



California Native American Heritage Commission Special Commission Meeting Minutes Open Session

Meeting Date: October 10, 2025

Meeting Time: 10:16 am - 2:29 pm

Meeting Location: Paradise Event Center, 450 Quechan Drive, Winterhaven, CA 92283

COMMISSIONERS PRESENT

Reginald Pagaling, *Chairperson*
Buffy McQuillen, *Vice-Chairperson*
Wayne Nelson, *Parliamentarian*
Bennae Calac
Stanley Rodriguez

STAFF PRESENT

Michelle Carr, *Acting Executive Secretary
and Chief Counsel*
Mario Pallari, *Staff Counsel*
Conner Mulligan, *Staff Services Manager I*

COMMISSIONERS ABSENT

Isaac Bojorquez, *Secretary*
Sara Dutschke

CALL TO ORDER

1. Chairperson Pagaling called the special meeting to order at 10:16 am.
2. Roll call – a quorum was established.
3. The Native American Heritage Commission (NAHC) Commissioners and Staff were introduced.
4. Zion White, Councilman, Quechan Indian Tribe, led the Traditional Opening.

ACTION

1. Approval of Meeting Minutes
 - a. August 1, 2025 – Open Session

Commission Vote: Approve August 1, 2025, Open Session minutes.

Motion: Commissioner Nelson

Second: Commissioner Calac

Aye: 5; **Nay:** 0; **Abstained:** 0

Motion carried.

2. California State University (CSU) Systemwide/Campus Repatriation and Oversight Committee Nominations

CSU Bakersfield

- a. Commission to consider the nomination of Larea Lewis, Federally Recognized Tribal Representative, CSU Bakersfield.

Commission Vote: Nominate Larea Lewis to CSU Bakersfield Repatriation and Oversight Committee

Motion: Commissioner Calac

Second: Commissioner Nelson

Aye 5; Nay 0; Abstained 0

Motion carried.

Chairperson Pagaling asked Staff Counsel Pallari if the nominees have been approved by the sub-committee.

Staff Counsel Pallari confirmed that all nominations here are recommended and reviewed by the sub-committee.

CSU Los Angeles

- b. Commission to consider the nomination of Carolyn Dunn, CSU Representative, CSU Los Angeles.

Commission Vote: Nominate Carolyn Dunn to CSU Los Angeles Repatriation and Oversight Committee

Motion: Vice-Chairperson McQuillen

Second: Commissioner Rodriguez

Aye 5; Nay 0; Abstained 0

Motion carried.

- c. Commission to consider the nomination of Tarisi Vunidilo, CSU Native American Studies Representative, CSU Los Angeles.

Commission Vote: Nominate Tarisi Vunidilo to CSU Los Angeles Repatriation and Oversight Committee

Motion: Vice-Chairperson McQuillen

Second: Commissioner Calac

Aye 5; Nay 0; Abstained 0

Motion carried.

CSU Fresno

- d. Commission to consider the nomination of Robert Gomez, Non-Federally Recognized Tribal Representative, CSU Fresno.

Commission Vote: Nominate Robert Gomez to CSU Fresno Repatriation and Oversight Committee

Motion: Commissioner Rodriguez

Second: Vice-Chairperson McQuillen

Aye 5; Nay 0; Abstained 0

Motion carried.

Cal Poly Humboldt

- e. Commission to consider the nomination of Lonyx Landry, Non-Federally Recognized Tribal Representative, Cal Poly Humboldt.

Commission Vote: Nominate Lonyx Landry to Cal Poly Humboldt Repatriation and Oversight Committee

Motion: Commissioner Rodriguez

Second: Commissioner Nelson

Aye 5; Nay 0; Abstained 0

Motion carried.

CSU Systemwide

- f. Commission to consider the nomination of Cutcha Risling Baldy, CSU Native American Studies Representative, CSU Systemwide.

