

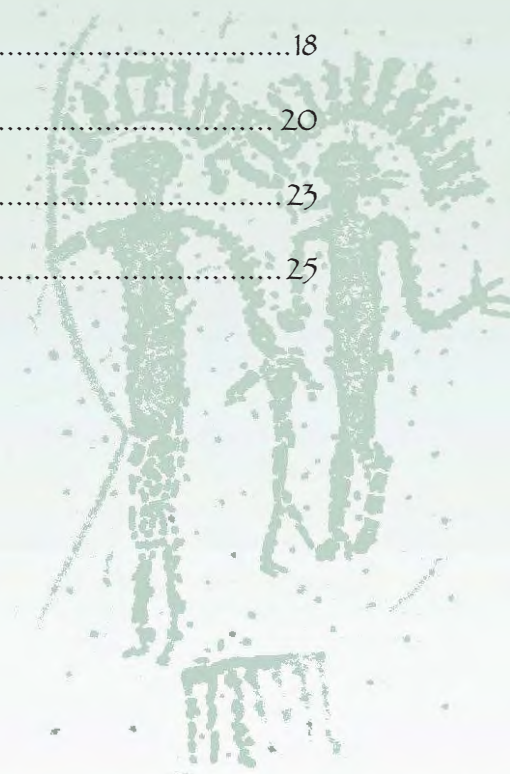
*“It is the policy of the state that Native American remains  
and associated grave goods shall be repatriated.”*

*- California Public Resources Code 5097.991*



# Table of Contents

Event Agenda .....	1
Welcome Letter – Governor Edmund G. Brown Jr. ....	2
2016 Native American Day Proclamation .....	3
Welcome Letter – NAHC Chairperson James Ramos .....	4
Welcome Letter – NAHC Executive Secretary Cynthia Gomez.....	5
Keynote Speaker Biography.....	6
State Capitol Rotunda Displays.....	7
Native American Heritage Commission’s Mission Statement .....	8
Tribal People of California Map .....	13
California Indian Seal.....	14
The Eighteen Unratified Treaties of 1851-1852 between the California Indians and the United States Government .....	15
NAHC Timeline .....	18
Native American Heritage Commission’s History Photos .....	20
Resolution for Native American Heritage Month .....	23
Resolutions for the NAHC Commissioners .....	25





# Native American Heritage Commission 40th Anniversary Gala

Holiday Inn Capitol Plaza  
300 J Street  
Sacramento, CA 95814

October 21, 2016

## EVENT AGENDA

6:15-6:20 – Welcome – NAHC Executive Secretary Cynthia Gomez

6:20-6:30 – Opening Prayer – Shingle Springs Rancheria

6:30-7:00 – Welcome/Award Presentation – NAHC Chairman James Ramos

7:00-7:50 – Keynote Presentation -Benjamin Madley, Author  
*An American Genocide: The United States and the California Indian Catastrophe, 1846-1873*

7:50-8:20 – Cultural Singing – Chumash Intertribal Singers

8:20-8:50 – Legislators' Remarks

Introduction by NAHC Vice Chairwoman Laura Miranda

Congressman John Garamendi

U.S. House of Representatives, 3rd District of California

Assemblyman Mike Gatto

California State Assembly, District 43

8:50-8:55 – Closing Remarks – NAHC Executive Secretary Cynthia Gomez

8:55-9:00 – Closing Prayer – Wilton Rancheria





## OFFICE OF THE GOVERNOR

October 21, 2016

### *Native American Heritage Commission*

On behalf of the State of California, I welcome you to the Native American Heritage Commission's 40<sup>th</sup> anniversary celebration. Tonight, we celebrate the whole history of our state: not just our 166 years of statehood, nor the 247 years that have passed since the founding of the first Spanish mission nor even the 474 years since the first European explorer set foot on our shores, but the much vaster scale of time—at least 12,000, and perhaps as long as 15,000 years—that reflects the true length of human occupancy in what is now called California.

On September 29, 1976, I signed into law Assembly Bill 4239, creating the Native American Heritage Commission. Since then the Commission has worked diligently to identify and protect the cultural and archaeological resources that reflect the true depth of California history and the knowledge, memory and wisdom of the first Californians. My actions as governor have consistently supported this important work. In 1982 I signed Senate Bill 297, requiring the Commission to identify a Most Likely Descendant in cases where Native American remains have been discovered, a change in law that has helped protect burial grounds from desecration. In 2014 I moved to increase the protection of our native heritage by signing Assembly Bill 52, which added tribal cultural resources as a separate category to be considered under the California Environmental Quality Act.

I expect the importance of the Commission's role to grow as we continue to work together toward a more honest understanding of where we have come from, what we have done and, perhaps, how we might live in this beautiful place called California for another dozen millennia.

Sincerely,

  
EDMUND G. BROWN JR.



**Executive Department**  
**State of California**

**PROCLAMATION**

California has been home to human beings for more than 12,000 years, with the presence of European-Americans representing only a tiny fraction of this time. The first Europeans to arrive in California encountered hundreds of thousands of people organized into hundreds of distinct tribal groups. They flourished in the bountiful hills and valleys of what someday would be called California.

The contact between these first Californians and successive waves of newcomers over the three succeeding centuries was marked by the utter devastation of the native peoples, their families and entire way of life. The colonial regimes of Spain and Mexico through disease and enforced servitude cut the indigenous population by more than half. Then the Gold Rush came, and with it, a wave of new diseases and wanton violence which reduced the Native population again, this time by more than 80 percent. The newborn State of California actually paid for the killing of Native peoples and tolerated or encouraged policies of warfare, slavery and relocation that left no tribe intact. In his 1851 address to the Legislature, our first Governor, Peter Burnett, famously stated, "That a war of extermination will continue to be waged between the two races until the Indian race becomes extinct, must be expected."

In spite of Burnett's prediction, California today is home to the largest population of Native Americans in the fifty states, including both the rebounding numbers of our native tribes and others drawn to the Golden State by its myriad opportunities. The success of tribal businesses and the presence today of tribal members in all walks of life stand as testament to the resilience and indomitable spirit of native peoples. If Governor Burnett could not envision a future California that included Native Americans, it is just as impossible for us today to envision one without them.

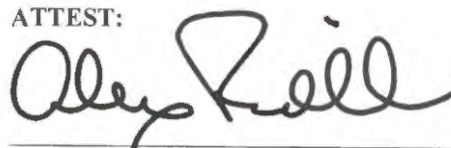
**NOW THEREFORE I, EDMUND G. BROWN JR.**, Governor of the State of California, do hereby proclaim September 23, 2016, as "Native American Day" in the State of California.

**IN WITNESS WHEREOF** I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 15<sup>th</sup> day of September 2016.



  
EDMUND G. BROWN JR.  
Governor of California

**ATTEST:**

  
ALEX PADILLA  
Secretary of State

**NATIVE AMERICAN HERITAGE COMMISSION**

1550 Harbor Blvd., ROOM 100  
West SACRAMENTO, CA 95691  
(916) 373-3710  
Fax (916) 373-5471



October 21, 2016

### *Native American Heritage Commission*

Welcome to the 40<sup>th</sup> Anniversary Gala of the California Native American Heritage Commission. The Commission was created in 1976 as an answer to the Native American community's need to preserve and protect their Native American ancestors' gravesites from destruction and reinter their remains with appropriate respect and dignity. These early responsibilities not only provided for the protection of Native American cultural sites but also encouraged the Tribes to consult with state, federal and local agencies. The Native American voice in California was made possible with the support of Governor Edmund G. Brown Jr. His unique view of California Native American Tribes, along with all the hard work and dedication of the Tribes, Commissioners, Executive Secretaries, Commission staff, legislators and local government leaders to protect cultural resources has made California an example for other states to emulate. It is through the hard work, dedication and insight of these early Native American individuals and Tribes that our children will have a better future.

The Commission's responsibilities are growing in complexity. There have been major projects for which the Commission has had input or been instrumental in the outcome such as Puvunga, Panhe/Toll Road, Bolsa Chica, Playa Vista, Santa Susanna, Ocotillo Wells, Morro Rock, High Speed Rail, and Feather River to name a few. As an advocate for the protection of Native American cultural resources, the Commission requires knowledgeable individuals and Tribes to work together for the protection of Native American sacred places and provides a legal framework in which protection and preservation becomes the norm.

A recent improvement to the California Environmental Quality Act (CEQA) is Assembly Bill 52 (AB 52) (Gatto) that mandates tribal consultation be part of CEQA environmental review process, so that Tribes can have input on projects early in the planning process. A new responsibility of the Commission will be to implement the California Native American Graves Protection and Repatriation Act (CalNAGPRA) to ensure that all our Native American ancestors whose remains are in museum collections or on display are repatriated.

We look forward to serving the Native American community. Thank you for your dedication and service for making the Commission what it is today. Working together, we can protect our cultural resources for future generations.

Respectfully,

A blue ink signature of James Ramos, written in a cursive style.

James Ramos, Chairperson  
California Native American Heritage Commission



**NATIVE AMERICAN HERITAGE COMMISSION**

1550 Harbor Blvd., ROOM 100  
West SACRAMENTO, CA 95691  
(916) 373-3710  
Fax (916) 373-5471



October 21, 2016

*Native American Heritage Commission*



This year is the California Native American Heritage Commission's 40th Anniversary! It is an honor to reflect with those who have helped create and support the Commission. The Commission would not have been able to achieve all it has over the years without the tireless efforts of the Tribes, the Commissioners, its staff, Governor Brown, and other politicians who helped advocate for its creation and the statutes that govern it.

In the last forty years, the Commission has championed the protection of sacred places of California's Native peoples, while upholding the respect and dignity of our ancestors. The Commission has grown both in number and in responsibilities. Just two years ago, Governor Brown signed Assembly Bill 52 (Gatto), a new law that mandates tribal consultation under the California Environmental Quality Act (CEQA) to improve protection of cultural resources.

The Commission has recently taken responsibility for implementing the California Native American Graves Protection and Repatriation Act (CalNAGPRA) and will work to repatriate the ancestral remains of California Natives to their rightful descendants. As new challenges and opportunities present themselves, we look forward to further serving the interests of the many Tribes in our State.

Once again, thank you for your dedication and advocacy that has allowed the Commission to be as successful as it is today. May the next forty years be just as successful!

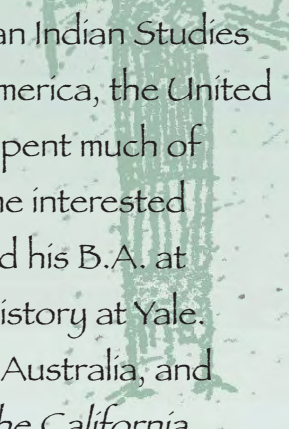
Respectfully,

A handwritten signature in blue ink that reads "Cynthia Gomez".

Cynthia Gomez, Executive Secretary  
California Native American Heritage Commission



## KEYNOTE SPEAKER BENJAMIN MADLEY



Benjamin Madley is Associate Professor of History and Chair of American Indian Studies at the University of California, Los Angeles. He is a historian of Native America, the United States, and genocide in world history. Born in Redding, California, Ben spent much of his childhood in Karuk Country near the Oregon border where he became interested in the relationship between colonizers and indigenous peoples. He earned his B.A. at Yale University, a Master's degree at Oxford University, and a Ph.D. in History at Yale. He writes about American Indians as well as colonial genocides in Africa, Australia, and Europe. His first book, *An American Genocide: The United States and the California Indian Catastrophe, 1846-1873*, was published by Yale University Press in May. It has been reviewed in the *New York Times*, *News from Native California*, *The Nation*, and *Newsweek*. Last month the book received the Heyday Books History Award.





## STATE CAPITOL ROTUNDA DISPLAYS

In honor of the 40th Anniversary of the Native American Heritage Commission, we displayed facts about the NAHC in the second floor rotunda of the State Capitol for the month of October. The four panel display highlighted the past and present NAHC Commissioners, the current and former NAHC Executive Secretaries, the important legislative history of the NAHC, and all 164 California Native American Tribes.





# THE NATIVE AMERICAN HERITAGE COMMISSION

## COMMISSIONERS

JAMES RAMOS, CHAIRPERSON, SERRANO/CAHUILLA  
LAURA MIRANDA, LUISEÑO ♦ MERRI LOPEZ-KEIFER, LUISEÑO ♦ REGINALD PAGALING, CHUMASH  
WILLIAM (BILL) MUNGARY, PAIUTE/WHITE MOUNTAIN APACHE ♦ MARSHALL MCKAY, WINTUN ♦ JULIE TUMAMAIT-STENSLE, CHUMASH  
♦ RUSSELL ATTEBERY, KARUK ♦ JOSEPH MYERS, POMO

CYNTHIA GOMEZ, EXECUTIVE SECRETARY, TULE RIVER YOKUT

## MISSION STATEMENT

THE MISSION OF THE NATIVE AMERICAN HERITAGE COMMISSION IS TO PROVIDE PROTECTION TO NATIVE AMERICAN BURIALS FROM VANDALISM AND INADVERTENT DESTRUCTION, PROVIDE A PROCEDURE FOR THE NOTIFICATION OF MOST LIKELY DESCENDANTS REGARDING THE DISCOVERY OF NATIVE AMERICAN HUMAN REMAINS AND ASSOCIATED GRAVE GOODS, BRING LEGAL ACTION TO PREVENT SEVERE AND IRREPARABLE DAMAGE TO SACRED SHRINES, CEREMONIAL SITES, SANCTIFIED CEMETERIES AND PLACES OF WORSHIP ON PUBLIC PROPERTY, AND MAINTAIN AN INVENTORY OF SACRED PLACES.



