

Draft CACGN AB2022 Procedures

Draft for Tribal Consultation and Public Comment

May 24, 2023

Preface

Geographic names are a fundamental attribute of our Nation’s landscape. These names are oftentimes directly tied to an area's unique geophysical characteristics, history, people, and culture, and while communities and values change over time, standardized and persistent names are critical for the efficient and effective functioning of location services, resource research, emergency management, and public services communities, as well as for preserving the historical and cultural record of an area. As such, the renaming of geographic features and places is considered only for the most compelling reasons.

[1.] Background

The U.S. Board on Geographic Names (BGN) was established in 1890 as the authority to assign and standardize official names for geographic features within the United States. The BGN is responsible for determining the names of all natural geographic features, such as mountains, lakes, rivers, and streams, as well as canals, channels, reservoirs, and unincorporated populated places.

The BGN authority does not extend to the naming and renaming cultural or “administrative” features (referred herein as “Place Names”), such as roads, streets, schools, hospitals, parks, event centers, etc., to the administering federal, tribal, state, municipal county, city, or private owner of the feature owner.

In making decisions on names for federal use, the BGN solicits input and comments from local agencies, administrative authorities, federal land management agencies, federally recognized tribes, and other interested parties. Additionally, the BGN works with state geographic naming authorities that advise and assist with new name and name change proposals within their respective state.

The California Advisory Committee on Geographic Names (CACGN) has provided geographic naming recommendations to the BGN since 1928. CACGN is housed within the California Natural Resources Agency (CNRA) and is composed of representatives and appointees from Department of Water Resources, Department of Parks and Recreation, Department of Fish and Wildlife, Department of Conservation, Department of Forestry and Fire Protection, Native American Heritage Commission, California State Library, the California African American Museum, and federal and emeritus advisors. Also represented as ex-officio members are the Governor Office’s Secretary for Tribal Affairs, Department of Transportation, California Natural Resources Agency and assemblymembers representing the Select Committee on Native American Affairs, Legislative Black Caucus, Latino Legislative Caucus, Asian Pacific Islander Legislative Caucus, Legislative LGBTQ Caucus, and Legislative Women’s Caucus.

On September 23, 2022, Governor Gavin Newsom signed [Assembly Bill 2022 \(Ramos\)](#), Chapter 479 of 2022 Statutes, into law. This bill follows the spirit of U.S. Department of the Interior Secretary Deb Haaland’s [Secretarial Order 3404](#) in declaring “sq___” to be a derogatory word. The word has been used historically as an offensive ethnic, racial, and sexist slur. Tribes and tribal communities, particularly Native women, have been historically ostracized and forced to bear the weight of seeing this offensive word in the names of geographic features and places throughout the Nation. Secretarial Order 3404

effectuated the change of more than 80 derogatory “sq___” names of California geographic features under BGN jurisdiction to names more respectful of tribes and tribal communities. AB-2022 extends the policy of renaming “sq_” named features to include place names (i.e. roads, streets, schools, hospitals, parks, event centers, etc.), not under BGN review.

This bill has designated CACGN to develop processes and procedures for the removal of “sq___” and other derogatory and/or offensive words from all California geographic features and place names. Further, CACGN has been designated to coordinate the process, petitions, and procedures of removing “sq___” and other offensive and derogatory names between California Native American tribes, public agencies, and the public. This document provides procedural frameworks for CACGN’s duties as outlined in AB2022.

[2.] Definitions

For the purposes of these procedures, the following definitions apply:

- (a) “Advisory Committee” or “committee” means the California Advisory Committee on Geographic Names, or appointees thereof, as established within the California Natural Resources Agency.
- (b) “Formal consultation” means the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties’ cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American Tribes shall be conducted in a way that is mutually respectful of each party’s sovereignty and/or authority. Consultation shall also recognize the tribes’ potential needs for confidentiality with respect to places that have traditional tribal cultural significance.
- (c) “Geographic feature” means any location or publicly owned structure in this state, including, but not limited to, navigable waters of the state, geographic features, parks, state or local roads, bridges, and publicly owned buildings. For the purposes of BGN purview and as defined by the BGN’s Principles, Policies, and Procedures, a domestic geographic feature means “any relatively permanent part of the natural or man-made landscape or seascape that has recognizable identity within a particular cultural context” and is “within the United States of America or its territories.”
- (d) “Place” means any natural geographic feature or street, alley, or other road within the jurisdiction of the state or political subdivision of the state.
- (e) “Public agency” means a state agency, local governing body, and any other political subdivision of the state.

