

## **V. PARTNERSHIPS**

CDF has been directed by the Board of Forestry and Fire Protection to consult with and solicit the cooperation of state colleges and universities, public agencies, and private organizations when conducting studies that require special knowledge and to enter into cooperative agreements with these entities for investigating forest management problems of mutual interest. It is considered to be particularly desirable to make the state forests available to educational institutions and other agencies for research projects (CDF 2002:154). In accordance with this directive, the CDF Archaeology Program has developed a number of partnerships in order to accomplish its objectives.

The CDF archaeological training program, described in the preceding chapter, is delivered in partnership with CLFA. CDF prepares the course content, provides the training materials, and delivers the actual classes, while CLFA conducts course planning, registration, and other administrative functions. The assistance and support of the Forest Fire Lookout Association, a private organization devoted to the protection and restoration of historic fire lookouts, has contributed to the implementation of a management plan for the historic lookouts under CDF jurisdiction. A well-developed program of contracting for archaeological services with various branches of the California State University system is a long-standing component of the CDF Archaeology Program that will be described in a subsequent chapter. The CDF Archaeology Program could not function without the existence of the California Historical Resources Information System (CHRIS) which is administered by the OHP. Relationships with state government agencies, such as the OHP and the California Department of Corrections (CDC) through the conservation camp program, have resulted in substantial contributions to archaeology. A formal relationship with federal agencies including the USFS and the BLM is implemented through a programmatic agreement. Consultation with Native Americans is accomplished through interaction with the NAHC, the Native American Advisory Council, and use of the CDF Native American Contact List. These are just a few examples of partnerships that contribute to the CDF Archaeology Program. Three of the most important relationships, those with CHRIS, federal agencies, and the Native American community, will be described in more detail below.

### **California Historical Resources Information System**

From the beginning of historic preservation activities in California, the critical importance of developing an inventory of properties in order to make informed decisions regarding preservation priorities has been recognized. The first step in any archaeological investigation is to determine what is known about the area under consideration and what has been revealed by previous investigations. Archaeologists have long recognized the necessity of maintaining repositories of archaeological information to facilitate this stage of archaeological research, and have struggled with the problem of where to store their records and documents. The effort to establish and maintain an archaeological information system in California has been a complex and arduous process.

The first attempt to form a comprehensive repository for archaeological information was initiated in 1948 with the establishment of the California Archaeological Survey at the University of

California, Berkeley. Archaeological documents were being compiled at several institutions at the time, but there were no systematic procedures for recording sites and no coordination between the various institutions. The primary objective of the California Archaeological Survey was the collection and preservation of prehistoric remains and records concerning them with the hope of learning everything possible about the prehistory of California. The program was directed by Robert Heizer with fieldwork conducted by Archaeologist Franklin Fenenga, aided by Assistant Archaeologist Francis A. Riddell. The scope of the Survey was statewide, and collaboration with other institutions and organizations was established through an Advisory Board (Heizer 1948).

Among the objectives of the Survey was the organization of a master data file. Information on the nature and contents of archaeological sites was recorded on printed forms and site locations were plotted on maps to create this file. A standardized site survey recording form was patterned after one used by the Smithsonian Institution with a few minor adaptations. A manual was prepared with directions on how to fill out these records. A system of site numbering was employed based on county designations followed by a sequential number, instigating the current trinomial system. Site locations were plotted on the available USGS Topographic Quadrangle maps or on maps published by the State Division of Highways. A publication series entitled *Reports of the California Archaeological Survey* was inaugurated that included reports of Survey progress, excavations, bibliographies, and discussions of methodology and technique. At its inception, the activities of the Survey were to be carried out by university staff members on the Berkeley, Los Angeles, and Santa Barbara campuses. Site files were initially compiled at Berkeley and by the Archaeological Survey Association of Southern California operating out of the Southwest Museum (Heizer 1948). In 1954, UCLA began compiling the records for southern California. The California Archaeological Survey provided an important service to agencies coordinating the numerous surveys and excavations being conducted for the many development projects that were underway, but the limited staff and budgets of the Survey could not keep up with the demands of the times (Riddell 2002a).

