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By Email Only

January 17, 2025

Re: CEC Revised Joint Scheduling Order and Request for Information Regarding Cultural and Tribal Cultural Resources, CEC Staff's Response to Committee Orders, and Responses by Others (23-AFC-01, 23-AFC-02, 23-AFC-03)

Dear CEC Commissioners and Staff,

This letter is timely submitted on behalf of Carmen Lucas, Kwaaymii Laguna Band of Indians, in response to the CEC's December 4, 2024, *Revised Joint Scheduling Order and Request for Information Regarding Cultural and Tribal Cultural Resources* (CEC Joint Order) and CEC Staff's December 18, 2024, *Staff Response to Committee's Orders* (CEC Staff Response), as well as certain responsive letters docketed before the comment deadline.

CEC Joint Order

One topic, tribal cultural resources, appears to have been singled out for extraordinary treatment in the CEC Joint Order. It is Ms. Lucas's hope that tribal cultural resources will not be held to a different, heightened standard during these proceedings, as that would raise a host of equity and justice concerns.

The CEC also should be aware that the process for these three Applications for Certification (AFC) has been and continues to be exceedingly difficult to navigate and costly to engage in, especially for tribes like Kwaaymii who continue to lack sufficient funding, government incentives, and other resources that are available to the Applicants and others. Responding to the CEC Joint Order created additional burdens on Kwaaymii and other affiliated tribes.

CEC Staff Response

Ms. Lucas generally supports the Staff Analysis in the three Preliminary Staff Assessments (PSAs) and in the CEC Staff Response. She intends to continue to consult with CEC Staff on clarifications which she hopes we will be reflected in the Final Staff Assessments (FSAs).

One likely change relates to refinements to the working draft boundary of the Southeast Lake Cahuilla Active Volcanic Cultural District (SELCAVCD) from that depicted in the CEC Staff Response. We anticipate those will result in a contiguous district.

Sohagi Law Group Response

Correspondence from the Sohagi Law Group (Sohagi) on behalf of Imperial County is misleading in several respects.

A prior Sohagi letter dated September 25, 2024, (which generated the Request for Information in the CEC Joint Order) took aim at Carmen Lucas and her qualifications to render an opinion on her culture (and also made other misrepresentations which we intend to address in future correspondence). This personal attack was completely unwarranted and unsupported, and we believe was intended to unnecessarily politicize the process and silence Ms. Lucas, a respected tribal elder. To the contrary, Ms. Lucas is unquestionably qualified to render an expert opinion on her culture consistent with the guidance set forth in OPR's Technical Advisory *AB 52 and Tribal Cultural Resources in CEQA* (see page 5). Please also see the attached brief summary of Ms. Lucas' background, experience, and expertise (**Attachment 1**). Ms. Lucas has asked Imperial County for a written apology. To date, this has not been received.

The Sohagi letter dated January 8, 2025, further attempts to confuse matters by inviting the CEC to join it in implementing a plan (the proposed Lithium Valley Specific Plan) that is *unadopted*, and in fact whose environmental document has not even been released for public review, contrary to the requirements of CEQA. Moreover, because that plan relates to lithium and lithium adjacent industry – *not* the three proposed geothermal plants that are the subject of these proceedings – Sohagi's comments are out of scope and should be disregarded on that basis alone.

Nonetheless, the Sohagi letter continues to peddle a false narrative regarding registering historic properties. The National Historic Preservation Act (NHPA) and the National Register of Historic Places (NRHP) are, in fact, largely planning tools. Registering properties provides a valuable record of resources and is an excellent planning tool to aid agencies and applicants in the long-term management of both historic properties and development in a way that supports informed change. As noted elsewhere in the docket, registering does

not necessarily preclude responsible development and in fact may aid in streamlined review of future proposed projects for tribes, agencies, and applicants alike.

Similarly, SB 18 (2004) was adopted so that California Indian tribes could have a say in land use planning specifically through advocating for sensitive areas to be placed into open space land use designations, to benefit both the cultural resource and land use planning processes, such as the County's Lithium Valley Specific Plan:

(a) The Legislature finds and declares all of the following:

(1) Current state law provides a limited measure of protection for California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places.

