

## Appendix H Record of AB 52 / SB 18 Tribal Consultation

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## NATIVE AMERICAN HERITAGE COMMISSION

January 14, 2025

John King  
City of Paramount  
16400 Colorado Avenue  
Paramount CA 90723

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Chumash

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**Steven Quinn**

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California 95691  
(916) 373-3710  
[nahc@nahc.ca.gov](mailto:nahc@nahc.ca.gov)  
[NAHC.ca.gov](http://NAHC.ca.gov)

**Re: 2025010201 Clearwater Specific Plan Project, Riverside County**

Dear Mr. King:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

**Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

**1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:**

Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
- b. The lead agency contact information.
- c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

**2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:**

A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

- a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

**3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- a. Alternatives to the project.
- b. Recommended mitigation measures.
- c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).

**4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

- a. Type of environmental review necessary.
- b. Significance of the tribal cultural resources.
- c. Significance of the project's impacts on tribal cultural resources.
- d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

**5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

**6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
- b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- Avoidance and preservation of the resources in place, including, but not limited to:
    - Planning and construction to avoid the resources and protect the cultural and natural context.
    - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - Protecting the cultural character and integrity of the resource.
    - Protecting the traditional use of the resource.
    - Protecting the confidentiality of the resource.
  - Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - Protecting the resource. (Pub. Resource Code §21084.3 (b)).
  - Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
  - Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
  - The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf).

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

## NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([https://ohp.parks.ca.gov/?page\\_id=30331](https://ohp.parks.ca.gov/?page_id=30331)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.



3. Contact the NAHC for:
  - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
  - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
  - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
  - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
  - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

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

Sincerely,

*Andrew Green*

Andrew Green  
Cultural Resources Analyst

cc: State Clearinghouse



ANNETTE C. DELGADILLO  
Mayor

PEGGY LEMONS  
Vice Mayor

ISABEL AGUAYO  
Councilmember

BRENDA OLMOS  
Councilmember

VILMA CUELLAR STALLINGS  
Councilmember

March 10, 2025

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

Dear contact person,

We would like to formally invite you to request consultation pursuant to Senate Bill (SB) 18 (California Government Code Section 65352.3 and 65352.4) regarding a proposed Project (Clearwater Specific Plan) in the City of Paramount, described below. As you are aware, SB 18 requires local governments to consult with California Native American Tribes before amending or adopting any general plan or specific plan or designating land as open space for the purpose of protecting traditional tribal cultural places or sacred sites. The proposed Project, described below, involves the adoption of a Specific Plan; therefore, it is subject to the requirements of SB 18.

Additionally, we would like to invite you to request consultation pursuant to Assembly Bill (AB) 52 (California Public Resources Code Section 21080.3.1). The Project is also subject to the California Environmental Quality Act (CEQA) and is subject to requirements under AB 52.

The proposed Project is the Clearwater Specific Plan, which replaces the existing Clearwater East Specific Plan that was adopted in 1987 and most recently updated in 2019. Please refer to the attached Figure 3, Specific Plan Boundary Map. The State of California is requiring this area to increase allowable housing density from the existing 22 units per acre to 30 units per acre, which totals 2,000 units in the Project area. The City of Paramount is taking the opportunity to plan for the future in this area while supporting sustainability efforts, promoting community health and wellbeing, and strengthening and diversifying the local economy.

The Project would accommodate the following development through the year 2045:

- Total new development of approximately 3 million square feet of residential, retail/restaurant, office, neo industrial, and community facilities
- 2,000 units at approximately 2 million square feet
  - 4,600 new residents based on average household size of 2.3 residents per unit

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- Retain approximately 50,000-square foot movie theatre
- Retain existing Somerset Business Park
- Retain existing church and adult school; includes development of accessory residential units (approximately 60 townhomes)
- 30,000 square feet for adaptive reuse of light industrial/storage shed into a brewery type facility
- 150,000 square feet new retail/restaurant
- 800,000 square feet new neo industrial and/or office
- Approximately 4,000 off-street parking stalls; 1.3 million square feet structured and surface parking
- New Open Space:
  - 5.5 acres publicly accessible open space
  - 1.75 acres resident/tenant common space
  - 4.5 acres rooftop amenity and/or landscape space
  - 2.5 to 3 acres of ground stormwater/bioswale planting area

As part of the proposed Project, the City of Paramount is committed to fulfilling the goals of SB 18 and AB 52 and believes that tribal participation in the planning process is crucial. The intent of consultation is to provide an opportunity for local governments and interested tribes to work together in the planning process toward the protection of Native American cultural places and resources that might not appear on cultural resource registries. This is an opportunity for your tribe to participate in the process for this project.

Under SB 18, a Request for Consultation about the Project must be made within ninety (90) days of this notice, and if your tribe provides information during the consultation process, any sensitive information shared with the City regarding cultural places and/or sacred sites will be kept strictly confidential and will not be divulged to the public. In accordance with AB 52, California Native American Tribes may request consultation regarding possible significant effects that implementation of the proposed project may have on tribal cultural resources. If consultation is requested, the City of Paramount will begin the consultation process within 30 days.

