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DEPARTMENT OF WATER RESOURCES
TRIBAL CONSULTATION MEETING
FOR THE SOUTH CENTRAL REGION TRIBES

June 17, 2014

Clovis Veteran's Memorial District
Freedom Conference Room
808 4th Street
Clovis, California 93612

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APPEARANCES

SITTING ON THE PANEL:

- Anecita Agustinez - DWR Tribal Liaison
- Paula Landis - DWR
- BG Heiland - DWR

* (inaudible) indicates when a speaker was not using a microphone; therefore report could not hear what was being said.

South Central Region Tribal Consultation Meeting

1 BDCP SOUTH CENTRAL REGION TRIBAL CONSULTATION MEETING

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3 ---oOo---

4 MS. LANDIS: Good day. I'm Paula Landis. I'm
5 with the Department of Water Resources. I'm chief of
6 the Division of Integrated Regional Water Management.
7 We do a lot of interesting and challenging things and I
8 will be telling you more about that later in the
9 program.

10 Right now, though, I want to thank you all for
11 coming, and this is the third in a series of meetings
12 with tribes that are being held throughout the state.
13 There was one in April up in Corning, California. There
14 was one last week in Sacramento, and one is anticipated
15 for Southern California, as well, possibly with
16 follow-ups.

17 I'd like to talk a little bit about the water
18 resources. We have numerous staff and locations
19 throughout the state. We strive to deliver clean, safe,
20 and reliable water to many areas, but in addition to
21 operating and maintaining the state water delivery
22 system, we also plan for future water needs, flood and
23 environmental protection.

24 Planning for the future is very challenging.
25 It's very different than operating and maintaining an

1 existing system, and we need a lot of your input on
2 things we should consider in that planning.

3 The purpose of today's meeting is to provide an
4 overview of some of DWR programs and resources, to
5 introduce key staff and hear from you.

6 While there are common concerns of tribes
7 around the state, there are also concerns that are
8 unique to each region and individual tribes, so we're
9 looking forward to a full day of engagement and sharing.

10 Hopefully, you all have the agenda in front of
11 you. You can see there will be presentations this
12 morning with lunch, and then a consultation with back
13 and forth amongst the tribes and agency staff.

14 So I'm going to turn it over to Anecita now
15 who's going to give you some housekeeping information.

16 MS. AGUSTINEZ: Well, thank you. I'm the
17 tribal policy advisor for the Department of Water
18 Resources, and what we're trying to do and what our
19 biggest goal is to deliver to our tribes tribal
20 engagement, so we're participating in meetings state
21 wide and this is part of that.

22 Consultation, as you know, is government to
23 government and it really is being able to sit with you
24 individually and talk about your particular concerns,
25 but until we can get to that point, we decided that we

1 needed open meetings such as this to bring in regional
2 tribes on a regional basis so that you could see our
3 department, meet our local staff, and from there we can
4 determine how best to make these meetings. Do we have
5 these meetings in Sacramento? Do we have them locally
6 and regionally? Do we come to your communities? All of
7 those are possibilities, and all of them can be a
8 combination of how we can conduct those meetings based
9 on what's needed, what technical resources that we can
10 go into.

11 We're new here into Clovis, but I do know that
12 this facility here has facilities out to the right. If
13 you go through this exit door here, it's out to a patio,
14 if you need some fresh air. We provided some ice water
15 and some small refreshments, and so please feel free any
16 time to assist yourself with that.

17 You have your orange folders. We tried to
18 provide you with agenda items and package materials.
19 These materials are all a PDF of what you see on the
20 boards here. These materials will all be online as
21 well as a transcript of every proceeding we've
22 conducted in California, and today's meeting and also
23 any other future meetings. Those transcripts of the
24 proceedings will be on our websites at Department of
25 Water Resources, my website with tribal policy advisor

1 website, as well as the BDCP website. We'll also be
2 uploading these to the tribal advisor website of the
3 governor's office under her tribal engagement state wide
4 pursuant to Governor Brown's B-10-11 order for tribal
5 consultation for all of California state agencies.

6 What we're trying to do is if you don't have
7 all the information you need now, or you have particular
8 interests in any of these, this material, you can
9 provide this information back to your communities.

10 So I want to say thank you for being here. I
11 also want to say that it's a beautiful day to have our
12 tribal leaders here and our tribal staff here, so I do
13 appreciate that, so I want to say that being in a
14 Veteran's Memorial, I want to have our day start
15 with, you know, in remembrance of our warriors, women
16 and men, fallen and those in service now, for our
17 communities and our families, and I want to keep them
18 safe. Thank you.

19 We'll go ahead and proceed.

20 MR. HEILAND: My name is BG Heiland. I serve
21 as the executive advisor to chief executive director,
22 Laura King Moon. She apologizes for not being able to
23 be here today, but we wanted to thank you for taking the
24 time and effort to participate here today.

25 She's been working on the Bay Delta

1 Conservation Plan since the beginning, but has only
2 recently joined the Department of Water Resources. She
3 came over to the department in September of last year
4 and got to jump into the eye of the storm with putting
5 out the public documents for both the Bay Delta
6 Conservation Plan and the environmental impact report.
7 Those came out last December, and she got to jump into a
8 pretty hard drought year, so those two programs have
9 been taking up a lot of her time, and she's been trying
10 to get up to speed on a wide variety of department
11 programs since last September, but until she gets fully
12 up to speed on all the department's programs and
13 activities, she's relying heavily on Anecita to
14 understand our activities with the tribes. She
15 definitely wants to look into partnerships. That's one
16 of the things she really wants to emphasize with me
17 being here today on her behalf. She's definitely
18 interested in partnership and increased coordination
19 with the tribal community and taking those steps moving
20 forward.

21 To get a quick update, we did release our draft
22 documents, both the plan and environmental impact report
23 last December. We extended our review period to the end
24 of July, July 29th. Comments can be made either by
25 e-mail or by paper mail. Copies of the reports are

1 available on PDF. You can request DVDs if you would
2 like. We have a wide variety of libraries across the
3 state where you can access those documents if you don't
4 have computer access, and with that we are interested in
5 finding a path forward, the environmental review path
6 and tribal community paths are different paths, we're
7 looking into and interested in finding a mutual path
8 forward.

9 With that -- also you may have seen we've
10 opened up two new offices, both the BDCP office and the
11 designed construction enterprise. Now with that that is
12 not the normal implementation office as outlined in our
13 reports. This is just kind of the next step and phase
14 in both the Bay Delta Conservation Plan formalizing the
15 current staff that are working on the project, so we did
16 not hire any new or additional staff. We just formally
17 organized a major management of our staff managers to
18 formalize the process, so with those offices I wanted to
19 kind of clarify what those new offices are.

20 With that, I'll turn it back over to Anecita.

21 MS. AGUSTINEZ: So what we'd like to do is we'd
22 like to have a microphone, and have everyone introduce
23 themselves.

24 As we begin the rest of the morning program,
25 you're going to hear some series of presentations from

1 our different departments, and the idea is for you to
2 understand what Department of Water Resources does so
3 that when you're requesting consultation or if there's
4 issues that you have existing now, you'll know sort of
5 where in our department the information can start with,
6 and how we also will know -- have an idea of how we are
7 organized state wide.

8 We rely a lot on our regional people and,
9 obviously, everyone will go through their division and
10 partner heads in their region and in Sacramento, so
11 Rebecca, if you wouldn't mind, if we can start and have
12 everyone introduce themselves so we'll have an idea, and
13 feel free during the presentation, we'd like to have
14 questions and answer each time.

15 Go ahead and start.

16 MR. TAYLOR: Ernie Taylor. I'm with the
17 Department of Water Resources. I'm located in the San
18 Joaquin central regional office in Fresno. I'm the
19 regional coordinator, so what that means is I get to
20 work with a lot of the -- and represent a lot of the
21 major programs within the department.

22 MR. MCGINNIS: I'm Mike McGinnis, I work for
23 the south central regional office of DWR. I work on
24 groundwater and California Water Plan.

25 MR. ELIZONDO: Good morning, I'm Samuel

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1 Elizondo. I'm the environmental officer for Table
2 Mountain Rancheria.

3 MS. KARST: My name is Angela Karst, I'm legal
4 counsel for Table Mountain Rancheria.

5 MS. McDARMENT: Good morning. I'm Charmaine
6 McDarment, general counsel and director of water
7 resources for the Tule River tribe.

8 MS. ALEJANDRINO: Emily Alejandrino, tribal
9 liaison for the Department of Water Resources.

10 MS. SELMON: Michelle Selmon, I'm the
11 environmental scientist and regional climate change
12 specialist in the south central Fresno office.

13 MR. GOODE: Good morning, Ron Goode, tribal
14 chair for the North Fork Mono tribe, and we've worked
15 for the last two updates on the tribal -- on the
16 California Water Plan update.

17 MR. ALDERN: I'm Jarred Aldern, and I work with
18 the North Fork Mono Tribe on its meadow restoration and
19 oak restoration programs.

20 MR. WALLACE: Keith Wallace, I'm with the
21 Department of Water Resources. I'm the project manager
22 for the implementation grant program.

23 MS. MENDOZA: Tiffany Mendoza, and I do public
24 outreach for the Bay Delta Conservation Plan.

25 MS. WAIT: Jackie Wait with the Department of

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1 Water Resources, and I'm with the Division of
2 Environmental Services.

3 MS. FADAL: I'm Sofia Fadal with the Department
4 of Water Resources here in south central regional
5 department of -- for this region.

6 MS. PERRY: Laureen Perry, with the Bureau of
7 reclamation and regional archeologist.

8 MS. BIGGS: Barbara Biggs, US Fish and Service
9 in Sacramento.

10 MS. SCANTLEBURY: Meg Scantlebury, I've been
11 working on the historic built resources for the Bay
12 Delta Conservation Plan.

13 MS. STINE: Ann Stine, I'm with the Bureau of
14 Reclamation, a natural resource specialist, and we're
15 one of the three federal agencies working on the
16 environmental review for the BDCP.