BETWEEN 1850 AND 1900, 90% OF THE CALIFORNIA INDIAN POPULATION PERISHED FROM DISEASE, STARVATION, POISONING, OR GUN SHOT WOUNDS. PEOPLE WERE COLLECTING THE NATIVE AMERICAN HUMAN REMAINS AND BURIAL ITEMS WITHOUT ANY CARE, WORRY OR CONCERN FOR WHAT THE NATIVE PEOPLE WERE FEELING OR THEIR RELIGIOUS BELIEFS. THE PATTERN OF DESTRUCTION CONTINUED AFTER 1900.

MANY HUMAN REMAINS, INCLUDING LARGE BURIAL MOUNDS, WERE BEING UNCOVERED DURING CONSTRUCTION FOR HOUSING AND ROADS. REMAINS WERE SIMPLY BEING IGNORED BY CONSTRUCTION WORKERS OR COLLECTED BY AMATEUR ARCHAEOLOGISTS. INSENSITIVE WHOLESALE DESTRUCTION OF BURIAL SITES, OCCURRED AS ARCHAEOLOGISTS COLLECTED NATIVE AMERICAN HUMAN REMAINS AT AN ALARMING RATE. REMAINS WERE BEING WAREHOUSED AT LOCATIONS ACROSS CALIFORNIA FOR FUTURE RESEARCH PROJECTS. IN MANY INSTANCES, CURATORS AND RESEARCHERS HAD NO IDEA HOW MANY REMAINS THEY HAD, OR ANY RECORDS TO INDICATE HOW THEY OBTAINED THEM. ALL OF THIS WAS LEGAL AND VIRTUALLY IMPOSSIBLE FOR NATIVE AMERICANS TO STOP UNTIL APPROPRIATE LEGISLATION WAS PASSED.

DEMANDS BY CALIFORNIA NATIVE AMERICANS TO PROVIDE PROTECTION OF HUMAN REMAINS AND BURIAL GROUNDS FROM VANDALISM, DESTRUCTION DURING CONSTRUCTION PROJECTS, AND SCIENTIFIC RESEARCH LEAD TO THE CREATION OF THE NATIVE AMERICAN HERITAGE COMMISSION IN 1976 BY THE STATE LEGISLATURE AND THE ADMINISTRATION'S APPROVAL. TODAY, CALIFORNIA'S MOST LIKELY DESCENDANTS HAVE A VOICE IN DETERMINING THE TREATMENT AND DISPOSITION OF THEIR ANCESTOR'S HUMAN REMAINS AND ASSOCIATED BURIAL ITEMS.

THE NATIVE AMERICAN HERITAGE COMMISSION CONSISTS OF THE COMMISSION MEMBERS, THE EXECUTIVE SECRETARY AND STAFF. THE OFFICE STAFF REACTS TO DISCOVERIES OF NATIVE AMERICAN HUMAN REMAINS AND INVESTIGATES IMPACTS TO TRADITIONAL CULTURAL PLACES REPORTED BY LOCAL NATIVE AMERICANS. IT REVIEWS THE CULTURAL RESOURCES SECTIONS OF ENVIRONMENTAL DOCUMENTS TO ENSURE IMPACTS TO CULTURAL SITES ARE BEING ASSESSED AND MITIGATED IN COMPLIANCE WITH STATE LAW WITH THE INVOLVEMENT OF THE APPROPRIATE TRIBAL GROUPS. THE STAFF ALSO SEARCHES THE COMMISSION'S SACRED LANDS FILE FOR SITES THAT MAY BE IMPACTED AND PROVIDES PROJECT PROPONENTS WITH CONSULTATION LISTS WITH THE APPROPRIATE LOCAL NATIVE AMERICANS TO CONTACT REGARDING THEIR PROJECT'S IMPACTS TO TRADITIONAL CULTURAL PLACES.

THE COMMISSION ALSO ASSISTS IN DISSEMINATING INFORMATION AND INTERPRETING LAWS FOR TRIBES, TRIBAL ORGANIZATIONS AND INDIVIDUAL NATIVE AMERICANS CONCERNED WITH THE PROTECTION OF NATIVE AMERICAN CULTURAL PLACES AND HUMAN REMAINS. THE COMMISSION IS AN ESSENTIAL HUB FOR INFORMATION FLOW FOR STATE AND LOCAL GOVERNMENT AGENCIES THAT ARE OFTEN UNAWARE OF TRIBAL CONCERNS AND WHO TO CONTACT TO SOLICIT INFORMATION REGARDING IMPACTS TO CULTURAL PLACES. THE COMMISSION STRIVES TO EDUCATE LANDOWNERS AND DEVELOPERS THAT ARE OFTEN UNAWARE OF THEIR RESPONSIBILITIES UNDER STATE LAW TO PROTECT CULTURAL PLACES, NATIVE AMERICAN HUMAN REMAINS, AND ASSOCIATED GRAVE ITEMS.

THE EXECUTIVE SECRETARY AND OFFICE STAFF IS RESPONSIBLE TO THE COMMISSION, WHICH CONVENES IN SESSION TO HEAR AND ACT UPON ADDITIONAL CONCERNS THAT TRIBAL GROUPS AND INDIVIDUALS PRESENT. THE FULL COMMISSION CONSISTS OF NINE MEMBERS. FIVE MEMBERS MUST BE ELDERS, TRADITIONAL PEOPLE, OR SPIRITUAL LEADERS OF CALIFORNIA NATIVE AMERICAN TRIBES.

## VISION

CALIFORNIA NATIVE AMERICAN CULTURAL RESOURCES, HABITATION SITES, BURIAL SITES, SACRED SITES, CEREMONIAL SITES, AND PLACES OF WORSHIP ARE LIMITED RESOURCES FOR INDIAN AND NON-INDIAN PEOPLE. THEY ARE IMPORTANT TO THE CULTURE AND SPIRITUAL BELIEFS OF CALIFORNIA NATIVE AMERICANS. THEREFORE, THEY MUST BE PROTECTED IN A SENSITIVE MANNER THAT INVOLVES LOCAL NATIVE AMERICAN PEOPLE. THE COMMISSION BELIEVES AN EFFECTIVE PROTECTION PROGRAM WILL BENEFIT ALL CITIZENS OF CALIFORNIA.







# 40th ANNIVERSARY OF THE NATIVE AMERICAN HERITAGE COMMISSION 1976 2016



## GOVERNOR EDMUND G. BROWN JR.



GOVERNOR EDMUND G. BROWN JR. SIGNED ASSEMBLY BILL 4239 ESTABLISHING THE NATIVE AMERICAN HERITAGE COMMISSION IN 1976 DURING HIS FIRST TERM AS GOVERNOR. DURING HIS TENURE, GOVERNOR BROWN HAS SIGNED MORE LEGISLATION TO IMPROVE CALIFORNIA NATIVE AMERICAN COMMUNITIES AND MADE MORE NATIVE AMERICAN APPOINTMENTS TO BOARDS, COMMISSIONS, AND POSITIONS THAN ANY OTHER GOVERNOR.

IN 2011, GOVERNOR BROWN ISSUED EXECUTIVE ORDER B-10-11, THE FIRST OF ITS KIND IN CALIFORNIA. THE ORDER RECOGNIZES AND REAFFIRMS THE INHERENT RIGHT OF CALIFORNIA NATIVE AMERICAN TRIBES TO EXERCISE SOVEREIGN AUTHORITY OF THEIR MEMBERS AND TERRITORY. THE ORDER ALSO ESTABLISHES THE OFFICE OF THE TRIBAL ADVISOR IN THE OFFICE OF THE GOVERNOR TO ENSURE PROPER CONSULTATION OCCURS WHEN ACTIONS OF THE STATE MAY AFFECT CALIFORNIA TRIBES. IN 2014, GOVERNOR BROWN SIGNED ASSEMBLY BILL 1973 TO RECOGNIZE NATIVE AMERICAN DAY AND ASSEMBLY BILL 52, WHICH ENSURES GREATER PROTECTION OF TRIBAL CULTURAL RESOURCES.

## EXECUTIVE SECRETARY CYNTHIA GOMEZ

TRIBAL AFFILIATION - TULE RIVER YOKUT



JUDGE CYNTHIA GOMEZ WAS APPOINTED THE EXECUTIVE SECRETARY OF THE NATIVE AMERICAN HERITAGE COMMISSION IN MARCH OF 2012. AT THAT SAME TIME, SHE WAS ALSO APPOINTED AS GOVERNOR BROWN'S FIRST TRIBAL ADVISOR. JUDGE GOMEZ HAS OVER 30 YEARS OF EXPERIENCE WORKING WITH TRIBAL, STATE AND FEDERAL GOVERNMENTS.

PRIOR TO WORKING FOR THE GOVERNOR, JUDGE GOMEZ SERVED AS THE CHIEF JUDGE FOR THE SHINGLE SPRINGS TRIBAL COURT. IN 2010, JUDGE GOMEZ WAS APPOINTED TO THE CALIFORNIA TRIBAL COURT/STATE COURT COALITION BY THE CALIFORNIA SUPREME COURT JUSTICE, RONALD M. GEORGE. THE PURPOSE OF THE COALITION IS TO DEVELOP MEASURES TO IMPROVE THE WORKING RELATIONSHIP BETWEEN CALIFORNIA'S TRIBAL AND STATE COURTS AND TO FOCUS ON AREAS OF MUTUAL CONCERN. SHE WAS THE ASSISTANT SECRETARY FOR ENVIRONMENTAL JUSTICE AND TRIBAL GOVERNMENT AFFAIRS FOR THE OFFICE OF THE SECRETARY AT THE CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY AND THE CHIEF FOR THE NATIVE AMERICAN LIAISON BRANCH. SHE ALSO SERVED AS THE CHAIRPERSON FOR THE NATIONAL TRANSPORTATION RESEARCH BOARD'S STANDING COMMITTEE ON NATIVE AMERICAN TRANSPORTATION ISSUES WHICH IS ONE OF THE SIX MAJOR DIVISIONS OF THE NATIONAL RESEARCH COUNCIL JOINTLY ADMINISTERED BY THE NATIONAL ACADEMY OF SCIENCES, THE NATIONAL ACADEMY OF ENGINEERING AND THE INSTITUTE OF MEDICINE.

## FORMER EXECUTIVE SECRETARIES

LARRY MYERS  
LORETTA MARK  
WILLIAM J. PINK  
GARY BECK  
STEVE RIOS





# 40TH ANNIVERSARY OF THE NATIVE AMERICAN HERITAGE COMMISSION 1976 2016



## NAHC COMMISSIONERS

**COMMISSIONER  
JAMES RAMOS**  
CHAIRPERSON



TRIBAL AFFILIATION:  
SERRANO/CAHUILLA  
APPOINTED IN 2007\*  
BY GOVERNOR  
ARNOLD SCHWARZENEGGER

**COMMISSIONER  
LAURA MIRANDA**  
VICE-CHAIRPERSON



TRIBAL AFFILIATION:  
LUISEÑO  
APPOINTED IN 2007  
BY GOVERNOR  
ARNOLD SCHWARZENEGGER

**COMMISSIONER  
MERRI LOPEZ-KEIFER**  
SECRETARY



TRIBAL AFFILIATION:  
LUISEÑO  
APPOINTED IN 2015  
BY GOVERNOR  
EDMUND G. BROWN JR.

**COMMISSIONER  
REGINALD PAGALING**  
PARLIAMENTARIAN



TRIBAL AFFILIATION:  
CHUMASH  
APPOINTED IN 2013  
BY GOVERNOR  
EDMUND G. BROWN JR.

**COMMISSIONER  
WILLIAM (BILL) MUNGARY**  
CHAIRMAN EMERITUS (1990-2008)



TRIBAL AFFILIATION:  
PAIUTE/WHITE MOUNTAIN APACHE  
APPOINTED IN 1987  
BY GOVERNOR  
GEORGE DEUKMEJIAN

**COMMISSIONER  
MARSHALL MCKAY**



TRIBAL AFFILIATION:  
WINTUN  
APPOINTED IN 2007\*  
BY GOVERNOR  
ARNOLD SCHWARZENEGGER

**COMMISSIONER  
JULIE TUMAMAIT-STENSLIE**



TRIBAL AFFILIATION:  
CHUMASH  
APPOINTED IN 2007  
BY GOVERNOR  
ARNOLD SCHWARZENEGGER

**COMMISSIONER  
RUSSELL ATTEBERY**



TRIBAL AFFILIATION:  
KARUK  
APPOINTED IN 2014  
BY GOVERNOR  
EDMUND G. BROWN JR.

**COMMISSIONER  
JOSEPH MYERS**



TRIBAL AFFILIATION:  
POMO  
APPOINTED IN 2015  
BY GOVERNOR  
EDMUND G. BROWN JR.

