and tribal cultural resources, the Native American monitor, on the significance of the resource. If it is determined that the discovered archaeological resource and/or tribal cultural resource is significant under CEQA, avoidance and preservation in place shall be the preferred manner of mitigation, pursuant to PRC Section 21083.2(b) and Section 21084.3. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible mitigation available, a Treatment Plan shall be prepared and implemented by a qualified archaeologist, in consultation with the City, that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource or cultural information in the event of a tribal cultural resource. The City shall also consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resources, beyond those that are scientifically important, are considered. Any evaluation and treatment shall be supervised by an individual or individuals that meet the Secretary of the Interior's Professional Qualification Standards.

- **Treatment of Human Remains.** In accordance with California Health and Safety Code Section 7050.5, if human remains are found, the Los Angeles County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains (100 feet or as determined by the project archaeologist) shall occur until the procedures set forth in this measure have been implemented. If the County Coroner determines that the remains are, or are believed to be, Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with California PRC Section 5097.98, the NAHC must immediately notify those persons it believes to be the Most Likely Descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

To ensure compliance with SB 18 and AB 52, the City respectfully requests that you assist us by providing any relevant information you may have regarding tribal cultural resources within the project area boundaries. Your comments and concerns are important to the City's planning process. If you have any questions or concerns with the Project, please contact:

Scott Kinsey, Project Planner
Department of Development Services, Planning Bureau
333 West Ocean Blvd., 5th floor
Long Beach, CA 90802

scott.kinsey@longbeach.gov

I can also be reached by phone at (562) 570-6461

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Kinsey", with a long, sweeping horizontal stroke extending to the right.

Scott Kinsey, AICP
Project Planner

Attachments: Site Vicinity Map
 Site Plan







CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

PLANNING BUREAU

February 14, 2019

Mr. Joseph Ontiveros
Soboba Band of Luiseno Indians
PO Box 487
San Jacinto, CA 92581

Via US Mail and Certified Mail, Return Receipt Requested (7018 1830 0000 2094 8113)

Re: SB 18 and AB 52 Consultation with the Soboba Band of Luiseno Indians for the Anaheim and Walnut Development Project.

Dear Mr. Ontiveros:

Please let this letter serve as notification that the City of Long Beach, as the lead agency, is initiating consultation in compliance with Senate Bill (SB) 18 and Assembly (AB) 52 for the Anaheim and Walnut Development Project (Application No. 1710-56). Please consider this letter and preliminary project information as the initiation of the California Environmental Quality Act procedures, specifically Public Resources Code (PRC) Section 65352.3–65352.4 (i.e., SB 18) and Public Resources Code Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52).

Under SB 18, the Soboba Band of Luiseno Indians has 90 days upon receipt of this letter to request consultation regarding the Anaheim and Walnut Development Project. Under AB 52, the Soboba Band of Luiseno Indians has 30 days (concurrent with the beginning of the above 90-day period) upon receipt of this letter to request consultation on the same project. Please respond within the above timeframes, pursuant to PRC Section 65352.3–65352.4 and Section 21080.3.1(d) if you would like to consult on this project.

Project Description: The project consists of a new 116,215-square foot mixed use building 59.2 feet above ground level (maximum five stories). The building includes an 88-unit, five-story apartment building, with 18,136 square feet for a medical clinic and 1,100 square feet of ground-floor commercial office space. The project would also include a four-story attached parking structure with approximately 212 parking spaces. The project consists of 100% affordable housing units.

As a matter of policy, the City requires a tribal monitor be given access to any construction site during grading activities. Typical condition text is found below:

Prior to the issuance of any Grading Permit for the project, the City of Long Beach Development Services Department shall ensure that the construction contractor provide

access for Native American monitoring during ground-disturbing activities. This provision shall be included on project plans and specifications. The site shall be made accessible to any Native American tribe requesting to be present, provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall be approved by a local tribal representative and shall be present on-site during the construction phases that involve any ground disturbing activities. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the CEQA, California Public Resources Code Division 13, Section 21083.2 (a) through (k). Neither the City of Long Beach, project applicant, nor construction contractor shall be financially obligated for any monitoring activities. If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find, in order to recover and/or determine the appropriate plan of recovery for the resource. The recovery process shall not unreasonably delay the construction process. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has determined that the site has a low potential for archaeological resources.

Additionally, the following are typical mitigation measures the City has required as part of the Mitigation Monitoring and Reporting Program for an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND):

- **Retention of Qualified Archaeologist and Worker Training.** Prior to the issuance of a grading permit by the City of Long Beach, evidence shall be provided to the City that a qualified archaeologist meeting the Secretary of the Interior's Standards for professional archaeology (U.S. Secretary of the Interior 2008) has been retained by the Applicant to conduct any required training, evaluation, or treatment of archaeological resources that might be encountered during implementation of the project. As part of this, prior to the start of grading, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel must be informed of the types of archaeological resources that may be encountered (both prehistoric and historical), and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The Applicant must ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. This documentation shall be made available to the City upon request.
- **Native American Monitoring.** A Native American monitor from the tribe or tribes identified as a consulting party for the project under AB 52 shall be present during all earth-moving construction activities. The Native American monitor shall be given the opportunity to participate in the cultural resources sensitivity training described in the preceding mitigation measure. At least 30 days prior to issuance of grading

permits by the City of Long Beach for each of the four individual sites and any off-site improvements, a Native American Monitoring Agreement (Monitoring Agreement) shall be developed between the City and the consulting party. The Monitoring Agreement shall pertain to prehistoric archaeological resources and Tribal cultural resources, respectively, and shall identify any monitoring requirements and treatment of cultural resources to meet both the requirements of CEQA and those of the Tribal representative. The Monitoring Agreement shall also address communication protocols in the event of an unanticipated discovery of cultural materials, and the roles, responsibilities, and authorities of the Native American Monitor. The Monitoring Agreement shall also detail the protocols for treatment and final disposition of any Native American cultural resources, sacred sites, and human remains discovered on the site that the Native American Monitor shall implement in consultation and coordination with the Native American Most Likely Descendant, as identified by the NAHC. In accordance with the mitigation measure below, discovery and treatment of human remains shall comply with State Health and Safety Code Section 7050.5 and PRC Section 5097.98.

- **Archaeological Resource and/or Tribal Cultural Resource Discovery and Treatment.** In the event of the unanticipated discovery of archaeological or other cultural resources, whether discovered through Native American monitoring or not, all work activities in the area (within approximately 100 feet of the discovery) shall be halted or redirected until the discovery can be evaluated by a qualified archaeologist. Construction shall not resume until a qualified archaeologist has conferred with the City and, in the case of prehistoric archaeological resources and tribal cultural resources, the Native American monitor, on the significance of the resource. If it is determined that the discovered archaeological resource and/or tribal cultural resource is significant under CEQA, avoidance and preservation in place shall be the preferred manner of mitigation, pursuant to PRC Section 21083.2(b) and Section 21084.3. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible mitigation available, a Treatment Plan shall be prepared and implemented by a qualified archaeologist, in consultation with the City, that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource or cultural information in the event of a tribal cultural resource. The City shall also consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resources, beyond those that are scientifically important, are considered. Any evaluation and treatment shall be supervised by an individual or individuals that meet the Secretary of the Interior's Professional Qualification Standards.
- **Treatment of Human Remains.** In accordance with California Health and Safety Code Section 7050.5, if human remains are found, the Los Angeles County Coroner shall be immediately notified of the discovery. No further excavation or disturbance

of the site or any nearby area reasonably suspected to overlie adjacent remains (100 feet or as determined by the project archaeologist) shall occur until the procedures set forth in this measure have been implemented. If the County Coroner determines that the remains are, or are believed to be, Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with California PRC Section 5097.98, the NAHC must immediately notify those persons it believes to be the Most Likely Descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

To ensure compliance with SB 18 and AB 52, the City respectfully requests that you assist us by providing any relevant information you may have regarding tribal cultural resources within the project area boundaries. Your comments and concerns are important to the City's planning process. If you have any questions or concerns with the Project, please contact:

Scott Kinsey, Project Planner
Department of Development Services, Planning Bureau
333 West Ocean Blvd., 5th floor
Long Beach, CA 90802

scott.kinsey@longbeach.gov

I can also be reached by phone at (562) 570-6461

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Kinsey", with a long, sweeping horizontal stroke extending to the right.

Scott Kinsey, AICP
Project Planner

Attachments: Site Vicinity Map
 Site Plan





CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

PLANNING BUREAU

February 14, 2019

Mr. Michael Mirelez
Torres Martinez Desert Cahuilla Indians
PO Box 1160
Thermal, CA 92274

Via US Mail and Certified Mail, Return Receipt Requested (7018 1830 0000 2094 8106)

Re: SB 18 and AB 52 Consultation with the Torres Martinez Desert Cahuilla Indians for the Anaheim and Walnut Development Project.

Dear Mr. Mirelez:

Please let this letter serve as notification that the City of Long Beach, as the lead agency, is initiating consultation in compliance with Senate Bill (SB) 18 and Assembly (AB) 52 for the Anaheim and Walnut Development Project (Application No. 1710-56). Please consider this letter and preliminary project information as the initiation of the California Environmental Quality Act procedures, specifically Public Resources Code (PRC) Section 65352.3–65352.4 (i.e., SB 18) and Public Resources Code Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52).

Under SB 18, the Torres Martinez Desert Cahuilla Indians has 90 days upon receipt of this letter to request consultation regarding the Anaheim and Walnut Development Project. Under AB 52, the Torres Martinez Desert Cahuilla Indians has 30 days (concurrent with the beginning of the above 90-day period) upon receipt of this letter to request consultation on the same project. Please respond within the above timeframes, pursuant to PRC Section 65352.3–65352.4 and Section 21080.3.1(d) if you would like to consult on this project.

Project Description: The project consists of a new 116,215-square foot mixed use building 59.2 feet above ground level (maximum five stories). The building includes an 88-unit, five-story apartment building, with 18,136 square feet for a medical clinic and 1,100 square feet of ground-floor commercial office space. The project would also include a four-story attached parking structure with approximately 212 parking spaces. The project consists of 100% affordable housing units.

As a matter of policy, the City requires a tribal monitor be given access to any construction site during grading activities. Typical condition text is found below:

Prior to the issuance of any Grading Permit for the project, the City of Long Beach Development Services Department shall ensure that the construction contractor provide

access for Native American monitoring during ground-disturbing activities. This provision shall be included on project plans and specifications. The site shall be made accessible to any Native American tribe requesting to be present, provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall be approved by a local tribal representative and shall be present on-site during the construction phases that involve any ground disturbing activities. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the CEQA, California Public Resources Code Division 13, Section 21083.2 (a) through (k). Neither the City of Long Beach, project applicant, nor construction contractor shall be financially obligated for any monitoring activities. If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find, in order to recover and/or determine the appropriate plan of recovery for the resource. The recovery process shall not unreasonably delay the construction process. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has determined that the site has a low potential for archaeological resources.

