

## **APPENDIX F**

# **NATIVE AMERICAN RECORDS OF CONSULTATION**

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July 14, 2021

Mr. Charles Alvarez  
23454 Vanowen St.  
West Hills, CA 91307

*Via US Mail and Certified Mail, Return Receipt Requested (7020316000070755294)*

**Re:** SB 18 and AB 52 Consultation with the Gabrielino-Tongva Tribe for the Climate Action & Adaptation Plan (CAAP) 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 Climate Action & Adaptation Plan (CAAP) Project (Application No. 1703-04). 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 CAAP 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 proposed project is the adoption of a Climate Action and Adaptation Plan (CAAP) and it represents the City's first plan of this type. The proposed CAAP is a comprehensive planning document that outlines the City's proposed approach both to address climate impacts on Long Beach and to reduce Long Beach's impact on the climate by reducing greenhouse gas (GHG) emissions. The proposed CAAP provides a framework to reduce the City's GHG footprint (climate action) and ensure the community and physical assets are better protected from the impacts of climate change (climate adaptation). The vision of the proposed CAAP is to create a more sustainable, resilient, and equitable city by addressing climate change in a way that remedies existing environmental health disparities while also improving health, quality of life, and enhancing economic vitality throughout Long Beach. The proposed CAAP includes a roadmap for implementing new policies, programs, incentives, requirements, projects, and initiatives in the immediate future, as well as longer-term actions that will need to be studied further while monitoring how the climate continues to change and evaluating the effectiveness of actions taken. Additionally, this project includes updates to the General Plan Safety

Element to incorporate climate adaptation and resiliency considerations per State law.

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The proposed CAAP is a mitigation measure of the General Plan Land Use Element (LUE) and covers the entire geography of the City. An Environmental Impact Report (EIR) is being produced to evaluate environmental factors under the California Environmental Quality Act (CEQA) that would be potentially affected by the Project (EIR-03-21). While, pursuant to Senate Bill 18, you have 90 days from receipt of this letter to respond in writing if you would like to consult on this project, the City would appreciate a response in 30 days so that responses can be included in the EIR.

**This project is a planning and policy action that does not involve construction of any development projects at this time and therefore will not directly result in any digging, grading, or physical disturbances, and all future discretionary projects would be subject to appropriate CEQA review.** However it should be noted that as a matter of policy, the City requires a tribal monitor be given access to any construction site during grading activities. A typical condition placed on development projects is found below:

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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 (MMRP) for an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) for specific development projects:

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- **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.
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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:

Jennifer Ly, Project Planner  
Department of Development Services, Planning Bureau  
411 West Ocean Blvd., 3<sup>rd</sup> floor  
Long Beach, CA 90802

Jennifer.Ly@LongBeach.gov

I can also be reached by phone at (562) 570-6368.

Sincerely,

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Jennifer Ly  
Planner

Attachments:      Site Vicinity Map (Citywide)



July 14, 2021

Ms. Linda Candelaria  
80839 Camino Santa Juliana  
Indio, CA 92203

*Via US Mail and Certified Mail, Return Receipt Requested (70203160000070755300)*

**Re:** SB 18 and AB 52 Consultation with the Gabrielino-Tongva Tribe for the Climate Action & Adaptation Plan (CAAP) Project.

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Attachments:      Site Vicinity Map (Citywide)



July 14, 2021

Mr. Robert Dorame  
PO Box 490  
Bellflower, CA 90707

*Via US Mail and Certified Mail, Return Receipt Requested (7020316000070755317)*

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Attachments:      Site Vicinity Map (Citywide)



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

*Via US Mail and Certified Mail, Return Receipt Requested (7020316000070755324)*

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Element to incorporate climate adaptation and resiliency considerations per State law.

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- **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:

Jennifer Ly, Project Planner  
Department of Development Services, Planning Bureau  
411 West Ocean Blvd., 3<sup>rd</sup> floor  
Long Beach, CA 90802

Jennifer.Ly@LongBeach.gov

I can also be reached by phone at (562) 570-6368.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Ly', with a stylized flourish at the end.

Jennifer Ly  
Planner

Attachments:      Site Vicinity Map (Citywide)



July 14, 2021

Mr. Michael Mirelez  
PO Box 1160  
Thermal, CA 92274

*Via US Mail and Certified Mail, Return Receipt Requested (7020316000070755331)*

**Re:** SB 18 and AB 52 Consultation with the Torres Martinez Desert Cahuilla Indians for the Climate Action & Adaptation Plan (CAAP) 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 Climate Action & Adaptation Plan (CAAP) Project (Application No. 1703-04). 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 CAAP 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.

