



Native American Heritage Commission
Report for January 1, 2014 through June 30, 2015

James Ramos, NAHC Chairman
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EXECUTIVE SUMMARY: CHANGES AND CHALLENGES

The Native American Heritage Commission (NAHC or Commission) has faced significant changes and challenges from 2013 to 2015. The most significant of these changes and challenges include implementing Assembly Bill 52 (AB 52, Gatto, Chapter 532, Statutes of 2014) (AB 52), assuming the powers and duties of the California Native American Graves Protection and Repatriation Act's Repatriation Oversight Commission and formally implementing the act (SB 83, Chapter 24, Statutes of 2015), responding to more requests for enforcement of the Native American Historical, Cultural and Sacred Sites Act¹ and the California Environmental Quality Act (CEQA)², and beginning the NAHC's first ever rulemaking process to adopt regulations for the Most Likely Descendant (MLD) designation processes. These changes and challenges will better position the NAHC to protect the Native American cultural resources of California's 164 Native American tribes. California has 109 federally recognized tribes and 55 non-federally recognized tribes.

The passage of AB 52, the most substantial amendment of CEQA in recent memory, created a separate category of resources, "tribal cultural resources," the impacts to which must be considered separately from impacts to paleontological resources under CEQA. AB 52 has challenged the NAHC to ensure that, in advance of the NAHC's 2016 statutory deadline to implement AB 52, California Native American tribes can participate meaningfully in tribal consultation regarding impacts to tribal cultural resources that is provided for under AB 52 in 2015. To meet that challenge, the NAHC has partnered with the Governor's Office of Planning and Research (OPR) and conducted AB 52 consultation sessions to inform tribes of what the law provides and how it affects tribes, among other measures.

In an effort to achieve greater efficiency in Native American cultural resources protection, the NAHC has been given the statutory authority to enforce the California Native American Graves Protection and Repatriation Act³ (CalNAGPRA) pursuant to SB 83 (SB 83, Chapter 25, Statutes of 2015). The California Repatriation Oversight Commission (ROC), which previously had the statutory authority to enforce CalNAGPRA, had never met in more than a decade and was dissolved. The NAHC will serve as the ROC for purposes of CalNAGPRA implementation and enforcement beginning in the 2015-2016 fiscal year.

The challenges imposed by the drought's exposure of previously submerged Native American cultural resources, as well as increased requests from tribes for investigations of damage to Native American cultural resources and for enforcement of the laws protecting those cultural resources, caused the NAHC to spend substantial amounts of

¹ Public Resources Code § 5097.9 et seq.

² Public Resources Code § 21000 et seq.

³ Health and Safety Code § 8010 et seq.

time and money to increase awareness of the laws protecting Native American cultural resources. The NAHC has increased its enforcement efforts to insure compliance with those laws, including CEQA litigation under the auspices of the Department of Justice and an investigation and public hearing under Public Resources Code section 5097.94.

As part of a multi-year effort to prepare the NAHC for the future, the NAHC began the process of adopting its own tribal consultation policy as well as regulations for the process of designating Most Likely Descendants (MLD). To improve its communications with tribes and stakeholders, the NAHC initiated this report, updated its website, and started its Twitter® feed, @CA_NAHC. The NAHC will also revise its strategic plan.

The NAHC experienced significant changes in leadership and staff with the retirement of Executive Secretary Larry Myers, the longest serving executive secretary in the history of the NAHC, the resignation of Commissioner Leslie Lohse, the end of Commissioner Jill Sherman Warne's term⁴, and the retirement of analyst G. David Singleton, a beloved analyst who worked tirelessly to empower tribes to protect their cultural resources. Four new Commissioners were appointed: Commissioner Reginald Pagaling, Tribal Elder of the Santa Ynez Band of Chumash Indians; Commissioner Russell "Buster" Attebery, Chairman of the Karuk Tribe; Joseph Myers, Executive Director of the National Indian Justice Center; and Merri Lopez-Keifer, Chief Legal Counsel for the San Luis Rey Band of Mission Indians. Although the NAHC had no clerical support staff from April through July of 2015, the NAHC currently has eight staff members: a receptionist (retired annuitant), an office assistant, an office technician, two associate governmental program analysts (one is a retired annuitant), one environmental scientist, an ethnographer (a retired annuitant) and a general counsel. The office assistant and office technician were hired at the beginning of the 2015-2016 fiscal year as a result of increased funding approved by the Department of Finance to implement AB 52. Seven more positions will be created and filled during the 2015-2016 fiscal year for the purpose of implementing AB 52. Four of those positions will be limited term positions.