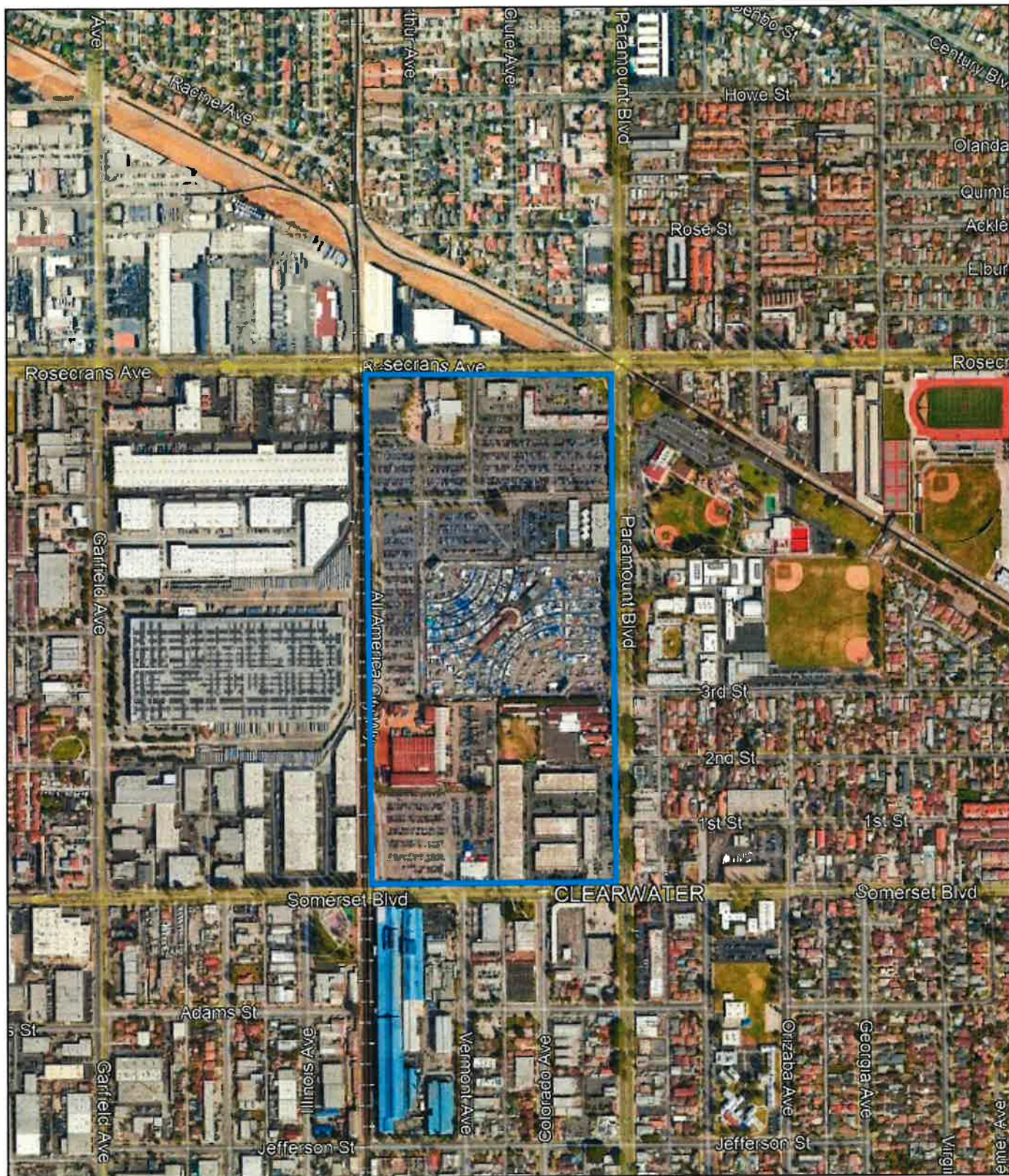
If your tribe would like to consult pursuant to SB 18 or AB 52 about the proposed Project, please contact me at 562-220-2049 or [jking@paramountcity.com](mailto:jking@paramountcity.com). Thank you.

CITY OF PARAMOUNT



John King  
Planning Director  
City of Paramount





 - Specific Plan Boundary

Source: Google Earth  
<http://www.migcom.com/#51-73749222>

Figure 3 Specific Plan Boundary Map

Clearwater Specific Plan  
 Paramount, California







ANNETTE C. DELGADILLO  
Mayor  
PEGGY LEMONS  
Vice Mayor  
ISABEL AGUAYO  
Councilmember  
BRENDA OLMOS  
Councilmember  
VILMA CUELLAR STALLINGS  
Councilmember

March 10, 2025

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

Dear contact person,

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As part of the proposed Project, the City of Paramount is committed to fulfilling the goals of SB 18 and AB 52 and believes that tribal participation in the planning process is crucial. The intent of consultation is to provide an opportunity for local governments and interested tribes to work together in the planning process toward the protection of Native American cultural places and resources that might not appear on cultural resource registries. This is an opportunity for your tribe to participate in the process for this project.

Under SB 18, a Request for Consultation about the Project must be made within ninety (90) days of this notice, and if your tribe provides information during the consultation process, any sensitive information shared with the City regarding cultural places and/or sacred sites will be kept strictly confidential and will not be divulged to the public. In accordance with AB 52, California Native American Tribes may request consultation regarding possible significant effects that implementation of the proposed project may have on tribal cultural resources. If consultation is requested, the City of Paramount will begin the consultation process within 30 days.

