

**CALIFORNIA COASTAL COMMISSION**

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# W15b

## ADDENDUM

February 3, 2025

TO: Coastal Commissioners and Interested Parties

FROM: South Coast District Staff

SUBJECT: **ADDENDUM TO ITEM W15B, APPLICATION NO. LCP-5-DPT-24-0033-1 (VICTORIA BOULEVARD SPECIFIC PLAN) FOR THE COMMISSION MEETING OF WEDNESDAY, FEBRUARY 5, 2025.**

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This addendum is designed to replace suggested modification No. 4 as discussed in the staff report dated January 24, 2025, to incorporate updates resulting from Commission's staff's discussion with the City and consultation with a representative of Juaneño Band of Mission Indians Acjachemen Nation.

### CHANGES TO STAFF REPORT

The following changes are made to the staff report dated January 24, 2025. Language to be added is shown in ***bold double underlined italicized text***, and language to be deleted is identified by strikethrough.

**a) Pages 9-10 – III. Suggested Modifications, Suggested Modification No. 4: Add new section 5.15 to Chapter 5 Development Standard, as follows:**

#### **5.14 Archaeological and Paleontological *Tribal Cultural* Resource Protection**

**All development within the project site, including remediation, site preparation, grading, and construction shall comply with the following:**

**~~a. Conduct project-specific investigations in accordance with all applicable laws and regulations to identify potentially significant tribal cultural and archaeological resources.~~**

**~~b. Conduct project specific Native American consultation early in the development review process to ensure culturally appropriate and adequate treatment and/or mitigation for tribal cultural resources in accordance with all applicable local, state, and federal regulations and guidelines.~~**

**c. Site and design proposed development to avoid adverse impacts to archaeological, tribal cultural, and paleontological resources to the maximum extent feasible.**

**d. Evaluate project design alternatives and implement alternatives that would result in the fewest potential resource impacts to archaeological, tribal cultural, paleontological, and coastal resources when avoidance is not feasible.**

**e. During all ground disturbance, a qualified archaeologist and a Native American monitor are required to be present onsite.**

**f. Provide mitigation for adverse impacts to resources where development would adversely impact archaeological, tribal cultural, or paleontological resources. Mitigation measures for impacts to tribal cultural resources shall be developed in coordination with local Native American Tribes.**

**a. Prior to ground disturbance, conduct project specific Native American consultation early in the development review process in accordance with all applicable local, state, and federal regulations and guidelines.**

**b. Prior to ground disturbance, conduct literature searches to identify any previously recorded cultural resources within the project area. If there are recorded resources on the project site, prepare and provide a plan to the City to conduct onsite investigations to identify resource boundaries. Site and design proposed development to avoid adverse impacts to known archaeological and tribal cultural resources, unless determined by the City in consultation with ancestrally affiliated Native American Tribes to be infeasible. If avoidance isn't feasible, evaluate project design alternatives and implement alternatives that would result in the fewest impacts to known archaeological and tribal cultural resources in consultation with Native American Tribes with ancestral ties to the land. Preservation of discovered tribal cultural resources in situ is preferred.**

**c. Comply with conditions of approval or mitigation measures for Unanticipated Discovery of Resources (Inadvertent Discovery) imposed by the City. When there is a potential impact to tribal cultural resources, prepare a treatment plan in consultation with ancestrally affiliated Native American Tribes.**

**d. During all ground disturbance, a qualified archaeologist and a Native American monitor with ancestral ties to the area, if an invitation to monitor is accepted, are required to be present onsite.**

**e. Provide adequate mitigation for any adverse impacts to archaeological and/or tribal cultural resources resulting from the development. Mitigation measures or treatment methods for tribal cultural resources shall be developed in coordination with Native American Tribes with ancestral ties to the area.**

b) Page 25 – Modify Section IV. Findings for Certification of the LCPA as Modified/B. Evaluation of the Proposed LCP Amendment/2. Implementation Plan/Historical, Archaeological or Paleontological Resources, as follows:

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As part of the specific plan, the Ccity requested cultural resource studies which revealed that there are 16 cultural resources within the vicinity of the project area, but none were recorded on the site of the specific plan area. As part of the EIR for the anticipated development, the Ccity included mitigation measures regarding the protection of archaeological or paleontological resources and requires an evaluation for unanticipated discovery of resources. The measure for unanticipated discovery of resources requires that ~~if~~ tribal-cultural archeological resources are encountered during project construction, Mitigation Measure CUL-1 would require all project construction efforts to halt until an archaeologist examines the site, identifies the archaeological significance of the find, and may require preparation of a treatment plan. ~~recommends a course of action which must be implemented.~~ The Ccity has stated that compliance with Mitigation Measure CUL-1 would ensure construction and operational activities of the project do not result in substantial adverse impacts to tribal and cultural archeological resources, however, the mitigation measure does not include collaboration with local Native American tribal nations. In order to address this, the suggested modification requires that any treatment methods be developed in collaboration with Native American tribes.

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**Suggested Modification No. 4** would require identification of previous cultural resource studies conducted in the area, ~~conduct~~ Native American consultation and collaboration with Tribal Nations regarding tribal cultural resources, avoid impacts to known tribal cultural resources to the maximum extent feasible, and provide adequate mitigation for impacts that cannot be avoided in collaboration, ~~and coordinate mitigation measure with local Tribal Nations.~~ The suggested modification would also require that a Native American monitor with ancestral ties to the area be present onsite during all ground all disturbance. In past tribal consultations with Commission staff, the Tribal Nations have repeatedly requested that impacts to tribal cultural resources be avoided whenever feasible and that a Native American monitor be present onsite during ground disturbance for projects in tribally sensitive areas in the LA and Orange County region.