



# Advancing Tribal Sovereignty and Community Health in California

## General Fact Sheet



**Project Term:** January 2022-September 2024

### Purpose

Determine how government-to-government consultation with Indigenous peoples at the subnational level can better promote Indigenous sovereignty and the health and wellness of Indigenous communities in the United States through examining the effectiveness of Assembly Bill (AB) 52 and Senate Bill (SB) 18, two California laws that require state agencies and local governments to consult with California Native American Tribes, and conducting comparative research on Tribal consultation policies at the state and local level in the United States.

### Goals

- Develop Indigenous Health Indicators (IHIs) as invaluable tools Tribes can use to identify and advocate for their health/wellness priorities and interests during the state/local environmental decision-making process
- Identify gaps in the existing legal and policy frameworks.
- Determine best practices and propose policy solutions.
- Launch a first-of-its kind dynamic digital repository of Tribal consultation policies and related resources for government-to-government consultation
- Funding of three law students in 18 month clerkship program researching subnational consultation policies

### Objectives

- Partner with two California Native American Tribes, the National Association of Tribal Historic Preservation Officers, Dr. Jamie Donatuto, the National Indian Law Library, and Tribal citizens with substantial lived experience engaging with state/local agencies under AB 52 and SB 18.
- Conduct legal and policy analysis of AB 52 and SB 18.
- Carry out case studies of on-the-ground implementation of both laws with Partner Tribes.
- Develop IHIs for both Partner Tribes.
- Examine the interplay between California's Tribal consultation policies and climate change adaptation planning outcomes under SB 379.
- Launch a first-of-its kind dynamic digital repository of Tribal consultation policies and related resources for government-to-government consultation.
- Provide career development opportunities in Native American law for three law students.

### Methodology

- **Analysis of state consultation policies** in the law and on-the-ground implementation.
- **Case studies** with two partner California Native American Tribes examining impacts of environmental decisions on cultural resources.
- **Research and compile** subnational Tribal consultation policies in U.S. jurisdictions.
- **Surveys and interviews** with key partner Tribal officials and citizens, and state/local officials involved in AB 52 and SB 18 implementation.
- **Guidance** by Steering Committee predominantly comprised of representatives of California Native American Tribes.

### Deliverables

- **Indigenous Health Indicators** that are specific to each partner Tribe
- **Final Report** with legal and policy analyses explaining the strengths and weaknesses of government-to-government consultation in California
- **Handbooks** outlining best practices intended for California Tribes and state/local policymakers
- **Launch digital consultation hub** of subnational Tribal consultation policies in U.S. jurisdictions



### Project Partners

- † **Mr. Larry Campbell**, Swinomish Elder
- **Environmental Law Institute (ELI)**
- **National Association of Tribal Historic Preservation Officers (NATHPO)**
- **Native American Rights Fund (NARF), National Indian Law Library (NILL)**
- **Dr. Jamie Donatuto**, PhD, Environmental Health Analyst
- **Tribal Partners** (Dry Creek Rancheria Band of Pomo Indians, Pechanga Band of Indians)



*This project will be carried out in a manner protecting confidential and sensitive information of the Tribes and Tribal citizens, including obtaining approval from the Tribe's preferred Institutional Review Board.*

**For more information, please contact Principal Investigator:**

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