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CITY OF PARAMOUNT



John King  
Planning Director  
City of Paramount





 - Specific Plan Boundary

Source: Google Earth  
<http://www.mlg.com> • 951-787-9222



Figure 3 Specific Plan Boundary Map

Clearwater Specific Plan  
 Paramount, California





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Mayor

PEGGY LEMONS  
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Councilmember

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Councilmember

VILMA CUELLAR STALLINGS  
Councilmember

March 10, 2025

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

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Source: Google Earth  
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Figure 3 Specific Plan Boundary Map

Clearwater Specific Plan  
 Paramount, California







ANNETTE C. DELGADILLO  
Mayor

PEGGY LEMONS  
Vice Mayor

ISABEL AGUAYO  
Councilmember

BRENDA OLMOS  
Councilmember

VILMA CUELLAR STALLINGS  
Councilmember

March 10, 2025

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

Dear contact person,

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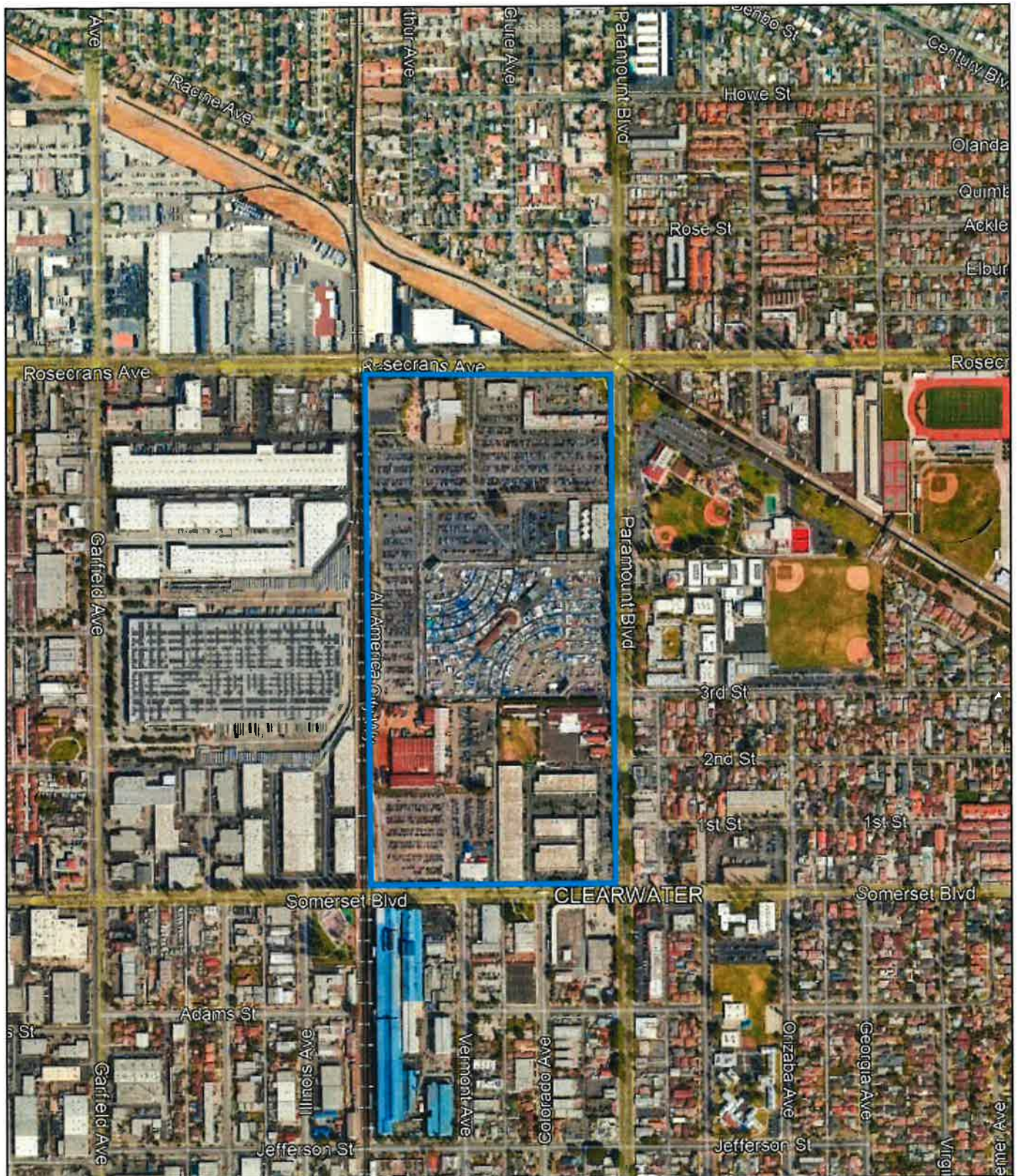
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CITY OF PARAMOUNT



John King  
Planning Director  
City of Paramount





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Clearwater Specific Plan  
 Paramount, California