This report lists the NAHC's Commissioners and the Commission's powers and duties. Additionally, it addresses the NAHC's achievements across its several functions: Sacred Lands Inventory searches and environmental document review, MLD designations, mediation of disputes, policy formation, tribal consultation and Commission meetings, AB 52 and CalNAGPRA implementation, rulemaking, strategic planning and communications, and enforcement and compliance.

⁴ The NAHC would like to thank Commissioner Jill Sherman Warne for her many years of service.

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As the NAHC prepares for its 40th anniversary in 2016,⁵ the Commissioners and staff of the NAHC are grateful for the gift these changes and challenges present: the opportunity for the NAHC's improvement and preparation for the future.

Respectfully,

James Ramos
NAHC Chairman

Cynthia Gomez
NAHC Executive Secretary and Tribal Advisor
to Governor Edmund G. Brown Jr.

⁵ The legislation that created the NAHC was enacted in 1976. (Chapter 1332, Statutes of 1976).

THE COMMISSIONERS OF THE NATIVE AMERICAN HERITAGE COMMISSION

James Ramos, Chairman
Tribal Affiliation: Serrano/Cahuilla

Laura Miranda, Vice Chairwoman
Tribal Affiliation: Luiseño

Julie Tumamait-Stenslie, Secretary
Tribal Affiliation: Chumash

William Mungary, Chairman Emeritus
Tribal Affiliation: Paiute/White Mountain
Apache

Marshal McKay, Commissioner
Tribal Affiliation: Wintun

Reginald Pagaling, Commissioner
Tribal Affiliation: Chumash

Russell Attebery, Commissioner
Tribal Affiliation: Karuk

Joseph Myers, Commissioner
Tribal Affiliation: Pomo

Merri Lopez-Keifer, Commissioner
Tribal Affiliation: Luiseño

THE NATIVE AMERICAN HERITAGE COMMISSION'S POWERS AND DUTIES

The powers and duties of the Native American Heritage Commission are set forth in Public Resources Code section 5097.94:

- (a) To identify and catalog places of special religious or social significance to Native Americans, and known graves and cemeteries of Native Americans on private lands. The identification and cataloguing of known graves and cemeteries shall be completed on or before January 1, 1984. The commission shall notify landowners on whose property such graves and cemeteries are determined to exist, and shall identify the Native American group most likely descended from those Native Americans who may be interred on the property.
- (b) To make recommendations relative to Native American sacred places that are located on private lands, are inaccessible to Native Americans, and have cultural significance to Native Americans for acquisition by the state or other public agencies for the purpose of facilitating or assuring access thereto by Native Americans.
- (c) To make recommendations to the Legislature relative to procedures that will voluntarily encourage private property owners to preserve and protect sacred places in a natural state and to allow appropriate access to Native American religionists for ceremonial or spiritual activities.
- (d) To appoint necessary clerical staff.
- (e) To accept grants or donations, real or in kind, to carry out the purposes of this chapter and the California Native American Graves Protection and Repatriation Act of 2001.
- (f) To make recommendations to the Director of Parks and Recreation and the California Arts Council relative to the California State Indian Museum and other Indian matters touched upon by department programs.
- (g) To bring an action to prevent severe and irreparable damage to, or assure appropriate access for Native Americans to, a Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property, pursuant to Section 5097.97. If the court finds that severe and irreparable damage will occur or that appropriate access will be denied, and appropriate mitigation measures are not available, it shall issue an injunction, unless it finds, on clear and convincing evidence, that the public interest and necessity require otherwise. The Attorney General shall represent the commission and the state in litigation concerning the affairs of the commission, unless the Attorney General has determined to represent the agency against

whom the commission's action is directed, in which case the commission shall be authorized to employ other counsel. In an action to enforce this subdivision the commission shall introduce evidence showing that a cemetery, place, site, or shrine has been historically regarded as a sacred or sanctified place by Native American people and represents a place of unique historical and cultural significance to an Indian tribe or community.

- (h) To request and utilize the advice and service of all federal, state, local, and regional agencies, including for purposes of carrying out the California Native American Graves Protection and Repatriation Act of 2001 (Chapter 5 (commencing with Section 8010) of Part 2 of Division 7 of the Health and Safety Code)
- (i) To assist Native Americans in obtaining appropriate access to sacred places that are located on public lands for ceremonial or spiritual activities.
- (j) To assist state agencies in any negotiations with agencies of the federal government for the protection of Native American sacred places that are located on federal lands.
- (k) (1) To mediate, upon application of either of the parties, disputes arising between landowners and known descendants relating to the treatment and disposition of Native American human burials, skeletal remains, and items associated with Native American burials.