(2) Existing law provides limited protection for Native American sanctified cemeteries, places of worship, religious, ceremonial sites, sacred shrines, historic or prehistoric ruins, burial grounds, archaeological or historic sites, inscriptions made by Native Americans at those sites, archaeological or historic Native American rock art, and archaeological or historic features of Native American historic, cultural, and sacred sites.

(3) Native American places of prehistoric, archaeological, cultural, spiritual, and ceremonial importance reflect the tribes' continuing cultural ties to the land and to their traditional heritages.

(4) Many of these historical, cultural, and religious sites are not located within the current boundaries of California Native American reservations and rancherias, and therefore are not covered by the protectionist policies of tribal governments.

(b) In recognition of California Native American tribal sovereignty and the unique relationship between California local governments and California tribal governments, it is the intent of the Legislature, in enacting this act, to accomplish all of the following:

(1) Recognize that California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places are essential elements in tribal cultural traditions, heritages, and identities.

(2) Establish meaningful consultations between California Native American tribal governments and California local governments at the earliest possible point in the local government land use planning process so that these places can be identified and considered.

(3) Establish government-to-government consultations regarding potential means to preserve those places, determine the level of necessary confidentiality of their specific location, and develop proper treatment and management plans.

(4) Ensure that local and tribal governments have information available early in the land use planning process to avoid potential conflicts over the preservation

of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places.

(5) Enable California Native American tribes to manage and act as caretakers of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places.

(6) Encourage local governments to consider preservation of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places in their land use planning processes by placing them in open space.

(7) Encourage local governments to consider the cultural aspects of California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places early in land use planning processes.

(Emphasis added).

Next, the California Legislature enacted AB 52 (2014) to provide California tribes a clear voice in the CEQA (or CEQA functional equivalent) process for individual proposed projects, such as BHE Renewables' (BHER's) three proposed geothermal plants:

(a) The Legislature finds and declares all of the following:

(1) Current state law provides a limited measure of protection for sites, features, places, objects, and landscapes with cultural value to California Native American tribes.

(2) Existing law provides limited protection for Native American sacred places, including, but not limited to, places of worship, religious or ceremonial sites, and sacred shrines.

(3) The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) does not readily or directly include California Native American tribes' knowledge and concerns. This has resulted in significant environmental impacts to tribal cultural resources and sacred places, including cumulative impacts, to the detriment of California Native American tribes and California's environment.

(4) As California Native Americans have used, and continue to use, natural settings in the conduct of religious observances, ceremonies, and cultural practices and beliefs, these resources reflect the tribes' continuing cultural ties to the land and their traditional heritages.

(5) Many of these archaeological, historical, cultural, and sacred sites are not located within the current boundaries of California Native American reservations and rancherias, and therefore are not covered by the protectionist policies of tribal governments.

(b) In recognition of California Native American tribal sovereignty and the unique relationship of California local governments and public agencies with California Native American tribal governments, and respecting the interests and roles of project proponents, it is the intent of the Legislature, in enacting this act, to accomplish all of the following:

(1) Recognize that California Native American prehistoric, historic, archaeological, cultural, and sacred places are essential elements in tribal cultural traditions, heritages, and identities.

(2) Establish a new category of resources in the California Environmental Quality Act called "tribal cultural resources" that considers the tribal cultural values in addition to the scientific and archaeological values when determining impacts and mitigation.

(3) Establish examples of mitigation measures for tribal cultural resources that uphold the existing mitigation preference for historical and archaeological resources of preservation in place, if feasible.

(4) Recognize that California Native American tribes may have expertise with regard to their tribal history and practices, which concern the tribal cultural resources with which they are traditionally and culturally affiliated. Because the California Environmental Quality Act calls for a sufficient degree of analysis, tribal knowledge about the land and tribal cultural resources at issue should be included in environmental assessments for projects that may have a significant impact on those resources.

(5) In recognition of their governmental status, establish a meaningful consultation process between California Native American tribal governments and lead agencies, respecting the interests and roles of all California Native American tribes and project proponents, and the level of required confidentiality concerning tribal cultural resources, at the earliest possible point in the California Environmental Quality Act environmental review process, so that tribal cultural resources can be identified, and culturally appropriate mitigation and mitigation monitoring programs can be considered by the decisionmaking body of the lead agency.