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Councilmember

VILMA CUELLAR STALLINGS  
Councilmember

March 10, 2025

Christina Conley, Tribal Consultant and Administrator  
Gabrielino Tongva Indians of California Tribal Council  
P.O. Box 941078  
Simi Valley, CA, 93094

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CITY OF PARAMOUNT



John King  
Planning Director  
City of Paramount



# Clearwater Specific Plan Paramount, California





ANNETTE C. DELGADILLO  
Mayor

PEGGY LEMONS  
Vice Mayor

ISABEL AGUAYO  
Councilmember

BRENDA OLMOS  
Councilmember

VILMA CUELLAR STALLINGS  
Councilmember

March 10, 2025

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

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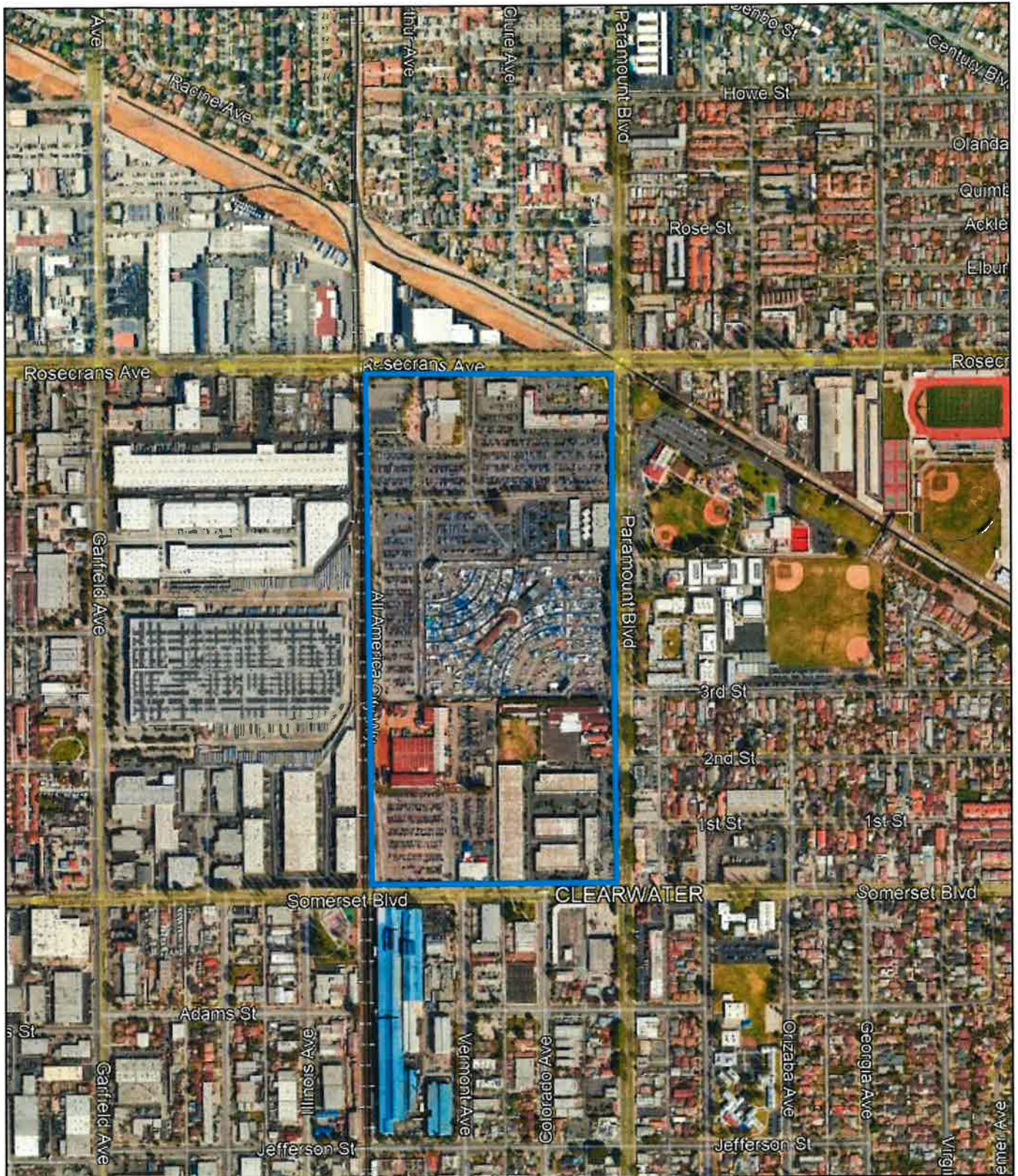
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CITY OF PARAMOUNT



John King  
Planning Director  
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Councilmember

March 10, 2025

Lovina Redner, Tribal Chair  
Santa Rosa Band of Cahuilla Indians  
P.O. Box 391820  
Anza, CA, 92539

