APPENDIX F
CULTURAL RESOURCES RECORD SEARCH RESULTS AND MLPA INITIATIVE SOUTH COAST TRIBAL FORUM FINAL REPORT
June 1, 2010

Beth Anna Cornett
URS Corporation
130 Robin Hill Road, Suite 100
Santa Barbara, CA 93117

Sent Via Fax: 805-964-0259
# of Pages: 2

RE: South Coast Marine Life Protection Act Environmental Impact Report; Santa Barbara and Ventura Counties.

Dear Ms. Cornett:

Government Code §65352.3 requires local governments to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of protecting, and/or mitigating impacts to cultural places. Attached is a consultation list of tribes with traditional lands or cultural places located within the requested Environmental Impact boundaries.

As a part of consultation, the NAHC recommends that local governments conduct record searches through the NAHC and California Historic Resources Information System (CHRIS) to determine if any cultural places are located within the area(s) affected by the proposed action.

A record search of the sacred lands file has failed to indicate the presence of Native American cultural resources in the immediate project area. Local governments should be aware, however, that records maintained by the NAHC and CHRIS are not exhaustive, and a negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a cultural place.

If you receive notification of change of addresses and phone numbers from Tribes, please notify me. With your assistance we are able to assure that our consultation list contains current information.

If you have any questions, please contact me at (916) 653-4040.

Sincerely,

[Signature]
Katy Sanchez
Program Analyst
Santa Ynez Band of Mission Indians
Vincent Armenta, Chairperson
P.O. Box 517 Chumash
Santa Ynez, CA 93460
varmenta@santaynezchumash.org
(805) 688-7997

Coastal Band of the Chumash Nation
Vennise Miller, Chairperson
P.O. Box 4464 Chumash
Santa Barbara, CA 93140
805-964-3447

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Government Code Section 65352.3.
June 10, 2010

Ms. Beth Anna Cornett
CALIFORNIA DEPARTMENT OF FISH & GAME - FISH & GAME COMMISSION
130 Robin Hill Road, Suite 100
Santa Barbara, CA 93117

Sent by FAX to: 805-964-0259
No. of Pages: 10

Re: Request for a Sacred Lands File Search and Native American Contacts List for the proposed "South Coast Marine Life Protection Act Environmental Impact Report (EIR)" portion of the project located in Los Angeles, Orange and San Diego counties, California

Dear Ms. Cornett:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources. The NAHC SLF search did indicate the presence of Native American cultural resources within one-half mile of the proposed project sites (APEs) Point Dume SMR, Bolsa Bay SMCA, Bolsa Chica Basin SMCA, Upper Newport Bay SMCA, Crystal Cove SMCA, Laguna SMR, Batiquitos Lagoon SMCA, Agua Hedionda Lagoon SMR, South La Jolla SMCA, Cabrillo SMR., Tijuana River Mouth SMCA. There were no SLF records in the balance of the SMRs or SMCAs for Los Angeles, Orange or San Diego counties, but the absence of such records does not mean that Native American cultural resources do not exist. For information about underwater cultural resources off Cardiff State Beach, contact State Parks Archaeologist Therese Muranaka at (619) 778-2553. For information about underwater village sites off the Imperial Beach coastline, contact M. Louis Guassac at (619) 952-8430.

Also, this letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law.

The California Environmental Quality Act (CEQA - CA Public Resources Code §21000-21177, amended in 2009) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the California Code of Regulations §15064.5(b)(c)(f) CEQA guidelines. Section 15382 of the CEQA Guidelines defines a significant impact on the environment as "a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance." In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect.
Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries once a project is underway. Culturally-affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We recommend that you contact persons on the attached list of Native American contacts. Furthermore we suggest that you contact the California Historic Resources Information System (CHRIS) at the Office of Historic Preservation Coordinator’s office (at (916) 653-7278, for referral to the nearest Information Center of which there are 10.

Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA (42 U.S.C. 4321-43351) and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 [f]et seq), 36 CFR Part 800.3 (f) (2), the President’s Council on Environmental Quality (CSQ; 42 U.S.C. 4371 et seq.) and NAGPRA (25 U.S.C. 3001-3013), as appropriate. The 1992 Secretary of the Interior’s Standards for the Treatment of Historic Properties were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes.

Also, Public Resources Code Section 5097.98 and Health & Safety Code Section 7050.5 provide for provisions for accidentally discovered archeological resources during construction and mandate the processes to be followed in the event of an accidental discovery of any human remains in a project location other than a dedicated cemetery.

To be effective, consultation on specific projects must be the result of an on-going relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

The response to this search for Native American cultural resources is conducted in the NAHC Sacred Lands Inventory, established by the California Legislature (CA Public Resources Code §5097.94(a) and is exempt from the CA Public Records Act (c.f. California Government Code §6254.10) although Native Americans on the attached contact list may wish to reveal the nature of identified cultural resources/historic properties. Confidentiality of "historic properties of religious and cultural significance" may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C. 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APE and possibly threatened by proposed project activity.

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,

Dave Singleton
Program Analyst

Attachment: Native American Contacts
Native American Contacts
June 10, 2010
Los Angeles, Orange and San Diego Counties

Charles Cooke
32835 Santiago Road
Acton, CA 93510
(661) 733-1812 - cell
suscol@intox.net

Patrick Tumamait
992 El Camino Corto
Ojai, CA 93023
(805) 640-0481
(805) 216-1253 Cell

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks, CA 91362
805 492-7255
(805) 559-1154 - cell
folkes9@msn.com

Chumash
Fernandeno
Tataviam
Kitanemuk

Chumash

Owl Clan
Qun-tan Shup
48825 Sapaque Road
Bradley, CA 93426
(805) 472-9536
(805) 835-2382 - CELL

Chumash

Fernandeno Tataviam Band of Mission Indians
William Gonzales, Cultural/Environ Depart/Rudy Ortiga
601 South Brand Boulevard, Suite 102
San Fernando, CA 91340
rortega@tataviam-nsn.us
(818) 837-0794 Office
(818) 837-0796 Fax

Ti'At Society
Cindi Alvitre
6515 E. Seaside Walk, #C
Long Beach, CA 90803
calvitre@yahoo.com
(714) 504-2468 Cell

Chumash
Fernandeno
Tataviam

Chumash

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
tatlnlaw@gmail.com
810-570-6567

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This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed South Coast Marine Life Protection Act Environmental Impact Report (EIR) for which the State of California Department of Fish & Game – Fish & Game Commission is the State Lead Agency; and for which Sacred Lands File searches and
Native American Contacts
June 10, 2010
Los Angeles, Orange and San Diego Counties

Gabrielino/Tongva San Gabriel Band of Mission Anthony Morales, Chairperson
PO Box 693
San Gabriel, CA 91778
(626) 286-1262 - FAX
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 Fax

Gabrielino Tongva

Carol A. Pulido
165 Mountainview Street
Oak View, CA 93022
805-649-2743 (Home)

Chumash

Randy Guzman - Folkes
655 Los Angeles Avenue, Unit E
Moorpark, CA 93021
ndnRandy@gmail.com
(805) 905-1675 - cell

Chumash
Fernandeño
Tataviam
Shoshone Paiute
Yaqui

Frank Arredondo
PO Box 161
Santa Barbara, CA 93102
805-617-6884
ksen_sku_mu@yahoo.com

Chumash

Gabrielino Tongva Nation
Sam Dunlap, Chairperson
P.O. Box 86908
Los Angeles, CA 90086
samdunlap@earthlink.net
(909) 262-9351 - cell

Gabrielnino Tongva

Gabrielino Tongva

Gabrielino-Tongva Tribe
Bernie Acuna
1875 Century Pk East #1500 Gabrielino
Los Angeles, CA 90067
(310) 587-2203
(310) 428-7720 - cell
(310) 587-2281

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Native American Contacts
June 10, 2010
Los Angeles, Orange and San Diego Counties

Juaneno Band of Mission Indians, Aqjachemen Nation
David Belardes, Chairperson
32161 Avenida Los Amigos, Juaneno
San Juan Capistrano, CA 92675
DavidBelardes@hotmail.com
(949) 293-8522
(949) 493-4933 - Home

Juaneno Band of Mission Indians, Aqjachemen Nation
Anthony Rivera, Chairman
31411-A La Matanza Street, Juaneno
San Juan Capistrano, CA 92675-2674
arivera@juaneno.com
(949) 488-3484
(530) 354-5876 - cell

Juaneno Band of Mission Indians
Alfred Cruz, Cultural Resources Coordinator
P.O. Box 25828, Juaneno
Santa Ana, CA 92799
alfredcruz@sbcglobal.net
714-998-0721
714-998-0721 - FAX
714-321-1944 - cell

Juaneno Band of Mission Indians
Adolph 'Bud' Sepulveda, Vice Chairperson
P.O. Box 25828, Juaneno
Santa Ana, CA 92799
bsepul@yahoo.net
714-838-3270
714-914-1812 - CELL
bsepul@yahoo.net

Juaneno Band of Mission Indians
Sonia Johnston, Tribal Chairperson
P.O. Box 25628, Juaneno
Santa Ana, CA 92799
soniajohnston@sbcglobal.net
(714) 323-8312

Juaneno Band of Mission Indians
Anita Espinoza
1740 Concerto Drive, Juaneno
Anaheim, CA 92807
(714) 779-8832

United Coalition to Protect Panhe (UCPP)
Rebecca Robles
119 Avenida San Fernando, Juaneno
San Clemente, CA 92672
(949) 573-3138

Juaneno Band of Mission Indians, Aqjachemen Nation
Joyce Perry, Representing Tribal Chairperson
4955 Paseo Segovia, Juaneno
Irvine, CA 92612
949-293-8522

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Native American Contacts
June 10, 2010
Los Angeles, Orange and San Diego Counties

San Luis Rey Band of Mission Indians
Carmen Mojado, Co-Chair
1889 Sunset Drive, Vista, CA 92081
cjmojado@slrmissionindians.org
(760) 724-8505
(760) 724-2172 - FAX
(760) 917-1736 - cell

Luiseno

Clint Linton
P.O. Box 507
Santa Ysabel, CA 92070
(760) 803-5694
cjllinton73@aol.com

Diegueno/Kumeyaay

Kupa Cultural Center (Pala Band)
Shasta Gaughen, Assistant Director
35006 Pala-Temecula Rd, PMB Box 159
Pala, CA 92059
cupa@palatribe.com
(760) 891-3590
(760) 742-4543 - FAX