17 MS. OFFERMAN: Janis Offerman, I've been
18 working on some agreement documents associated with the
19 BDCP.

20 MS. REYNOLDS: Hi, Alisa Reynolds, with ICF,
21 and I've been working on the cultural resources
22 archaeology portion of the environmental document for
23 BDCP.

24 MR. ROEHL: Good morning. I'm Jim Roehl with
25 the Tuolumne band of Mi-Wok Indians, environmental

1 program director.

2 MS. GILBERT: Becky Gilbert, archeologist with
3 the Department of Water Resources in our Sacramento
4 office.

5 MS. REYNOLDS: Good morning. Again, my name is
6 Alisa Reynolds, and I worked on the archaeology portion
7 for the environmental document, and I just wanted to
8 give you folks an update on where we are, and really to
9 keep in mind that what we've done so far is looking at
10 base line data, in essence.

11 I'm going to talk about a little bit of the
12 preliminary work that we've done for the document and
13 what we found in terms of archaeology.

14 I'd like to say we do know that there will be a
15 lot more to be done going forward, and folks will be
16 talking to you all about the federal processes, and kind
17 of how that will tie in as well. So this is just to get
18 you a sense of where we are right now, and then I'll let
19 some other folks talk about where we're going in a
20 little bit.

21 So we started with the kind of standard
22 archeological procedures. We did a records search for
23 the entire plan area. We did a field survey of areas
24 that we had access, and we did a sensitivity analysis.

25 The archeological site types that we're looking

1 at are fairly typical for this region. It wouldn't hurt
2 the BDCP region, not a big surprise to you folks, but
3 there are a lot of midden/mound habitation sites along
4 the rivers, especially under levees, fewer in the middle
5 of the delta, but along a lot of water ways. We had
6 lithic scatters. We have reported bedrock milling
7 features, and most a lot of the mound/midden sites also
8 have known burials associated with them.

9 So the first thing we did was the record search
10 for the entire plan area and we came up with, give or
11 take, almost about a hundred archeological sites already
12 reported in the area. And this is the entire plan area,
13 not just where direct tunnel options or anything is
14 planned.

15 Most of the prehistoric sites were to the kind
16 of the north, the northeast of the plan area, along the
17 San Joaquin and Sacramento rivers, some down south and
18 probably more historical sites recorded in the southern
19 portion of the plan area.

20 We realize that this is just a records search.
21 This isn't necessarily inclusive of all the
22 archeological resources that are there. These are areas
23 that have been looked at or surveyed, or in some way
24 studied in the past, so this is just our starting point
25 to understand the context.

1 We took that information and we went out and
2 did field surveys in areas where we had access, that
3 was, you know, a relatively, you know, not a huge amount
4 of land. It was about ten percent probably of the
5 project footprint, and visibility varied a lot.

6 Sometimes we had great visibility, sometimes not so
7 much, but we did standard transection or intuitive
8 surveys, whatever made sense, and it was just surface
9 surveys at this point. We did two rotations of about
10 seven to ten days each with about eight archeologists.

11 And then to tie in other information that we
12 knew we were missing, we did a sensitivity analysis and
13 this was largely looking for prehistoric resources
14 rather than historical. We did look at historical
15 resources as well, and Meg will talk a little bit about
16 the built resources, but mostly we looked at soils,
17 slopes, known resources, and where we would anticipate
18 seeing buried sites, very prehistoric or precontact
19 sites. And most of those are up in the north and down
20 in the south again. Very few are in the middle of the
21 project area. It was mostly marsh, pretty much
22 year-round, and we realize that there were isolated
23 areas where you would have possible mound sites, but
24 really not in great number. It's not that it's
25 impossible, but not in great number, but along the

1 Sacramento/San Joaquin and some of the northern and
2 southern portions of the Delta, and then down by Suisun
3 as well for some of the plan area were considered
4 archeologically sensitive.

5 So tying in for that for the environmental
6 document, we have our mitigation measures and, again,
7 this doesn't -- at this point didn't address the federal
8 nexus that Janis and Ann will discuss a little bit more,
9 but we did have standard procedures for mitigation,
10 which is to do additional survey, identify possible
11 sites, evaluate, you know, et cetera, down the line, and
12 avoid or protect whenever possible. So that's sort of
13 the -- that's sort of an upshot of where we are right
14 now and what we've done so far for the archeological
15 resource.

16 And before Meg talks about some of the bill
17 resources, did you have some questions or anything?

18 Yes?

19 MR. GOODE: Did you have any Native American
20 monitors on your survey?

21 MS. REYNOLDS: No, sir, we did not. It was
22 just archeology at this phase.

23 MR. GOODE: Do you have human remains that you
24 did find or just being noted in previous --

25 MS. REYNOLDS: No. Actually, we did not

1 identify any resources. And that's mostly due to where
2 we had access to. It wasn't in areas of known sites for
3 the most part. So, no, we did not identify any.

4 MR. GOODE: Is there plans for phase two or
5 phase one investigation?

6 MR. REYNOLDS: Yes, absolutely. And I'll let
7 probably Janis talk a little bit about how section 106,
8 and some of the agreement documents, will dovetail into
9 this, and move ahead with some, you know, other phases
10 of identification and valuation and tribal involvement
11 as well because that's really key.

12 So, again, I want to stress that this is our
13 baseline data to really get a sense of what potentially
14 is out there.

15 With that, Meg Scantlebury will talk about some
16 of our historic built resource and show much prettier
17 slides.

18 MS. SCANTLEBURY: Good morning. I'm a
19 architectural historian with ICF, and we had about ten
20 architectural historians go out to the Delta and survey.
21 And first thing we did was research, holding historic
22 maps and comparing them to modern aerials because I
23 don't know if any of you spent much time in the Delta,
24 but it's very confusing out there, so we predetermined
25 where there were built resources over the age of 50, and

1 headed out for those resources.

2 And all the survey was done from the public
3 right of way, so many of the properties are very large
4 agricultural properties, and we did not have access, but
5 we were able to survey and evaluate about 440
6 properties.

7 Research included historic photographs,
8 historic aerials, articles, primary and secondary
9 resources, to figure out what we might find out there.

10 We found all kinds of different properties.
11 Grand residential properties such as these dating from
12 the 1850s, through the 1930s.

13 More modest residences. One very interesting
14 property type like the one in the center, we call it the
15 Delta house where the living is on the second floor so
16 the bottom floor can flood, flood goes away, open the
17 doors, let it dry out, just stay there. It is a very
18 adaptive use of residential style.

19 Lots of commercial properties, stores, lumber
20 yards, things like that.

21 Industrial properties. This is a sugar
22 manufacturing. I think it's now used partially as a
23 winery, and some other commercial ranchers.

24 Of course, agricultural properties. Very large
25 agricultural properties. Old feeder barn.

1 And rural historic landscapes such as Bacon
2 Island. This entire island has been determined to be
3 eligible for the national register. It's where George
4 Shima, also known as "The Potato King" lived.

5 He was the first generation of
6 Japanese/American, and he worked over 6,000 acres, and
7 planted potatoes in there, and supplied something like
8 85 percent of the potatoes to the state of California in
9 the 19th century. And by 1926, his death, he was a
10 multi-millionaire.

11 School properties such as this was a -- the one
12 on the left was an elementary school. It's empty now.
13 Built in 1920.

14 And, of course, historic districts in Locke,
15 and Walnut Grove. Again, many of the Japanese and
16 Chinese districts during the 1920s and earlier.

17 And of course infrastructure, power and water
18 resources systems.

19 And bridges, they're all over the Delta. Some
20 of these date from the late 1800s up to the 1950s.

21 That's pretty much it so far. We're hoping to
22 go get access to a lot more properties and do more
23 in-depth survey of the several thousand that we couldn't
24 get onto.

25 Does anyone have any questions about the built

1 resources?

2 Yes?

3 UNIDENTIFIED SPEAKER: What were some of the
4 archives that you -- where you did your research? Where
5 did the maps come from?

6 MS. SCANTLEBURY: State library, state
7 archives. Bancroft, always one of my favorites. The
8 water library, which is now the UC Water Library, which
9 is now down in Riverside. We had some of our historians
10 from down there go to that one, that was the start. And
11 lots of on-line things, the Bancroft, all the platt maps
12 are available on line on the Bancroft, so that's -- it's
13 getting so you can practically do the survey from your
14 desk, historic photos, used a lot of those.

15 Yes?

16 UNIDENTIFIED SPEAKER: Were the agricultural
17 properties archeologically surveyed?

18 MS. SCANTLEBURY: We couldn't get onto them.
19 We had to do everything from the right-of-way. So there
20 are lots of times from an architectural history
21 standpoint, we had our cameras on hand and tried to see
22 what we could see, but the archeologists couldn't set
23 foot. We couldn't. We had a challenge trying to stay
24 on the side of the road without getting run over and
25 looking at the buildings.

1 Yes?

2 UNIDENTIFIED SPEAKER: So you looked at
3 agricultural properties and there were archeological
4 sites surveyed or baseline survey, and I'm wondering if
5 there's any thought to historical ecology, vegetation,
6 fire history, to start to look at, for instance,
7 prehistorically how resources might have been cultivated
8 in the Delta?

9 MS. SCANTLEBURY: Alisa?

10 MS. REYNOLDS: Yes. We have not looked at that
11 yet, but it's something that I think Janis will talk
12 about, can be tied into the processes as we move, but so
13 far, no, we did not.

14 MS. SCANTLEBURY: As Alisa said, it is pretty
15 much a baseline survey. Try to get a real good idea of
16 what's out there. And again, we couldn't set foot on
17 any of these properties, so the number of inaccessible
18 properties far outshines the number of properties we
19 could see from the road, that were close enough to the
20 road. And even those properties that -- they'll be
21 multiple component properties that we could see, just
22 what was close to the road, but we know there's more
23 further back, which may either make the whole property
24 eligible or ineligible, depending on the integrity of
25 the property, and we do look at things as a whole, like

1 Bacon Island, or all the islands. I think we found
2 three or four islands, as a whole eligible. Much of it
3 was based on research about how they developed, why they
4 developed, things like that.

5 So when you're looking at real historic
6 landscape, you look at circulation, water systems,
7 agriculture, buildings, structures, objects, and also
8 consider archaeology as well, but we needed the access
9 to do that.