## FORMER COMMISSIONERS

ABBY ABINANTI  
EDWARD L. ALBERT, JR.  
DOREEN BELLAS  
CAROL BOWEN  
GEORGE BROWN  
WILLIAM CALLAWAY  
EDWARD D. CASTILLO  
PATRICIA E. DURO  
WILLIAM FRANKLIN  
WANDA LEE GRAVES

PRISCILLA HUNTER  
VINCE IBANEZ  
JAY JOHNSON  
DOROTHY JOSEPH  
WALT LARA  
LESLIE LOHSE  
MILTON MARKS  
RICHARD MILANOVICH  
MABEL MCKAY  
FAWN MORRIS

NADINE NAYLOR  
JANE PENN  
ANTHONY RISLING  
KATHERINE SAUBEL  
JOHN SESPE  
JILL SHERMAN-WARNE  
GRANT SMITH  
JOSEPH H. STAUSS  
CLIFFORD TRAEZER  
TALBERT WILSON

\*REAPPOINTED IN 2013 BY GOVERNOR EDMUND G. BROWN JR.





## LEGISLATIVE HISTORY OF THE NATIVE AMERICAN HERITAGE COMMISSION

### ESTABLISHMENT OF THE NATIVE AMERICAN HERITAGE COMMISSION ASSEMBLY BILL 4239 (KNOX, 1976)

ASSEMBLY BILL 4239 ESTABLISHED THE NATIVE AMERICAN HERITAGE COMMISSION (NAHC) AND WAS SIGNED INTO LAW BY GOVERNOR EDMUND G. BROWN JR. ON SEPTEMBER 29, 1976. ASSEMBLY BILL 4239 CREATED AN AUTONOMOUS GOVERNMENTAL BODY WHOSE AUTHORITY WOULD ENCOMPASS THE PROTECTION OF NATIVE AMERICAN CEMETERIES AND SACRED PLACES.

THE NAHC CONSISTS OF NINE MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE. AT LEAST FIVE OF THE NINE MEMBERS MUST BE ELDERS, TRADITIONAL PEOPLE, OR SPIRITUAL LEADERS OF CALIFORNIA NATIVE AMERICAN TRIBES. THE GOVERNOR ALSO APPOINTS THE EXECUTIVE SECRETARY OF THE COMMISSION. THE NAHC'S POWERS UPON INCEPTION INCLUDED THE PROTECTION OF SIGNIFICANT INDIAN RELIGIOUS AND SACRED SITES, ASSISTING NATIVE AMERICANS IN OBTAINING ACCESS TO SIGNIFICANT RELIGIOUS AND SACRED SITES ON PUBLIC LANDS, AND BRINGING LEGAL ACTION TO PREVENT SEVERE OR IRREPARABLE DAMAGE TO SACRED SITES OR CEREMONIAL PLACES ON PUBLIC LAND.



### THE MOST LIKELY DESCENDANTS STATUTE AND PROTECTION OF NATIVE AMERICAN BURIALS SENATE BILL 297 (GARAMENDI, 1982)

AS A RESULT OF THE THIRD DISTRICT COURT OF APPEAL'S DECISION IN *WANA THE BEAR V. COMMUNITY CONSTRUCTION, INC.*, (1982) 128 CAL.App.3D 536, IT BECAME APPARENT THAT ANCIENT NATIVE AMERICAN BURIAL GROUNDS WERE NOT PROTECTED AS CEMETERIES UNDER CALIFORNIA CEMETERY LAW. SENATE BILL 297 ADDED PUBLIC RESOURCES CODE SECTION 5097.98, WHICH PROTECTS NATIVE AMERICAN HUMAN REMAINS FROM DESECRATION BY REQUIRING THE NAHC TO IDENTIFY THE MOST LIKELY DESCENDANTS OF THE NATIVE AMERICAN DECEASED. THE MOST LIKELY DESCENDANTS MAKE RECOMMENDATIONS FOR THE TREATMENT AND DISPOSITION OF NATIVE AMERICAN HUMAN REMAINS TO THE LANDOWNER ON WHOSE PROPERTY THE REMAINS HAVE BEEN DISCOVERED. IF THE LANDOWNER REJECTS THE MOST LIKELY DESCENDANTS' RECOMMENDATIONS, THE REMAINS MUST BE REINTERRED WITH APPROPRIATE DIGNITY ON THE PROPERTY IN AN AREA NOT SUBJECT TO FURTHER AND FUTURE SUBSURFACE DISTURBANCE.



### THE CALIFORNIA NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT ASSEMBLY BILL 978 (STEINBERG, 2001)

THE CALIFORNIA NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION ACT (CALNAGPRA) REQUIRES ALL STATE AGENCIES AND MUSEUMS THAT RECEIVE FUNDING FROM THE STATE TO CREATE INVENTORIES OF NATIVE AMERICAN HUMAN REMAINS AND CULTURAL ITEMS IN THEIR POSSESSION AND REPATRIATE THESE ITEMS WHEN POSSIBLE. CALNAGPRA PROVIDES FOR CIVIL PENALTIES FOR FAILURE TO COMPLY WITH THE ACT. THE NAHC WAS GRANTED AUTHORITY TO ENFORCE CALNAGPRA IN 2014 BY LEGISLATION SIGNED INTO LAW BY GOVERNOR EDMUND G. BROWN JR.



### TRIBAL CONSULTATION WITH LOCAL GOVERNMENT PRIOR TO THE ADOPTION OR AMENDMENT OF GENERAL OR SPECIFIC PLANS SENATE BILL 18 (BURTON, 2004)

SENATE BILL 18 REQUIRES LOCAL GOVERNMENTS TO CONDUCT MEANINGFUL CONSULTATION WITH CALIFORNIA NATIVE AMERICAN TRIBES ON THE CONTACT LIST MAINTAINED BY THE NAHC PRIOR TO THE ADOPTION OR AMENDMENT OF A CITY OR COUNTY GENERAL OR SPECIFIC PLAN. THE PURPOSE OF SENATE BILL 18 IS TO PROTECT NATIVE AMERICAN SANCTIFIED CEMETERIES, PLACES OF WORSHIP, RELIGIOUS OR CEREMONIAL SITES, OR HISTORICAL OR CULTURAL SITES.



### INCLUSION OF "TRIBAL CULTURAL RESOURCES" AS A CATEGORY OF RESOURCES TO BE CONSIDERED AND THE REQUIREMENT OF TRIBAL CONSULTATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT ASSEMBLY BILL 52 (GATTO, 2014)

SIGNED INTO LAW BY GOVERNOR EDMUND G. BROWN JR., ASSEMBLY BILL 52 AMENDED THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) TO INCLUDE "TRIBAL CULTURAL RESOURCES" AS A SEPARATE CATEGORY OF RESOURCES TO BE CONSIDERED UNDER THE CEQA ENVIRONMENTAL REVIEW PROCESS. TRIBAL CULTURAL KNOWLEDGE MUST BE CONSIDERED IN DETERMINING WHETHER A RESOURCE IS A TRIBAL CULTURAL RESOURCE.

ASSEMBLY BILL 52 ALSO REQUIRES ANY CEQA LEAD AGENCY TO CONSULT WITH ANY CALIFORNIA NATIVE AMERICAN TRIBE THAT IS TRADITIONALLY AND CULTURALLY AFFILIATED WITH THE GEOGRAPHIC AREA OF A PROPOSED PROJECT IF THE TRIBE REQUESTED NOTIFICATION OF PROJECTS IN THE LEAD AGENCY'S AREA OF JURISDICTION AND REQUESTED CONSULTATION.