Luiseno

Mel Vernon, Chairperson
San Luis Rey Band of Mission Indians
1044 North Ivy Street, Escondido, CA 92026
melverm@aol.com
(760) 746-8692
(760) 703-1514 - cell

Pechanga Band of Mission Indians
Mark Macarro, Chairperson
P.O. Box 1477
Temecula, CA 92593
tbrown@pechanga-nsn.gov
(951) 676-2768
(951) 695-1778 Fax

Luiseno

Manzanita Band of the Kumeyaay Nation
Nick Elliott, Cultural Resources Coordinator
P.O. Box 1302
Boulevard, CA 91905
(619) 766-4930
(619) 925-0952 - cell
(919) 766-4957

La Jolla Band of Mission Indians
ATTN: Rob Roy, Environmental Director
22000 Highway 76
Pomona Valley, CA 92061
lajolla-sherry@aol.com
(760) 742-3790
(760) 742-1704 Fax

Kumeyaay Diegueno Land Conservancy
M. Louis Guassac, Executive Director
P.O. Box 1992
Alpine, CA 91903
(619) 852-8430
guassacl@onesbox.com

Luiseno

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Native American Contacts
June 10, 2010
Los Angeles, Orange and San Diego Counties

Kwaaymii Laguna Band of Mission Indians
Carmen Lucas
P.O. Box 775
Pine Valley, CA 91962
(619) 709-4207

Pauma Valley Band of Luiseño Indians
Bennae Calac, Tribal Council Member
P.O. Box 369
Pauma Valley, CA 92061
bennaeocalac@aol.com
(760) 617-2872
(760) 742-3422 - FAX

Inaja Band of Mission Indians
Rebecca Osuna, Spokesperson
2005 S. Escondido Blvd.
Escondido, CA 92025
(760) 737-7628
(760) 747-8568 Fax

San Pasqual Band of Indians
Kristie Orosco, Environmental Coordinator
P.O. Box 365
Valley Center, CA 92082
(760) 749-3200
council@sanpasqualtribe.org
(760) 749-3876 Fax

Kumeyaay Cultural Repatriation Committee
Steve Banegas, Spokesperson
1095 Barona Road
Lakeside, CA 92040
(619) 742-5587
(619) 443-0681 FAX

Ewiaapaayp Tribal Office
Will Micklin, Executive Director
4054 Willows Road
Alpine, CA 91901
wmicklin@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

San Luis Rey Band of Mission Indians
Henry Contreras, Most Likely Descendant
1763 Chapulin Lane
Fallbrook, CA 92028
(760) 728-6722 - Home
(760) 908-7625 - Cell

Ewiaapaayp Tribal Office
Michael Garcia, Vice Chairperson
4054 Willows Road
Alpine, CA 91901
michaelg@leaningrock.net
(619) 445-6315 - voice
(619) 445-9126 - fax

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Native American Contacts
June 10, 2010
Los Angeles, Orange and San Diego Counties

Kumeyaay Cultural Historic Committee
Ron Christman
56 Viejas Grade Road
Alpine, CA 92001
(619) 445-0385

Mesa Grande Band of Mission Indians
Mark Romero, Chairperson
P.O. Box 270
Santa Ysabel, CA 92070
mesagrandeband@msn.com
(760) 782-3818
(760) 782-9092 Fax

Diegueno/Kumeyaay
Campo Kumeyaay Nation
Monique LaChappa, Chairperson
36190 Church Road, Suite 1
Campo, CA 92061
MLaChappa@campo-nsn.com
(619) 478-9046
(619) 478-5818 Fax

Pauma & Yuima
Christobal C. Devers, Chairperson
P.O. Box 369
Pauma Valley, CA 92061
paumareservation@aol.com
(760) 742-1289
(760) 742-3422 Fax

Diegueno/Kumeyaay
Jamul Indian Village
Kenneth Meza, Chairperson
P.O. Box 612
Jamul, CA 91935
jamulrez@sctdv.net
(619) 669-4785
(619) 669-48178 - Fax

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Pechanga Band of Mission Indians
Paul Macarro, Cultural Resource Center
P.O. Box 1477
Temecula, CA 92593
pmacarro@pechanga-nsn.com
(951) 308-9295 Ext 8106
(951) 676-2768
(951) 506-9491 Fax

Diegueno/Kumeyaay
Los Coyotes Band of Mission Indians
Francine Kupsch, Spokesperson
P.O. Box 189
Warner, CA 92086
loscoyotes@earthlink.net
(760) 782-0711
(760) 782-2701 - FAX

Luiseno
Kumeyaay Cultural Heritage Preservation
Paul Cuero
36190 Church Road, Suite 5
Campo, CA 91906
chairman@campo-nsn.gov
(619) 478-9046
(619) 478-9505
(619) 478-5818 Fax

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Native American Contacts  
June 10, 2010  
Los Angeles, Orange and San Diego Counties

Barona Group of the Capitan Grande  
Edwin Romero, Chairperson  
1095 Barona Road  
Lakeside, CA 92040  
sue@barona-nsn.gov  
(619) 443-6612  
619-443-0681

San Pasqual Band of Mission Indians  
Allen E. Lawson, Chairperson  
PO Box 365  
Valley Center, CA 92082  
(760) 749-3200  
(760) 749-3876 Fax

Ewilaaapayp Tribal Office  
Robert Pinto, Chairperson  
4054 Willows Road  
Alpine, CA 91901  
wnicklin@leaningrock.net  
(619) 445-6315 - voice  
(619) 445-9125 - fax

Santa Ysabel Band of Diegueno Indians  
Johnny Hernandez, Spokesman  
PO Box 130  
Santa Ysabel, CA 92070  
brandiefm@diegweb.com  
(760) 765-0845  
(760) 765-0320 Fax

La Posta Band of Mission Indians  
Gwendolyn Parada, Chairperson  
PO Box 1120  
Boulevard, CA 91905  
(619) 478-2113  
619-478-2125

Sycuan Band of the Kumeyaay Nation  
Danny Tucker, Chairperson  
5459 Sycuan Road  
El Cajon, CA 92021  
ssliva@sycuan-nsn.gov  
619 445-2613  
619 445-1927 Fax

Manzanita Band of Kumeyaay Nation  
Leroy J. Elliott, Chairperson  
PO Box 1302  
Boulevard, CA 91905  
(619) 766-4902  
(619) 766-4957 Fax

Viejas Band of Mission Indians  
Bobby L. Barrett, Chairperson  
PO Box 908  
Alpine, CA 91903  
jrothauff@viejas-nsn.gov  
(619) 445-3810  
(619) 445-5337 Fax

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Native American Contacts
June 10, 2010
Los Angeles, Orange and San Diego Counties

Shoshone Gabrieleño Band of Mission Indians
Andy Salas, Chairperson
PO Box 393
Covina, CA 91723
Gabrieleño
(213) 688-0181 - FAX

gabrielenoindians@yahoo.com

Gabrieleño-Tongva Tribe
Linda Candelaria, Chairwoman
1875 Century Park East, Suite 1500
Los Angeles, CA 90067
Gabrieleño

(310) 587-2203
310-428-5767 - cell
(310) 587-2281
lcandelaria1@gabrieleñotribe.org

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Responses from Native Americans Contacted

The following identifies Native Americans contacted during preparation of this EIR and summarizes responses received as of August 10, 2010.

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
<th>Affiliation</th>
<th>Date Letter Mailed</th>
<th>Date of Phone Contact</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vincent Armenta</td>
<td>Santa Ynez Band of Mission Indians,</td>
<td>Chumash</td>
<td>July 6, 2010</td>
<td>Freddie Romero called on July 15, 2010</td>
<td>Contacted by Freddie Romero of the Santa Ynez Band; stated he was upset and concerned with the MLPA project, particularly as he did not feel it accounted for Native American concerns; stated he had been in meetings with “hundreds” of Native Americans upset with the project; stated he will be contacting CDFG directly but that this was his personal stance and he does not yet know how the Santa Ynez Band will officially respond.</td>
</tr>
<tr>
<td>Vennise Miller</td>
<td>Coastal Band of the Chumash Nation,</td>
<td>Chumash</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Message left; no further response</td>
</tr>
<tr>
<td>Charles Cooke</td>
<td>Chumash, Fernandeno, Tataviam, Kitanernuk</td>
<td>Chumash</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Stated he did not have any comments regarding this project</td>
</tr>
<tr>
<td>Beverly Salazar Folkes</td>
<td>Chumash, Tataviam, Fernandeno</td>
<td>Chumash</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Requested clarification as to motives behind the project; expressed great concern over the potential loss of Refugio SMCA and Big Sycamore Canyon SMR; plans to address CDFG directly.</td>
</tr>
<tr>
<td>Qun-tan Shup Owl Clan</td>
<td>Chumash</td>
<td>Chumash</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Message left; no further response</td>
</tr>
<tr>
<td>Julie Lynn Tumamait</td>
<td>Chumash</td>
<td>Chumash</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Very concerned the Native American community was not included as stakeholders in the planning of the project; displeased no language alluding to Native Americans in the documents; feels omitted and cut-off from the process and fears being barred from potential gathering areas.</td>
</tr>
<tr>
<td>Patrick Tumamait</td>
<td>Chumash</td>
<td>Chumash</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Responded via phone July 27, 2010; requested more</td>
</tr>
<tr>
<td>Name</td>
<td>Organization</td>
<td>Affiliation</td>
<td>Date Letter Mailed</td>
<td>Date of Phone Contact</td>
<td>Comments</td>
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<td>-------------------------------</td>
<td>------------------------------------------------------------------------------</td>
<td>--------------------------------------</td>
<td>--------------------</td>
<td>-----------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Randy Guzman-Folkes</td>
<td>Chumash, Fernandeno, Tataviam, Shoshone Paiute, Yaqui</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td></td>
<td>Not as concerned due to the lack of ground disturbance</td>
</tr>
<tr>
<td>William Gonzales</td>
<td>Fernandeno Tataviam Band of Mission Indians, Cultural / Environmental Department</td>
<td>Fernandeno, Tataviam</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Message left with receptionist; was contacted by Jimmy Vasquez on July 22, 2010, who requested another copy of the information regarding the project be emailed to him</td>
</tr>
<tr>
<td>Cindi Alvitre</td>
<td>Ti’At Society</td>
<td>Gabrielino</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>John Tommy Rosas</td>
<td>Tongva Ancestral Territorial Tribal Nation, Tribal Administrator</td>
<td>Gabrielino Tongva</td>
<td>No address provided</td>
<td>July 20, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Anthony Morales</td>
<td>Gabrieleno / Tongva San Gabriel Band of Mission Indians, Chairperson</td>
<td>Gabrieleno Tongva</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Sam Dunlap</td>
<td>Gabrieleno Tongva Nation, Chairperson</td>
<td>Gabrieleno Tongva</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Had not yet reviewed information sent to him; stated he would like to call and provide additional information the following week</td>
</tr>
<tr>
<td>Robert F. Doramae</td>
<td>Gabrieleno Tongva Indians of California Tribal Council, Tribal Chair / Cultural</td>
<td>Gabrieleno Tongva</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Had not yet reviewed the information sent to him; stated he will review and contact us at a later date if he had any concerns.</td>
</tr>
<tr>
<td>Carol A. Pulido</td>
<td>Chumash</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td></td>
<td>Stated she did not have any concerns</td>
</tr>
<tr>
<td>Melissa M. Para-Hernandez</td>
<td>Chumash</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td></td>
<td>Is planning a meeting with the Elders Council and will return with comments after the meeting</td>
</tr>
<tr>
<td>Frank</td>
<td>Chumash</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td></td>
<td>Message left, no further response</td>
</tr>
</tbody>
</table>
### Responses from Native Americans Contacted