(2) The agreements shall provide protection to Native American human burials and skeletal remains from vandalism and inadvertent destruction and provide for sensitive treatment and disposition of Native American burials, skeletal remains, and associated grave goods consistent with the planned use of, or the approved project on, the land.
- (l) To assist interested landowners in developing agreements with appropriate Native American groups for treating or disposing, with appropriate dignity, of the human remains and any items associated with Native American burials.
- (m) To provide each California Native American tribe, as defined in Section 21073, on or before July 1, 2016, with a list of all public agencies that may be a lead agency pursuant to Division 13 (commencing with Section 21000 of the Public Resources Code) within the geographic area with which the tribe is traditionally and culturally affiliated, the contact information of those public agencies, and information on how the tribe may request the public agency to notify the tribe of projects within the jurisdiction of those public agencies for the purposes of requesting consultation pursuant to Section 21080.3.1 of the Public Resources Code.

- (n) (1) To assume the powers and duties of the former Repatriation Oversight Commission and meet, when necessary and at least quarterly, to perform the following duties:
- (A) Order the repatriation of human remains and cultural items in accordance with the act.
 - (B) Establish mediation procedures and, upon the application of the parties involved, mediate disputes among tribes and museums and agencies relating to the disposition of human remains and cultural items. The commission shall have the power of subpoena for purposes of discovery and may impose civil penalties against any agency or museum that intentionally or willfully fails to comply with the act. Members of the commission and commission staff shall receive training in mediation for purposes of this subparagraph. The commission may delegate its responsibility to mediate disputes to a certified mediator or commission staff.
 - (C) Establish and maintain an Internet Web site for communication among tribes and museums and agencies.
 - (D) Upon the request of tribes or museums and agencies, analyze and make decisions regarding providing financial assistance to aid in specific repatriation activities.
 - (E) Make recommendations to the Legislature to assist tribes in obtaining the dedication of appropriate state lands for the purposes of reinterment of human remains and cultural items.
 - (F) (i) Prepare and submit the Legislature an annual report detailing commission activities, disbursement of funds, and dispute resolutions relating to the repatriation activities of the act.

(ii) A report submitted to the Legislature pursuant to this subparagraph shall be submitted in compliance with Section 9795 of the Government Code.
 - (G) Refer any known noncompliance with the federal Native American Graves Protection and Repatriation Act (25 U.S.C. Sec. 3001 et seq.) to the United States Attorney General and the Secretary of the Interior.

(H) Impose administrative and civil penalties pursuant to Section 8029 of the Health and Safety Code against an agency or museum that is determined by the commission to have violated the act.

(I) Establish those rules and regulations the commission determines to be necessary for the administration of the act.

(2) For purposes of this subdivision, the following terms have the following meanings:

(A) "Act" means the California Native American Graves Protection and Repatriation Act (Chapter 5 (commencing with Section 8010) of Part 2 of Division 7 of the Health and Safety Code).

(B) "Tribe" means a "California Indian Tribe" as that term is used in the act.⁶

The majority of the day-to-day duties of the NAHC fall into the following nine categories discussed below.

I. Sacred Lands Inventory Searches and Environmental Document Review

NAHC staff members comment on CEQA environmental review documents including Notices of Preparation (NOP), Draft Environmental Impact Reports (DEIR), Mitigated Negative Declarations (MND), and Negative Declarations (ND) to inform CEQA lead agencies of their obligation to identify Native American cultural resources within their projects' Areas of Potential Effects (APE) and fashion avoidance or mitigation measures for those resources wherever possible. To help state and local lead agencies prepare their CEQA environmental review documents, NAHC staff members also perform searches of the NAHC's Sacred Lands Inventory. These searches alert CEQA lead agencies of the existence, but not the identity or location, of Native American sacred sites in the APE of a project. From July 1, 2013 to June 30, 2014, NAHC staff members conducted 5,810 searches of the NAHC Sacred Lands Inventory for state and local agencies preparing CEQA environmental review documents, and for federal agencies preparing National Environmental Policy Act⁷ (NEPA) environmental review documents. From July 1, 2014 to June 30, 2015, NAHC staff members conducted 5,730 searches.