Additionally, the following are typical mitigation measures the City has required as part of the Mitigation Monitoring and Reporting Program for an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND):

- **Retention of Qualified Archaeologist and Worker Training.** Prior to the issuance of a grading permit by the City of Long Beach, evidence shall be provided to the City that a qualified archaeologist meeting the Secretary of the Interior's Standards for professional archaeology (U.S. Secretary of the Interior 2008) has been retained by the Applicant to conduct any required training, evaluation, or treatment of archaeological resources that might be encountered during implementation of the project. As part of this, prior to the start of grading, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel must be informed of the types of archaeological resources that may be encountered (both prehistoric and historical), and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The Applicant must ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. This documentation shall be made available to the City upon request.
- **Native American Monitoring.** A Native American monitor from the tribe or tribes identified as a consulting party for the project under AB 52 shall be present during all earth-moving construction activities. The Native American monitor shall be given the opportunity to participate in the cultural resources sensitivity training described in the preceding mitigation measure. At least 30 days prior to issuance of grading

permits by the City of Long Beach for each of the four individual sites and any off-site improvements, a Native American Monitoring Agreement (Monitoring Agreement) shall be developed between the City and the consulting party. The Monitoring Agreement shall pertain to prehistoric archaeological resources and Tribal cultural resources, respectively, and shall identify any monitoring requirements and treatment of cultural resources to meet both the requirements of CEQA and those of the Tribal representative. The Monitoring Agreement shall also address communication protocols in the event of an unanticipated discovery of cultural materials, and the roles, responsibilities, and authorities of the Native American Monitor. The Monitoring Agreement shall also detail the protocols for treatment and final disposition of any Native American cultural resources, sacred sites, and human remains discovered on the site that the Native American Monitor shall implement in consultation and coordination with the Native American Most Likely Descendant, as identified by the NAHC. In accordance with the mitigation measure below, discovery and treatment of human remains shall comply with State Health and Safety Code Section 7050.5 and PRC Section 5097.98.

- **Archaeological Resource and/or Tribal Cultural Resource Discovery and Treatment.** In the event of the unanticipated discovery of archaeological or other cultural resources, whether discovered through Native American monitoring or not, all work activities in the area (within approximately 100 feet of the discovery) shall be halted or redirected until the discovery can be evaluated by a qualified archaeologist. Construction shall not resume until a qualified archaeologist has conferred with the City and, in the case of prehistoric archaeological resources and tribal cultural resources, the Native American monitor, on the significance of the resource. If it is determined that the discovered archaeological resource and/or tribal cultural resource is significant under CEQA, avoidance and preservation in place shall be the preferred manner of mitigation, pursuant to PRC Section 21083.2(b) and Section 21084.3. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible mitigation available, a Treatment Plan shall be prepared and implemented by a qualified archaeologist, in consultation with the City, that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource or cultural information in the event of a tribal cultural resource. The City shall also consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resources, beyond those that are scientifically important, are considered. Any evaluation and treatment shall be supervised by an individual or individuals that meet the Secretary of the Interior's Professional Qualification Standards.
- **Treatment of Human Remains.** In accordance with California Health and Safety Code Section 7050.5, if human remains are found, the Los Angeles County Coroner shall be immediately notified of the discovery. No further excavation or disturbance

of the site or any nearby area reasonably suspected to overlie adjacent remains (100 feet or as determined by the project archaeologist) shall occur until the procedures set forth in this measure have been implemented. If the County Coroner determines that the remains are, or are believed to be, Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with California PRC Section 5097.98, the NAHC must immediately notify those persons it believes to be the Most Likely Descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

To ensure compliance with SB 18 and AB 52, the City respectfully requests that you assist us by providing any relevant information you may have regarding tribal cultural resources within the project area boundaries. Your comments and concerns are important to the City's planning process. If you have any questions or concerns with the Project, please contact:

Scott Kinsey, Project Planner
Department of Development Services, Planning Bureau
333 West Ocean Blvd., 5th floor
Long Beach, CA 90802

scott.kinsey@longbeach.gov

I can also be reached by phone at (562) 570-6461

Sincerely,

A handwritten signature in black ink that reads "Scott Kinsey". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Scott Kinsey, AICP
Project Planner

Attachments: Site Vicinity Map
 Site Plan







CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

PLANNING BUREAU

February 14, 2019

Mr. Anthony Morales
Gabrieleno/Tongva San Gabriel Band of Mission Indians
PO Box 693
San Gabriel, CA 91778

Via US Mail and Certified Mail, Return Receipt Requested (7018 1830 0000 2094 8090)

Re: SB 18 and AB 52 Consultation with the Gabrieleno/Tongva San Gabriel Band of Mission Indians for the Anaheim and Walnut Development Project.

Dear Mr. Morales:

Please let this letter serve as notification that the City of Long Beach, as the lead agency, is initiating consultation in compliance with Senate Bill (SB) 18 and Assembly (AB) 52 for the Anaheim and Walnut Development Project (Application No. 1710-56). Please consider this letter and preliminary project information as the initiation of the California Environmental Quality Act procedures, specifically Public Resources Code (PRC) Section 65352.3–65352.4 (i.e., SB 18) and Public Resources Code Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52).

Under SB 18, the Gabrieleno/Tongva San Gabriel Band of Mission Indians has 90 days upon receipt of this letter to request consultation regarding the Anaheim and Walnut Development Project. Under AB 52, the Gabrieleno/Tongva San Gabriel Band of Mission Indians has 30 days (concurrent with the beginning of the above 90-day period) upon receipt of this letter to request consultation on the same project. Please respond within the above timeframes, pursuant to PRC Section 65352.3–65352.4 and Section 21080.3.1(d) if you would like to consult on this project.

Project Description: The project consists of a new 116,215-square foot mixed use building 59.2 feet above ground level (maximum five stories). The building includes an 88-unit, five-story apartment building, with 18,136 square feet for a medical clinic and 1,100 square feet of ground-floor commercial office space. The project would also include a four-story attached parking structure with approximately 212 parking spaces. The project consists of 100% affordable housing units.

As a matter of policy, the City requires a tribal monitor be given access to any construction site during grading activities. Typical condition text is found below:

Prior to the issuance of any Grading Permit for the project, the City of Long Beach Development Services Department shall ensure that the construction contractor provide access for Native American monitoring during ground-disturbing activities. This provision shall be included on project plans and specifications. The site shall be made accessible to any Native American tribe requesting to be present, provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall be approved by a local tribal representative and shall be present on-site during the construction phases that involve any ground disturbing activities. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the CEQA, California Public Resources Code Division 13, Section 21083.2 (a) through (k). Neither the City of Long Beach, project applicant, nor construction contractor shall be financially obligated for any monitoring activities. If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find, in order to recover and/or determine the appropriate plan of recovery for the resource. The recovery process shall not unreasonably delay the construction process. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has determined that the site has a low potential for archaeological resources.

Additionally, the following are typical mitigation measures the City has required as part of the Mitigation Monitoring and Reporting Program for an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND):

- **Retention of Qualified Archaeologist and Worker Training.** Prior to the issuance of a grading permit by the City of Long Beach, evidence shall be provided to the City that a qualified archaeologist meeting the Secretary of the Interior's Standards for professional archaeology (U.S. Secretary of the Interior 2008) has been retained by the Applicant to conduct any required training, evaluation, or treatment of archaeological resources that might be encountered during implementation of the project. As part of this, prior to the start of grading, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel must be informed of the types of archaeological resources that may be encountered (both prehistoric and historical), and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The Applicant must ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. This documentation shall be made available to the City upon request.
- **Native American Monitoring.** A Native American monitor from the tribe or tribes identified as a consulting party for the project under AB 52 shall be present during all earth-moving construction activities. The Native American monitor shall be given

the opportunity to participate in the cultural resources sensitivity training described in the preceding mitigation measure. At least 30 days prior to issuance of grading permits by the City of Long Beach for each of the four individual sites and any off-site improvements, a Native American Monitoring Agreement (Monitoring Agreement) shall be developed between the City and the consulting party. The Monitoring Agreement shall pertain to prehistoric archaeological resources and Tribal cultural resources, respectively, and shall identify any monitoring requirements and treatment of cultural resources to meet both the requirements of CEQA and those of the Tribal representative. The Monitoring Agreement shall also address communication protocols in the event of an unanticipated discovery of cultural materials, and the roles, responsibilities, and authorities of the Native American Monitor. The Monitoring Agreement shall also detail the protocols for treatment and final disposition of any Native American cultural resources, sacred sites, and human remains discovered on the site that the Native American Monitor shall implement in consultation and coordination with the Native American Most Likely Descendant, as identified by the NAHC. In accordance with the mitigation measure below, discovery and treatment of human remains shall comply with State Health and Safety Code Section 7050.5 and PRC Section 5097.98.

- **Archaeological Resource and/or Tribal Cultural Resource Discovery and Treatment.** In the event of the unanticipated discovery of archaeological or other cultural resources, whether discovered through Native American monitoring or not, all work activities in the area (within approximately 100 feet of the discovery) shall be halted or redirected until the discovery can be evaluated by a qualified archaeologist. Construction shall not resume until a qualified archaeologist has conferred with the City and, in the case of prehistoric archaeological resources and tribal cultural resources, the Native American monitor, on the significance of the resource. If it is determined that the discovered archaeological resource and/or tribal cultural resource is significant under CEQA, avoidance and preservation in place shall be the preferred manner of mitigation, pursuant to PRC Section 21083.2(b) and Section 21084.3. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible mitigation available, a Treatment Plan shall be prepared and implemented by a qualified archaeologist, in consultation with the City, that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource or cultural information in the event of a tribal cultural resource. The City shall also consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resources, beyond those that are scientifically important, are considered. Any evaluation and treatment shall be supervised by an individual or individuals that meet the Secretary of the Interior's Professional Qualification Standards.

- **Treatment of Human Remains.** In accordance with California Health and Safety Code Section 7050.5, if human remains are found, the Los Angeles County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains (100 feet or as determined by the project archaeologist) shall occur until the procedures set forth in this measure have been implemented. If the County Coroner determines that the remains are, or are believed to be, Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with California PRC Section 5097.98, the NAHC must immediately notify those persons it believes to be the Most Likely Descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

To ensure compliance with SB 18 and AB 52, the City respectfully requests that you assist us by providing any relevant information you may have regarding tribal cultural resources within the project area boundaries. Your comments and concerns are important to the City's planning process. If you have any questions or concerns with the Project, please contact:

Scott Kinsey, Project Planner
Department of Development Services, Planning Bureau
333 West Ocean Blvd., 5th floor
Long Beach, CA 90802

scott.kinsey@longbeach.gov

I can also be reached by phone at (562) 570-6461

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Kinsey", with a long, sweeping horizontal stroke extending to the right.