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
<th>Affiliation</th>
<th>Date Letter Mailed</th>
<th>Date of Phone Mailed</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arredondo</td>
<td>Gabrielino-Tongva Tribe</td>
<td>Gabrielino</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Unable to leave message as voice mailbox was full, no further response</td>
</tr>
<tr>
<td>Bernie Acuna</td>
<td>Juaneno Band of Mission Indians, Acjachemen Nation, Chairperson</td>
<td>Juaneno</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Message left; email received July 22, 2010 from Jim Rivera, Assistant to the Chairman requesting another package be sent to him.</td>
</tr>
<tr>
<td>Anthony Rivera</td>
<td>Juaneno Band of Mission Indians, Acjachemen Nation, Chairperson</td>
<td>Juaneno</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Had not yet reviewed the information sent to him; stated he will review and contact me later with comments</td>
</tr>
<tr>
<td>Alfred Cruz</td>
<td>Juaneno Band of Mission Indians, Cultural Resources Coordinator</td>
<td>Juaneno</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Adolph “Bud” Sepulveda</td>
<td>Juaneno Band of Mission Indians, Vice Chairperson</td>
<td>Juaneno</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Referred to Alfred Cruz for any comments</td>
</tr>
<tr>
<td>Sonia Johnston</td>
<td>Juaneno Band of Mission Indians, Tribal Chairperson</td>
<td>Juaneno</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Referred to Alfred Cruz for any comments</td>
</tr>
<tr>
<td>Anita Espinoza</td>
<td>Juaneno Band of Mission Indians</td>
<td>Juaneno</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Message left with individual at the number provided, no further response</td>
</tr>
<tr>
<td>Rebecca Robles</td>
<td>United Coalition to Protect Panhe (UCPP)</td>
<td>Juaneno</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Joyce Perry</td>
<td>Juaneno Band of Mission Indians, Acjachemen Nation, Tribal Chairperson</td>
<td>Juaneno</td>
<td>July 6, 2010</td>
<td>July 20, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Carmen Mojado</td>
<td>San Luis Rey Band of Mission Indians, Co-Chair</td>
<td>Luiseno</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Expressed concern over the loss of traditional gathering areas and of the lagoon areas that would potentially lose protection; stated she would call back with more details after meeting with the Tribal Council next week</td>
</tr>
<tr>
<td>Name</td>
<td>Organization</td>
<td>Affiliation</td>
<td>Date Letter Mailed</td>
<td>Date of Phone Contact</td>
<td>Comments</td>
</tr>
<tr>
<td>--------------------</td>
<td>---------------------------------------------------</td>
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<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Shasta Gaughen</td>
<td>Kupa Cultural Center (Pala Band), Assistant Director</td>
<td>Luiseno</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Letter received July 28, 2010, stating since there was no land disturbance they were not concerned about archaeological sites; however, they are concerned as stakeholders regarding traditional native resources and wished to be kept apprised of the progression of the project</td>
</tr>
<tr>
<td>Mark Macarro</td>
<td>Penchanga Band of Mission Indians, Chairperson</td>
<td>Luiseno</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Message left with secretary; contacted by Anna Hoover July 23, 2010; wanted more information and requested the information packet be emailed to her; stated she would pass the information on to the Environmental Division and comments would probably be coming in about a week</td>
</tr>
<tr>
<td>Roby Roy</td>
<td>La Jolla Ban of Mission Indians, Environmental Director</td>
<td>Luiseno</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Clint Linton</td>
<td></td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Mel Vernon</td>
<td>San Luis Rey Band of Mission Indians, Chairperson</td>
<td>Luiseno</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Had no comment at this time, stated that cultural matters are usually referred to Carmen Mojado, who has already been contacted</td>
</tr>
<tr>
<td>Nick Elliott</td>
<td>Manzanita Band of the Kumeyaay Nation, Cultural Resources Coordinator</td>
<td>Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Message left with receptionist, no further response</td>
</tr>
<tr>
<td>M. Louis Guassac</td>
<td>Kumeyaay Diegueno Land Conservancy, Executive Director</td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Number provided by NAHC was incorrect; number of Tribal Chairmen Association provided Johnny Hernanadez, but the operator did not know this individual</td>
</tr>
<tr>
<td>Carmen Lucas</td>
<td>Kwaaymil Laguna Band of Mission Indians</td>
<td>Diegueno</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Message left, call returned July 22, 2010; stated she had no concerns for this project</td>
</tr>
<tr>
<td>Rebecca Osuna</td>
<td>Inaja band of Mission Indians,</td>
<td>Diegueno</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Name</td>
<td>Organization</td>
<td>Affiliation</td>
<td>Date Letter Mailed</td>
<td>Date of Phone Contact</td>
<td>Comments</td>
</tr>
<tr>
<td>---------------------------</td>
<td>------------------------------------------------------------</td>
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<td>-----------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Steve Banegas</td>
<td>Kumeyaay Cultural Repatriation Committee, Spokesperson</td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Henry Contreras</td>
<td>San Luis Rey Band of Mission Indians, MLD</td>
<td>Luiseno</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Had no comment at this time, stated that cultural matters are usually referred to Carmen Mojado, who has already been contacted</td>
</tr>
<tr>
<td>Bennae Calac</td>
<td>Pauma Valley Band of Luiseno Indians, Tribal Council Member</td>
<td>Luiseno</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Stated she (and the Tribe) has major concerns with the project, and has forwarded the information to an attorney; attorney will contact URS possibly next week with comments</td>
</tr>
<tr>
<td>Kristie Orosco</td>
<td>San Pasqual Band of Indians, Environmental Coordinator</td>
<td>Luiseno, Diegueno</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Will Micklin</td>
<td>Ewiaapaayp Tribal Office, Executive Director</td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Had not reviewed the information yet; stated he will review and contact URS at a later date if he had any concerns.</td>
</tr>
<tr>
<td>Michael Garcia</td>
<td>Ewiaapaayp Tribal Office, Vice Chairperson</td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 21, 2010</td>
<td>Number provided was the same as above</td>
</tr>
<tr>
<td>Ron Christman</td>
<td>Kumeyaay Cultural Historic Committee</td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Unable to leave message, no further response</td>
</tr>
<tr>
<td>Monique LaChappa</td>
<td>Campo Kumeyaay Nation, Chairperson</td>
<td>Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Kenneth Meza</td>
<td>Jamul Indian Village, Chairperson</td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Francine Kupsch</td>
<td>Los Coyotes Band of Mission Indians, Spokesperson</td>
<td>Cahuilla</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Stated she did not receive the information package regarding the project; information was emailed to her on July 22, 2010, and she said she will provide comment after reviewing</td>
</tr>
<tr>
<td>Mark Romero</td>
<td>Mesa Grande Band of Mission Indians,</td>
<td>Diegueno</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Message left with receptionist, no further response</td>
</tr>
</tbody>
</table>
**Responses from Native Americans Contacted**

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
<th>Affiliation</th>
<th>Date Letter Mailed</th>
<th>Date of Phone Contact</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christobal C. Devers</td>
<td>Pauma &amp; Yuima, Chairperson</td>
<td>Luiseno</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Spoke with receptionist; she stated if Mr. Devers had any comments or concerns he most likely would have contacted us already; no further response</td>
</tr>
<tr>
<td>Paul Macarro</td>
<td>Pechanga Band of Mission Indians, Cultural Resource Center</td>
<td>Luiseno</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Paul Cuero</td>
<td>Kumeyaay Cultural Heritage Preservation</td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Edwin Romero</td>
<td>Barona Group of the Capitan Grande, Chairperson</td>
<td>Diegueno</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Spoke with the assistant to Mr. Romero; she stated he does not have any comments at this time, but most cultural matters are handled by Bernice Paipa who would contact URS if she had any concerns.</td>
</tr>
<tr>
<td>Robert Pinto</td>
<td>Ewilaapaayp Tribal Office, Chairperson</td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Had not reviewed the information yet; stated he will review and contact us at a later date if he had any concerns.</td>
</tr>
<tr>
<td>Gwendolyn Parada</td>
<td>La Posta Band of Mission Indians, Chairperson</td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Leroy J. Elliott</td>
<td>Manzanita Band of Kumeyaay Nation, Chairperson</td>
<td>Diegueno</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Message left with receptionist, no further response</td>
</tr>
<tr>
<td>Allen E. Lawson</td>
<td>San Pasquel Band of Mission Indians, Chairperson</td>
<td>Diegueno</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Message left, no further response</td>
</tr>
<tr>
<td>Johnny Hernandez</td>
<td>Santa Ysabel Band of Dieguito Indians, Spokesman</td>
<td>Diegueno</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Stated that they had hired Louis Guassac of the Tribal Chairman Association to voice all concerns regarding the MLPA</td>
</tr>
<tr>
<td>Danny Tucker</td>
<td>Sycuan Band Of the Kumeyaay Nation, Chairperson</td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Message left with executive assistant after speaking with receptionist, no further response</td>
</tr>
<tr>
<td>Bobby L. Barrett</td>
<td>Viejas Band of Mission Indians,</td>
<td>Diegueno / Kumeyaay</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Message left, no further response</td>
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Responses from Native Americans Contacted

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</tr>
</thead>
<tbody>
<tr>
<td>Chairperson</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Linda Candelaria</td>
<td>Gabrielino-Tongva Tribe, Chairwoman</td>
<td>Gabrieleno</td>
<td>July 6, 2010</td>
<td>July 22, 2010</td>
<td>Unable to leave message as voice mailbox was full, no further response</td>
</tr>
</tbody>
</table>
Trinomial and Primary site maps have been reviewed. All sites within the project boundaries and the specified radius of the project area have been plotted. Copies of the site record forms have been included for all recorded sites.