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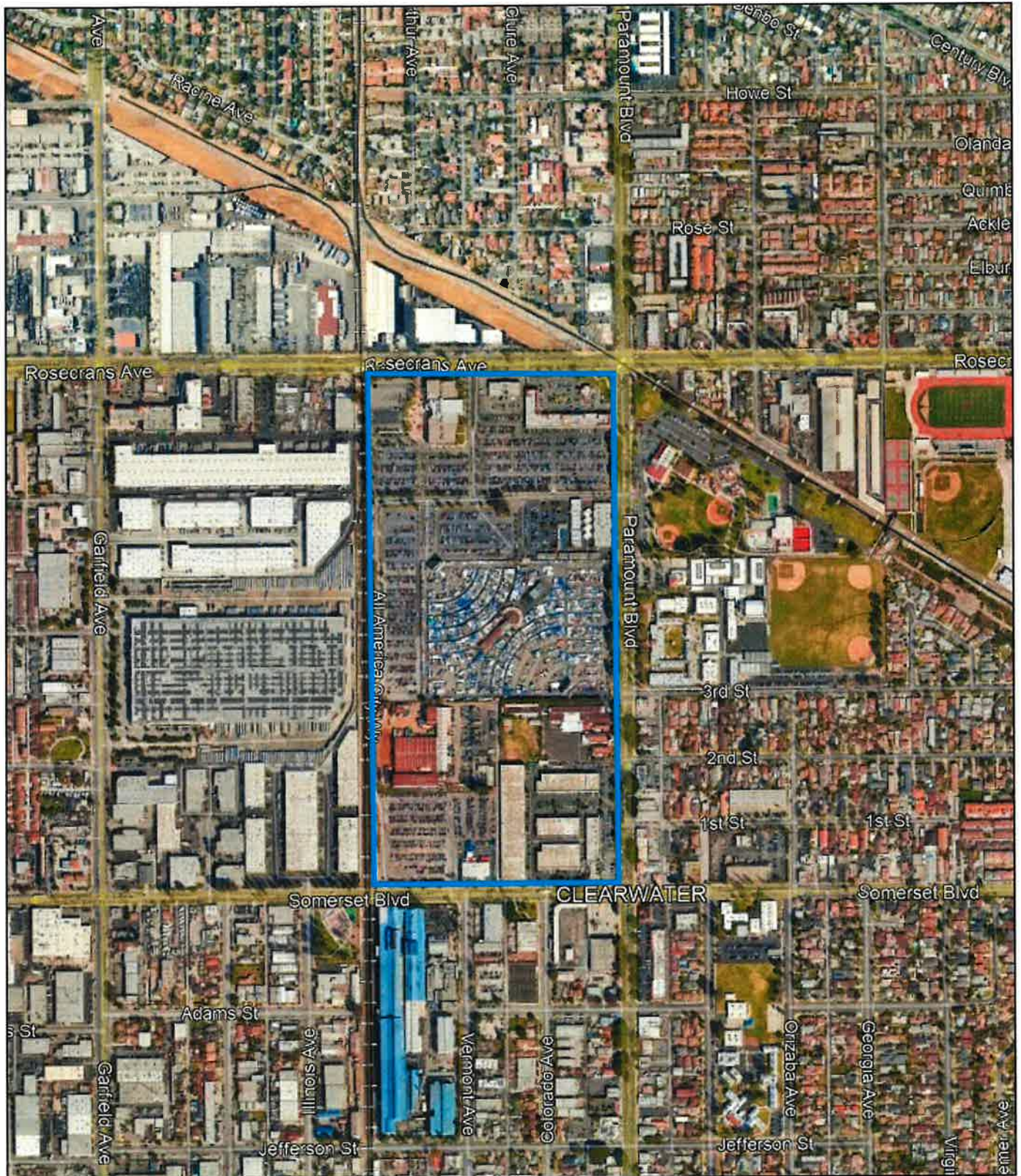
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John King  
Planning Director  
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VILMA CUELLAR STALLINGS  
Councilmember

March 10, 2025

Joseph Ontiveros, Cultural Resource  
Soboba Band of Luiseno Indians  
P.O. Box 487  
San Jacinto, CA, 92581