Scott Kinsey, AICP
Project Planner

Attachments: Site Vicinity Map
 Site Plan





CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

PLANNING BUREAU

February 14, 2019

Ms. Linda Candelaria
Gabrielino-Tongva Tribe
80839 Camino Santa Juliana
Indio, CA 92203

Via US Mail and Certified Mail, Return Receipt Requested (7018 1830 0000 2094 8083)

Re: SB 18 and AB 52 Consultation with the Gabrielino-Tongva Tribe for the Anaheim and Walnut Development Project.

Dear Ms. Candelaria:

Please let this letter serve as notification that the City of Long Beach, as the lead agency, is initiating consultation in compliance with Senate Bill (SB) 18 and Assembly (AB) 52 for the Anaheim and Walnut Development Project (Application No. 1710-56). Please consider this letter and preliminary project information as the initiation of the California Environmental Quality Act procedures, specifically Public Resources Code (PRC) Section 65352.3–65352.4 (i.e., SB 18) and Public Resources Code Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52).

Under SB 18, the Gabrielino-Tongva Tribe has 90 days upon receipt of this letter to request consultation regarding the Anaheim and Walnut Development Project. Under AB 52, the Gabrielino-Tongva Tribe has 30 days (concurrent with the beginning of the above 90-day period) upon receipt of this letter to request consultation on the same project. Please respond within the above timeframes, pursuant to PRC Section 65352.3–65352.4 and Section 21080.3.1(d) if you would like to consult on this project.

Project Description: The project consists of a new 116,215-square foot mixed use building 59.2 feet above ground level (maximum five stories). The building includes an 88-unit, five-story apartment building, with 18,136 square feet for a medical clinic and 1,100 square feet of ground-floor commercial office space. The project would also include a four-story attached parking structure with approximately 212 parking spaces. The project consists of 100% affordable housing units.

As a matter of policy, the City requires a tribal monitor be given access to any construction site during grading activities. Typical condition text is found below:

Prior to the issuance of any Grading Permit for the project, the City of Long Beach Development Services Department shall ensure that the construction contractor provide

access for Native American monitoring during ground-disturbing activities. This provision shall be included on project plans and specifications. The site shall be made accessible to any Native American tribe requesting to be present, provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall be approved by a local tribal representative and shall be present on-site during the construction phases that involve any ground disturbing activities. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the CEQA, California Public Resources Code Division 13, Section 21083.2 (a) through (k). Neither the City of Long Beach, project applicant, nor construction contractor shall be financially obligated for any monitoring activities. If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find, in order to recover and/or determine the appropriate plan of recovery for the resource. The recovery process shall not unreasonably delay the construction process. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has determined that the site has a low potential for archaeological resources.

Additionally, the following are typical mitigation measures the City has required as part of the Mitigation Monitoring and Reporting Program for an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND):

- **Retention of Qualified Archaeologist and Worker Training.** Prior to the issuance of a grading permit by the City of Long Beach, evidence shall be provided to the City that a qualified archaeologist meeting the Secretary of the Interior's Standards for professional archaeology (U.S. Secretary of the Interior 2008) has been retained by the Applicant to conduct any required training, evaluation, or treatment of archaeological resources that might be encountered during implementation of the project. As part of this, prior to the start of grading, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel must be informed of the types of archaeological resources that may be encountered (both prehistoric and historical), and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The Applicant must ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. This documentation shall be made available to the City upon request.
- **Native American Monitoring.** A Native American monitor from the tribe or tribes identified as a consulting party for the project under AB 52 shall be present during all earth-moving construction activities. The Native American monitor shall be given the opportunity to participate in the cultural resources sensitivity training described in the preceding mitigation measure. At least 30 days prior to issuance of grading

permits by the City of Long Beach for each of the four individual sites and any off-site improvements, a Native American Monitoring Agreement (Monitoring Agreement) shall be developed between the City and the consulting party. The Monitoring Agreement shall pertain to prehistoric archaeological resources and Tribal cultural resources, respectively, and shall identify any monitoring requirements and treatment of cultural resources to meet both the requirements of CEQA and those of the Tribal representative. The Monitoring Agreement shall also address communication protocols in the event of an unanticipated discovery of cultural materials, and the roles, responsibilities, and authorities of the Native American Monitor. The Monitoring Agreement shall also detail the protocols for treatment and final disposition of any Native American cultural resources, sacred sites, and human remains discovered on the site that the Native American Monitor shall implement in consultation and coordination with the Native American Most Likely Descendant, as identified by the NAHC. In accordance with the mitigation measure below, discovery and treatment of human remains shall comply with State Health and Safety Code Section 7050.5 and PRC Section 5097.98.

- **Archaeological Resource and/or Tribal Cultural Resource Discovery and Treatment.** In the event of the unanticipated discovery of archaeological or other cultural resources, whether discovered through Native American monitoring or not, all work activities in the area (within approximately 100 feet of the discovery) shall be halted or redirected until the discovery can be evaluated by a qualified archaeologist. Construction shall not resume until a qualified archaeologist has conferred with the City and, in the case of prehistoric archaeological resources and tribal cultural resources, the Native American monitor, on the significance of the resource. If it is determined that the discovered archaeological resource and/or tribal cultural resource is significant under CEQA, avoidance and preservation in place shall be the preferred manner of mitigation, pursuant to PRC Section 21083.2(b) and Section 21084.3. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible mitigation available, a Treatment Plan shall be prepared and implemented by a qualified archaeologist, in consultation with the City, that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource or cultural information in the event of a tribal cultural resource. The City shall also consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resources, beyond those that are scientifically important, are considered. Any evaluation and treatment shall be supervised by an individual or individuals that meet the Secretary of the Interior's Professional Qualification Standards.
- **Treatment of Human Remains.** In accordance with California Health and Safety Code Section 7050.5, if human remains are found, the Los Angeles County Coroner shall be immediately notified of the discovery. No further excavation or disturbance

of the site or any nearby area reasonably suspected to overlie adjacent remains (100 feet or as determined by the project archaeologist) shall occur until the procedures set forth in this measure have been implemented. If the County Coroner determines that the remains are, or are believed to be, Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with California PRC Section 5097.98, the NAHC must immediately notify those persons it believes to be the Most Likely Descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

To ensure compliance with SB 18 and AB 52, the City respectfully requests that you assist us by providing any relevant information you may have regarding tribal cultural resources within the project area boundaries. Your comments and concerns are important to the City's planning process. If you have any questions or concerns with the Project, please contact:

Scott Kinsey, Project Planner
Department of Development Services, Planning Bureau
333 West Ocean Blvd., 5th floor
Long Beach, CA 90802

scott.kinsey@longbeach.gov

I can also be reached by phone at (562) 570-6461

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Kinsey", with a long, sweeping horizontal stroke extending to the right.

Scott Kinsey, AICP
Project Planner

Attachments: Site Vicinity Map
 Site Plan





CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

PLANNING BUREAU

February 14, 2019

Mr. Robert Dorame
Gabrieleno Tongva Indians of California Tribal Council
PO Box 490
Bellflower, CA 90707

Via US Mail and Certified Mail, Return Receipt Requested (7018 1830 0000 2094 8076)

Re: SB 18 and AB 52 Consultation with the Gabrieleno Tongva Indians of California Tribal Council for the Anaheim and Walnut Development Project.

Dear Mr. Dorame:

Please let this letter serve as notification that the City of Long Beach, as the lead agency, is initiating consultation in compliance with Senate Bill (SB) 18 and Assembly (AB) 52 for the Anaheim and Walnut Development Project (Application No. 1710-56). Please consider this letter and preliminary project information as the initiation of the California Environmental Quality Act procedures, specifically Public Resources Code (PRC) Section 65352.3–65352.4 (i.e., SB 18) and Public Resources Code Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52).

Under SB 18, the Gabrieleno Tongva Indians of California Tribal Council has 90 days upon receipt of this letter to request consultation regarding the Anaheim and Walnut Development Project. Under AB 52, the Gabrieleno Tongva Indians of California Tribal Council has 30 days (concurrent with the beginning of the above 90-day period) upon receipt of this letter to request consultation on the same project. Please respond within the above timeframes, pursuant to PRC Section 65352.3–65352.4 and Section 21080.3.1(d) if you would like to consult on this project.

Project Description: The project consists of a new 116,215-square foot mixed use building 59.2 feet above ground level (maximum five stories). The building includes an 88-unit, five-story apartment building, with 18,136 square feet for a medical clinic and 1,100 square feet of ground-floor commercial office space. The project would also include a four-story attached parking structure with approximately 212 parking spaces. The project consists of 100% affordable housing units.

As a matter of policy, the City requires a tribal monitor be given access to any construction site during grading activities. Typical condition text is found below:

Prior to the issuance of any Grading Permit for the project, the City of Long Beach Development Services Department shall ensure that the construction contractor provide access for Native American monitoring during ground-disturbing activities. This provision shall be included on project plans and specifications. The site shall be made accessible to any Native American tribe requesting to be present, provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall be approved by a local tribal representative and shall be present on-site during the construction phases that involve any ground disturbing activities. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the CEQA, California Public Resources Code Division 13, Section 21083.2 (a) through (k). Neither the City of Long Beach, project applicant, nor construction contractor shall be financially obligated for any monitoring activities. If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find, in order to recover and/or determine the appropriate plan of recovery for the resource. The recovery process shall not unreasonably delay the construction process. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has determined that the site has a low potential for archaeological resources.

