



NATIVE AMERICAN HERITAGE COMMISSION

STRATEGIC PLAN UPDATE

July 2020

I. Revenue Generation

A. Sacred Lands/Tribal Consultation list fee

Current Status: In Process.

Quarterly Updates

January 2020: Staff is finalizing a draft procedure to implement SLF fees.

- Working with IT to get form on line
- Working with Accounting to process the payment
- A letter 30 days prior to inform the public of the fee schedule

July 2020: Regulation Development – Preliminary Activities. Due to COVID this task has been pushed back. Currently, the staff person working on this task has been activated to be a COVID-19 Contact Tracer.

- Draft completed of internal procedures
- Internal review has been delayed due to COVID
- Follow up with Accounting to incorporate proper accounting procedures and equipment for NAHC to collect fees

Considerations: Establishment of Admin unit. The Admin unit will subsequently be responsible for the implementation the charging of the fees.

B. Special Interest License Plate Subscription Campaign and Programs

Current Status: In Process.

Quarterly Updates

July 2020: Initial \$400,000 of plate revenues not received. Campaign expires in November 2020. See *License Plate Update*.

- C. Exploring additional funding strategies that are not dependent on funding from the General Fund, including: Grants, charging for specialized training, Charging for publications such as the Cultural Handbook

Current Status: None. To be assigned to Admin Unit once established.

Quarterly Updates

January 2020: Admin Unit has not been established. Recruitment for Admin personnel anticipated in the upcoming quarter.

July 2020: Due to COVID, recruitment for Admin staff has been delayed. Admin Unit has not been established. Pre-recruitment documents such as duty statements, screening criteria, interview questions are waiting for approval from HR.

Considerations: The establishment of the Admin Unit.

II. Capacity Development

- A. Draft a succession and retention plan as part of a larger, CalHR-required Workforce Plan

Current Status: None. To be assigned to Admin Unit once established.

Quarterly Updates

July 2020: No update at this time.

Considerations: The establishment of the Admin unit.

- B. Develop training modules for staff on institutional knowledge of tribes and Commission processes

Current Status: In Process.

Quarterly Updates

January 2020: As part of a succession plan, staff is in the producing PowerPoint training modules for new employees.

July 2020: Due to COVID, the producing PowerPoint training modules for new employees has been delayed.

C. Update internal policies and procedures

Current Status: Ongoing.

Quarterly Updates

January 2020: Ongoing, continue to update internal Commission policies and procedures, as needed.

D. Increase promotional opportunities for current staff by increasing staff size to sufficiently carry out the Commission's statutory duties

Current Status: Completed. Establishing positions and recruitment in process.

Quarterly Updates

January 2020: Recruitment process continues. Currently, recruiting for an Attorney and Admin positions.

July 2020: Ongoing - Enforcement Attorney Hired. Waiting for pre-recruitment paperwork duty statement, screening criteria, and interview questions to be approved by HR for: CalNAGPRA Attorney – Recruitment anticipated to for mid-August; Admin – Procurement and Admin HR recruitment anticipated for September.

E. Provide internship and externship opportunities for college and law students.

Current Status: Completed. Entered into new 2-year contracts with UCB, UCD, and UCLA.

Quarterly Updates

July 2020: NAHC has entered into new 2-year contracts with UCB, UCD, and UCLA.

III. Internal Compliance Plan Development

A. Create an internal compliance calendar and process to oversee internal compliance

Current Status: In Process. Internal Compliance Calendar created, needs to be updated and Admin unit to maintain.

Quarterly Updates

January 2020: To be assigned to Admin Unit. Recruitment to start this quarter.

July 2020: Due to COVID, the recruitment has been delayed. To be completed by Admin Unit. Recruitment to start this quarter.

Considerations: The establishment of the Admin unit.

B. Adopt regulations to implement and interpret statutes under the Commission's authority

Most Likely Descendant and Definitions

Current Status: In progress. October 2017 it was reported that regulations need to be sent to Resources Agency before they can start the formal rulemaking process. To date, the regulations were delayed due to the BCP and establishing ten positions granted to the NAHC. Environmental Staff has reviewed previous work done and has been assigned to complete as of 5/2019.

Quarterly Updates

January 2020: Draft MLD regulations went back out to tribes. The Commission received approx. 10 tribal comments. Staff, with the assistance of the AG's office, are currently reviewing to present to the subcommittee.

July 2020: Draft MLD regulations have been reviewed by staff and AG's office. To be presented to subcommittee for review and comment before presenting to full Commission January 2021.

Considerations: Due to the complex nature of the MLD Regs, considerations should include Resources agency review and the lengthy process of rulemaking.

C. Sacred Land Inventory List (Criteria for inclusion of the sites on the Sacred Land Inventory

Current Status: In Process.