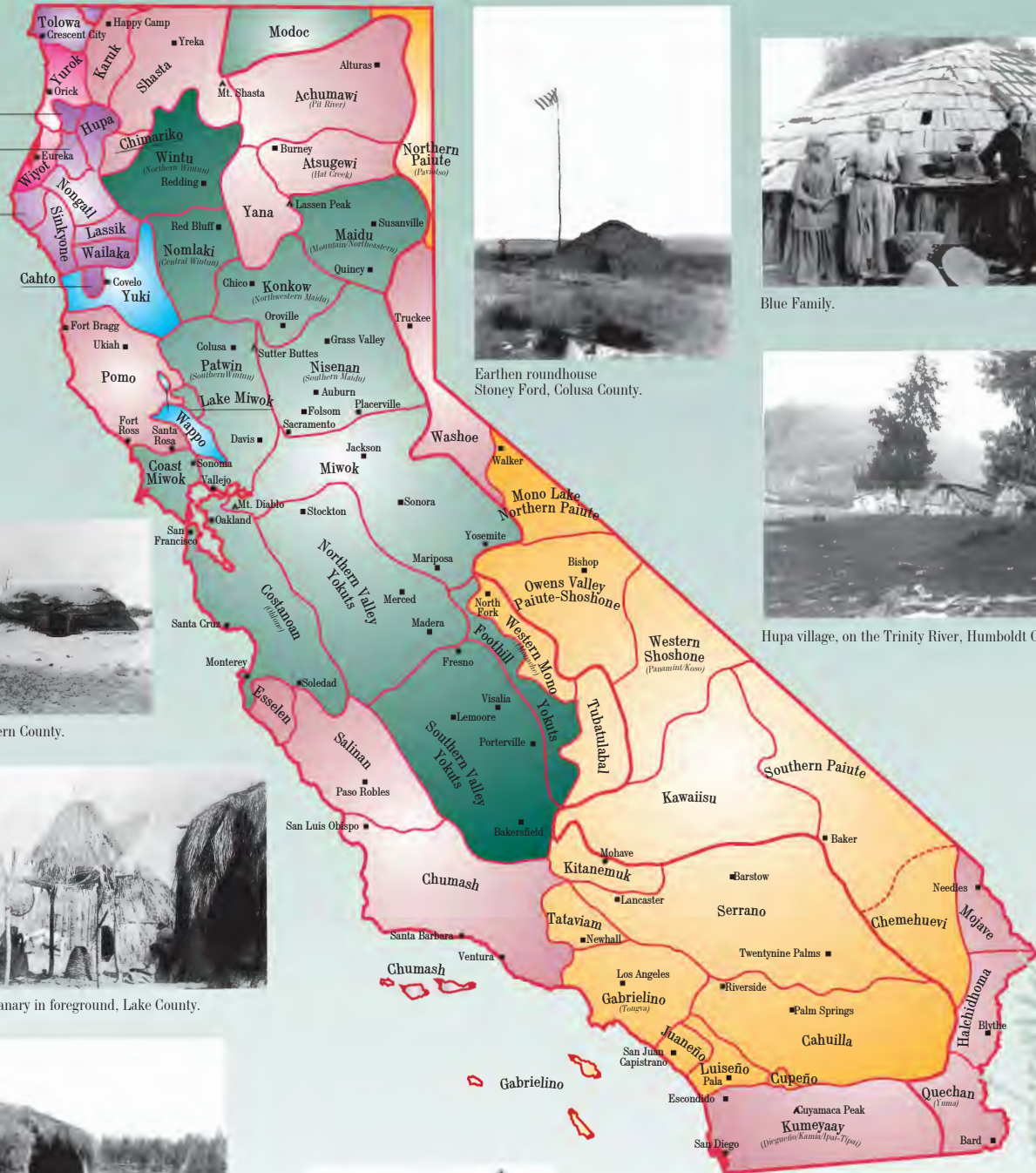
## HONORING THE TRIBES

- AGUA CALIENTE BAND OF CAHUILLA INDIANS
- ALTURAS RANCHERIA OF PIT RIVER INDIANS
- AMAH MUTSUN TRIBAL BAND
- AMAH MUTSUN TRIBAL BAND OF MISSION SAN JUAN BAUTISTA
- AUGUSTINE BAND OF CAHUILLA MISSION INDIANS
- BARBARENO/VENTURENO BAND OF MISSION INDIANS
- BARONA GROUP OF THE CAPITAN GRANDE
- BEAR RIVER BAND OF ROHNERVILLE RANCHERIA
- BENTON PAIUTE RESERVATION - UTU UTU GWAITU TRIBE
- BERRY CREEK RANCHERIA OF MAIDU INDIANS
- BIG LAGOON RANCHERIA
- BIG PINE PAIUTE TRIBE OF THE OWENS VALLEY
- BIG SANDY RANCHERIA
- BIG VALLEY RANCHERIA OF POMO INDIANS
- BISHOP PAIUTE TRIBE
- BLUE LAKE RANCHERIA
- BRIDGEPORT PAIUTE COLONY
- BUENA VISTA RANCHERIA
- CABAZON BAND OF MISSION INDIANS
- CAHUILLA BAND OF INDIANS
- CALAVERAS BAND OF MI-WUK INDIANS
- CALIFORNIA VALLEY MIWOK TRIBE
- CAMPO BAND OF MISSION INDIANS
- CEDARVILLE RANCHERIA OF NORTHERN PAIUTE INDIANS
- CHEMEHUEVI RESERVATION
- CHER-AE HEIGHTS INDIAN COMMUNITY OF THE TRINIDAD RANCHERIA
- CHICKEN RANCH RANCHERIA OF ME-WUK
- CHUMASH COUNCIL OF BAKERSFIELD
- CLOVERDALE RANCHERIA OF POMO INDIANS
- COASTAL BAND OF THE CHUMASH NATION
- COASTANOAN RUMSEN CARMEL TRIBE
- COCOPAH INDIAN RESERVATION
- COLD SPRINGS RANCHERIA OF MONO INDIANS
- COLORADO RIVER INDIAN TRIBE
- COLUSA INDIAN COMMUNITY COUNCIL
- CORTINA BAND OF INDIANS
- COSTANOAN OHLONE RUMSEN-MUTSEN TRIBE
- COYOTE VALLEY BAND OF POMO INDIANS
- DEATH VALLEY TIMBI-SHA SHOSHONE TRIBE
- DRY CREEK RANCHERIA OF POMO INDIANS
- DUMNA WO-WAH TRIBAL GOVERNMENT
- DUNLAP BAND OF MONO INDIANS
- ELEM INDIAN COLONY OF POMO
- ELK VALLEY RANCHERIA
- ENTERPRISE RANCHERIA - ESTOM YUMUKA MAIDU TRIBE
- ESSELEN TRIBE OF MONTEREY COUNTY
- EWIIAAPAAYP TRIBAL OFFICE
- FEDERATED INDIANS OF GRATON RANCHERIA
- FERNANDENO TATAVIAM BAND OF MISSION INDIANS
- FORT BIDWELL INDIAN COMMUNITY OF PAIUTE
- FORT INDEPENDENCE INDIAN COMMUNITY OF PAIUTES
- FORT MOJAVE INDIAN TRIBE
- GABRIELENO BAND OF MISSION INDIANS - KIZH NATION
- GABRIELENO/TONGVA SAN GABRIEL BAND OF MISSION INDIANS
- GABRIELINO/TONGVA NATION
- GABRIELINO-TONGVA TRIBE
- GABRIELINO TONGVA INDIANS OF CALIFORNIA TRIBAL COUNCIL
- GREENVILLE RANCHERIA OF MAIDU INDIANS
- GRINDSTONE RANCHERIA OF WINTUN-WAILAKI
- GUIDIVILLE BAND OF POMO INDIANS
- HABEMATOLEL POMO OF UPPER LAKE
- HONEY LAKE MAIDU
- HOOPA VALLEY TRIBE
- HOPLAND BAND OF POMO INDIANS
- IIPAY NATION OF SANTA YSABEL
- INAJA BAND OF MISSION INDIANS
- INDIAN CANYON MUTSUN BAND OF COSTANOAN
- IONE BAND OF MIWOK INDIANS
- JACKSON RANCHERIA BAND OF MIWUK INDIANS
- JAMUL INDIAN VILLAGE
- JUANENO BAND OF MISSION INDIANS
- JUANENO BAND OF MISSION INDIANS - ACJACHEMEN NATION
- KARUK TRIBE
- KASHIA BAND OF POMO INDIANS OF THE STEWARTS POINT RANCHERIA
- KERN VALLEY INDIAN COUNCIL
- KINGS RIVER CHOINUMNI FARM TRIBE
- KITANEMUK & YOWLUMNE TEJON INDIANS
- KLAMATH TRIBE
- KOI NATION OF NORTHERN CALIFORNIA
- KONKOW VALLEY BAND OF MAIDU
- KWAAYMII LAGUNA BAND OF MISSION INDIANS
- LA JOLLA BAND OF LUISENO INDIANS
- LA POSTA BAND OF MISSION INDIANS
- LAYTONVILLE RANCHERIA/CAHTO INDIAN TRIBE
- LONE PINE PAIUTE SHOSHONE RESERVATION
- LOS COYOTES BAND OF CAHUILLA AND CUPENO INDIANS
- LYTTON RANCHERIA OF CALIFORNIA
- MANCHESTE-POINT ARENA RANCHERIA
- MANZANITA BAND OF KUMEYAAY NATION
- MECHOOPDA INDIAN TRIBE OF CHICO RANCHERIA
- MESA GRANDE BAND OF MISSION INDIANS
- MIDDLETOWN RANCHERIA OF POMO INDIANS
- MISHEWAL-WAPPO TRIBE OF ALEXANDER VALLEY
- MODOC TRIBE OF CALIFORNIA
- MONO LAKE INDIAN COMMUNITY
- MOORETOWN RANCHERIA OF MAIDU INDIANS
- MORONGO BAND OF MISSION INDIANS
- MUWEMMA OHLONE INDIAN TRIBE OF THE SAN FRANCISCO BAY AREA
- NASHVILLE-EL DORADO MIWOK
- NOR-REL-MUK NATION
- NORTH FORK MONO TRIBE
- NORTH FORK RANCHERIA OF MONO INDIANS
- NORTH VALLEY YOKUTS TRIBE
- NORTHERN CHUMASH TRIBAL COUNCIL
- NOYO RIVER INDIAN COMMUNITY
- OHLONE/COASTANOAN-ESSELEN NATION
- PALA BAND OF MISSION INDIANS
- PASKENTA BAND OF NOMLAKI INDIANS
- PAUMA BAND OF LUISENO INDIANS - PAUMA & YUIMA RESERVATION
- PECHANGA BAND OF MISSION INDIANS
- PICAYNE RANCHERIA OF CHUKCHANSI
- PINOLEVILLE POMO NATION
- PIT RIVER TRIBE OF CALIFORNIA
- POTTER VALLEY TRIBE
- QUARTZ VALLEY INDIAN COMMUNITY
- QUECHAN TRIBE OF THE FORT YUMA RESERVATION
- RAMONA BAND OF MISSION INDIANS
- REDDING RANCHERIA
- REDWOOD VALLEY RANCHERIA OF POMO
- RESIGHINI RANCHERIA/COAST INDIAN COMMUNITY
- RINCON BAND OF MISSION INDIANS
- ROBINSON RANCHERIA OF POMO INDIANS
- ROUND VALLEY RESERVATION
- SALINAN TRIBE OF MONTEREY, SAN LUIS OBISPO COUNTIES
- SAN FERNANDO BAND OF MISSION INDIANS
- SAN LUIS REY BAND OF MISSION INDIANS
- SAN MANUEL BAND OF MISSION INDIANS
- SAN PASQUAL BAND OF MISSION INDIANS
- SANTA ROSA BAND OF MISSION INDIANS
- SANTA ROSA RANCHERIA TACHI YOKUT TRIBE
- SANTA YNEZ BAND OF MISSION INDIANS
- SCOTTS VALLEY BAND OF POMO
- SERRANO NATION OF MISSION INDIANS
- SHASTA NATION
- SHERWOOD VALLEY RANCHERIA OF POMO
- SHINGLE SPRINGS BAND OF MIWOK INDIANS
- SOBOBA BAND OF LUISENO INDIANS
- SOUTHERN SIERRA MIWUK NATION
- STRAWBERRY VALLEY RANCHERIA
- SUSANVILLE INDIAN RANCHERIA
- SYCUAN BAND OF THE KUMEYAAY NATION
- TABLE MOUNTAIN RANCHERIA
- TEJON INDIAN TRIBE
- THE OHLONE INDIAN TRIBE
- TORRES-MARTINEZ DESERT CAHUILLA INDIANS
- TOLOWA DEE-NI' NATION
- TRADITIONAL CHOINUMNI TRIBE
- TSI AKIM MAIDU
- TSNUNGWE COUNCIL
- TUBATULABALS OF KERN VALLEY
- TULE RIVER YOKUT TRIBE
- TUOLUMNE BAND OF ME-WUK
- TWENTY-NINE PALMS BAND OF MISSION INDIANS
- UNITED AUBURN INDIAN COMMUNITY OF THE AUBURN RANCHERIA
- VIEJAS BAND OF KUMEYAAY INDIANS
- WADATKUTA BAND OF THE NORTHERN PAIUTE OF THE HONEY LAKE VALLEY
- WALKER RIVER RESERVATION
- WASHOE TRIBE OF NEVADA AND CALIFORNIA
- WILTON RANCHERIA
- WINNEMEM WINTU TRIBE
- WINTU TRIBE OF NORTHERN CALIFORNIA
- WIYOT TRIBE
- WUKSACHE INDIAN TRIBE/ESHOM VALLEY BAND
- XOLON-SALINAN TRIBE
- YAK TITTYU TITTYU - NORTHERN CHUMASH TRIBE
- YOGHA DEHE WINTUN NATION
- YUROK TRIBE OF CALIFORNIA





# THE TRIBAL PEOPLE OF CALIFORNIA



Earthen roundhouse  
Stoney Ford, Colusa County.



Blue Family.



Hupa village, on the Trinity River, Humboldt County.



Deserted Mojave dwellings, Kern County.



Pomo houses with granary in foreground, Lake County.



Cahuilla house in the desert, Riverside County.



Mono bark slab house of the Sierra Foothills, Mono County.

# CALIFORNIA INDIAN SEAL

THE INDIAN SEAL PORTRAYS THE HUMANITY OF THE INDIGENOUS PEOPLE OF CALIFORNIA. THIS SEAL REPRESENTS AN ARTISTIC SYMMETRY AND HARMONY, WHICH IS REFLECTIVE OF INDIAN CULTURE.

The idea of recognizing California's Native American history prior to statehood with a bronze seal on the west steps of the State Capitol originated with Larry Myers, the Executive Secretary of the Native American Heritage Commission. Secretary Myers and State Librarian Kevin Starr approached Assembly Speaker Robert Hertzberg. Speaker Hertzberg, supported the concept and carried the legislation making the vision a reality.

For at least forty generations, Native Americans have lived within the boundaries of present day California, loving the land, cherishing their traditions. Native American names dot the landscape of California and knowledge of their rich culture is essential to understanding the complete history of what is now the State of California. Native Americans were the first Californians and Californians today should be educated about the enduring legacy of the Native Americans in California.

The California Indian Seal commemorates the contributions, history, and continuing sovereignty of generations of California Indians. It recognizes that Indian People lived throughout what is now California when the Spanish settlement was founded in 1769. At the time more than 100 different Native American languages were used, with at least as many cultural forms of religion and customs. The names of 68 California Indian tribes inscribed along the border represent the historically significant linguistic and regional tribes in California.

An Indian woman, with an infant and child, symbolizes the importance of family unity and cultural continuity. A basket, an oak tree, a dancer holding wands, and a man wearing a flicker quill headdress and a clamshell necklace reflect diverse aspects of Indian culture. Two figures journeying by boat represent coastal Indian tribes. Three military jets, arcing towards the top seal, portray the military experiences that many Indians have in common.

Artist Robert Freeman, a Luiseño Indian born on the Rincon Indian Reservation in San Diego County, designed this circular bronze seal.

## TOP IMAGE

*Three Military Jets rising into the sky* represent the continuing participation of Indians in American society as veterans in the armed forces of the United States. This image also symbolizes contemporary contributions of California Indians who work in the aerospace industry technology of the 21st Century.

## IMAGE ON THE LEFT

*A Pomo Indian (Northern/Central Region)* with headdress and necklace. The yellowhammer band (flicker bird) designates a dancer. Necklaces have a utilitarian, ornamental, and symbolic meaning and sometimes reflect the status or rank within a tribe. The featured necklace is made of clamshell, which is typical of the northern and central part of the state. Abalone, dentalia, and olivella were other shells used for making necklaces in other parts of the state.

## IMAGES ON THE RIGHT

*Luiseño/Cahuilla Indian (Southern Region)* performing a traditional bird dance. The California condor was a venerable and huge animal that represents great nobility for Indians. This image depicts one of many bird dances around the state such as the eagle, goose, duck, and crane. Dances are also used to honor other animals such as the bear, white deer, "first-run" salmon, and coyote.

The dancer has wands in his hands that he swishes in movement to imitate the sound of bird wings. Indian tribes around the state used other types of instruments. Some are used to make music while others are used to keep time in the dance such as clappers, gourds, and rattles. The dance is connected to a ceremony that reaffirms the Indians' connection with the natural world.

The dancer's netted skirt is woven of natural plant fibers. Other skirts were woven of bark or reeds. The men sometimes used netted woven bags for gathering. Nets were also used for hunting and fishing. The feathers on the skirt are eagle and condor feathers as a way to further emulate the bird.

*The Oak Tree* produces acorns, which was a staple food for all California Indian tribes, and was eaten in many different forms such as bread, soup, or biscuits.

*The Roundhouse* is found in the Northern and Central regions and is used for sacred ceremonies and dances as well as for community gatherings.



## CENTRAL IMAGES

*An Indian woman with infant and child* represents the sensitivity and unity of family. Children provide the continuity of new generations to carry on tradition and they ensure the legacy and heritage of our culture. The woman's woven hat is typical of the tribes of the Northwestern part of the state (such as the Tolowa, Kurok, Yurok, and Hupa tribes).

*The shape of the state of California* depicts the embodiment of all tribes within the historic boundary of the State of California.

*The generic design of the basket* represents all tribes in California. Baskets had a utilitarian function as they were used in gathering and preparing food. Later, baskets became a source of trade.

## BOTTOM IMAGES

*Two figures paddling out to sea* represent the Chumash and other coastal Indians (Central and Southern Coastal Region) in a pine boat. The Chumash were excellent navigators and understood the tides and currents of the Pacific Ocean; they developed a form of money used for bartering; their artwork was multi-chromatic, and included cave paintings; and they, like other California Indian tribes, had a sophisticated social network.

*Cormorant bird in water.* Coastal tribes of Southern California used these leashed birds to dive and retrieve fish.

The diversity of bird life in California also gave an abundance of color used for feather baskets, blankets, and regalia.

## BORDER IMAGES

*The four cardinal directions that are occupied by images of bear, eagle, salmon, and deer carry traditional value.* In Indian culture the number "four" signifies contact with the universe. The animals provide a balance and recognition of animals beyond a source of food, for which many California tribes have dedicated a traditional dance as described above.

*The names of 68 California Indian tribes inscribed along the border* represent the historically significant linguistic and regional tribes in California.



## "The Eighteen Unratified Treaties of 1851-1852 between the California Indians and the United States Government"

Excerpts from: Heizer, Robert F. 1972. The Eighteen Unratified Treaties of 1851-1852 between the California Indians and the United States Government. Archeology Research Facility, Department of Anthropology, University of California. Berkeley, CA.

