



STATE OF CALIFORNIA  
**NATIVE AMERICAN  
HERITAGE COMMISSION**

**EXECUTIVE SECRETARY REPORT**

**October 07, 2024**



**FAIRWELL COMMISSION!**

It is with profound gratitude to have served the Native American Heritage Commission as the Executive Secretary for the past 2 ½ years. To be appointed by Governor Newsom to lead the Commission has been a true highlight of my professional career, so it is with sadness I will be stepping down on Friday, October 18<sup>th</sup> after the conclusion of our Quarterly NAHC Public Meeting. I have been graciously considered and appointed to be the first Vice-President of the Wilton Rancheria Gaming Authority. Working for my Tribe has always been a passion and to be able to have the direct affect on our economic development and the betterment of our people and our community made this difficult choice a little bit easier. Serving the Commission, being a voice to help protect our Ancestors, or to help facilitate their return through NAGPRA & CalNAGPRA, is a purpose worth fighting for. I am truly blessed to have worked with such a diverse and committed Commission body led by Chairman Reggie Pagaling, and all my amazing staff members who do the heavy lifting day to day to continue our vision and mission to be voices for our Ancestors. I am leaving knowing we are heading in a positive direction and will be in good hands. Deputy Secretary Steven Quinn will take the lead as the Acting Executive Secretary in the interim. His dedication to the NAHC over the past several years, his true understanding of this state agency, work we do, our goals and objectives, and his caring and kind demeanor is an asset I have relied upon and will carry us into the future. All the best each and every one of you!

Kuchi Heima! (Many Blessings, Miwok)



Steven Quinn has served as the Deputy Executive Secretary at the California Native American Heritage Commission since December 2023. Previously he served as a Staff Services Manager at the California Native American Heritage Commission beginning in 2022. Steven was the Budget Change Manager at the California Department of Tax and Fee Administration from 2020 to 2022. He was an Associate Governmental Program Analyst at the California Native American Heritage Commission from 2018 to 2020 and at the California Department of Public Health in 2018. Steven earned a Bachelor of Science degree in Business Administration from California State University, Sacramento.

**VACANT NAHC POSITIONS**

**Associate Governmental Program Analyst: Administration Division**

The Commission will be posting a newly created AGPA/SSA position to assist the Administrative Division with managing the NAHC Website, Social Media pages, among other

administrative duties. Please monitor our NAHC Website for more information and posting dates.

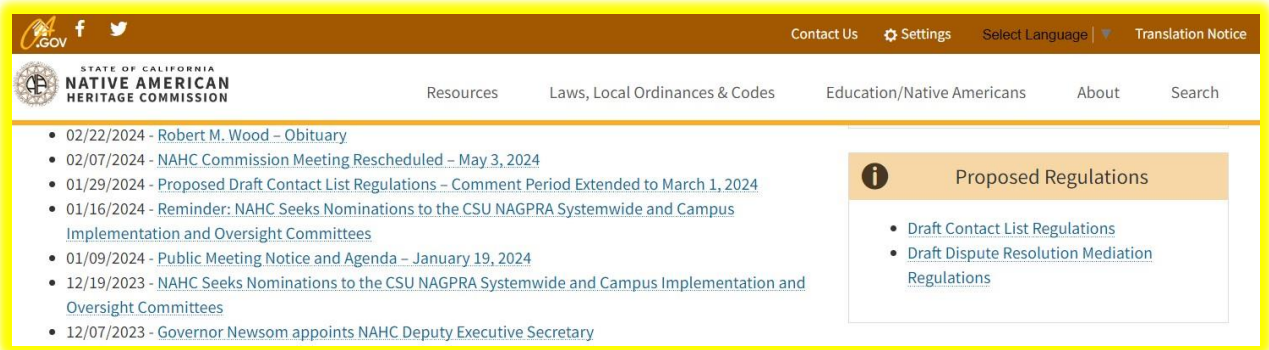
### **Associate Governmental Program Analyst: Environmental / Cultural Division**

The Commission will be posting an AGPA/SSA position for the Environmental / Cultural Division. The duties consist of creating various Tribal Consultation Lists for Lead Agencies, CalNAGPRA Lists for Institutions, and Most Likely Descendant(s) Determinations when Ancestors are inadvertently unearthed, among other duties. Please monitor our NAHC Website for more information and posting dates.

### **Draft Contact List Regulations**

On March 1, 2024, the Commission concluded a 120+ day Tribal Comment & Consultation Period. During that time, the Commission conducted (5) In-person Round Table discussions, (4) Virtual Zoom Listening Sessions, several 1-on-1 Tribal Consultations, and received many written Comment Letters. Access and information about the Contact List can be found on the **NAHC Website Homepage** and access the **Proposed Regulations** link (**Figure 1**).