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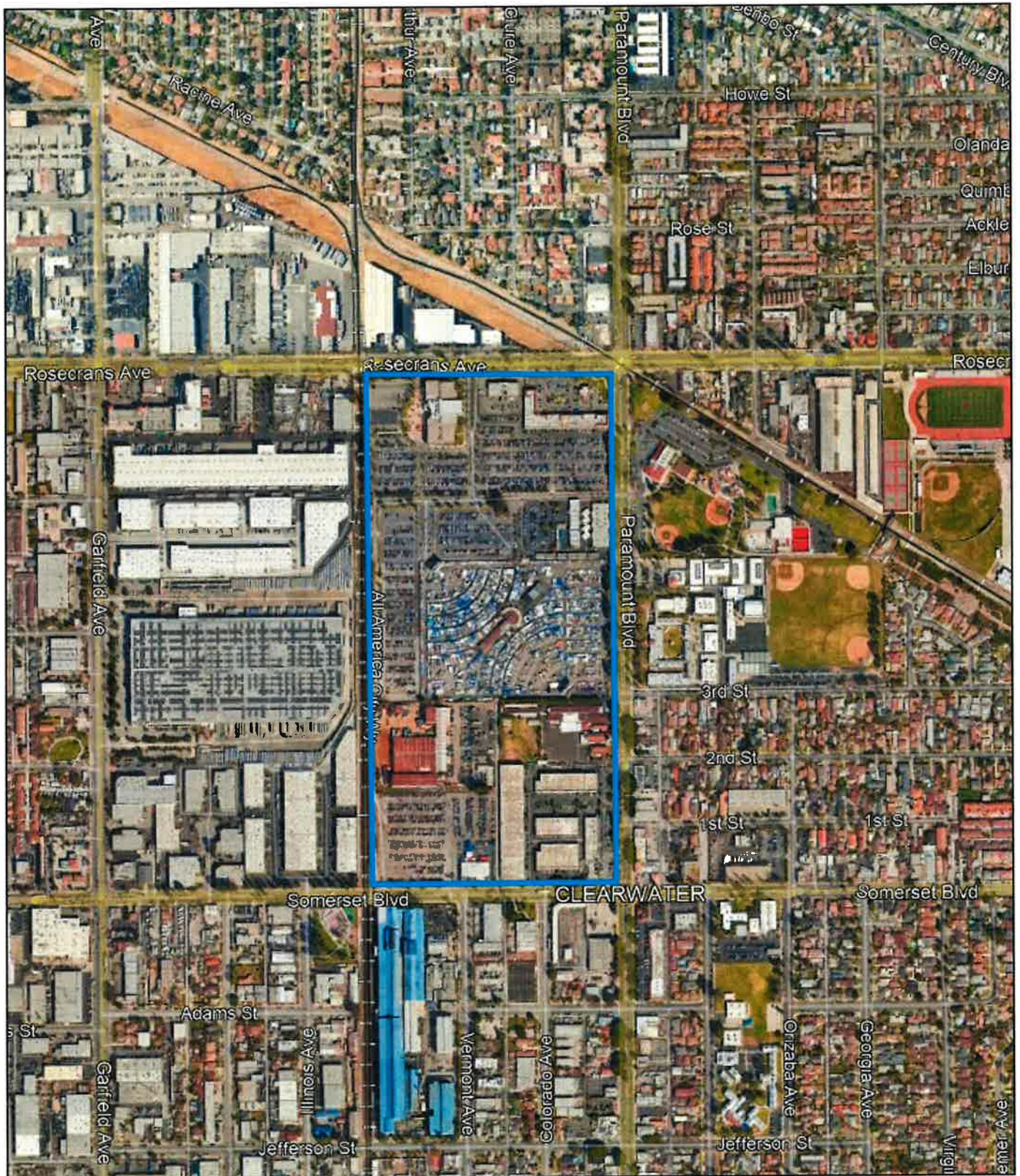
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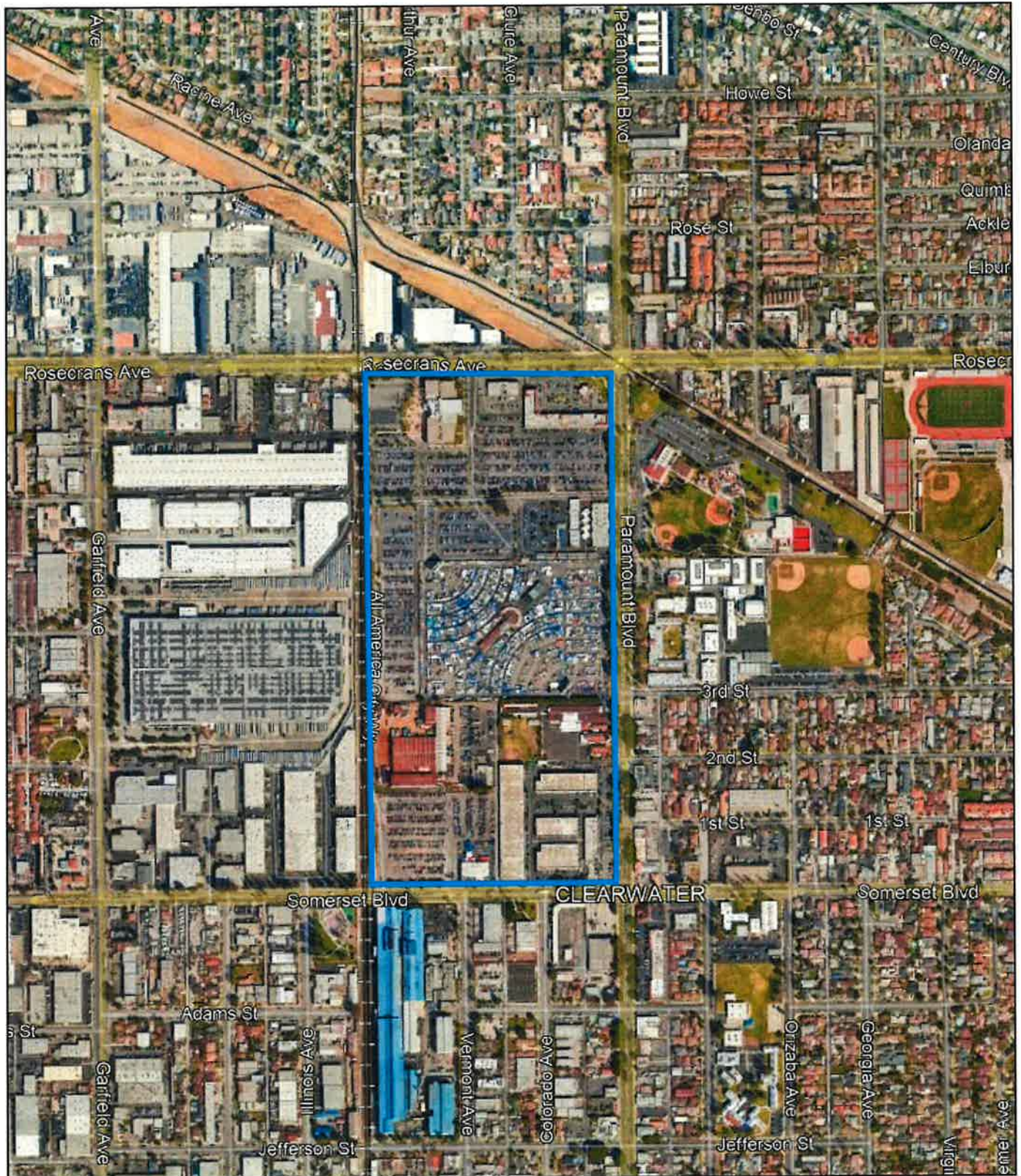
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CITY OF PARAMOUNT



