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August 24, 2022

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

Subject: AB 52 Conclusions

Dear Robert Dorame,

I am presenting this letter to bring the AB52 process to a conclusion for the project located at 15932 Minnesota Avenue in Paramount (the "City").

We recently received confirmation from the Native American Heritage Commission that the Sacred Lands File (SLF) check was negative. Additionally, the Phase 1 report (previously provided) found that no tribal records are listed for the subject property or adjoining properties. Further, the subject project will not involve substantial grading activities or excavation. Finally, recent growing homeless encampment issues at the project site require a more immediate resolution due to health and safety concerns.

Therefore, the City, as lead agency under CEQA, has determined that there is no substantial evidence that the subject project will result in a significant impact on tribal cultural resources.

Nonetheless, to address the potential for inadvertent discovery of previously unknown tribal cultural resources or human remains during project construction, the City will add the following mitigation measures to the CEQA document:

**Mitigation Measure TCR-MM-1:** Prior to commencing excavating, clearing, grubbing, potholing, and grading activities ("Ground Disturbance Activities") at the Project Site, the Applicant shall retain a qualified tribal monitor that is qualified to monitor Ground Disturbance Activities to identify subsurface potential tribal cultural resources. Any qualified tribal monitor shall be approved by the Gabrielino Tongva Indians of California.

In the event that any subsurface objects or artifacts that may be tribal cultural resources are encountered during the course of any Ground Disturbance Activities, all such activities shall temporarily cease as set forth below:

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1. Upon a discovery of a potential tribal cultural resource, the Applicant shall immediately stop all Ground Disturbance Activities area of discovery within a radius of 60 feet until the potential tribal cultural resource is properly assessed and addressed. Work shall be allowed to continue outside of the buffer area.
2. In consultation with the tribal monitor, if the City determines based on substantial evidence that pursuant to California Public Resources Code Section 21074(a)(2), the object or artifact appears to be a tribal cultural resource, the City shall provide any affected tribe a reasonable period of time, not less than 3 days, to conduct a site visit and make recommendations to the Applicant and the City regarding the treatment and disposition of any discovered tribal cultural resources.
3. In the event a tribal cultural resource that is significant under California Public Resources Code Section 21074(a)(2) is found, the City shall determine if that the tribe's recommendations at to treatment is reasonable and feasible. If so, the Applicant shall give good faith consideration to such recommended treatment of the tribal cultural resource.
4. If the Applicant does not accept a particular recommendation, the Applicant may request mediation by a mediator agreed to by the Applicant and the City. The mediator must have the requisite professional qualifications and experience to mediate such a dispute as determined by the City.
5. After making a reasonable effort to mediate a dispute, the City may require implementation of (1) the treatment as originally proposed; (2) a modified or substitute treatment that is at least as effective to mitigate a potentially significant impact; (3) no treatment if it is not necessary to mitigate a significant impact to tribal cultural resources.
6. The Applicant shall pay all costs and fees associated with the mediation.
7. The Applicant may recommence ground disturbance activities inside of the 60-foot radius after it has complied with all of the recommendations developed and approved as set forth in the above paragraphs.

**Mitigation Measure TCR-2:** If human remains are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease. The Applicant shall notify the County Coroner (per § 7050.5 of the California Health and Safety Code). The provisions of § 7050.5 of the California Health and Safety Code, § 5097.98 of the California PRC, and AB 2641 will be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner will notify the Native American Heritage Commission (NAHC), which then will designate a Native American Most Likely Descendant (MLD) (§ 5097.98 of the PRC). The designated MLD will have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains.

If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (§ 5097.94 of the PRC). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (§ 5097.98 of the PRC). Reburial may include a location that is buried at a sufficient depth and buried in such a manner as to ensure that the site is not subject to further subsurface disturbance as determined by the Applicant with input from the MLD. Such location may be under any project construction or contemplated project construction as determined by the Applicant. In addition, the Applicant shall provide the location of the site to NAHC or the appropriate Information Center and shall record an open space or conservation easement or a reinternment document with the county in which the property is located (AB 2641).

Work may not resume within the no-work radius until the lead agencies, through consultation as appropriate, determine that the treatment measures have been completed to their satisfaction.

In conclusion, due to the negative SLF and Phase 1, coupled with the scope of the Project and the proposed mitigation measures, the City considers the AB52 matter closed. With all respect to the Gabrielino Tongva Indians of California, the present public health and safety concerns related to growing activities of people experiencing homelessness at the project site must also be considered and promptly addressed.

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You are welcome to contact me at 562-220-2049 or [jking@paramountcity.com](mailto:jking@paramountcity.com) if you have questions. Thank you.

CITY OF PARAMOUNT



John King  
Assistant Planning Director