



Staff Recommendation

June 10, 2025

Item 6

Action Item:

Consideration and Approval of Disbursement of Funds for the Sea Level Rise Tribal Cultural Resources Funding Program

Ella McDougall, Climate Change Program Manager

Recommended Action: Authorization to disburse up to \$5,000,000 for a Sea Level Rise (SLR) Tribal Cultural Resources Funding Program to support tribally-led SLR vulnerability assessments and adaptation strategies to protect cultural resources.

Location: Statewide

Strategic Plan Goals and Objectives: Goal 1: Safeguard Coastal and Marine Ecosystems and Communities in the Face of Climate Change; Objective 1.1: Build Resiliency to Sea-Level Rise, Coastal Storms, Erosion, and Flooding; Goal 2: Advance Equity Across Ocean and Coastal Policies and Actions; Objective 2.1: Enhance Engagement with Tribes

Equity and Environmental Justice Benefits:

- Dedicated, flexible funding for tribally-led SLR adaptation planning.
- Reduces barriers for tribes to engage in state climate resilience efforts (e.g., land ownership and land use plan requirements).
- Directly supports the protection of tribal cultural resources.

Exhibits:

Exhibit A: [SB 1 Tribal Cultural Resources Funding Program Draft Solicitation](#)

Exhibit B: [SB 1 Tribal Cultural Resources Funding Program Draft Overview](#)

Findings and Resolution:

Staff recommends that the Ocean Protection Council (OPC) adopt the following findings:

“Based on the accompanying staff report and attached exhibit(s), OPC hereby finds that:

1. The proposed projects are consistent with the purposes of Division 26.5 of the Public Resources Code, the California Ocean Protection Act;
2. The proposed projects consistent with the Budget Act of 2024, which included a \$27 million Greenhouse Gas Reduction Fund appropriation to OPC for ocean protection and resilience to climate change; and
3. The proposed projects are not ‘legal projects’ that trigger the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section, section 15378.”

Staff further recommends that OPC adopt the following resolution pursuant to Sections 35500 *et seq.* of the Public Resources Code:

“OPC hereby approves the disbursement of up to \$5,000,000 for a SLR Tribal Cultural Resources Funding Program to support tribally-led SLR vulnerability assessments and adaptation strategies to protect cultural resources.

This authorization is subject to the condition that prior to disbursement of funds, tribes who submit successful applications shall submit for the review and approval of the Executive Director of the OPC detailed work plans, schedules, staff requirements, budgets, and the names of any contractors intended to be used to complete the projects, as well as discrete deliverables that can be produced in intervals to ensure the projects are on target for successful completion. All projects will be developed under a shared understanding of process, management, and delivery.”

Executive Summary:

Staff recommends approval of the Senate Bill 1 Tribal Cultural Resources Funding Program (Program), a new funding opportunity under the Senate Bill 1 Sea Level Rise Adaptation Planning Grant Program. The Program will provide funding to support California Native American tribes in assessing and planning for the impacts of sea level rise (SLR) on tribal cultural resources, ancestral lands, and heritage. The goal of this Program is to create greater flexibility and accessibility to state funding for tribes, particularly by removing common barriers such as land ownership requirements and land use plan mandates. This Program advances the implementation of Senate Bill 1 (Atkins, 2021) and Senate Bill 272 (Laird, 2023) by funding the development of tribal SLR adaptation planning efforts and supporting tribes in consulting on land use plans that include SLR considerations. This funding Program will launch in summer 2025 and accept applications on a quarterly, non-competitive basis for four to six rounds. The Program supports OPC’s Strategic Plan and Equity Plan goals by creating a dedicated process for tribal governments to lead culturally appropriate coastal adaptation efforts.

Project Summary:

Background:

In 2021, Senate Bill 1 (Atkins, 2021), the Sea Level Rise Mitigation and Adaptation Act, was signed into law, which directs the Ocean Protection Council (OPC) to administer grants to support planning and implementation projects that address the impacts of SLR. In response, OPC launched the Senate Bill 1 Sea Level Rise Adaptation Planning Grant Program (SB 1 Grant Program) to help local, regional, and tribal governments address coastal resilience along California's coast and the San Francisco Bay shoreline. The SB 1 Grant Program includes two tracks:

- Track 1 funds pre-planning and planning activities such as community visioning, data collection, vulnerability assessments, and SLR adaptation planning that lead to the development of a land use plan.
- Track 2 (anticipated release in mid-late 2025) will support SLR implementation projects identified through a SLR adaptation planning process.