[3.] Replacing “Sq_” Names

[3.1] Timeline

It is the duty of all public agencies to identify and report to CACGN all instances of the derogatory “sq___” word in geographic features and place names under their jurisdiction. Public agencies have until July 1, 2023 to submit their initial report of all “sq___” named features. By January 1, 2024, CACGN will confirm and notify public agencies of the final list of named features to be renamed. Public agencies are required to consult with California Native American tribes on the identification of “sq___” replacement

names and to submit replacement names to CACGN no later than July 1, 2024. CACGN will review replacement names no later than October 1, 2024.

CACGN will review and vote on all replacement names by January 1, 2025.

CACGN shall maintain a database of all occurrences of the “sq___” word submit an annual report to the Legislature.

[3.2.] “Sq___” Name Identification Procedure

Public agencies are required to identify all geographic features and place names within its jurisdiction containing the word “squaw” and file a report to CACGN identifying those names no later than July 1, 2023.

CACGN has provided an electronic form and GIS map to serve as the official reporting tool for public agencies to meet this requirement. The electronic form can be found on the CACGN website and by using the following link: <https://tinyurl.com/SqNameSurvey>.

No later than January 1, 2024, CACGN will publish the final list of “sq_” named geographic features and places to the CACGN website. For “sq_” named geographic features and places under the purview of the BGN will be referred to the BGN to follow the federal process as defined by the BGN’s Principles, Policies, and Procedures.

[3.3] “Sq___” Name Replacement Procedure

Public agencies are required to identify appropriate replacement names for all “sq_” names within their jurisdiction and are encouraged to start identifying replacement names as soon as possible but shall begin this process after CACGN publishes the final list of “sq_” named geographic features and places. Before selecting a replacement name, public agencies are required to engage in formal consultations with California Native American tribes on appropriate replacement names, utilizing Section 4 of these procedures. In selecting replacement names and as required by California Government Code Section 8899.94 (e)(3), the public agency shall prioritize names that honor and recognize the tribes, cultures, and indigenous languages specific to the geographic region in question, including place names that were previously used by Native American tribes or place names proposed by California Native American tribes through the appropriate enactment or resolution.

Further, a conscientious effort should be made to follow these priorities:

1. Honor the original, traditional, or current name used by California Native American tribes to refer to the geographic feature or place.
2. Names incorporating the local indigenous language(s).
3. Preserve the original intent of the geographic name as a historical record of the cultural landscape (using general descriptors, and generic terms such as river, creek, mountain, or an appropriate term from the indigenous language of the area), considering the historical, cultural, or ethnic significance of the original name.

Replacement names should avoid commemorating individuals, but instead favor honoring and recognizing the tribes, cultures, and indigenous languages specific to the region, including names that were previously used by, or are proposed by California Native American tribes.

Public agencies are required to submit proposed replacement names to CACGN no later than July 1, 2024 utilizing CACGN's "sq_" replacement name form found on CACGN's website.

[3.4] CACGN Review of Replacement Names

Upon receipt of a proposed replacement name, CACGN will investigate including its own research, tribal consultations, and public outreach.

CACGN shall review and vote on each proposed replacement name for a geographic feature or place name within 90 days of receiving the proposal, or by October 1, 2024. CACGN may reject a proposed replacement name if the Committee determines that it is not appropriate, derogatory, offensive or does not fulfil the legislative intent of prioritizing names honoring California Native American tribes, cultures, and indigenous languages specific to the region, including names that were previously used by, or were proposed by California Native American tribes of the place under consideration.

