

Tribal Consultation Meeting

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DEPARTMENT OF WATER RESOURCES
TRIBAL CONSULTATION MEETING
FOR THE BAY-DELTA TRIBES

Natural Resources Building
First Floor Auditorium
1416 Ninth Street
Sacramento, California 95814

Friday, June 13, 2014

Reported by: Michael C. Rowell, California CSR No. 13494
Nevada Certified Court Reporter No. 927
Registered Professional Reporter
Certified Realtime Reporter

Tribal Consultation Meeting

1 APPEARANCES:

2 SITTING ON THE PANEL:

3 MEG SCANTLEBURY

ALISA REYNOLDS

4 ANECITA AGUSTINEZ

PAUL HELLIKER

5 JANIS OFFERMANN

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Tribal Consultation Meeting

1 BDCP BAY DELTA TRIBES CONSULTATION MEETING

2 Sacramento, California

3 Friday, June 13, 2014

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5 MS. AGUSTINEZ: Welcome to the California Natural
6 Resources Auditorium. My name is Anecita Agustinez, and I'm
7 the tribal policy advisor. And I wanted to just go ahead
8 and just turn this over to Mr. Paul Helliher, and we'll just
9 go ahead and -- we do have some floor mics, which we'd like
10 to pass out. So after Paul does his brief introductions, we
11 would like to allow for our audience to introduce themselves
12 and tell us who you represent and also just acknowledge that
13 you're here. And thank you for that.

14 MR. HELLIKER: Well, good morning, everyone, and
15 thank you for joining us here today. I guess we were
16 expecting the weather to be a hundred degrees outside and
17 lots of people here, so my apologies for it being kind of
18 chilly in the room here, but we will do our best to keep
19 things going and warm it up.

20 So before I start talking about the Bay Delta
21 Conservation Plan, which is the focus of today's
22 conversation, why don't we take the opportunity here to
23 introduce ourselves so that people know who is here. And
24 you've mentioned what organization you're representing. Do
25 you want to use the microphone for that? Sure. Why not.

Tribal Consultation Meeting

1 Let's do that.

2 MS. STINE: Ann Stine, reclamation natural resource
3 specialist.

4 MS. TOMARAS: Brenda Tomaras, here for the Lytton
5 Rancheria.

6 MR. BURRIS: Anthony Burris, Ione Band of Me-wuk
7 Indians.

8 MR. PINEDA: Ricardo Pineda, civil engineer with the
9 Department of Water Resources Division of Flood Management
10 on levy projects.

11 MS. LIN: Hong Lin, Department of Water Resources,
12 North Central Region office.

13 MR. LeCOCQ: And I'm Phil LeCocq with the Department
14 of Water Resources.

15 MS. UDING: Dena Uding, Department of Water
16 Resources.

17 MR. HEILAND: BG Heiland, Department of Water
18 Resources.

19 MS. COOKE: Way in the back, Janis Cooke from the
20 Central Valley Regional Water Quality Control Board.

21 MS. AZIMI-GAYLON: Shakoora Azimi-Gaylon with the
22 Delta Conservancy.

23 MR. CERVANTES: Hello. I'm Tito Cervantes of the
24 Department of Water Resources Northern Region Office. I'm
25 also the water supply and balance team lead for the water

1 plant.

2 MS. WAIT: Jackie Wait, Department of Water
3 Resources, Division of Environmental Services.

4 MS. ALEJANDRINO: Emily Alejandrino, Department of
5 Water Resources, tribal liaison.

6 MS. BEGGS: Barbara Beggs, US Fish and Wildlife
7 Service.

8 MS. OFFERMANN: Janis Offermann, URS Corporation.

9 MR. DAVIS: Al Davis, DWR.

10 MR. COLUMBRO: Good morning. Robert Columbro,
11 environmental director, Coyote Valley Band of Pomo Indians.

12 MS. DELGADO: Hi. I'm Marilyn Delgado, cultural
13 resources director for Yocha Dehe Wintun Nation.

14 MS. SWINNEY: Heather Swinney, Fish and Wildlife
15 Service.

16 MR. SWANK: Dave Swank with National Marine
17 Fisheries Service.

18 MS. PIERCE: Wendy Pierce, DWR DES.

19 MS. PERRY: I'm Lauren Perry with Bureau of
20 Reclamation.

21 MS. GILBERT: I'm Becky Gilbert with DWR DES.

22 MR. HELLIKER: Very good. Thank you. And welcome
23 everybody again.

24 So let's get into what we're going to be discussing
25 today. The Bay Delta Conservation Plan, for those of you

1 who are not intimately familiar with the 35,000 pages of
2 documentation, is a project that we've been working on now
3 for over seven years to develop a solution for conveyance
4 issues in the Delta.

5 For those of you who are familiar with the Bay
6 Delta, two thirds of the water in California falls north of
7 Sacramento, and two thirds of it is used south of
8 Sacramento. So we need to have a system in place to be able
9 to effectively and efficiently provide that connection for
10 water for people where it's used.

11 So we have the world's most comprehensive water
12 system in California, composed of a variety of different
13 projects. Our department operates the State Water Project,
14 which includes Oroville Reservoir and the California
15 Aqueduct and a variety of other facilities related to that.

16 The Bureau of Reclamation, who are here today,
17 operate the Central Valley Project, which consists of a
18 number of the big reservoirs in the Sacramento Valley and
19 the pumps in the aqueduct that they operate in the central
20 valley as well.

21 So the purpose of the Bay Delta Conservation Plan is
22 to improve the way that we move water through the Delta, on
23 the one hand, with respect to the conveyance facilities, and
24 then complement that with habitat restoration projects to
25 provide the environmental benefits that are part of the

1 program: a hundred thousand acres of restored habitat,
2 45,000 acres of easements and other agricultural
3 conservation programs, altogether 145,000 acres.

4 So it'll be a major project, \$25 billion over the
5 next 50 years. It's one of our principal priorities here in
6 the department. It's the last remaining component of the
7 State Water Project system that needs to be built to provide
8 reliability for water supplies through the Delta or under
9 the Delta, as well as to address some of the problems that
10 we have had with the ecosystem in the Delta.

11 So we have a number of conservation measures that
12 are in the plan. The plan itself is a permit application
13 for incidental take under the Endangered Species Act on the
14 federal side, and under the Natural Communities Conservation
15 Planning Act on the state side. So the plan is an
16 application for approval by the fisheries agencies -- the
17 National Marine Fisheries Service, the Fish and Wildlife
18 Service, and in California the Department of Fish and
19 Wildlife -- to authorize this project to move forward so
20 that we can build the tunnels and the conveyance facilities,
21 so that we can do the habitat restoration projects that are
22 proposed, and have the system permitted for the next
23 50 years.

24 So where we are right now is in the comment period
25 for the environmental impact report and environmental impact

1 statement. That comment period extends now through the end
2 of July. July 28th, I think, is the deadline now for
3 getting comments back to us. So we'll be hearing today from
4 some of our organizational groups that help us with this.
5 ICF has been leading the way on putting the plan together
6 and also the environmental documentation. And so we'll talk
7 a little bit more about the project, how it relates to
8 issues that you're interested in, both in terms of the
9 tribal activities and cultural resources. We'll focus on
10 that specifically and then get into a discussion later on
11 today to hear your thoughts about what we should be aware of
12 in terms of the intersections with your activities and your
13 programs and how we can make sure that we cover that in our
14 processes.

15 So anything else you want to add?

16 MS. AGUSTINEZ: Thank you, Paul. I just want to say
17 thank you to Marcos Guerrero and Jason Camp -- thank you for
18 joining us -- from the United Auburn Indian Community.

19 And Gerald Jones, thank you for joining us from the
20 Bureau of Indian Affairs. We did some introductions, so
21 that way we can -- well, most people know who you guys are,
22 so thank you for being here.

23 One more thing before we begin and go forward is I
24 just really wanted to say thank you to our tribal
25 communities. And I know many of you are representing your

1 tribal nations and your communities, and sometimes as we go
2 forward with a project this large, it's like, where do we
3 begin?

4 As you know, this is a follow-up meeting to an
5 informational meeting that we hosted here at DWR at the
6 Secretary of State auditorium on December 10th. And the
7 December 10th meeting was an informational meeting.

8 Follow-up to that was a promise to the communities
9 that DWR would continue to engage the communities in public
10 discussion as well as government-to-government consultation.

11 As you know, this invitation did say
12 government-to-government consultation because the invitation
13 was submitted directly to tribes that have a direct interest
14 in the Bay Delta Conservation Plan's boundary footprints.
15 At the Department of Water Resources, we recognize that
16 tribes have an ancestral territorial footprint in this area
17 and very strong cultural concerns.

18 As we go forward to today -- and this is also
19 information for the tribes, is to think that we can actually
20 continue these meetings and go directly to your tribal
21 communities with anything that you feel is a direct concern,
22 and so we want you to be able to take a look at the
23 resources we're providing today, the type of technical
24 assistance that we have, and what is a real direct concern
25 to your tribal community as you look at the Bay Delta

1 Conservation Plan and as it goes forward. So that's one of
2 the things that we'd like to do as an additional outcome of
3 this meeting, is continue that conversation and maybe even
4 go deeper into specific tribal concerns, and we can bring
5 our teams of our technical experts and our groups to your
6 tribal communities, not only for the BDCP but other programs
7 that Department of Water Resources conducts. So thank you
8 very much for that.

9 And so, Paul, I guess we're ready to start the
10 program in terms of the next phase of this.

11 MS. HELLIKER: Okay. Thank you. And I just wanted
12 to mention -- my apologies -- I have to go to a meeting with
13 our director at 11:00, but I'll be here as soon as possible
14 after that discussion starts to come back, and then we'll be
15 here for the rest of the day. So let's get into the
16 discussion from our colleagues here at ICF, Alisa Reynolds
17 and Meg Scantlebury, and they'll cover the BDCP and focus
18 particularly on cultural resources.

19 MS. REYNOLDS: Yeah. Hi. Good morning. I'm Alisa
20 Reynolds, and I wanted to give you all -- thanks for coming.
21 I wanted to give you all an update on really what were our
22 first steps for identifying archeological resources in the
23 BDCP planned area. A lot of you will be familiar with some
24 of the typical methodology that we used for archaeology.
25 And I'd just say that, keep in mind, it's first steps here,

1 and you'll be hearing a little bit later on about the
2 federal processes and things moving forward. So we'll get
3 back to some more detail, probably, later on.

4 We started out with the basic steps in archaeology,
5 which was a literature search, a record review for the
6 entire plan area. This was actually updated numerous
7 times -- probably three or four times for the whole area --
8 as certain footprints changed and we updated it. We also
9 looked at all of the areas in our record search that had
10 been studied. A pretty high percentage had been studied;
11 about 65 percent of the land in the plan area had been
12 studied before.

13 We followed up with a field survey. I'll talk a
14 little bit about the methodologies for that. And then in
15 areas that we couldn't get to, as well as areas of potential
16 buried sensitivity for buried archaeological resources, we
17 did a sensitivity analysis on a fairly large scale.

18 So we identified, for the purposes of the report,
19 fairly typical archaeological site types that we anticipated
20 would be in our present project -- or in the plan area.
21 Most of you are pretty familiar with what these are: midden
22 and mound sites, especially along the San Joaquin and
23 Sacramento Rivers, multiple-occupation sites, bedrock
24 milling features, isolated artifacts; with the mound and
25 midden sites, there are known associated burials, or at

1 least suspected; lithic scatters and baked clay deposits.

2 We also had -- not listed here, because it's really
3 focused on tribal issues -- we do have historical
4 archaeological resources out there, of course, and we did
5 look at some of those site types as well. And Meg will talk
6 a little bit about the built resources.

7 Our records search information -- and I don't know
8 if you can see on this scale, but there were about a hundred
9 archaeological sites identified. Most were prehistoric, and
10 as you can kind of see here, most were along San Joaquin and
11 Sacramento River area in the northern portion of the plan
12 area. More of the historic archaeological resources were
13 actually to the south of the plan area, and relatively few
14 in the center. And we'll talk a little bit about
15 methodology and sensitivity analysis and discuss that a
16 little bit.

17 Part of this, of course, these are just existing
18 site records. This is just what's been done. So you see a
19 lot of sites recorded in areas where there has been levy
20 improvements or when other work has been going on in the
21 area.

22 We took this information, and we went out and we
23 conducted archaeological field surveys wherever we had land
24 access. We focused on the areas of direct impact of the
25 actual alternatives rather than the entire plan area, and

1 that was about 10 percent of the land, probably.

2 Visibility varied a lot. We did standard
3 archaeological procedures. We walked transects. Sometimes
4 it was more intuitive because areas were built or behind
5 homes. We sent out two different crews for a ten-day
6 rotation, so it was pretty intensive.

