STATE OF CALIFORNIA
Budget Change Proposal - Cover Sheet
DF-46 (REV 07/23)

Fiscal Year	Business Unit Number	Department
2025-26	3780	Native American Heritage Commission

Hyperion Budget Request Name	Relevant Program or Subprogram
3780-001-BCP-2025-GB	2830 Native American Heritage

Budget Request Title
Department of Justice Litigation Costs

Budget Request Summary
The Native American Heritage Commission (NAHC) requests one-time $430,000 General Fund in 2025-26 to cover Department of Justice (DOJ) litigation costs.

Requires Legislation (submit required legislation with the BCP)	Code Section(s) to be Added/Amended/Repealed
☐ Trailer Bill Language ☐ Budget Bill Language ☒ N/A	N/A

Does this BCP contain information technology (IT) components? ☐ Yes ☒ No *If yes, departmental Chief Information Officer must sign.*	Department CIO	Date
	N/A	N/A

For IT requests, specify the project number, the most recent project approval document (FSR, SPR, S1BA, S2AA, S3SD, S4PRA), the approval date, and the total project cost.

Project No. N/A **Project Approval Document:** N/A

Approval Date: N/A **Total Project Cost:** N/A

If proposal affects another department, does other department concur with proposal? ☐ Yes ☐ No
Attach comments of affected department, signed and dated by the department director or designee.

Prepared By	Date	Reviewed By	Date
Conner Mulligan, Administration Manager	1/10/2025	Steven Quinn, Deputy Executive Secretary	1/10/2025
Department Director	**Date**	**Agency Secretary**	**Date**
Raymond C. Hitchcock, Executive Secretary	1/10/2025	Bryan Cash, Assistant Secretary	1/10/2025

Department of Finance Use Only

Additional Review: ☐ Capital Outlay ☐ ITCU ☐ FSCU ☐ OSAE ☐ Dept. of Technology

Principal Program Budget Analyst	Date submitted to the Legislature
Lizzie Urie	1/10/2025

A. Problem Statement

The Native American Heritage Commission (NAHC) is currently involved in litigation initiated by the City of Corona (City) regarding the NAHC's designation of a Native American cemetery on the site of construction of a wastewater reclamation facility after the discovery of Native American human remains. The NAHC anticipates a substantial increase in Department of Justice (DOJ) legal fees—estimated to be in the amount of $430,000 as a result of this litigation—which cannot be absorbed within the NAHC's baseline budget.

Resource History

(Dollars in thousands)

Program Budget	PY - 4	PY - 3	PY - 2	PY-1	PY	CY
DOJ Billable Hours	0	0	1,769	1,133	928	559*
NAHC Legal Expenses	$0	$0	$389	$249	$204	$127*

*Figures through November 30, 2024.

B. Justification

The City is bringing four causes of action and one in the alternative against the NAHC, requesting a bench trial on its main causes of action and a jury trial for the alternative. The costs of such proceedings are extensive and reflected in the requested amount. This litigation requires a substantial amount of document review, discovery, and court filings. The NAHC does not have the legal resources to successfully defend the litigation without the assistance of the DOJ. The ongoing litigation is anticipated to resolve in 2025-26.

C. Departmentwide and Statewide Considerations

The NAHC strategic goals and objectives are to identify, catalog, and protect Native American cultural resources, ancient places of special religious or social significance to Native Americans, and known ancient graves and cemeteries of Native Americans on private and public lands. Defending the NAHC position to protect the ancient sacred remains discovered at the Corona Wastewater Reclamation Facility #3 project site meets the mission and core objectives of the NAHC.

D. Outcomes and Accountability

Approval of the request amount will allow NAHC to continue to utilize the DOJ's services and expertise in litigation with the City. DOJ regularly submits itemized invoices to the NAHC, which are audited and paid in a timely manner. Both NAHC and DOJ have internal control mechanisms to ensure accountability of utilization of the funds.

E. Implementation Plan

The NAHC currently contracts with the DOJ for legal services. Approval of the request would enable the NAHC to continue to retain the DOJ as counsel on the litigation in 2025-26.

BCP Fiscal Detail Sheet

BCP Title: DOJ Litigation Costs - City of Corona

BR Name: 3780-001-BCP-2025-GB

Budget Request Summary

Operating Expenses and Equipment

Operating Expenses and Equipment	FY24-25 Current Year	FY25-26 Budget Year	FY26-27 BY+1	FY27-28 BY+2	FY28-29 BY+3	FY29-30 BY+4
5340 - Consulting and Professional Services - Interdepartmental	0	430	0	0	0	0
Total Operating Expenses and Equipment	**$0**	**$430**	**$0**	**$0**	**$0**	**$0**

Total Budget Request

Total Budget Request	FY24-25 Current Year	FY25-26 Budget Year	FY26-27 BY+1	FY27-28 BY+2	FY28-29 BY+3	FY29-30 BY+4
Total Budget Request	**$0**	**$430**	**$0**	**$0**	**$0**	**$0**

Fund Summary

Fund Source

Fund Source	FY24-25 Current Year	FY25-26 Budget Year	FY26-27 BY+1	FY27-28 BY+2	FY28-29 BY+3	FY29-30 BY+4
State Operations - 0001 - General Fund	0	430	0	0	0	0
Total State Operations Expenditures	**$0**	**$430**	**$0**	**$0**	**$0**	**$0**
Total All Funds	**$0**	**$430**	**$0**	**$0**	**$0**	**$0**

Program Summary

Program Funding

Program Funding	FY24-25 Current Year	FY25-26 Budget Year	FY26-27 BY+1	FY27-28 BY+2	FY28-29 BY+3	FY29-30 BY+4
2830 - Native American Heritage	0	430	0	0	0	0
Total All Programs	**$0**	**$430**	**$0**	**$0**	**$0**	**$0**