CEQA and NEPA lead agencies are also provided a list of appropriate Native American tribes and individuals that are traditionally and culturally affiliated to the land within an APE. Lead agencies are advised to consult with the appropriate tribes and individuals to determine what sacred sites not listed in the Sacred Lands Inventory may exist within

⁶ Public Resources Code § 5097.94.

⁷ 42 U.S.C. § 4321 et seq.

the APEs of their projects in order to devise avoidance or mitigation measures for those sites.

The NAHC receives all CEQA environmental documents that involve projects that may have a significant effect on Native American cultural resources. These thousands of documents are reviewed by two of the NAHC's eight staff members. The comments provided by NAHC staff also serve a role in preserving the NAHC's standing to file suit under CEQA if a lead agency does not comply with the procedural requirements of CEQA. Recently, staff comments on an MND prepared by Inyo County preserved the NAHC's standing to file suit when Inyo County failed to comply with the procedural requirements for preparing a cultural resources report before approving the MND.⁸

From July 1, 2013 to June 30, 2014, the NAHC received 7,094 environmental documents. From July 1, 2014 to June 30, 2015, the NAHC received, 4,173 environmental documents. NAHC staff commented on these documents as time permitted.

II. Most Likely Descendant (MLD) Designations

One of the duties the NAHC holds in high esteem is the designation of Most Likely Descendants (MLDs) when Native American human remains are discovered on lands subject to the NAHC's jurisdiction. From July 1, 2013 to June 30, 2014, the NAHC made 478 MLD designations. From July 1, 2014 to June 30, 2015, the NAHC made 288 MLD designations.

Native people inhabited the land we now call California for thousands of years prior to their first contact with Europeans. The remains of California Native Americans' ancestors and the remnants of their villages and ceremonial sites lay beneath the soil throughout the state. Before the passage of CEQA in 1970, there were no protections for those remains, village sites, or ceremonial sites when development occurred. As a result, development in areas where construction occurred before the enactment of CEQA often unearths Native American burials, villages, and ceremonial sites, many of which may have been damaged by previous unregulated construction.

Under Health and Safety Code section 7050.5, a county coroner must contact the NAHC when Native American human remains are discovered, which often happens as a result of construction. In turn, the NAHC, using various documents including, but not limited to, ethnographic studies (studies of peoples and cultures), maps of traditional California Native American tribal territories, documents received from tribes and information in the Sacred Lands Inventory, determines which tribe or individual is most likely the descendant of the Native American whose remains have been discovered. This tribe or person, whom the NAHC staff designates as the "Most Likely Descendant" (MLD), then

⁸ NAHC v. Inyo County, Superior Court of Inyo County, Case No. SI CV PT 1557557 (2015).

has the legal obligation to confer with the owner of the property where the remains were found to reach an agreement over the treatment and disposition of those remains and any associated funerary, or burial, objects.

If the MLD and the landowner fail to reach such an agreement, the landowner must reinter, or rebury, the remains and associated funerary objects on the property in an area that will remain undisturbed. If the landowner reinters the remains and any associated funerary objects, the MLD also ensures the landowner's compliance with Public Resources Code section 5097.98 with respect to entering the location of reinterment on the NAHC's Sacred Lands Inventory or other appropriate information center, recording a document titled "Notice of Reinterment of Native American Remains," with the county where the property is located, or conveying a conservation easement to the MLD or the NAHC for the area where the remains are reinterred.

III. Mediation of Disputes

The NAHC mediates disputes between landowners and Most Likely Descendants regarding the treatment and disposition of Native American human remains and associated grave goods. (Public Resources Code section 5097.94 [k]). The NAHC's environmental scientist and analysts are trained in mediation. The NAHC also facilitates access by Native Americans to Native American sacred sites on public land (Public Resources Code section 5097.94 [b]), and has also worked to help tribes and government entities resolve disputes regarding the development of avoidance or mitigation measures to lessen impacts of projects on Native American cultural resources.

In 2014, the NAHC mediated a dispute between a Southern California local entity and a locally affiliated tribe regarding the treatment and disposition of numerous Native American human remains found as part of a sewer pipe project. The NAHC also helped a Sacramento-area private landowner understand his obligation to work with a locally affiliated tribe regarding reburials on the landowner's property. The NAHC started working with the Sutter Butte Flood Control Agency (SBFCA), the U.S. Army Corps of Engineers' Sacramento District, and the United Auburn Indian Community (UAIC) to achieve the repatriation of thousands of Native American human remains and associated grave goods.

