

MOTION

On September 25, 2014, the Governor signed into law AB 52 (Gatto) relative to Native Americans and the California Environmental Quality Act. AB 52 was also Chaptered into law on September 25, 2014 by the Secretary of State.

AB 52 (Gatto) requires the lead agency in a project to *offer a consultation*, if requested in writing by a California Native American tribe, when the project is located in a geographical area that may have a substantial adverse effect on a tribal cultural resource, and prior to determining whether a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report is required for a project.

The Planning Department oversees a vast number of development projects in the city, as such, it is critically important that the department provide input as to the process and implementation of AB 52, inasmuch as the city is the location of the largest urban Native American population in the country.

I THEREFORE MOVE that the Council instruct the Planning Department, in consultation with the City Attorney, to prepare a report relative to the city's implementation process of AB 52 (Gatto), *Native Americans and the California Environmental Quality Act*, Chapter 532, Statutes of 2014, and to provide an overview of the intent and scope of the law, and its fiscal/communication challenges.

PRESENTED BY: _____



MITCH O'FARRELL
Councilmember, 13th District

SECONDED BY: _____



ORIGINAL

November 4, 2016



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