Many of California's state parks were created to preserve the historic and prehistoric resources of the state. In addition to the inventories that were being compiled at the university campuses, the Interpretive Services Section of DPR had, over the years, been compiling an inventory of cultural resources within the state park units (Riddell 1965:4). In the early 1960s, State Archaeologist Francis Riddell, formerly of the California Archaeological Survey at Berkeley, also began compiling archaeological site records resulting from the multitude of projects that were being coordinated through his office in Sacramento (Riddell 2001a).

The absence of a comprehensive state policy on historic preservation prior to 1960 was recognized as an impediment to the protection of archaeological resources. The state had no centralized repository of archaeological information and no standardized site records or report formats. With several different state agencies implementing archaeological programs, various site numbering and data filing systems began to be used. As time went on, the proliferation of archaeological research resulted in documents, maps, and notes being scattered among scores of institutions and private libraries (Moratto 1973:9-10). Additional problems arose because of the fact that archaeological site records were housed at university campuses where faculty could dictate who would be allowed access to them. Academic archaeologists generally regarded

avocationalists, and even archaeologists outside the university system, with disdain, and restricted use of the archaeological records. Many of these early records were also of limited usefulness, containing limited information beyond a basic site location (Hata 1992).

In 1961, the California legislature approved Assembly Concurrent Resolution No. 25 to formulate a long-range plan to preserve, restore, and interpret the state's historical resources. The Division of Beaches and Parks was directed to produce an inventory of marked and unmarked historic resources. A Historical Information Resources File was established to identify repositories of significant historical information. An inventory form was developed and field-tested, and criteria were established to determine what should be considered historic and significant. Archaeological sites were accepted into the system if they contained important scientific information. An emphasis on volunteer support for the statewide inventory was established through the assistance of local historical societies. Preparation of the state inventory proved to be problematic. Many counties lacked the funds and personnel to conduct local surveys and many volunteers found the inventory forms too complicated (Hata 1992). Substantial time would elapse before a comprehensive statewide inventory of historic resources would emerge.

Passage of the NHPA in 1966 created additional impetus for the development of a statewide inventory of archaeological and historic resources. This federal legislation directed states to designate a SHPO and to compile a statewide inventory of historic sites. In California, these duties were delegated to DPR. In 1969, AB 1213 added revisions to the Public Resources Code that directed the State Historical Landmarks Advisory Committee to maintain a comprehensive record of all archaeological sites in California by obtaining data from all appropriate sources (Hata 1992:142).

During the late 1950s, in an attempt to parcel out the increasing demand for archaeological surveys, Francis Riddell divided the state into 12 regions and assigned an institution or qualified individual in each area to conduct the needed site surveys (Riddell 1965:2). This effort to establish regional centers of archaeological expertise provided the model for the state system that would eventually emerge. Initially, this system was criticized because it detracted from the coordination of archaeological research. In 1966, a statewide committee was formed to develop plans for the coordination of archaeological site records and "to study the feasibility of establishing through legislation a central agency or system of regional centers for the compilation and maintenance of archaeological site records." This committee would eventually become formally organized as the SCA. The new organization lobbied for the protection of archaeological sites and developed legislation that would have established a central agency or system of regional centers for the compilation and maintenance of archaeological site records. By 1973, the SCA had facilitated the establishment of eleven district clearinghouses to maintain, review, and store data. These clearinghouses also provided archaeological consulting referral services (Hata 1992:217-219).

In 1975, DPR signed a Memorandum of Agreement (MOA) with the eleven clearinghouse coordinators and four other institutions to establish fifteen regional offices that became the California Archaeological Sites Survey. OHP assumed responsibility for the regional offices and DPR's site documents in 1976. Executive Order B-64-80 and the passage of SB 1652 in 1980,

made additions to the Public Resources Code directing the SHPO to maintain a master list of all inventoried resources. The regional offices had become the primary element in the state's effort to manage archaeological data, but they depended on persuasion and cooperation to accomplish this mission, having no legal coercive powers. At this time, OHP Archaeologist William Seidel began to computerize the archaeological and historical sites inventory (Hata 1992). As a result of this unique history, few other states have systems anything similar to the archaeological information system that has developed in California (King 2001).

At the request of state and federal agencies, contract archaeologists, and the Information Centers, in 1982, OHP distributed a set of standardized site record forms and a draft handbook explaining their completion. The site record forms had been developed primarily by the North Central Information Center at CSU Sacramento with contributions from the USFS, BLM, DPR, and with review by the other Information Centers and individual archaeologists. The effort to develop standardized forms grew out of a perception that this would enhance efficiency in review, filing, trinomial assignment, and future use. A second draft was issued in 1986 that included modifications addressing some concerns that resulted from the utilization of these forms. In 1989, the State Historical Resources Commission formally approved the *Handbook* as the standard which the OHP would require for site documentation and acceptance into the California Archaeological Inventory (OHP 1989a).