7 They did not identify any new archaeological sites.
8 This didn't come as a huge surprise, because some of the
9 areas, again, we have buried resources and we know things
10 aren't visible on the surface.

11 To kind of augment what we've done in the literature
12 search and the field survey, we supplied a sensitivity
13 analysis. And this is really looking at buried resources as
14 well as resources that just haven't been identified yet.
15 Maybe the area hasn't been surveyed in the large plan area.

16 So certain areas here are rated very high. This is
17 based on soils, basic alluvium, and then proximity to fresh
18 water source and slopes, but mostly soils, mostly alluvial
19 fans coming off here. And this matches where the records
20 search said that there were the most archaeological
21 resources.

22 You'll see in the middle section, it's really marsh.
23 Now, it's not that there are no sites. There are mound
24 sites. There are Piper sand mound sites occasionally
25 through this area. But in general, it's not the same

1 density, so we're really looking at the northern portion and
2 the southern portion as being more sensitive for buried
3 resources.

4 So that was the extent of our identification efforts
5 at this level. We took this information, and we looked at
6 our mitigation measures. And again, I know Janis and Ann
7 will be talking about the federal processes and kind of how
8 this fits together, because, again, this is a first step.

9 These mitigation measures step through fairly
10 standard procedures, which is really to survey all of the
11 areas that were surveyed -- I'm kind of summarizing here --
12 to identify any sites, to evaluate the sites as appropriate,
13 if they're in the area of direct impact, and then really
14 talk about preservation in place whenever possible,
15 avoidance whenever possible, and then to implement a
16 discovery plan for buried resources.

17 We follow for human remains the same typical
18 mitigation measures, but, again, these would be clarified
19 and really spelled out in treatment plans and other things
20 associated with the federal process.

21 And that's it for the archaeology portion of what
22 we've done so far. I don't know --

23 MR. HELLIKER: Do you want to take some questions?

24 MS. REYNOLDS: Yeah, absolutely.

25 MR. HELLIKER: So we have a microphone here if

1 anybody has questions that they would like to ask at this
2 point in time about the material you just saw.

3 MS. REYNOLDS: Or later is fine, too.

4 MR. HELLIKER: Okay.

5 Oh, yes, question here.

6 AUDIENCE MEMBER: I was just interested: During
7 your field survey, did you consult with any of the local
8 tribes? Did you have any cultural resource tribal people
9 on-site?

10 MS. REYNOLDS: We did not have any tribal people on
11 the surveys with us, but DWR had consulted with tribes, at
12 least initially, for the BDCP.

13 AUDIENCE MEMBER: Thank you.

14 MR. HELLIKER: Question up front?

15 MR. JONES: Getting back to that question he just
16 asked, we see consultation when it's codified. For the
17 federal consultation, it's actually codified in Indian
18 Self-Determination law. So we look at the consultation
19 executive order by the Governor to be more of a partnership.

20 So getting back to his question, not just talking to
21 tribes, but actively engaging them and partnering with them,
22 and why I'm really interested in being here at this meeting
23 today is that I want to let the state know, the Department
24 of Water Resources, that the Bureau, as trustee for the
25 tribes, they're trying to promote tribes working together

1 and intertribal groups, which can include state-recognized
2 tribes that aren't federally recognized; that we would like
3 to offer our hand out to the state as a partner to allow you
4 to use our mechanisms to actively engage tribes in ways that
5 protect their sovereignty and bring them in as full partners
6 on park surveys or implementation or planning. We have
7 special authorities to partner with really any agency, to --
8 at no cost, no administrative cost. Most federal agencies
9 won't sit here and tell you that, but our mission is to
10 improve the trust.

11 And getting back to Paul's idea, it's fairly
12 contentious in Indian country on the Endangered Species Act.
13 All these animals were owned by Indian tribes. We would
14 like to bring Indian authority under Secretarial Order 3206
15 for deference to tribes for this project, but, of course, we
16 can't -- but at least for the game fish and animals; those
17 are important tribal trust assets as well. So I'll put that
18 out there. We look for partnerships and not just talking,
19 but active partnerships. Thank you.

20 MS. REYNOLDS: Absolutely. Thank you.

21 MR. HELLIKER: Thank you for your comments. And,
22 yes, we're looking at this not just as a formal consultation
23 as required by law, but as consultation with a small C,
24 looking at how we can make sure the information is available
25 for the tribes to know more about this project and so that

1 we can also understand what their interest is and
2 collaboratively work together to make sure that we're all
3 successful.

4 MR. GUERRERO: Yeah, I guess, since everybody is
5 talking about the surveys and consultation and what the
6 process was, you mentioned that DWR did some consultation
7 initially, and that was by sending out letters to the
8 contacts from the Native American Heritage Commission.

9 MS. REYNOLDS: Yes, I believe so.

10 MR. GUERRERO: And then some tribes responded back,
11 possibly requesting archaeological survey reports, monitors,
12 et cetera.

13 Was there any follow-up to any of those letters?
14 Because United Auburn did not receive a follow-up. We
15 usually like to sit down and share our resource maps with
16 the consulting agencies, even the government agencies, to
17 avoid potential impacts. So we haven't had that
18 opportunity, so I'm assuming no other tribes have as well.

19 MS. REYNOLDS: Yeah. Hi, Marcos. I think that's
20 true up to this point, that there hasn't been follow-up. I
21 think that this, again, is the first step, so that's
22 probably true that no one contacted you all to sit down and
23 talk. But I think that this is a really good first step.

24 And, again, I would like to stress that while we did
25 do record search and survey, this was our initial look at

1 what we had for land access, so there's definitely a lot of
2 work going forward and hopefully a lot of involvement and
3 team work.

4 MR. HELLIKER: Okay. Thanks. I'm sure that
5 dialogue will continue as we get into more details today.

6 So Maggie, if you could tell us more.

7 MS. SCANTLEBURY: Good morning, everybody. My name
8 is Meg Scantlebury. I'm an architectural historian, and I
9 led the effort to survey the whole Delta area for built
10 resources, which is a large area and very confusing as
11 you're driving around having to figure out where you are.
12 So the way we approached it was we started with research.

13 We took diseños and plat maps and historic topo maps
14 and historic aerials and identified where built resources
15 that were 50 years old or older were located in the Delta
16 area, and then within the different footprints of the
17 different alternatives. And this gave us a good idea of
18 what the historic setting was and what we might expect to
19 find out there. But it also helped us to identify a number
20 of properties that we knew we would not have access to,
21 because the entire survey was done from the public
22 right-of-way. And as you know, these are many large
23 agricultural properties, and the built resources are at
24 quite a distance. So the research really helped us, and we
25 started with that.

1 And I'm just going to show you briefly what kinds of
2 properties we found. This is sort of an idea of showing you
3 that we looked at aerials, historic photos, history. This
4 gentleman here is George Shima. He was the potato king in
5 the late 19th century, and he was a first-generation
6 Japanese, and at the time of his death he had an estate
7 worth more than \$25 million. So it was a very interesting
8 area out there.

9 And these are the kinds of properties we came
10 across. They're these grand residential properties, all
11 sorts of -- these date from the 1880s up to the '20s, or
12 actually one of these properties was from the 1860s.

13 Also more residential properties: One very
14 interesting type of property that we came across, called the
15 delta house, which is to withstand floods -- so the main
16 living area is on the second floor. So they go up to the
17 second floor if there is a flood. They open the doors to
18 the bottom floor, let it air out after the flood, and then
19 close them up again.

20 Also found commercial properties, such as these;
21 stores and lumberyards, things like that.

22 And industrial properties. This was a sugar
23 manufacturing --

24 And, of course, agricultural properties. And this
25 is an old feed barn. And because access was from the

1 right-of-way, we did rely heavily on historic aerials to
2 identify where historic properties were.

3 And rural historic landscapes. I mentioned George
4 Shima already. This is Bacon Island, which we found the
5 island itself to be a historic resource, rural historic
6 landscape, because of its association with him and its
7 association with early agricultural industry in the Delta.
8 And, as you can see, some of these buildings are a little
9 worse for wear. It doesn't mean they are not significant.

10 We also found some schools. The upper one is very
11 interesting in that it's abandoned. It was built in 1920,
12 and now it's just empty there. But it's a fabulous piece of
13 property.

14 And, of course, historic districts, such as Locke
15 and Walnut Grove. There are three different historic
16 districts within Walnut Grove, related to both Chinese
17 development and Japanese population development.

18 And infrastructure: power being brought to the
19 Delta to run pumps and move water around.

20 And, of course, bridges: There's water everywhere,
21 so a number of different kinds -- bascule, swing --
22 different sorts of bridges like that.

23 I think that's it. Any questions on the built
24 resources? Thank you.

25 MR. HELLIKER: Okay. So now we're going to talk

1 about the federal process with Ann Stine and Laureen Perry,
2 as soon as we get our PowerPoint presentation set up here.

3 MS. STINE: Hi. My name is Ann Stine. I'm with the
4 Bureau of Reclamation. I'm a natural resource specialist,
5 and today I'm going to talk a little bit about sort of an
6 overview of the agency roles and responsibilities and
7 actions to kind of give you a map of what all of this
8 entails and where tribal consultation fits into that. And
9 then after I give a few minutes of overview, then Laureen
10 Perry from Reclamation is going to come up and talk about
11 the National Historic Preservation Act and Section 106
12 process, as well as Janis Offermann, who is going to talk
13 about some of the Section 106 programmatic agreements that
14 are being done for this project.

15 So if you'll look -- I don't know how well you can
16 see this; probably not very well -- but there is in the
17 folder that you were given a handout that shows this table,
18 this matrix, and it might be easier to look at. It's 11 by
19 17. It's towards the back, I think, because the slide
20 doesn't really show up too well, I think, with the size of
21 the print.

22 But, in general, the row across the very top in the
23 circles there -- those are all of the agencies that are
24 involved with the Bay Delta Conservation Plan across the
25 board, state and federal. And on the left-hand side, the

1 headings for those rows are all of the regulatory actions
2 that we have responsibility for.

3 So, for instance, if you were to start -- we'll
4 start up at the left-hand corner, up at the top, with the
5 Department of Water Resources. And you go down to the first
6 row, and they basically prepared the Bay Delta Conservation
7 Plan as an application for an ESA Section 10 permit. That's
8 an incidental take permit for listed endangered threatened
9 species.

10 So you look at DWR, and their Endangered Species Act
11 responsibilities are to -- they prepared the BDCP, and if
12 you go across the row, you'll see that Fish and Wildlife
13 Service and National Marine Fisheries Service are the ones
14 that are going to provide the permits for them.

15 So, basically, you have DWR as a state agency, and
16 across the rest of the top row, you have Reclamation, Fish
17 and Wildlife Service, and NMFS. These are the co-lead
18 agencies. And we are involved with the environmental
19 process and documentation, the EIR/EIS. It's a state and
20 federal environmental document. So Reclamation, Fish and
21 Wildlife Service, and NMFS are the federal co-leads, and
22 then the last two agencies across the top, the Army Corps
23 and EPA, are cooperating agencies, so they have involvement
24 as well.

25 So if you'll look down the left-hand side, you'll

1 see we have the Endangered Species Act, Section 10. That's
2 for private projects. That's why the State is going for a
3 Section 10 permit.

4 And below that you'll see the actions and the
5 permits that are involved. I'm not going to go through
6 every one of them, but this tells you what the Bay Delta
7 Conservation Plan is going to be doing -- constructing water
8 conveyance facilities and implementing habitat
9 restoration -- and then the responsibilities of each agency
10 across.

11 And then below that we have the CEQA and NEPA.
12 That's the environmental document, and it tells our rules
13 there.

14 And then below that is the National Historic
15 Preservation Act, which Laurie and Janis are going to talk
16 about. And each of us have a role in that process as well.

17 And under that is the tribal consultation, and
18 that's kind of what I wanted to bring your attention to.

19 And below that is the Endangered Species Act,
20 Section 7, which is the federal process. So the Endangered
21 Species Act Section 10 is a nonfederal process with the
22 application by DWR, and Section 7 is our responsibilities as
23 federal agencies to consult on this process.

24 So if you look at the Tribal Consultation row, it
25 will show you that each agency has a responsibility for

1 doing tribal consultation based on state or federal
2 governances and orders. And there is also a board that
3 shows kind of all the orders -- all the federal orders,
4 anyway, that are our responsibility for doing this
5 consultation.

6 So if you look under DWR in the first tribal
7 consultation, they'll be doing consultation with the tribes
8 on the actual Bay Delta Conservation Plan project: the
9 water conveyance, the restoration, and any actions that are
10 involved with that.