(6) Recognize the unique history of California Native American tribes and uphold existing rights of all California Native American tribes to participate in, and contribute their knowledge to, the environmental review process pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(7) Ensure that local and tribal governments, public agencies, and project proponents have information available, early in the California Environmental Quality Act environmental review process, for purposes of identifying and addressing potential adverse impacts to tribal cultural resources and to reduce the potential for delay and conflicts in the environmental review process.

(8) Enable California Native American tribes to manage and accept conveyances of, and act as caretakers of, tribal cultural resources.

(9) Establish that a substantial adverse change to a tribal cultural resource has a significant effect on the environment.

(Emphasis added).

Moreover, the Sohagi letter selectively cites to state policies, completely omitting reference to state policies supporting California tribal sovereignty and sacred place protection. On June 18, 2019, Governor Newsom issued Executive Order N-15-19 (**Attachment 2**), which reaffirmed and incorporated the principles outlined in Executive Order B-10-11 and further acknowledged and apologized on behalf of the State for the historical “violence, exploitation, dispossession and the attempted destruction of tribal communities” that dislocated California Native Americans from their ancestral lands and sacred practices. On September 25, 2020, Governor Newsom issued a Statement of Administration Policy on Native American Ancestral Lands (**Attachment 3**), which encouraged every State agency, department, board, and commission to seek opportunities to support California tribes’ co-management of and access to natural lands that are within a California tribe’s ancestral land and under the ownership or control of the State of California, and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs. Clearly, tribal cultural resource protection is both a short-term and long-term environmental goal of the State.

Finally, Sohagi’s letters also fail to take into account the many benefits of registering historic properties, such as: access to grants and incentives, maintaining an amenity for local communities and green tourism, supporting environmental goals of the National Wildlife Refuge, and adding potential recreational improvements (such as trails) linking nearby features within the landscape.

In sum, Ms. Lucas should not be castigated, called out, or bullied for participating in the very processes Congress, the California Legislature, and the Governor established to facilitate tribal participation and consultation and the proactive identification and protection of tribal cultural resources and tribal cultural practices. To do otherwise, would be to return to genocidal practices that promoted cultural erasure, neglect, and exclusion, contrary to Federal and State policy.

BHER Request for Extension

BHER submitted a request dated January 3, 2025, for extension of the deadline to respond to the CEC’s Joint Order. In that request, reference was made to “incorporat[ing] feedback from discussions with tribal representatives . . . into its response” and that “[t]hese discussions will occur in the coming weeks”. To clarify, no substantive discussions occurred between BHER and Ms. Lucas between January 3 and the date of this letter. Also, BHER, nor any other entity, is authorized to speak for Ms. Lucas. Any position of hers can only come from Ms. Lucas or my office on her behalf. Should any entity make any

representation, translation, or interpretation of Ms. Lucas's positions or views, in writing or verbally, we respectfully ask that CEC or its Staff contact my office without delay.

CTR Response

Controlled Thermal Resources (CTR) submitted a response dated January 14, 2025. They assert, without evidence, that nomination of the SELCAVCD would have "devastating impacts" on tribes "in Imperial County" among other claims. To our knowledge, CTR does not have authority to speak on behalf of any of the affiliated tribes or their priorities. Further, CTR richly claims that "CTR recognizes the value of protecting sensitive cultural resources." Yet, the CTR project itself did not carry forward Ms. Lucas' concerns about tribal cultural resources in the vicinity of their project into that project record, ignoring tribal concerns.

IID Response

Imperial Irrigation District (IID) submitted a response dated January 15, 2025. It admitted that discussions on a potential conservation easement for Obsidian Butte are "still in early stages." It also asserted that a "collaborative stakeholder forum" would result in a more thoughtful and balanced approach to tribal resource protection than CEC Staff's proposed mitigation measure CUL/TRI-8.

IID has not been in communication with Ms. Lucas on any topic, including the proposed conservation easement or the forum. Relative to the "forum", we caution that tribal cultural resources are generally subject to confidentiality provisions of state and federal law to protect sensitive information about cultural significance, use, and location and therefore are not the subject of public discussions or dissemination of data. Without further detail on the proposed participants, structure, or purpose of the "forum", we are unable to support it.