10 UNIDENTIFIED SPEAKER: Is there a plan to
11 getting access to some of those private lands or any
12 plan in the future?

13 MS. SCANTLEBURY: Yes. We're putting together
14 an agreement, which Janis is going to talk about a
15 little more, because we don't have access and we're
16 having to phase a lot of our studies, so we'll --
17 whether it be being given permission, or once the
18 property is acquired, we'll be looking at all the
19 property that will be disturbed.

20 Anything else?

21 Okay. Thank you.

22 MS. AGUSTINEZ: Before we go to Janis Offerman,
23 I had a couple of comments I wanted to mention, or to
24 the federal process that we'll be talking about.

25 Is at last week's meeting on BCDP, which our

1 audience was the tribes that were within the Delta
2 footprint, you've got a map in your folder, and on one
3 of the background maps there, shows the BDCP the
4 footprint. Because we're asking, and something that
5 we're in development through tribal consultation is
6 developing a cultural advisory committee, a tribal
7 advisory committee, and it's proposed last week, and
8 it's something that we want to consider how that's --
9 how does that get done and created. And we have a
10 tribal advisory committee we use now for the California
11 Water Plan, but we'd like to start thinking about, from
12 the tribe's perspective, a cultural advisory committee
13 advising on the Bay Delta as all these processes go
14 forward, and you'll see that makes sense when the next
15 presenter talks about all the federal agencies and what
16 we do next.

17 I wanted to put that out there so if you have
18 an interest, a further interest on your tribe
19 participating in that, the advisory committee, just let
20 us know.

21 MS. STINE: Good morning. My name is Ann
22 Stine. I'm with the Bureau of Reclamation. I'm a
23 natural resource specialist, and I've been working on
24 the environmental review through the NEPA process for
25 the Bureau of Reclamation.

1 And my job today is just to kind of give you an
2 overview of the roles and the actions that are being
3 conducted for the BDCP, and the environmental review of
4 the BDCP.

5 This slide is probably really hard to see, but
6 in the back of your binder, there's a hard copy of this
7 schematic that might be easier to look at. It's an 11
8 by 17. I think it's somewhere towards the back that
9 shows the same thing that's up on the slide.

10 Basically, if you look across the top row of
11 this schematic, it gives the agencies that are involved
12 with the Bay Delta Conservation Plan and the
13 environmental impact review report and environmental
14 impact statement.

15 The top left corner is the Department of Water
16 Resources, and they are the ones that have prepared the
17 Bay Delta Conservation Plan, which is a habitat
18 conservation plan and application for an ESA endangered
19 species permit and section 10 permit.

20 To the right of the Department of Water
21 Resources are all the federal agencies that are
22 involved. The first three, the Bureau of Reclamation,
23 Fish and Wild Service, and National Marine Fisheries are
24 the co leads for the federal side of the environmental
25 impact, EIR/EIS. And then the last two, Army Corps and

1 EPA are cooperating agencies.

2 If you go down to the left-hand side of the
3 matrix, you'll see the regulatory processes that are --
4 we have responsibility for, and within each agency who
5 has roles in this particular areas. So we have
6 endangered species act, section 10, Habitat Conservation
7 Plan, which is the basis for the BDCP. And we talk
8 about the actions in the second row there, and the
9 permits and the agencies involvement in that.

10 After that we have the NEPA and CEQA process.
11 The environmental -- national environmental policy
12 account, and California environmental quality act,
13 environmental review, which is the EIR/EIS.

14 Below that is the National Historic
15 Preservation Act, section 106, which my colleague,
16 Laureen Perry, will be talking about specifically in
17 relation to the BDCP.

18 And then the next row I listed the tribal
19 consultation aspects for the BDCP.

20 And under that, the section 7 Endangered
21 Species Act, Chapter 7 rules and responsibilities, which
22 the federal agencies have.

23 So to look at the tribal consultation route,
24 which is the row in green, um, we have -- each agency
25 has a different undertaking that they can potentially

1 consult with tribes on.

2 So for the Department of Water Resources, the
3 state will be consulting on the water conveyance
4 facilities that would be built, any habitat
5 restorations, and any other actions to introduce
6 biological stressors, and the state water project
7 operations, so that is the -- basically the Bay Delta
8 Conservation Plan.

9 Those would be the kinds of things they would
10 consult with the tribes on, and other native
11 organizations.

12 For reclamation, our undertaking that we would
13 be consulting on would be the operation of the Central
14 Valley project, and any potential funding of habitat
15 restoration. And our undertaking wouldn't happen until
16 after the conveyance, after the project was built, which
17 this could be ten years down the line.

18 For the Fish and Wildlife Service, they would
19 be consulting on their section 10 permit that they would
20 provide to DWR for the -- as an incidental take permit
21 for the EDCP, and if that gets permitted and when that
22 happens. And also they might be consulting on the
23 section 7 biological opinion that they give to us
24 for our part in it.

25 Same for the National Marine Fishery Service,

1 they would be potentially consulting on their section 10
2 permit to DWR, and their section 7 to reclamation.
3 Those would be their undertakings. Their undertakings
4 are basically permit undertakings.

5 And then lastly, the Army Corps is going to be
6 consulting on their permit, the permits that they would
7 be issuing in conjunction with the Bay Delta
8 Conservation Plan, that would be the Clean Water Act for
9 river for the 408 permits.

10 So each agency has a different undertaking that
11 each one provides an opportunity for a tribal
12 consultation.

13 And Lauren Perry from reclamation is going to
14 talk a little bit about section 106. And then Janis
15 Offerman is also going to talk about some section 106
16 with the Army Corps.

17 Any questions?

18 This is sort of a little bit of a road map to
19 try to understand all the complexities of the Bay Delta
20 Conservation Plan, and as well as it's environmental
21 review.

22 MS. PERRY: I introduced myself earlier, I'm
23 Lauren Perry. I'm the regional archaeologist with the
24 Bureau of Reclamation.

25 What I'd like to do this morning is give an

1 overview of the federal cultural resources laws that
2 apply to what we're doing now and the future of
3 consultations, and hopefully try to clarify a little
4 bit, the differences between state requirement and
5 federal requirement, and when the federal agencies kind
6 of start their processes because this is all pretty
7 confusing.

8 So I think everybody is pretty much aware that
9 federal agencies are responsible for complying with
10 federal laws. And in this situation we have -- DWR has
11 state requirements, plus the California Environmental
12 Quality Act that they have to follow, but the federal
13 laws are a little bit different even though we're
14 working together because it's a similar effort and we
15 need the same kinds of information.

16 The primary preservation law that will apply
17 for the reviews that we're doing for the BDCP right now,
18 is the National Historic Preservation Act, section 106
19 in particular. And other federal laws tend to apply
20 more to federal lands. In this situation, we don't have
21 federal lands. So you might think ARPA and NHPA. Well,
22 those -- remember where those apply.

23 106 is just a small paragraph in the entire
24 National Historic Preservation Act, but it's the primary
25 law that federal agencies consult under, and basically

1 what it says that federal agencies have to consider the
2 effect of their undertakings, or their actions on
3 historic properties, or significant cultural resources.
4 And the other piece of this section is that it's a
5 consultative process, that the agencies do not do it on
6 their own.

7 The trigger to 106 is that undertaking. When
8 does the federal agency have an activity that's going to
9 require them to consult and to consider these resources,
10 and so you hear the word "undertaking" a lot.

11 The other piece that we're dealing here is the
12 timing, because we have so many kind of unknowns. We're
13 basically analyzing the number of alternatives, not
14 knowing which one may or may not be selected, so the
15 federal involvement is to do this analysis, but yet we
16 don't have an undertaking yet. So that's where we're
17 trying to figure out, well, what do we do about that
18 because we know this is important, that should one
19 affirmative action be selected, we're going to have to
20 figure out what to do.

21 So Alisa talked a little bit about the approach
22 to start identifying the types of resources in the study
23 area, and that may potentially be affected by any of the
24 actions that are being considered right now. And that's
25 just a lot of preliminary work. And again, it's that

1 challenge of not knowing exactly what may or may not
2 happen to try to figure out what level of identification
3 do we do.

4 So what are the federal partners doing to
5 comply with 106 for this analysis? We have no lead
6 federal agency. So we have four agencies involved and
7 that's, you know -- Ann went over those. Fish and
8 Wildlife; NOAA, which is National Marine Fishery; the
9 same organization, Reclamation. They're all partners --
10 excuse me, and cooperating agencies. I'll get the roles
11 right. And the Army Corps is a partner.

12 So the four agencies are working together, and
13 we've decided to try to figure out how do we work
14 together even though we have separate undertakings.
15 We'll have separate roles. We'll have separate areas of
16 potential affect, and each agency is primarily
17 responsible for their own compliance. So in order to do
18 that we decided to try to enter into a programmatic
19 agreement where, basically, we commit to continue to do
20 106 and consult as we're required as our undertakings
21 are identified, so it's a very much a phased approach.

22 Part of this involves consultation and it
23 involves inputs from tribes and other interested
24 parties, so however we're doing that -- so we're doing
25 that through this process, which is scoping, and our

1 meetings that we're coordinating with DWR. And you'll
2 be getting letters, be getting different phone calls
3 from different federal agencies, and we're trying to do
4 what we can to coordinate our efforts so you don't get
5 bombarded with a bunch of different people calling about
6 the same thing, and we're doing what we can to share the
7 information, because, like I said, we need that same
8 information.

9 This programmatic agreement is going to be very
10 general and, like I say, it's basically a commitment to
11 continue to consult as required for whichever
12 undertaking the federal agencies may end up having, and
13 we're inviting your participation in this agreement.

14 One of the things I wanted to mention about the
15 106 process, it's a little bit different in the NEPA
16 process. The NEPA process has some deadlines for public
17 comments. In 106 there are no deadlines. It's a
18 continuing process, so you have opportunities to comment
19 and be involved throughout that entire process. So I
20 wanted to emphasize that, and to also let you know that
21 if you haven't already been contacted, you will be
22 contacted. You can contact us. You still have multiple
23 opportunities to provide input.