11 And as you go across, Reclamation -- they will have
12 their consultation based on whatever their undertakings are.
13 And for Reclamation, it's going to be consulting with tribes
14 on our Central Valley Project operations and any potential
15 funding or implementing of habitat restoration. So we will
16 consult with tribes on our processes.

17 You go over to the Fish and Wildlife Service and go
18 down -- they would be consulting on their Section 10 permit
19 that they're giving to the Department of Water Resources and
20 also on the Section 7 biological opinion they'll give to
21 Reclamation.

22 Same with NMFS. They will be consulting on their
23 undertakings, which is their permitting of the Section 10
24 and the issuing of the Section 7.

25 And then, lastly, Army Corps of Engineers will

1 consult on their actions with the tribes. They will consult
2 on this project on their actions with the tribes on their
3 Clean Water Act 404 permits and the River and Harbors Act
4 Section 10 and 408 permits. So each agency has separate
5 actions or undertakings that they will consult with the
6 tribes on, and these occur at different times as well. So
7 each agency, the state and the federal, have
8 responsibilities for doing that. And the state process is
9 one process governed by the order and other -- I don't know
10 what all of the regulations are, but I know that for the
11 federal process, all of the federal agencies are under the
12 same orders and the same governances to do the tribal
13 consultations.

14 So that's just kind of a brief road map to try to
15 show you kind of all of the different roles and
16 responsibilities for the agencies for this project.

17 MR. HELLIKER: Okay. Did you want to take any
18 questions before we move on?

19 MS. REYNOLDS: Yeah. Sure, if there are any
20 questions.

21 MR. HELLIKER: Okay. Thank you.

22 MS. AGUSTINEZ: Well, before questions, I just want
23 to welcome our new visitors. Hello. Thank you for coming.
24 I just wanted to mention that as we go forward, and you see
25 based on this matrix of tribal consultation, that this is

1 really an opportunity for us, as we go forward, to do things
2 now that the Department of Water Resources is engaging in
3 its tribal consultation policy.

4 California Natural Resources Agency developed its
5 tribal consultation policy in November 2012, and as you can
6 tell, the BDCP has been ongoing for the last years prior to
7 that. And in terms of consultation, I don't believe that
8 there -- and the question from United Auburn is, like, what
9 has been done?

10 Attempts have been made, and, obviously, we actually
11 recognize that, as a department, we may have not done it in
12 the best possible way, and our attempts here as we go
13 forward is to do that in the best possible way and to have
14 assistance.

15 And I really appreciate Bureau of Indian Affairs
16 taking the opportunity to say that they will also provide
17 some guidance and assistance with us as we develop these
18 partnerships. So I do want to say that I appreciate that
19 very much. And when we go into more of a general open forum
20 in the afternoon, that's one thing that I would like us to
21 consider as we go through the presentations, is how to do
22 that. How do we go forward, and how do we make sure, from
23 the tribal perspective, that we are doing it not from a
24 general view, but from a tribal perspective, from your
25 tribal community's perspective, which we will definitely

1 need to have that advisement from you, and so we want to
2 keep that in mind as we go forward, so maybe developing some
3 really good groundwork for how we go forward with that,
4 given this matrix and as you see what our state and federal
5 responsibilities are. Thank you.

6 MS. REYNOLDS: And I just wanted to say, to add on
7 one thing, that we're in the process right now. We have a
8 draft for the EIR/EIS. That's the environmental document.
9 We have a public draft document out. As Paul said, it's
10 been extended to July 29th, the comment period, so we are at
11 the point in the process right now where all of the federal
12 co-lead agencies and DWR are accepting comments until
13 July 29th on that public draft and that it has been extended
14 to July 29th, and then at that point we will review all of
15 the comments and take the next steps in that process.

16 So now Laurie Perry is going to come up and talk
17 about the National Historic Preservation Act Section 106
18 process.

19 MS. PERRY: Good morning. My name is Laureen Perry.
20 I'm the regional archaeologist for Bureau of Reclamation
21 here in the Mid-Pacific Region. And what I would like to do
22 this morning is try to give an overview of the federal
23 requirements for complying with cultural resources laws for
24 the BDCP. With all of these partners and all of these
25 different agencies involved, I know it's very confusing, and

1 you have got state requirements and federal
2 requirements, so I want to give kind of a general overview
3 and tell you what we're doing and what we will continue to
4 do.

5 So we've basically identified four federal agencies
6 that have responsibilities for compliance with federal laws
7 for federal actions, and Ann kind of outlined what those
8 basically are. So we have Fish and Wildlife, NOAA, and
9 Reclamation as co-leads for the NEPA process, and the Army
10 Corps of Engineers is a cooperating agency.

11 The primary federal law that applies for cultural
12 resources for the BDCP will be the National Historic
13 Preservation Act Section 106. Other federal laws apply
14 primarily on federal land, and this project doesn't really
15 involve federal land, so you may not hear so much about ARPA
16 or NAGPRA, although those would apply should federal land be
17 involved.

18 So Section 106 of the National Historic Preservation
19 Act is just a very short paragraph in that law. It's a
20 broader preservation law. The key things to note is that
21 the federal agencies are required to consider the effects of
22 their actions on significant cultural resources identified
23 as historic properties.

24 The other piece of this is this part that says that
25 the federal agency shall afford the Advisory Council on

1 Historic Preservation an opportunity to comment. So 106 is
2 a consultative process, so considering the effects of our
3 actions has to be done in consultation with other parties.

4 The key to 106, what triggers 106, is an
5 undertaking: What is a federal action? So some of the
6 federal actions are identified in the law and in the
7 implementing regulations, and it's just pretty inclusive.
8 So things that the federal agencies will be doing -- issuing
9 permits, providing any funding, doing restoration
10 activities -- those kinds of activities would be considered
11 federal undertakings.

12 Where we have a bit of a challenge is in the timing.
13 When does 106 get triggered? When does it apply? And each
14 federal agency has a different undertaking, so their
15 initiation of the 106 process is going to vary based on what
16 that undertaking is. So this is, again, the NHPA
17 requirements.

18 Section 106 also allows for nondestructive planning
19 prior to completion of the 106 process. So sometimes you'll
20 have federal agencies working on planning, and they'll say
21 this is a programmatic level, meaning that we're doing
22 planning now, and we'll start the 106 process, but we won't
23 finish it until we're ready to implement and we actually
24 have a defined undertaking.

25 So I think the key right now is how our cultural

1 resources are included in the NEPA analysis, because you
2 have multiple opportunities to comment on your concerns
3 regarding cultural resources for the BDCP, and the NEPA
4 process is a very important process that allows you those
5 opportunities. This meeting, for example, is one
6 opportunity to comment. Receiving comments from the public
7 response period, which you mentioned goes through July,
8 that's another opportunity. So there are multiple
9 opportunities besides under 106 to comment on concerns. And
10 I think in the earlier presentation, Alisa went through how
11 the sites were kind of identified for that today.

12 So how are the federal agencies complying with 106
13 for the BDCP at this stage? We don't have a lead federal
14 agency for 106, and the reason we don't is because each
15 agency has such a different role and responsibility,
16 although we are cooperating together. And we are entering
17 into a programmatic agreement that basically commits the
18 agencies to comply with Section 106 as their undertakings
19 are defined. So that is in the process.

20 We've identified some of the consulting parties.
21 Indian tribes are definitely invited to participate in that.
22 We have had some letters go out. Some follow-up phone calls
23 are being made. As I said, there are opportunities to get
24 involved in the programmatic agreement process, but also in
25 the future undertakings of the 106 process, then.

1 So I kind of mentioned the public involvement
2 through the NEPA and the CEQA processes, so I encourage
3 everybody to take advantage of that, and that's a good
4 opportunity to express your concerns, through that process.

5 And then our 106 coordination, you know, it's
6 coordination and consultation. I think we used the term
7 consultation, and it has multiple meanings, but in reality
8 it is working together. So whatever we call it, we want to
9 work together so we can get as much information, so we can
10 make a legitimate analysis of the potential impacts. And I
11 think I kind of went over how we're working on that.

12 One thing that I want to emphasize is that 106 does
13 not stop. It's not going to stop with the signing of the
14 record of decision, whatever that may be for this NEPA
15 document. It will continue. And the 106 process is a
16 little bit different than NEPA, meaning that the opportunity
17 to comment and express concerns continues throughout the
18 project. It isn't just signing of the ROD and you're done
19 with the NEPA document. Under 106, you can continue to
20 express concerns and be involved in that process.

21 Because the nature of the undertakings are not well
22 defined yet for the federal agencies, there will be future
23 106 consultations, depending on whichever alternative is
24 selected. So I just kind of wanted to put that out to let
25 you know that this is not your only opportunity to comment.

1 There's more coming.

2 We have contacts. I have some lists I put up at the
3 front table, if you're interested in picking those up. You
4 can contact any of the four agencies. I also just want
5 people to know that you may be contacted by DWR or other
6 state agencies. You might be contacted by one of the four
7 federal agencies. I don't know how to make this less
8 confusing. It just is complex.

9 But, again, I'd emphasize 106 is still going on.
10 There's still opportunities to comment. We've received some
11 responses from tribes who are following up on those, and
12 please let us know if you have concerns or even just
13 questions on the process. If anybody is interested in
14 involvement in the programmatic agreement, I'll be the
15 primary contact for that.

16 And we're working closely with DWR. That's why
17 we're here at these meetings, too, because I think it's
18 important that we all get the same kinds of messages and we
19 hear the same information and concerns. Because we're
20 working so closely together on this project, I don't know
21 that there are times when we can actually pull out a piece
22 of it and say, "Oh, that's all the State. Don't talk to
23 us." So it really is very complicated and integrated.

24 So, thank you.

25 MS. AGUSTINEZ: Thank you, Lauren. Are there any

1 questions for her at this point from our audience?

2 And if there aren't, and you decide there's
3 something, we can bring that up in the afternoon. And, so,
4 thank you.

5 MS. REYNOLDS: And I think Janis is going to talk a
6 little bit more about the Corps.

7 MS. AGUSTINEZ: Thank you, Janis.

8 MS. OFFERMANN: Can you hear me? Okay. I'm going
9 to talk a little bit.

10 My name is Janis Offermann. I'm currently with a
11 corporation called URS, but I did once have the great
12 pleasure of working for DWR as the cultural resources
13 manager, so I'm happy to be continuing to work on this
14 project. Lauren mentioned briefly that they are developing
15 a programmatic agreement with all the cooperating federal
16 agencies, and that how for future aspects of the BDCP, each
17 agency will be developing their own consultation with
18 tribes.

19 Right now, the Army Corps and DWR are working very
20 closely on developing a programmatic agreement for
21 specifically the conveyance facilities. We can be proactive
22 on that, so once the PA for the cooperating agencies --
23 which all of you will be invited to participate -- is
24 finalized and signed, and once the EIR/EIS has been accepted
25 and the record of decision has been made, then we can move

1 forward very quickly with the programmatic agreement for the
2 conveyance facilities.

3 One thing about the Corps, until we do have a record
4 of decision -- that the project doesn't become a project for
5 them until the Section 404 permit has been filed by the
6 Department of Water Resources. So you really won't be
7 hearing anything from the Corps about the PA until after
8 that time. But I just wanted to alert you that very shortly
9 after that whole process is completed, you should be hearing
10 from the Corps, and they'll be starting their consultation
11 processes with you at that moment.

12 And that's about it. Questions? All right.

13 MS. AGUSTINEZ: Thank you, Janis. Well, the reason
14 why we developed this sort of program today, bringing in our
15 co-leads and offering you this opportunity to hear from us,
16 is to show you all as well from the agency point of view how
17 difficult it is, and also to ask you as tribal communities
18 to give us some of your guidelines and approaches.

19 Are you comfortable with this format of having our
20 federal agencies here? Would you prefer to have one-on-one
21 meetings with just Department of Water Resources, and then
22 we provide information? So we're really here to try to
23 figure out what is best to get this communication across and
24 how we can work in concert and develop those partnerships.
25 We've talked about the programmatic agreements that our

1 federal leads are needing to do in the permitting process,
2 and that this is really just the beginning of future
3 meetings as we go forward. Do you prefer to have meetings
4 brought to your communities?

5 Today's program was developed -- sort of took an
6 approach on the cultural resources side. But as you know
7 when you look at BDCP, it's more than that. We are looking
8 at fisheries. We are looking at the habitat restorations.
9 That information is on our BDCP website.

10 And if you'd prefer that your particular one-on-one
11 meeting have a different approach and we look more on the
12 fisheries, we look more on the actual conveyance, we look
13 more on the other technical reviews, we can actually fashion
14 a program regarding or outlining that. So we're looking for
15 what is of importance to you as a tribal community. What
16 are you concerned with? That's one way to look at it.