If a public agency fails to provide a replacement name by July 1, 2024, or the provided name is deemed to be offensive or derogatory, or otherwise inappropriate, CACGN shall solicit proposals and input from all of the following:

1. California Native American tribes through formal consultation.
2. Appropriate public agencies.
3. Members of the public.

CACGN shall review and vote on a new replacement name within 180 days of rejecting a previously proposed replacement name, or if the public agency failed to provide a replacement name, within 180 days of the deadline to receive a replacement.

In selecting a new replacement name, CACGN shall consider all input received and make every effort to prioritize replacement names that honor and recognize the tribes, cultures, and indigenous languages specific to the geographic region in question, including names that were previously used by, or were proposed by California Native American tribes.

[3.5] Replacement Name Decision

Upon voting on a replacement name, CACGN shall notify relevant public agencies of CACGN's decision, as described by California Government Code Section 8899.94(h). Changes should be fully implemented by January 1, 2025 or within the U.S. BGN timeline.

[3.6] Annual Report to the Legislature

Beginning on January 1, 2025, CACGN shall report annually to the Legislature, at a minimum, the following:

- (1) Each geographic feature and place name in the State of California containing the word "sq_" and the relevant public agency with jurisdiction over that geographic feature or place name.
- (2) The replacement name proposed for that geographic feature or place name and the process to select that replacement name.
- (3) The number and location of any markers, signs, or maps that shall be or have been changed to reflect the name change.

- (4) The date that request to change names were filed with the BGN and whether those changes have been made.
- (5) All work completed to date for the purposes of AB 2022.
- (6) Any other relevant information that CACGN finds appropriate.

Public agencies may be required to report the above information at the request of CACGN for legislatively mandated reports.

[4.] Formal Tribal Consultation Procedures

The following principles and priorities reflect the underlying philosophy and primary guidelines provided by California Government Code Section 8899.94 (e)(2)(A)-(B) and CNRA's tribal consultation policy.

The State's unique relationship with federally recognized tribes in California is a result of many treaties, court decisions, State and Federal statutes, executive orders, and recognition by the federal government. This relationship is deeply rooted in history, dating back to the earliest contact between settlers and tribal governments. California, through the work of the Native American Heritage Commission, also maintains a record of non-federally recognized California Native American tribes.

For the purposes of these procedures, all public agencies shall consult with California Native American tribes, federally recognized and non-federally recognized tribes listed on the Native American Heritage Commission contact list, whose ancestral territories include geographic features and places being renamed by these procedures. When considering the renaming of geographic features and places containing "sq___" or other derogatory and offensive words, CACGN and public agencies shall consult with California Native American tribes and utilize the California Natural Resources Agency's Tribal Consultation Policy and the following best practices:

1. **Purpose:** The purpose of this policy is to ensure that CACGN and public agencies engage in formal consultation utilizing early, often, and meaningful consultation policies with California Native American tribes on the renaming of all geographic features and place names under the purview of AB 2022.
2. **Policy:** Formal consultation with California Native American tribes requires a timely process for seeking, discussing, and carefully considering the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, to seek agreement.
 - a. Consultation between public agencies and California Native American tribes shall be conducted in a way that is mutually respectful of each party's sovereignty and/or authority.
 - b. Consultation shall also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance.
 - c. **Early, Often, and Meaningful:** Formal consultations must occur early in the decision-making process. Communication and consultation meetings shall take place often and with regular updates on the topics under consultation. The conversations and decisions made in consultation shall be meaningful in guiding the implementation and priorities outlined in AB 2022.