Between April 29, 1851, and August 22, 1852, a series of eighteen treaties "of friendship and peace" were negotiated with a large number of what were said to be "tribes" of California Indians by three treaty Commissioners whose appointments by President Millard Fillmore were authorized by the U.S. Senate on September 29, 1850. Eighteen treaties were made, but on July 8, 1852 the Senate refused to ratify them in executive session and ordered them filed under an injunction of secrecy which was not removed until January 18, 1905 (Ellison 1922, 1925). The texts of the unratified treaties were made public on January 19, 1905 at the order of the U.S. Senate which met in executive session on that day in the Thirty-second Congress, First Session.

A detailed account of the whole matter of the appointment of the three Commissioners (George W. Barbour, Redick McKee and O. M. Wozencraft), their travels, and an analysis of the actual nature of the groups listed as "tribes" has been prepared. The first and second treaties ("M" and "N") were negotiated by the Commissioners acting together as a board. But the urgency of the matter, the difficulties of treating with Indians over such a large area, and the slowness involved in the three men acting as a board, indicated the desirability of each Commissioner assuming responsibility for a large area so that the state could be covered more rapidly. As a result, and because they could not informally agree on who was to be responsible for which area, the Commissioners drew lots. Barbour arranged for treaties A - D, Wozencraft arranged 8 treaties (E - L) and McKee for four (O - R). The treaties differ somewhat in their wording, but they are essentially all the same. Some treaties (for example A - D) were "signed" by Indians who, almost without exception, had Spanish given names. We may assume that the treaty was read to them in Spanish by an interpreter who was attached to the treaty-making party, and that the provisions in the treaty were understood by the signatories. On the other hand, a number of treaties were "signed" by Indians who did not have Spanish given names and who, for the most part, probably did not know either Spanish or English. In some of these instances, it seems highly unlikely that the so-called interpreters knew the several native tongues of the people who were being parlayed with, and while there may have been some kind of communication, there is great probability that the literal wording of the treaties often was not, and indeed could not be, made intelligible to the Indians present.<sup>1</sup>

But the distance between theory and practice went even further. None of the Commissioners had any knowledge whatsoever of California Indians or their cultural practices, especially those regarding land ownership and use. As treaty makers, they were under orders to make certain arrangements with California Indian tribes. As they moved with their trains through the state they made "Camps"<sup>2</sup>, sent out the word that the treaty-making party was anxious to talk with the local people, visited Indians in villages, and invited them to attend a treaty-making session. Some Indians were suspicious and refused to attend, with the result that troops might discipline them.<sup>3</sup>

Every group met with is listed as representing a "tribe". We do not know whether the Commissioners were aware of the true nature of the named groups which they were dealing with. George Gibbs, who accompanied Redick McKee, seemed to be conscious of the error that was being made in assuming that any named group was a tribe (Gibbs 1853:110). We know today that most of the so-called tribes were nothing more than villages. We can also assume that men listed as "chiefs" were just as likely not to be chiefs, or at least tribelet heads who are called



## “The Eighteen Unratified Treaties of 1851-1852 between the California Indians and the United States Government”

chiefs by anthropologists. Further, since land was owned in common, even chiefs had no authority to cede tribelet or village lands. Rarely, if ever, in United States history have so few persons without authority been assumed to have had so much, and given so much for so little in return to the federal government. The three Commissioners did not have the slightest idea of the actual extent of tribal lands of any group they met with. Their orders were to secure Indian Land title to California, and they managed to do this to their satisfaction by making treaties with some Indians and then dividing all of California west of the Sierra-Cascade crest into eighteen unequal cession areas which, happily, quite covered the entire region. If the Commissioners had made 12 treaties, the ceded areas would have been larger; if they had made 30 treaties the areas would have been smaller.

Taken all together, one cannot imagine a more poorly conceived, more inaccurate, less informed, and less democratic process than the making of the 18 treaties in 1851-52 with the California Indians. It was a farce from beginning to end, though apparently the Commissioners, President Fillmore, and the members of the United States Senate were quite unaware of that. The alternative is that all of these were simply going through motions in a matter which did not in the slightest degree really concern them. What better evidence of the latter possibility do we require than the fact that on July 8, 1852 the Senate rejected the very treaties it had itself authorized and appropriated funds for their negotiation on September 29, 1850.

### Endnotes

1 Gibbs (1853:116) who accompanied McKee reports of the Northern Pomo near Willits: “We remained in this camp two days. A considerable number of men were brought in, but all attempts to assemble their families served only to excite their suspicions. In fact, the object of the agent, in the process of double translation through which it passed, was never fairly brought before them. The speeches were first translated into Spanish by one, and then into the Indian by another; and this, not to speak of the very dim ideas of the last interpreter, was sufficient to prevent much enlightenment under any circumstances. But the truth was, that the gentlemen for whose benefit they were meant by no means comprehended any possible motive on our part but mischief. That figurative personage, the great father at Washington, they had never heard of. They had seen a few white men from time to time, and the encounter had impressed them with a strong desire to see no more, except with the advantage of manifest superiority on their own part. Their earnest wish was clearly to be left alone.” A little further north Gibbs (op. cit.:119) notes that “Quite a number of Indians were assembled and presents distributed, but no treaty attempted; for our Clear Lake interpreter, although able to comprehend them, could not explain freely in turn.” Among the Wiyot of lower Eel River, Gibbs (op. cit.:130) notes, “As it had become evident that nothing could be effected with the Indians present, for want of interpreters, it was concluded to break up camp the next day and proceed on.” It would be interesting to know whether the several treaties negotiated by McKee were fully understood by all of the individuals signing as native representatives of their tribes.

It will be noted that not a single Indian actually signed his name — without exception each made his “mark”. It is probable that there were among the people who were treated with, on the assumption that they were the legal representatives of their groups, not a single literate individual.

2 Each “Camp” where a treaty was made was named by the Commissioner in charge (or by the Commissioners as a board in the case of treaties M and N) unless, of course, the treaty was made at an already named place such as Bidwell’s Ranch (treaty G) Temecula (treaty K), etc.

3 The Daily Alta California (newspaper) for May 10, 1851 ran an article on the progress of the treaty making then going on based on interviews with two of the Commissioners (probably Barbour and Wozencraft). Referring to the treaty-making session with the groups signing treaties A and N, the article states, “There are parts of two or three tribes which would not come in to treat. Some of these, it is understood, are fractions of the Chow-chil-lies. The Commissioners, finding it impossible to treat with them, Major Savage with three companies moved against them, came up with them with only a river between, and had a skirmish, killing two or three of them”. Reluctance of some groups to enter into treaties is attested by George Gibbs (1853:113).

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Treaty Number	Royce Number	US Department of Interior Letter Designation	Date	Treaty
1	273	M	March 19, 1851	Treaty made at Camp Fremont by George W. Barbour, Redick McKee, O.M. Wozencraft
2	275	M	April 29, 1851	Treaty made at Camp Barbour by George W. Barbour, Redick McKee, O.M. Wozencraft
3	276	A	May 12, 1851	Treaty made at Camp Belt by George W. Barbour
4	280	E	May 30, 1851	Treaty made at Dorn and Vanleit's Crossings by O.M. Wozencraft
5	278, 273	B	May 30, 1851	Treaty made at Camp Hayes by George W. Barbour
6	282, 283	C	June 2, 1851	Treaty made at Camp Barton by George W. Barbour
7	285	D	June 10, 1851	Treaty made at Camp Persifer F. Smith by George W. Barbour
8	287	F	July 18, 1851	Treaty made at Camp Union by O.M. Wozencraft
9	290	G	August 1, 1851	Treaty made at Bidwell's Ranch by O.M. Wozencraft
10	293	H	August 16, 1851	Treaty made at Readings Ranch by O.M. Wozencraft
11	295	O	August 30, 1851	Treaty made at Camp Lu-pl-yu-ma by Redick McKee
12	295	P	August 30, 1851	Treaty made at Camp Fernando Felix by Redick McKee
13	298	I	September 9, 1851	Treaty made at Camp Calua by O.M. Wozencraft
14	301	J	September 18, 1851	Treaty made at Fork of the Consumnes River by O.M. Wozencraft
15	303	Q	October 6, 1851, Additional Supplement added October 15, 1851	Treaty made at Camp Klamath and Camp Cor-a-tem by Redick McKee
16	305	R	November 4, 1851	Treaty made at Camp in Scott's Valley by Redick McKee
17	307	K	January 5, 1852	Treaty made at Village of Temecula by O.M. Wozencraft
18	309	L	January 7, 1852	Treaty made at Village of Santa Ysabel by O.M. Wozencraft

# NATIVE AMERICAN HERITAGE COMMISSION MILESTONES

**1963**

The California Legislature recognized that California Indian culture was neither sufficiently understood nor adequately chronicled and that it could never be reproduced or replaced. The Legislature requested that archaeological sites be reported to the California Department of Parks and Recreation.

**1971**

A report by a State agency exposed a serious problem with the State's archaeological records and recommended the creation of a Native American heritage agency.

**1975**

## **DQ University Conference**

A conference of Native Americans at DQ University was held to discuss Native American heritage concerns. These concerns were the impetus behind AB 4239, which created the Native American Heritage Commission.

**1976**

## **AB 4239 (Knox) The Native American Heritage Commission**

AB 4239 created the Native American Heritage Commission to protect and ensure continued access to Native American sacred sites, including burials and historic sites on public lands. The Commission was charged with identifying and cataloging Native American sites of special religious or social significance on public lands and making recommendations regarding the protection of and continued accessibility to these sites.

**1977**

## **Native American Heritage Commission's Inaugural Swearing-In Ceremony**

The inaugural swearing-in ceremony of the Native American Heritage Commission's first Executive Secretary, Steve Rios, and Native American Heritage Commissioners was conducted by Governor Edmund G. Brown Jr.

**1982**

## ***Wana The Bear v. Community Construction* (1982) 128 Cal.App.3d 536**

Wana the Bear, a direct descendant of the Bear People Lodge of the Miwok People, sought reversal of a lower court's decision that a Native American burial ground was not a cemetery entitled to protection under California cemetery law. The California Third District Court of Appeal affirmed that the burial ground in question was not public cemetery protected under California law. This case would be the impetus for the Most Likely Descendants statute, Public Resources Code section 5097.98.

**1982**

## **SB 297 (Garamendi) Most Likely Descendants Legislation**

SB 297, enacted on September 27, 1982, authorized the Native American Heritage Commission to identify Most Likely Descendants (MLDs) of deceased Native Americans whose remains had been inadvertently discovered. SB 297 requires the landowner on whose lands Native American human remains are found to confer with the Most Likely Descendants for the treatment and disposition, with appropriate dignity, of Native American human remains.

**1982**

## **Gasquet and Orleans Project (G-O Road Litigation)**

The Native American Heritage Commission joined litigation to stop construction of a logging road in the Six Rivers National Forest by the U.S. Forest Service in an area the Yurok, Karuk and Tolowa people hold sacred. The U.S. District Court for the Northern District of California and the U.S. Court of Appeals for the Ninth Circuit held that construction of the road as planned violated the American Indian Religious Freedom Act. The U.S. Supreme Court overruled the Ninth Circuit's decision on First Amendment grounds. *Lyng v. Northwest Indian Cemetery Protective Ass'n* (1988) 485 U.S. 439.

**1985**

## ***Environmental Protection Information Center v. Johnson* (1985) 170 Cal.App.3d 604**

The California Third District Court of Appeal held that, under the California Environmental Quality Act (CEQA), the Native American Heritage Commission is an agency that must be consulted when evaluating projects for their environmental impacts.





# NATIVE AMERICAN HERITAGE COMMISSION MILESTONES

## **1990** *People v. Van Horn* (1990) 218 Cal.App.3d 1378

The California Fourth District Court of Appeal held that Public Resources Code section 5097.99 prohibits the possession of Native American artifacts taken from a Native American grave or cairn unless the possession is in accordance with an agreement between a landowner and appropriate Native American groups or pursuant to a recommendation by the descendants of the deceased Native American.

## **1993** **AB 861 (Knight) Abolishment of the Native American Heritage Commission**

This bill was introduced to abolish the Native American Heritage Commission in order to save the State of California money. Tribes, archaeologists, state agencies and local agencies supported the Commission by writing letters and providing testimony in opposition to the bill. The bill failed. The Commission prevailed.

## **1998** **The “Save Mount Shasta” Campaign**

The Native American Heritage Commission, Tribes, and the “Save Mount Shasta” organization united to protect the Panther Meadow and the Mount Shasta Cosmological District from direct and indirect adverse effects of a proposed ski area development to be located on places of traditional and cultural significance. The U.S. Forest Service rescinded its permit for the ski area largely because of its impacts on Native American traditional use areas.

## **1999 - 2000** **Ishi’s Remains Are Reunited and Repatriated**

The Native American Heritage Commission and Tribes advocated for and secured, the reunion of Ishi’s cremated and uncremated remains for reburial in the Pit River area.

## **2001** **AB 978 (Steinberg) The California Native American Graves Protection and Repatriation Act of 2001**

The California Native American Graves Protection and Repatriation Act of 2001 (CalNAGPRA) created a Repatriation Oversight Commission to ensure that all California Native American human remains and associated cultural items be treated with dignity and respect and repatriated in accordance with the State’s repatriation policy. The duties of the Repatriation Oversight Commission were assumed by statute by the Native American Heritage Commission in 2015.