The CDF Archaeology Program has maintained a long and intimate partnership with OHP and the Information Center system. This relationship is established through a Memorandum of Understanding (MOU) for the identification, evaluation, and recording of historic and prehistoric archaeological resources; and an MOA that specifies procedures for conducting historical resources record checks. In compliance with Executive Order W-26-92, the CDF Archaeology Program manager was also appointed the CDF agency preservation officer, constituting another partnership with OHP.

Cooperation with the Information Centers goes back to the early days of the CDF Archaeology Program. Staff at the Information Centers would often provide information over the phone with no charge in order to help resolve pressing issues. In exchange, CDF would submit site records and other forms of information to correct basic data problems. When OHP began to computerize the site record files, CDF was one of the first agencies to regularly utilize this system. Being one of the first computerized databases of archaeological information, the system was slow to develop and had many problems. Many of the counties were not fully entered and others were not entered at all. The computer record searches by the CDF Archaeology Office represented an early effort to consult existing information during THP review.

As part of THP development, a record search is conducted and survey reports and site records are submitted to the appropriate Information Centers. While CEQA does not specifically require the preparation of archaeological site records, there is strong legal justification for this procedure on all projects reviewed by CDF. It is state policy that documents prepared pursuant to CEQA be organized and written in such a manner that they will be meaningful and useful to decision makers and to the public; and that information developed for EIRs can be incorporated into a database which can be used to reduce delay and duplication in the preparation of subsequent EIRs. The preparation of site records fulfills this policy because they are standardized forms

which make data useful to decision makers, landowners, developers, and future researchers. The information contained in site records can be incorporated into the statewide database which can be used for significance evaluations and future EIRs. By completing archaeological site records, project proponents are complying with this legislative policy. They are also fulfilling an ethical and professional obligation. It is the standard practice of all archaeologists working in California to submit copies of their survey reports and site records to the appropriate Information Center for permanent retention.

A recurring issue in the protection of archaeological sites is the need for confidentiality. Information concerning specific site locations must be safeguarded to protect sites from looting, vandalism, relic hunting, and nonscientific excavation. There is a certain group of people who actively seek out this information with the intent of damaging archaeological sites. When CDF began conducting record searches in the 1980s, OHP became concerned that nonarchaeologists would gain access to site location data. This problem came up again when RPFs began requesting site records from the Information Centers. Confidentiality was also an important issue in the *EPIC v. Johnson* decision where a conflict arose between the need for site record confidentiality and the CEQA mandates for public disclosure. There has been an ongoing struggle to balance these contradictory needs. Current state policy stipulates that archaeological site locations are exempt from the Public Records Act and must not be included in any public document. By requesting archaeological data from the Information Centers, RPFs and CDF assume the professional responsibility for this information. RPFs are required to sign a statement that they will ensure that all information regarding specific site locations is kept confidential.

One of the most substantial contributions that CDF has made to the Information Center system has been through revenue enhancement. During the 1980s, many of the Information Centers were struggling financially. The annual budget received from OHP would fluctuate dramatically from year to year, leaving the host institutions to provide much of the operating expenses. A large center such as the Northwest Information Center at Sonoma State University had lots of projects to review, but few paying clients. CDF made a proposal to the Board of Forestry to require Information Center record searches by all THP applicants. When this proposal was adopted, these record searches provided a significant revenue source for several of the Information Centers. In the mid-1980s, CDF also provided \$35,000 to OHP specifically to conduct site record entry into the database. On another occasion, CDF provided a complete set of 7.5' Quadrangle maps to the Northeast Information Center at CSU Chico so that an updated cultural resource atlas could be prepared.