**Figure 1. NAHC Homepage / Proposed Regulations**



Once the **Draft Contact List Regulations** Link has been accessed (**Figure 2**), users can navigate several **links** to all information about the status of the Draft Contact List Regulations. The Most recent **Link** added is the **“Summary of Comments”** which detail all comments received based on areas of the Draft Contact List Regulations **Figure 2**.

## Draft Contact List Regulations

The screenshot shows the website for the State of California Native American Heritage Commission. The header includes the state logo, social media icons, and navigation links for Contact Us, Settings, Select Language, and Translation Notice. The main navigation bar features icons for Resources, Laws, Local Ordinances & Codes, Education/Native Americans, About, and Search. The page title is "Proposed Draft Contact List Regulations".

**Tribal Consultation Period**

**The First Round Tribal Consultation Period ended on March 1, 2024. On January 19, 2024, the NAHC voted to approve a Second Round of tribal comment and consultations. The Second Round Tribal Consultation Period will occur once revisions are incorporated into the Draft Contact List Regulations.**

The Native American Heritage Commission (NAHC) seeks the input of California Native American Tribes on the development of regulations concerning the qualifications and process for placement on the NAHC Contact List. The NAHC Contact List is used to determine which tribes meet the statutory definition of a "California Native American Tribe" and are eligible to engage in consultation for purposes of Senate Bill 18 (tribal consultation in land use planning); Assembly Bill 52 (California Environmental Quality Act tribal consultation); Most Likely Descendent identifications under Public Resources Code Section 5097.98; and which tribes meet the definition of "California Indian Tribe" for the purposes of Assembly Bill 275 (CalNAGPRA).

The NAHC is seeking early tribal consultation and input on the draft regulations to fully consider diverse tribal viewpoints, expertise, and values relative to the NAHC Contact List. Tribal consultation and input are critical to ensure that the NAHC meaningfully considers the unique circumstances of each California Native American tribe in planning, drafting, and implementing these regulations.

[Proposed Draft Contact List Regulations](#)

[Open Meeting Act & Confidentiality FAQs](#)

[Contact List Origins & History](#)

[Contact List Regulations Questions for Consideration](#)

[Contact List Listening Session Dates](#)

[Summary of Comments](#) (First Round Tribal Comment and Consultation Period)

[Response to Comments](#) – (to be posted after the review of the Summary of Comments)

The next steps for the Draft Contact List Regulations are to thoroughly review the vast comments received and consult with Legal Counsel and the Contact List Subcommittee, which includes Vice-Chairwoman Buffy McQuillen and Commissioner Wayne Nelson on policy decisions and direction. It may take several months to fully review and create a Second Draft of the Contact List for entire Commissioner review and eventual release for Round II Tribal Comment & Consultation Period. We anticipate these being ready for the April 2025 Commission Meeting for review and potential approval.

### **Draft CalNAGPRA Dispute Resolution & Mediation Regulations**

On March 29, 2024, the Commission concluded Round II of a 60-Day Tribal Comment & Consultation Period. During this period, we conducted several 1-on-1 Tribal Consultations, (2) Virtual Zoom Listening Sessions, and accepted many written comments. To access all information about the CalNAGPRA Draft Dispute Resolution Mediation Regulations please see **NAHC Homepage / Proposed Regulations, (Figure 1)** then click the Mediation Link to access the **Draft Dispute Resolution Mediation Regulations (Figure 3)**.

**Figure 3. Draft Dispute Resolution Mediation Regulations**

The screenshot shows the website for the State of California Native American Heritage Commission. The page title is "Proposed Draft Dispute Resolution Mediation Regulations". Below the title, there is a section titled "Tribal Consultation Period" with a paragraph of text. Below this, there are several links: "February 7, 2022, Draft Dispute Resolution Mediation Regulations", "Summary of Tribal Comments", "Current Proposed Dispute Resolution Mediation Regulations", "Overview of Changes from February 7, 2022 Draft to Current Proposed Regulations", "Summary of Comments", and "Response to Comments - (to be posted after the review of the Summary of Comments)".

A [Link](#) to the “[Summary of Comments](#)” can be accessed for users to view all comments received by the Commission from the most recent Round II Tribal Comment & Consultation Period. We have worked with Legal Counsel and the Mediation Sub-Committee which include Chairman Reggie Pagaling and Secretary Sara Dutschke to review and make policy decisions to revise the Draft Regulations. This Draft will be presented to the full Commission on October 18<sup>th</sup> to determine whether to release for Round III of a Tribal Comment & Consultation Period or begin the formal APA Rulemaking process.