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Planning Director  
City of Paramount





 - Specific Plan Boundary

Source: Google Earth  
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Figure 3 Specific Plan Boundary Map

Clearwater Specific Plan  
 Paramount, California





## GABRIELEÑO BAND OF MISSION INDIANS - KIZH NATION

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

March 31, 2025

John King

Planning Director

City of Paramount

jking@paremountcity.com

Subject: Formal Request for Government-to-Government Consultation – Clearwater Specific Plan

Dear John King,

On behalf of the Gabrieleno Band of Mission Indians Kizh Nation, I am formally requesting government-to-government consultation the city of Paramount pursuant to Assembly Bill 52 (AB 52) and the California Environmental Quality Act (CEQA) regarding the proposed Clearwater Specific Plan Project. Our tribe has ancestral and cultural ties to this area, and we are concerned that the project may impact Tribal Cultural Resources (TCRs) within our traditional territory.

Under AB 52, lead agencies are required to engage in meaningful government-to-government consultation with our tribe who is ancestrally traditionally and culturally affiliated with the project area when the project undergoes CEQA review, in accordance with the law.

We request that formal consultation be initiated within the required timeframe, and we are prepared to meet at your earliest convenience. Please confirm receipt of this request and provide available dates for an initial consultation meeting.

Andrew Salas, Chairman

Mike Jesus Lemos, Treasurer I

Nadine Salas, Vice-Chairman

Samantha Lemos, Treasurer II

Dr. Christina Swindall Martinez, Secretary

Richard Gradias, Chairman of the council of Elders

PO Box 393 Covina, CA 91723

[www.gabrielenoindians.org](http://www.gabrielenoindians.org)

[admin@gabrielenoindians.org](mailto:admin@gabrielenoindians.org)

For scheduling or further discussion, please contact me at [gabrielenoindians@gmail.com](mailto:gabrielenoindians@gmail.com) or (844) 390 - 0787. We appreciate your commitment to ensuring compliance with AB 52 and protecting the cultural heritage of our tribal community.

Sincerely,

Andrew Salas

Hereditary Chief

Kizh (Quiichi) Nation Gabrieleño Band Of Mission Indians

Best regards,



Hereditary Chief Andrew Salas  
Gabrieleño Band of Mission Indians–Kizh Nation

Andrew Salas, Chairman

Mike Jesus Lemos, Treasurer I

Nadine Salas, Vice-Chairman

Samantha Lemos, Treasurer II

Dr. Christina Swindall Martinez, Secretary

Richard Gradias, Chairman of the council of Elders

PO Box 393 Covina, CA 91723

[www.gabrielenoindians.org](http://www.gabrielenoindians.org)

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## GABRIELEÑO BAND OF MISSION INDIANS - KIZH NATION

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

Friday, June 20, 2025

### **John King**

Planning Director  
City of Paramount  
16400 Colorado Ave.  
Paramount, CA 90723  
jking@paramountcity.gov

**Subject:** Request for Implementation of Tribal Mitigation Measures Under AB 52 – Clearwater Specific Plan

**Dear Mr. King,**

The land currently known as the City of Paramount rests within the ancestral territory of the Gabrieleno Band of Mission Indians – Kizh Nation. As the original Indigenous people of the Los Angeles Basin, our presence in this region predates European colonization by thousands of years. Our connection to the land is not symbolic—it is rooted in generations of stewardship, ceremonial use, and lifeways intimately tied to the geography, waterways, and ecosystems of the region.

Prior to Spanish contact, this area formed part of a highly developed and organized network of Kizh village communities, trade routes, and spiritual corridors. These were not isolated settlements but part of a cohesive and complex Indigenous civilization with deep ecological knowledge and spiritual governance of the land. Our ties to this place remain continuous, informed by oral tradition, historical records, and documented archaeological resources.

The area now encompassing the City of Paramount was once the location of *Naxaaw'nga*, a principal Kizh village situated along the San Gabriel River corridor. Ethnographic records from Harrington and Reid, as well as our oral traditions, place *Naxaaw'nga* and its related site, *Naxaaw'nga-Sejat*, within the boundaries of what is now the modern city. These sites held significant ceremonial, residential, and subsistence value to our people. Early Californio settlers acknowledged this lasting presence by referring to the area as “La Ranchería,” a specific use of the general term for any “Indian” settlement.