Another area of interaction between CDF and the Information Center system has been in the development of the actual site record forms. In 1991, the CDF Archaeology Office spearheaded an effort to revise the site recording handbook (Foster 1991:6). Archaeologists actively involved in site recording had long felt that, if strictly interpreted, the *Handbook* (OHP 1989a) restricted the site recording process in several ways. Problems included the perception that it was extremely difficult for anyone other than an experienced field archaeologist to prepare a site record, excluding many other potential contributors from the process; too much emphasis was placed on the needs of the archivist at the expense of the individual producing the record; a single site mapping technique was required to the exclusion of other appropriate methods; and

the policies specified in the *Handbook* did not take into consideration the cost and expenditure of time required to meet all of the site recording requirements. CDF was having considerable difficulty justifying the level of effort needed to prepare complete site records on the part of THP applicants. In an attempt to increase flexibility and allow a wider variety of site recording methods, an ad hoc committee of archaeologists and other interested parties developed a series of recommendations and revisions to the *Handbook* which were then submitted to the SHPO for consideration. This effort was overshadowed by a comprehensive revision of the entire inventory system that was already underway.

In 1990, the National Park Service (NPS) conducted a review of the OHP historical resource information management program to evaluate its compliance with the NHPA. In order to receive federal funds from the Historic Preservation Fund, OHP was required to report each year on the number of properties added to the statewide inventory system and the amount of acreage surveyed. These figures had to be derived from investigations conducted in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation. The NPS identified several problems in the OHP inventory system including public accessibility; conformance with the Secretary of the Interior's Standards for Identification and Evaluation; potential conflict of interest in Information Center activities; the integration of historic archaeological resources into the inventory; the integration of archaeological and historic resources inventories; and standardization of the Information Center operations. In response to the NPS review, OHP adopted a goal to develop a comprehensive plan for the collection, maintenance, and dissemination of information relating to the state's historical resources. One component of this plan was to develop systematic procedures for classifying and recording the full range of historical property types in order to facilitate a more complete and consistent level of data collection in future surveys (OHP 1991). This effort resulted in a complete overhaul of the site recording system.

The SHPO proposed to develop a comprehensive scheme for classifying historical resources and to develop specific recordation requirements and policies for all types of historical resources. OHP entered into a cooperative agreement with Caltrans to provide technical assistance in the development of the new system, and a committee was formed to review the entire site recording process. CDF Archaeologist Dan Foster served as the chairman of this committee for two years. The goals of this effort were to integrate the Historic Resources Inventory and the California Archaeological Inventory; encourage the collection of information about all types of historical resources; permit more flexibility in the way information was collected; and improve access to information about historical resources (OHP 1993). The system was to be designed to facilitate the integration of the state's historical resource inventories. Examples of site records from other states were examined and a broad range of issues was considered in the development of new recording forms. A primary consideration in these deliberations was the importance of collecting information on all types of historical resources. The existing forms were not well suited to recording certain types of properties with the result that information about some resource types was collected inconsistently or not at all. A hierarchical classification scheme was proposed to address issues of association between various resource types through a recording system consisting of a universal cover page and a series of specialized schedules or attachments.

After protracted discussions over the structure and content of the new recording system, a series

of forms were developed and a draft instruction book was prepared. A system finally emerged that consisted of a Primary Record for the initial documentation of all resource types, and then a series of ancillary forms including a Building, Structure, Object Record; an Archaeological Site Record; and a District Record. Optional attachments to these forms included a Linear Feature Record, Milling Station Record, Rock Art Record, Artifact Record, Photograph Record, and Continuation Sheet. Forms were also developed for the required Location Map and site Sketch Map. A preliminary version of the new forms and instructions for their completion was widely distributed for public comment (OHP 1993).

In 1993, the State Historic Resources Commission agreed to allow use of the newly revised recording forms and procedures for a two-year trial period. At the request of OHP, CDF agreed to serve as a test agency to evaluate the effectiveness of the new forms. CDF staff, RPFs, and archaeological contractors were instructed to utilize the new recording forms on all impending projects. Approximately 700 records for newly discovered sites were submitted to the Information Centers under this test program. The new recording forms were also employed during the CDF archaeological training courses. Contractors were asked to submit evaluations of the new recording process. CDF submitted quarterly reports to OHP on the application and effectiveness of the new system.

Two advantages of the new recording system were immediately apparent. The use of the Primary Record reduced the time and expense associated with the recording process enabling greater compliance with recording obligations. The set of resource-specific forms facilitated the compilation of more detailed information. Beyond these immediate advantages, a host of problems were encountered. The format of the forms did not provide adequate space for necessary data entry. Several data fields solicited recondite and esoteric information that baffled even highly experienced field-workers. Problems stemming from the attempt to merge the Historic Resources Inventory Form and Archaeological Site Record resulted in the use of terminology and data fields more appropriate to urban settings and the built environment, to the exclusion of important information in rural and wildland settings. Difficulties with computer compatibility were also encountered. As a result of the CDF testing program, a number of improvements were incorporated into the new recording system and in 1995, a final version of the forms and instructions was issued (OHP 1995).