While Track 1 is available to tribal applicants, its eligibility is limited to federally recognized tribes and only supports planning efforts that result in a land use plan. This presents a significant barrier, as many tribes do not hold legal title to their ancestral lands and often operate under governance structures that do not utilize land use plans as defined in state planning processes. Additionally, many tribes in California are not federally recognized.

To address this gap, OPC developed the SB 1 SLR Tribal Cultural Resources Funding Program—a dedicated funding pathway for all California Native American tribes under the broader SB 1 Grant Program. This new Program provides dedicated funding for all California Native American tribes (federally and non-federally recognized) to assess and plan for SLR impacts to cultural resources, regardless of land ownership or land use planning frameworks, via a non-competitive solicitation.

This funding Program builds on the existing SB 1 framework, including the quarterly application schedule used for Track 1 and the SB 1 Technical Assistance (TA) Program. The TA Program provides tailored support for applicants, including proposal development, project scoping, and network development. Proposals for the Tribal Cultural Resources Funding Program will follow a similar non-competitive, rolling, quarterly submission process as the Track 1 schedule.

The development of the SB 1 Tribal Cultural Resources Funding Program was informed by extensive interagency coordination and tribal engagement. The draft solicitation was developed in collaboration with the California Natural Resources Agency's Tribal Affairs Deputy Secretary and Deputy Director. OPC sent letters requesting consultation on the draft solicitation on March 19, 2025, with the goal of receiving feedback on alignment of the Program and draft solicitation with

tribal needs and priorities. In addition, OPC hosted two virtual tribal roundtables to gather input and respond to questions. Feedback received through these engagement efforts directly shaped the Program's goals, structure, and eligibility criteria. Though consultation on the draft solicitation closed on May 19, 2025, OPC remains open to continued tribal input throughout the duration of the Program to ensure implementation meets the goals shared between OPC and tribes. The draft solicitation will be finalized and released in early summer 2025.

Project Summary:

The Tribal Cultural Resources Funding Program funds tribally-led SLR planning efforts that are tailored to the unique needs, values, and governance approaches of each tribe. Projects can be located on tribally owned lands, culturally significant non-tribal lands, or a combination of both.

Priority project types include:

Pre-Planning Activities:

- **Community Visioning and Traditional Knowledge (TK) Integration** – Engage tribal communities to identify priorities, values, and culturally significant places.
- **Data Collection and Research** – Document tribal cultural resources at risk, collect oral histories, and integrate TK alongside western science to advance SLR preparedness.
- **Vulnerability Assessments (VAs)** – Evaluate the exposure and sensitivity of tribal cultural resources, including sacred sites, burial grounds, and ecological resources.

Planning Activities:

- **Adaptation Prioritization** – Identify culturally appropriate adaptation strategies and actions that reflect community vision and assessed vulnerabilities.
- **Resource Development** – Create frameworks, case studies, and guidance for future adaptation or preservation efforts.
- **Coordination and Consultation** – Use project findings to support tribal engagement in local, regional, and state SLR planning efforts and to inform neighboring jurisdictions' land use planning.

Awarded projects will support tribal engagement and consultation on local, regional, and state adaptation planning efforts, especially where tribal cultural resources and ancestral lands may overlap with other jurisdictions. OPC encourages regional or collaborative projects that address shared vulnerabilities and build on existing partnerships to promote efficiency and consistent planning. To maximize impact and avoid duplication, the awarded projects are expected to

leverage existing plans and data and coordinate with neighboring jurisdictions when working in overlapping areas.

To ensure tribes retain full discretion over what information is considered sensitive, grantees will be asked to include clear measures to protect tribal data and avoid submitting any sensitive information in application materials or public deliverables. OPC encourages tribes to share only summarized, high-level, non-spatially explicit findings in deliverables submitted to OPC.