24 So basically what will happen is should an
25 affirmative alternative be selected, meaning that we'll

1 go forward with the BDCP as proposed in the NEPA
2 document, that once that is selected then that will
3 trigger more agency involvement again, federal agencies,
4 and then we'll continue to consult and continue to
5 refine our identification efforts and to work with your
6 tribes and other parties too.

7 As I mentioned, four agencies. We've got
8 multiple contacts, and I don't know how to make that
9 less complicated. It's just -- we have a lot of
10 agencies involved.

11 So that's just a quick overview, and open for
12 questions. And like I say, please let us know the level
13 of involvement. You'll be getting phone calls and
14 you'll still be contacted too.

15 If you have any questions, I know I kind of
16 rambled off quickly these federal requirements.

17 Okay. Well, thank you.

18 MS. OFFERMAN: Good morning, I don't -- I'm
19 Janis Offerman. I'm with URS. I'm a consultant working
20 with DWR on the BDCP.

21 And Lauren mentioned this overarching
22 programmatic agreement where all the federal agencies
23 are participating and agreeing to continue with section
24 106 process for each project, or each undertaking, for
25 which they have the federal lead.

1 Well, the first undertaking that will be at the
2 door once the environmental document is approved and we
3 have a record of decision, is the construction of the
4 conveyance facilities. And in order to do that DWR will
5 need a 404 permit from the Army Corps of Engineers. So
6 in order -- when they request that permit that will
7 trigger 106 for the Corps.

8 And so in order to be proactive, DWR and the
9 Corps have been working together to develop a
10 programmatic agreement just for the conveyance
11 facilities so there won't be a lot of lag time. We can
12 move forward. And that will involve consultation with
13 tribes, of course.

14 And the programmatic agreement, that's -- in
15 the programmatic agreement it outlines that 100 percent
16 of the land that will be involved in the undertaking
17 will be surveyed, and that will be done in consultation
18 with tribes, and it really outlines travel coordination
19 and how all the different archeological studies will be
20 done, and how the built environment studies will be
21 done. And right now, this is just underdevelopment, and
22 before anything is finalized, of course, tribes will be
23 invited to participate.

24 The kind of the glitch is the Corps -- as I
25 mentioned, the Corps responsibilities for section 106

1 are not triggered until they get that application for
2 the 404 permit, so you will not be getting any kind of
3 outreach from the Corps until that happens, and that's
4 -- I don't even know when they expect the record of
5 decision anymore. It's kind of put off and off and off.
6 But so it should be in 2015.

7 But in the meantime, this is DWRs venue to
8 start doing outreach under CEQA, and so we can start
9 getting input from you on a more informal basis on the
10 kinds of things that should be in that PA, so that
11 hopefully when tribes see the PA they won't have a whole
12 lot of comments, you know. Maybe, hopefully, we'll have
13 incorporated everything they would like to see now, so
14 that we don't have to spend a lot of time doing more and
15 more editing and reviews down the line, and we can get
16 the whole process going.

17 And that's about it. Any questions on that?
18 Okay.

19 MS. AGUSTINEZ: Thank you.

20 So as you can see tribal consultation on this
21 process is going to be pretty challenging. We try to
22 create materials that would assist us, as we called it,
23 a road map. And also assist our communities in looking
24 at what our challenges are and how we can coordinate
25 with our federal partners and DWR, and how tribes -- and

1 who you should be contacting.

2 We're conducting these consultation and
3 regional meetings with our federal partners in order for
4 our partners informally to be sitting and understanding
5 how we're approaching, and which tribes have interest
6 and how we do that outreach.

7 So the idea for a tribal cultural advisory
8 committee to assist with the programmatic review process
9 is just getting started.

10 You know, we're going to be doing one-on-one
11 outreach for tribes to see how that gets developed and
12 what that looks like, so it's just an idea right now.
13 We're asking if tribes want to do that outside of our
14 division and meet separately and say this is how we
15 would like to be -- our organization as a cultural
16 committee, and then approach our agencies, the state and
17 federal agencies, and say this is how we feel, we have
18 this group, and so we're open to all of that.

19 Before we go into the next part of the program
20 this morning, which is showing presentations about
21 specific Department of Water Resources programs that we
22 have here in the south central region, I think we could
23 take a little break and maybe come back in about 8 to 10
24 minutes. Thank you.

25 (Recess taken.)

1 MS. LANDIS: -- well, maybe we can get started
2 again.

3 I wanted to remind people that when you're
4 asking questions, would you please state your name so
5 that we can get that on the record.

6 At the introduction I introduced myself as
7 Paula Landis, chief administrator for the Division of
8 Integrated Resources Water Management, and I mentioned
9 that I would tell you a little bit more about what we
10 do.

11 Well, a number of divisions in the Department
12 of Water Resources, the department itself, has a mission
13 to manage the water resources of California in
14 cooperation with other agencies to benefit the State's
15 people, and protect, restore, and enhance the natural
16 and human environment. And I'm proud to say that this
17 mission has been around for a long time and it continues
18 to be relevant. I think we got it right from the
19 beginning.

20 The Division of Integrated Regional Water
21 Management, specifically is a collateral effort to all
22 aspects of the region, crosses jurisdictional/political
23 boundaries. Are involved with other agency and look at
24 different issues.

25 The division was created around 2008, and I had

1 to laugh when Ernie introduced himself as being from San
2 Joaquin district because before this reorganization, we
3 were called the Division of Planning and Local
4 Assistance, and our offices throughout the state were
5 called district offices. And they were -- they were not
6 integrated. They were based strictly on county lines,
7 and when the concept of integrated regional water
8 management became much more engrained, we reorganized
9 the following boundaries that are a little more in line
10 with watersheds as opposed to counties.

11 Also we looked at other agencies, the Regional
12 Water Quality Control Board, the Department of Fish and
13 Game, and others, so we would have a little better
14 allotment, and changed our name from Planning and Local
15 Assistance to Regional. So that this is -- actually, as
16 I said, a manifestation of this idea that we're working
17 at a regional level.

18 The Division of Planning and Local Assistance
19 was split into two, so we have a regional part and we
20 have a state wide part.

21 In our regional planning, we have six
22 organizations that cover the state within our division.
23 There's the Regional Planning Branch, which is headed by
24 Chris McCready. They are looking at how integrated
25 regional water management can continue when the grant

1 funding is gone because the money has really been a
2 motivator for people to come together, but we think that
3 it's the way to do business in the future, and I think
4 that that idea is gaining acceptance from the IRWM
5 groups.

6 Chris also handles water transfers and the
7 California state wide groundwater elevation monitoring
8 program, which is very visible these days because of the
9 drought. There's so much interest in what's going on
10 with groundwater, and this is one of the very few ways
11 we have to know what's going on with groundwater.

12 She does regional partnerships, which provides
13 technical support, and facilitation, and regional
14 coordination, which Ernie here is the regional
15 coordinator for this part of the state.

16 The regional partnerships, there's a lot of
17 outreach to disadvantaged communities and tribes. The
18 Financial Assistance Branch is headed by Tracie
19 Billington, and both of these branches are based in
20 Sacramento. Tracie has, as title of the branch
21 suggests, primarily grant programs. She provides
22 financial assistance. In terms of integrated regional
23 water management funding, which was very specific in
24 Prop 50 and Prop 84, the planning grants and
25 implementations grants, and there was a bill for that

1 purpose, and then recently the governor asked us to
2 expedite 200 million to address the drought, and we're
3 in the process of doing that right now.

4 There are also local groundwater assistance
5 grants, and we recently got \$20 million from
6 cap-and-trade money for water and energy grants. Draft
7 guidelines will be out probably next week, on the
8 street, and on the storm water and flood management
9 grants.

10 So here are the region offices. There are four
11 of them. As you can see we cover the entire state. The
12 offices are Red Bluff, West Sacramento, Fresno and
13 Glendale. You can see by the outline of the boundaries,
14 they're no longer county lines. They're more watershed
15 based.

16 There are many programs that are common to all
17 the region offices, and others that are unique to the
18 region offices.

19 In region offices, common programs include data
20 collection and dissemination of service and groundwater
21 quality, and quantity, and land and water use, geologic
22 investigations, watershed management, environmental
23 compliance and restoration and analysis, floodplain
24 management, drainage management and assessment,
25 recreation studies, and emergency response. So we all

1 have staff in each office to address these issues.

2 The northern region office here is headed by
3 Curtis Anderson, and Mary Randall is the regional
4 coordinator. And each office, in addition to regional
5 coordinator, has specific individuals who are tribal
6 liaisons. In the northern region it's Mary Randall and
7 Tito Cervantes.

8 The north central region is based in west
9 Sacramento headed by Eric Hong. The regional
10 coordinator is Hong Lin, and the tribal liaison is Tim
11 Nelson.

12 You can get an idea of where certain tribes
13 might fit, or in this case the majority of your tribes
14 are in this south central regional office, which is
15 based in Fresno. The chief is Kevin Faulkenberry. The
16 regional coordinator is Ernie Taylor, who is here today.
17 And the tribal liaison is Sophia Fadal, who is also
18 here.

19 The southern region chief is Mark Stuart. The
20 regional coordinator Brian Moniz, and the tribal liaison
21 is Jennifer Young.

22 So if you have any questions on any of these
23 regions, these would be your contact people. And this
24 is my contact information, and I've been in water
25 management close to 30 years, and I have seen in that

1 time a lot of changes and a lot of things that stayed
2 the same. I am pleased to see that in the last -- at
3 least in my experience, in the last 10 years it's been
4 much greater engagement and involvement with
5 disadvantaged communities and tribes, and I think that
6 that's healthy, and I think this integration and the
7 regional concepts are in part responsible for that
8 approach.

9 So I'm open for any questions.

10 Okay. Well, what we have coming up on the
11 agenda, then, are several specific programs that you'll
12 be hearing about from the individuals that have
13 responsibilities for those.

14 And I think Keith Wallace, you are up first, to
15 talk about our grant program.

16 MR. WALLACE: Hi. So my name is Keith Wallace
17 and I'm the project manager for the implementation of
18 the grant program. Zaffar Eusuff was supposed to be
19 here today, but he couldn't make it.

