



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

April 22, 2011

Mr. Hampton Tucker, Chief
Historic Preservation Grants Division
National Park Service
1849 C Street, N.W.
Washington, DC 20240

Dear Mr. Tucker:

PLAZA DE CULTURA Y ARTES PROJECT SAVE AMERICA'S TREASURES GRANT GRANT NO. 06-06-ML-0406

On April 5, 2011, Dawn McDivitt of this office, County Counsel, and LA Plaza de Cultura y Artes Foundation (Foundation) Counsel discussed with you and the National Park Service's staff your letter dated March 24, 2011 regarding the Plaza de Cultura y Artes Project (Project).

As was discussed, the County of Los Angeles (County) is the property owner and has entered into a lease agreement with the Foundation for the maintenance and operations of the Project site. The County, as the property owner and lead agency under the California Environmental Quality Act, has taken the lead in coordinating all activities with respect to the discovery and excavation of human remains on the Project site during the fall and winter 2010.

To summarize the timeline events, human remains were first uncovered in October 2010 in the area of the Project site associated with a historic cemetery that was at one time related to the adjacent La Placita Catholic Church (Church). As noted in the environmental documentation and through the pre-construction research, the remains buried at the historic Church cemetery were documented to have been excavated when the cemetery was closed in 1844. Upon discovery of the remains, as required by the environmental mitigation measure, construction activity was halted and the County Coroner was contacted. The County Coroner arrived on the site, investigated the identified human remains, and determined that it did not appear to be of Native American origin.

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The Foundation and County staff then contacted the Archdiocese of Los Angeles Catholic Cemeteries (Catholic Archdiocese). In November 2010, the Catholic Archdiocese confirmed by letter a plan in which the Church requested that any discovered remains from the historic cemetery area be excavated and transferred to the Church for respectful re-interment at a Catholic cemetery. Based on that determination and the direction for a reburial plan from the Church, the archaeological team began work to excavate the discovered remains, and related cultural artifacts on November 3, 2010.

In January 2011, the President of the Foundation met with Native American groups who provided burial record information from the former cemetery and advised that this information identified that people of Native American descent had been among the more than 600 individuals reported to have been buried at the Church cemetery.

Construction and excavation activities in the area of the site, including the historic cemetery were stopped by the Foundation on January 14, 2011. That area of the site has been secured, including by temporary fencing installed outside of the historic boundary to create a buffer zone between the historic cemetery area and construction activities in other areas of the site. This fenced area of the property will be respectfully and securely screened from the public at all times until the final plans for re-interment and resource management have been developed. All excavated human remains are being stored on a temporary basis at a secure location at the County Museum of Natural History; the remains are not accessible to the public or Museum staff except as authorized by this office. They are not considered part of the Museum's collection and are not the subject of any investigation or research.

The County's current activities include the commencement of a public outreach program to solicit input from Native Americans, the Catholic Archdiocese, and other interested groups about development of plans for the respectful re-interment of human remains and long-term management of the on-site cultural resources. An initial public meeting was held on March 9, 2011, and the County anticipates conducting up to three additional meetings to solicit input and discuss these issues between now and July 2011. In addition, County officials and Foundation representatives have also met with Native American groups and the other interested parties on several occasions to discuss the Project. On March 28, 2011, County Supervisor Gloria Molina, Foundation President Miguel Angel Corzo, and Dawn McDivitt of this office appeared at a meeting of the California Native American Heritage Commission (Commission) to provide background information about the Project and answer questions from the Commission members.

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The County and the Foundation are committed to continuing to work with the Commission, the National Park Service, the Catholic Archdiocese, and all other appropriate federal and state governmental entities to create a consultation process that is inclusive of the many interested parties while continuing to further meaningful dialogue about the Project. Per our April 5, 2011 discussion, the County intends to use its public outreach process to provide opportunities for consultation with Native American groups, consistent with the procedures set forth in Code of Federal Regulations Section 800.13(b) relating to "post-review discoveries." In that consultation process, the County will include all interested parties identified in your March 24, 2011 letter, and any other Native American groups identified by the Commission. At your request, we will also include Mark Beason of the California State Historic Preservation Office in future public outreach regarding the Project.