In the final analysis, while the Primary Record provided a convenient shortcut for basic recording needs, filling out the complete Archaeological Site Record and the other resource-specific forms proved to be a much more complicated and time-consuming process than the previous system. Ultimately, the attempt to integrate the Archaeological Site Record and the Historic Resources Inventory Form resulted in compromises between the two disciplines that detracted from the quality and usefulness of the Archaeological Site Record. Nevertheless, CDF continues to encourage the utilization of this recording system and has provided detailed advice and information on completing these forms (Betts 2001).

With the merging of the California Archaeological Inventory and the Historic Resources Inventory, the California Historical Resources Information System (CHRIS) was established. This system currently consists of twelve regional Information Centers administered by the OHP and located at various host institutions throughout the state including three UC campuses, six

CSU campuses, one community college, one county museum, and one tribal OHP. Each Information Center is responsible for a specific region that is divided along county boundaries. The Information Centers receive, maintain, and disseminate the archaeological and historic site records and other forms of data, and provide information and recommendations regarding archaeological and historical resources on a fee-for-service basis. The advantage of the system of dispersed locations is that it facilitates access to the historical resource records by those who most frequently utilize this information. OHP has created an advisory group to develop procedures for expediting access to the Information Center data by project proponents. CDF has continued to play an active role in CHRIS. It is a longstanding member of the Information Center Procedural Advisory Committee (ICPAC) and has offered considerable input to shape state policies concerning the use of CHRIS.

This digression into the history and operation of the archaeological inventory system in California was motivated by the premise that, from an information standpoint at least, the CDF Archaeology Program can be said to begin and end with CHRIS. In so far as all archaeological investigations must begin with some form of background research, on CDF projects, that research is usually initiated through a record search at the appropriate Information Center. While project proponents are required to conduct background research beyond the basic record search, the data provided by the Information Centers usually serves as the starting point for additional inquiry. At the opposite end of the spectrum, when archaeological investigations are completed, all records and reports are submitted to the Information Centers for permanent retention. Archaeological data have little value unless they are retained in a repository for future use. Without an information system such as CHRIS, archaeological investigations, whether for management purposes or for pure research, would largely be an exercise in futility.

### **Programmatic Agreement**

The CDF Archaeology Program has established a partnership with federal agencies that is implemented through a Programmatic Agreement (PA). CDF receives funds from several federal agencies to administer programs implementing land management activities located on nonfederal lands in California. The federal agencies distributing these funds have determined that individual undertakings have the potential to affect properties either included in or eligible for inclusion in the NRHP. These undertakings must, therefore, comply with Section 106 of the NHPA as well as CEQA. As a result of consultation with the California SHPO, ACHP, and various Tribal Historic Preservation Officers (THPOs), it has been agreed that technical assistance, environmental planning, contract administration, project review and approval, and other tasks necessary to deliver these federally funded programs are most efficiently implemented by CDF. The PA contains a comprehensive set of procedures to ensure that these projects are implemented in accordance with the NHPA.

In order to comply with the PA, CDF has developed a plan for the identification and management of cultural resources. For each project, a Preliminary Study is made to determine which undertakings have the potential to affect historic properties. If a potential effect on historic properties is identified, the project is subjected to an intensive cultural resource survey prior to implementation. Cultural resource surveys and recommendations are documented in a report meeting the applicable professional standards specified by the OHP (1989).

Consultation with applicable THPOs, Indian tribes, Native American tribal groups and individuals, and the Native American Heritage Commission is initiated during the planning and review process for all individual undertakings or projects that have the potential to affect properties of traditional cultural and religious significance to Indian tribes. On privately owned lands, landowners are notified of CDF responsibilities and afforded the opportunity to comment and participate in cultural resource investigations.

CDF is responsible to ensure that no undertakings adversely affect historic properties through identification, recordation, and avoidance. If it is determined that an undertaking can not be completed without adversely affecting cultural resources, the federal agency funding the project initiates consultation directly with the SHPO or the appropriate THPO, and the ACHP. Key personnel are informed that if any cultural resources are discovered or inadvertently affected during project implementation, project activities in the vicinity must be stopped until a professional archaeologist conducts a preliminary assessment and protection measures can be implemented.