**Previous Survey Report Boundaries:**

Project boundary maps have been reviewed. National Archaeological Database (NADB) citations for reports within the project boundaries and within the specified radius of the project area have been included.

**Historic Addresses:**

A map and database of historic properties (formerly Geofinder) has been included.

**Historic Maps:**

The historic maps on file at the South Coastal Information Center have been reviewed, and copies have been included.

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**Summary of SHRC Approved CHRIS IC Records Search Elements**

<table>
<thead>
<tr>
<th>Address-Mapped</th>
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</tr>
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<td>Quads:</td>
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</tr>
<tr>
<td>Hours:</td>
<td>1</td>
</tr>
<tr>
<td>RUSH:</td>
<td>yes</td>
</tr>
</tbody>
</table>

*This is not an invoice. Please pay from the monthly billing statement*
July 15, 2010

Mr. Brent Leftwich
URS Corp
130 Robin Hill Road, Suite 100
Santa Barbara, CA 93117
(805) 964-6010

RE: Records Search for URS No. 28907149.00004, RLFF South Coast Marine Protect Act EIR

Dear Mr. Leftwich,

As per your request received on July 14, 2010, an expedited records search was conducted for the above referenced project. The search includes a review of all recorded archaeological sites within the project site as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest (PHI), the California Historical Landmarks (CHL), the California Register of Historical Resources (CR), the National Register of Historic Places (NR), and the California State Historic Resources Inventory (HRI) listings were reviewed for the above referenced project. The following is a discussion of the findings.

**Dana Point, San Pedro, and Point Mugu, CA, USGS 7.5’ Quadrangles**

**ARCHAEOLOGICAL RESOURCES:**

No archaeological sites have been identified within the project site. No archaeological sites are located within the project site. No sites are listed on the Archaeological Determination of Eligibility (DOE) list. No isolates have been identified within the project site. No isolates are located within the project sites.

**HISTORIC RESOURCES:**

Copies of our historic maps – San Pedro, CA. (1896, 1944), San Juan Capistrano, CA. (1941), Hueneme, CA. 15’ USGS - are enclosed for your review.

The California Point of Historical Interest of the Office of Historic Preservation, Department of Parks and Recreation, lists no properties within the project sites.

The California Historical Landmarks of the Office of Historic Preservation, Department of Parks and Recreation, lists no properties within the project sites.

The California Register of Historic Places lists no properties within the project sites. These are properties determined to have a National Register of Historic Places Status of 1 or 2, a California Historical Landmark numbering 770 and higher, or a Point of Historical Interest listed after 1/1/1998.
The National Register of Historic Places lists no properties within the project sites.

The California Historic Resources Inventory lists no properties that have been evaluated for historical significance within the project sites.

PREVIOUS CULTURAL RESOURCES INVESTIGATIONS:

Three studies (LA2399, LA2910, and LA4456) have been conducted within one of the project sites. There are thirty-five additional investigations located on the Dana Point, San Pedro, and Point Mugu, CA. 7.5’ USGS Quadrangles that are potentially within the project sites. These reports are not mapped due to insufficient locational information.

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at 657.278.5395 Monday through Thursday 9:00 am to 3:30 pm.

Should you require any additional information for the above referenced project, reference the SCCIC number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Sincerely,

SCCIC

Albert Garcia
Staff Researcher

Enclosures:

(X) Maps – San Pedro, CA., Dana Point, CA., Point Mugu, CA. 7.5’ USGS Quadrangle; San Pedro (1896, 1944), San Juan Capistrano (1941), Hueneme (1904) CA. 15’ USGS Quadrangle – 9 pages
(X) Bibliography – 1 page
(X) Bibliography of unmappable reports – 9 pages
(X) Confidentiality Form
(X) Invoice #10698.7471
CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM
RECORDS SEARCH

Company: URS
Company Representative: Brent Leitwich
Date Processed: 7/19/2010
Project Identification: 28907149.00004

Search Radius: 1/4 mile

Historical Resources: ND
Trinomial and Primary site maps have been reviewed. All sites within the project boundaries and the specified radius of the project area have been plotted. Copies of the site record forms have been included for all recorded sites.

Previous Survey Report Boundaries:
Project boundary maps have been reviewed. National Archaeological Database (NADB) citations for reports within the project boundaries and within the specified radius of the project area have been included.

Historic Addresses:
A map and database of historic properties (formerly Geofinder) has been included.

Historic Maps:
The historic maps on file at the South Coastal Information Center have been reviewed, and copies have been included.

<table>
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<tr>
<th>Summary of SHRC Approved CHRIS IC Records Search Elements</th>
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<tbody>
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<td>Aerial Photos:</td>
</tr>
<tr>
<td>Quads:</td>
</tr>
<tr>
<td>Hours:</td>
</tr>
<tr>
<td>RUSH:</td>
</tr>
</tbody>
</table>

This is not an invoice. Please pay from the monthly billing statement.
No cultural resources within APE.

Point Mugu, CA
USGS 7.5' PR 1974
SCCIC #10698
July, 2010

Reports within APE:
LA2399, LA2910,
LA4568

May depict confidential cultural resource locations.
Do not distribute.
Marine Life Protection Act Initiative  
South Coast Tribal Forum  

Final Summary Report  
Updated April 26, 2009  

Temescal Gateway Park, February 27 and 28, 2009  

This report summarizes the main outcomes from the Marine Life Protection Act (MLPA) South Coast Tribal Forum, which took place on February 27 and 28, 2009 in Pacific Palisades, California. This report summarizes the impetus for the forum, key elements in its development, its goals and participants, and its key outcomes. 

The purpose of this report is to inform the ongoing MLPA Initiative planning process of the involvement of California Natives in current and future study regions. This report is also intended to serve as a reference for forum participants and MLPA Initiative staff. It will be made available on the MLPA Initiative website to help inform and involve those California Natives unable to attend the forum. 

1. Background  
Participation of California Natives in the MLPA Initiative process has increased over the history of the project. California Natives were not significantly involved in creating the Marine Life Protection Act (MLPA). Similarly, no California Native representatives participated in the marine protected area (MPA) designation process in the first study region focused on the central coast portion of the state (ranging from Pillar Point in San Mateo County to Point Conception in Santa Barbara County). This early lack of involvement of California Natives, coupled with a general mistrust of government processes due to a long history of negative experiences at both the state and federal levels, led to skepticism amongst California Natives regarding the goals and intended benefits of the MLPA and the MLPA Initiative. 

Spurred by an aggressive “lessons learned” evaluation of the central coast process, efforts to involve California Natives began to improve in the next study region, which focused on the north central coast portion of the state (ranging from Alder Creek in Mendocino County to Pillar Point). Here, two tribal representatives were appointed to the MLPA North Central Coast Regional Stakeholder Group (NCCRSG). Also during the north central coast process, MLPA Initiative staff convened a one-day “tribal workshop” designed to collect spatial information on the historical and current uses of coastal resources by regional tribes. However, the workshop suffered from key shortcomings. First, the workshop was designed without significant input from California Natives. And second, the workshop did not grow out of a foundation of established relationships with local tribes. As a result, only a small number of north central coast tribes participated in the workshop, and those who participated were generally reluctant to share confidential use information with MLPA Initiative staff or other workshop participants. The workshop did, however, encourage some of the participants to become more involved in the process, and a number of them attended some of the later MLPA Initiative public meetings. The importance of building relationships and creating a foundation of trust and understanding was an important lesson learned through the north central coast process.
The MLPA Initiative’s experiences in the central and north central coast processes helped to inform outreach efforts to California Natives in the next study region—the south coast (ranging from Point Conception to the California/Mexico border). MLPA Initiative staff began their outreach to south coast tribes early in the process. In particular, MLPA Initiative staff contacted Larry Myers, Secretary of the Native American Heritage Commission, who helped make initial introductions to key individuals from the Kumeyaay, Chumash, Juaneño/Acjachemem, Tongva/Gabrieleño and Luiseño tribes. Additionally, two California Natives were appointed to the MLPA South Coast Regional Stakeholder Group (SCRSG), both as “primary” members with voting rights.1

However, even with the concentrated outreach conducted in the early stages of the south coast process, it became clear that additional efforts were required to ensure inclusive and meaningful involvement of California Natives in the MLPA Initiative south coast process. To achieve this goal, the MLPA Initiative convened two MLPA South Coast Tribal Forum, which were held on February 27 & 28, 2009 in the Pacific Palisades.

2. Development of MLPA South Coast Tribal Forum
MLPA Initiative staff took several key steps to help make certain the goals, format and objectives of the forums were approached in an inclusive and culturally sensitive way:

- **Established a MLPA South Coast Tribal Steering Committee to Spearhead Forum Planning.** Comprised of MLPA Initiative staff, SCRSG tribal representatives, staff from California Department of Fish and Game (DFG), California Department of Parks and Recreation (State Parks), California State Lands Commission (State Lands), and outside advisors and consultants (appendix A), the MLPA South Coast Tribal Steering Committee helped establish the goals for the forum. Importantly, the steering committee recommended moving away from an emphasis on information gathering and toward a focus on relationship building and facilitating future tribal input into the south coast process. Steering committee members assisted with outreach efforts, commented on documents, and helped build the forums’ agenda. They also provided valuable insight and guidance on how to create an inviting environment to promote inclusive and interactive dialogue. The steering committee envisioned the tribal forums as not only an opportunity to inform and involve, but also an occasion to listen and learn.