As you requested, we will continue to provide the National Park Service with monthly updates regarding the consultation and outreach efforts to resolve the issues relating to the discovery of human remains at the Project site. We look forward to working with you as we move forward with a transparent and inclusive process to develop a final plan for respectful handling of human remains and long-term management of the in-situ historic and cultural resources.

If you have any questions or concerns, please contact Dawn McDivitt at (213) 974-2620.

Sincerely,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:RLR
DJT:DKM:zu

- c: Supervisor Gloria Molina, First Supervisorial District
- Andrea Sheridan Ordin, County Counsel
- Miguel Angel Corzo, LA Plaza de Cultura y Artes Foundation
- Larry Myers, Native American Heritage Commission
- Mark Beason, California State Historic Preservation Office
- Ron Andrade, Native American Indian Commission
- Irene Sepulveda, Los Pobladores
- Paul Guzman, Los Pobladores

Robert E. Smith, Los Pobladores 200
Joseph Ontiveros, Soboba Band of Luiseno Indians
Scott Cozaet, Soboba Band of Mission Indians
Tribal Historic Preservation Office, Pala Band of Indians
Cindi Alvitre, Ti'At Society/Inter-Tribal Council of Pimu
Jon Tommy Rosas, Tongva Ancestral Territorial Tribal Nation
Anthony Morales, Gabrieleno/Tongva San Gabriel Band of Mission Indians
Sam Dunlap, Gabrieleno Tongva Nation
Robert F. Dormae, Gabrielino Tongva Indians of California Tribal Council
Linda Candelaria, Gabrielino-Tongva Tribe
Andrew Salas, Gabrielino Band of Mission Indians
Bo Mazzetti, Rincon Band of Mission Indians
Rebecca Robles, United Coalition to Protect Panhe
Henry Contreras, San Luis Rey Band of Mission Indians
Russell Romo, San Luis Rey Band of Mission Indians
Carmen Mojado, San Luis Rey Band of Mission Indians
Mark Mojado, San Luis Rey Band of Mission Indians
Rob Roy, La Jolla Band of Mission Indians
Shasta Gaughen, Kupa Cultural Center (Pala Band)
Bennae Calac, Pauma Valley Band of Luiseno Indians
Randall Majel, Pauma & Yuima Reservation
Kimberli Peters, EPA, Pauma & Yuima Reservation
Charles Devers, Pauma & Yuima Reservation
David Belardes, Juaneno Band of Mission Indians Acjachemen Nation
Adolph Sepulveda, Juaneno Band of Mission Indians
Anthony Rivera, Juaneno Band of Mission Indians
Alfred Cruz, Juaneno Band of Mission Indians
Sonia Johnston, Juaneno Band of Mission Indians
Anita Espinoza, Juaneno Band of Mission Indians
Paul Macarro, Pechanga Band of Mission Indians
Anna Hoover, Pechanga Band of Mission Indians
Mark Macarro, Pechanga Band of Mission Indians
Willie Pink, Pechanga Band of Mission Indians
Edwin Romero, Barona Group of Capitan Grande
Robert Pinto, Ewiiapaayp Tribal Office
Will Micklin, Ewiiapaayp Tribal Office
Michael Garcia, Ewiiapaayp Tribal Office
Gwendolyn Parada, La Posta Band of Mission Indians
Allen Lawson, San Pasqual Band of Mission Indians
Kristie Orosco, San Pasqual Band of Indians
Virgil Perez, Ipay Nation of Santa Ysabel

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Clint Linton, Ipai Nation of Santa Ysabel
Danny Tucker, Sycuan Band of the Kumeyaay Indians
Anthony Pico, Viejas Band of Kumeyaay Indians
Ron Christman, Kumeyaay Cultural Historic Committee
Monique LaChappa, Campo Kumeyaay Nation
Paul Cuero, Kumeyaay Cultural Heritage Preservation
Carmen Lucas, Kwaaymii Laguna Band of Mission Indians
Steve Banegas, Kumeyaay Cultural Repatriation Committee
M. Louis Guassac, Kumeyaay Diegueno Land Conservancy
Frank Brown, Viejas Kumeyaay Indian Reservation
Bernice Paipa, Kumeyaay Cultural Repatriation Committee
Leroy Elliott, Manzanita Band of the Kumeyaay Nation
Rebecca Osuna, Inaja Band of Mission Indians
Kenneth Meza, Jamul Indian Village
Mark Romero, Mesa Grande Band of Mission Indians