Caltrans Repatriation Process Overview

This is an accessible version of the Caltrans Repatriation Process flow chart.

1. Start.
2. Caltrans submits NAGPRA Summaries to National NAGPRA, and draft Inventories and Summaries to NAHC Database, for Caltrans-controlled archaeological collections.
3. Caltrans send consultation letters to Tribes with NAGPRA summaries, Itemized Lists (draft inventories), and referencing NAHC Database entries, inviting consultation under NAGPRA and/or CalNAGPRA.
4. Tribe engages in consultation and, when ready, submits formal RFR/Claim under NAGPRA, CalNAGPRA or both.
5. Caltrans reviews the RFR/Claim and responds within 30 days stating that the department objects or does not object.
6. Object to claim? If the answer is yes, then the agency will continue consultation to seek resolution and return to step 3. If the answer is no, then proceed with the next step.
7. Required documents are prepared in consultation with the tribe: NAGPRA Summary—Summary of Evidence and NIR; NAGPRA Inventory—Summary of Evidence, Inventory, and NIC; and NAHC Inventory or Summary—Change status to Preliminary and then to Final.
8. Caltrans Notifies all consulting parties of the Federal Register posting and /or the NAJHC status change to final; NAGPRA NIC or NIR is posted for 30 days and/or NAHC status is Final for 30 days.
9. Within 90 days, Caltrans provides the tribe with a Transfer of Control, and NAGPRA Repatriation Statement if appropriate, and also provides copies to the National NAGPRA and NAHC.
10. Caltrans continues consultation with the tribe and coordinates with the repository to ensure physical transfer, or Held in Trust Agreement, and to provide support as needed.
11. End.

Note: For tribes that are not federally recognized, please be advised that NAGPRA repatriation must take place with lineal descendants or federally recognized tribes [43 CFR § 10.1(b)] before Caltrans can proceed with repatriation under CalNAGPRA alone. Caltrans will proceed with CalNAGPRA claims placed by non-federally recognized tribes after concluding NAGPRA consultation with lineal descendants and federally recognized tribes.

Issues that cannot be resolved through additional consultation will be remediated through the dispute resolution processes described in 43 CFR § 10.12(c) or Health and Safety Code § 8016(d), as appropriate.

Updated by the Caltrans Cultural Studies Office, September 2025.