Additionally, the following are typical mitigation measures the City has required as part of the Mitigation Monitoring and Reporting Program for an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND):

- **Retention of Qualified Archaeologist and Worker Training.** Prior to the issuance of a grading permit by the City of Long Beach, evidence shall be provided to the City that a qualified archaeologist meeting the Secretary of the Interior's Standards for professional archaeology (U.S. Secretary of the Interior 2008) has been retained by the Applicant to conduct any required training, evaluation, or treatment of archaeological resources that might be encountered during implementation of the project. As part of this, prior to the start of grading, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel must be informed of the types of archaeological resources that may be encountered (both prehistoric and historical), and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The Applicant must ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. This documentation shall be made available to the City upon request.
- **Native American Monitoring.** A Native American monitor from the tribe or tribes identified as a consulting party for the project under AB 52 shall be present during all earth-moving construction activities. The Native American monitor shall be given

the opportunity to participate in the cultural resources sensitivity training described in the preceding mitigation measure. At least 30 days prior to issuance of grading permits by the City of Long Beach for each of the four individual sites and any off-site improvements, a Native American Monitoring Agreement (Monitoring Agreement) shall be developed between the City and the consulting party. The Monitoring Agreement shall pertain to prehistoric archaeological resources and Tribal cultural resources, respectively, and shall identify any monitoring requirements and treatment of cultural resources to meet both the requirements of CEQA and those of the Tribal representative. The Monitoring Agreement shall also address communication protocols in the event of an unanticipated discovery of cultural materials, and the roles, responsibilities, and authorities of the Native American Monitor. The Monitoring Agreement shall also detail the protocols for treatment and final disposition of any Native American cultural resources, sacred sites, and human remains discovered on the site that the Native American Monitor shall implement in consultation and coordination with the Native American Most Likely Descendant, as identified by the NAHC. In accordance with the mitigation measure below, discovery and treatment of human remains shall comply with State Health and Safety Code Section 7050.5 and PRC Section 5097.98.

- **Archaeological Resource and/or Tribal Cultural Resource Discovery and Treatment.** In the event of the unanticipated discovery of archaeological or other cultural resources, whether discovered through Native American monitoring or not, all work activities in the area (within approximately 100 feet of the discovery) shall be halted or redirected until the discovery can be evaluated by a qualified archaeologist. Construction shall not resume until a qualified archaeologist has conferred with the City and, in the case of prehistoric archaeological resources and tribal cultural resources, the Native American monitor, on the significance of the resource. If it is determined that the discovered archaeological resource and/or tribal cultural resource is significant under CEQA, avoidance and preservation in place shall be the preferred manner of mitigation, pursuant to PRC Section 21083.2(b) and Section 21084.3. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible mitigation available, a Treatment Plan shall be prepared and implemented by a qualified archaeologist, in consultation with the City, that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource or cultural information in the event of a tribal cultural resource. The City shall also consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resources, beyond those that are scientifically important, are considered. Any evaluation and treatment shall be supervised by an individual or individuals that meet the Secretary of the Interior's Professional Qualification Standards.

- **Treatment of Human Remains.** In accordance with California Health and Safety Code Section 7050.5, if human remains are found, the Los Angeles County Coroner shall be immediately notified of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains (100 feet or as determined by the project archaeologist) shall occur until the procedures set forth in this measure have been implemented. If the County Coroner determines that the remains are, or are believed to be, Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with California PRC Section 5097.98, the NAHC must immediately notify those persons it believes to be the Most Likely Descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

To ensure compliance with SB 18 and AB 52, the City respectfully requests that you assist us by providing any relevant information you may have regarding tribal cultural resources within the project area boundaries. Your comments and concerns are important to the City's planning process. If you have any questions or concerns with the Project, please contact:

Scott Kinsey, Project Planner
Department of Development Services, Planning Bureau
333 West Ocean Blvd., 5th floor
Long Beach, CA 90802

scott.kinsey@longbeach.gov

I can also be reached by phone at (562) 570-6461

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Kinsey", with a long, sweeping horizontal stroke extending to the right.

Scott Kinsey, AICP
Project Planner

Attachments: Site Vicinity Map
 Site Plan





CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

PLANNING BUREAU

February 14, 2019

Ms. Sandonne Goad
Gabrielino/Tongva Nation
106 ½ Judge John Aiso Street, #231
Los Angeles, CA 90012

Via US Mail and Certified Mail, Return Receipt Requested (7018 1830 0000 2094 8069)

Re: SB 18 and AB 52 Consultation with the Gabrielino/Tongva Nation for the Anaheim and Walnut Development Project.

Dear Ms. Goad:

Please let this letter serve as notification that the City of Long Beach, as the lead agency, is initiating consultation in compliance with Senate Bill (SB) 18 and Assembly (AB) 52 for the Anaheim and Walnut Development Project (Application No. 1710-56). Please consider this letter and preliminary project information as the initiation of the California Environmental Quality Act procedures, specifically Public Resources Code (PRC) Section 65352.3–65352.4 (i.e., SB 18) and Public Resources Code Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52).

Under SB 18, the Gabrielino/Tongva Nation has 90 days upon receipt of this letter to request consultation regarding the Anaheim and Walnut Development Project. Under AB 52, the Gabrielino/Tongva Nation has 30 days (concurrent with the beginning of the above 90-day period) upon receipt of this letter to request consultation on the same project. Please respond within the above timeframes, pursuant to PRC Section 65352.3–65352.4 and Section 21080.3.1(d) if you would like to consult on this project.

Project Description: The project consists of a new 116,215-square foot mixed use building 59.2 feet above ground level (maximum five stories). The building includes an 88-unit, five-story apartment building, with 18,136 square feet for a medical clinic and 1,100 square feet of ground-floor commercial office space. The project would also include a four-story attached parking structure with approximately 212 parking spaces. The project consists of 100% affordable housing units.

As a matter of policy, the City requires a tribal monitor be given access to any construction site during grading activities. Typical condition text is found below:

Prior to the issuance of any Grading Permit for the project, the City of Long Beach Development Services Department shall ensure that the construction contractor provide

access for Native American monitoring during ground-disturbing activities. This provision shall be included on project plans and specifications. The site shall be made accessible to any Native American tribe requesting to be present, provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall be approved by a local tribal representative and shall be present on-site during the construction phases that involve any ground disturbing activities. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the CEQA, California Public Resources Code Division 13, Section 21083.2 (a) through (k). Neither the City of Long Beach, project applicant, nor construction contractor shall be financially obligated for any monitoring activities. If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find, in order to recover and/or determine the appropriate plan of recovery for the resource. The recovery process shall not unreasonably delay the construction process. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has determined that the site has a low potential for archaeological resources.

Additionally, the following are typical mitigation measures the City has required as part of the Mitigation Monitoring and Reporting Program for an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND):

- **Retention of Qualified Archaeologist and Worker Training.** Prior to the issuance of a grading permit by the City of Long Beach, evidence shall be provided to the City that a qualified archaeologist meeting the Secretary of the Interior's Standards for professional archaeology (U.S. Secretary of the Interior 2008) has been retained by the Applicant to conduct any required training, evaluation, or treatment of archaeological resources that might be encountered during implementation of the project. As part of this, prior to the start of grading, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel must be informed of the types of archaeological resources that may be encountered (both prehistoric and historical), and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The Applicant must ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. This documentation shall be made available to the City upon request.
- **Native American Monitoring.** A Native American monitor from the tribe or tribes identified as a consulting party for the project under AB 52 shall be present during all earth-moving construction activities. The Native American monitor shall be given the opportunity to participate in the cultural resources sensitivity training described in the preceding mitigation measure. At least 30 days prior to issuance of grading

permits by the City of Long Beach for each of the four individual sites and any off-site improvements, a Native American Monitoring Agreement (Monitoring Agreement) shall be developed between the City and the consulting party. The Monitoring Agreement shall pertain to prehistoric archaeological resources and Tribal cultural resources, respectively, and shall identify any monitoring requirements and treatment of cultural resources to meet both the requirements of CEQA and those of the Tribal representative. The Monitoring Agreement shall also address communication protocols in the event of an unanticipated discovery of cultural materials, and the roles, responsibilities, and authorities of the Native American Monitor. The Monitoring Agreement shall also detail the protocols for treatment and final disposition of any Native American cultural resources, sacred sites, and human remains discovered on the site that the Native American Monitor shall implement in consultation and coordination with the Native American Most Likely Descendant, as identified by the NAHC. In accordance with the mitigation measure below, discovery and treatment of human remains shall comply with State Health and Safety Code Section 7050.5 and PRC Section 5097.98.

- **Archaeological Resource and/or Tribal Cultural Resource Discovery and Treatment.** In the event of the unanticipated discovery of archaeological or other cultural resources, whether discovered through Native American monitoring or not, all work activities in the area (within approximately 100 feet of the discovery) shall be halted or redirected until the discovery can be evaluated by a qualified archaeologist. Construction shall not resume until a qualified archaeologist has conferred with the City and, in the case of prehistoric archaeological resources and tribal cultural resources, the Native American monitor, on the significance of the resource. If it is determined that the discovered archaeological resource and/or tribal cultural resource is significant under CEQA, avoidance and preservation in place shall be the preferred manner of mitigation, pursuant to PRC Section 21083.2(b) and Section 21084.3. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible mitigation available, a Treatment Plan shall be prepared and implemented by a qualified archaeologist, in consultation with the City, that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource or cultural information in the event of a tribal cultural resource. The City shall also consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resources, beyond those that are scientifically important, are considered. Any evaluation and treatment shall be supervised by an individual or individuals that meet the Secretary of the Interior's Professional Qualification Standards.
- **Treatment of Human Remains.** In accordance with California Health and Safety Code Section 7050.5, if human remains are found, the Los Angeles County Coroner shall be immediately notified of the discovery. No further excavation or disturbance

of the site or any nearby area reasonably suspected to overlie adjacent remains (100 feet or as determined by the project archaeologist) shall occur until the procedures set forth in this measure have been implemented. If the County Coroner determines that the remains are, or are believed to be, Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with California PRC Section 5097.98, the NAHC must immediately notify those persons it believes to be the Most Likely Descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

To ensure compliance with SB 18 and AB 52, the City respectfully requests that you assist us by providing any relevant information you may have regarding tribal cultural resources within the project area boundaries. Your comments and concerns are important to the City's planning process. If you have any questions or concerns with the Project, please contact:

Scott Kinsey, Project Planner
Department of Development Services, Planning Bureau
333 West Ocean Blvd., 5th floor
Long Beach, CA 90802

scott.kinsey@longbeach.gov

I can also be reached by phone at (562) 570-6461

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Kinsey", with a long, sweeping horizontal stroke extending to the right.

Scott Kinsey, AICP
Project Planner

Attachments: Site Vicinity Map
 Site Plan





CITY OF LONG BEACH

DEPARTMENT OF DEVELOPMENT SERVICES

333 West Ocean Blvd., 5th Floor

Long Beach, CA 90802

(562) 570-6194

FAX (562) 570-6068

PLANNING BUREAU

February 14, 2019

Mr. Charles Alvarez
Gabrielino-Tongva Tribe
23454 Vanowen St.
West Hills, CA 91307

Via US Mail and Certified Mail, Return Receipt Requested (7018 1830 0000 2094 8052)

Re: SB 18 and AB 52 Consultation with the Gabrielino-Tongva Tribe for the Anaheim and Walnut Development Project.