### **Draft Most Likely Descendants’ (MLD) Regulations**

Commission Legal Counsel Michelle Carr has reviewed the Draft MLD Regulations and identified several issues with the current regulations. We will reconvene working internally with the MLD Commission Subcommittee which include Commissioner Isaac Bojorquez and Commissioner Laurena Bolden to discuss issues and work to redraft a version of the Most Likely Descendants’ Regulations to be reviewed by the entire Commission and potentially redistributed to Tribes for a robust Tribal Comment & Consultation Period. These Regulations have been out to Tribal Consultation (3) different times since 2016 and need to be finalized. We are anticipating having a Draft for another round of Tribal Comment & Consultation by early in 2025.

### **Draft Sacred Lands Inventory & Fee (SLF) Regulations**

NAHC Staff are redrafting SLF Regulations on how Tribes can add Sacred Sites to our Sacred Sites Files. These Draft Regulations will also allow for the NAHC to charge a small fee for Sacred Lands File Searches which will include all searches being conducted by the Commission such as AB 52, SB 18, AB 168, SB 35, CalNAGPRA, AB 2022, and Cultural Resource Assessments Searches. As a part of the 2018-2022 NAHC Strategic Plan, the Commission had

embedded the need to charge for these searches, but a legislative fix would be needed to allow for fees. In 2019, a Trailer Bill was passed to allow for SLF Fees to be implemented with formal Regulations approved.

The SLF was created in the late 70's and early 80's to protect Sacred Places of Worship, Village Sites, and areas of tribal concern that need to be protected. Since then, most tribes on our Contact List have submitted their own tribal information, including Ancestral Territory, Village Sites, and places of worship they deem necessary to protect and preserve.

To be in alignment with the duties of the Commission, these Files need to be maintained. To carry out the directives of the expired Strategic Plan and the Trailer Bill language from 2019 that allows for SLF Search Fees, we are working to upgrade and streamline our Database. As Draft Regulations are written and a Commissioner Subcommittee has been identified, we will keep you apprised of upcoming Draft Regulations for Round I of Tribal Consultation.

### **CalNAGPRA Process & Enforcement Regulations**

After several internal discussions, we determined to no longer work on CalNAGPRA Process Regulations as the process is outlined within the AB 275 Statute. We will however create CalNAGPRA Enforcement Regulations instead of creating 2 separate regulations. These Regulations will outline the process how to levy fines for non-compliance to the CalNAGPRA Process. NAHC Staff and Legal will continue working with the Commission Sub-Committee, Secretary Sara Dutschke and Chairman Reggie Pagaling to create a solid Draft of the CalNAGPRA Process & Enforcement Regulations to reflect AB 275 and the steps to repatriate the 1000's of collections still being held by some State Agencies and Higher Learning Institutions. Enforcement Regulations allow the NAHC to have the ability to levy fines for repatriation violations. We are striving for Spring/Summer 2025 for potential release to Tribes for Round I of Tribal Comment & Consultation to begin the Regulations codification process. In January of 2024, federal NAGPRA ratified several amendments that have an overarching effect on CalNAGPRA and completely change the direction and authority the NAHC has with tracking and enforcing these regulations. Currently, Staff Counsel Mario Pallari has created a CalNAGPRA Flow Chart outlining an easy step by step process for Repatriation which can be found on the **NAHC Website Homepage, CalNAGPRA Tab, "[CalNAGPRA Resources and FAQ](#)" Tab (Figure 4)**. Please note, this flow chart now has to be reviewed and updated to reflect the NAGPRA Amendments.

**Figure 4. NAHC Homepage / CalNAGPRA**



## CalNAGPRA Dispute Resolution Mediation Certified Training and Mediator Program

In July of 2022, Commissioners directed NAHC Staff to create a pool of mediators throughout the State who could assist the NAHC with its responsibility of providing mediation when disputes arise pertaining to CalNAGPRA. Since that time, we have actively identified and executed a contract with the Restorative Justice Center (“RJC”) at UC Berkeley to work with NAHC to create and facilitate a Certified Mediation Training Program focused on CalNAGPRA and Restorative Justice Principles. The first round of training will include qualified candidates who can assist with dispute resolution and mediation services around the State. This training includes any Commissioner or NAHC Staff who would like to attend. Once a pool of certified mediators is identified, the RJC will manage and oversee the costs and scheduling of mediators to conduct the mediation sessions including time, travel, and accommodations. More information and training dates will be released in the coming months as we work to build this training module.