If any human remains or other items covered by NAGPRA are discovered or inadvertently affected during project implementation, project activities in the vicinity must be stopped until provisions of NAGPRA are implemented. All artifacts, specimens, and associated records that result from investigations must be curated in a qualified repository in accordance with guidelines adopted by the State Historic Resources Commission. Written documentation for all undertakings is prepared in accordance with specified provisions and this documentation is submitted to the appropriate Information Center. Project personnel are informed of sensitive information on a need-to-know basis, and are made aware of their responsibilities for maintaining data confidentiality.

In 1996, a PA was entered into between the USFS, ACHP, SHPO, and CDF that specifically addresses responsibilities for archaeological review of CDF projects funded by the USFS. This agreement was superseded by a new PA, signed in 2004, that is broader in scope to include CDF projects utilizing federal funds provided by the BLM and the U.S. Fish and Wildlife Service.

In the course of developing the PA both CDF and the USFS solicited comments from the public to identify areas of concern. One such issue was a concern that archaeologically trained RPFs might not possess sufficient abilities to identify both new and previously recorded archaeological sites. Another issue was a perceived conflict of interest that might arise from the necessity of requiring RPFs to identify resources that could have a negative impact on the economics of a project. While there is some legitimacy to both concerns, they can be addressed through the review of projects by the CDF archaeology staff and the threat of licensing action for unprofessional work if an RPF does not demonstrate a good-faith effort to fulfill his/her site identification and documentation responsibilities. CDF staff archaeologists review all projects implemented under the PA, and conduct field inspections of a large portion of them, to verify compliance and provide oversight by a professional archaeologist. An annual review of the PA is conducted through a report prepared by the CDF Archaeology Program accounting for the previous year's activities, and a meeting of the signatories to discuss its effectiveness.

CDF administers several facilities that are located on federally owned lands and operated under Special Use Permits issued by the USFS. A number of these facilities are part of the Conservation Camp system and consist of minimum-security correctional facilities operated jointly with the CDC. As with projects carried out under the PA, any projects undertaken at these facilities must be conducted in conformance with federal regulations governing cultural resources.

### **Native American Consultation**

During the 1970s, California Indians became increasingly involved in efforts to preserve their heritage. This activism resulted in the passage of AB 4239 in 1976 that created the Native American Heritage Commission (NAHC). The NAHC is made up of nine members, five of which must be Native American elders recommended by their communities. The purpose of this commission was to identify sacred sites on public lands and review existing administrative and statutory protections. The law also provided limited protection for sites of special religious significance by requiring agencies to forward copies of EIRs encompassing these areas to the commission (Hata 1992:125). The NAHC was given the authority to recommend significant sites for state acquisition, recommend procedures to the legislature to encourage private preservation of important sites and provide access to sites by Native Americans, forward recommendations regarding the State Indian Museum to the director of DPR, bring legal action to prevent severe and irreparable damage to sites, to assure appropriate access for Native Americans to cultural and religious sites, to assist Native Americans in obtaining appropriate access to sacred places located on public lands, and to assist state agencies in any negotiations with agencies of the federal government for the protection of Native American sacred places that are located on federal lands (1992:292). The function of the NAHC is primarily advisory, and must achieve its goals by convincing those in authority of the importance of their concerns (Dutschke 1981:28).

The California legislature, through bills such as AB 4239, has determined that the remnants of Native American culture should be protected whenever feasible. Among the protection measures that are widely employed is the requirement of NAHC consultation before THP approval for a project containing Native American cultural resources. The *EPIC v. Johnson* decision was instrumental in establishing the necessity of NAHC consultation on any projects containing archaeological sites. During the 1980s, CDF developed a working relationship with the NAHC through regular contacts. Complete copies of all THPs were sent to the NAHC immediately after filing, but with approximately 1,500 plans per year being submitted at that time, the NAHC was not staffed to handle this volume of paperwork. They were soon forced to abandon the attempt to review these plans. From 1988 to 1990, CDF worked on a comprehensive package of archaeological rules for the Board's consideration. After considerable public input and protracted negotiations and rule revisions, a noticed hearing was scheduled in 1990 where it was anticipated that the Board was going to adopt its first rule package for archaeology. Key members of timber industry had indicated they were going to withdraw opposition after successfully negotiating a series of compromises on a few key issues. At the hearing, testimony was given by Larry Myers of the NAHC who surprised the Board when he argued that the rule package was not ready for adoption because of inadequate requirements for Native American consultation. From 1990 extending into the first part of 1991, extensive consultations were held