Dear Mr. Alvarez:

Please let this letter serve as notification that the City of Long Beach, as the lead agency, is initiating consultation in compliance with Senate Bill (SB) 18 and Assembly (AB) 52 for the Anaheim and Walnut Development Project (Application No. 1710-56). Please consider this letter and preliminary project information as the initiation of the California Environmental Quality Act procedures, specifically Public Resources Code (PRC) Section 65352.3–65352.4 (i.e., SB 18) and Public Resources Code Section 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52).

Under SB 18, the Gabrielino-Tongva Tribe has 90 days upon receipt of this letter to request consultation regarding the Anaheim and Walnut Development Project. Under AB 52, the Gabrielino-Tongva Tribe has 30 days (concurrent with the beginning of the above 90-day period) upon receipt of this letter to request consultation on the same project. Please respond within the above timeframes, pursuant to PRC Section 65352.3–65352.4 and Section 21080.3.1(d) if you would like to consult on this project.

Project Description: The project consists of a new 116,215-square foot mixed use building 59.2 feet above ground level (maximum five stories). The building includes an 88-unit, five-story apartment building, with 18,136 square feet for a medical clinic and 1,100 square feet of ground-floor commercial office space. The project would also include a four-story attached parking structure with approximately 212 parking spaces. The project consists of 100% affordable housing units.

As a matter of policy, the City requires a tribal monitor be given access to any construction site during grading activities. Typical condition text is found below:

Prior to the issuance of any Grading Permit for the project, the City of Long Beach Development Services Department shall ensure that the construction contractor provide

access for Native American monitoring during ground-disturbing activities. This provision shall be included on project plans and specifications. The site shall be made accessible to any Native American tribe requesting to be present, provided adequate notice is given to the construction contractor and that a construction safety hazard does not occur. The monitor(s) shall be approved by a local tribal representative and shall be present on-site during the construction phases that involve any ground disturbing activities. The monitor(s) shall possess Hazardous Waste Operations and Emergency Response (HAZWOPER) certification. In addition, the monitor(s) shall be required to provide insurance certificates, including liability insurance, for any archaeological resource(s) encountered during grading and excavation activities pertinent to the provisions outlined in the CEQA, California Public Resources Code Division 13, Section 21083.2 (a) through (k). Neither the City of Long Beach, project applicant, nor construction contractor shall be financially obligated for any monitoring activities. If evidence of any tribal cultural resources is found during ground-disturbing activities, the monitor(s) shall have the capacity to halt construction in the immediate vicinity of the find, in order to recover and/or determine the appropriate plan of recovery for the resource. The recovery process shall not unreasonably delay the construction process. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the monitor has determined that the site has a low potential for archaeological resources.

Additionally, the following are typical mitigation measures the City has required as part of the Mitigation Monitoring and Reporting Program for an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND):

- **Retention of Qualified Archaeologist and Worker Training.** Prior to the issuance of a grading permit by the City of Long Beach, evidence shall be provided to the City that a qualified archaeologist meeting the Secretary of the Interior's Standards for professional archaeology (U.S. Secretary of the Interior 2008) has been retained by the Applicant to conduct any required training, evaluation, or treatment of archaeological resources that might be encountered during implementation of the project. As part of this, prior to the start of grading, the qualified archaeologist shall conduct cultural resources sensitivity training for all construction personnel. Construction personnel must be informed of the types of archaeological resources that may be encountered (both prehistoric and historical), and of the proper procedures to be enacted in the event of an inadvertent discovery of archaeological resources or human remains. The Applicant must ensure that construction personnel are made available for and attend the training and retain documentation demonstrating attendance. This documentation shall be made available to the City upon request.
- **Native American Monitoring.** A Native American monitor from the tribe or tribes identified as a consulting party for the project under AB 52 shall be present during all earth-moving construction activities. The Native American monitor shall be given the opportunity to participate in the cultural resources sensitivity training described in the preceding mitigation measure. At least 30 days prior to issuance of grading

permits by the City of Long Beach for each of the four individual sites and any off-site improvements, a Native American Monitoring Agreement (Monitoring Agreement) shall be developed between the City and the consulting party. The Monitoring Agreement shall pertain to prehistoric archaeological resources and Tribal cultural resources, respectively, and shall identify any monitoring requirements and treatment of cultural resources to meet both the requirements of CEQA and those of the Tribal representative. The Monitoring Agreement shall also address communication protocols in the event of an unanticipated discovery of cultural materials, and the roles, responsibilities, and authorities of the Native American Monitor. The Monitoring Agreement shall also detail the protocols for treatment and final disposition of any Native American cultural resources, sacred sites, and human remains discovered on the site that the Native American Monitor shall implement in consultation and coordination with the Native American Most Likely Descendant, as identified by the NAHC. In accordance with the mitigation measure below, discovery and treatment of human remains shall comply with State Health and Safety Code Section 7050.5 and PRC Section 5097.98.

- **Archaeological Resource and/or Tribal Cultural Resource Discovery and Treatment.** In the event of the unanticipated discovery of archaeological or other cultural resources, whether discovered through Native American monitoring or not, all work activities in the area (within approximately 100 feet of the discovery) shall be halted or redirected until the discovery can be evaluated by a qualified archaeologist. Construction shall not resume until a qualified archaeologist has conferred with the City and, in the case of prehistoric archaeological resources and tribal cultural resources, the Native American monitor, on the significance of the resource. If it is determined that the discovered archaeological resource and/or tribal cultural resource is significant under CEQA, avoidance and preservation in place shall be the preferred manner of mitigation, pursuant to PRC Section 21083.2(b) and Section 21084.3. Preservation in place may be accomplished by, but is not limited to, avoidance, incorporating the resource into open space, capping, or deeding the site into a permanent conservation easement. In the event that preservation in place is demonstrated to be infeasible and data recovery through excavation is the only feasible mitigation available, a Treatment Plan shall be prepared and implemented by a qualified archaeologist, in consultation with the City, that provides for the adequate recovery of the scientifically consequential information contained in the archaeological resource or cultural information in the event of a tribal cultural resource. The City shall also consult with appropriate Native American representatives in determining treatment for prehistoric or Native American resources to ensure cultural values ascribed to the resources, beyond those that are scientifically important, are considered. Any evaluation and treatment shall be supervised by an individual or individuals that meet the Secretary of the Interior's Professional Qualification Standards.
- **Treatment of Human Remains.** In accordance with California Health and Safety Code Section 7050.5, if human remains are found, the Los Angeles County Coroner shall be immediately notified of the discovery. No further excavation or disturbance

of the site or any nearby area reasonably suspected to overlie adjacent remains (100 feet or as determined by the project archaeologist) shall occur until the procedures set forth in this measure have been implemented. If the County Coroner determines that the remains are, or are believed to be, Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with California PRC Section 5097.98, the NAHC must immediately notify those persons it believes to be the Most Likely Descendant (MLD) from the deceased Native American. The MLD shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the property owner, the disposition of the human remains.

To ensure compliance with SB 18 and AB 52, the City respectfully requests that you assist us by providing any relevant information you may have regarding tribal cultural resources within the project area boundaries. Your comments and concerns are important to the City's planning process. If you have any questions or concerns with the Project, please contact:

Scott Kinsey, Project Planner
Department of Development Services, Planning Bureau
333 West Ocean Blvd., 5th floor
Long Beach, CA 90802

scott.kinsey@longbeach.gov

I can also be reached by phone at (562) 570-6461

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Kinsey", with a long, sweeping horizontal stroke extending to the right.

Scott Kinsey, AICP
Project Planner

Attachments: Site Vicinity Map
 Site Plan



SB 18 and AB 52 Project Notification Responses



GABRIELEÑO BAND OF MISSION INDIANS - KIZH NATION

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

City of Long Beach
333 West Ocean Blvd, 5th Floor
Long Beach, CA 90802

February 20, 2019

Re: AB52 Consultation & SB18 request for the Anaheim and Walnut Development Project

Dear Scott Kinsey,

Please find this letter as a written request for consultation regarding the above-mentioned project pursuant to Public Resources Code § 21080.3.1, subd. (d). Your project lies within our ancestral tribal territory, meaning belonging to or inherited from, which is a higher degree of kinship than traditional or cultural affiliation. Your project is located within a sensitive area and may cause a substantial adverse change in the significance of our tribal cultural resources. Most often, a records search for our tribal cultural resources will result in a "no records found" for the project area. The Native American Heritage Commission (NAHC), ethnographers, historians, and professional archaeologists can only provide limited information that has been previously documented about California Native Tribes. For this reason, the NAHC will always refer the lead agency to the respective Native American Tribe of the area. The NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & tribal historians are the experts for our Tribe and can provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area.

Additionally, CEQA now defines Tribal Cultural Resources (TCRs) as their own independent element separate from archaeological resources. Environmental documents shall now address a separate Tribal Cultural Resource section which includes a thorough analysis of the impacts to only Tribal Cultural Resources (TCRs) and includes independent mitigation measures created with Tribal input during AB-52 consultations. As a result, all mitigation measures, conditions of approval and agreements regarding TCRs (i.e. prehistoric resources) shall be handled solely with the Tribal Government and not through an Environmental/Archaeological firm.

In effort to avoid adverse effects to our tribal cultural resources, we would like to consult with you and your staff to provide you with a more complete understanding of the prehistoric use(s) of the project area and the potential risks for causing a substantial adverse change to the significance of our tribal cultural resources.

Consultation appointments are available on Wednesdays and Thursdays at our offices at 910 N. Citrus Ave. Covina, CA 91722 or over the phone. Please call toll free 1-844-390-0787 or email admin@gabrielenoindians.org to schedule an appointment.

*** Prior to the first consultation with our Tribe, we ask all those individuals participating in the consultation to view a video produced and provided by CalEPA and the NAHC for sensitivity and understanding of AB52. You can view their videos at: <http://calepa.ca.gov/Tribal/Training/> or <http://nahc.ca.gov/2015/12/ab-52-tribal-training/>*

With Respect,

Andrew Salas, Chairman

Andrew Salas, Chairman

Albert Perez, treasurer |

PO Box 393, Covina, CA 91723

Nadine Salas, Vice-Chairman

Martha Gonzalez Lemos, treasurer ||

www.gabrielenoindians.org

Christina Swindall Martinez, secretary

Richard Gradias, Chairman of the Council of Elders

gabrielenoindians@yahoo.com

Original People of Los Angeles County



Map of territories of Original Peoples with county boundaries in Southern California.