17 And I don't want to put Hong Lin and Tito on short
18 notice, but given that if we don't have any more questions,
19 we can actually advance you to come forward, if you don't
20 mind. Are there any other questions right now from the
21 audience, general questions or anything of that nature?

22 What I would like to do at this point is move our
23 program. We have after lunch a general presentation by our
24 North Central Region, and what we'd like to do is -- so this
25 is sort of for your benefit in terms of how the Department

1 of Water Resources is organized statewide. And you're here
2 in a hosted meeting in Sacramento, and we have four regions
3 statewide, and Hong Lin is going to explain that and explain
4 other resources that are available to our tribal
5 communities.

6 As you know, Department of Water Resources handles
7 many things besides just BDCP, so we wanted to be able to
8 give you an opportunity of what those other programs are and
9 also introduce you to the other tribal liaisons that we have
10 statewide.

11 So thank you, Hong and Tito, for going with the
12 program and advancing it forward.

13 After their presentation, then we'll have a lunch
14 break. And then when we come back from the lunch break, we
15 want to make that a conversation with questions, and we'll
16 have a presentation from United Auburn on their -- they have
17 a great slide presentation from their THPO office, so thank
18 you.

19 MS. LIN: Good morning, everyone. My name is Hong
20 Lin. I'm with the Department of Water Resources North
21 Central Region office. In the next about ten minutes I'm
22 going to give a quick overview of our region offices and our
23 services and programs we provide.

24 So here's a map of our region offices. Under the
25 Division of Integrated Regional Water Management, there are

1 four regional offices. Our Northern Region office is
2 located in the Red Bluff. North Central Region office,
3 which I'm from, is located in West Sacramento. We also have
4 our South Central Region in Fresno as well as our Southern
5 Region office in Glendale.

6 So today I'm going to focus on our North Central
7 Region office services. And our region office's mission is
8 to carry out department work within the region office
9 boundaries and to maintain close contact with local
10 interests and facilitate communications on integrated
11 water-related issues, and we're working towards sustainable
12 water resources management.

13 On this map, you may not see clearly, but our North
14 Central Region office -- we cover areas from San Francisco
15 Bay all the way to Lake Tahoe. We cover all or parts of the
16 27 counties.

17 Eric Hong is our office chief. Tim Nelson is our
18 tribal liaison. Unfortunately, Tim has a conflict and
19 couldn't be here today.

20 And this slide shows some common region office
21 programs. And each region office has our own programs, but
22 we also have some similar programs, such as data collection,
23 dissemination, geologic investigation, etc. I'm not going
24 to go through this long list. I'm going to spend some time
25 to talk about in detail our North Central Region Office

1 surveys.

2 Our office conducts land use surveys. Our staff
3 surveys counties for cropping patterns, irrigation methods,
4 and water sources. And these land use data are very
5 important. They're used for water use conservation
6 planning. They're used for the water transfer verification
7 as well as economic projections.

8 So the map on your upper right-hand side, it's
9 information there just showing you how we use these data.
10 The red area, as you see there, actually shows the change
11 from the agricultural land to the urban land. So we conduct
12 these surveys. That's how we use this type of data. That's
13 just one type of use.

14 Our region office -- we actually manage over 30
15 CIMIS stations. CIMIS stands for California Irrigation
16 Management Information Systems.

17 These stations collect weather data and calculate
18 evapotranspiration. And I'm showing here the photo -- it's
19 actually one of our station's staff in the field.

20 And on the map -- that is an evapotranspiration map
21 based on data collected from over 140 weather stations. So
22 these are really important data, and we use those data to
23 provide information for agriculture so they can design
24 agriculturally efficient landscape irrigation.

25 Our -- actually, the CIMIS station is one of the

1 most popular DWR website resources.

2 And we also have groundwater sections. We are
3 staffed with groundwater investigations. We study
4 groundwater basins. We install the groundwater wells.

5 The map here is a groundwater condition map, and, as
6 you can see, there are lots of data on -- also, the map
7 there is just showing the groundwater level over the long
8 term, the groundwater level trend. So those are also very
9 important data. And we monitor groundwater wells and
10 quality in thousands of wells in our region. We manage the
11 well completion report. All of those data are input and
12 uploaded in the Water Data Library, which is a database now
13 conducted with the California Statewide Groundwater
14 Evaluation Monitoring, CASGEM. That's an acronym. And we
15 have a wealth of groundwater information, and DWR just
16 updated our groundwater information website, so you can find
17 a lot of information there.

18 Our team also contributes to the California Water
19 Plan's groundwater report.

20 Our surface water team, they do monitor streams at
21 different stream gauges. They monitor surface water levels
22 and flows. These data are used for compliance monitoring
23 and for flood and water project operations.

24 We also have a bathymetry team. These teams map
25 channels and lake bottom topography. So, as you can see

1 there, we have the boat, and those multiteam instruments are
2 installed on the boat, so staff go in through those
3 channels. Many of those channels are in Delta area, and we
4 have used this technology. If it's a shallow area, the
5 staff has to use a kayak. It seems actually pretty fun to
6 do that, but actually it's a lot of fieldwork.

7 The map at the bottom there, it's actually -- you
8 probably can't read that, but it shows submerged cars in the
9 old rivers, some of those dots there. So these are
10 important data. Bathymetry mapping and data are used to
11 support hydraulic modeling and scour and sediment transport
12 studies.

13 We have over 16 water quality monitoring stations,
14 and many, again, in the Delta area. The staff go out to the
15 rivers, streams. They monitor water quality, different
16 parameters. These water quality data are used for water
17 project operations as well as for ecosystem restoration and
18 biological resource monitoring studies.

19 We also have a regional planning and coordination
20 branch. Our regional coordinator, as well as a regional
21 service representative, will work closely with the local
22 regional water management groups. Statewide, we currently
23 have 48 IRWM regions.

24 Within our North Central Region Boundary, we have
25 nine IRWM groups. We are actively involved in their

1 planning process. We work with them. We manage some of
2 their grants, projects, and our team also contributes a
3 regional report for the California Water Plan.

4 So one of the most important data in the California
5 Water Plan is water supply and balance. And our team -- we
6 have teams to conduct detailed analysis -- actually, it's
7 the DAU; it stands for Detailed Analysis Unit -- the level
8 analysis for development of water supply and use balance.

9 These balances are done annually and for all of the
10 hydrologic regions. So our regional office works closely
11 with our other three regional offices and to conduct all of
12 these balances.

13 And these data are very important for us to
14 understand how we use and supply water, and it has
15 tremendous value for planning. So not only DWR, but also
16 the research institutions or different organizations, local
17 governments -- they all use our water supply and balance
18 data. And the map here is actually from the 2013 California
19 Water Plan update, and here it's just showing a water
20 balance for the Delta area -- for the Delta overlay area.

21 And we also have an interstate water management
22 section, our California-Nevada Watershed Assessment Team.
23 They are currently working to negotiate. They negotiate in
24 implementing the Truckee River Agreement. So the agreement
25 was signed back in 2008, so they're still working on the

1 implementation.

2 And we also have a program -- our team supports the
3 recreational use of the State Water Project facilities. One
4 of the programs we have is called CAST -- Catch a Thrill
5 event, if I -- I hope I got the acronym correct. And this
6 is a really neat event. It's called Catch a Special Thrill
7 event. Actually, these events are for the disadvantaged and
8 disabled youth, and this year, we just had our CAST event on
9 May 31st on Brannan Island. Thirty-five special-needs
10 children were treated to a day of fishing with pro bass
11 anglers from around the area.

12 So last but not least is emergency response. And we
13 have an incident command team. So in addition to the flood
14 emergency response, we also may be drafted to other
15 emergency response -- maybe like an earthquake or
16 wildfire -- to support other state agencies as well.

17 So that's a really quick overview of our services
18 and programs. There's a lot of information there. We have
19 four region offices. Here are the regional coordinator
20 contact information for all four region offices. Actually,
21 the map there shows all the 48 IRWM regions on our website
22 for all IRWM regions. In each region we have a service
23 representative as well.

24 And this page -- I'm showing our tribal liaison
25 contact for our office. Mr. Tim Nelson is one of the

1 contacts, and we also have other tribal liaisons located in
2 other region offices, so we are happy to provide you
3 information and even surveys.

4 And at this time, I would like to turn this over to
5 Tito. Tito is from our Northern Region Office. Tito will
6 have a quick presentation on groundwater.

7 MS. AGUSTINEZ: Thank you, Hong. I appreciate that
8 presentation. What we wanted to do is just also show you
9 the resources that we have at DWR statewide, not just
10 necessarily for, you know, the BDCP, but with the California
11 Water Plan and these other programs.

12 MR. CERVANTES: Hi. I'm Tito Cervantes. I wear a
13 lot of hats. I'm also the tribal liaison. Once the
14 department took the direction of trying to incorporate
15 tribes, we really went out and did some outreach, and there
16 were times we would go out and do work on the outside of
17 each county, and we tried to contact as many tribes as
18 possible.

19 This is a schematic. I'm a visual person. Most of
20 our work is a lot of tedious work, a lot of data entry, a
21 lot of -- quite a bit of information. A lot of people call
22 us bean counters because we collect so much information, but
23 the thing is you do want to have a full sack of beans rather
24 than an empty sack. So the data that we collect is very,
25 very valuable. It helps with tribes, counties, and

1 integrated regional groups.

2 We in the department collect a lot of information.
3 We have a pretty good handle, from the root zone up, of
4 what's happening. A lot of hydrologic conditions are
5 changing every day. I used to say every three years, things
6 have changed, but now it's so frequently it's like every
7 year. We use a lot of models. Our data goes into modeling.

8 This schematic can be designed for tribal
9 communities, so we can downsize and start putting in where
10 the water is going and the depletions and outflows or what
11 the means are for tribal communities. So even though this
12 is a large valley -- the Sacramento Valley, the west side --
13 we can downsize it. It's quite a bit of information.

14 But what I really got out of the tribal context I've
15 had -- they really engage about storytelling. That's what I
16 feel like we do. We collect a lot of information, and we
17 are storytellers. We tell you why things have changed, why
18 groundwater levels are dropping, why flows and tributaries
19 are changing. That's what we do; we do a lot of
20 storytelling, because a lot of the information we get, we
21 analyze, and we talk to the locals, and the tribes are the
22 locals.

23 Overall pictures in change: This is where we're
24 going to see a lot of things happening in the next couple of
25 years. This is the Sac Valley. Since we're under the BDCP,

1 you guys are going to be really impacted on Delta flows,
2 because Sacramento Valley has changed dramatically. I've
3 been out there for the last two weeks in the Sac Valley. We
4 are now having a depleted river. Flows that you are
5 expecting to get in the Delta will not be there this summer.
6 In 1976 they lost the 400,000 acre feet. In '77 they lost
7 the 700,000 acre feet. Unaccountable. This year is going
8 to outdo that by -- it'll probably be 1,000,000 acre feet.
9 We won't know until it comes in July and August.

10 What I'm getting to -- a lot of information is
11 collected. We try to analyze each area throughout the
12 State. But this one in the valley is going to be a
13 historical event this coming July and August.

14 Again, everything that man does changes these
15 components. Okay? Just because you conserve more
16 efficiently with water, you're changing dispositions.
17 You're not gaining additional water. That's what's
18 important about the department. They actually collect
19 information, analyze it, and try to see where water is
20 moving. So, you know, that concept of conserving and
21 efficiency of water does not create new water. All you're
22 doing is reducing groundwater recharge, riparian habitat,
23 and outflow.

24 Expanding partnership. This is where the tribes
25 come in. We contact you. You guys have got great

1 resources. I cannot believe how much effort you guys have
2 done in watershed. You guys outdo the department on looking
3 at studies on watershed, and that's what we're all excited
4 about in the future: incorporating you guys together with
5 us. We'll get a complete picture.

6 Expanding partnerships. Tribal communities, we have
7 got to get you engaged; otherwise, we won't know what's
8 really happening. Today, it's an integrated region. We
9 want locals to be part of the solution and manage wetlands,
10 urban, ag. It's no longer the department collecting
11 information and telling you what's going on. Now it's going
12 to be a group, collective effort, and then we tell
13 Sacramento what's going on.

14 Here we have Colusa Rancheria. Oscar Serrano is one
15 of our partners. He's in the valley. We'd love to get more
16 partners, and that's what our future is, and we're pretty
17 excited about that. And he's engaged with us. We've
18 exchanged data. He's come to us for information, we've
19 provided it, and vice versa.

20 Conclusion: The department has a great data
21 collection. It can go on outreach and work with the tribes.
22 We have a great system, and I think the future is going to
23 be a collaboration with locals working amongst each other,
24 and I think it will result in a solution. We're all humans.
25 This is all of our issues. We need to work together.

1 And with that, I'll let -- Hong has a little
2 introduction?

3 MS. LIN: Yeah. I actually was going to introduce
4 our Cultural Resources and Recreation team. Do we take
5 questions now?