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Sincerely,

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Jennifer Ly  
Planner

Attachments:      Site Vicinity Map (Citywide)



July 14, 2021

Mr. Anthony Morales  
PO Box 693  
San Gabriel, CA 91778

*Via US Mail and Certified Mail, Return Receipt Requested (7020316000070755348)*

**Re:** SB 18 and AB 52 Consultation with the Gabrieleno/Tongva San Gabriel Band of Mission Indians for the Climate Action & Adaptation Plan (CAAP) Project.

Dear Mr. Morales:

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I can also be reached by phone at (562) 570-6368.

Sincerely,

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Jennifer Ly  
Planner

Attachments:      Site Vicinity Map (Citywide)



July 14, 2021

Mr. Joseph Ontiveros  
PO Box 487  
San Jacinto, CA 92581

*Via US Mail and Certified Mail, Return Receipt Requested (7020316000070755355)*

**Re:** SB 18 and AB 52 Consultation with the Soboba Band of Luiseno Indians for the Climate Action & Adaptation Plan (CAAP) 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 Climate Action & Adaptation Plan (CAAP) Project (Application No. 1703-04). 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 CAAP 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 proposed project is the adoption of a Climate Action and Adaptation Plan (CAAP) and it represents the City's first plan of this type. The proposed CAAP is a comprehensive planning document that outlines the City's proposed approach both to address climate impacts on Long Beach and to reduce Long Beach's impact on the climate by reducing greenhouse gas (GHG) emissions. The proposed CAAP provides a framework to reduce the City's GHG footprint (climate action) and ensure the community and physical assets are better protected from the impacts of climate change (climate adaptation). The vision of the proposed CAAP is to create a more sustainable, resilient, and equitable city by addressing climate change in a way that remedies existing environmental health disparities while also improving health, quality of life, and enhancing economic vitality throughout Long Beach. The proposed CAAP includes a roadmap for implementing new polices, programs, incentives, requirements, projects, and initiatives in the immediate future, as well as longer-term actions that will need to be studied further while monitoring how the climate continues to change and evaluating the effectiveness of actions taken. Additionally, this project includes updates to the General Plan Safety

Element to incorporate climate adaptation and resiliency considerations per State law.

The proposed CAAP discusses several desired high-level outcomes, which are organized into the following themes: low carbon, climate resilient buildings and neighborhoods; safe and adaptable infrastructure; protected and enhanced natural systems; a healthy, resilient and ready population; and, residents and businesses with a minimized carbon footprint. The purpose of the CAAP is to implement a range of actions to reduce GHG emissions and adapt to climate change impacts. The actions proposed by the CAAP are organized by the desired outcomes, which represent the underlying values of the CAAP.

The proposed CAAP is a mitigation measure of the General Plan Land Use Element (LUE) and covers the entire geography of the City. An Environmental Impact Report (EIR) is being produced to evaluate environmental factors under the California Environmental Quality Act (CEQA) that would be potentially affected by the Project (EIR-03-21). While, pursuant to Senate Bill 18, you have 90 days from receipt of this letter to respond in writing if you would like to consult on this project, the City would appreciate a response in 30 days so that responses can be included in the EIR.

**This project is a planning and policy action that does not involve construction of any development projects at this time and therefore will not directly result in any digging, grading, or physical disturbances, and all future discretionary projects would be subject to appropriate CEQA review.** However it should be noted that as a matter of policy, the City requires a tribal monitor be given access to any construction site during grading activities. A typical condition placed on development projects 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 (MMRP) for an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) for specific development projects:

- **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:

Jennifer Ly, Project Planner  
Department of Development Services, Planning Bureau  
411 West Ocean Blvd., 3<sup>rd</sup> floor  
Long Beach, CA 90802

Jennifer.Ly@LongBeach.gov

I can also be reached by phone at (562) 570-6368.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Ly', written in a cursive style.

Jennifer Ly  
Planner

Attachments:      Site Vicinity Map (Citywide)



July 14, 2021

Mr. Andrew Salas  
PO Box 393  
Covina, CA 91723

*Via US Mail and Certified Mail, Return Receipt Requested (7020316000070755362)*

**Re:** SB 18 and AB 52 Consultation with the Gabrieleno Band of Mission Indians – Kizh Nation for the Climate Action & Adaptation Plan (CAAP) Project.

Dear Mr. Salas:

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Department of Development Services, Planning Bureau  
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Long Beach, CA 90802

Jennifer.Ly@LongBeach.gov

I can also be reached by phone at (562) 570-6368.

Sincerely,

A handwritten signature in black ink, appearing to read 'J Ly', written in a cursive style.

Jennifer Ly  
Planner

Attachments:      Site Vicinity Map (Citywide)