- **Organized Pre-Forum Outreach Events.** To further establish and strengthen relationships with south coast California Natives, the MLPA South Coast Tribal Steering Committee highlighted the need of a series of pre-forum outreach events that were designed to give basic information about the MLPA and the MLPA Initiative process while promoting the MLPA South Coast Tribal Forum. It is important to note these information meeting were suggested by one of the SCRSG tribal representatives who knew the appropriate way to convene interested Natives. This point illustrates the importance of having California Natives actively guide the forum development process.

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1 In the north central coast process, one of the tribal members was appointed as a “primary” member and the other as his “alternate”. Only the primary member had voting rights. The designation of two primary members in the south coast study region was meant to indicate the equal status of the two appointed tribal representatives in the MLPA process. There was, however, a request made by one SCRSG tribal representative to have an alternate, however it was too late in the process to consider.
During the pre-forum outreach events, MLPA Initiative staff typically gave a short “Introduction to the MLPA” presentation and followed this with an extensive question and answer period. At least one of the two SCRSG tribal members attended each outreach event.

In all, the MLPA Initiative hosted four formal pre-forum outreach events:

1. January 25, Santa Ynez Tribal Hall
2. January 27, Southern California Tribal Chairman’s Association
3. February 1, Aquarium of the Pacific
4. February 13, Kumeyaay Unity Meeting and Kumeyaay Diegueño Land Conservancy

Approximately 75 federally and non-federally recognized California Natives attended these outreach events in total, representing all five coastal tribal nations in the South Coast Region. MLPA Initiative staff gathered contact information for all those in attendance and used this contact information to distribute invitations to the tribal forums as well as general MLPA Initiative process information.

An additional meeting was held at the Santa Ynez Tribal Hall on February 8 as a follow-up to the Initiative-sponsored meeting held in January. Convened and facilitated by SCRSG member Roberta Cordero, approximately 50 attendees, primarily Chumash, met to re-emphasize and discuss the MLPA Initiative process. This meeting was instrumental in helping participants understand the significance of the Initiative process and in galvanizing interest and action.

- **Prepared a Frequently Asked Questions Document.** One of the key outcomes from the pre-forum outreach events was the development of a list of frequently asked questions (FAQs). To better address these, MLPA Initiative staff, in collaboration with DFG, State Parks, and State Lands Commission staff, prepared a series of responses. The document was entitled: *Frequently Asked Questions for the Marine Life Protection Act South Coast Tribal Forum* (appendix B). This document addressed such key questions as: how California Natives have participated in the MLPA Initiative process in the past, the role government-to-government consultation in the MLPA Initiative process, and how marine protected areas may affect access and use of cultural resources.

- **Established Clear, Achievable Tribal Forum Goals and an Appropriate Format.** The MLPA South Coast Tribal Steering Committee, supported by feedback gained during the pre-forum outreach events, helped inform the process design of the tribal forums. The emphasis of the forums moved away from a data-gathering exercise and towards an information exchange, focusing on two primary goals:
  
  o Provide information about the MLPA, the MLPA Initiative, and the process. Establish the relationship between the MLPA process and constructive dialogue with state agencies.

  o Receive information from both federally recognized and non-federally
recognized tribes in the south coast study region and develop a plan for tribal involvement to support the MLPA process.

The forum was initially designed to be a single two-day event. However, steering committee members expressed concern that California Natives from non-federally recognized tribes, in particular, would not be able to make the Friday portion because of personal commitments (i.e., work, family). The steering committee therefore decided to structure the forums so the agenda for both days was identical to better accommodate participants’ schedules. Meals were provided on both days to attendees and overnight accommodations were made available to those who chose to attend both days.

3. MLPA South Coast Tribal Forum—Participation and Organization

The two MLPA South Coast Tribal Forum were held on Friday, February 27 and Saturday, February 28 at Temescal Gateway Park, which is located in the Pacific Palisades. Twenty California Natives attended the forums, 12 on Friday and 14 on Saturday, with 6 attending on both days. In addition, two non-California Natives attended the Friday forum, one of which was invited by a California Native to observe the meeting on their behalf but not act as a participant. These forum were not open to the general public in an effort to maintain confidentiality and privacy of information shared by California Natives. Because of this, one member of the general public was turned away from attending Saturday’s forum.

The forum were also attended by members of the MLPA South Coast Tribal Steering Committee as well as DFG Deputy Director, Sonke Mastrup, MLPA Blue Ribbon Task Force Chair, Don Benninghoven, and MLPA Initiative Program Manager, Melissa Miller-Henson. Two SCRSG members, Julie Burseck, Education and Outreach Coordinator for the Channel Islands National Marine Sanctuary, and Russ Galipeau, Superintendent of the Channel Islands National Park, also attended.

The forum agenda (appendix C) was organized around the forum goals described above. It included specific informational presentations on the MLPA Initiative given by MLPA Initiative, DFG and State Parks staff in the morning, followed by informal group discussions in the afternoon focusing on a series of guiding questions:

Breakout Session 1

1. Help us understand the importance of the ocean to you and/or your tribe.
2. In the MLPA Initiative planning process the SCRSG relies on information about geographies or important uses and values associated with those geographies.
   a. What type of tribal information is appropriate to share with this process?
   b. What is the best way to bring this information into the process?

Breakout Session 2

1. How can California Natives best engage with and inform the MLPA Initiative south coast process?
2. In what ways would you like to be involved?
In response to steering committee guidance, the afternoon agenda items had a lot of flexibility built in. While it was originally anticipated that the forum would break out into smaller discussion groups, participants on both days requested the opportunity to discuss the guiding questions in private, without the involvement of MLPA Initiative staff or non-California Natives. The forum participants used this caucusing opportunity to discuss how best to bring potentially sensitive information into the process, and how best to provide input from all of the south coast tribes to the work of the south coast regional stakeholder group. Participants also used the caucus period to formulate additional key questions for Initiative staff.

It is important to note that while the Friday and Saturday forum were designed as two distinct meetings, there was a natural culminating effect that took place over the two days, perhaps strengthened by those participants who attended both days. This resulted in a stronger, more coherent set of outcomes that emerged from the Saturday forum.

At the end of both days, MLPA Initiative staff offered a one-hour training on MarineMap to forum participants. Forum participants used this opportunity to better understand this important planning tool and to improve their knowledge of how key information was being incorporated into the MPA planning process.

4. Tribal Forum Key Outcomes
   Key outcomes from the Tribal Forum included the following:

   **Agreement on steps for California Natives to provide input to south coast process**

   - Participants established an Intertribal Group to provide ongoing input into the south coast process. This organized group, comprised of forum attendees and open to all California Natives, will provide feedback on Rounds 1-3 arrays/proposals and potentially develop individual MPA options.

   - Participants established a listserv to assist with Intertribal Group coordination efforts. The listserv is open to all interested California Natives.

   - Participants developed the following schedule for providing feedback on the draft Round 1 MPA arrays:

     | Week of March 16                      |        |
     |---------------------------------------|--------|
     | Begin review Round 1 MPA draft arrays | April 11 |
     |                                       |        |
     | Intertribal Group meets to discuss Round 1 draft MPA arrays and develop initial comments |
     | Circulate initial comments to other California Natives via community events |
April 18

- Integrate feedback from California Natives and re-circulate for input

April 25

- Finalize feedback and compile final comments

May 7

- Submit comments to MLPA Initiative (through SCRSG tribal members or via MLPACOMMENT@RESOURCES.CA.GOV)

A similar timeline will be developed for reviewing Rounds 2 and 3 of draft proposals.

- The Intertribal Group will also conduct outreach in their local communities as well as at various community festivals and events in an effort to gain inclusive input from Southern California Natives.

- Participants requested background and support materials to be better prepared for reviewing marine protected area arrays and proposals during Rounds 1-3. Requests for additional MLPA Initiative staff support were also suggested, specifically in the form of teleconferences and possibly a face-to-face meeting during Round 2.

**Key Issues Raised by Tribal Forum Participants**

- Participants shared a deep concern about the lack of tribal consideration and involvement in both the creation of the MLPA as well as throughout the MLPA Initiative process to date. Currently, California Natives are not acknowledged for their historical or current connection and usage of coastal resources within the MLPA and its goals, nor in the marine protected area designations or regulatory language utilized under the Department of Fish and Game. In particular:
  - MLPA only considers living marine resources, not uses (e.g., subsistence, cultural/educational, and ceremonial).
  - MPA designations under the MLPA protect cultural resources (e.g., submerged sites), but not current subsistence, cultural/educational, and/or ceremonial uses.
  - Categories of ‘recreational’ and ‘commercial’ take do not encompass tribal uses.

MLPA Initiative staff acknowledged these legitimate concerns.

- Participants think it important to recognize the long history California Natives have played as caretakers and stewards of the ocean and its resources.

- Participants were reluctant to share confidential information regarding historical and current coastal uses or cultural practices. Participants expressed their need to take the
information gathered at the forum back to their community to consult with their leaders and members to discern what level of confidential cultural information can be provided to the MLPA Initiative.

- Participants expressed the importance for Native stakeholders to advocate for interests of all California Natives on the entire coast, and not be limited to only one’s own tribe’s interests.

- Participants recognized that multiple, parallel processes might be needed for California Natives to achieve all of their interests, particularly for issues that lie outside the purview of the MLPA (ie. the state’s lack of distinction between California Natives and ‘cultural’ groups). This may require engaging in conversations with DFG to develop creative solutions when formal government-to-government consultation is not an available option.

**Key Documents Produced in Support of Tribal Forum**

- **“Frequently Asked Questions” Document** – Ten FAQs were born out of a series of pre-forum outreach presentations held in January and February. Answers to these questions were created in collaboration with DFG, State Lands and State Parks and presented at the forums.

- **“How to get involved” Document** – This reference guide outlined the various ways California Natives can become involved in the MLPA Initiative process.

- **State Parks Consultation Policy** – During the forums’ preparation and development stages, State Parks uncovered a critical policy document that outlines the process in place for California Natives to consult with the agency (appendix C). This document was distributed at the forums.

**Preparations for future tribal involvement in the MLPA process**

- **Tribal Forum experience served to lay the groundwork for the MLPA north coast process.** The framework and approach of the south coast forums will provide a model for how best to engage with north coast tribes. Also, those California Natives who attended the south coast forums can now become advocates for involvement in the process and assist with reaching north coast California Natives.

- **Participants began building relationships that may extend well beyond the MLPA Initiative.** These forum provided California Natives and state officials an opportunity to begin building new relationships that will continue once the MLPA Initiative process is completed. It is important to recognize the state’s willingness to participate in a conversation with tribes and find creative solutions regardless of their access to government-to-government consultation.

