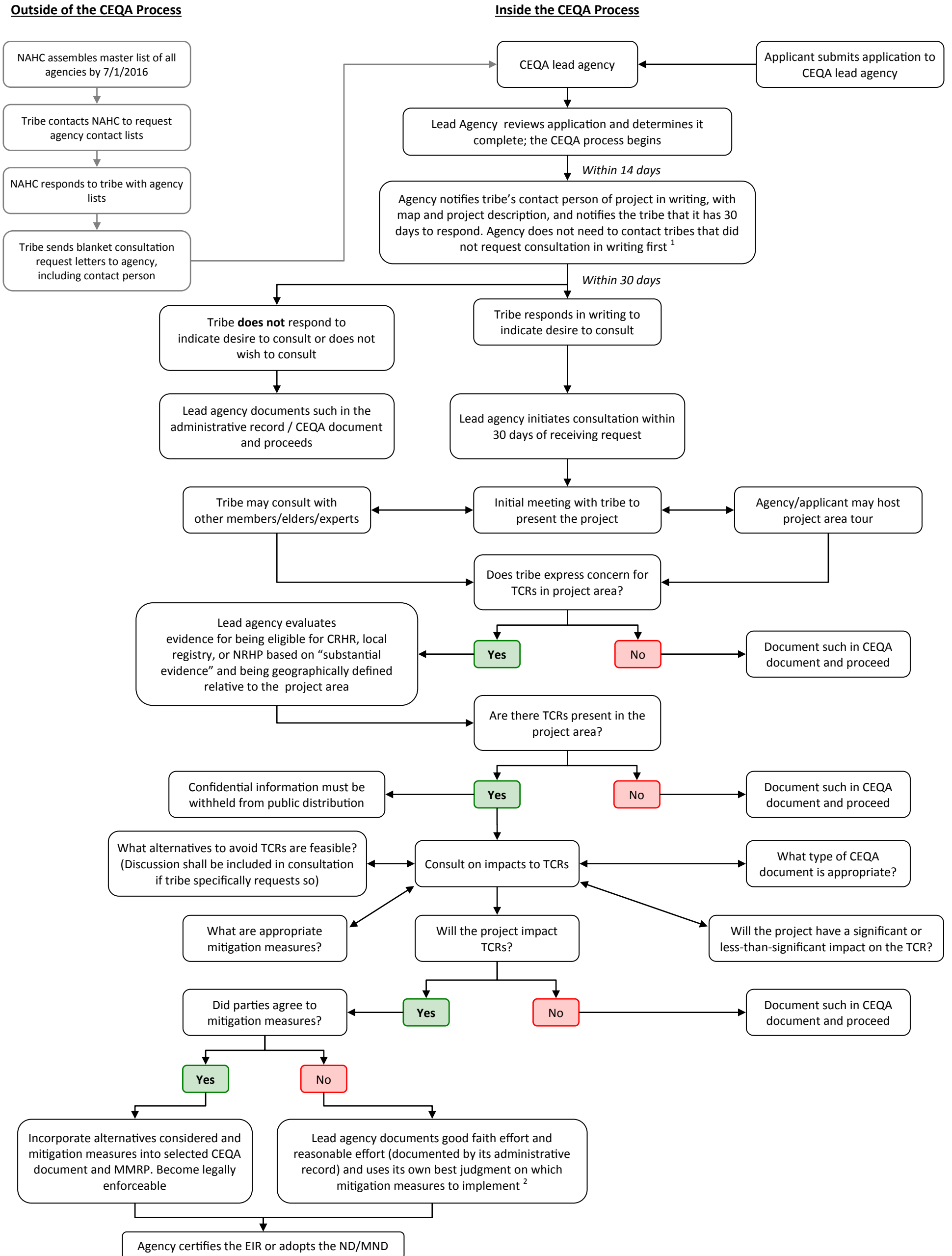


An Interpretation of AB 52 Native American Consultation Procedures Under CEQA



This draft graphic of the AB52 procedures has been developed by ECORP to assist our clients in understanding and following the new requirements under CEQA for consultation with Native American tribes. It is an ECORP product and is proprietary to ECORP. This is not a legal document and has not been reviewed or approved by any agency of the State of California.

¹ in accordance with 21080.3.1(b)(1), consultation is triggered by a tribe notifying the Lead Agency in writing of its desire to consult. This is independent of the status of the NAHC issuing a master list of agencies to tribes. However, 21080.3.1(c) states that the NAHC shall assist the Lead Agency in identifying tribes, suggesting that the Agency should request a contact list from the NAHC, even if it has not received formal request letters.

² e.g., preservation and avoidance; protecting cultural character, traditional use, and confidentiality; and use of conservation easements.

CEQA – California Environmental Quality Act
 CRHR – California Register of Historical Resources
 EIR – environmental impact report
 NAHC – Native American Heritage Commission
 ND/MND – negative declaration/mitigated negative declaration
 MMRP – mitigation monitoring and reporting program
 TCR – tribal cultural resources