## **2002** **SB 1816 (Chesbro) Native American Historic Resource Protection Act**

This Act provided for the assessment of penalties and imprisonment for the willful damage of Native American historic, cultural, or sacred sites listed or eligible for listing in the California Register of Historic Resources.

## **2004** **SB 18 (Burton) Tribal Consultation on General Plans, Specific Plans, and Open Space Designations**

SB 18 provides that local governments must consult with Tribes on the contact list maintained by the Native American Heritage Commission when adopting or amending general or specific plans or when designating open space that contains protected Native American sites or features.

## **2004** **The California Public Records Act Amended to Prevent the Disclosure of Native American Sacred Sites**

Section 6254, subdivision (r) was added to the California Public Records Act to exempt from public disclosure the records of Native American graves, cemeteries, and sacred places maintained by, or in the possession of, the Native American Heritage Commission, another state agency, or a local agency.

## **2014** **AB 52 (Gatto) Tribal Consultation and Consideration of Impacts to Tribal Cultural Resources under the California Environmental Quality Act (CEQA)**

AB 52 (Gatto) added a new cultural resource, tribal cultural resources, the impacts to which must be considered during the environmental review process under the CEQA. AB 52 also provides for tribal consultation prior to the issuance of environmental impact report, negative declaration, or mitigated negative declaration.

# LOOKING BACK ON 40 YEARS OF THE NATIVE AMERICAN HERITAGE COMMISSION



Former Commissioner  
Bill Franklin



Former Commissioner  
Grant Smith



Former Commissioner  
Walt Lara



Former Commissioner  
Wanda Lee Graves



Former Commissioner Bill Franklin, Nancy  
Evans, Noreen, and former commissioner  
Jay J. Johnson



Former Commissioner Katherine Saubel  
Former Executive Secretary Larry Myers  
Former Staff Member Gail McNulty



Former Commissioner  
Walt Lara



Former Commissioners John Sespe  
and Priscilla Hunter



Former Commissioner  
Mabel McKay

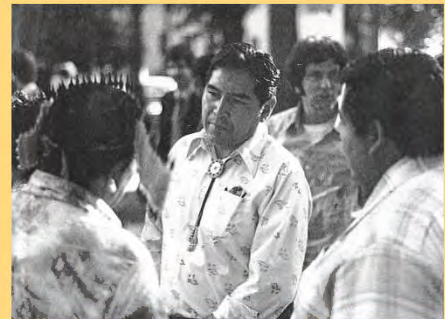


Former Commissioners



Former Commissioners and staff









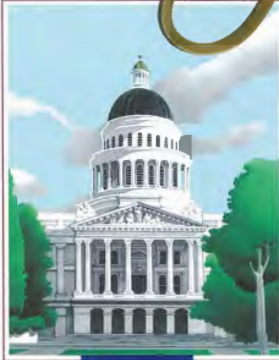
Governor Edmund G. Brown Jr.  
acknowledging the NAHC and  
Commissioners at the 49th Annual  
Native American Day  
September 22, 2016  
Sacramento, CA



Current NAHC Commissioners (L-R)  
NAHC Secretary Merri Lopez-Keifer, Commissioners Russell A. Atteberry, Reginald Pagaling,  
Marshall McKay, NAHC Chairperson James Ramos, NAHC Vice-Chairperson Laura  
Miranda, Commissioners Julie Lynn Tumamait-Stenslie, William Mungary, Joe Myers.



# Assembly



## RESOLUTION

By the Honorable Luis A. Alejo, 30th Assembly District; the Honorable John A. Pérez, Speaker of the Assembly; the Honorable Das Williams, 37th Assembly District; and the Honorable Darrell Steinberg, President pro Tempore of the California State Senate; Relative to

### California Native American Heritage Month

**Whereas**, The month of September every year has been recognized as California Native American Heritage Month for the purpose of informing Californians of the valuable historical and cultural contributions, past and present, of Native Americans; and

**Whereas**, Native Americans were the first human inhabitants of the land that is now the great State of California, and they have contributed and continue to contribute immeasurably to our state's history, diversity, economy, and culture by distinguishing themselves as academics, entrepreneurs, and leaders throughout our state; and

**Whereas**, Prior to the European colonization of the Americas, the indigenous people of California thrived with a vibrant culture and society; and

**Whereas**, California Native Americans have preserved their rich heritage, which is among the world's great cultural treasures and is richly interwoven with California's diverse social fabric, in the face of adversity; and

**Whereas**, Through their rich cultural traditions and proud ancestry, California Native Americans have made vital contributions to the strength and diversity of our society in such areas as law, medicine, business, education, and the United States Armed Forces; and

**Whereas**, In spite of a tragic past, Native Americans have been generous citizens and proudly served in the United States Armed Forces for over 200 years, defending the security of our state and nation with their lives, including engaging in World War II and Operation Iraqi Freedom with honor, determination, and distinction; and

**Whereas**, The work of Native American leaders has sought to bridge racial, socioeconomic, and environmental barriers by empowering and educating people in order to protect Native American culture and heritage for future generations; and

**Whereas**, Although California Native Americans have faced numerous barriers to business development, they have overcome those barriers to persevere and contribute to Native American communities throughout the state and country, exemplifying Native American entrepreneurship in such areas as economic development, the food service industry, health care, and banking finance; and

**Whereas**, California tribal governments today support more than 60,000 of our fellow citizens and contribute \$7.5 billion to our shared economy; and

**Whereas**, California tribes have generously donated their time and millions of dollars each year for education, youth programs, health care services, and other essential social services that strengthen California; and

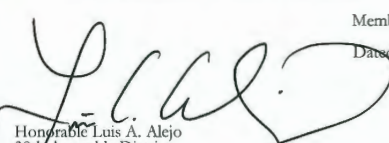
**Whereas**, California today is home to the largest population of Native Americans in the 50 states, including both the rebounding numbers of our native tribes and others drawn to the Golden State by its myriad attractions; and

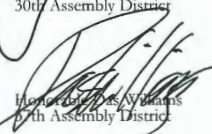
**Whereas**, As we celebrate the contributions of Native Americans to the great State of California, let us recognize the success of tribal businesses and the rise of tribal members in all walks of life as a testament to the resilience and enduring spirit of our native peoples; now, therefore, be it

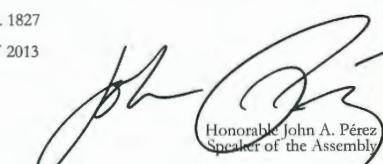
**Resolved by Assembly Member Luis A. Alejo, Speaker of the Assembly John A. Pérez, Assembly Member Das Williams, and President pro Tempore of the California State Senate Darrell Steinberg**, That they recognize the month of September every year as California Native American Heritage Month, commemorate California Native Americans as a symbol of hope and courage to all citizens, and applaud them for their outstanding contributions to the State of California.

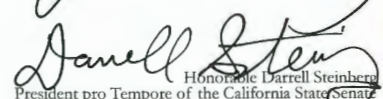
Members Resolution No. 1827

Dated this September of 2013

  
Honorable Luis A. Alejo  
30th Assembly District

  
Honorable Das Williams  
37th Assembly District

  
Honorable John A. Pérez  
Speaker of the Assembly

  
Honorable Darrell Steinberg  
President pro Tempore of the California State Senate





# SAN BERNARDINO County

## Resolution

By unanimous consent of the Board of Supervisors,  
the following resolution is adopted:

**WHEREAS**, the CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION is celebrating its 40<sup>th</sup> anniversary, and it is appropriate at this time to highlight its accomplishments and underscore the positive impact it has made to California and its Native American tribes through the preservation of tribal cultural resources; and

**WHEREAS**, the CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION, having been established in 1976 by Governor Edmund G. "Jerry" Brown Jr., with the signing of Assembly Bill 4239, was the first such entity in the United States, charged with the mission of protecting and preserving Native American cultural resources; and

**WHEREAS**, the CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION has acted in order to prevent damage to and insure Native American access to sacred sites for California's 164 tribes through maintaining an inventory of Native American sacred sites, commenting on environmental review documents; and

**WHEREAS**, the CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION assists in ensuring that Native American grave sites and remains are treated with appropriate dignity and respect by designating a Most Likely Descendent upon their inadvertent discovery and acting as mediators in disputes between tribes and private land owners; and

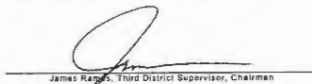
**WHEREAS**, from its inception the CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION has been led by a panel of nine, appointed, volunteer members from California tribes, who are dedicated to the Commission's commitment to preserving tribal cultural resources; and

**WHEREAS**, over the past 40 years, the CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION has established and maintained mutually beneficial relationships with California's 164 Native American tribes.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of the County of San Bernardino, State of California, does hereby congratulate the CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION on its 40<sup>th</sup> Anniversary.

**BE IT FURTHER RESOLVED**, that this resolution be noted in the minutes of this Board and that a copy be presented to the CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION.

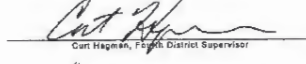
DATED: October 18, 2016

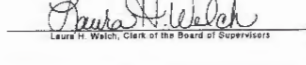
  
James Ramos, Third District Supervisor, Chairman

  
Janice Rutherford, Second District Supervisor

  
Josie Gonzales, Fifth District Supervisor

  
Robert A. Lovingood, First District Supervisor, Vice Chairman

  
Curt Hagman, Fourth District Supervisor

  
Laura H. Welch, Clerk of the Board of Supervisors

Robert A. Lovingood  
First District

Janice Rutherford  
Second District

James Ramos  
Third District

Curt Hagman  
Fourth District

Josie Gonzales  
Fifth District



## NAHC COMMISSIONERS' RESOLUTIONS

In recognition of the Native American Heritage Commission's 40<sup>th</sup> Anniversary, each of our current Commissioners and the Executive Secretary was presented a joint resolution from his or her local legislator. The resolutions were presented at the 49<sup>th</sup> Annual Native American Day, on September 23, 2016 at the west steps of the Capitol.



An Assembly Resolution was presented to NAHC Chairperson James Ramos by Assemblyman Morrell. A copy was not available at the time of printing.





CALIFORNIA SENATE

# RESOLUTION

By the Honorable Jean Fuller, 16th Senatorial District;  
Relative to Commending

*Cynthia Gomez*

**WHEREAS**, On September 23, 2016, the Central California Tribal Chairpersons' Association, Northern California Tribal Chairmen's Association, Southern California Tribal Chairmen's Association, and California State Tribal Liaisons will present the 49th Annual Native American Day at the State Capitol, and in recognition of both this historic event and the fortieth anniversary of the Native American Heritage Commission, Executive Secretary Cynthia Gomez is deserving of special public commendations for her invaluable service to the Native American Heritage Commission; and

**WHEREAS**, Created in statute in 1976 as the State's primary government agency responsible for identifying and cataloging Native American cultural resources, the Native American Heritage Commission is today responsible for protecting California's Native American tribal cultural resources and sacred places; and

**WHEREAS**, Believing communication with California's Native American tribes to be crucial to its mission, the Native American Heritage Commission works diligently to implement effective consultation with California Native American tribes and advocates for other state agencies to do the same in order to ensure meaningful input into the development of regulations, rules, and policies on Native American Heritage Commission matters that may affect tribal communities; and

**WHEREAS**, Appointed by Governor Edmund G. "Jerry" Brown Jr. as his first Tribal Advisor in March 2012, Cynthia Gomez also serves as Executive Secretary of the Native American Heritage Commission, in which capacity she advises the Governor and his cabinet on issues related to tribal governments and the implementation of effective government-to-government consultation between the Governor's administration and California tribes on policies that affect California tribal communities; and

**WHEREAS**, A member of the Yokut Tribe from the Tule River Indian Reservation, Cynthia Gomez began her career with the Tule River Tribal Council and now has more than 30 years of experience working with tribal, state, and federal governments, including her service as Assistant Secretary for Environmental Justice and Tribal Government Affairs for the Office of the Secretary at the California Environmental Protection Agency, Chief of the Native American Liaison Branch, and Chair of the National Transportation Research Board's Standing Committee on Native American Transportation Issues; and

**WHEREAS**, Prior to working for the Governor, Cynthia Gomez, who received her Juris Doctor from the University of Northern California, served as Chief Judge for the Shingle Springs Tribal Court and was appointed in 2010 to the California Tribal Court/State Court Coalition by California Supreme Court Justice Ronald M. George; and

**WHEREAS**, Through her service as Executive Secretary of the Native American Heritage Commission, Cynthia Gomez has worked diligently to protect California's Native American cultural resources, and due to her incredible commitment of time and energy, she has served as a worthy model for all public-spirited people of the State; now, therefore, be it

**RESOLVED BY SENATOR JEAN FULLER**, That, upon the occasion of the 49th Annual Native American Day at the State Capitol and the fortieth anniversary of the Native American Heritage Commission, Cynthia Gomez be commended for her exemplary record of service as the Governor's Tribal Advisor and Executive Secretary of the Native American Heritage Commission, and extended sincere best wishes that her indomitable efforts to protect California's Native American tribal cultural resources will continue in the years ahead.

Members Resolution No. 915  
Dated this 23rd day of September, 2016.