20 So as Paula was talking about, we're
21 responsible for the integrated regional water management
22 grant program, and really we found that this grant
23 program has been a very good incentive to promote
24 integrated regional water management planning and also
25 development of projects.

1 And, again, we were seen in the past before
2 integrated regional management came about that you had a
3 lot of agencies or water districts that were sort of
4 working in isolated environments. They weren't
5 coordinating with each other, and this has really helped
6 promote that level of coordination. It's led to
7 improved water management planning and improved
8 projects.

9 So we're going to talk primarily about property
10 for today, and as Paula indicated there was \$1 billion
11 that was authorized by Proposition 84. It was split in
12 kind of two different pots of money.

13 The first was \$900 million, and that was
14 allocated to different hydrologic based regions that we
15 call "funding areas," and that's what we refer to as the
16 regional allocation.

17 And then there was a separate pod of money that
18 was regional funding. It was about a hundred million
19 dollars set aside for that. That money is actually
20 already been fully allocated. And the \$900 million from
21 the regional allocation is kind of been split among this
22 in little different ways.

23 But the main one is the implementation grant
24 program, which is the one I'm with the project manager
25 for and, essentially. There's \$808 and a half million

1 total when you take away some other like administrative
2 costs and fall costs, and other programmatic activities,
3 and so I'll talk a little bit more about that in the
4 next slide.

5 But we also have funded the planning grant
6 program through this, the ground works systems program.
7 We had some disadvantaged community pilot studies and
8 then we've had many other programs, and all those have
9 been allocated.

10 And then prior to that was Prop 50, and all
11 that has been ordered as well.

12 So what's keeping us busy lately is the drought
13 legislation, that's the SB103 and SB104. What that did is
14 it appropriated approximately 7 and a half million, and
15 of that about 581 went to DWR. Of that 581, 472 and a
16 half was for IRWM, specifically, and that was split into
17 two things.

18 First, it was \$200 million, which was
19 appropriated to expedite drought funds for drought
20 relief, and we'll talk mainly about that today. But the
21 other 272 is a combination of some \$21 million to help
22 with the second round of the implementation grant
23 program, and then the remaining \$250 million will be
24 left for next year's grants solicitation.

25 So SB103 and 104 funded other things included

1 77 million for Prop 1E, for multi purpose flood
2 projects. It also funded \$300 million for greenhouse
3 gas production. The PSP and guidelines will probably be
4 out next week. Another million dollars for the Save Our
5 Water campaign, and another million for cash.

6 So this is basically a look at what the
7 upcoming schedule looks like for the drought
8 solicitation. So we were -- actually released our final
9 guidelines and PSPs on June 2nd. We have our workshops
10 for this program scheduled for tomorrow and for Friday.
11 Tomorrow we're going to be in Bakersfield. We'll be in
12 Sacramento on Friday. And that actually will be
13 webcast, so if you can't attend either one of those
14 workshops in person, you're welcome to attend via
15 webcast.

16 Applications are due on July 21st by 5:00 p.m.
17 We expect to have our draft funding recommendations and
18 a meeting made sometime in September. And then we'll
19 have our final conditional awards made in October.

20 And why we call those "conditional awards" is
21 what we've done as part of this expedited liquidation is
22 we streamlined the process, and so we have lessened some
23 of the requirements on a project, basically description
24 basis, and so we would need to get some additional
25 information before we could execute. This includes more

1 detailed work plans, more supporting documentation for
2 benefits, and then some additional documentation for
3 budgets.

4 We would hope that we would be able to get our
5 agreements expedited, the execution of the agreements
6 expedited within 60 to 90 days after the conditional
7 awards were made. And as I mentioned next year, in
8 2015, we'll have -- or actually, I'm sorry. We'll have
9 the agreements executed and hopefully commence work in
10 2015.

11 So basically the documents that were released
12 on June 2nd broke down to our guidelines and our program
13 or solicitation package, and the guidelines are, you
14 know, basically we've had guidelines throughout the
15 entire program, and that really lays out what the IRWM
16 plan standards are and some other, essentially,
17 legislative requirements that must be adhered to.

18 We really tried to limit the number of changes
19 that we made to these guidelines. We did that
20 purposefully, but there were a few new requirements that
21 we had to address, and these are really laws that were
22 either -- became effective or enacted since the 2012
23 guidelines were released.

24 The majority of our changes for this process
25 really occurred in the PSP, and that's because we're

1 expediting things as part of the drought legislation.
2 We're not going to talk a lot about those changes today,
3 but we'll go over a couple of those in detail.

4 As far as the new requirements for the
5 guidelines, the first is the Human Right to Water that
6 was enacted in 2012. That's essentially -- it
7 guarantees safe, affordable -- or it says that every
8 human should have the right to safe, affordable, clean
9 water for drinking, bathing, and for cooking.

10 We also have the Ag Water Management Plan, that
11 was a law that was enacted in 2009, but the --
12 essentially, the first plans weren't due until 2013, so
13 this will be the first solicitation that we have to
14 address that.

15 And finally CASGEM. This is -- this was
16 enacted in 2009. During that -- from that point on, the
17 Department of Water Resources was tasked with
18 prioritizing the groundwater basins within the state of
19 California and soliciting monitoring entities for each
20 of those basins.

21 They just recently finalized this -- they
22 released a draft prioritization back in the latter part
23 of last year, and they finalized those prioritizations
24 this last week. And so really what we'll be doing with
25 the grant program is verifying that every basin, or the

1 applicant, or the actual project sponsors included in
2 the application, are either cash and monitor
3 or they have another entity in place to monitor
4 a groundwater basin.

5 Another element of the guidelines where we
6 address some travel concerns were raised in previous
7 guidelines. First and foremost what we did was we
8 clarified that federally recognized tribes can be
9 members of joint powers authority, and that joint powers
10 authority are local public agencies and therefore
11 eligible grant applicants.

12 The second thing that we clarified was the
13 Labor Code compliance. We needed that the tribal
14 governments may have other requirements or obligations,
15 but we definitely still recommend if tribes are looking
16 to apply or be project sponsors, that they consult with
17 the Department of Industrial Relations just to make sure
18 that everything is covered.

19 As for the change to the PSP, in addition to
20 being one of the 11 IRWM project elements that have been
21 included in the guidelines through SB104, the drought
22 legislation required that the projects must be one of
23 the following four drought project types.

24 The first is that they provide immediate
25 drought preparedness. And we define drought

1 preparedness in our guidelines in table one, if you're
2 familiar with the guidelines.

3 The second project type is water type
4 reliability, and reliability of state drinking water.

5 The third is that locally not cost effective
6 water conservation programs and measures, and when we
7 say "not locally cost effective", it means that the
8 annual costs are greater than the annual benefits.

9 And then lastly, the project could be for water
10 quality or address water quality or ecosystem conflicts
11 created by the drought. An example might be you have
12 requirements or you're managing a reservoir, and you
13 have to decide between releasing water for fish flows or
14 for serving your customers, so that would be a conflict
15 created by the drought.

16 So this table is the balance for Prop 84. This
17 is broke out by the various funding areas. The funding
18 area remaining balance, that is what's remaining after
19 round two. The second column from the right is the
20 maximum grant award for this drought solicitation, and
21 what that essentially is is 75 percent of the remaining
22 balance. What we're -- why we're capping it as 75
23 percent is so there's at least 25 percent remaining for
24 the solicitation that will be next year. And neither
25 one of those far right columns add up. So if you're

1 trying to up to do 2 million or 250 million, that's not
2 possible. This is just showing potentially it could be
3 the maximum amount awarded in the -- by a given funding
4 area within this solicitation, but there's \$200 million
5 available total.

6 -- so as far as submitting applications,
7 everything is electronic through our DWR grants page,
8 with the exception of we need one hard copy because we
9 need signatures for the following forms: The
10 acknowledgment form, AB 1420 self-cert form, water
11 metering self-cert form, and then the groundwater
12 management self-cert notification form.

13 So as I mentioned, the applications are due to
14 DWR by 5:00 on July 21st of 2014. And then I'm point of
15 contact, so if you have any questions you can call me or
16 you can e-mail to our general IRWM account, and then our
17 website actually has quite a bit of information as well
18 that you can follow that link.

19 So if you have any questions, please feel free.

20 MR. ROEHL: I'm Jim Roehl. We have been
21 working -- our job has been working with the
22 Tuolumne/Stanslaus IRWM for the last several years.
23 What we've -- this year we began the process of
24 submitting a package for IRWM, and for the drought
25 solicitation, and as we go through the process we

1 realize that we're required to complete CEQA for these
2 projects. Our tribe has -- the product is on trust land
3 and it brings up all sorts of tribal sovereignty issues.

4 Can you address that at all with CEQA to say
5 what is required, and all those things?

6 MR. WALLACE: Right. We get this question a
7 lot. Because property was for a state approved grant
8 program and these are state dollars we're talking about,
9 our legal has told us that CEQA is a requirement of that
10 program.

11 Plus because DWR is considered a responsible
12 agency under CEQA for any project that gets included in
13 the grant location package, there must be an element of
14 CEQA that we have to follow, otherwise, we'll be acting
15 in that responsible agency.

16 Any other questions?

17 MR. TAYLOR: Ernie Taylor. Keith, do you have
18 any idea when the next -- that final cycle will start
19 next year?

20 MR. WALLACE: Yes. So we have a draft
21 schedule, it's very draft, on our website right now and
22 it's going to -- we'll start releasing our draft
23 documents in probably spring of 2015.

24 MR. TAYLOR: Okay.

25 MR. GOODE: Ron Goode with North Mono tribe.

1 So if you have a project that falls within a
2 NEPA project area, do you still have to do the
3 CEQA aspect of it?

4 MR. WALLACE: That's correct. Yes, that's
5 correct.

6 MR. GOODE: Okay.

7 MR. WALLACE: Any other questions? Okay.

8 MR. MCGINNIS: I'm Mike McGinnis. I work for
9 the local self central regional office, and I'm going to
10 talk a little bit about the different groundwater
11 resources, what we're involved in. Sort of talk about
12 the current -- what's going on with what we can tell
13 through the droughts and the well data we've been
14 collecting, and then I want to talk a little bit more
15 about our groundwater basins in our region and how
16 there's a lot of wells that are outside of groundwater
17 basins that tend to be in these hard rock areas up in
18 the eastern foot hills and mountains. And then a little
19 bit about what the various water agencies like the
20 Groundwater Resources Association, the draft language
21 they've come up with for sustainable groundwater
22 management in California.