Relative to the proposed conservation easement, Ms. Lucas' views and concerns were explained in detail at the CEC Tribal Mitigation Workshop (Workshop) held December 9, 2024. While she generally supports the concept of placing Obsidian Butte into a conservation easement, she underscored that the identified other cultural features in the area and the landscape within which they are located are also worthy of protection. Important information was provided by several tribes at that, and the September 6, 2024, Workshop expressing concerns about the speculative nature of the proposed conservation easement and lack of detail provided by the applicants and lack of engagement by other proponents (including IID). We request that transcriptions be made of those Workshops and that they be made part of the proceedings to reduce the burden on tribes of repeating information across a variety of formats.

Ongoing Consultation Including on CUL/TRI-8

Consultation is ongoing with CEC staff on the effect of the proposed projects on tribal cultural resources as well as mitigation and other treatment to avoid, minimize, or mitigate effects. We reserve the right to provide additional information in these proceedings including through ongoing consultation with CEC Staff. Any proposed mitigation for effects to tribal cultural resources must be enforceable and driven by tribal priorities.

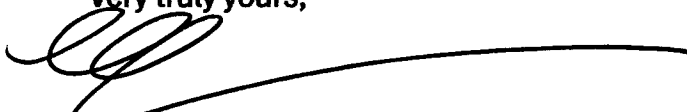
Ms. Lucas' primary goal for at least the last 20 years is for the tribal cultural resources in the SELCAVCD area to be documented out of respect to the Ancestors of affiliated tribes and for the benefit of those California Indians who are yet to be born. She continues to support that documentation effort and intends to provide suggested refinements to CUL/TRI-8 to CEC Staff to improve the measure. This includes that any anthropologist, should the enumerated, affiliated tribes determine one is necessary, be proposed and selected by those tribes and not the project owner. (Sufficient funding for the effort also should be provided by the Applicant regardless of whether the Team includes an anthropologist or other cultural resource management professional or firm). A target time frame for the drafting of the document and submittal of the nomination form also should be included in the measure to promote accountability. Otherwise, Ms. Lucas believes the measure is appropriate, feasible, and would provide community and other benefits.

Conclusion

In conclusion, Ms. Lucas believes that a balanced vision can and should be achieved for this unique, environmentally and culturally sensitive area along the southeast shore of the Salton Sea. Here, green energy and tribal values have been and may continue to co-exist, but only if steps are taken now to recognize these irreplaceable tribal cultural resources.

Thank you for making this information part of the docket.

Very truly yours,



Courtney Ann Coyle
Attorney at Law

Cc: Carmen Lucas

✓ Attachments 3

Attachment 1

Carmen Lucas
Kwaaymii Laguna Band of Indians
(Elder/Educator/Tribal Monitor/Consultant)
Background/Expertise

Carmen Lucas is a Kwaaymii Laguna Indian from Laguna Mountain, San Diego County, and has been a student of her Indian heritage throughout her life. She learned about cultural landscapes and Ancestral human remains from her father, the late Tom Lucas, and has learned about essence of place and intangible cultural resources from being caretaker of the Kwaaymii Homeland and burial grounds at the former Laguna Indian Reservation, now Lucas Ranch, for the last fifty years.

After a 20 year career in the United States Marine Corps, retiring as a Chief Warrant Officer in the 1970s, Carmen has worked in the field of Cultural Resources Management (CRM) as a Tribal Monitor, Consultant, and Educator for nearly 40 years, bringing a tribal perspective to cultural resource surveys, planning, and mitigation. She has helped archaeologists and tribal monitors in identifying archaeological deposits and Ancestor remains and burial items to promote avoidance. Carmen is a strong proponent of preservation in place and advocates for increased use of tribal expertise and noninvasive technology in identifying resources, including the use of historic human remains detection canines.

Along with historians and her attorney, Carmen has helped to write and successfully nominate at least five historic properties to the National Register of Historic Places based on their tribal cultural values: *Ah-ha Kwe-ah-mac'* (Cuyamaca Village), *Wiipuk uun' yaw* (Cottonwood Trail), The Kwaaymii Homeland (Lucas Ranch), *Ah-Ha' Mut-ta-tie'* (Laguna "Water" Mountain), and University House at the University of California, San Diego, the rehabilitation of which won the 2015 Governor's Historic Preservation Award. She is passionate about her Ancestors and the power of documentation so that tribal history is not erased and the Ancestors are not forgotten.