Honorable Jean Fuller  
16th Senatorial District



# Assembly



## R E S O L U T I O N

By the Honorable Marie Waldron  
75th Assembly District; Relative to commending

**Laura Miranda**

**Whereas**, On September 23, 2016, the Central California Tribal Chairpersons' Association, Northern California Tribal Chairmen's Association, Southern California Tribal Chairmen's Association, and California State Tribal Liaisons will present the 49th Annual Native American Day at the State Capitol, and in recognition of both this historic event and the fortieth anniversary of the Native American Heritage Commission, Commissioner Laura Miranda is deserving of special public commendations for her invaluable service to the Native American Heritage Commission; and

**Whereas**, Created in statute in 1976 as the State's primary government agency responsible for identifying and cataloging Native American cultural resources, the Native American Heritage Commission is today responsible for protecting California's Native American tribal cultural resources and sacred places; and

**Whereas**, Believing communication with California's Native American tribes to be crucial to its mission, the Native American Heritage Commission works diligently to implement effective consultation with California Native American tribes and advocates for other state agencies to do the same in order to ensure meaningful input into the development of regulations, rules, and policies on Native American Heritage Commission matters that may affect tribal communities; and

**Whereas**, One of nine Commissioners selected to serve on the Native American Heritage Commission, Laura Miranda was appointed by Governor Arnold Schwarzenegger to the Commission on November 14, 2007, and currently serves as Vice Chair of the Commission, and, sharing Luiseño tribal affiliation, she has distinguished herself as a member of the Pechanga Band of Luiseño Indians; and

**Whereas**, Having obtained her Bachelor of Arts degree in Philosophy from the University of California, Los Angeles (UCLA), and her Juris Doctor from Cornell Law School, Laura Miranda has found great professional success as a tribal attorney specializing in environmental and tribal advocacy and focusing on tribal cultural resources protection; and

**Whereas**, Over the course of her two decades of service practicing Indian law, Laura Miranda has held the positions of Directing Attorney with California Indian Legal Services, Deputy General Counsel with the Pechanga Tribal Government, and Adjunct Faculty member at UCLA Law School, and among her notable career accomplishments, she has contributed to a number of cultural resources protection laws and has been successful in negotiating numerous agreements and settlements on behalf of tribes with local government agencies and land developers concerning culturally appropriate treatment for cultural resources, sacred places, and Native American human remains; and

**Whereas**, Through her service as a Commissioner of the Native American Heritage Commission, Laura Miranda has worked diligently to protect California's Native American cultural resources, and due to her incredible commitment of time and energy, she has served as a worthy model for all public-spirited people of the State; now, therefore, be it

**Resolved by Assembly Member Marie Waldron**, That, upon the occasion of the 49th Annual Native American Day at the State Capitol and the fortieth anniversary of the Native American Heritage Commission, Laura Miranda be commended for her exemplary record of service as a Commissioner of the Native American Heritage Commission, and extended sincere best wishes that her indomitable efforts to protect California's Native American tribal cultural resources will continue in the years ahead.

Members Resolution No. 1953

Dated this 23rd day of September, 2016

*Marie Waldron*

Honorable Marie Waldron  
75th Assembly District





By the Honorable Patricia C. Bates, 36th Senatorial District;  
and the Honorable Rocky J. Chávez, 76th Assembly District;  
Relative to Commending

## *Merri Lopez-Keifer*

**WHEREAS**, On September 23, 2016, the Central California Tribal Chairpersons' Association, Northern California Tribal Chairmen's Association, Southern California Tribal Chairmen's Association, and California State Tribal Liaisons will present the 49th Annual Native American Day at the State Capitol, and in recognition of both this historic event and the fortieth anniversary of the Native American Heritage Commission, Commissioner Merri Lopez-Keifer is deserving of special public commendations for her invaluable service to the Native American Heritage Commission; and

**WHEREAS**, Created in statute in 1976 as the State's primary government agency responsible for identifying and cataloging Native American cultural resources, the Native American Heritage Commission is today responsible for protecting California's Native American tribal cultural resources and sacred places; and

**WHEREAS**, Believing communication with California's Native American tribes to be crucial to its mission, the Native American Heritage Commission works diligently to implement effective consultation with California Native American tribes and advocates for other state agencies to do the same in order to ensure meaningful input into the development of regulations, rules, and policies on Native American Heritage Commission matters that may affect tribal communities; and

**WHEREAS**, One of nine Commissioners selected to serve on the Native American Heritage Commission, Merri Lopez-Keifer was appointed by Governor Edmund G. "Jerry" Brown Jr. to the Commission on June 3, 2015, and, sharing Luiseño tribal affiliation, she has distinguished herself as a member of the San Luis Rey Band of Mission Indians, which she has served as Chief Legal Counsel since 1998; and

**WHEREAS**, In her capacity as Chief Legal Counsel for the San Luis Rey Band of Mission Indians, Merri Lopez-Keifer has successfully fought for the protection and preservation of her tribe's cultural resources and burial grounds, and she has been instrumental in building meaningful relationships with local, state, and federal government agencies operating within her tribe's traditional territory; Merri has conducted hundreds of government-to-government consultations on behalf of her tribe, including over 150 consultations regarding Assembly Bill No. 52, an amendment to the Native American Historic Resource Protection Act that establishes a misdemeanor for unlawfully and maliciously damaging or removing a Native American historic, cultural, or sacred site; and

**WHEREAS**, A skilled attorney who has practiced independently since 2010, Merri Lopez-Keifer earned her Juris Doctor from Boston College Law School, and after being admitted into the State Bar of California in 1998, she began her career as an Assistant District Attorney with the San Francisco District Attorney's Office, where she practiced criminal law for six years, specializing in domestic violence prosecutions; and

**WHEREAS**, Through her service as a Commissioner of the Native American Heritage Commission, Merri Lopez-Keifer has worked diligently to protect California's Native American cultural resources, and due to her incredible commitment of time and energy, she has served as a worthy model for all public-spirited people of the State; now, therefore, be it

**RESOLVED BY SENATOR PATRICIA C. BATES AND ASSEMBLY MEMBER ROCKY J. CHÁVEZ**, That, upon the occasion of the 49th Annual Native American Day at the State Capitol and the fortieth anniversary of the Native American Heritage Commission, Merri Lopez-Keifer be commended for her exemplary record of service as a Commissioner of the Native American Heritage Commission, and extended sincere best wishes for her indomitable efforts to protect California's Native American tribal cultural resources in the years ahead.

Joint Members Resolution No. 375  
Dated this 23rd day of September, 2016.

Honorable Patricia C. Bates  
36th Senatorial District



Honorable Rocky J. Chávez  
76th Assembly District



# Assembly



## R E S O L U T I O N

By the Honorable Das Williams  
37th Assembly District; Relative to commending

### Reginald Pagaling

**Whereas**, On September 23, 2016, the Central California Tribal Chairpersons' Association, Northern California Tribal Chairmen's Association, Southern California Tribal Chairmen's Association, and California State Tribal Liaisons will present the 49th Annual Native American Day at the State Capitol, and in recognition of both this historic event and the fortieth anniversary of the Native American Heritage Commission, Commissioner Reginald Pagaling is deserving of special public commendations for his invaluable service to the Native American Heritage Commission; and

**Whereas**, Created in statute in 1976 as the State's primary government agency responsible for identifying and cataloging Native American cultural resources, the Native American Heritage Commission is today responsible for protecting California's Native American tribal cultural resources and sacred places; and

**Whereas**, Believing communication with California's Native American tribes to be crucial to its mission, the Native American Heritage Commission works diligently to implement effective consultation with California Native American tribes and advocates for other state agencies to do the same in order to ensure meaningful input into the development of regulations, rules, and policies on Native American Heritage Commission matters that may affect tribal communities; and

**Whereas**, One of nine Commissioners selected to serve on the Native American Heritage Commission, Reginald Pagaling was appointed by Governor Edmund G. "Jerry" Brown Jr. to the Commission on March 28, 2013, and, sharing Chumash tribal affiliation, he has distinguished himself as an enrolled member of the Santa Ynez Band of Chumash Indians and a tribal elder; and

**Whereas**, Reginald Pagaling is widely recognized for the time he has devoted to re-establishing the traditional maritime culture of the Tribe since 1996, and he also has shared his leadership and expertise as Chair of the Indian Gaming Local Community Benefit Committee of Santa Barbara County since 2010; and

**Whereas**, A leader in every sense of the word, Reginald Pagaling previously served as Tribal Education Program Coordinator for the Santa Ynez Band of Chumash Indians from 1993 to 1996, Public Relations Manager for the Chumash Casino Resort from 1991 to 1993, and Cultural Resources Coordinator and Native American Monitor at the Tribal Elders Council of Santa Ynez Band of Chumash Indians from 1988 to 1990; and


**Whereas**, In addition, Reginald Pagaling built the Tomol "Muptami of Kalawashaq," a traditional Chumash plank canoe, and co-organizes the annual Tomol crossing from Channel Islands Harbor to Santa Cruz Island, and he is a member of the Chumash Maritime Association; and

**Whereas**, Through his service as a Commissioner of the Native American Heritage Commission, Reginald Pagaling has worked diligently to protect California's Native American cultural resources, and due to his incredible commitment of time and energy, he has served as a worthy model for all public-spirited people of the State; now, therefore, be it

**Resolved by Assembly Member Das Williams**, That, upon the occasion of the 49th Annual Native American Day at the State Capitol and the fortieth anniversary of the Native American Heritage Commission, Reginald Pagaling be commended for his exemplary record of service as a Commissioner of the Native American Heritage Commission, and extended sincere best wishes that his indomitable efforts to protect California's Native American tribal cultural resources will continue in the years ahead.

Members Resolution No. 1935

Dated this 23rd day of September, 2016

  
Honorable Das Williams  
37th Assembly District





# Assembly



## RESOLUTION

By the Honorable Bill Dodd, 4th Assembly District; and  
the Honorable Mike McGuire, 2nd Senatorial District; Relative to commending

**Joseph A. Myers**

**Whereas**, On September 23, 2016, the Central California Tribal Chairpersons' Association, Northern California Tribal Chairmen's Association, Southern California Tribal Chairmen's Association, and California State Tribal Liaisons will present the 49th Annual Native American Day at the State Capitol, and in recognition of both this historic event and the fortieth anniversary of the Native American Heritage Commission, Commissioner Joseph A. Myers is deserving of special public commendations for his invaluable service to the Native American Heritage Commission; and

**Whereas**, Created in statute in 1976 as the State's primary government agency responsible for identifying and cataloging Native American cultural resources, the Native American Heritage Commission is today responsible for protecting California's Native American tribal cultural resources and sacred places; and

**Whereas**, Believing communication with California's Native American tribes to be crucial to its mission, the Native American Heritage Commission works diligently to implement effective consultation with California Native American tribes and advocates for other state agencies to do the same in order to ensure meaningful input into the development of regulations, rules, and policies on Native American Heritage Commission matters that may affect tribal communities; and

**Whereas**, One of nine Commissioners selected to serve on the Native American Heritage Commission, Joseph Myers was appointed by Governor Edmund G. "Jerry" Brown Jr. to the Commission on June 3, 2015, and, sharing Pomo tribal affiliation, he has distinguished himself as Executive Director of the National Indian Justice Center; and

**Whereas**, A graduate of the University of California (UC), Berkeley, School of Law at Boalt Hall, Joseph Myers founded the National Indian Justice Center in 1983 to serve as an independent resource for tribal governments and their courts providing legal education, research, and technical assistance programs aimed at improving the administration of justice in Indian country, and his impressive résumé also includes his service as the founder and a Board member of the California Indian Museum and Cultural Center, a statewide, issues-based museum on California Indian history, cultures, and contemporary issues and a premiere forum for a worldwide audience, which emphasizes serving Native youth and California K-12 students and their teachers; and

**Whereas**, Joseph Myers also writes and lectures extensively on Native American issues, and in addition to the 2010 Peter E. Haas Public Service Award, he received national recognition in 1993 from Attorney General Janet Reno for his work on behalf of victims of crime in Indian country and received the 2002 California Peace Prize from the California Wellness Foundation for his work in violence prevention on Indian reservations; furthermore, the Joseph A. Myers Center for Research on Native American Issues at UC Berkeley was named in his honor; and

**Whereas**, Through his service as a Commissioner of the Native American Heritage Commission, Joseph Myers has worked diligently to protect California's Native American cultural resources, and due to his incredible commitment of time and energy, he has served as a worthy model for all public-spirited people of the State; now, therefore, be it

**Resolved by Assembly Member Bill Dodd and Senator Mike McGuire**,  
That, upon the occasion of the 49th Annual Native American Day at the State Capitol and the fortieth anniversary of the Native American Heritage Commission, Joseph A. Myers be commended for his exemplary record of service as a Commissioner of the Native American Heritage Commission, and extended sincere best wishes that his indomitable efforts to protect California's Native American tribal cultural resources will continue in the years ahead.