6 MS. AGUSTINEZ: Go ahead and introduce the team.

7 MS. LIN: Okay. Actually, next I'm going to
8 introduce our Cultural Resources and Recreation team. DWR's
9 Division of Environmental Service has a Cultural Resource
10 and Recreation section led by Ms. Jackie Wait, who is
11 sitting in the back, and she has a staff of three
12 archaeologists: Rebecca Gilbert, Wendy Pierce, and Margaret
13 Cress.

14 Maybe -- Jackie, would you like your team to stand
15 up so people can know who you are? So Jackie and her
16 team -- their team conducts outreach to the tribes. Thank
17 you very much. Jackie and her team, they conduct outreach
18 to tribes during the cultural resources review for the
19 project. And tribes interested in the project may request
20 additional information, and -- if you visit with the project
21 archaeologist. Participation by tribes is welcomed
22 throughout the cultural resources review process.

23 And Jackie and her team, they work closely with our
24 DWR 's tribal liaisons and also our tribal policy advisor,
25 Anecita. And so with that said, that's all.

1 MS. AGUSTINEZ: Thank you.

2 Are there any specific questions for Hong and Tito?
3 I appreciate that very much. Thank you for that
4 presentation.

5 Tito is from our Northern Region office, which is in
6 Red Bluff, and we asked him to come down because he actually
7 has done some tremendous work. I wanted to emphasize that
8 not only BDCP, but obviously the drought is on our topics.
9 And what I want to do is offer you the services of our
10 various regions. Each of our regions, wherever you're
11 situated as a tribal community, our regions there have these
12 services available to you as a tribal community.

13 If you're looking at participating in your local
14 drought response with your county agencies and they're
15 asking for questions about groundwater monitoring, you can
16 ask for information directly to Tito or directly to those
17 northern regions.

18 I also sit on our Drought Response Team here at the
19 Department of Water Resources. We conduct a monthly
20 consultation call for the tribal communities, and that is
21 conducted with the tribal advisor to the governor, Cynthia
22 Gomez. And she hosts that meeting, and she co-hosts that
23 with the State Water Resources Control Board, Felicia
24 Marcus, and also the California Office of Emergency
25 Services, Mark Ghilarducci. So they exist as the Unified

1 Command Group, the UCG, and you'll hear about that in the
2 press sometimes, about the governor's task force or the
3 Unified Command Group. That is who the Unified Command
4 Group is.

5 And our department here provides planning and
6 management support to that drought team. Even though we're
7 here to discuss the BDCP, I did want you to see the other
8 resources we have, especially with drought.

9 There are six tribes in California that have
10 declared a drought emergency declaration: Tule River,
11 Karuk, Yurok, Sherwood Valley, Yocha Dehe Nation, and I
12 believe the -- did I say Tule River? And I'm not sure if I
13 missed anyone else. But those tribes have declared
14 emergencies.

15 We have on the Governor's Tribal Advisor website
16 drought emergency templates, and also each of those tribal
17 communities' drought resolutions of -- declarations of
18 emergency, so you can take a look at that and then, when you
19 go back to your communities, determine where you are in that
20 drought emergency response. And we invite you to
21 participate in those monthly calls.

22 The next call will be conducted out of this office
23 on June 30th. It's done as a conference call webinar, but
24 if anyone here is local and wants to participate and come to
25 the meeting and meet people in person, you're most welcome

1 to do so. That date and time is June 30th at 10:00 a.m. in
2 Conference Room 1131 upstairs.

3 Yes, sir? You had a question?

4 MR. PINEDA: Did you want me to say a little bit
5 about the Division of Flood Management?

6 MS. AGUSTINEZ: Yes, I would love that.

7 MR. PINEDA: Okay. I'll just -- I tend to talk
8 loud, so I'll just -- I won't use the mic.

9 My name is Ricardo Pineda, and Anecita invited me
10 today to participate in the meeting because the Department
11 of Water Resources, State of California, our Division of
12 Flood Management -- we work very closely with another state
13 organization called the Central Valley Flood Protection
14 Board and the US Army Corps of Engineers to do a lot of
15 flood management work here in the valley.

16 And many of you know that we have a lot of levies
17 along the Sacramento and San Joaquin River systems and in
18 the Delta. And essentially, since 1997 -- or, actually,
19 beginning in 1986, when we had really big water flows in the
20 Sacramento and San Joaquin and parts of Sacramento were
21 evacuated and parts of Yuba County were flooded, we started
22 working with the Corps to try to look at what deficiencies
23 the levy systems have. And I know the river systems are
24 very important to the tribal communities, because
25 historically there were many settlements along the river.

1 So since '86, little by little, we have been
2 repairing and totally rebuilding and, in many cases, moving
3 levies away from the river along the Sacramento and San
4 Joaquin systems.

5 And we're engaged with many projects with the Corps
6 of Engineers along the American River and other locations,
7 and we have been funding directly some agencies, like the
8 Sutter-Butte Flood Control Agency in Sutter County and Butte
9 County and the Three Rivers Levy Improvement Authority in
10 Yuba County, to build projects faster than the federal
11 government could normally do with us. And so I just wanted
12 to make sure that you knew who I was. I'll be here through
13 today if you have any questions about those projects.

14 We also worked very closely with the Federal
15 Emergency Management Agency, FEMA, on the National Flood
16 Insurance Program. And many of your communities have FEMA
17 flood insurance rate maps, and if you have property that's
18 in what they call their high-flood-hazard zone, which is
19 generally near a stream or river or near an estuary or the
20 ocean, there are limitations of what you can do for
21 building, meaning the structures have to be elevated.

22 So we provide workshops. We help you get the maps.
23 We help you interpret the maps. We help you work with FEMA.
24 We also can help you through the FEMA hazard grant process.
25 FEMA has a couple of programs, and they are confusing to try

1 to follow, because they're always changing the rules about
2 getting predisaster mitigation grants and postdisaster
3 mitigation grants, and some of those could be related to
4 emergency water supply. And so we can help you apply for
5 those types of grants, which in some cases require a cost
6 share, so I'll be here through the rest of today.

7 But floods do happen. We're in a three-year
8 drought. Many of you have a great memory, so our biggest
9 high waters, in at least my career at DWR, were the winters
10 of '82-'83, the big floods in 1986; we had a fairly high
11 water season in 1995; another huge flood in 1997; and
12 moderate floods in 2006. So if you look at that kind of
13 just recent data, yes, we are in drought. It will rain
14 again, and then the rivers will go up, and then we have to
15 always be prepared to protect our communities.

16 So, thank you.

17 MS. AGUSTINEZ: Thank you.

18 If there are any questions -- and if you would like
19 to hold them for after lunch, that's fine. If there are any
20 comments --

21 There was a page out by the registration table that
22 had some suggestions for lunch options that are a walkable
23 distance. And if you do need to use facilities, as I
24 mentioned, if you walk out the front door, it's to the right
25 where the elevator bank is, and then just continue to the

1 right.

2 And with that, we'll go ahead and close the morning
3 portion and resume at 12:30. So everyone have a great
4 lunch.

5 Also, you'll see the boards that are up here. These
6 boards are just bigger blowups of what you have inside of
7 your packages. Each of these boards, if you haven't had a
8 chance to look at them, we do have a PDF of each of them in
9 your blue packets. Thank you.

10 (Lunch recess was taken.)

11 MR. HELLIKER: Welcome back, everybody, from
12 hopefully a tasty lunch. And I understand that we have
13 already had discussion by the North Central Region office
14 folks and the updates from them.

15 So next is kind of an open discussion of all the
16 materials that we have gone over this morning, information
17 that we've presented. And here's your opportunity to talk
18 about how you would like to have a further dialogue with the
19 department and all of our partners in the Bay Delta
20 Conservation Plan that would be useful from your perspective
21 and keep you involved in the process to the level that you
22 would like to be.

23 So this is kind of a free-format time here on the
24 agenda, so anybody that wants to raise some further
25 questions, get some further information, or share your

1 perspective, now is the time to do so.

2 Oh. And Anecita?

3 MS. AGUSTINEZ: I do have a quick comment. As
4 you'll notice, we have a court reporter here, so if anyone
5 wants to say something that you don't want to be on the
6 formal transcript, please let us know and we'll direct the
7 court reporter to not put that on the record. We want to
8 give you that opportunity.

9 The reason why we do have a court reporter here is
10 twofold. Number one is we do want to have a record of this
11 so that if you go back to your communities, you can access
12 this transcript on our website, and we can provide it to you
13 directly in terms of what was discussed, and also if there's
14 an opportunity afterwards and you wanted to talk about the
15 public comment period, which is for the actual public
16 comment on the BDCP process itself.

17 But if you do want to speak about something with
18 some cultural sensitivity, just let us know that this is not
19 for the record, and we'll honor that. Thank you.

20 MR. HELLIKER: And speaking of materials, besides
21 the transcript today, I know there's some of the
22 publications for the BDCP that are out there on the table.
23 And if you have not had the chance to look at the BDCP
24 website, there's a wealth of materials there, ranging from
25 the documents themselves, the Bay Delta Conservation Plan

1 and the environmental documents, as well as different fact
2 sheets on different topics that might be of interest and the
3 overview document and so on. So some of those are back
4 here, if you'd like to take a copy with you, and they make
5 it a little easier to try to find the information about this
6 project, because it is voluminous. It's a very complicated,
7 complex project, because it is such a complicated ecosystem.
8 So take advantage of those.

9 And there's also contacts there. Anybody is welcome
10 to give me a call or send me a note -- Anecita as well -- to
11 follow up if you need some further information after today's
12 meeting.

13 So now is the chance. Other questions? Other
14 topics people want to bring up? Observations they'd like to
15 make about the work so far?

16 I did hear a comment earlier about what sort of
17 feedback have we given or response have we given to some of
18 the communication from the tribes so far, and my
19 understanding is that we haven't responded formally, but
20 today is the beginning of that dialogue, and we will look
21 for any specific comments that you have on the environmental
22 documents in the formal comment period. But in terms of a
23 consultation, we'd like to know from you all what you would
24 need to have a productive dialogue with us in that forum.

25 This microphone is at the ready.

1 MS. AGUSTINEZ: And one thing I --

2 MR. HELLIKER: And if you're just overwhelmed with
3 all of the materials that you have, I certainly understand
4 that. I'm plowing through them myself.

5 Go ahead.

6 MS. AGUSTINEZ: Another thing is that the package of
7 materials that you have and the boards, those are PDF
8 documents that also will be on our websites, so if you go
9 back to your communities, you can access each of those
10 documents and print them for your use to inform your
11 communities.

12 One thing I'd like to maybe open up discussion is
13 obviously one of our main themes here is cultural resources,
14 and as we do know -- and we'll have a presentation from
15 United Auburn a little bit later -- from their THPO office
16 is how important this is. And we really want to hear from
17 our tribal communities present in the audience. We know
18 that this is an area that has historically been used by our
19 tribes in the local community.

20 As we go forward with the building of the BDCP
21 tunnels and all the other buildings that are going to be
22 needed, structural roadways, obviously there is going to be
23 some earth and movement of the soil and possibly discovery
24 of cultural remains, artifacts, and human remains.

25 And one thing I'd like to pose to the communities

1 is, you know, what can we do with a cultural advisory
2 committee. Can we start talking about that and thinking
3 about that now? Some of the processes will not even start
4 breaking soil for another 15 to 20 years. And as we sit
5 here and look at what we need to do in the future, we have
6 got all of the right parties at the table now. Can we start
7 putting together -- print up guidelines?

8 So if you're not in your position or if we're not in
9 this position seated, then in five years, ten years, your
10 councils and the people who follow us will have an idea of
11 what we discussed today -- that there are some ideas going
12 forward -- so in 2025 they're not back at a table requesting
13 a meeting, saying "What did we talk about?"

14 As a department, we want to respect what your tribal
15 concerns are. And, obviously, this kind of discussion will
16 be one-on-one with you individually -- or do the tribes want
17 to do this outside of our department, have your own
18 separate meeting, in terms of what would you like to do with
19 maybe a cooperative or a cultural advisory committee, even
20 if it's just advisory of what we can do and how can we look
21 forward, but always never forgetting the tribal consultation
22 government process of meeting with you individually.

23 So I'd like to hear from tribes if you're willing to
24 speak about, you know, has that been done before in other
25 projects that you've worked on across the state or in your

1 community? Is it something that -- you know, do we want to
2 put our resources to that as government to government?

3 And obviously, you know, we have other partners that
4 we can bring forward. And I really appreciate that BIA is
5 willing to kind of even be working -- a trustee status.

6 And I don't know if, Gerald, you could talk about
7 has this been done on other projects statewide in terms of
8 assisting tribes with cultural resources? Would you mind if
9 I pose that to you?