3. **Process:** CACGN and public agency consultation with California Native American tribes shall include the following steps:
- a. Identification:** Collaboration between public agencies and California Native American tribes to identify geographic features and place names containing the “sq___” word or other derogatory or offensive names.
 - b. Notification:** Early in the process, public agencies shall notify California Native American tribes who have present-day or ancestral ties to the geographic feature or place of the established timelines and the opportunity to consult on the selection of replacement names under the preview of AB 2022. Tribes may request consultation with CACGN and public agencies at any time during the CACGN’s review process.
 - c. Collaborative Partnership:** Public agencies shall strive to develop collaborative partnerships with California Native American tribes, by responding in a meaningful and timely manner to tribes’ concerns; by including tribal leaders in the decision-making process; and by incorporating tribes’ feedback, preferences, expertise, and guidance into the deliberations and final decision. As required by California Government Code Section 8899.94 (e)(3), Public agencies and CACGN shall give substantial weight to California Native American tribes, cultures, and indigenous languages specific to the region, including names that were previously used by, or were proposed by California Native American tribes; shall understand the significance and impact of derogatory and offensive names; and will determine appropriate replacement names that honor and respect tribes.

These policies do not alter the relevant laws, regulations, and policies regarding tribal consultations that CACGN and public agencies must comply with, including, but not limited to, the National Environmental Policy Act, the National Historic Preservation Act, the California Environmental Quality Act, Executive Order N-15-19, and the California Natural Resources Agency’s Tribal Consultation Policy.

[5.] Individual Petitions for Derogatory Offensive Names

AB 2022 also directs CACGN to establish a procedure for addressing changes to geographic features and place names considered to be derogatory or offensive.

To delineate between those geographic features, which fall under the U.S. BGN’s purview and procedures, and those place names which will be handled by CACGN, two separate procedures have been established.

[5.1] Procedure 1: Geographic Features under U.S. BGN Purview

Any interested person, tribe, public agency, office, or organization that believes a geographic feature name under U.S. BGN jurisdiction should be changed, must complete the Domestic Geographic Name Proposal (DGNP) form, available on the U.S. BGN’s website. All proposals submitted under U.S. BGN jurisdiction shall follow all USBGN Principles, Policies, and Procedures - Domestic Geographic Names found on the U.S. BGN’s website.

[5.2] Procedure 2: AB 2022 Petitions of Place Names Under Local or State Purview

Any interested person, tribe, public agency, office, or organization seeking to change other derogatory and offensive place names may contact CACGN at CACGN@resources.ca.gov. CACGN is in the process of further developing procedures to review petitions of geographic features and place names under local or state purview.

[6] Public Availability

CACGN and BGN staff must have a way of contacting a proponent in the event there are any questions concerning a proposal. Before including an address, phone number, email address, or other personal identifying information in a proposal, the proponent should be aware that the entire proposal—including personal identifying information and any associated correspondence—may be made publicly available at any time.

[7] Relevant BGN Principles, Policies and Procedures

All name change proposals under BGN authority (Domestic Geographic Features w/GNIS Feature ID numbers) must adhere to the BGN's established Principles, Policies and Procedures. CACGN may use this document to guide proponents in submitting a complete proposal to the BGN. CACGN will also be guided by these procedures and the BGN principles, policies, and policies in the review of renaming place names not under BGN authority.

[8] Point of contact

Questions pertaining to the CACGN and these procedures should be addressed to:

California Advisory Committee on Geographic Names
California Natural Resources Agency
715 P Street, 20th Floor
Sacramento, CA 95814
cacgn@resources.ca.gov

APPENDIX A

Assembly Bill No. 2022 **CHAPTER 479**

An act to add Chapter 17 (commencing with Section 8899.90) to Division 1 of Title 2 of the Government Code, relating to state government.

[Approved by Governor September 23, 2022. Filed with Secretary of State September 23, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2022, Ramos. State government.

Existing law establishes the Natural Resources Agency, which consists of various departments and commissions, including the Department of Conservation, Department of Parks and Recreation, and State Lands Commission. Existing law vests in the agency various powers, including those related to conservation of lands. Pursuant to the agency's general authority, the agency established the California Advisory Committee on Geographic Names to be a liaison to the United States Board on Geographic Names. The duties, powers, and responsibilities of the committee are established by its internal charter.

Commencing on January 1, 2025, this bill would require the term "squaw" to be removed from all geographic features and place names in the state. The bill would require the Natural Resources Agency to direct the committee to revise its existing charter to perform specified responsibilities, including notifying public agencies, as defined, of each geographic feature and place name that includes the term "squaw." The bill would require the committee to choose a replacement name, under its discretion, and in consultation with advisory bodies, if the local governing body fails to recommend a replacement name within the allotted 180 days.