GABRIELEÑO BAND OF MISSION INDIANS - KIZH NATION

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

City of Long Beach
333 West Ocean Blvd 5th Floor
Long Beach , CA 90802

March 1, 2019

Re: AB52 Consultation request for the Nation for the Anaheim and Walnut Development Project

Dear Scott Kinsey,

Please find this letter as a written request for consultation regarding the above-mentioned project pursuant to Public Resources Code § 21080.3.1, subd. (d). Your project lies within our ancestral tribal territory, meaning belonging to or inherited from, which is a higher degree of kinship than traditional or cultural affiliation. Your project is located within a sensitive area and may cause a substantial adverse change in the significance of our tribal cultural resources. Most often, a records search for our tribal cultural resources will result in a "no records found" for the project area. The Native American Heritage Commission (NAHC), ethnographers, historians, and professional archaeologists can only provide limited information that has been previously documented about California Native Tribes. For this reason, the NAHC will always refer the lead agency to the respective Native American Tribe of the area. The NAHC is only aware of general information and are not the experts on each California Tribe. Our Elder Committee & tribal historians are the experts for our Tribe and can provide a more complete history (both written and oral) regarding the location of historic villages, trade routes, cemeteries and sacred/religious sites in the project area.

Additionally, CEQA now defines Tribal Cultural Resources (TCRs) as their own independent element separate from archaeological resources. Environmental documents shall now address a separate Tribal Cultural Resource section which includes a thorough analysis of the impacts to only Tribal Cultural Resources (TCRs) and includes independent mitigation measures created with Tribal input during AB-52 consultations. As a result, all mitigation measures, conditions of approval and agreements regarding TCRs (i.e. prehistoric resources) shall be handled solely with the Tribal Government and not through an Environmental/Archaeological firm.

In effort to avoid adverse effects to our tribal cultural resources, we would like to consult with you and your staff to provide you with a more complete understanding of the prehistoric use(s) of the project area and the potential risks for causing a substantial adverse change to the significance of our tribal cultural resources.

Consultation appointments are available on Wednesdays and Thursdays at our offices at 910 N. Citrus Ave. Covina, CA 91722 or over the phone. Please call toll free 1-844-390-0787 or email admin@gabrielenoindians.org to schedule an appointment.

*** Prior to the first consultation with our Tribe, we ask all those individuals participating in the consultation to view a video produced and provided by CalEPA and the NAHC for sensitivity and understanding of AB52. You can view their videos at: <http://calepa.ca.gov/Tribal/Training/> or <http://nahc.ca.gov/2015/12/ab-52-tribal-training/>*

With Respect,

Andrew Salas, Chairman

Andrew Salas, Chairman

Albert Perez, treasurer |

PO Box 393, Covina, CA 91723

Nadine Salas, Vice-Chairman

Martha Gonzalez Lemos, treasurer ||

www.gabrielenoindians.org

Christina Swindall Martinez, secretary

Richard Gradias, Chairman of the Council of Elders

gabrielenoindians@yahoo.com

SB 18 and AB 52 Project Notification Follow-up

From: Scott Kinsey
Sent: Wednesday, April 03, 2019 5:45 PM
To: 'Administration Gabrieleno' <admin@gabrielenoindians.org>
Subject: RE: Nation for the Anaheim and Walnut Development Project

Hello,

Thank you for your response. We have received your request for consultation. I would like to make an appointment with you for consultation. Can you please tell me your earliest available?

Thank you,

Scott Kinsey, AICP
Planner V

Department of Development Services | Planning Bureau
333 West Ocean Blvd., 5th Fl. | Long Beach, CA 90802
Office: (562) 570-6461 Fax: (562) 570-6068
scott.kinsey@longbeach.gov

From: Administration Gabrieleno <admin@gabrielenoindians.org>
Sent: Friday, March 01, 2019 3:21 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Subject: Nation for the Anaheim and Walnut Development Project

Please see attachment

Sincerely,

Brandy Salas

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



Attachments area

From: Administration Gabrieleno <admin@gabrielenoindians.org>

Sent: Tuesday, April 30, 2019 4:10 PM

To: Scott Kinsey <Scott.Kinsey@longbeach.gov>

Cc: gabrielenoindians@yahoo.com; Andy Salas <chairman@gabrielenoindians.org>; Matthew Teutimez <Matthew.Teutimez@gabrielenoindians.org>

Subject: AB52 Consultation_Anaheim St & Walnut Ave Project_Long Beach

Mr. Kinsey,

Thank you for your time during the AB52 consultation for the project at Anaheim St & Walnut Ave in the City of Long Beach.

As stated in the Public Resource Code section 21080.3.1. (a) The Legislature finds and declares that California Native American tribes traditionally and culturally affiliated with a geographic area may have expertise concerning their tribal cultural resources and an area that has cultural value. According to section 21074. (a) "Tribal cultural resources" can be sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe.

Therefore, to explain our concerns for impacts to tribal cultural resources (TCR's) and how this project location may impact TCR's due to the location and the proposed ground disturbing activities, attached are screenshots and some explanatory text that was also verbally explained in the phone consultation for your project location.

The Anaheim St & Walnut Ave_1938 map indicates the project location between the Villages of Ahwaanga and Pavuu'nga. All of our mainland villages (sans our island villages) overlapped each other to help facilitate the movement of tribal cultural resources throughout the landscape and also to our sister tribes outside of our traditional ancestral territory. Village use areas were usually shared between village areas and were commonly used by two or more adjoining villages depending on the type, quantity, quality, and availability of natural resources in the area. Therefore, human activity can be pronounced within the shared use areas due to the combined use by multiple villages and TCR's may be present in the soil layers from the thousands of years of human activity within that landscape.

The Anaheim St & Walnut Ave_1896 and the Anaheim St & Walnut Ave_1920 maps show the project's close proximity to railroad corridors that existed in this location. All railroads were placed on top of our Tribe's traditional trade routes because when the first railroad planners came out west, the topography was too varied to place the rail lines just anyplace, so they chose the paths of least resistance that already existed which were our traditional trade routes that were flattened by human travel over thousands of years of use. Trade routes were heavily used by our Tribe for movement of trade items, visiting of family, going to ceremony, accessing recreation areas, and accessing foraging areas. Within and around these routes contained seasonal or permanent ramadas or trade depots, seasonal and permanent habitation areas, and often still contain isolated burials and cremations from folks who died along the trail. These isolated burials are not associated with a village community burial site or ceremonial burial site, rather the location is simply where the person died and was buried where they died. Therefore, isolated burials are more concentrated and likely to occur in proximity to our trade routes, especially the major trade routes. Trade routes are considered "cultural landscapes", as stated in section 21074. (a) and are protected under AB52 as a tribal cultural resource.

The Anaheim St & Walnut Ave_1957 and Anaheim St & Walnut Ave_2019 map indicate the hydrography or waterways that existed around the project area. The project location is between two major rivers and north of freshwater and saltwater wetlands. All water sources were used by our Tribe for life sustenance. Along these watercourses and water bodies occurred seasonal or permanent hamlets, seasonal or permanent trade depots, ceremonial and religious prayer sites, and burials and cremation sites of our ancestors. These activities occurred around water, both inland and coastal, because these water areas create unique habitats and riparian corridors that provide an abundance of food and medicine resources along with aesthetically peaceful areas with running water, shade trees, and shelter. Larger water bodies were high attractants for human activity and the banks and shores of these water bodies have a higher than average potential for encountering Tribal Cultural Resources of artifacts and human remains during ground disturbing activities. Waterways are a “cultural landscape”, as stated in section 21074. (a) and are protected under AB52 as a tribal cultural resource.

Due to the project site being located within and around sacred villages (Ahwaanga & Povuu’nga), between sacred water courses and along a major traditional trade route, there is a high potential to impact Tribal Cultural Resources still present within the soil from the thousands of years of prehistoric activities that occurred within and around these Tribal Cultural landscapes. Therefore, to avoid impacting or destroying Tribal Cultural Resources that may be inadvertently unearthed during the project's ground disturbing activities, attached is the mitigation language approved by our Tribal Government for use with this project.

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



Attachments area



Gabrieleno Band of Mission Indians – Kizh Nation

Protection of Tribal Cultural Resources (TCRs)

Most Important Things for Agencies to Know About AB52:

- An EIR, MND, or ND can not be certified until AB-52 tribal consultation has concluded.
- Agreed mitigation measures with the tribe, **MUST** be recommended for inclusion in the environmental document.
- Signature confirming acceptance of these mitigation measures recommended by our Tribal Government is required within 14 days of receipt to conclude AB52 consultation.

Tribal Cultural Resources Mitigation Measures within Kizh Nation Tribal Territory:

Note: To avoid compliance issues with the following laws, all Native American Monitoring shall be conducted by a documented lineal descendant from the ancestral Tribe of the project area (NAGPRA Law 10.14)

- The Native American Graves Protection and Repatriation Act (NAGPRA), Public Law-101-601, 25 U.S.C. 3001 et seq., 104 Stat. 3048.
- CEQA Guidelines Section 15064.5, PRC 5097.98 (d)(1).
- The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

If you are receiving these measures, The Gabrieleno Band of Mission Indians Kizh -Nation are the direct lineal descendants of your project area. The Kizh Nation ONLY responds and consults on projects within their ANCESTRAL tribal territory. Therefore, to remain in compliance with above referenced laws and to enable our Tribe with the ability to protect and preserve our last remaining and irreplaceable Tribal Cultural Resources, it is recommended that the project applicant retain a qualified professional tribal monitor/consultant from the Gabrieleno Band of Mission Indians Kizh -Nation. The Kizh Nation possesses Tribal archives including documented historical information as well as multiple members who possess unique knowledge derived from oral tradition passed down through generations of the Tribe in order to provide the expertise needed to identify whether a project is located within a culturally sensitive area given its proximity to village areas, commerce areas, recreation areas, ceremonial areas, and burial locations.

Native American Heritage Commission (NAHC) Guidelines for Native American Monitors/Consultants

(approved 9/13/05): By acting as a liaison between Native American, archaeologist, developers, contactors and public agency, a Native American monitor/consultant can ensure that cultural features are treated appropriately from the Native American point of view. This can help others involved in a project to coordinate mitigation measures. These guidelines are intended to provide prospective monitors/consultants, and people who hire monitors/consultants, with an understanding of the scope and extent of knowledge that should be expected.

Mitigation Guidelines for Tribal Cultural Resources (TCRs): CEQA now defines TCRs as an independent element separate from archaeological resources. Environmental documents shall address a separate Tribal Cultural Resources section that includes a thorough analysis of the impacts to only TCRs and includes separate and independent mitigation measures created with tribal input under AB-52 consultations. Therefore, all agreements, mitigation, and conditions of approval regarding TCRs shall be handled solely with the Tribal Government and conversely all agreements, mitigation, and conditions of approval regarding Archaeological Resources shall be handled by an Archaeological resource company.