23 So first, the south central region, what we're
24 involved in, we collect a lot of well completion report
25 data that's required under the California Water Code.

1 We receive about 3000 well completion reports a year,
2 covering our 13 counties now in our region, we used to
3 have 11. And we got a library of historical well
4 completion reports, about 178 thousand, there should be
5 another zero in there, and then we respond to requests
6 for local assistance from water agencies, property
7 owners, pretty much anybody who wants to look for wells
8 on their property or within their area.

9 And if you do need to get ahold of, its kind of
10 hard to see, but if you want to find out more about how
11 to get your well completion reports, you can either go
12 to our web page, which I'll point out later, or you can
13 contact Chris Guevara at 230-3356, if you can't see that
14 far.

15 So these are typical well completion reports
16 that we receive from the drillers. Just a quick point
17 out, this is like the geological information. This area
18 will tell you the type of well. Down here it will tell
19 you the diameter and the depth of the well, and where
20 the perforations are located at, and it's kind of hard
21 to read, but, like, in this case, it looks like it's
22 perforated from 132 feet down there.

23 And you know, this is good information if you
24 don't -- if you have any kind of wells on your property,
25 either as a, you know, homeowner or as other

1 agricultural owner.

2 These are the type of things that people always
3 ask the questions about when they call us, "How deep is
4 my well? Is it deep enough, or is it below where the
5 water surface is now currently?" So if you don't have a
6 copy of a well on your property, you should contact us
7 and get one.

8 And then this is more about what I was talking
9 about, try to get this information if you can from your
10 well because if you have any problems with your water
11 supply, when you talk to me or one of our geologists,
12 it's always a good idea to have kind of an idea of what
13 your well duct is, and if you know the depth of the
14 water, where it's sealed at.

15 And then this is just an illustration of why
16 you need a good well seal. Currently under the water
17 code you are required to -- well at least under our well
18 standards, required to make sure that it has a seal down
19 through the first 20 feet. I think it's a little
20 further in some areas due to county regulations. And
21 this area shows what happens if you don't have a good
22 seal, you know, you can get water migrating from the
23 aquifer into a shallower aquifer, so you get kind of a
24 mixing in. You have pollution in the higher level, and
25 it will flow down the well and then the good aquifer

1 layer.

2 So then this is what we do. We collect a lot
3 of data from -- we have 1,800 wells approximately that
4 we measure throughout our south central region. Then we
5 collect data from local cooperating agencies, mostly
6 irrigation districts. And then from there we produce a
7 San Joaquin valley wide groundwater elevation contour
8 map every year, and then every five years we produce a
9 depth to water map.

10 And so this is just an example of, zoomed in on
11 our spring 2010 map, this shows the depth to groundwater
12 in the Tule groundwater basin there. And I'll show you
13 later, we have a good website that you can download
14 historical maps all the way back to 1953, I believe.

15 And then currently what's going on with
16 groundwater. We just released the regional report
17 grafts, if you haven't seen it, for the California Water
18 Plan. This was released in January, I believe, it was.
19 There's -- in each one of those, for the first time,
20 there's a really extensive section that talks about
21 groundwater in each region. This is really good
22 background information to read.

23 And then this is our website that I just showed
24 you the address for. It's kind of hard to see, but each
25 one of these are regional reports. If you're interested

1 in our area right now, you want the Tulare Lake region
2 report, if you're interested in the area from the San
3 Joaquin River to the Delta, that's the San Joaquin
4 region, and then there's the central coast region on
5 there, and each one of them is a PDF you can download.

6 And here's a little sample of what's in the
7 main report. Based on our water balances from 2005
8 through 2010, we try to figure out the actual water
9 demand in the state versus the water supplies, and right
10 now there's about -- on an annual basis we use about --
11 we apply about 16.5 million acre feet of water, and out
12 of that, ag uses 12.6 million acre feet, or 12 thousand
13 acre feet.

14 And then recently we've developed a groundwater
15 tool that we're working with with GIS, and we did some
16 estimates of how much storage change there was during
17 the period that is covered in the current regional
18 report, so if you add together what's in the Sacramento
19 region, river region, the San Joaquin River, and the
20 Tulare Lake, we estimate that, you know, there's some
21 water that gets recharged into the groundwater every
22 year, and so that's -- but overall there's a range of
23 minus five, minus 13 million acre feet that have been
24 pumped out of the groundwater storage there, and as you
25 can see, most of it is in this Tulare Lake region.

1 There's two estimates we did here. One is for
2 specific yield of .07, and one is for .17, so somewhere
3 in this range is where we think that the change of
4 storage is, and that was actually the 2008 water year so
5 far we've seen the most -- what we estimate the most
6 change in storage.

7 And then this is the best site to go to if you
8 want to get to all those other things I was talking
9 about, our groundwater maps, our information of CASGEM,
10 the groundwater basins, or if you want to figure out how
11 to get your well logged, this is a good starting place
12 right here.

13 And I knew this wouldn't come out too well, but
14 you want to look on this site here is where all the good
15 links are. There's a link for well completion reports.
16 How do I get my well completion report? There's a link
17 here that talks about CASGEM and it links to our water
18 library where you can look at individual well
19 measurements and hydro graphs.

20 This is our recent drought response groundwater
21 report that just came out, which we'll be talking about.
22 It talks about groundwater management plans over here
23 and some more information about the drought. All in one
24 nice convenient place here.

25 So this is the water data library link. You

1 can go in, you can put a place name. In this case I
2 used "Clovis." You click the "enter." It returns, zoom
3 in map, then you check this box here that says
4 "groundwater level," then you'll get a bunch of these
5 little dots here. Each one of these is where we had at
6 least one historic groundwater level management, so I
7 tried to find out that recent data and you click on the,
8 "view groundwater level data." When you see -- it pops
9 up when you click on the dot. That gives you a nice
10 hydrograph and a table of all the measurements we've
11 had, and this one goes back to 1974. You can kind of
12 see what's been happening long term, even through the --
13 even through the 2010 year was a little above average.
14 It's like a long term decline. And you can click this
15 button, and you can download it as a CSV file, which you
16 can convert into your own graphs or models or whatever
17 you want to do.

18 Also on that water information page there's an
19 interactive map of where the groundwater plans are in
20 the state. It's kind of hard to see, but they're kind
21 of olive green, that means they have an approved
22 groundwater plan that meets either SB1938 or AB3030.
23 This kind of a lighter color, which is kind of hard to
24 see on here, they don't have an approved groundwater
25 management plan yet, and each one of these areas is a

1 groundwater management agency. You can click somewhere
2 in each one of these regions, and you can get a link
3 that shows who's in charge of the groundwater management
4 plan, and then you can actually click right here and
5 download their groundwater management plan. So if you
6 want to read about what they've been doing, what their
7 plan is.

8 Okay. This is our recent drought groundwater
9 response report. It's forward slash water conditions,
10 all one word, and it takes you where you can download --
11 this report. I was talking about -- that was done for
12 all the regions within the state, and there's a lot of
13 figures and tables in there that talk about the current
14 groundwater situation.

15 And this is one of the maps that's in there.
16 This is a map of California, and we took a look at every
17 single well that we have in CASGEM, the measurements.
18 And we compared them from the spring 2008 to spring
19 2014. We took the lowest measurement from there and
20 compared it to the historically lowest measurement we
21 could find, which in some cases goes back to 1920s, and
22 then the areas that had a lower groundwater level now
23 than any point in history that we have measurements for,
24 we tagged them with these black dots, which are a little
25 easier to see on this map. So you can see there's a lot

1 of black dots in our Tulare Lake region here. Being
2 that the well measurements that we have from there are
3 lower than any other point we've measured them in the
4 past. There's some red dots which means they're only --
5 they're equivalent to what at least the lowest point was
6 in the past, but the black dots are a big concern in our
7 area.

8 And finally, I want to talk about the
9 groundwater basins and where you got areas that are
10 outside of groundwater basins, which would be the hard
11 rock wells and what the future groundwater management in
12 California is going to look like hopefully.

13 These are official groundwater basins from
14 bulletin 118, the areas in blue. You can see there's a
15 lot of areas up in the foothills that you can see that
16 we don't classify as groundwater basins. Those are
17 mainly hard rock carriers for groundwater wells.

18 But there are, in that area, you can see
19 there's a lot of small water systems. These tend to
20 serve communities 3000 people or less. They could serve
21 even as small as, say, four houses or something like
22 that, and most of these areas are reliant on hard rock
23 wells. And hard rock wells have a lot of challenges to
24 them.

25 With a normal alluvial basin, your water tends

1 to flow into this whole area from run off and recharge,
2 and so you have this whole bathtub full of water, I
3 guess you could call it, whereas when you get into the
4 -- on that upper right there, you can see this is where
5 you get these fractures up in the mountains there, and
6 so the water gets recharged into cracks and fractures in
7 geology so you have a lot less area, a lot less volume
8 you can store up there because of the limited number of
9 cracks and things up there.

10 So you can see there's a lot of times you can
11 get a really good well up in fractured rock areas, and
12 that's what you get on the left side here. You've got a
13 well that goes down, it intersects a lot of fractures or
14 cracks in the rocks so it's tending to get a lot of
15 volume from each one of those cracks.

16 This is kind of a bad well. It would have been
17 drilled down. A lot of times they drill it. They don't
18 hit any water. It's because you can -- there's no
19 fractures or cracks, if they're intersecting on the way
20 down.

21 And then on the far right you get these kind of
22 areas where you have a really shallow level of soil,
23 topsoil or aquifer on top of it, and so you're really
24 just pumping out of a really shallow aquifer. We don't
25 even consider a groundwater basin. And then you've got

1 the bedrock underneath it there. So if you are drilling
2 in areas like this, it's very important to hire somebody
3 that's worked in the area and has local experience
4 there.