The bill would require the committee to work in formal consultation with California Native American tribes on the list maintained by the Native American Heritage Commission to establish a procedure for receiving name recommendations.

This bill would require public agencies to no longer replace signs, interpretive markers, or any other marker or printed material with the discontinued name containing the word "squaw." The bill would require each agency or local governing body to ensure that map updates and sign replacements use the new name. Commencing January 1, 2025, the bill would require the committee to annually report to the Legislature regarding the implementation of these provisions, and would require that report to include specified information, including each geographic feature and place name that uses the term "squaw" in that public agency's jurisdiction and the proposed replacement name.

By imposing requirements on local governments to remove the term “squaw” from geographic features and place names and to report specified information to the committee, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

BILL TEXT

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

The Legislature finds and declares all of the following:

(a) The term “squaw” is a racist and derogatory term that has historically been used as an offensive ethnic, racial, and sexist slur, particularly for indigenous women.

(b) Currently, over 100 geographic features and place names in the State of California contain the term “squaw.”

(c) No geographic feature or place name in the State of California should have a name that includes racial and sexual slurs and stereotypes targeting Native Americans, which perpetuate prejudice, disparage racial minorities, and contribute to the current crisis of missing and murdered indigenous people.

(d) The geographical features or place names in the State of California that contain the word “squaw” are deemed to be offensive and insulting.

SEC. 2.

Chapter 17 (commencing with Section 8899.90) is added to Division 1 of Title 2 of the Government Code, to read:

CHAPTER 17. Geographic Feature and Place Name Prohibitions

8899.90.

The purpose of this chapter includes all of the following:

(a) To prohibit the use of the word “squaw” for geographic features and place names within the State of California.

(b) To establish a process for the California Advisory Committee on Geographic Names to review and revise offensive names in the State of California and, as necessary, submit formal requests to the United States Board on Geographic Names to render decisions on proposed name changes.

8899.91.

For the purposes of this chapter, the following definitions apply:

(a) “Advisory Committee” or “committee” means the California Advisory Committee on Geographic Names, or appointees thereof, as established within the Natural Resources Agency.

(b) “Formal consultation” means the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties’ cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American tribes shall be conducted in a way that is mutually respectful of each party’s sovereignty. Consultation shall also recognize the tribes’ potential needs for confidentiality with respect to places that have traditional tribal cultural significance.

(c) “Geographic feature” means any location or publicly owned structure in this state, including, but not limited to, navigable waters of the state, geographic features, parks, state or local roads, bridges, and publicly owned buildings.

(d) “Place” means any natural geographic feature or street, alley, or other road within the jurisdiction of the state or political subdivision of the state.

(e) “Public agency” means a state agency, local governing body, and any other political subdivision of the state.

8899.92.

The Natural Resources Agency shall direct the California Advisory Committee on Geographic Names to revise its existing charter and amend it to include the execution of the duties, powers, and responsibilities listed under Section 8899.94.

8899.93.

(a) A public agency shall no longer replace any sign, interpretive marker, or any other marker or printed material with the discontinued name containing the word “squaw.” A public agency shall ensure that whenever it updates a map, or replaces a sign, interpretive marker, or any other marker because of wear or vandalism, the new name adopted pursuant to Section 8899.94 is used.

(b) Beginning on January 1, 2025, the word “squaw” shall be removed from all geographic features and place names in the State of California.

8899.94.

(a) The committee shall complete each of the following no later than July 1, 2023:

(1) The committee shall develop a procedure for receiving reports from a public agency that is reporting any geographic feature or place name containing the word “squaw” in its jurisdiction.

(2) The committee shall create a process to receive and review individual petitions to change offensive or derogatory geographic features and place names, including, but not limited to, geographic features and place names containing the word “squaw.”

(b) A public agency shall complete each of the following no later than July 1, 2023:

(1) Identify all geographic features and place names within its jurisdiction containing the word “squaw.”