MITIGATION MEASURES

Retain a Native American Monitor/Consultant: The Project Applicant shall be required to retain and compensate for the services of a Tribal monitor/consultant who is both approved by the Gabrieleño Band of Mission Indians-Kizh Nation Tribal Government and is listed under the NAHC's Tribal Contact list for the area of the project location. This list is provided by the NAHC. The monitor/consultant will only be present on-site during the construction phases that involve ground disturbing activities. Ground disturbing activities are defined by the Gabrieleño Band of Mission Indians-Kizh Nation as activities that may include, but are not limited to, pavement removal, pot-holing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor/consultant will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when the project site grading and excavation activities are completed, or when the Tribal Representatives and monitor/consultant have indicated that the site has a low potential for impacting Tribal Cultural Resources.

Unanticipated Discovery of Tribal Cultural and Archaeological Resources: Upon discovery of any archaeological resources, cease construction activities in the immediate vicinity of the find until the find can be assessed. All archaeological resources unearthed by project construction activities shall be evaluated by the qualified archaeologist and tribal monitor/consultant approved by the Gabrieleño Band of Mission Indians-Kizh Nation. If the resources are Native American in origin, the Gabrieleño Band of Mission Indians-Kizh Nation shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the Tribe will request reburial or preservation for educational purposes. Work may continue on other parts of the project while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5 [f]). If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource", time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and

Public Resources Code Sections 21083.2(b) for unique archaeological resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, they shall be offered to a local school or historical society in the area for educational purposes.

Unanticipated Discovery of Human Remains and Associated Funerary Objects:

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 PRC 5097.98, are also to be treated according to this statute. Health and Safety Code 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and excavation halted until the coroner has determined the nature of the remains. If the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC) and PRC 5097.98 shall be followed.



Resource Assessment & Continuation of Work Protocol:

Upon discovery, the tribal and/or archaeological monitor/consultant/consultant will immediately divert work at minimum of 150 feet and place an exclusion zone around the burial. The monitor/consultant(s) will then notify the Tribe, the qualified lead archaeologist, and the construction manager who will call the coroner. Work will continue to be diverted while the coroner determines whether the remains are Native American. The discovery is to be kept confidential and secure to prevent any further disturbance. If the finds are determined to be Native American, the coroner will notify the NAHC as mandated by state law who will then appoint a Most Likely Descendent (MLD).

Kizh-Gabrieleno Procedures for burials and funerary remains:

If the Gabrieleno Band of Mission Indians – Kizh Nation is designated MLD, the following treatment measures shall be implemented. To the Tribe, the term “human remains” encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. These remains are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects.

Treatment Measures:

Prior to the continuation of ground disturbing activities, the land owner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. The Tribe will work closely with the qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be taken which includes at a minimum detailed descriptive notes and sketches. Additional types of documentation shall be approved by the Tribe for data recovery purposes. Cremations will either be removed in bulk or by means as necessary to ensure completely recovery of all material. If the discovery of human remains includes four or more burials, the location is considered a cemetery and a separate treatment plan shall be created. Once complete, a final report of all activities is to be submitted to the Tribe and the NAHC. The Tribe does NOT authorize any scientific study or the utilization of any invasive diagnostics on human remains.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.



Professional Standards: Archaeological and Native American monitoring and excavation during construction projects will be consistent with current professional standards. All feasible care to avoid any unnecessary disturbance, physical modification, or separation of human remains and associated funerary objects shall be taken. Principal personnel must meet the Secretary of Interior standards for archaeology and have a minimum of 10 years of experience as a principal investigator working with Native American archaeological sites in southern California. The Qualified Archaeologist shall ensure that all other personnel are appropriately trained and qualified.

Acceptance of Tribal Government Recommended Mitigation Measures:

By _____
Lead Agency Representative Signature

Date: _____

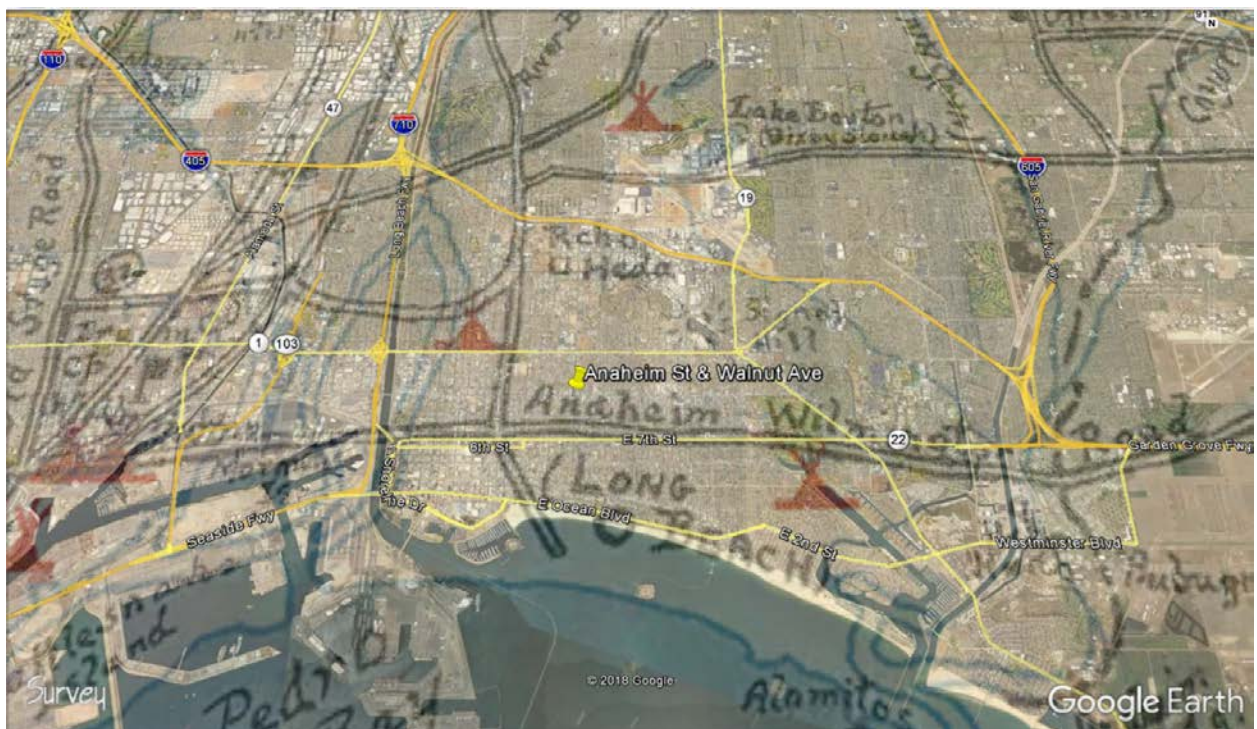
Revised: August 2018

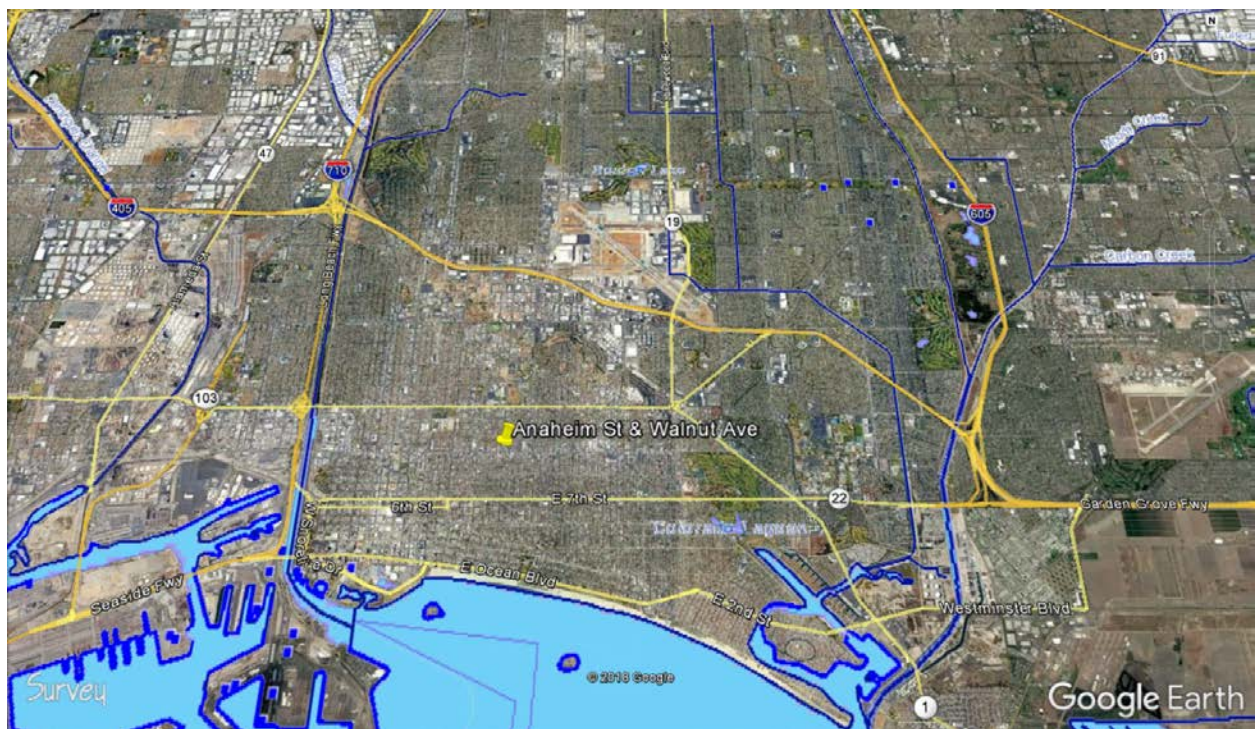


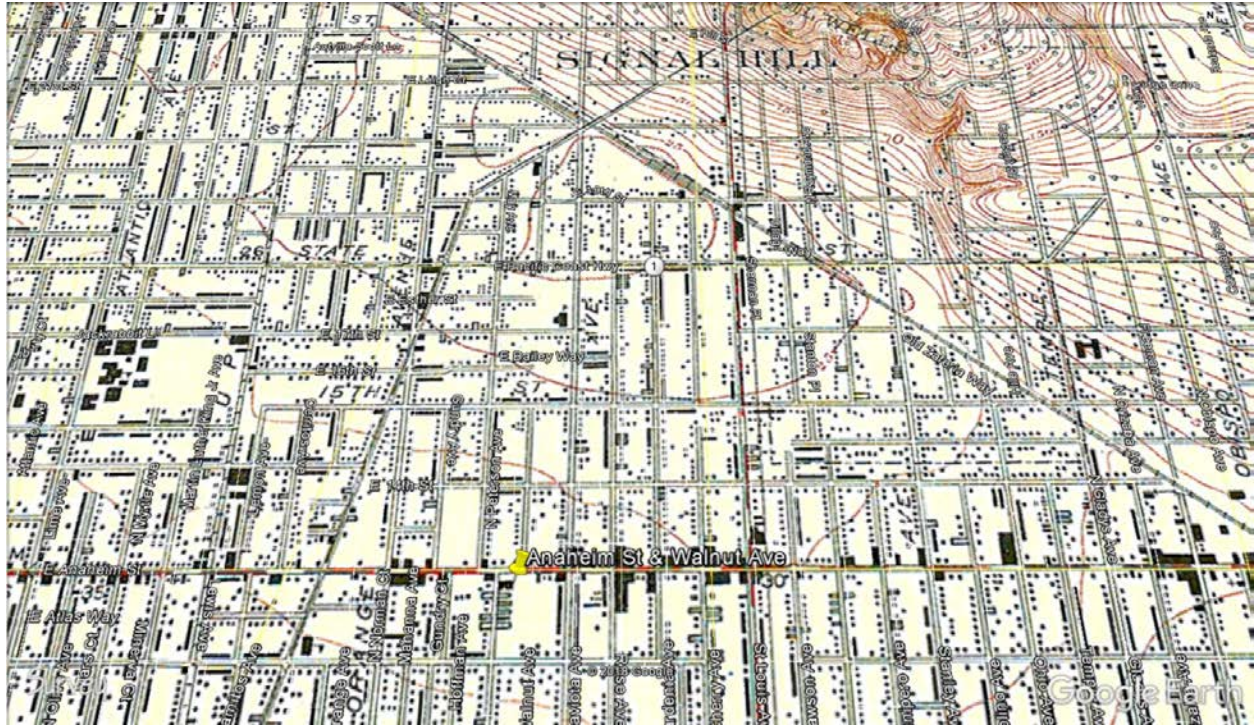
Attachment A

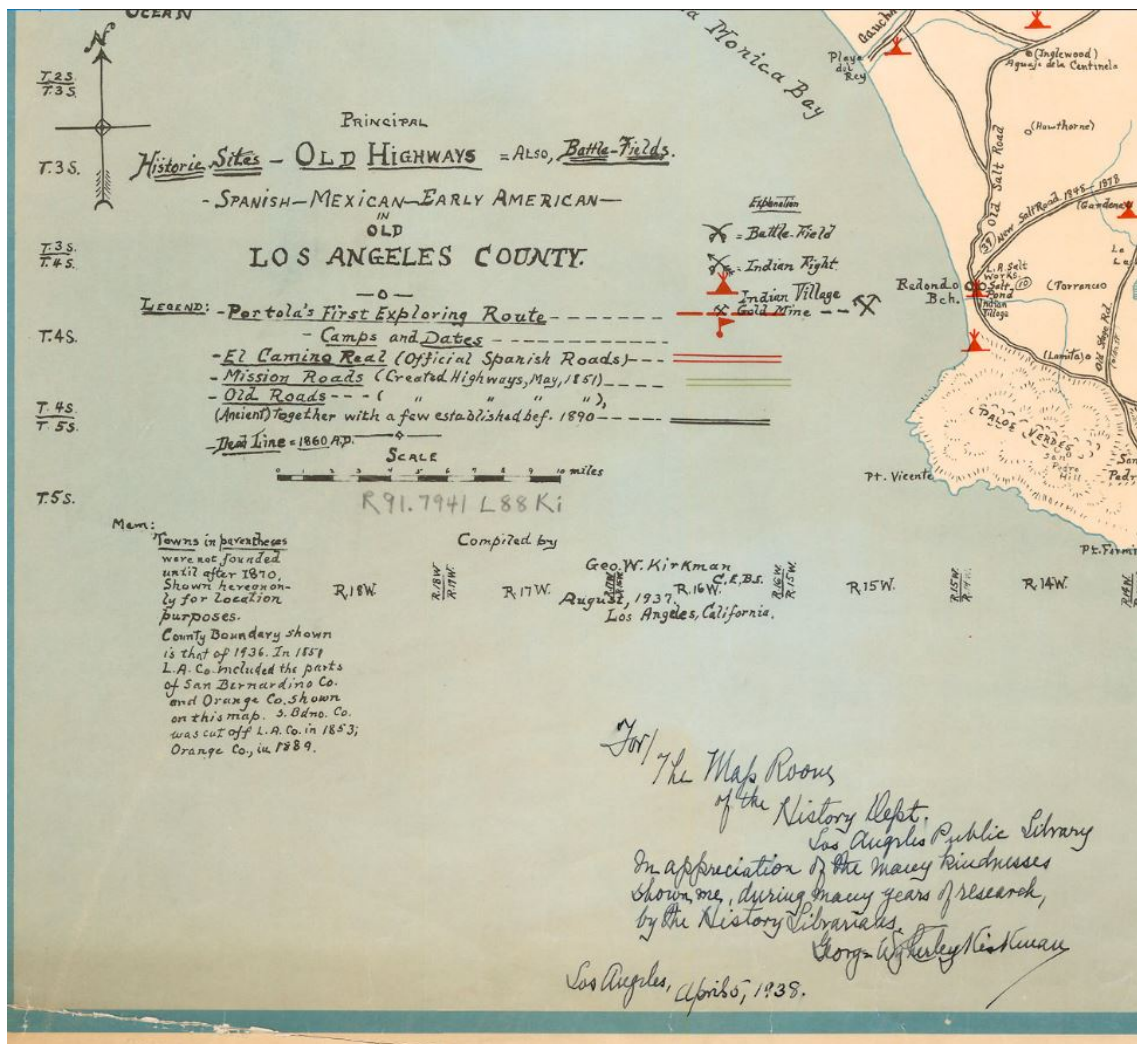
Kizh Nation Ancestral Tribal Territory extended along the coast from Malibu Creek in Los Angeles County down to Aliso Creek in Orange County and encompassed the Channel Islands of Catalina (Pimugna), San Nicolas (Haraasnga), and San Clemente (Kiinkenga). Our inland border was the San Gabriel Mountains (Hidakupa) and eastwardly our territory extended to parts of San Bernardino (Waatsngna), Orange, and Riverside counties.











On May 8, 2019, at 12:47 PM, Scott Kinsey <Scott.Kinsey@longbeach.gov> wrote:

Hello Mr. Salas,

Thank you again for the consultation call last week. We have reviewed the materials and mitigation measures you sent over. I have incorporated them into the City's proposed mitigation measures for the IS/MND for the project. There was some minor reformatting and condensation of text, but I attempted to maintain the spirit and intent of what you sent to me in your proposed mitigation measures. I hope this will be satisfactory to you—please let me know if you will be able accept these mitigation measures for this IS/MND.

Thanks again,

Scott Kinsey, AICP
Planner V

Department of Development Services | Planning Bureau
333 West Ocean Blvd., 5th Fl. | Long Beach, CA 90802

Office: (562) 570-6461 Fax: (562) 570-6068
scott.kinsey@longbeach.gov

From: Andrew Salas <gabrielenoindians@yahoo.com>
Sent: Tuesday, May 14, 2019 3:57 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>; Administration KNRM <admin@knrm-nsn.us>
Cc: Administration Gabrieleno <admin@gabrielenoindians.org>; Andy Salas
<chairman@gabrielenoindians.org>; Matthew Teutimez <Matthew.Teutimez@gabrielenoindians.org>
Subject: Re: AB52 Consultation_Anahem St & Walnut Ave Project_Long Beach

Hello Scott

Would you be able to share with our government which other tribal governments engage with consultation?

Sent from my iPhone

On May 14, 2019, at 4:26 PM, Scott Kinsey <Scott.Kinsey@longbeach.gov> wrote:

Mr. Salas,

We only received a consultation request from you on this project.

Regards,

Scott Kinsey, AICP
Planner V

Department of Development Services | Planning Bureau
333 West Ocean Blvd., 5th Fl. | Long Beach, CA 90802

Office: (562) 570-6461 Fax: (562) 570-6068
scott.kinsey@longbeach.gov

From: Andrew Salas <gabrielenoindians@yahoo.com>
Sent: Thursday, May 16, 2019 3:00 PM
To: Scott Kinsey <Scott.Kinsey@longbeach.gov>
Cc: Administration KNRM <admin@knrm-nsn.us>; Administration Gabrieleno <admin@gabrielenoindians.org>; Andy Salas <chairman@gabrielenoindians.org>; Matthew Teutimez <Matthew.Teutimez@gabrielenoindians.org>
Subject: Re: AB52 Consultation_Anaheim St & Walnut Ave Project_Long Beach

Hello Scott

Thank you for your response regarding mitigation measures . We went over the mitigations you provided and since we were the only tribal government who consulted, can you please utilize our mitigations so that our cultural resources are protected . The mitigations we provided would help with compliance issues moving forward . Thank you

Sent from my iPhone

On Mon, May 20, 2019 at 1:22 PM Scott Kinsey <Scott.Kinsey@longbeach.gov> wrote:

Hello Mr. Salas,

I tried to preserve all of the items you requested in your mitigation measures in our reformatted document. Could you tell me if there are any specific things I left out that you would like us to include?

Scott Kinsey, AICP
Planner V

Department of Development Services | Planning Bureau
333 West Ocean Blvd., 5th Fl. | Long Beach, CA 90802

Office: (562) 570-6461 Fax: (562) 570-6068
scott.kinsey@longbeach.gov

From: Andy Salas <chairman@gabrielenoindians.org>

Sent: Wednesday, May 22, 2019 3:53 PM

To: Scott Kinsey <Scott.Kinsey@longbeach.gov>

Cc: Administration Gabrieleno Indians <admin@gabrielenoindians.org>; gabrielenoindians@yahoo.com

Subject: Re: AB52 Consultation_Anaheim St & Walnut Ave Project_Long Beach

Good afternoon Scott,

I apologize for the delay in response. As the only Consulting Tribe and after review of the Mitigation Measures you provided for the **Anaheim St & Walnut Ave Project in Long Beach, CA**, we found the **recommended Mitigation Measures to be acceptable as written** for this specific project.

I thank you in advance for your assistance in protecting and preserving our Tribal Cultural Resources.

Sincerely,
Andrew Salas, Chairman
Gabrieleno Band of Mission Indians - Kizh Nation
PO Box 393
Covina, CA 91723
Office: 844-390-0787
Cell: (626)926-4131
website: www.gabrielenoindians.org