10 MR. JONES: Yeah. We generally -- well, let me
11 speak to two things. One is, in the Bureau, we have manuals
12 and handbooks on how to assist tribes in these types of
13 programs. Unfortunately, cultural resources is the one
14 you'd think we would have done, but we have not had done.

15 So generally, what we do is when we provide these
16 partnerships with tribes, we tie them into the programs.
17 And for this type of project, again, the trust resources at
18 hand would be -- especially the fish. The fish is a trust
19 resource. We could tie that to -- and the cultural
20 resources surveys support the project, which can affect
21 fish. So we tie it to the end-source project of how it
22 affects the trust resource.

23 So that's how we generally partner on these types of
24 projects. It's a supporting activity to the implementation
25 of the project.

1 MS. AGUSTINEZ: Thank you. The other topic for
2 conversation is monitors -- cultural monitors and how we
3 want to look at that, especially for areas that overlap with
4 your cultural beneficial use areas. And so that's something
5 that we're open ears about in terms of, like, how do you
6 want us, as we develop our formal consultation policy --
7 Department of Water Resources -- is how does each tribe want
8 to develop and partner with us and what is your cultural
9 resource monitoring protocol.

10 I know each tribe has a different type of program,
11 but if you don't mind sharing with us -- it doesn't have to
12 be today, but in the future we would like to make sure that
13 we incorporate that as we go forward. What is your
14 individual cultural monitoring policy? And if there isn't a
15 particular defined area, working with Jacquelyn Wait's
16 department. She was introduced earlier, our Division of
17 Environmental Science and archaeologist.

18 How do we make sure that those cultural surveys,
19 those archaeological surveys -- that we have the appropriate
20 people brought there with the interest that we need as we go
21 forward.

22 MR. JONES: And one thing looking over the material,
23 too, that Paul brought up earlier, going back to my fish
24 comment, there was Secretarial Order 3206 for deference for
25 tribes. And we generally ask for deference for tribes on

1 projects affecting Indian land. But again, looking closer
2 at the secretarial order, it does include trust resources,
3 such as fish.

4 So if the tribes really wanted to help the State
5 move this project forward, the Bureau could request
6 deference on behalf of the tribes for the trust resource.
7 So that's something to keep in mind, that we would be
8 interested if tribes want to help push this project forward
9 to benefit fish. We could help that as well.

10 MS. AGUSTINEZ: If I could have everyone -- what
11 Gerald is talking about is -- you'll see it defined in this
12 handout in your program, and it does say, the fourth bullet
13 over on the Section 3206 --

14 I hate to call upon you and put you on the stand
15 again, but can you talk about what deference means and what
16 that means in terms of the practical terms?

17 GERALD JONES: Absolutely.

18 Like I was saying earlier, before 1972, basically
19 all tribal people, all animals and fish, everything -- and
20 so when they passed the Endangered Species Act, it actually
21 had a take, because it took that authority away from tribes
22 and gave it to regulatory agencies, because always before it
23 the tribes had take authority over those animals.

24 So both secretaries, the Secretary of the Interior
25 and the -- what's NOAA? It's commerce, I believe -- both

1 secretaries issued a secretarial order, Secretarial Order
2 3206, to provide deference to tribes, because the Endangered
3 Species Act resulted in a take of their authority.

4 So the idea in the secretarial order was to provide
5 tribes some deference, some -- how do I say it --
6 preference. It's more like preference to allow projects to
7 go forward that would positively affect the trust. So it
8 could -- these projects have been designed to not only
9 provide the tunnels but also to benefit fish, which, again,
10 are a trust resource. So if the tribes wanted to request
11 deference on the project, because it positively affects
12 fish, the Bureau could ask for that deference to be
13 provided.

14 And generally, we always do it on tribal projects
15 when we're doing consultation. We generally always ask for
16 deference.

17 MS. AGUSTINEZ: Thank you so much. I appreciate
18 that.

19 Well, I don't want to call out anybody, but if the
20 people in our tribal communities, maybe if you wouldn't
21 mind, just reintroduce yourselves and tell us about any
22 tribal concerns. It's also a chance for you also to educate
23 our agency representatives here. Some of us may not know
24 where Lytton is or where Wilton is, and maybe a little bit
25 of historical background. I think that would be a real

1 great education for us as well. Thank you.

2 MR. SIMON: Yes. My name is Ray Simon. I'm from
3 the Middletown Rancheria. I apologize. I was only notified
4 the other day, so I'm kind of learning the process right
5 here, and I really don't even know what the plan is. I just
6 came down as a representative of my tribal council. So I
7 will report back to them, and then they will give me
8 whatever guidance or respond to anything that they have
9 questions about to you guys.

10 I did have one question, though. You were talking
11 about species. What about the cultural basketry items,
12 plants, vegetation, and wetlands that -- other resources
13 just besides actual animals are used?

14 MR. HELLIKER: Well, the project itself focuses on
15 354 endangered and threatened species. A number of those --
16 actually 45, I believe -- are terrestrial species plants and
17 others. So there is I think in the summary documents that
18 we have available -- if you want to take a look at that, you
19 can see which ones we're focusing on and what sort of
20 habitat protection and restoration we're proposing to do and
21 compare those with the plants that you were just discussing.

22 And if you missed the first five or ten minutes of
23 our presentation, I just gave a quick summary of the
24 project.

25 MR. SIMON: I did.

1 MR. HELLIKER: You did miss that?

2 MR. SIMON: I did miss that first five. I was
3 circling the block for a parking spot.

4 MR. HELLIKER: I see. Okay. Well, there's a little
5 more information here if you haven't had a chance to take a
6 look at the slides.

7 But the action area for the project is the statutory
8 delta. And what we're proposing to do is put two tunnels
9 under the Delta, fish screens along the Sacramento River up
10 near Courtland, and then use those facilities to divert
11 water in the north part of the Delta to supplement and
12 augment the facilities that we have in the south part of the
13 Delta. Coupled with that will be 100,000 acres of habitat
14 purchase and restoration, different types of habitat that we
15 would be looking to restore -- 65,000 acres of wetland
16 habitat, for example -- and that would be throughout the
17 Delta.

18 The document covers that at a programmatic level in
19 the EIR/EIS.

20 The Tunnels Project is -- Conservation Measure One
21 is done at the project level, so if you're looking through
22 the documents, you'll note that difference.

23 So that's the basics of it.

24 MR. SIMON: Okay.

25 MR. HELLIKER: And it's covered in more detail in

1 25,000 pages.

2 MR. SIMON: Is that all?

3 MR. HELLIKER: That's all. Sorry about that.

4 AUDIENCE MEMBER: Could you tell me where Middletown
5 Rancheria is located?

6 MR. SIMON: It's actually two hours due east of
7 here -- or west. I'm sorry. So if you look at a map of
8 California and you put a pencil on Sacramento and you draw
9 it straight to the coast, you almost go through our little
10 town. We're a small rancheria, 108 acres, and we have a
11 total of 198 members, and we're right adjacent to the
12 St. Helena Creek, which flows into the -- we're part of the
13 Upper Putah Creek. So we flow down into Putah Creek, which
14 flows down into, I guess, Sacramento. I don't know. I
15 don't pay attention to that stuff.

16 AUDIENCE MEMBER: Yeah. Putah Creek flows into the
17 Yolo Bypass, which flows into the Sacramento River.

18 MR. HELLIKER: So the project is focused on the
19 Delta and changing the way that we move water through the
20 Delta. We're not proposing to increase or decrease the
21 amount of water that's diverted from the Delta. So in terms
22 of the downstream impacts on the San Francisco Bay, the
23 extent of the analysis is down to Suisun Marsh.

24 And we're not proposing to make any modifications to
25 any operations of upstream reservoirs, other than Lake

1 Oroville, and that would be primarily to provide additional
2 outflow in the springtime for longfin smelt and possibly in
3 the fall for delta smelt, if it turns out that that's
4 necessary. There's a decision tree process defined in the
5 plan for that.

6 But in any case, we're not anticipating having any
7 impacts on upstream operations, flows, and so on. And the
8 point of the plan is to help to contribute to the recovery
9 of all of those 54 species.

10 MR. SIMON: Yeah. And I -- when they gave me the
11 Bay Delta, I was kind of lost as to why I was going to come
12 down here. But now I can report back to them and let them
13 know, "Hey, thanks for the free trip to Sacramento."

14 MR. HELLIKER: We wanted to make sure that you and
15 other tribal representatives knew about the project, had an
16 opportunity to have a discussion about it. And even though
17 you may not necessarily have any direct relationship to the
18 Delta, that in case there are any interests or concerns that
19 you have -- further information you want, further
20 consultation you want -- we're prepared to do that.

21 MR. JONES: And what you're saying is correct. And
22 that's why I keep saying fish rather than plant, because
23 plants are generally hooked to the ground, and they don't
24 move. But fish move, so they're a transitory trust
25 resource. So even though it's in the Delta, those fish

1 move, and tribes have take-authority over those fish. So
2 that's the difference for us.

3 And then, of course, the cultural connection to the
4 cultural resources are -- generally, all Indians have
5 connection to cultural resources. So we appreciate the
6 State bringing in involvement of tribes, especially when
7 cultural resources are concerned.

8 MS. AGUSTINEZ: Thank you, Ray. We appreciate that.

9 And to Steve and to Marcos, what we're requesting is
10 some of the tribal representatives to kind of tell us about
11 your rancheria or your tribe and where you're located. It's
12 a chance also for our agency folks here, who may not be
13 familiar with your actual location, to get an idea of -- and
14 what are the concerns.

15 So Ray just told us a little bit about Middletown.
16 So I could call upon you, Steve. Would you mind? Tell us a
17 little bit about Wilton and where you're located and any
18 other concerns.

19 MR. HUTCHASON: Hello. My name is Steve Hutchason.
20 I'm the executive director of environmental resources for
21 Wilton Rancheria. We are located on the Cosumnes River.
22 My ancestral territory encompasses the Sacramento-San
23 Joaquin Delta. We've got many stories from that area,
24 creation stories and beliefs. It's a highly sensitive area
25 for the Tribe in cultural resources, a natural resource

1 area -- the fish, the four-leggeds.

2 And I would like, you know, further consultation as
3 well, and I'll be following up with you, Anecita, for that.

4 MS. AGUSTINEZ: Thank you.

5 MR. HUTCHASON: Thank you.

6 MS. AGUSTINEZ: Yes.

7 And then, Marcos, we're going to hear from you
8 later, so let us know whenever you want us to hear from --

9 MR. GUERRERO: Right. I guess I'll just follow up
10 just to let you know where the Tribe's properties are. They
11 have a number of facilities located in Placer County. The
12 United Auburn Indian Community has a six-county service
13 area, which consists of Sacramento, Sutter, Yuba, Placer,
14 Nevada, and El Dorado Counties. Their ancestral territory
15 spans into Amador, Yolo, Sierra Counties, but we try not to
16 work in those areas as much and delegate to other tribes
17 that are in those areas.

18 The Tribe has lands and trusts near the town of New
19 Castle, the south part of Auburn, where the original Auburn
20 Rancheria was. They also have lands and trusts near the
21 city of Lincoln, where Thunder Valley Casino is, as well as
22 the Sheridan property, which is an 1100-acre reservation
23 north of the town of Sheridan. And so those are kind of
24 some of the trust lands that the Tribe has.

25 The interest in the Delta is that since it was a

1 shared-use area, a procurement area, because of the
2 abundance of resources, that's kind of where one of the
3 concerns is on the cultural side. I think a lot of tribes
4 shared creation stories or mythology with Mt. Diablo, so the
5 migration patterns that came through the Delta to go to
6 places like that, you know, to gather fish and a bunch of
7 other good stuff.

8 And I see Ione over there. I don't know if anybody
9 has pointed Anthony out.

10 MS. AGUSTINEZ: Anthony is next. Thank you, Marcos.

11 MR. BURRIS: Again, I'm Anthony Burris. I'm the
12 cultural committee chair for the Ione Band of Me-wuk
13 Indians. Our office is located in Plymouth in Amador
14 County. Our tribal population is -- the majority of them
15 are actually based in Sacramento County; the second biggest
16 majority in Amador County. Our ancestry comes from anywhere
17 from the East Bay Delta all the way up through the
18 Sacramento Area to Placer County, Amador County, El Dorado
19 County, Calaveras County. So we have people that come from
20 all over the region.

21 Obviously, our concerns are going to be any impacts
22 to cultural resources, and I know a lot of members have
23 expressed environmental concerns about the project in
24 general.