5 And then finally, just recently, like I said,
6 the ACWA and the Groundwater Resources Association, they
7 all put in suggestions to Governor Brown on what we
8 should do in the future for sustainable groundwater
9 management, and I haven't memorized everything yet, but
10 ACWA stands for Association of California Water
11 Agencies. They're mainly the local irrigation
12 districts, the cities and -- cities mainly, and then,
13 like, the private water suppliers, I guess would you
14 call it. And then Groundwater Resources Association is
15 a membership there for groundwater professionals,
16 geologists, and engineers that specialize in
17 groundwater. And so they submitted all their comments
18 on what we should do in the future for sustainable
19 groundwater management, and right now it's in draft form
20 and they're trying to get it passed through the
21 legislature, but they recommended that we definitely
22 need some more sustainable groundwater management, and
23 the draft language says that the local agencies should
24 be given more authority, including monitoring individual
25 wells as needed, and actually allowing them to collect

1 more taxes or revenues to deal with groundwater
2 management. They suggest that we and other state
3 agencies provide more local assistance.

4 And then the interesting part is by 2020, if
5 the local groundwater agencies aren't following their
6 groundwater management plan that they came up with, and
7 showing that they're, you know, using sustainably the
8 groundwater, the State Water Resource Control Board can
9 actually come in and review any groundwater basins and
10 decide if their local agencies are actually following
11 the groundwater management plan or not. And if they're
12 not, then there's actually language where the State
13 Water Resource Control Board can come in and be
14 responsible for the groundwater management in the
15 groundwater basin there. But this is all draft right
16 now, so we'll see how it gets changed in the
17 legislature.

18 That's all I've got. There's my contact
19 information if you want to get ahold of me.

20 Any questions?

21 MR. ROEHL: Jim Roehl with the Tuolumne band of
22 Indians.

23 Does DWR have a lot of fractured well data like
24 you're talking about in the value, do you have a lot of
25 data for the foot hills area?

1 MR. MCGINNIS: We don't have a lot of
2 groundwater measurements up there. The way we usually
3 get groundwater measurements, in our case we typically
4 use ag wells. Most of the cities, like Clovis or
5 Fresno, they have their own municipal water department
6 that measures the wells, and we don't actually get their
7 data because lately there's been Homeland security
8 concerns about even displaying that kind of data, so
9 mainly we look for people who typically are in
10 irrigation districts, you know, they have their own
11 staff, they go out and measure a hundred wells. We
12 request the data from them. Once you get up into those
13 kind of hard rock areas, you know, a lot of those wells
14 are either those small water system ones who do actually
15 have to monitor them and send measurements to the
16 Department of Public Health, I think it is. And then
17 the rest of them tend to be, you know, small property
18 owners.

19 And a lot of times it's hard to get them to
20 cooperate with us and let us come onto their property to
21 measure their wells. And then you got the problem that
22 because of the way the fractures are up there, you know,
23 you may have two or three wells on one fracture, let's
24 say, but then what does that tell you overall except for
25 that real small areas that covered by the fracture.

1 You know, if people did measure their wells, we
2 would definitely add them to our CASGEM site, but we
3 don't have the staff right now to go out and, say,
4 measure, like, a sampling of all the wells up in the
5 hard rock areas there.

6 Any other questions?

7 Great. Thanks.

8 MR. TAYLOR: Good morning, again. My name is
9 Ernie Taylor, and I'm the regional coordinator for the
10 south central regional office. And as Paula mentioned,
11 there's four regional offices, and we've all been asked
12 to attend the county drought task force meetings that's
13 going on throughout the state. I think I have the most
14 in our area.

15 One of the things that I would like to point
16 out, the regional coordinator got together and we put
17 together some links that go to different drought
18 websites and different websites within agencies, and our
19 own agency, that had information that could be helpful
20 for people that are having impacts from the drought, and
21 I put a page back there on the back table, and this
22 particular page has all these different links, and it
23 also has things like links to what Keith was mentioning,
24 our IRWM program, and the drought expedited grant
25 program.

1 Also links to what Mike has been talking about
2 in the groundwater information, and then also the
3 California Water Plan. So if you didn't get a chance --
4 I came a little late, so if you didn't get a chance to
5 pick one of these up, I think it would be very helpful.
6 It also has the regional coordinator contacts on the
7 back of this as well.

8 So again, I've been tasked with attending a lot
9 of the drought task force meetings, and as you all know,
10 we're in a drought. The governor declared the drought
11 emergency on January 17th, and he's asked the --
12 directed the state officials to take necessary actions
13 to prepare for drought conditions, and called for a 20
14 percent reduction in our water use with the residents
15 and water agencies.

16 He also put together or directed folks to look
17 at our Save The Water campaign. It's -- that website is
18 actually listed on my page as well. And it's got a lot
19 of good information. If you have -- if you're
20 interested in learning about methods to conserve water
21 in your home, for example, or your businesses, there's a
22 lot of good educational information there, also for
23 kids.

24 Then if you wanted to pass that information
25 along, if you had a group of people that you wanted to

1 put that information out to, there's a tool kit that has
2 public service announcements as well, so it's a very
3 useful website.

4 The governor also directed state agencies to
5 use less water and to hire more fire fighters. I'm not
6 sure if they hired more fire fighters yet, but I know
7 the grass outside my office is getting really brown so
8 we are saving water. The emergency proclamation is
9 located -- and additional information is located on this
10 website here and I believe that's on the page as well.

11 Some of the key measures that the governor
12 proclaimed in his proclamation, one is directing local
13 water suppliers to immediately implement local water
14 shortage and contingency plans.

15 Ordering the State Water Resources Control
16 Board to consider petitions for consolidation of places
17 of use for state water project, Central Valley project,
18 which could streamline water transfers, exchanges
19 between water users. There's a lot of water transfers
20 going on. There's a number that are in process now.
21 There's a few that have also been approved.

22 One of those, for example, would be Tuolumne
23 county. They are working with the Chicken Ranch tribe
24 of Me-Wuk Indians, and they have put together a transfer
25 from south San Joaquin irrigation district from water

1 from I believe it's New Melones.

2 Number three, directing TBR and state board to
3 accelerate funding for projects that could break ground
4 this year and enhance water supplies. Again, this goes
5 back to what Keith was talking about in the IRWM
6 expedited funding.

7 And number four, ordering the state water board
8 to put water right's holders across the state on notice
9 that they may be directed to cease or reduce water
10 diversion based on water shortages.

11 Now, this has to do with curtailing some of the
12 junior water rights, and they've already done that back,
13 I believe, it's May 27th. The state board has curtailed
14 a number of watersheds rights. I've got a listing here
15 Mule Deer and Antelope Creeks, I believe that's north of
16 Marysville. Scott River watershed and Siskiyou county,
17 Sacramento and San Joaquin watersheds, and Russian River
18 watershed, as well. And there's actually been talk
19 about reviewing the senior water rights and potentially
20 curtailing some of those as well.

21 Some other aspects of the proclamation, number
22 five, the governor's asking the state board to consider
23 modifying water quality control plan rules that require
24 the release of water from reservoirs so that water may
25 be conserved and reservoirs can protect cold water

1 supplies for salmon, and maintain water supplies. Also
2 in directing the State Department of Public Health to
3 provide technical and financial assistance to
4 communities at risk of running out of drinking water.

5 The Department of Health has been doing a great
6 job. They normally work with the small communities and
7 small water systems throughout the state, and they're
8 providing funding to do various -- or to alleviate the
9 drought through various processes.

10 One just recently I heard about was the
11 community of Le Grande. They had three wells that were
12 no longer producing water and DPH is working on
13 rehabilitating or providing funds to rehabilitate those
14 wells and get that back on line. And again, there's
15 more information there on the drought website.

16 And also on March 3rd, Governor Brown signed
17 the \$687.4 million drought relief plan SB103, and SB104.
18 Both Paula and Keith had mentioned this and did a pretty
19 good job covering this, so maybe I can skip through some
20 of it.

21 The first one is, again, talking about Prop 180
22 and Prop 84 integrated regional water management and
23 some of the flood management. Again, I think Keith
24 mentioned 30 million for the greenhouse gas reduction
25 fund; again, 14 million for groundwater management that

1 was mentioned; 15 million from the state general fund to
2 address emergency water shortages due to drought. Okay.
3 This 15 million actually goes to the Department of
4 Public Health, and they -- I think they've already
5 allocated about 5 million of those funds to assisting
6 local communities, so that may run out pretty quickly.
7 I'm not sure whether or not they'll have another
8 proclamation, or perhaps they'll be able to move some of
9 that money around, but that's not going to last the
10 entire summer, I don't think.

11 Again there's also a couple of other ones here
12 I'll mention, going down to the 25.3 million from the
13 general fund to be deployed to maximize the potential
14 federal drought assistance for providing food to those
15 impacted by the drought. I believe that's being
16 directed through the Department of Social Services as
17 well as the 21 million from the general fund for housing
18 related assistance for those impacted by the drought.

19 So what happens is some folks have lost their
20 job or maybe their work time has been cut back, and
21 maybe they can't afford their rent or their mortgage
22 anymore, or they're having problems with putting food on
23 the table, so these funding sources have been also
24 issuing out food supplies and some funds to help them
25 make it through this period.

1 Again, the last one is a million dollars to
2 continue the Save Our Water public education campaign.

3 I mentioned the Department of Public Health
4 already. They're working close with local communities
5 and small water systems. What I mean by "small water
6 system" is 15 connections or more, and they have been
7 doing a pretty good job already.

8 So this is a map of the 20 counties that have
9 declared a drought emergency as of May 29. There's a
10 number of counties here in northern California that have
11 declared, and then a lot of counties here in this
12 central area. I'm covering most of these except Santa
13 Barbara and Inyo, so I believe it's about eight of
14 those. Here's a listing of them. And I'm covering
15 Kern, Kings, Madera, Mariposa, Merced, San Luis Obispo,
16 Tulare, and Tuolumne, as well. So there's eight
17 counties that declared emergency within our south
18 central regional office boundaries.

19 There are also six tribes that have declared a
20 state of emergency due to drought as well, Hoopa Valley,
21 Yurok Tribe, Tule River Tribe, Karuk Tribe, Sherwood
22 Valley Band of Pomo, and Yocha DeHe Wintun Nation.