Equity and Environmental Justice Benefits:

The Tribal Cultural Resources Funding Program is designed to advance equity by addressing historic and systemic barriers that have prevented many California Native American tribes from accessing state funding for SLR adaptation planning. Unlike current funding programs, this new funding Program does not require land ownership or the development of a land use plan, as required in OPC's current SB 1 SLR Adaptation Grant Program—two major limitations that have excluded many tribes due to the systemic dispossession of tribal land and governance systems that do not align with conventional land use planning frameworks.

This Program directly supports OPC's Strategic Plan Objective 2.1 (Enhance Engagement with Tribes) and several strategies in OPC's Equity Plan, particularly those focused on expanding access to funding, supporting tribally led planning, and incorporating Traditional Knowledges into coastal and climate resilience strategies. The Program offers inclusive eligibility for both federally and non-federally recognized tribes, including those applying through a nonprofit fiscal sponsor. It also provides flexibility in project design to reflect diverse tribal governance structures, enabling communities to define their own priorities, planning processes, and cultural protocols. Additionally, the Program aims to build tribal capacity to engage in adjacent planning processes, ensuring tribal perspectives are represented in broader SLR planning at the local, regional, and state levels.

Importantly, this new Program includes strong provisions to protect tribal data sovereignty. Tribes retain full authority to define what constitutes sensitive or confidential cultural information, and project deliverables must respect and uphold those boundaries. No sensitive site-specific data should be included in public materials or submitted with applications. By prioritizing culturally appropriate, community-driven planning, the Program helps build long-term tribal capacity to lead adaptation strategies that protect cultural heritage, natural resources, and overall community well-being.

About the Grantee:

Eligible applicants of the Tribal Cultural Resources Funding Program include federally recognized tribes and non-federally recognized tribes (via a non-profit applying on behalf of the tribe or tribal organization). Organizations or consultants who apply on a tribe’s behalf may be considered, however, explicit support and collaboration between the organization and tribe must be provided within the application.

Project Timeline:

The Tribal Cultural Resources Funding Program is expected to launch in summer 2025 and will remain open for rolling, non-competitive submissions, provided the proposal satisfies the evaluation criteria listed within the Program solicitation, on a quarterly basis for four to six cycles, or until all available funds are awarded. Timelines for individual projects will be identified during the solicitation and selection process.

Project Financing:

Staff recommends that the Ocean Protection Council authorize encumbrance of up to \$5,000,000 for a SLR Tribal Cultural Resources Funding Program to support tribally-led SLR vulnerability assessments and adaptation strategies to protect cultural resources.

Ocean Protection Council	\$5,000,000
TOTAL	\$5,000,000

The anticipated source of funds will be from the Budget Act of 2024, which included a \$27 million Greenhouse Gas Reduction Fund appropriation to OPC for ocean protection and resilience to climate change. The proposed Program supports the purpose of this appropriation by addressing the impacts of SLR on tribal cultural resources and supporting community-led climate adaptation strategies.

Consistency with California Ocean Protection Act:

The proposed project is consistent with the Ocean Protection Act, Division 26.5 of the Public Resources Code, because it is consistent with trust-fund allowable projects, defined in Public Resources Code Section 35650(b)(2) as projects which:

- Eliminate or reduce threats to coastal and ocean ecosystems, habitats, and species.
- Allow for increased public access to, and enjoyment of, ocean and coastal resources, consistent with sustainable, long-term protection and conservation of those resources.

- Improve management, conservation, and protection of coastal waters and ocean ecosystems.
- Protect, conserve, and restore coastal waters and ocean ecosystems.
- Provide funding for adaptive management, planning coordination, monitoring, research, and other necessary activities to minimize the adverse impacts of climate change on California's ocean ecosystem.

Compliance with the California Environmental Quality Act (CEQA):

The proposed projects are not “legal projects” that triggers the California Environmental Quality Act (CEQA) pursuant to Public Resources Code section 21068 and Title 14 of the California Code of Regulations, section 15378. Further, pursuant to CEQA guidelines section 15262, Feasibility and Planning Studies are statutorily exempt from CEQA.