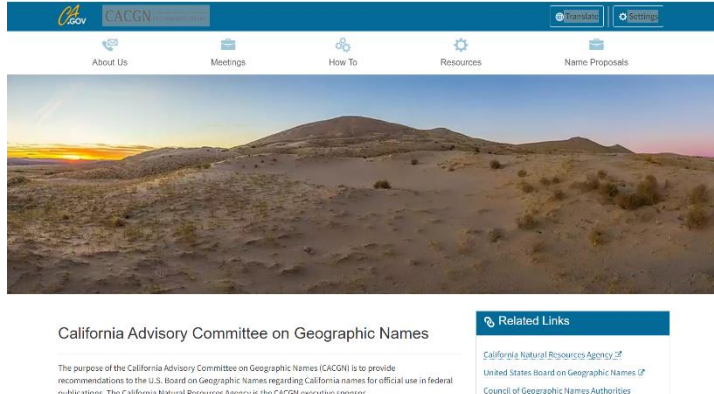
## 57<sup>th</sup> Annual California Native American Day



On Friday, September 27, 2024, the NAHC led the charge planning and overseeing the 57<sup>th</sup> Annual California Native American Day held on the West steps of the State Capitol. This year's theme was "**Recognizing 100 Years of Citizenship and the Fight for the Right to Vote: 1924-2024**". Mr. Carl Avery was the chosen native artist for this year's artwork. We had over 7,000 attendees by far the biggest Native American Day yet. We have over 55 State Agency booths, 45 non-profit and Native services booths, 25 retail arts & crafts booths, 4 food & beverage trucks, 17 cultural practitioners, 9 tribal cultural departments sharing traditional

knowledge and hands on displays, and 3 Cultural Dancing & Singing Groups. From the Central Region, we had the Xa' Batin Feather Dancers, representing the Pomo Tribes of the Upper Lake Area, and the California Kalte Crew representing the Miwok and Ninesan peoples of the region, and from the southern region, the Intertribal Bird Singers and Dancers led by Commissioner Wayne Nelson, including Commissioner Bennae Calac and Assemblymember James Ramos who was our Keynote Speaker for the day. I want to personally thank all my staff who spend countless hours planning and executing the day. I would also like to thank the many tribal sponsors and State Agencies who funded and provided in kind services to make the day a success!

## California Advisory Committee on Geographic Names (“CACGN”)



As a part of AB 2022, the CACGN will be monitoring the progress of Cities and Counties outreach to California Native American Tribes within culturally affiliated areas where Sq. and Derogatory Names are present in geographic locations including public streets, bridges, and buildings. In March during a Public Meeting, the CACGN voted to keep the name of Habematolel Valley in Lake County to replace Sq. Valley. Another proposed

name was Kilkenny Valley was not accepted. In Ventura County, three Sq. features were renamed by the Barbareño Ventureño Band of Mission Indians in Chumash language that were voted on and accepted by the CACGN. A new derogatory name has been assigned to CACGN to review in Lake County. The current name of the town is Kelseyville and many federally recognized tribes have shown unified interest and support for the proposed name change to Konocti. The history of Kelsey was one of horrific stories of slavery, rape, and murder towards the indigenous Pomo of the area. As a part of AB 2022, Cities & Counties have until August 06, 2024, to submit recommended names to change the current (46) Sq. names around the State. The CACGN has until January 2025 to approve these recommended names. For more information, please go to [cacgn.ca.gov](http://cacgn.ca.gov) to access the CACGN Website.

## Environmental & Cultural Division Update

The NAHC Environmental & Cultural Division Staff Analysts are responsible for several functions. Maintaining and updating contacts for Tribes on the Contacts List for general information, CACGN, MLD Determinations, AB 52, SB18, AB 168, and other project requests, GIS Tribal Cultural Affiliation Map updates and submissions, SLF Searches, among other functions. For Q1 (Jul-Sept), the Division completed the following:

<b>(13)</b>	<b>Most Likely Descendant(s)</b> determinations
<b>(1,625)</b>	<b>Contact Information Requests</b> (AB 52, SB 18, AB 168, Contact List, CalNAGPRA)
<b>(6,469)</b>	<b>Sacred Lands File Searches</b>

## National Native American Heritage Month Parade & Celebration



On Saturday, November 09, 2024, from 10:00am -2:00pm at the Capitol Mall, a parade will be held to celebrate National Native American Heritage Month. The Native American Monument Commemoration event will also be held on east lawn of the Capitol where the new Native American monument has been erected. This year's festivities are hosted by the CA Legislative Native American Caucus celebrating the contributions, achievements, cultural diversity, and impact of California's First People. Thus far over 40 entries have signed on to participate in the parade.