The NAHC also joined the Los Angeles Department of Water and Power/Great Basin Air Quality District Cultural Resources Task Force (CRTF) to assist Inyo County tribes, the Los Angeles Department of Water and Power, and the Great Basin Air Quality District's efforts at reaching agreement on avoidance and mitigation measures for effects of the Owens Lake Dust Mitigation Project on Native American cultural resources.

The NAHC is currently adjudicating a dispute regarding the traditional and cultural affiliation of the Salinan and Chumash peoples to Morro Rock, offshore from Morro Bay

in San Luis Obispo County, for purposes of assisting the State Department of Parks and Recreation in granting ceremonial access. With the assistance of Professor Emerita Dorothea Theodoratus, retired professor of anthropology at the California State University, Sacramento and California's most highly regarded ethnographer of California's Native American tribes, the NAHC hopes to resolve this matter in 2015.

IV. Policy Formation

The NAHC began developing its own tribal consultation policy in 2014 in accordance with the Governor's Executive Order B-10-11. Monthly and ad hoc tribal consultation sessions with tribes regarding the draft policy began in 2014 and are expected to conclude in October 2015, at which time the NAHC will consider all the comments received to revise its draft policy for the Commission's consideration.

V. Tribal Consultation and Commission Meetings

The NAHC held its quarterly meetings in July and October of 2013, January, April, July and October of 2014, and January, April and July of 2015. The NAHC launched a series of monthly meetings throughout the state starting in October of 2014 to hold public workshops and tribal consultation sessions on its proposed rulemaking to adopt MLD regulations, its proposed tribal consultation policy, and its implementation of AB 52. NAHC Executive Secretary Gomez and NAHC staff also held several private tribal consultation sessions with several tribes during 2014 and 2015.

VI. Implementation of AB 52 and the California Native American Graves Protection and Repatriation Act

AB 52 represents a major change in CEQA. AB 52 creates a separate category of resource, "tribal cultural resources," for consideration under CEQA and provides a tribal consultation process by which California Native American tribes can have input on avoiding or reducing impacts to tribal cultural resources early in the CEQA process. AB 52 applies to any project for which a Notice of Preparation, Notice of Negative Declaration, or a Notice of Mitigated Negative Declaration is filed on or after July 1, 2015. The NAHC's duties under AB 52 includes providing California's 164 Native American tribes a list of every state and local agency that could be a lead agency under CEQA for projects within each tribe's area of traditional and cultural affiliation. This duty requires the NAHC to ascertain each tribe's area of traditional and cultural affiliation and overlay the jurisdictional areas of each state and local agency over each tribe's area of traditional and cultural affiliation. This task must be completed on or before July 1, 2016, and the NAHC's 2015-2016 fiscal year budget provides for the addition of nine new positions, two of which have been filled, for the NAHC to accomplish this task. The tribes' right to request tribal consultation under AB 52 became effective on July 1, 2015, fully a year before the NAHC is required to provide the necessary lists of CEQA lead agencies to them. The Governor's Office of Planning and

Research (OPR) has provided invaluable assistance to help the NAHC meet its deadline and educate tribes regarding AB 52.⁹

To make tribal consultation a meaningful right for tribes when AB 52 went into effect in July of this year, the NAHC worked with OPR to provide tribes lists of known state and local agencies searchable by county. The NAHC has also been soliciting and receiving tribal territorial maps as part of tribal consultation to ascertain each tribe's area of traditional and cultural affiliation. These maps will be kept confidential and used to create a confidential GIS mapping system to overlay state and local agencies' areas of jurisdiction over tribes' areas of traditional and cultural affiliation. The NAHC has received additional funding to implement this GIS mapping system, tentatively titled the Native American Lands Information System, or NALIS.

The NAHC has also provided template letters for use by tribes to request notification from and consultation with lead agencies for projects in their areas of traditional and cultural affiliation.

The NAHC is also charged with implementing CalNAGPRA and assuming the powers and duties of the former Repatriation Oversight Commission. To that end, the NAHC will have to update its website as required by Public Resources Code section 5097.98, train its Commissioners in mediation, and engage in rulemaking to create a process for addressing repatriation claims and imposing administrative or civil fines if necessary.

VII. Rulemaking

As part of the NAHC's long-term planning, the NAHC Commissioners voted on October 17, 2014 to begin adopting regulations for the NAHC's MLD designation process. Because the NAHC has never adopted regulations, the Commissioners decided to hold public workshops on the proposed MLD regulations and the rulemaking process before beginning formal rulemaking to learn from tribes and stakeholders what is or is not working with the current MLD designation process. These monthly workshops have been held at locations throughout the state since January of 2015 in Brooks, Rocklin, Temecula, Rohnert Park, Redding, and Solvang, concluding in San Diego in July 2015 where the Commission adopted a rulemaking schedule. The Commission anticipates completing the MLD rulemaking process in 2016.