### **Spanish Mission History – 1700s Impact on Kizh Villages**

Following the establishment of **Mission San Gabriel Arcángel in 1771**, our communities, including those in and around *Naxaaw'nga*, were forcibly integrated into the mission system. Families were baptized under duress, removed from their homelands, and conscripted into labor. The Paramount area fell under the mission's sphere of influence, used to support mission agriculture and livestock through the exploitation of Kizh labor. This period marked a direct assault on our spiritual sovereignty and communal structure.

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Subsequent secularization under Mexican rule further displaced our people, transitioning the land into private hands through grants like Rancho Los Nietos. These colonial transitions undermined our territorial authority, yet they never erased our cultural and spiritual connection to the land.

### **Documented Indigenous Archaeological Resources in Paramount**

Extensive archaeological records support the historical presence of our people in this area, including:

- Village sites of **Naxaaw'nga** and **Naxaaw'nga-Sejat**
- **Shell middens, lithic scatters, and bedrock mortars**
- **Burial and cremation features** consistent with Kizh ceremonial practices
- **Historic-period materials** from Mission and Rancho periods

These findings confirm this region was not only populated by permanent Kizh villages but also held spiritual and economic significance across multiple cultural eras. Even during the Mission and Rancho periods, archaeological records show continuity of Indigenous lifeways—such as pottery production and sacred burials—underscoring the ongoing cultural survival of our people.

### **AB 52 Consultation and Mitigation Measures**

In accordance with the California Environmental Quality Act (CEQA) and **AB 52 consultation requirements**, Chairman Andrew Salas formally requests that the City of Paramount adopt and implement the Kizh Nation's **specific tribal mitigation measures**.

These measures are not generic; they are carefully developed to reflect the distinct historical, cultural, and spiritual connection of our Tribe to this land. Key elements include:

- The **mandatory presence of qualified Kizh Tribal monitor** during all ground-disturbing activities
- **Immediate notification and halt of work** if Tribal cultural resources or human remains are encountered
- The **preservation of features** in consultation with the Tribe
- Ongoing **government-to-government communication** throughout the duration of the project

These protections are essential to ensuring that cultural resources are not unknowingly damaged or destroyed. Our monitors are trained in both archaeological protocol and traditional knowledge systems, providing a dual framework of protection.

We respectfully request written confirmation of receipt of this letter and a timely response outlining the City's commitment to implementing our Tribe's mitigation measures. We are committed to good faith consultation and look forward to working in collaboration with the City of Paramount to protect the integrity of this sacred and historically significant land.

Best regards,



Hereditary Chief Andrew Salas  
Gabrieleño Band of Mission Indians–Kizh Nation

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## GABRIELEÑO BAND OF MISSION INDIANS – KIZH NATION

California State Recognized Aboriginal Tribe of the Los Angeles Basin

**(Historically known as the Gabrieleño Tribal Council - San Gabriel Band of Mission Indians)**



### GABRIELENO BAND OF MISSION INDIANS – KIZH NATION - PROPOSED TCR MITIGATION MEASURES

#### **Subject : Clearwater Specific Plan**

#### TCR-1: Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities

- A. The project applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any “ground-disturbing activity” for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the project description/definition and/or required in connection with the project, such as public improvement work). “Ground-disturbing activity” shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.
- B. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.
- C. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or “TCR”), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project applicant/lead agency upon written request to the Tribe.
- D. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

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

- A. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural and/or historic purposes.

TCR-3: Unanticipated Discovery of Human Remains and Associated Funerary or Ceremonial Objects

- A. Native American human remains are defined in PRC 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in Public Resources Code Section 5097.98, are also to be treated according to this statute.
- B. If Native American human remains and/or grave goods are discovered or recognized on the project site, then Public Resource Code 5097.9 as well as Health and Safety Code Section 7050.5 shall be followed.
- C. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2).
- D. Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods.
- E. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

***PLEASE NOTE THE FOLLOWING:***

Any/all revisions to the Kizh's proposed TCR mitigations set forth above must be requested in writing, and not more than ten (30) calendar days from the date that we consulted on the subject Project so that we can conclude consultation. Requested revisions shall be delivered to the Kizh via email at admin@gabrielenoindians.org, and in a Word document, redline format. Please include as the email subject: "REQUEST FOR MITIGATION REVISIONS," and identify the project name and location/address. If revisions are not requested within 10 calendar days of consultation, the Kizh's proposed mitigations are presumed accepted as proposed (i.e., as set forth above). The laws preserving the confidentiality of Native

***The laws preserving the confidentiality of Native***

***American documents and records prohibits the inclusion of any information about the location of Native American artifacts, sites, sacred lands, or any other information that is exempt from public disclosure pursuant to the Public Records Act. (Cal. Code Regs. § 15120(d) Rocklin (2011) 197 Cal.App.4th 200, at p.***



*220. Please be advised that these protective mitigation measures are property of the KIZH Nation Tribal government and no other entity or Tribal government nor should they be utilized for any other Tribal government or entity and are protected under the AB52 confidentiality act*

Thank you for your anticipated cooperation.