

12/5/18

Agenda Item #4
TO: Planning Commission
FR: County Counsel
For Department Report Item

determining how best to address monitoring and site treatment consistent with the policies in this General Plan. Decisions about human remains and heritage resources shall be made in consultation with Tribal representatives consistent with procedures established in *Policy OS-8.1*.

- OS-8.6 Tribal representatives will be consulted, consistent with state preservation law, about the location of sacred places, ancestral sites, archaeological remains of village sites, burial and cemetery sites, and other significant cultural resources during the preparation of any General Plan amendment, Master Plan, Community Plan, or Specific Plan.
- OS-8.7 While all interested Native Americans shall be encouraged to participate in the CEQA data review and evaluation stages of cultural resource policy implementation, the Ohlone/Coastanoan/Esselen Nation (OCEN) is a designated *Most Likely Descendent* group identified by the Native American Heritage Commission of the State of California. An Implementation Plan for this General Plan shall include, but not be limited to:
- a. Designating OCEN as the clearinghouse group for the coordination of data recovery monitoring and the disposition of human remains in Monterey County.
 - b. Creating a Memorandum of Understanding adopted to implement California's Local Government Tribal Inter-Governmental Consultation Act (SB18) consistent with this General Plan.
 - c. Establishing a technical advisory committee pursuant to *Policy OS-8.5* and consisting of appropriate tribal representatives and qualified archaeologists.

ENERGY RESOURCES

GOAL OS-9

PROMOTE EFFICIENT ENERGY USE.

Policies

- OS-9.1 The use of solar, wind and other renewable resources for agricultural, residential, commercial, industrial, and public building applications shall be encouraged.
- OS-9.2 Development shall be directed toward cities, Community Areas, and Rural Centers where energy expended for transportation and provision of services can be minimized.
- OS-9.3 Areas of urban concentration shall provide convenient access for employment, commercial, and other activities.

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Chapter 2.95 - NATIVE AMERICAN AND ARCHAEOLOGICAL RESOURCES TECHNICAL ADVISORY PANEL

2.95.010 - Creation of panel.

A technical advisory panel in the County of Monterey to be known as the Native American and Archaeological Resources Technical Advisory Panel (hereinafter referred to as Advisory Panel) applicable to the area of the County of Monterey outside the Coastal Zone is hereby created.

(Ord. No. 5253, § 3, 4-28-2015)

2.95.020 - Purpose and duties.

The purpose of the Advisory Panel is to:

- A. Participate in, promote, and conduct public information, educational, and interpretive programs pertaining to archaeological and tribal cultural resource preservation, if authorized by the Director of Planning.
- B. Assist the Director of Planning in reviewing, updating, and maintaining archaeological sensitivity maps within the unincorporated area outside of the Coastal Zone of Monterey County.
- C. Make recommendations to the Director of Planning regarding policies and procedures relating to the protection of archaeological and tribal cultural resources.
- D. Perform such other duties as may otherwise be requested by the Director of Planning, the Planning Commission, or the Board of Supervisors.

(Ord. No. 5253, § 3, 4-28-2015)

2.95.030 - Members.

- A. The Advisory Panel shall be comprised of up to fifteen (15) members with a demonstrated interest in tribal cultural resource preservation. Members shall be appointed to the Advisory Panel by the Monterey County Planning Commission based on the criteria set forth in this Section.
- B. Advisory Panel members shall meet at least one of the following minimum qualifications:
 - 1. An individual appointed by a California Native American Tribe to serve on the

Advisory Panel;

2. A Most Likely Descendant for Monterey County on the list maintained by the California Native American Heritage Commission; or
 3. A professional archaeologist familiar with Central Coast archaeology.
- C. Interested individuals shall submit a written statement of interest to the Secretary of the Planning Commission. The written statement of interest shall include the person's qualifications to serve on the Advisory Panel and commitment to serve and attend meetings during the term of office.
 - D. The term of office for each member shall be two years. Members may serve more than one term.
 - E. Members shall receive no monetary compensation from the County for serving on the Advisory Panel.

(Ord. No. 5253, § 3, 4-28-2015)

2.95.040 - Meetings, rules, and records.

- A. The Director of Planning, or the designee of the Director, shall serve as Secretary to the Advisory Panel and shall be custodian of the Advisory Panel's records. The Secretary shall generally supervise the technical and clerical work of the Advisory Panel.
- B. The Advisory Panel shall meet at least twice per calendar year. The Advisory Panel shall annually adopt a regular meeting schedule. A quorum shall consist of a majority of the appointed members.
- C. The Advisory Panel meetings shall be noticed, held, and conducted in accordance with the Ralph M. Brown Act.
- D. The Advisory Panel shall act only on matters referred to it by the Board of Supervisors, the Planning Commission, or Director of Planning.
- E. The Advisory Panel is an advisory body. It shall have no authority to grant permits and no permit enforcement authority.
- F. Advisory Panel members shall treat all members of the Advisory Panel, Monterey County staff, and the public in a respectful and courteous manner.
- G.

Advisory Panel members with any financial interest in a matter before the Advisory Panel must disqualify themselves from participation in any discussion or vote on such a matter.

(Ord. No. 5253, § 3, 4-28-2015)