25 MS. AGUSTINEZ: Thank you, Anthony.

1 MS. TOMARAS: Hi. Brenda Tomaras for the Lytton
2 Rancheria. We're actually more like Middletown. The
3 Tribe's ancestral territories are northern Bay Area, up in
4 Sonoma County, but we do have a small parcel of trust lands
5 in Contra Costa County right on the edge of the plan. So
6 we're just kind of watching it in terms of the effects on
7 resources and to lend support where it's needed for those
8 tribes whose cultural ancestry is from that area, and we're
9 more than happy to stand up and make sure that they're being
10 treated properly, so...

11 MS. AGUSTINEZ: Thank you. Barbara, would you mind
12 just saying a little bit more about that trust land? Where
13 was it? Which -- I'm not familiar with that location.

14 MS. TOMARAS: It's in San Pablo.

15 MS. AGUSTINEZ: San Pablo, on the edge of the Delta
16 right there at the San Pablo Bay?

17 MS. TOMARAS: Correct.

18 MS. AGUSTINEZ: And Yocha Dehe had to leave, but
19 Marilyn wanted me to make a reminder. Their tribe, Yocha
20 Dehe, is one of the six tribes that made a declaration of a
21 drought emergency, and she wanted to let the tribes know
22 that if you need any information from them regarding why
23 they did that and the reasons to let -- just connect with
24 Yocha Dehe.

25 She did also say that that gives you access to FEMA

1 money and to be tracking any drought-emergency-related costs
2 that your tribe is going through, and also put you involved
3 with the local county resources for drought, so -- but she
4 apologized for having to leave, but I just wanted to pass on
5 her message.

6 MR. HELLIKER: Well, thank you for sharing that
7 information with us and educating us about some of your
8 locations and interests. I guess, if there's nothing more,
9 that people have some comments that they want to make or
10 questions, then shall we go to Marcos?

11 So I believe, Marcos, you wanted to talk about your
12 tribe and your questions and potential BDCP impacts? Come
13 on down.

14 MR. GUERRERO: I just want to thank DWR for taking
15 the time to put these meetings together. I know it's been
16 important for a lot of tribes.

17 Unfortunately, right now, there's a lot of
18 construction activities that are going on and a lot of
19 projects that a lot of tribes are involved with, so I know
20 some folks couldn't make it because of that. I guess the
21 title of the presentation is BDCP UAIC CRM Inventory and
22 Records Search.

23 And I wanted to just go over a little bit about the
24 Tribal Historic Resource Information System that the United
25 Auburn Indian Community maintains.

1 Jason Camp, he's our Tribal Historic Preservation
2 Officer as well as the committee chair. Unfortunately, he
3 had to leave. He had some family commitments to take care
4 of, but he said that he didn't mind me doing the
5 presentation, so here I am.

6 The Tribal Historic Resource Information System
7 maintained by United Auburn -- it includes the following
8 components. And the reason that I'm kind of showing this is
9 to kind of get to that next step, right? I heard ICF talk
10 about that they have done the baseline, the records search,
11 so now we want to just talk about how can we move forward to
12 try to get some protection over some of these sites.

13 And by that is, you know, the United Auburn Indian
14 Community entered into a memorandum of agreement for their
15 six-county service area. So we went through and purchased
16 all of the cultural resource information, site records, GIS
17 files, survey reports for the area. So we have a pretty
18 accurate database as far as that baseline records search
19 data.

20 We also have a number of historic maps. I think --
21 where's Gerald at? I think we got all of the GLO plats from
22 him, so we have the GLO plats for the six-county service
23 area.

24 We also have a number of homestead maps and land
25 grant maps that we refer to, and these are all just layers

1 on our GIS that we are able to click through. Jason does
2 all of the incoming record search requests, so he'll go
3 through each one of these steps to identify if there are
4 resources that have a potential to be affected.

5 We also look at the ethnographic and ethnohistorical
6 information. There's a number of, you know, trappers,
7 ethnographers, anthropologists, archaeologists, that
8 conducted archaeological surveys that went through and
9 relocated a lot of significant burial areas as well as
10 village areas.

11 What we have been able to do is we have been able to
12 link the tribal members for the UAIC to their ancestral
13 villages within the six-county service area, so we were able
14 to go back to the early records -- Sutter, some of the
15 trapper records, the BIA files -- to determine where the
16 villages were, who the head men were.

17 And then we compiled all of that information, linked
18 it up to contemporary tribal members, and were able to break
19 the tribe down into eight lineages. And each one of those
20 lineages has a corresponding set of villages that they look
21 after, so when there's a discovery or a potential for a
22 discovery, we try to consult with the specific family so
23 that one family is not going and making decisions on
24 treatment and disposition for remains that are associated to
25 a different family.

1 We also have a lot of oral histories in our office.
2 There's a number of elders that grew up, a lot of them --
3 you know, Amador, Sacramento, Yuba, Auburn -- that practice
4 traditional religion, ceremonies, that will travel to places
5 like Mt. Diablo, Yosemite, over towards Chaw'se, Ione, and
6 so a lot of these families that are within these six
7 counties, they have Nisenan background and Me-wuk
8 background.

9 At one time they might have been the same people.
10 There are some differences in mortuary practices and
11 language and traditions, but there is a lot of
12 interrelatedness.

13 There's also a significant data set that we maintain
14 that relates to NAGPRA information and NAGPRA information
15 hasn't been updated on the CHRIS info system. So we're able
16 to look to see where a lot of the Sac State projects, a lot
17 of the university and local college projects took place.
18 For example, the Delta area, there were a number of
19 significant archaeological investigations that were
20 conducted, and there's a number of collections that are
21 currently being housed. There are repositories throughout
22 the United States. That's one concern, is to try to be able
23 to have a tribe take the lead on the NAGPRA repatriations so
24 that the ancestors can be reburied, or at least to get
25 control of those collections as a result of this project.

1 So that could be one goal.

2 Once we have gone through the process of consulting
3 with it, we go through the maps and we area check to see if
4 the record search came back correct for the consultant or
5 the agency that we're working with. We often find
6 discrepancies in the record search results, both with the
7 CHRIS data and with the lack of other information, like
8 village information, oral histories on places and
9 procurement areas, sacred sites. So a lot of what we do is
10 trying to check the information that the CHRIS has put
11 together, the information that the ICs have put together, to
12 see if we could help protect and preserve those areas that
13 are significant to the Tribe.

14 We also develop a number of sensitivity maps that we
15 work and share with the local and state governments so that
16 when they're doing their planning, they're able to better
17 prepare for potential impacts.

18 We are also involved with a lot of field surveys. I
19 know for this project, nobody was included, but that's a
20 different story. This is one instance where we were being
21 told that there was no resources on the project. We sent a
22 couple of tribal monitors, and we located about eight new
23 sites.

24 So to talk a little bit about the Bay Delta
25 Conservation Plan, here's just a brief map of the project

1 area. Here's an outline with some of the tribes that
2 surround the area. I mean, you could see there's a number
3 of significant tribes -- I don't know if that's the Lytton
4 parcel right here, down in the bottom? That's Contra Costa
5 County.

6 So you can see there's a number of tribes that
7 potentially used and shared this area for resources, for
8 gathering, so I think it would be important to include all
9 of these tribes in consultation and allow them to dictate
10 how they would like their consultation to be conducted.

11 Here's one map that we found on the internet that
12 lists some of the potential alignments. What we did was we
13 just threw this on top of our GIS layer. So here you can
14 see this is in Sacramento County. This is pretty much the
15 area that we're concerned with. I would expect similar
16 concerns in all different counties along the rivers.

17 As you can see here, there's a number of different
18 significant burial mounds near the intake structures, as
19 well as some of the -- you know, the alt tunnel and the
20 eastern alignment, I think it is. So I think that's
21 something to keep in mind. You can't see the real small
22 dots that are along the eastern alignment, but those are the
23 archaeology sites from the CHRIS. Those are the ones that
24 you guys know about right now.

25 The ones you don't know about are the green dots.

1 Now, here's a plan of the conservation zones and
2 restoration area opportunities. It looks like there's about
3 11 or 12 parcels there. And surrounding the Delta project,
4 there's about 11 or 12 tribes. So, hey, why not give each
5 tribe a parcel? Let them conserve and practice their fire
6 ecology and stuff like that. I think those are
7 conversations that we can have down the road.

8 One thing also to keep in mind is the in-fill
9 development as well as the electrical transmission and
10 distribution of that. So I will keep these in mind and
11 consult, consult early, and consult often, so that when you
12 are doing your planning, you can -- you know, you can get
13 ahead of it.

14 I think the biggest frustration that we have and the
15 point that I wanted to get across is that a lot of these
16 places, we disclosed early, all right, when the notices of
17 preparation come out, when the initial draft documents come
18 out. That's when we like to go out and ground troop these
19 locations.

20 Often, the Tribe does or does not give up the
21 locations, the character, and the ownership of them. But
22 when we think it's important, right, like for the areas
23 along the intakes and along some of the alignment, I think
24 it would be beneficial to consult and to share that
25 information with you, because often what we've found is that

1 that information gets ignored, and during the process our
2 resources get treated as post-review discoveries, so they
3 don't get the appropriate treatment up front as mitigation.

4 And the other thing we've found is with the
5 programmatic agreements, sometimes the historic properties
6 treatment plans are not in place by the time that the
7 project has been initiated, which causes a lot of problems
8 for the construction activities and for the rest of those
9 things.

10 So one thing to keep in mind is the need for a
11 BDCP-DHCCP tribal and natural and cultural resources working
12 group. I think this would help facilitate the discussion
13 and allow everybody equal opportunity to come to the table.

14 There's also a need for additional consultation and
15 baseline research, as I discussed, in some of the components
16 of our information system.

17 And there's also a huge discrepancy with site
18 classification. We're seeing a lot of different site
19 classifications for burial mounds, mounds, named mounds,
20 midden. Well, you know, be aware that these are all big
21 burial mounds. You guys aren't dealing with BRMs. You're
22 not dealing with somebody eating or something like that.

23 Take, for example, the state marsh project. I think
24 everybody learned from that -- Marsh Creek, I think it was
25 called. So that's a good example to learn from, as well as

1 some of the things that went on at city hall. So, you know,
2 I encourage you to consult with the tribes. Please respect
3 the confidentiality. Please respect their sovereignty, and
4 begin to develop a tribal monitoring program, because I
5 think that's going to be important when the time comes.

6 How you guys are going to figure out the MLD issue
7 and all of that, good luck. Thank you.

8 Does anybody have any questions?

9 MS. AGUSTINEZ: I actually -- Marcos, thank you.
10 And actually, your outline is really where we are. Is it's
11 a great outline, and if you don't mind us to use that as
12 where we want to go with consultation for BDCP, because what
13 you've touched on there in the need for a tribal natural and
14 cultural resources working group is exactly one of the
15 outcomes that we really wanted to push for in this meeting
16 and the need for that. And you've touched on all of the
17 high points, the monitoring program, the MLD process, and
18 all of that.

19 MR. GUERRERO: Thank you. And I thank ICF as well
20 and Alisa for the comments that you made about where we're
21 at in the process. Because I think that's kind of where the
22 gray area is right now, and having that clarification
23 beforehand kind of helped me with my presentation.

24 MS. REYNOLDS: And I think, Marcos -- thank you so
25 much. That was really helpful. I also wonder about sharing

1 some of this information. So going forward, how do you
2 guys -- how do you share that information? You said
3 sometimes, you know, for the intakes you'd consider it
4 sensitive, so you would share it. Some of that information
5 that you all have is hugely important, as you know, moving
6 forward. So it would be great to talk with DWR
7 archaeologists and things about some of those layers that
8 you guys have and how to share, and how to share some of the
9 layers that we have as well.

10 MR. GUERRERO: Yeah. I mean, and that's been one of
11 the bigger issues. I'm sure you guys know from personal
12 experience. But, yeah, I mean, I agree. Information
13 sharing should be -- it's the way that we're all going, you
14 know, being able to do that.

15 But once a tribe discloses their locations and it
16 falls into the federal process, then other tribes are
17 allowed to know about those places and to consult on them.
18 You know, Section 304 that deals with the ownership, the
19 character, and the location of resources -- that's a little
20 fuzzy. There's a Sacred Sites Committee right now that
21 they're kind of looking over those issues. But it's
22 difficult when tribal members give up burial locations, and
23 those locations are treated as resources and not as
24 cemeteries or as sacred places.

25 Thank you.

1 MR. HELLIKER: Okay. Well, we have a suggestion --
2 I don't know if it's something that everybody supports --
3 but to establish a committee. I know you have been talking
4 about that, so that would be a good way to proceed.

5 MS. AGUSTINEZ: Yeah. Your last slide that had
6 those comments and questions -- those are really where we're
7 at today in terms of a cultural oversight committee. Is
8 that something that's developed on the tribes directly, and
9 then you'll let us know how you want to work with that?
10 These are questions that we need to really work on, now that
11 we have your cultural committees in place and that we're in
12 this early process.

