

ALL HANDS ECOLOGY

Landowner Responsibilities and Treatment of Tribal Cultural Objects or Sites

In the course of land management or stewardship activities, you or people accessing your property may encounter tribal cultural resources, objects or sites. Generally speaking, the term “cultural resource” encompasses archaeological sites, human remains and grave-related artifacts; traditional cultural sites; religious or spiritual sites; and artifacts. “Tribal cultural resources” are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a Tribe. Note, the Tribe traditionally and culturally affiliated with the land should be consulted regarding any cultural and tribal cultural resources on the property

All landowners have an obligation to protect cultural resources on their property. Every person, not the owner thereof, who willfully injures, disfigures, defaces, or destroys any object or thing of archeological or historical interest or value, whether situated on private lands or within any public park or place, is guilty of a misdemeanor (California Penal Code § 622).

Please observe the following:

DO:

- ❖ If you find human remains, immediately contact your county coroner and stop all further excavation or disturbance of the site. This is a legal duty under state law. See Health and Safety Code § 7050.5. Ensure that the immediate vicinity is not damaged or disturbed by further development activity until you have discussed and conferred with the most likely descendants regarding their recommendations and complied with Pub. Resources Code § 5097.98.
- ❖ Maintain the tribal cultural objects or sites in their natural conditions, avoid disturbing them in any way, and protect them from inadvertent destruction.
- ❖ Inform the Federated Indians of Graton Rancheria about any tribal cultural objects or sites on your property, by contacting the Tribe’s Tribal Heritage Preservation Officer and/or Cultural Department at (707) 318-0485 or THPO@gratonrancheria.com.

DO NOT:

- ❖ Collect, move, alter, or sell any human remains or tribal cultural objects buried with the human remains. Doing so is a felony under state law, and you could be imprisoned for up to three years. Pub. Resources Code § 5097.99; Penal Code § 1170(h)(1).
- ❖ Collect, move, alter, or sell any other tribal cultural objects or sites on your property.
- ❖ Disclose the location of tribal cultural objects or sites to the public.
- ❖ Allow unqualified persons to collect or dig for tribal cultural objects on your property. Such persons could face imprisonment, fines, or both. Pub. Resources Code § 5097.993-994; Penal Code § 622 ½.
- ❖ Conduct any earth moving or construction activities in the immediate vicinity of the tribal cultural objects or sites.