(2) File a report identifying those names with the committee.

(c) By January 1, 2024, the committee shall verify the reports it receives pursuant to subdivision (b) and notify the respective public agency of all of the following:

(1) Any remaining geographic feature or place name that includes the term “squaw” in the jurisdiction of the public agency.

(2) The obligations of the public agency to recommend a replacement name for the geographic features and place names in that jurisdiction.

(3) The deadline established in this section.

(d) The committee shall establish a procedure in formal consultation with California Native American tribes on the list maintained by the Native American Heritage Commission for receiving name recommendations. This procedure shall be used statewide and the draft shall be subject to public comment. Once the process has been established, it shall be listed online in a forum accessible to the general public.

(e) (1) After the date of notification by the committee, pursuant to subdivision (c), the public agency shall propose a replacement name to the committee within 180 days.

(2) (A) The public agency shall solicit proposals to rename geographic features and place names from the California Native American tribes, any other public agencies as appropriate, and the public.

(B) The public agency shall engage in formal consultation with California Native American tribes to solicit their proposals.

(3) In selecting replacement names, the public agency shall prioritize names that honor and recognize the tribes, cultures, and indigenous languages specific to the geographic region in question, including place names that were previously used by Native American tribes or place names proposed by California Native American tribes through the appropriate enactment or resolution.

(f) (1) The committee shall vote on the proposed replacement name for a geographic feature or place name within 90 days of receiving the proposed replacement name.

(2) The committee may reject a proposed replacement name if the committee determines that it is offensive or insulting.

(g) (1) If the public agency fails to provide a replacement name within the specified time, or the provided name is deemed to be offensive or insulting by the committee, the committee shall solicit proposals and input to rename the geographic feature or place name from all of the following:

(A) California Native American tribes on the list maintained by the Native American Heritage Commission through formal consultation.

(B) Appropriate public agencies.

(C) Members of the public.

(2) (A) The committee shall vote on a new replacement name within 180 days of rejecting a proposed replacement name pursuant to paragraph (2) of subdivision (e) or, if the public agency failed to provide a replacement name, within 180 days of the deadline to receive a proposed replacement name.

(B) In selecting a new replacement name, the committee shall consider the input received pursuant to paragraph (1) of this subdivision and prioritize names that honor and recognize the tribes, cultures, and indigenous languages specific to the geographic region in question, including place names that were previously used by Native American tribes or place names proposed by California Native American tribes through the appropriate enactment or resolution.

(h) The committee shall do all of the following no later than 90 days after it approves a new name:

(1) Notify each public agency that has reported an offensive or derogatory place name of the alternative name selected by the committee.

(2) Notify state departments, including, but not limited to, the Department of Transportation, the Department of Forestry and Fire Protection, and any other state department that compiles information or develops maps or markers, for the State of California of the name change to ensure that any name change be reflected on subsequent editions of any maps, informational literature, or markers produced by those entities.

(3) Submit, as necessary, a formal request with the United States Board on Geographic Names to render a decision on each proposed name change so that each new name will be reflected on all maps of the United States Board on Geographic Names.

(4) Coordinate with all state, state, and local agencies to reflect the approved name changes in maps, signs, interpretive markers, other markers, and databases in which the names of these geographic features are recorded.

8899.95.

(a) Beginning on January 1, 2025, the committee shall annually report to the Legislature regarding implementation of this chapter. The report shall identify, at a minimum, all of the following:

(1) Each geographic feature and place name in the State of California containing the word “squaw” and the relevant public agency with jurisdiction over that geographic feature or place name.

(2) The replacement name proposed for that geographic feature or place name and the process to select that replacement name.

(3) The number and location of any markers, signs, or maps that shall be or have been changed to reflect the name change.

(4) The date that requests to change names were filed with the United States Board of Geographic Names and whether those changes have been made.

(5) All work completed to date for the purposes of this chapter.

(6) Any other relevant information that the committee finds appropriate.

(b) A report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795.

SEC. 3.

If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

Appendix D—Terms and Definitions