Members Resolution No. 1875

Dated this 23rd day of September, 2016

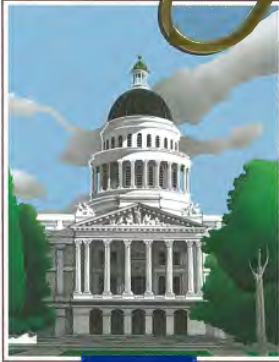
*Bill Dodd*  
Honorable Bill Dodd  
4th Assembly District

*Mike McGuire*  
Honorable Mike McGuire  
2nd Senatorial District





# Assembly



## R E S O L U T I O N

By the Honorable Das Williams  
37th Assembly District; Relative to commending

### Julie Tumamait-Stenslie

**Whereas**, On September 23, 2016, the Central California Tribal Chairpersons' Association, Northern California Tribal Chairmen's Association, Southern California Tribal Chairmen's Association, and California State Tribal Liaisons will present the 49th Annual Native American Day at the State Capitol, and in recognition of both this historic event and the fortieth anniversary of the Native American Heritage Commission, Commissioner Julie Tumamait-Stenslie is deserving of special public commendations for her invaluable service to the Native American Heritage Commission; and

**Whereas**, Created in statute in 1976 as the State's primary government agency responsible for identifying and cataloging Native American cultural resources, the Native American Heritage Commission is today responsible for protecting California's Native American tribal cultural resources and sacred places; and

**Whereas**, Believing communication with California's Native American tribes to be crucial to its mission, the Native American Heritage Commission works diligently to implement effective consultation with California Native American tribes and advocates for other state agencies to do the same in order to ensure meaningful input into the development of regulations, rules, and policies on Native American Heritage Commission matters that may affect tribal communities; and

**Whereas**, One of nine Commissioners selected to serve on the Native American Heritage Commission, Julie Tumamait-Stenslie was appointed by Governor Arnold Schwarzenegger to the Commission on November 14, 2007, and, sharing Chumash tribal affiliation, currently serves as Chair of the Barbareno/Ventureño Band of Mission Indians; and

**Whereas**, A respected elder, singer, storyteller, and Cultural Resource Consultant/Advisor, Julie Tumamait-Stenslie has shared her leadership and expertise as a member of the Board of Trustees for the Ojai Valley Historical Society and Museum, the Board of Trustees and California Indian Advisory Committee for the Santa Barbara Museum of Natural History, and the University of California, Santa Barbara's Committee on the "Repatriation" of Native American Ceremonial Artifacts; and

**Whereas**, In addition, Julie Tumamait-Stenslie has served on the Ojai Valley Museum Board of Trustees and the Oakbrook Chumash Interpretive Center Board and as a consultant for Chumash Cultural Services since 1985, and she is renowned throughout her community for her artistic use of native materials to create jewelry, musical instruments, and basketry, and for her dedication to practicing and teaching her native language; and

**Whereas**, Through her service as a Commissioner of the Native American Heritage Commission, Julie Tumamait-Stenslie has worked diligently to protect California's Native American cultural resources, and due to her incredible commitment of time and energy, she has served as a worthy model for all public-spirited people of the State; now, therefore, be it

**Resolved by Assembly Member Das Williams**, That, upon the occasion of the 49th Annual Native American Day at the State Capitol and the fortieth anniversary of the Native American Heritage Commission, Julie Tumamait-Stenslie be commended for her exemplary record of service as a Commissioner of the Native American Heritage Commission, and extended sincere best wishes that her indomitable efforts to protect California's Native American tribal cultural resources will continue in the years ahead.

Members Resolution No. 2011

Dated this 23rd day of September, 2016

Honorable Das Williams  
37th Assembly District





By the Honorable Lois Wolk, 3rd Senatorial District;  
and the Honorable Bill Dodd, 4th Assembly District;  
Relative to Commending

## *Marshall McKay*

**WHEREAS**, On September 23, 2016, the Central California Tribal Chairpersons' Association, Northern California Tribal Chairmen's Association, Southern California Tribal Chairmen's Association, and California State Tribal Liaisons will present the 49th Annual Native American Day at the State Capitol, and in recognition of both this historic event and the fortieth anniversary of the Native American Heritage Commission, Commissioner Marshall McKay is deserving of special public commendations for his invaluable service to the Native American Heritage Commission; and

**WHEREAS**, Created in statute in 1976 as the State's primary government agency responsible for identifying and cataloging Native American cultural resources, the Native American Heritage Commission is today responsible for protecting California's Native American tribal cultural resources and sacred places; and

**WHEREAS**, Believing communication with California's Native American tribes to be crucial to its mission, the Native American Heritage Commission works diligently to implement effective consultation with California Native American tribes and advocates for other state agencies to do the same in order to ensure meaningful input into the development of regulations, rules, and policies on Native American Heritage Commission matters that may affect tribal communities; and

**WHEREAS**, One of nine Commissioners selected to serve on the Native American Heritage Commission, Marshall McKay was appointed by Governor Arnold Schwarzenegger to the Commission on November 14, 2007, and, sharing Wintun tribal affiliation, he has distinguished himself as Chair of the Yocha Dehe Wintun Nation; and

**WHEREAS**, Having worked in management for the United States Navy and retired as a nuclear refueling manager, Marshall McKay began his career in tribal government in 1984 and in January 2012, he was re-elected to his third term as Chair of the Yocha Dehe Wintun Nation, in which capacity he oversees the day-to-day operations of the tribal government, the tribe's Cache Creek Casino Resort, and its other business endeavors, and he also chairs the Community Fund Board and Cache Creek Casino Resort Board and holds membership with the Fire Commission, the Yocha Dehe Wintun Academy Board, and numerous committees; and

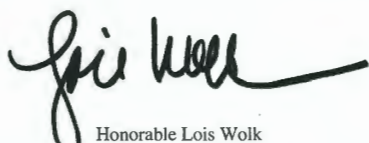
**WHEREAS**, A cornerstone of Marshall McKay's leadership of the Yocha Dehe Wintun Nation has been his commitment to cultural renewal and preservation, a focus he has extended into education programs and sustainable land-use practices, and throughout his tenure as Chair, he also has dedicated his efforts to the preservation and promotion of Native arts and culture, the affirmation of sovereign tribal governance, and the international effort to protect the rights of all indigenous people; and

**WHEREAS**, A leader in every sense of the word, Marshall McKay is also a board member of the UC Davis Foundation, the Smithsonian's National Museum of the American Indian, and the Native American Rights Fund; a founding member and Chair of the Native Arts & Cultures Foundation; and Chair of the Board of the Autry National Center in Los Angeles; and


**WHEREAS**, Through his service as a Commissioner of the Native American Heritage Commission, Marshall McKay has worked diligently to protect California's Native American cultural resources, and due to his incredible commitment of time and energy, he has served as a worthy model for all public-spirited people of the State; now, therefore, be it

**RESOLVED BY SENATOR LOIS WOLK AND ASSEMBLY MEMBER BILL DODD**, That, upon the occasion of the 49th Annual Native American Day at the State Capitol and the fortieth anniversary of the Native American Heritage Commission, Marshall McKay be commended for his exemplary record of service as a Commissioner of the Native American Heritage Commission, and extended sincere best wishes that his indomitable efforts to protect California's Native American tribal cultural resources will continue in the years ahead.

Joint Members Resolution No. 414  
Dated this 23rd day of September, 2016.

  
Honorable Lois Wolk  
3rd Senatorial District



  
Honorable Bill Dodd  
4th Assembly District





CALIFORNIA SENATE

# RESOLUTION

By the Honorable Ted Gaines, 1st Senatorial District;  
Relative to Commending

*Russell Attebery*

**WHEREAS**, On September 23, 2016, the Central California Tribal Chairpersons' Association, Northern California Tribal Chairmen's Association, Southern California Tribal Chairmen's Association, and California State Tribal Liaisons will present the 49th Annual Native American Day at the State Capitol, and in recognition of both this historic event and the fortieth anniversary of the Native American Heritage Commission, Commissioner Russell Attebery is deserving of special public commendations for his invaluable service to the Native American Heritage Commission; and

**WHEREAS**, Created in statute in 1976 as the State's primary government agency responsible for identifying and cataloging Native American cultural resources, the Native American Heritage Commission is today responsible for protecting California's Native American tribal cultural resources and sacred places; and

**WHEREAS**, Believing communication with California's Native American tribes to be crucial to its mission, the Native American Heritage Commission works diligently to implement effective consultation with California Native American tribes and advocates for other state agencies to do the same in order to ensure meaningful input into the development of regulations, rules, and policies on Native American Heritage Commission matters that may affect tribal communities; and

**WHEREAS**, One of nine Commissioners selected to serve on the Native American Heritage Commission, Russell Attebery was appointed by Governor Edmund G. "Jerry" Brown Jr. to the Commission on May 29, 2014, and, sharing Karuk tribal affiliation, currently serves as Chair of the Karuk Tribe of California; and

**WHEREAS**, As Chair of the Karuk Tribe of California since 2012, Russell Attebery has worked diligently to protect the language, ceremonies, burial grounds, and ancestral areas of importance to the Tribe, and among his recent accomplishments, he helped to secure the signing of the landmark agreement that amends one of two previous Klamath basin restoration and dam removal agreements to ensure that future projects to restore the Klamath basin and its fisheries will comply with the federal trust responsibilities to the tribes and sustain the region's farming and ranching economy; and

**WHEREAS**, Prior to accepting his current position as Chair of the Karuk Tribe, Russell Attebery served as a teacher and athletic director at Happy Camp High School from 2009 to 2012, as a substitute teacher for Shasta County schools from 2003 to 2008, and as a quality control supervisor and sawyer at Sierra Pacific Industries from 1982 to 2003, and he has further distinguished himself as a member of the American Professional Baseball Association; and

**WHEREAS**, Through his service as a Commissioner of the Native American Heritage Commission, Russell Attebery has worked diligently to protect California's Native American cultural resources, and due to his incredible commitment of time and energy, he has served as a worthy model for all public-spirited people of the State; now, therefore, be it

**RESOLVED BY SENATOR TED GAINES**, That, upon the occasion of the 49th Annual Native American Day at the State Capitol and the fortieth anniversary of the Native American Heritage Commission, Russell Attebery be commended for his exemplary record of service as a Commissioner of the Native American Heritage Commission, and extended sincere best wishes that his indomitable efforts to protect California's Native American tribal cultural resources will continue in the years ahead.

Members Resolution No. 917  
Dated this 23rd day of September, 2016.

Honorable Ted Gaines  
1st Senatorial District



By the Honorable Andy Vidak, 14th Senatorial District;  
the Honorable Shannon L. Grove, 34th Assembly District;  
and the Honorable Rudy Salas, Jr., 32nd Assembly District;  
Relative to Commending

## William Mungary

**WHEREAS**, On September 23, 2016, the Central California Tribal Chairpersons' Association, Northern California Tribal Chairmen's Association, Southern California Tribal Chairmen's Association, and California State Tribal Liaisons will present the 49th Annual Native American Day at the State Capitol, and in recognition of both this historic event and the fortieth anniversary of the Native American Heritage Commission, Commissioner William Mungary is deserving of special public commendations for his invaluable service to the Native American Heritage Commission; and

**WHEREAS**, Created in statute in 1976 as the State's primary government agency responsible for identifying and cataloging Native American cultural resources, the Native American Heritage Commission is today responsible for protecting California's Native American tribal cultural resources and sacred places; and

**WHEREAS**, Believing communication with California's Native American tribes to be crucial to its mission, the Native American Heritage Commission works diligently to implement effective consultation with California Native American tribes and advocates for other state agencies to do the same in order to ensure meaningful input into the development of regulations, rules, and policies on Native American Heritage Commission matters that may affect tribal communities; and

**WHEREAS**, One of nine Commissioners selected to serve on the Native American Heritage Commission, Bill Mungary was appointed by Governor George Deukmejian to the Commission on December 17, 1987, having served as Chair of the Commission from 1990 to 2008, and shares Paiute/White Mountain Apache tribal affiliation; and

**WHEREAS**, Having retired as Director of the Community Development Program with the Resource Management Agency of Kern County, a position he held for over 30 years, Bill Mungary received his Bachelor of Arts degree in International Relations Curriculum and his Master's degree in Business Administration in General Management from the University of California, Los Angeles, and served in the United States Air Force, where he achieved the rank of Captain; and

**WHEREAS**, Widely recognized for his extensive record of community service and his active involvement with the Indian community, Bill Mungary is on the Board of Directors of the National Association for County Community and Economic Development and a founding member of the American Indian Council of Central California, Inc., California Association for Local Economic Development, and the Native American Heritage Preservation Council of Kern County, where he served on the Board of Directors from 1991 to 1995; and

**WHEREAS**, Furthermore, Bill Mungary has shared his leadership and expertise as a member of the Cultural Resources and Economic Development committees of the Federal Advisory Council of California Indian Policy and the Committee on Native American Graves Protection and Repatriation Act Implementation for the California Department of Parks and Recreation, and in March 1995, he was appointed by Governor Pete Wilson to serve as a member of the California Rural Development Council; and

**WHEREAS**, Through his service as a Commissioner of the Native American Heritage Commission, Bill Mungary has worked diligently to protect California's Native American cultural resources, and due to his incredible commitment of time and energy, he has served as a worthy model for all public-spirited people of the State; now, therefore, be it

**RESOLVED BY SENATOR ANDY VIDAK AND ASSEMBLY MEMBERS SHANNON L. GROVE AND RUDY SALAS, JR.**, That, upon the occasion of the 49th Annual Native American Day at the State Capitol and the fortieth anniversary of the Native American Heritage Commission, William Mungary be commended for his exemplary record of service as a Commissioner of the Native American Heritage Commission, and extended sincere best wishes that his indomitable efforts to protect California's Native American tribal cultural resources will continue in the years ahead.

Joint Members Resolution No. 406  
Dated this 23rd day of September, 2016.

Honorable Andy Vidak  
14th Senatorial District



Honorable Shannon L. Grove  
34th Assembly District

Honorable Rudy Salas, Jr.  
32nd Assembly District







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