13 The other great topic is the monitoring and what is
14 the actual monitoring consultation process that we can start
15 developing, not only for the BDCP, but other statewide
16 projects that we work with, with DWR.

17 And I do appreciate United Auburn sharing this
18 information. This is such an education for us on the
19 department side, and I know, Steven Hutchason, you'd
20 mentioned Wilton's relationship to the BDCP project outline
21 itself, and I would love to have an opportunity for our
22 department and our division managers to be educated on those
23 cultural distinctions on behalf of Wilton, if that's
24 something that we can arrange for in the future and other
25 tribes that are here, because I think understanding that

1 cultural language and the importance of it is really
2 important, so that our managers and the people who do our
3 publications, our writings -- that we have that information
4 and background.

5 MS. TOMARAS: I guess, in respect to that, in the
6 last presentation, how set in stone is the development plan
7 at this point? In other words, given those sensitive areas
8 around the intakes, are you all prepared to sit down and
9 redesign around sensitive areas? Or do you just want to
10 know where the sensitive areas are and deal with it with
11 monitoring, which is sort of the last-ditch resort? I mean,
12 that would be the question about whether it's even
13 worthwhile to get a working group together, if they can
14 actually achieve something.

15 MR. HELLIKER: I think we didn't go into a lot of
16 detail about the way the project has evolved over the last
17 seven years, but we have made a number of changes to it, and
18 particularly with respect to locations of facilities. So I
19 think we are quite open to looking at what the impacts might
20 be. In fact, that's the whole point of the environmental
21 impact report/environmental impact statement.

22 And so as we get the comments in about have we
23 adequately covered the environmental impacts, and now, as
24 we're talking about a more detailed focus on cultural
25 resources, the answer is, yes, we could consider making

1 modifications to any aspect of the design that would
2 minimize our impacts on critical resources, including
3 cultural resources. So I think it's a dialogue that we hope
4 will produce some results. There may be some components
5 that, for other reasons, we might not be able to make
6 changes to, but at least we'd know what the potential
7 impacts might be and what sort of actions we could take to
8 minimize those or mitigate those or so on.

9 So at this point, it's hard to say. I haven't seen,
10 myself, the information about -- especially, for example,
11 the intakes and what there might be, what sort of
12 archaeological surveys we have done or fieldwork we've done.
13 Have we looked at those particular locations on the levies
14 and done any excavations to see what there might be?

15 MS. REYNOLDS: No, no excavations. Only some
16 limited survey --

17 MR. HELLIKER: Okay.

18 MS. REYNOLDS: -- and then records search stuff,
19 so --

20 MR. HELLIKER: Okay. And then record searches.

21 MS. REYNOLDS: -- pretty preliminary kind of a
22 thing.

23 MR. HELLIKER: Right. So if there is more
24 information that we don't have that can help us get a better
25 sense of what kind of impacts we might have, that would be

1 something we'd want to build into our decision-making
2 process.

3 Anecita said 2025, that's our target for when we
4 would like to have the system up and operating. But between
5 now and then, we have a lot of work to do to complete the
6 environmental documentation, to do the further fieldwork
7 that we need to do, and then the design and construction
8 process, which our goal is to have it all completed by 2025.
9 So we're not going to wait until then to start. So the time
10 is now. But good question.

11 Okay. We've got a question or comment back here?

12 MS. OFFERMANN: I wanted to thank Marcos for that,
13 too, and both you and Anecita, your idea about having the
14 advisory committee. I just wanted to say that DWR does not
15 shy away from working with tribes. And we are kind of late
16 on the game of getting it going for BDCP, but for Oroville,
17 when we did the relicensing there, we had an advisory
18 committee with the Maidu tribes, and they were very helpful.
19 They helped us write a lot of our documents as well as
20 participate in the fieldwork at all levels, both as
21 surveyors, as monitors, as excavators.

22 We did a lot of training of tribal people for
23 fieldwork, and some of them have gone on to work for the
24 Forest Service up there, gone back to school.

25 We worked with tribes on a lot of native plant

1 issues. We've identified areas for restoration. Until the
2 license is implemented, we can't -- we're on hold to do
3 that, but those areas have already been targeted. We came
4 out with a handbook of Native American plants and their
5 uses.

6 So DWR is willing to really work with tribes and
7 take your interests to heart, and I will help you achieve
8 some of the goals that you have. So if we can all get on
9 the same page and work through this advisory committee, I
10 think we can do a lot and really make this a successful
11 project for everybody.

12 MR. HELLIKER: So Marcos, you mentioned the database
13 that you have and specific information about cultural
14 resources. I don't know if you've seen the materials that
15 are part of the BDCP, but if you have or as you do more
16 review of them, if you do have more information, that could
17 be helpful in trying to pinpoint where we might have some
18 impacts. That would be useful to us. Whether we do it
19 through this committee or just at a separate consultation, I
20 think we want to do that.

21 MR. GUERRERO: Yeah. And I have been wanting to
22 provide you guys with that information, but I haven't been
23 able to get the alignments. I don't know if they're on the
24 CD that I got, but, I mean, I could sit there and hand plot
25 stuff for you, but if you were to give me the GIS

1 alignments -- and I don't know if Homeland Security tells
2 you not to, but it would help.

3 MR. HELLIKER: No. I think if you look at the maps
4 in the BDCP documents themselves, you know, they're fairly
5 large scale, so it's probably hard to pinpoint where exactly
6 it --

7 MR. GUERRERO: Yeah. Those are the ones that we
8 overlay onto the GIS, but it doesn't give you one-to-one
9 correspondence.

10 MR. HELLIKER: I see. Okay.

11 MR. GUERRERO: But we need to go out into the field
12 and look at like where your stakes are and where your
13 project is going to be. We can sit here and eyeball it all
14 we want, but until you get out to the ground, you know, see
15 what's actually out there -- I think that's probably the
16 most helpful, unless you provided the alignments. And then
17 we could just shoot you a map right back.

18 MR. HELLIKER: Okay. I don't see anybody from
19 engineering here or anybody from ICF who might know.

20 But the guy right there, BG Heiland -- he's very
21 familiar with a lot of our data that we have, and I don't
22 know if you have an answer to that, BG, but he can be the
23 contact for you.

24 MR. HEILAND: Yeah. I can serve as the contact for
25 you and get the alignments in order to get those to you.

1 I'll give you my e-mail address.

2 MR. GUERRERO: Everything is going great today.

3 MR. HELLIKER: Good. Glad to hear that. Let's keep
4 going.

5 MR. GUERRERO: And Yocha Dehe, they have all of the
6 shape files for the other side of that river, the Yolo
7 County side.

8 MR. HELLIKER: Okay.

9 MR. GUERRERO: So it's just as dense on their side
10 as it is on the Sac side.

11 MR. HELLIKER: Okay.

12 And rather than you all needing to do the work to
13 try to coordinate it, I think we could probably take some
14 responsibility for that too.

15 MS. AGUSTINEZ: Right. Yes, not only with United
16 Auburn, but BG also can put you in touch with Yocha Dehe,
17 and maybe we can cross-communicate that and obviously share
18 that.

19 Ione, do you have a mapping program? Or how can we
20 include Ione and Wilton in this? Let us know.

21 AUDIENCE MEMBER: We don't have anything so
22 sophisticated. We're on less of a budget than Auburn.

23 MR. GUERRERO: But they have been doing
24 repatriations out on Stone Lakes and on a lot of these sites
25 for 20, 30 years now.

1 AUDIENCE MEMBER: We do have a lot of knowledge, but
2 we don't have anything on a computer like that.

3 MR. GUERRERO: They have a lot of maps.

4 MS. AGUSTINEZ: Yeah. So maybe this is a great
5 opportunity with that cultural resources advisory committee,
6 you know, putting that type of historical knowledge, which
7 you can't find in maps. And that is really, you know, our
8 traditional GIS mapping, and that's -- you know, elders will
9 tell us, they've already seen those spots. And so -- but
10 no. What can we do? You know, we can keep you in the loop
11 as well in Wilton, definitely.

12 And there are other tribes that had RSVP'd that
13 didn't appear today, besides Yocha Dehe and the Round
14 Valley. We had Redwood Valley -- had an RSVP, and Coyote
15 Valley had to leave. But we definitely want to keep
16 everybody informed that was part of this. They'll see the
17 transcripts, and in however way we can reach out.

18 And I do appreciate, Barbara, that Lytton is willing
19 to provide whatever backup and resources that you can do as
20 well.

21 MR. HELLIKER: So Alisa and Meg, is this information
22 that would come back to you all for further analysis? Or
23 how are you guys going to manage that at ICF?

24 MS. SCANTLEBURY: Yeah, presumably. I mean, I'm
25 looking to add --

1 MS. ALISA: That's the kind of information that
2 would be very helpful to us. We have some of this
3 information, as Marcos knows, but some of it we don't have.
4 So it would be a matter of, once again, you know, talking
5 about the tribes and what tribes are comfortable with
6 sharing with us as well, through us, as opposed to DWR
7 directly to make sure that that's not sensitive information
8 that folks want just to go to Anecita or to you all, but how
9 we combine it with the data that we already have as well.

10 AUDIENCE MEMBER: Maybe also how to characterize it
11 in the documents, because there might be some different ways
12 that we could characterize that at a lesser level of detail.

13 MR. HELLIKER: Yeah. We've signed nondisclosure
14 agreements on a variety of topics, I think, during the
15 course of this project, so if that's something that's
16 appropriate in this case, we could certainly do that.

17 MS. REYNOLDS: Yeah, absolutely. That would be
18 something that would be really valuable for us.

19 MR. HELLIKER: Okay.

20 MS. REYNOLDS: So aside from your DWR person, I will
21 pass along my e-mail to Marcos as well.

22 MR. HELLIKER: Good. Thank you. And probably to
23 all of the tribal representatives here today, we'll make
24 sure that happens.

25 All right. Other thoughts, comments, suggestions,

1 plans? Anything else we need to cover today?

2 MS. AGUSTINEZ: I just -- I -- I was just kind of
3 flabbergasted by Marcos's comment. I'm really pleased. I
4 mean, this is really great to see, you know, when you get
5 the right parties involved and listening, that we can
6 actually -- that was one of our main things, is how do we go
7 forward, how do we approach this.

8 I'd like to do more follow-up meetings. I mean,
9 they will be in a general fashion such as this so that we
10 can all be on the same page, but as well as have one-to-one
11 meetings. And so if you do hear about future meetings, the
12 idea is to maybe keep it going, you know, keep the forward
13 motion going so that we can follow up with what we talked
14 about today as well as other issues that may be coming up as
15 we go forward.

16 The public comment period is extended to July 29th.
17 We're going to have another meeting June 17th in Clovis for
18 the Central Valley communities. That's the San Joaquin
19 River communities, Tuolumne Rivers, the Mokelumne Rivers,
20 reservoirs. So we have got a lot of interest from those
21 tribal communities who are going to look at the BDCP, as
22 well as the department program updates. So there's some of
23 you who might be in that general area or you have other
24 contacts in there. But it's June 17th, next Tuesday, in
25 Clovis, and we'll do this.

1 But I do want to say that we can reconvene a meeting
2 such as this in the next few months as a follow-up, and
3 we'll see what works best for some of the people that are
4 here. But I do want to say thank you again for the good
5 comments we had today.

6 MR. HELLIKER: Yes. Thank you. Obviously, this is
7 an important project for us. And I know that the resources
8 that we're focused on in terms of protecting are important
9 resources from your point of view as well, water and plants
10 and fish. So we want to make this a successful
11 collaboration and be able to meet your needs as we pursue
12 this project. It's one of our top priorities in our
13 department. So thanks for your time today. And we look
14 forward to sharing further information with you and syncing
15 it up with the data that we have to make sure that we have a
16 better picture as this project evolves. So thanks for your
17 presence here and for coming down to visit us.

18 MS. AGUSTINEZ: Yeah. Get home safely. Thank you.
19 (Whereupon the meeting ended at 1:32 p.m.)

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Tribal Consultation Meeting

1 I, MICHAEL C. ROWELL, a Certified Shorthand Reporter of
2 the State of California, duly authorized to administer
3 oaths, do hereby certify:

4 That the foregoing proceedings were taken before me at
5 the time and place herein set forth; that a record of the
6 proceedings was made by me using machine shorthand which was
7 thereafter transcribed under my direction; that the
8 foregoing transcript is a true record of the testimony
9 given.

10 I further certify I am neither financially interested
11 in the action nor a relative or employee of any attorney or
12 party to this action.

13 WITNESS WHEREOF, I have this date subscribed my name.

14 Dated: June 30, 2014

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19 MICHAEL C. ROWELL, CSR NO. 13494

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