Carmen has provided Cultural Resources Sensitivity Training on utility and other projects for all workers who will be in the field to help them identify and respect resources of concern, and is a frequent presenter at local Indian reservations to train new classes of tribal monitors. She served two terms on the Board of the San Diego Archaeological Center (museum and curation facility) and served as an appointee for ten years on the San Diego County Historic Sites Board (designating local historic properties).

Carmen has been recognized by the Society for California Archaeology with the California Indian Heritage Preservation Award (2004) and the City of San Diego Historical Resources Board with the Annual Historic Preservation Award for Cultural Diversity (2014). She has been awarded

twice with the Governor's Historic Preservation Award, the only formal statewide historic preservation award given by the State of California; in 2017, in recognition of her lifetime achievements, and in 2023, along with her co-authors for the *Ah-Ha' Mut-ta-tie'* Eligibility Evaluation Report, an innovative approach to documenting and evaluating a Tribal Cultural Landscape encompassing approximately 30,670 acres of predominantly undeveloped U.S. Forest Service land in the Laguna Mountains of San Diego County, California. The Report advances historic preservation and resource conservation by achieving a formal determination of eligibility for an area that had been studied by archaeologists for 40 years and does so by centering the tribal voice and applying a multi-disciplinary approach, serving as a successful model of the benefits and possibilities for other cultural landscapes in California.

Carmen also has served since 2021 as an appointed member of the California Truth & Healing Council, created by Governor Gavin Newsom to bear witness to, record, examine the documentation of, and receive California Indian narratives to clarify the record of the relationship between the state and tribes, as one of three voting representatives from the Southern California region (San Diego and Imperial Counties).

Carmen meets and exceeds the standards in the Governor's Office of Planning and Research's Technical Advisory *AB 52 and Tribal Cultural Resources in CEQA*, regarding expertise and evidence that may support a finding of a Tribal Cultural Resource in CEQA.

Attachment 2

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-15-19

WHEREAS, in the early decades of California's statehood, the relationship between the State of California and California Native Americans was fraught with violence, exploitation, dispossession and the attempted destruction of tribal communities, as summed up by California's first Governor, Peter Burnett, in his 1851 address to the Legislature: "[t]hat a war of extermination will continue to be waged between the two races until the Indian race becomes extinct must be expected"; and

WHEREAS, the State of California's laws and policies discriminating against Native Americans and denying the existence of tribal government powers persisted well into the twentieth century; and

WHEREAS, despite these wrongs, California Native Americans resisted, survived and carried on cultural and linguistic traditions defying all odds; and

WHEREAS, the State of California and California Native Americans have never jointly formally examined or documented their relationship for the express purpose of acknowledging and accounting for historical wrongs committed by the State of California toward California Native Americans; and

WHEREAS, the State of California has never formally apologized for historical wrongs tolerated, encouraged, subsidized and committed by State actors against California Native Americans; and

WHEREAS, the State of California seeks to more closely explore the historical relationship between the State of California and California Native Americans in the spirit of truth and healing through the establishment of a Truth and Healing Council; and

WHEREAS, the State of California intends that the work of the Truth and Healing Council be done respectfully and in collaboration and consultation with California Native American tribes pursuant to this Executive Order and Executive Order B-10-11.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, do hereby issue the following order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. The State of California hereby:
 - a. recognizes that the State historically sanctioned over a century of depredations and prejudicial policies against California Native Americans;
 - b. commends and honors California Native Americans for persisting, carrying on cultural and linguistic traditions, and stewarding and protecting this land that we now share;
 - c. apologizes on behalf of the citizens of the State of California to all California Native Americans for the many instances of violence, maltreatment and neglect California inflicted on tribes; and

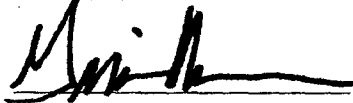


- d. reaffirms and incorporates by reference the principles outlined in Executive Order B-10-11, which requires the Governor's Tribal Advisor and the Administration to engage in government-to-government consultation with California Native American tribes regarding policies that may affect tribal communities.
2. The Governor's Tribal Advisor shall establish the Truth and Healing Council to bear witness to, record, examine existing documentation of, and receive California Native American narratives regarding the historical relationship between the State of California and California Native Americans in order to clarify the historical record of this relationship in the spirit of truth and healing. The Truth and Healing Council shall be led and convened by the Governor's Tribal Advisor and shall include representatives or delegates from California Native American tribes, and may include relevant state and local agencies, as well other relevant non-governmental stakeholders.
 3. The Truth and Healing Council shall consult with California Native American tribes to shape the overarching focus and develop the work of the Council and shall endeavor to accurately represent the diversity of experience of California Native Americans within the State of California.
 4. The Truth and Healing Council shall: (i) report draft findings to the Governor's Tribal Advisor on an annual basis beginning January 1, 2020 and (ii) produce a final written report of findings regarding the historical relationship between the State of California and California Native Americans on or before January 1, 2025.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that widespread publicity and notice shall be given to this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 18th day of June 2019.