Commission Vote: Nominate Cutcha Risling Baldy to CSU Systemwide Repatriation and Oversight Committee

Motion: Commissioner Rodriguez

Second: Vice-Chairperson McQuillen

Aye 5; Nay 0; Abstained 0

Motion carried.

- 3. CSU Chancellor's Office updates regarding AB 389 compliance, including Systemwide Policy Development

Samantha Cypret, Executive Director for the Office of Tribal Relations for the CSU Chancellor's Office, provided an update on the CSU's progress towards Native American Graves Protection and Repatriation Act (NAGPRA) compliance as well as ongoing implementation of recommendations from the outreach sessions into the CSU's Systemwide NAGPRA Policy. The revised draft Policy is under internal review by the Office of General Counsel and the collective bargaining team.

Vice-Chairperson McQuillen asked Executive Director Cypret if this was the third draft of the Policy that the CSU was releasing, which was confirmed by Executive Director Cypret.

Vice-Chairperson McQuillen asked when the next draft is expected to be released, and whether it will be the final Policy. Executive Director Cypret responded that the CSU expects to release the next draft within the next week or two after general counsel and collective bargaining team review and the hope is to release it as final.

Vice-Chairperson McQuillen asked when the CSU expects to initiate consultation for the Tribal Consultation Policy and Executive Director Cypret indicated that the NAHC can expect a similar process to occur after the Systemwide NAGPRA Policy is finalized, and that consultation will start shortly after.

Vice-Chairperson McQuillen asked how the Systemwide Committee will be included in the process of creating the Tribal Consultation Policy and Executive Director Cypret indicated that the Systemwide Committee will be involved in the initial formation of the Policy.

Commissioner Calac wanted to know how the CSU Chancellor's Office was contacting tribes to make them aware of the outreach sessions. Executive Director Cypret responded that her office sent out information on the outreach sessions to the full NAHC's CalNAGPRA contact list with every iteration that they have drafted so far.

Vice-Chairperson McQuillen asked if campus committees are responsible for approving repatriations and if that process is documented. In response, Executive Director Cypret indicated that campus committee's bi-monthly reports would be her office's first way of tracking that and after reviewing those reports, her office will follow up with the campus committees to ensure that they were reporting it properly. If campus committees weren't reporting, they would intervene and educate them on proper procedure.

Vice-Chairperson McQuillen asked if Executive Director Cypret has considered a process that would be inclusive of each of the committee members and making sure that they are feeling included in the decision-making process. Executive Director Cypret said that is something they could incorporate, yet it is not something they have done. She followed that statement, letting the Commission know that the CSU has a robust survey that they conduct each year, and she plans to have the committee members included in filling out that survey next year to gain a better understanding of how things are going. She also mentioned that she does attend meetings regularly and she lets the committee members know that she is available if they have any questions or concerns, that they could bring those to her office directly.

Vice-Chairperson McQuillen brought up field schools and Cultural Resource Management (CRM). She asked at what point does your office, categorically, make a decision that you are not going to allow these institutions to bring in new NAGPRA collections? Executive Director Cypret responded that no new collections are allowed to be brought in, no NAGPRA collections, and no potentially NAGPRA collections, and that is woven throughout the Policy. Campuses cannot initiate a CRM firm. Tribes have to decide who they use for CRM.

Chairperson Pagaling asked if the CSU has given thought to working with tribes about storage and developing a repository or repository agreement. Executive Director Cypret responded by letting the commission know that they have a template Held-in-Trust Agreement that they utilize in the event that a NAGPRA collection has been repatriated but the tribe doesn't have the means to physically take the items back, they are allowed to keep their items at the CSU campus indefinitely without a cost to the tribe.

Commissioner Calac asked Executive Director Cypret if there is a way for committee members to submit a concern anonymously and Executive Director Cypret responded that there is a feedback form on the website for the Policy, but that the CSU could add another section for general feedback in a portal that will allow for anonymous entries.

Break from 11:11 am to 11:24 am.