**5. Near-Team Next Steps for the South Coast Process**
Intertribal Group
The Intertribal Group will meet and provide input toward the revision of Round 1 MPA arrays and proposals according to the tasks and schedule identified in the section above.

MLPA Initiative Staff
The MLPA initiative will provide the following support to the Intertribal Group as well as those California Natives unable to attend the forum:

- **Establish Intertribal Group Listserv** – On March 13, 2009, the MLPA Initiative established the Intertribal Group listserv. This email list will assist the Intertribal Group with coordination and provide a direct link to MLPA Initiative staff when questions arise.

- **Establish MarineMap Accounts for Interested California Natives** – All forum participants were invited to create a MarineMap account to gain access to habitat data. This account also offers account users the opportunity to develop individual marine protected area options. Additionally, a number of forum participants requested they receive physical maps of MPA arrays and proposals – these names have been included in the MLPA Initiative’s distribution list.

- **Create Tribal Forum Contact List** – A complete contact list of forum participants was circulated via the Intertribal Group listserv on April 9, 2009.

- **Distribute MLPA Initiative Support Materials** – On March 13, 2009, a memo was circulated via the Intertribal Group that included links to background and support materials requested by forum participants, including the public resources code for the MLPA and the Marine Managed Areas Improvement Act, the Draft MLPA Initiative Master Plan, the MLPA South Coast Regional Profile, California Department of Fish and Game Feasibility Criteria and Evaluation Components for Marine Protected Area Proposals, and the MLPA Master Plan Science Advisory Plan Team list of species likely to benefit (appendix E).

- **Post Forum Materials on MLPA Initiative Website** – All materials developed for the MLPA South Coast Tribal Forums will be posted online for reference, including the forum agenda, the FAQs and “How to Get Involved” documents, and contact information of the MLPA South Coast Tribal Steering Committee. This final report will also be made available online.

- **Continue Outreach to California Natives** – The MLPA Initiative Public Outreach and Education Team will continue reaching out to California Natives throughout south coast, specifically Gabrieleño/Tongva, Juaneño/Acjachemem, and Luiseño.

MLPA Initiative staff members also agreed to discuss additional support on a case-by-case basis. This included the possibility of organizing teleconferences or webinars, providing real-time I-Team support at strategic points, or providing responses to technical questions by phone and email.

7. **Next Steps: Beyond the South Coast**
Tribal Forum participants acknowledged that the MLPA South Coast Tribal Forum was a first step in improving the involvement of California Natives in the implementation of the MLPA. They recommended the lessons learned from the south coast process be addressed as the MLPA Initiative turns its attention next to the north coast and San Francisco Bay study regions. To further highlight these lessons learned, the MLPA South Coast Tribal Steering Committee will prepare a memo to MLPA Initiative senior staff as well as the MLPA Blue Ribbon Task Force and present a number of recommendations for tribal involvement in future study regions (i.e., include California Native appendix to MLPA Initiative Master Plan).

Tribal Forum Participants also acknowledged that the relationships built during the Tribal Forum—both among tribes and between tribes and state agencies—were an important start, but that these relationships need to be nurtured and expanded in the months and years to come.
Appendix A

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Appendix B

California Marine Life Protection Act Initiative
Frequently Asked Questions for the
Marine Life Protection Act South Coast Tribal Forum
Revised February 26, 2009

Below is a list of frequently asked questions regarding the Marine Life Protection Act Initiative that have been posed by California Natives at previous tribal outreach events. Answers to the questions are in the pages below.

1. What are marine protected areas (MPAs), what is their purpose, and how do they function?

2. Were California Natives involved in the creation of the Marine Life Protection Act (MLPA)? Does the MLPA address California Native interests? How or how not?

3. Have California Natives participated in the MLPA Initiative process? How? And how does the MLPA South Coast Tribal Forum fit into the process?

4. Can Native Americans use government-to-government consultation to engage the State of California and the MLPA Initiative process?

5. How are federal government agencies involved in the MLPA Initiative process?

6. What recourse do I have if I disagree with the Marine Life Protection Act?

7. If an MPA includes natural resources or places of cultural interest and traditional use to California Native Americans, would Indian people be able to use those resources or places?

8. What is the impact of MPAs on cultural resources, including submerged village sites?

9. How can I be involved in the MLPA south coast MPA planning process? Is there a deadline? Besides the MLPA South Coast Tribal Forum, what other support can I expect?

10. Can I become a member of the MLPA South Coast Regional Stakeholder Group (SCRSG)? How else can I provide input, since no other members of my tribe are on the SRSRG?
1. What are marine protected areas (MPAs), what is their purpose, and how do they function?

A "marine protected area" (MPA) is a named, discrete geographic marine or estuarine area seaward of the mean high tide line or the mouth of a coastal river, including any area of intertidal or subtidal terrain, together with its overlying water and associated flora and fauna that has been designated by law or administrative action to protect or conserve marine life and habitat. MPAs are primarily intended to protect or conserve marine life and habitat. [Reference: Public Resources Code, Sections 36602 and 36710]

The State of California has three types of MPA classifications, each with different allowed uses. State marine reserves (SMR) prohibit all extractive activities. State marine parks (SMPs) allow some recreational fishing and prohibit commercial extraction. State marine conservation areas (SMCAs) allow for specified commercial and recreational activities. Allowed uses in SMPs or SMCAs can include fishing for certain species but not others, fishing with certain practices but not others, and kelp harvesting, provided that these activities are consistent with the objectives of the area and the goals and guidelines of each study region.

MPAs have been studied in a variety of locations around the world, including California. On average, science shows that there are increases in the number of individual animals, average individual size, numbers of young produced, and even the total numbers of different species inside MPAs. Additional information on MPA effectiveness may be found on the MLPA Initiative website at http://www.dfg.ca.gov/mlpa/science1.asp.

MPAs are primarily intended to protect or conserve marine life and habitat, and are therefore a subset of marine managed areas (MMAs). Marine managed areas are a broader group of named, discrete geographic areas along the coast that protect, conserve, or otherwise manage a variety of resources and uses, including living marine resources, cultural and historical resources, and recreational opportunities. Marine managed area classifications include state water quality protection area, state marine cultural preservation area, and state marine recreational management area.

2. Were California Natives involved in the creation of the Marine Life Protection Act (MLPA)? Does the MLPA address California Native interests? How or how not?

California Natives were not significantly involved in creating the Marine Life Protection Act (MLPA), an oversight that has been recognized by the MLPA Initiative and the California Department of Fish and Game.

The goals of the MLPA, however, are strongly aligned with the conservation and resource protection interests of many California Natives. Key goals include:

- Protect the natural diversity and abundance of marine life, and the structure, function, and integrity of marine ecosystems.

- Help sustain, conserve, and protect marine life populations, including those of economic value, and rebuild those that are depleted.
• Improve recreational, educational, and study opportunities provided by marine ecosystems that are subject to minimal human disturbance, and to manage these uses in a manner consistent with protecting biodiversity.

• Protect marine natural heritage, including protection of representative and unique marine life habitats in California waters for their intrinsic value.

3. Have California Natives participated in the MLPA Initiative Process? How? And how does the MLPA South Coast Tribal Forum fit into the process?

Native American participation in the MLPA Initiative process has increased over the history of the project. Currently, two tribal representatives participate as appointed members of the MLPA South Coast Regional Stakeholder Group (SCRSG) (see questions #9 and #10 below for more information on the tribal participants in the SCRSG). Both tribal SCRSG members are “primary” members, meaning they are both voting members. The SCRSG consists of 64 stakeholders representing a wide variety of interests and perspectives regarding southern California’s marine resources. The SCRSG is charged with developing alternative marine protected area (MPA) proposals for review and consideration by a policy level blue ribbon task force and the California Fish and Game Commission, the ultimate decision-making body under the MLPA.

The south coast “study region”—which ranges from Point Conception to the California/Mexico border, including offshore islands—is the third of five regions being addressed as part of the MLPA Initiative process.

The central coast study region (Pigeon Point in San Mateo County to Point Conception in Santa Barbara County) was the first of these five study regions to complete the MLPA planning and implementation process. In April 2007, the California Fish and Game Commission adopted MPAs for the central coast that will function as part of a statewide network of MPAs. There were no California Native representatives on the central coast regional stakeholder group during the central coast process.

To help improve Native American participation and representation, a concerted effort was made to better involve tribal interests in the next study region—the north central coast (Alder Creek near Point Arena in Mendocino County to Pigeon Point, including offshore islands). Two tribal representatives were appointed to the MLPA North Central Coast Regional Stakeholder Group. These tribal members participated in the development of MPA proposals and assisted in bringing appropriate information about Native American cultural uses in that region. The MPA proposals developed by the north central coast regional stakeholder group are currently being considered by the California Fish and Game Commission.

When the MLPA Initiative began addressing the south coast in 2008, a commitment was made to further increase efforts to involve tribal members and interests in the MLPA Initiative process. As noted above, two tribal members have been appointed to the south coast regional stakeholder group. Additionally, the MLPA Initiative has hosted or co-hosted a number of workshops and meetings aimed at increasing outreach and education to California Natives.
As part of this effort to inform and involve the greater community of California Natives, the MLPA Initiative will host two, one-day MLPA South Coast Tribal Forums. The objectives of the tribal forums are to:

1) Provide information about the California Marine Life Protection Act (MLPA) and the MLPA Initiative process to interested tribal members in southern California.

2) Initiate steps for tribal participation in the MLPA Initiative, and determine effective ways for tribes to share information on tribal-ocean relationships and current and traditional ocean uses.

MLPA Initiative staff hope to use the outcomes of the tribal forums to establish a model for more effective tribal involvement in the MLPA Initiative that can be replicated in the final two study regions: the north coast (California/Oregon border to Alder Creek near Point Arena), and San Francisco Bay (waters within San Francisco Bay, from the Golden Gate Bridge northeast to the Carquinez Bridge).

4. Can Native Americans use government-to-government consultation to engage the State of California and the MLPA Initiative process?

Unlike the federal government, the State of California has no legal authority to engage in formal, government-to-government consultation with California Natives. As such, the California Department of Fish and Game and the California Department of Parks and Recreation—the two principal state agencies involved in implementing the MLPA—have no jurisdiction to enter into formal government-to-government consultations with California Natives. For its part, the MLPA Initiative is a public-private partnership, which similarly cannot engage with tribes in a formal consultation process.