Quarterly Updates

January 2020: Draft Regs from staff are ready to be internally reviewed.

July 2020: Regulation Development – Preliminary Activities. Due to COVID this task has been pushed back.

- Draft completed of internal procedures
- Internal review has been delayed due to COVID

Considerations: Internal review, tribal consultation, subcommittee review, Resources Agency review and the lengthy process of rulemaking.

D. SB 18 List

Current Status: Included with draft MLD Regs. Katy Sanchez has been assigned 5/2019. Staff is currently drafting regulations.

Quarterly Updates

January 2020: Criteria for inclusion of Tribes to be listed on Tribal Consultation List (SB18) will be included with the MLD Regs, since only Tribes can serve as an MLD.

July 2020: MLD Regs to be submitted to subcommittee for review.

Considerations: The subcommittee review and the lengthy process of rulemaking.

E. CaINAGPRA

Current Status: In Process. NAHC has entered into a contract with California Indian Legal Services (CILS).

Quarterly Updates

January 2020: NAHC continues to work with CILS.

July 2020: NAHC continues to work with CILS.

Considerations: Due to the complex nature various factors need to be considered.

F. Investigations on public hearings, PRC sections 5097.9, 5097.94(g), and 5097.97

Current Status: None.

Quarterly Updates

July 2020: No status to report.

Considerations: The date of hiring current legal staff. The lengthy process to recruit additional legal positions.

G. Mapping of geographic area of tribal traditional and cultural affiliation for CA Native American Tribes (PRC 5097.94 (m))

Current Status: None.

H. Interference with Native American Religion or Damage to Cemeteries of Places of Worship (PRC 5097.9)

Current Status: None.

I. Native American Heritage Commission Conflict of Interest Code

Current Status: None. Pending hiring of Legal Department.

Quarterly Updates

July 2020: To be completed by the Legal Department. Enforcement Attorney hired June 2020.

- J. Audit and enforce Landowners' compliance with reinternment provisions of the MLD Statute-(PRC 5097.98 (e))

Current Status: None. Currently lack resources to begin implementation.

Quarterly Updates

July 2020: Due to COVID-19, this has been delayed. Staff is currently teleworking and records are not digitized.

Considerations: Staff being back into the office or records digitized.

- K. Update contents and technology of the Sacred Lands Inventory

Current Status: Ongoing. Staff is reviewing and consulting with Tribes on the current contents of the Sacred Lands File.

Quarterly Updates

July 2020: Staff has completed reviewing the current contents of the Sacred Lands file.

Considerations: Tribal consultation to notify tribes of listings on our file and on how to implement a process to notify landowners whose property burials exist as under PRC 5097.94.

IV. Training Development

- A. Provide training for staff, tribes, and stakeholders on cultural resources laws

Current Status: None. Staffing up Legal Department.

Quarterly Updates

July 2020: No status to report.

Considerations: Staff up the legal department.

- B. Update the Cultural Resources Handbook

Current Status: In Process. Staff has reviewed materials in the Cultural Resources Handbook and is updating. On target for completion.

Quarterly Updates

January 2020: Staff is working on updating.

July 2020: Staff draft has been completed. Internal review has been delayed due to COVID-19.

Considerations: Pending Legislation and regulations.

V. Leveraging Technology

- A. Utilize the most up-to-date technology for video conferencing, webinars, and live streaming to rescue travel costs for consultations and training and increase accessibility

Current Status: In Process. Due to teleworking, we are in the process of working with IT to develop and implement the use of technology for videoconferencing and webinars.

Quarterly Updates

July 2020: Due to Covid-19 Staff is working/training with IT to utilize technology to conduct videoconferencing and webinars.

- B. Digitize the Commission's files

Current Status: In Process. Due to teleworking, we are in the process of working with IT to discuss and implement digitizing of the Commission's files to assist staff teleworking. Subsequently this will be assigned to Admin Unit when established.

Quarterly Updates

July 2020: Due to Teleworking, staff will be working with IT to discuss and implement the digitizing of the Commission's files to assist staff teleworking.

- C. Draft and circulate digital versions of a quarterly newsletter, annual report, SLAA reports, strategic plans, and Commission meeting minutes

Current Status: None. This will be assigned to Admin Unit when established.

- D. Update to Commission's website to include reports, plans, meeting minutes, newsletters, and information on cultural resource laws

Current Status: In Process.

VI. Serving Southern California Tribes

Conduct needs assessment for Southern CA office

Current Status: None.

Establish the UCLA Law School Tribal Cultural Resources project to provide training and representation to tribes and gather data for needs assessment

Current Status: Completed. Established UCLA Tribal Cultural Resources project in July 2017.