Public Comment: Juliana M. Comet, Tribal Elder, Quechan Indian Tribe, wanted clarification on why the CSU system didn't have NAGPRA compliance already instituted, since NAGPRA was made a law in 1990.

Acting Executive Secretary Carr noted that the agenda stated that we would go to closed session at 11:00 am, she requested that the Commission take a vote to change it to a time certain or to another place on the agenda.

Commission Vote: Move closed session to the end of the meeting before public comment.

Motion: Vice-Chairperson McQuillen

Second: Commissioner Calac

Aye 5; Nay 0; Abstained 0

Motion carried.

4. Interim CSU NAGPRA Policy

Acting Executive Secretary Carr stated that the NAHC sent a letter to the CSU on October 6, 2025, asking them to make changes that should be included in the Policy before it is finalized.

Staff Attorney Pallari read the letter aloud noting that it will be posted on the NAHC website next week.

Acting Executive Secretary Carr asked the Commission to make a recommendation on how the CSU should proceed based on the items that were requested to be made to the Policy and when they should move to finalize.

Commissioner Calac said that after the discussion today, she would like to have the CSU make more changes. Most specifically for committee members to be able to submit concerns to the Office of Tribal Relations.

Executive Director Cypret stated that those changes can be made via procedure verses writing those into the Policy.

Vice-Chairperson McQuillen requested that the final draft of the Policy be sent to NAHC for approval, prior to finalizing.

Commission Vote: The NAHC will recommend that the CSU finalize the Policy once it has been approved by the Executive Committee.

Motion: Commissioner Calac

Second: Vice-Chairperson McQuillen

Aye 5; Nay 0; Abstained 0

Motion carried.

Public Comment: Manfred Scott, Kw'tsan Cultural Committee Acting Chair, Quechan Indian Tribe, asked for clarification on what the Commission was voting on. He also wanted to change the language of "inadvertent discovery" to something different.

Chairperson Pagaling and Staff Counsel Pallari provided clarification on the policy itself, the letter read today, and why the term "inadvertent discovery" is being used.

5. Draft CalNAGPRA Enforcement Regulations (Michelle Carr, Acting Executive Secretary)

a. Status of draft CalNAGPRA Enforcement Regulations.

Acting Executive Secretary Carr provided a status update for the draft CalNAGPRA Enforcement Regulations. Commission staff hope to have them ready to go to the Office of Administrative Law (OAL) to start the rulemaking process no later than January 2026.

b. Commission to consider sending revised draft CalNAGPRA Enforcement Regulations for a 30-day comment and consultation period.

Commission Vote: Send revised draft CalNAGPRA Enforcement Regulations out to the tribal community for a 30-day comment and consultation period.

Motion: Commissioner Calac

Second: Commissioner Nelson

Aye 5; Nay 0; Abstained 0

Motion carried.

6. 50th Anniversary Planning Committee

Commissioner Calac provided an update on the 50th Anniversary celebration planning. The location has not been identified but the planning committee is taking recommendations. The date is also pending.

Vice-Chairperson McQuillen asked if Assemblymember Ramos has been included or invited to the event.

Commissioner Calac noted that during the event the planning committee is looking to acknowledge past Commissioners.

INFORMATIONAL

7. CalNAGPRA Mediation and Dispute Resolution Regulations Update

Acting Executive Secretary Carr provided a status update for the CalNAGPRA Mediation and Dispute Resolution Regulations. The NAHC staff filed these with the OAL on August 5, 2025. The regulations were withdrawn from OAL on September 12, 2025, to update the language based on recommendations from the attorney at OAL. Once the updated language is finalized there will be a notice to the public for a 15-day review and if no changes are made, then the Commission must re-adopt the language and resubmit to the OAL. The deadline to resubmit is January 17, 2026, which is one year from Commission approval. The subcommittee was updated and are aware of this process. Staff may request a special meeting to approve the new language, or resubmit without Commission approval, and would automatically get a disapproval from OAL. A disapproval from OAL would give us an 180-day extension to remedy the problem.