between the Board's Executive Officer, Larry Myers, and the CDF Rules Coordinator to craft the needed rule language which was incorporated into the rule package. These changes providing greater involvement by local Native American tribal groups in THP development and project review. With the support of the NAHC, this updated rules package was approved by the Board of Forestry in 1991.

To facilitate consultation, a Native American Contact List is developed and maintained by CDF with the assistance of the NAHC. The NAHC identifies those Native Americans that must be notified or consulted for CDF projects. This list is organized by counties or portions of counties, and includes all federally recognized tribal governments and other California Native American tribal organizations or individuals that CDF has placed on the list based upon demonstrated knowledge concerning the location of archaeological or other cultural resources. This list is updated monthly with information provided by the NAHC and is disseminated through the CDF Archaeology Program website.

Native American consultation is a standard required on all projects subjected to CDF review, including all THP preparation. As part of project planning, the project proponent or manager is required to provide written notification to the local Native Americans specified on the Native American Contact List. The purpose of this notification is to inform tribes, local Native American groups, and the NAHC about the proposed project, and to invite their views and comments. It also serves as an information-gathering step by requesting information concerning the location of any archaeological or cultural sites that may be known within the project area. The NAHC responds to these requests by a check of their Sacred Lands File. Notification letters include a request for information on cultural resources within the project area, a description of the project location, a general location map depicting the access to the project area, a copy of the appropriate USGS map depicting project boundaries, and statements regarding correspondence, response time, review participation, and confidentiality. In the event that archaeological or cultural sites are identified within a project area, Native Americans are notified regarding the existence of these sites, provided with information on the proposed protection measures, and offered an opportunity to submit comments and participate in meetings to resolve issues of concern.

CDF is occasionally requested by Native American groups not to record certain types of cultural resources, such as ceremonial or sacred sites, as a condition of their disclosure. CDF honors these requests for these types of sensitive resources. Some CDF properties, particularly state forests, may contain plant and animal resources needed to support traditional Native American activities such as basket making. CDF has instituted a policy to allow the gathering of certain materials by local Native Americans if conducted in accordance with applicable rules and forest policies. Native Americans wishing to gather on CDF properties are requested to submit a written request for review and approval.

As a result of some of the archaeological investigations carried out by CDF, artifact collections are generated that require proper management. Even though CDF is a state agency, because it receives federal funds to implement some of its programs, it is subject to NAGPRA. Under NAGPRA, CDF is required to prepare an inventory of its collections to identify reportable items such as human remains, grave goods, sacred items, and objects of cultural patrimony. The act

requires CDF to provide notification to applicable Native American groups and organizations concerning the existence of these collections and to afford them the opportunity to comment concerning their management. CDF completed an inventory of its artifact collections and found nothing that was reportable under NAGPRA. CDF worked closely with the NPS on this effort. The NAGPRA compliance effort of CDF was described in a report distributed to 161 Native American contacts on July 23, 2001.

In 2001, the California legislature enacted AB 978 that requires disclosure of certain classes of Native American artifacts and other cultural items. Under this state law, CDF is required to send notification to a list of Native American groups, regardless of their federal recognition. This law also established a Native American Artifact Repatriation Oversight Commission to resolve disputes and clarify provisions of these regulations.

The Native American Advisory Committee (NAAC) was created in 1994 to address issues regarding the participation of Native Americans in the identification and protection of cultural resources. This nine-member committee provided a means of communication between the NAHC, CDF, and the Board of Forestry and Fire Protection. It was also charged with evaluating the effectiveness of regulations and practices, and the development of a program of consultation between Native Americans, CDF, and foresters. The outcome of these efforts was the approval of a series of amendments to the Forest Practice Rules by the Board of Forestry in 1996. A pamphlet was published (1998) to facilitate Native American involvement in the CDF review process. After several years of inactivity, the NAAC was reconstituted in 2001 as the Native American Advisory Council and continues to work for the preservation of Native American cultural values.