However, as in the past, state agencies like the California Department of Fish and Game and the California Department of Parks and Recreation are willing to engage in informal consultations with tribes to learn and address tribal needs and interests.

The most direct way for Native Americans to inform the MLPA Initiative is to participate in the process itself. See question 9 below for more information on how to become involved.

5. How are federal government agencies involved in the MLPA Initiative process?

Just as tribes participate as members of the MLPA South Coast Regional Stakeholder Group, so too do federal agencies. Agencies such as the Channel Islands National Marine Sanctuary, the Channel Islands National Park, and the National Park Service all serve as south coast stakeholder group members and have equal standing and voting power as tribal representatives, commercial and recreational fishing interests, the conservation community, divers, local government officials, and non-consumptive users.
As federally-recognized tribes have formal government-to-government relations with these agencies, these tribes can also seek to influence the MLPA Initiative process through consultation with these agencies.

6. What recourse do I have if I disagree with the Marine Life Protection Act?

If you disagree with the Marine Life Protection Act (MLPA) itself, you may contact your state assemblyperson, state senator, or the Governor to voice your concerns. As the Marine Life Protection Act has already been passed (it was signed into law in 1999), it would take another act by the California State Legislature and the Governor to revise or repeal it.

While the above path remains an option for California Natives and indeed all California citizens, participation in the MLPA Initiative process itself may be the most effective way to influence the outcomes of the act.

7. If an MPA includes natural resources or places of cultural interest and traditional use to California Native Americans, would Indian people be able to use those resources or places?

Depending on the type of MPA designation, Native American uses of resources and access to places may be restricted.

The Marine Managed Areas Improvement Act (Public Resources Code, Section 36710) states that within a state marine reserve (SMR), “it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource, except under a permit or specific authorization from a managing agency for research, restoration, or monitoring purposes. While, to the extent feasible, the area shall be open to the public for managed enjoyment and study, the area shall be maintained to the extent practicable in an undisturbed and unpolluted state. Access and use for activities such as walking, swimming, boating, and diving may be restricted to protect marine resources. Research, restoration, and monitoring may be permitted by the managing agency. Educational activities and other forms of nonconsumptive human use may be permitted by the designating entity or managing agency in a manner consistent with the protection of all marine resources.” Any use or access that is granted cannot be discriminatory, meaning that use and access cannot be restricted to any one user group.

There are two other types of marine protected areas, namely state marine parks (SMPs) and state marine conservation areas (SMCAs), that do allow restricted recreational and/or commercial extraction. These two designations could be used to allow resource use or access to California Natives. However, it should be noted that this use or access is not exclusive of Native Americans but rather available to all user groups.

Depending on the type of MPA, it may be possible for Native Americans to obtain approval for specific types of cultural use in MPAs. For instance, extraction of particular mineral resources in state marine parks (SMPs) may be possible. A permit or lease would be required from the California State Lands Commission and may also be required from the California Department of Parks and Recreation.

The Department of Fish and Game does not have a permitting process directed specifically to Native Americans.
8. What is the impact of MPAs on cultural resources, including submerged village sites?

The Marine Life Protection Act (MLPA) applies only to state waters up to the mean high tide line; the MLPA does not apply to resources lying above the mean high tide line, including cultural resources. MPAs that are created under the MLPA are not directed primarily toward protection of cultural resources. However, designation of a state marine reserve, a state marine conservation area, or a state marine park may have the secondary effect of indirectly protecting cultural resources.

Submerged cultural resources, including submerged village sites, are under the jurisdiction of the California State Lands Commission. The California State Lands Commission administers the Shipwreck and Historic Maritime Resources Program under Public Resources Code sections 6309, 6313, and 6314. Submerged village sites are protected by these statutes from unauthorized activities that result in removal of artifacts or damage to the site.

Permits for excavation may be authorized when the activity is justified by an education, scientific, or cultural purpose, or the need to protect the integrity of the site or the resource. The California State Lands Commission may also consider leasing a submerged area that includes cultural resources for their management and protection, but this would take place external to the MLPA process.

Outside of the jurisdiction of the MLPA, there is a type of marine managed area that can be designated by the California Park and Recreation Commission to protect submerged cultural resources—a state marine cultural preservation area. As defined in the Marine Managed Areas Improvement Act (Public Resources Code, sections 36700-36900), a state marine cultural preservation area is a “nonterrestrial marine or estuarine area designated so the managing agency may preserve cultural objects or sites of historical, archaeological, or scientific interest in marine areas.” In a state marine cultural preservation area, “it is unlawful to damage, take, or possess any cultural marine resource. Complete integrity of the cultural resources shall be sought, and no structure or improvements that conflict with that integrity shall be permitted. No other use is restricted.”

Native Americans interested in protecting cultural resources may consider working with the California Department of Parks and Recreation to pursue designation of state marine cultural preservation areas, but this would take place external to the MLPA process.

9. How can I be involved in the MLPA South Coast MPA planning process? Is there a deadline? Besides the MLPA South Coast Tribal Forum, what other support can I expect?

There are a variety of ways California Natives can be involved in the planning process:

Stay Informed

- Visit the MLPA website at [www.dfg.ca.gov/mlpa](http://www.dfg.ca.gov/mlpa)
- Sign up on the MLPA Initiative listserv at [http://www.dfg.ca.gov/mlpa/mailinglist_sc.asp](http://www.dfg.ca.gov/mlpa/mailinglist_sc.asp)
• View live webcasts of meetings as they take place (www.cal-span.org/) or archived versions of the meetings on the MLPA website (www.dfg.ca.gov/mlpa/meetings_sc.asp)

Provide Input
• Contact a member of the MLPA South Coast Regional Stakeholder Group to express your interests and views.
• Provide verbal comment in person at task force, science advisory team, regional stakeholder group, and California Fish and Game Commission meetings
• Submit feedback on documents for public comment available on the MLPA website
• Submit comments, ideas and suggestions via email or regular mail:
  o Email: MLPACOMMENTS@RESOURCES.CA.GOV
  o Mail: Marine Life Protection Act Initiative
c/o California Natural Resources Agency
  1416 Ninth Street, Suite 1311
  Sacramento, CA 95814
  o Fax: 916.653.8102, Attn: MLPA Initiative

Attend Upcoming Public Meetings
All MLPA Initiative meetings are open to the public and are announced via the MLPA Initiative mailing list; meeting agendas and materials are posted to the MLPA website as they become available. Visit the MLPA website and learn more about how these groups interact and contribute to the process.

Participate at the MLPA South Coast Tribal Forums
• Connect with other interested California Natives
• Provide direct input on MPA proposals
• Receive basic training in MarineMap, an online mapping tool used to view data layers and/or develop MPA proposals
• Meet with SCRSG members, MLPA Initiative staff, and California Department of Fish and Game and California Department of Parks and Recreation representatives

10. Can I become a member of the MLPA South Coast Regional Stakeholder Group (SCRSG)? How else can I provide input, since no other members of my tribe are on the SCRSG?

In September 2008, the director of the California Department of Fish and Game and the chair of the MLPA Blue Ribbon Task Force appointed a sixty-four-member SCRSG. Currently, there are two tribal representatives on the SCRSG: Louie Guassac (Kumeyaay) and Roberta Cordero (Chumash). While the opportunity to become a member of the SCRSG is closed, both SCRSG tribal members are charged with involving their immediate tribes as well as reaching out beyond their tribal affiliations in an effort to be inclusive of all California Natives in the south coast region. You are encouraged to work with Louie and Roberta to ensure that your opinions, thoughts and concerns are voiced through the MLPA Initiative process.
Appendix C

South Coast Tribal Forum Agenda

Dates: Friday, February 27, 2009 and Saturday, February 28, 2009

Location: Temescal Gateway Park, 15601 Sunset Blvd., Pacific Palisades, CA 90272

The MLPA Tribal Forum is a one-day event that will be held twice in late February 2009: on Friday, February 27, 2009, and again on Saturday, February 28, 2009. Participants are welcomed and encouraged to participate on either day or on both days for added value.

Forum Objectives
1. Provide information about the California Marine Life Protection Act (MLPA), the MLPA Initiative, and the process to interested tribal members in southern California.
2. Initiate steps for tribal participation in the MLPA Initiative process, and determine best ways for tribes to share information on tribal-ocean relationships and current and traditional ocean uses.

Agenda (the agenda for February 27 and February 28 is identical)
8:00 – 9:00 AM Check In and Assemble
9:00 – 9:15 Tribal Invocation
9:15 – 9:45 Welcome, Introductions, and Review of Forum Objectives, Agenda, and Ground Rules
9:45 -11:00 MLPA Presentations and Discussion
   • Introduction to the MLPA and the MLPA Initiative
   • Role of tribal members on the SCRSG
   • Role of state government
   • Public outreach and involvement
11:00 – 11:15 Break
11:15 – 12:15 PM Continue: MLPA Presentations and Discussion
12:15 – 1:15 Lunch
1:15 – 2:30 Breakout Session: Information Sharing on Tribal-Ocean Relationships and Current and Traditional Ocean Uses
2:30-2:45 Break
2:45 – 4:00 Discuss Opportunities for Tribal Participation: Beyond the Forum
4:00 – 4:45 Breakout Groups Report Back; Discuss and Confirm Next Steps
4:45 – 5:00 Formal Closing Ceremony and ADJOURN
5:00 – 6:00 MarineMap Overview and Training Opportunity
6:00 – 7:30 PM Dinner (both Friday, February 27 and Saturday, February 28, 2009)
Appendix D
MEMORANDUM

Date: March 13, 2009
To: MLPA Intertribal Group
From: Kelly Sayce and Eric Poncelet, MLPA Initiative
Re: MLPA South Coast Tribal Forum Next Steps
Cc: Ken Wiseman, Executive Director, MLPA Initiative
Sonke Mastrup, Deputy Director, DFG
Don Benninghoven, Chair, MLPA Blue Ribbon Task Force
Becky Ota, Acting Marine Habitat Conservation Program Manager, DFG
Pamela Griggs, Legal Council, State Lands Commission
MLPA Tribal Steering Committee

Dear MLPA Intertribal Group,

On behalf of the Marine Life Protection Act (MLPA) Initiative, we would like to thank you all for your involvement and participation in the February 27-28, 2009 MLPA South Coast Tribal Forums. This memo summarizes key outcomes of the two forums, provides information requested by forum participants, and outlines next steps as we enter into Round 1 of the marine protected area (MPA) planning process. Initiative staff is also preparing a more detailed summary report of the forums that should be completed within the next few weeks.

