

**NATIVE AMERICAN HERITAGE COMMISSION**

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August 7, 2008

Stakeholder Steering Committee  
Renewable Energy Transmission Initiative (RETI)  
Attn: David Olsen, Coordinator  
3804 Pacific Coast Highway  
Ventura, CA 93001

RE: Request to be included on the California Renewable Energy Transmission Initiative Stakeholder Steering Committee

Dear Steering Committee:

The California Native American Heritage Commission (NAHC), created by the California Legislature in 1976 (AB 4239) is the state's 'trustee agency' (c.f. Public Resources Code 21070; !70 Cal App. 3d 604; *Environmental Protection Information Center v. Johnson* (1985) for the protection and preservation of Native American cultural resources, sacred sites on public land and Native American burial sites. The authority is pursuant to Public Resources Code §5097.9, as amended. In fulfilling its legislative mandate, the NAHC facilitates consultation between California tribal governments, Indian organizations and Tribal Elders with local, state and federal agencies as dictated by federal and state tribal or Native American consultation requirements. This activity is carried out on a daily basis through the environmental review and related processes required by the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA), The National Historic Preservation Act Section 106, Senate Bill 1059 (for State Energy Projects) and other federal and state tribal or Native American consultation provisions. Public Resources Code §5097.94 (h) authorizes the NAHC to utilize the advice of all federal, state, local and regional agencies in its work, and PRC §5097.95 requires "each state and local agency ...to cooperate with commission (e.g. NAHC) in carrying out its duties...."

The normal work of the NAHC provides the agency the ability to bring the concerns expressed by Native American tribes regarding cultural resources, protection of sacred sites and Indian religious freedom practices that may be impacted by renewable energy-transmission development projects to the attention of the RETI planning body. California tribes are the constituency of the NAHC. Therefore, the NAHC requests membership on the RETI Stakeholder Steering Committee.

The NAHC would propose to share responsibility for communicating with tribes about renewable energy generation and transmission projects jointly with the federal Bureau of Indian Affairs (BIA), Southern California Agency, which has trust responsibilities for tribes in the areas most likely affected by large-scale renewable energy-transmission development. It is important

that the NAHC and BIA both participate as members of the RETI Steering Committee. Thank you for your consideration.

Sincerely,

Larry Myers  
Executive Secretary

Cc: James Fletcher, Superintendent, Southern California Agency  
Bureau of Indian Affairs  
United States Department of the Interior

The Hon. William Mungary, Chairman  
California Native American Heritage Commission

Dave Singleton  
Program Analyst, NAHC