⁹ The NAHC is extremely grateful for the assistance of Holly Roberson, Land Use Counsel for OPR. Ms. Roberson gave presentations at many of the NAHC's AB 52 tribal consultation sessions and provided greatly appreciated technical assistance.

VIII. Strategic Planning and Communications

The NAHC has a strategic plan in place, but a strengths, weaknesses, opportunities and threats analysis of the NAHC compels reconsideration of that plan. Staff will draft a revised strategic plan for the NAHC's consideration in 2016.

The NAHC's strengths include the depth of technical expertise of its staff members and their enduring commitment to the NAHC's mission. The NAHC's weaknesses include the small size of its staff in proportion to the breadth of the NAHC's mission and the fact that the majority of the staff at this time is retirement-eligible or retired annuitants, all of whom possess a great deal of institutional knowledge. The opportunity the NAHC faces is the possibility that AB 52, with sufficient staffing and funding, will position tribes to be better able to play a greater role in protecting Native American cultural resources in the CEQA environmental review process, thus becoming empowered partners with the NAHC in this endeavor. The threat the NAHC faces is that, due to greater enforcement and compliance efforts with respect to protecting Native American cultural resources and the effects of those efforts on certain stakeholders, the NAHC could be subject to political backlash that could emerge in the legislative budgeting process.

NAHC staff will be studying the following goals and objectives as part of its preparation of a draft revised strategic plan:

- Partnering with high schools, colleges, graduate programs and law schools to provide internship opportunities to increase the pool of qualified applicants for all NAHC positions
- Securing independent sources of funding for NAHC programs, such as an NAHC Special Interest License Plate Program, grants and contracts with state and local agencies to provide training on tribal consultation and compliance with the laws administered by the NAHC
- Partnering with law schools and pro bono legal organizations to provide additional investigatory, compliance and enforcement staffing and expertise at no cost to the NAHC
- Providing training on how to effectively serve as an MLD and participate in the CEQA environmental review process
- Using social media and digital communications to educate the public about California's unique laws protecting Native American cultural resources.

The NAHC has increased its communications with the public not only through its public workshops/tribal consultation sessions, but also through the use of Twitter® and direct letters to all of California's coroners and the press regarding protecting the

confidentiality of Native American burials and sacred sites. The NAHC staff is studying the feasibility of an online quarterly newsletter to ensure consistent education of and outreach to tribes and stakeholders alike.

IX. Enforcement and Compliance

The NAHC filled its general counsel position in December of 2013. As a result, the NAHC staff is better able to enforce the NAHC's laws protecting Native American cultural resources, and the NAHC is better able to pursue litigation when compliance with state laws protecting Native American cultural resources remains elusive. These compliance and enforcement actions include:

- Securing the repatriation of Native American human remains and associated grave goods from an archaeologist who had possessed them for years after a project was effectively terminated (Celebration Community Church)
- Filing a CEQA petition for writ of mandate against Inyo County for Inyo County's failure to properly determine the significance of Native American cultural resources before approving a mitigated negative declaration (NAHC v. Inyo County, Superior Court of Inyo County, Case No. SI CV PT 1557557 (2015))
- Securing the cooperation of a Sacramento-area landowner to work with a local tribe to protect Native American cultural resources where his property bordered a levee
- Securing the repatriation of thousands of Native American human remains and associated grave goods from the Feather River West Levee Project and declaring sites within the project area sacred sites following an investigative report and public hearing under Public Resources Code sections 5097.94, 5097.97 and 5097.98
- Serving as a participating member of the Los Angeles Department of Water and Power/Great Basin Air Quality District's Cultural Resources Task Force to assist with the adoption of avoidance and mitigation measures in along with Inyo County tribes, the federal Bureau of Land Management, the Office of State Historic Preservation, and the State Lands Commission to protect Native American cultural resources affected by the Owens Lake Dust Mitigation Project.

CONCLUSION

The NAHC Commissioners, Executive Secretary and staff remain committed to the NAHC's mission: protecting Native American cultural resources, ensuring Native American access to sacred sites on public property, and repatriating Native American human remains with dignity and respect. We welcome the changes, challenges and opportunities that 2015 and 2016 will bring.