GAVIN NEWSOM

Governor of California

ATTEST:

ALEX PADILLA

Secretary of State

Attachment 3



OFFICE OF THE GOVERNOR

September 25, 2020

STATEMENT OF ADMINISTRATION POLICY

Native American Ancestral Lands

On June 18, 2019, Governor Gavin Newsom issued Executive Order N-15-19, which acknowledges and apologizes on behalf of the State for the historical "violence, exploitation, dispossession and the attempted destruction of tribal communities" which dislocated California Native Americans from their ancestral land and sacred practices. The destructive impacts of this forceful separation persist today, and meaningful, reparative action from the State of California (State) can begin to address these wrongs in an effort to heal its relationship with California Native Americans.

In addition, Executive Order N-15-19 reaffirms and incorporates by reference the principles of government-to-government engagement established by Executive Order B-10-11 ("it is the policy of the administration that every state agency and department subject to executive control is to encourage communication and consultation with California Native American tribes"). The State continues to work with California tribes on a government-to-government basis to address issues concerning Native American tribal self-government and tribal trust resources.

Consistent with the goals of such Executive Orders, and in the spirit of truth and healing in recognition of past harms done to California Native American communities, it is the policy of this administration to encourage every State agency, department, board and commission (collectively, "entities") subject to my executive control to seek opportunities to support California tribes' co-management of and access to natural lands¹ that are within a California tribe's ancestral land and under the ownership or control of the State of California, and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs.

¹ As defined in Section 9001.5(d)(2) Public Resources Code.

Any action taken in accordance with this Policy shall: (i) comply with all applicable laws and regulations, including those governing surplus and excess lands; (ii) occur in consultation with California tribes pursuant to Executive Orders N-15-19 and B-10-11; and (iii) not conflict with the Governor's stated policy priorities, such as housing and homelessness and climate action.

I. PURPOSE

The purpose of this Policy is to partner with California tribes to facilitate tribal access, use, and co-management of State-owned or controlled natural lands and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs in order to, among other things:

- Support tribal self-determination and self-government;
- Facilitate the access of California Native Americans to sacred sites and cultural resources;
- Improve the ability of California Native Americans to engage in traditional and sustenance gathering, hunting and fishing;
- Partner with California tribes on land management and stewardship utilizing Traditional Ecological Knowledges;
- Reduce fractionation of tribal lands; and
- Provide opportunities for education, community development, economic diversification, and investment in public health, information technology and infrastructure, renewable energy, water conservation, and cultural preservation or awareness.

II. ACTIONS ALIGNED WITH THIS POLICY

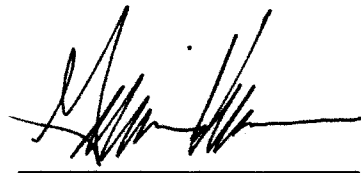
Actions taken in accordance with this Policy could include, but would not be limited to:

- Entering into memoranda of understanding to allow for access to or co-management of natural lands under the ownership or control of the State with California tribes with ancestral lands located in such areas;
- Grantmaking to assist California tribes with procurement, protection or management of natural lands located within their ancestral territories, subject to available resources;

- When natural lands under the ownership or control of the State are in excess of State needs, working cooperatively within existing statutory and regulatory frameworks with the California tribes that have ancestral territory within those lands and are interested in acquiring them, including by prioritizing tribal purchase or transfer of land; and
- Adopting preferential policies and practices for California tribes to access natural lands under the ownership or control of the State that are located within a California tribe's ancestral lands, including coordinating with local governments to zone natural land in excess of State needs in a way conducive to tribal access and use.

III. ACCESS TO INFORMATION

In implementing this Policy, State entities are encouraged to facilitate California tribal government access to existing information concerning land that may be of interest to California tribes.



Gavin Newsom
Governor of California