Key Outcomes of Tribal Forums
The following key outcomes were presented to the MLPA South Coast Regional Stakeholder Group on March 3 & 4.

Participants established Intertribal Group

- Participants at the February 28, 2009 forum established an ‘Intertribal Group’. This group will be inclusive of all forum participants, and is open as well to California Natives who did not attend either forum.
  - The Intertribal Group will coordinate to ensure continued engagement of California Natives in the MLPA Initiative process. Key tasks include reviewing, discussing, and providing input on Rounds 1-3 MPA arrays and proposals, as well as potentially developing individual MPA options.
  - This group will also conduct outreach within the south coast study region to make certain all California Natives have an opportunity to participate in the process.

Participants committed to share information and gather input from non-forum participants

- Participants agreed to bring information gathered during the Tribal Forums, including the creation of the Intertribal Group, to their communities for additional input and guidance.

Appendix E
Participants agreed to discuss issues of confidentiality with their own tribal governments and communities. A key issue concerns what types of information are appropriate to share with the MLPA Initiative.

**Key information was presented to forum participants**

- Several key documents were distributed at the Tribal Forums:
  - A ‘Frequently Asked Questions’ (FAQ) document was developed for the forums in response to questions gathered during pre-forum outreach events.
  - An existing California State Parks policy on consultation with California Natives was distributed at both forums.
  - Summary of ways California Natives can be involved in the MLPA Initiative. This document included key email and website addresses as well as a list of future MLPA Initiative meeting dates. *This document is attached to the bottom of this memo.*

These documents will be available on the MLPA Initiative website in the coming weeks. A separate email announcing the posting of these materials will be sent to the listserv.

**Participants began building relationships with state officials and MLPA Initiative**

- The forums provided an important opportunity for California Natives to build relationships with state representatives, particularly with California Department of Fish and Game (Deputy Director, Sonke Mastrup) and California State Parks (Kevin Flemming), which can continue to grow far beyond the timeline of the MLPA Initiative.
- The forums also created a foundation for involving California Natives in the MLPA Initiative process, which will be built upon as the MLPA Initiative moves through the south coast process and into the north coast.

**List of Key Materials Requested**

Forum participants requested copies of the several key documents. These documents are listed below and can be found and downloaded at the following websites:

- Public Resources Code
  - MMAIA - [http://www.dfg.ca.gov/mlpa/pdfs/revisedmp0108b.pdf](http://www.dfg.ca.gov/mlpa/pdfs/revisedmp0108b.pdf)
- Draft MLPA Initiative Master Plan
  - [http://www.dfg.ca.gov/mlpa/masterplan.asp](http://www.dfg.ca.gov/mlpa/masterplan.asp)
  - [http://www.dfg.ca.gov/mlpa/pdfs/revisedmp0108.pdf](http://www.dfg.ca.gov/mlpa/pdfs/revisedmp0108.pdf)
- MLPA South Coast Study Regional Profile
  - [http://www.dfg.ca.gov/mlpa/scpprofile.asp](http://www.dfg.ca.gov/mlpa/scpprofile.asp)
- California Department of Fish and Game Feasibility Criteria and Evaluation Components for Marine Protected Area Proposals
  - [http://www.dfg.ca.gov/mlpa/pdfs/agenda_111808n.pdf](http://www.dfg.ca.gov/mlpa/pdfs/agenda_111808n.pdf)
- MLPA Master Plan Science Advisory Team (SAT) List of Species Likely to Benefit
  - [http://www.dfg.ca.gov/mlpa/pdfs/agenda_022409o2.pdf](http://www.dfg.ca.gov/mlpa/pdfs/agenda_022409o2.pdf)
Additional documents can also be made available upon request.

**Request for hard copy maps**
Several participants also requested hard copy maps of the draft MPA arrays and proposals as these are produced.

*If you are interested in receiving hard copy maps, please respond to this email. We will need your mailing addresses.*

**Instructions for Getting an Account on MarineMap**
Several forum participants expressed interest in obtaining an account on MarineMap. To do so, please contact Chris Macdonald:

Chris Macdonald, MLPA Initiative GIS Team  
Email: macdonald@msi.ucsb.edu  
Phone: 805-455-2936

**Establishment of an Intertribal Group Listserv**
All participants of the Tribal Forums will be automatically added to the Intertribal Group mailing list.

To email the entire list, use the following email address:  
MLPAIntertribal@lists.ceres.ca.gov

To subscribe, unsubscribe, or change list options please visit:  
https://lists.ceres.ca.gov/cgi-bin/mailman/listinfo/mlpaintertribal

**IMPORTANT NOTE:** When responding to an email, please remember when you hit ‘reply’, your message will automatically be sent to the entire list. If you would like to respond to only the sender, hit ‘reply’ and then delete MLPAIntertribal@lists.ceres.ca.gov and enter in the individual email.

**IMPORTANT NOTE:** The listserv is primarily intended for coordination purposes. Please refrain from sending or sharing information that might be perceived as confidential.

Amy Padilla, the MLPA Initiative office administrator, will moderate the Intertribal Group listserv.

**Establishment of a Tribal Forum Contact List**
Many tribal forum participants expressed interest in obtaining a contract list of everyone who participated in the Tribal Forums. We would like to make this contact list available via the listserv but recognize that not everyone may want to have their contact information made available.

*Please notify us by Friday, March 20 if you would NOT like to be included in the contact list. Otherwise, we will go ahead and include your contact information on the list.*
Recap of Intertribal Group Schedule for Providing Input on draft MPA Arrays

March 12-17
• Set up Intertribal Group listserv
• Finalize all MarineMap accounts

Week of March 16
• Begin review Round 1 MPA draft arrays

April 11
• Intertribal Group meets to discuss Round 1 draft MPA arrays and develop initial comments
• Circulate initial comments to other California Natives via community events

April 18
• Integrate feedback from California Natives and re-circulate for input

April 25
• Finalize feedback and compile final comments

May 7
• Submit comments to MLPA Initiative (through SCRSG tribal members or via MLPAComment@resources.ca.gov)

There are a variety of ways California Natives can be involved in the MLPA Initiative planning process:

Stay Informed
• Visit the MLPA website at www.dfg.ca.gov/mlpa
• Sign up on the MLPA Initiative Listserv at http://www.dfg.ca.gov/mlpa/mailinglist_sc.asp.
• View live webcasts of meetings as they take place (www.cal-span.org) or archived versions of the meetings on the MLPA website (www.dfg.ca.gov/mlpa/meetings_sc.asp)

Provide Input
• Contact a member of the MLPA South Coast Regional Stakeholder Group to express your interests and views (see Attachment 3 for a list of the MLPA SCRSG members).
• Submit feedback on marine protected area (MPA) arrays and proposals (eg. How might a proposed MPA location, shape, and/or objective(s) impact how California Natives use/have used coastal resources?).

MPA design options developed by the MLPA South Coast Regional Stakeholder Group over the next eight months will be viewable by the public at the end of each of the three rounds once the MPA design has been completed. California Natives are encouraged to comment on MPA draft arrays (Round 1), draft proposals (Round 2) and final draft proposals (Round 3) at the following general meetings and public workshops:

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Round 1
March 3-4 South Coast Regional Stakeholder Group
Hilton Long Beach & Executive Meeting Center
701 West Ocean Blvd.
Long Beach, CA 90831

Round 2
May 21 South Coast Regional Stakeholder Group
Goleta/Santa Barbara area

Public Workshops – Review of Round 2 draft proposals
June 29, 30 & July 1, 7, 8, 9
Locations TBD throughout south coast study region

Round 3
September 10 South Coast Regional Stakeholder Group
Santa Monica/Los Angeles area

- Submit written comments, ideas and suggestions via email or regular mail
  Email: MLPACOMMENTS@resources.ca.gov
  Mail: Marine Life Protection Act Initiative
c/o California Resources Agency
   1416 Ninth Street, Suite 1311
   Sacramento, CA 95814
  Fax: 916.653.8102, Attn: MLPA Initiative

Attend Upcoming Public Meetings
All MLPA Initiative meetings are open to the public and are announced via the MLPA Initiative mailing list; meeting agendas and materials are posted to the MLPA website as they become available. Visit the MLPA website (http://www.mlpa.dfg.ca.gov/meetings.asp) and learn more about how these different groups interact and contribute to the planning process.
  - Provide verbal comment in person at blue ribbon task force, science advisory team, south coast regional stakeholder group, and California Fish and Game Commission meetings

Upcoming Meetings (South Coast Study Region)
View or listen to MLPA Initiative meetings in real time via Internet webcasting http://www.calspan.org/
View of listed to archived MLPA Meetings - http://www.dfg.ca.gov/mlpa/meetings.asp

MLPA Blue Ribbon Task Force
April 15-16, 2009
April 15: 9:30 a.m. – 5:30 p.m.  April 16: 8:30 a.m. – 4:00 p.m.
April 15: Laguna Beach
June 4, 2009
Conference Call

July 28-29, 2009
July 28: 9:30 a.m. – 5:30 p.m.
July 29: 8:30 a.m. – 4:00 p.m.
Santa Monica

**MLPA Master Science Advisory Team**

April 1 and April 3, 2009
April 1: 9:30 a.m. – 5:30 p.m.
Los Angeles
April 3: Conference call

May 5, 2009
9:30 a.m. – 5:30 p.m.
Los Angeles

**MLPA South Coast Regional Stakeholder Group**

April 28-29, 2009
April 29: Work Session*
Location to be determined
Oxnard

May 20-21, 2009
May 20: Work Session*
Huntington Beach

October 20-22, 2009
October 20: 1:30-5:30 p.m.
October 21: 8:30 a.m. – 5:30 p.m.
October 22: 8:30 a.m. – 3:00 p.m.
Long Beach

December 10, 2009
Joint meeting with California Fish and Game Commission. Location to be determined.

**MLPA South Coast Regional Stakeholder Group**

April 28-29, 2009
August 4-5, 2009
August 5: Work Session*
Oceanside/Carlsbad

May 20-21, 2009
September 9-10, 2009
September 9: Work Session*
Los Angeles

*Work sessions are not videotaped and do not include a formal public comment period; members of the public are welcome to attend as observers.