Vice-Chairperson McQuillen asked since they were withdrawn what do we need to do before the January 17, 2026, deadline.

Acting Executive Secretary Carr notified the Commission that it would be best to hold a special meeting prior to the January 17, 2026, deadline to vote to approve the updated language.

Vice-Chairperson McQuillen asked when this potential special meeting would need to happen.

Acting Executive Secretary Carr responded that either November or December sometime would work.

Chairperson Pagaling offered to host a special meeting at Santa Ynez sometime during the first week of December, as an option.

8. Contact List Regulations Update

Staff Counsel Pallari stated that on Monday, October 13, 2025, the Commission will be releasing the draft Contact List Regulations for the second round of 60-day tribal comment and consultation period as previously approved at the May 9, 2025, meeting.

Acting Executive Secretary Carr provided a synopsis on the recent history of the draft Contact List Regulations.

Break for lunch from 12:12 pm to 1:17 pm.

9. Executive Secretary Report

Acting Executive Secretary Carr provided a report for the Environmental and Cultural Division from July 1, 2025, to September 30, 2025, made 14 Most Likely Descendant (MLD) designations, received and completed 1,915 NAHC contact list requests, and completed 10,000 searches of the Sacred Lands File. Acting Executive Secretary Carr also provided an update on the hiring and staffing updates within the NAHC.

10. Commissioner Reports

Chairperson Pagaling updated the public on an event happening on the weekend.

CLOSED SESSION

Pending Litigation: *California Indian Nation v. Native American Heritage Commission*, Superior Court of Sacramento County, Case No. 25-WM-000157 (Government Code, § 11126(e)(1), (2)(A))

**Closed Session Announced 1:20 pm.
Return from Closed Session 2:09 pm.**

PUBLIC COMMENT

1. Jordan Joaquin, Tribal Member, Quechan Indian Tribe, stated that they commend the NAHC for the keeping up the fight in returning the artifacts to tribes. He stated "When we go to visit the US Government and I shake their hands, I put my hands out to reaffirm the trust responsibility that the government has for us. We can't let them off the hook and just say 'we're ok.' Whether we are a small, or rural tribe, a rich tribe, or a poor tribe, we are the first people of this country."
2. Donald Medart Jr., Tribal Member, Quechan Indian Tribe, gave the public an overview of the Quechan Tribe. He requested that the Commission create more advocacy and do more outreach on what the NAHC does and how they can help tribes throughout the State of California.

Vice-Chairperson McQuillen reminded the public that the NAHC is the entity within the State of California that has the statutory authority to do repatriation work, and to uplift and support State and Federal Designations, and to work with the State Historic Preservation Office and California State Parks. No other entity in the State of California, other than the Governor, has that authority under state law.

3. Juliana M. Comet, Tribal Elder, Quechan Indian Tribe, requested help from the NAHC to recover a large book, with tribal language inside, that she believes went to the diocese office of San Diego.
4. Manfred Scott, Kw'tsan Cultural Committee Acting Chair, Quechan Indian Tribe, requested help from the NAHC to recover about 3,000 artifacts that are in the possession of the California BLM Palm Springs office regarding Genesis project.

Commissioner Calac asked Manfred Scott if a final report was provided regarding the artifacts.

Manfred Scott responded that they did not get a report where the artifacts are, and that staff have moved on making it difficult to follow up.

5. Ernestina Noreiga, Kw'tsan Cultural Committee Member, Quechan Indian Tribe, is proposing punishment for vandalism of petroglyphs by revoking their driver's license, federal prison, and pay a fine.

ADJOURNMENT

Commission Vote: Adjourn the October 10, 2025, Commission Meeting.

Motion: Commissioner Calac

Second: Commissioner Nelson

Aye 5; Nay 0; Abstained 0

Motion carried.

Meeting adjourned at 2:29 pm.

Respectfully submitted and approved on behalf of the Native American Heritage Commission.

Reginald Pagaling, *Chairperson*

Isaac Bojorquez, *Secretary*

DRAFT