23 A few more tidbits about the drought. As of
24 early June, there's approximately 56 water suppliers
25 that have adapted the -- or have adopted, rather,

1 mandatory water use restrictions. I think the highest
2 restriction that I've heard is in Tuolumne county where
3 they've reduced or they're asking for a reduction of 50
4 percent of their water supply. I believe Tuolumne
5 Utility District is asking for that.

6 There's other suppliers in that area, in that
7 county that are asking for 25 percent reduction, and
8 then there's a couple of -- there's a few counties here
9 that are in our area, Santa Cruz, Visalia, Modesto.
10 There's a number of other counties. There's 149 other
11 suppliers, rather, that have adopted voluntary water use
12 restrictions.

13 I don't know if you can -- it's kind of washed
14 out, but I think you can see it. This is our San
15 Joaquin precipitation five station index, and you take
16 precipitation numbers from these five stations here
17 within the San Joaquin River regional area, and we
18 accumulate those and graft those. If you look at this
19 map here, our wettest year, of course, was the '82, '83
20 year. I think it was 70 -- we have a list in here.
21 77.4 inches of rainfall. That was -- we had a lot of
22 floods that year. We had floods. I think Marysville
23 flooded. I think there's a number of floods on the
24 Sacramento and San Joaquin River as well. 2005, 2006,
25 we also had -- that was also a flood year. We did have

1 some floods. I know in the Delta we were watching it
2 very closely, and then on the San Joaquin River we were
3 as well.

4 Our average, and I'm not sure why they picked
5 this, but it's a 1956 to 2005 average. That is about
6 40.9 -- 40.8 inches of rainfall, and if we compare that
7 with some of the other lower ones here, 2012 and 2013,
8 it's only 26.6 inches of rainfall, and our lowest is
9 14.5. So we have -- 1924 -- '23, '24, was our lowest or
10 driest year, and this year to date we've only got 19.2
11 inches. Now, we don't really expect anymore rainfall or
12 at least any effective rainfall for the rest of the
13 year, so I think that's kind of what we're going to be
14 stuck with.

15 And then some reservoir conditions. Let's see,
16 we've got New Melones here on the Stanislaus River. I
17 believe it's 32 percent of capacity, which is a 2.4
18 million acre foot reservoir. It is pretty good size
19 reservoir, and right now it's sitting at about 774,000
20 acre feet. Don Pedro Reservoir in the Tuolumne River is
21 about half of capacity, so that's about a million acre
22 feet. That doesn't sound too bad. This actually is
23 Lake McClure, and that one is at about 300,000 acre
24 feet. Pine Flat is about 420,000 acre feet; and
25 Millerton Lake, that looks good, it looks like it's full,

1 but it's not, 61 percent and that's 317,000 acre feet.

2 Now, the problem with these numbers, normally
3 we get a bigger snow pack, and that snow pack will start
4 melting somewhere -- it will start melting somewhere in
5 May, I guess. It will continue to melt and add water to
6 our reservoirs over the course of two or three months so
7 it can extend out to July, maybe even August sometimes,
8 so right now we're pretty much stuck with what we've
9 got. There isn't a whole lot of snow up there and
10 there's not a lot of expected runoff from whatever is
11 left.

12 And finally, there's a couple of tidbits of
13 information here as well. There's a 30-month period,
14 from October 2011 to March 2014, was the driest 30-month
15 period state wide into the 1895 to 2014 record. And
16 like I said, the Sierra snow packs water equivalent on
17 June 9 was zero, so I think there's still some snow up
18 there and it's trickling in. A friend of mine told me
19 that Millerton was filling a little bit even now, but we
20 really can't expect a lot more as far as replenishing
21 these reservoirs for the rest of the year.

22 And then lastly, the National Weather Service
23 has increased the probability of an El Nino forming in
24 the fall to more than 80 percent. There's no strong
25 correlation of El Nino development above and above

1 normal precipitation for interior northern California or
2 the rest of the state as well.

3 And, essentially, what that's saying is that
4 they've looked at the statistics for El Nino. There's
5 different levels of El Nino. El Nino is the increased
6 or elevated sea surface temperature. And if it's a weak
7 El Nino, there's just a slight increase; a moderate,
8 medium El Nino, it's more; and then there's a strong El
9 Nino where we have even higher temperatures. And when
10 you look at the statistics, there's really no
11 correlation between an El Nino and a wet year in
12 anything but that last segment, the strong El Ninos. I
13 think 1982, '83 was a strong El Nino, and we've had a
14 few others, and they do relate to a good strong wet
15 season, but anything else, it's just all over the board.
16 There's really no correlation. We can't tell whether
17 it's going to be wet or dry.

18 So on that depressing news, I'm going to ask
19 for any questions, and hopefully I can answer you.

20 MS. LANDIS: I have a question on the El Nino.
21 You say that a strong El Nino has a high correlation
22 with a wet year. Is it 80 percent now? What do they
23 consider a high?

24 MR. TAYLOR: That's a great question, and I
25 think I missed explaining that. They are predicting --

1 they have an 80 percent prediction for a El Nino, but
2 their models are saying it's going to be either a weak
3 or moderate El Nino. So they do have some way to
4 predict whether it's going to be strong or not, but if
5 it does turn around, if it does become a strong El Nino,
6 then there might be -- we might be able to expect some
7 wet year or wet season coming up.

8 MR. HEILAND: And can I just add to that, the
9 strength of El Nino typically means to Southern
10 California that they get more rain than normal and the
11 stronger it becomes, the further north it goes. If it
12 becomes more northerly, it will hit on that plain.

13 MR. TAYLOR: Okay. Thank you.

14 MS. SELMON: Well, I think we're almost at a
15 good afternoon point here. I'm going to break with
16 tradition and not do a power point. I'll keep this
17 fairly brief. I know everybody is getting hungry, and I
18 can mainly refer to the handouts that you have in your
19 packet anyway. The climate change information will be
20 on the right-hand side towards the back.

21 And so just as a reminder, I'm Michelle Selmon.
22 I'm a senior environmental scientist and regional
23 climate change specialist for DWR based out of the
24 Fresno office, and I work with water managers and other
25 resource managers and scientists to understand what

1 climate change will mean for us in the future, what the
2 current impacts are, and how we can both adapt and
3 mitigate for climate change.

4 So one of my jobs is to work on the California
5 Water Plan, which you've heard just a little bit about
6 today. And I want to talk with you just a bit about the
7 progression of tribal involvement with the water plan
8 just briefly. Certainly not an expert on the subject,
9 but became most recently involved with the water plan
10 update 2013.

11 So the first accounting that I can get of real
12 significant tribal engagement with the water plan is
13 from the 2005 update, when tribal representation
14 appeared on the public advisory committee, which helps
15 to provide public input and concerns for the water plan.

16 In 2009, the engagement level really ratched it
17 up quite a bit and the tribal communication's committee
18 was formed, and they convened to advise DWR on how to
19 better communicate with 160 plus Native American tribes
20 in California. And that committee developed a
21 communications plan with recommendations that were
22 included in the update 2009.

23 At that point the tribal members that were
24 involved with that committee wanted to take the next
25 step with tribal engagement, and formed a planning team

1 that organized the 2009 California Water Summit. A lot
2 of recommendations came out of that water summit, and an
3 implementation plan has been developed and all of that
4 information fed into the water plan update 2013, which
5 is where I kind of came in.

6 And my role, and the role of my counter parts,
7 the other regional climate change specialist, is to
8 incorporate climate change all throughout the water
9 plan, so in all the region reports and also the resource
10 management strategies.

11 And so because of our involvement with the
12 water plan, my counterparts, the other regional
13 specialists and I, were invited to attend the 2013
14 Tribal Water Summit, which is the follow up to the 2009
15 event. And so that was really the first time we had
16 exposure to tribes and traditional ecological knowledge,
17 in particular. And it was a really eye opening
18 experience for all of us. We all kind of came away with
19 this renewed or brand new sense of awareness of what
20 tribes have to offer not just for water management, but
21 a broader resource management.

22 So I wanted to point out that the proceedings
23 for the water submit, 2013 Water Submit, are available,
24 and that's one of the handouts in your packet there, and
25 you can go -- this is just the cover page. Obviously,

1 you can go right here to, I'm sure
2 WWW.WATERPLAN.WATER.CA.GOV/TRIBAL/TWS/2013, and you can
3 see what the speakers at the summit spoke about. This
4 is the experience that we all had in going to understand
5 not just traditional ecological knowledge, but also
6 about indigenous rights to water and water management
7 and land use issues. Those were pretty much the three
8 themes of the summit. You can take a look at those
9 proceedings, and also what came out of the proceedings,
10 which included guiding principals and some goals for
11 implementation and an implementation plan. All that can
12 be obtained off the website.

13 This is not in your packet, but I'm just going
14 to refer to it briefly. Because one of the goals of the
15 implementation plan, is so that tribes and state
16 agencies work together to develop strategies and
17 approaches that better incorporate traditional
18 ecological knowledge into water and water resource
19 planning and management activities.

20 And so when I read through that it struck me
21 that, you know, certainly DWR internally can make good
22 strides in achieving that goal and making progress on
23 that. And Emily Alejandrino is coordinating an internal
24 DWR tribal team to tackle some of the goals of the
25 implementation plan.

1 But this one about TEK, in particular, struck
2 me because I'm also involved with another effort as the
3 Department of Water Resources representative on
4 something called the Landscape Conservation
5 Cooperative. In particular, the California Landscape
6 Cooperate or LLC. So I don't have to say that ten more
7 times, I'll refer to it as the California LCC.

8 And essentially, it's a management science
9 partnership made up of state and federal agency, NGOs
10 and tribes to inform and promote integrated science,
11 natural resources management and conservation in an
12 attempt to address the impacts of climate change and
13 other stressors across the landscape. So taking a broad
14 scale approach trying to link together all these state,
15 federal, and policy programs on climate change and take
16 that land scale level vision.

17 And as I mentioned, there is a role for tribes,
18 obviously, on this effort. There's a steering committee
19 comprised of 16 agencies, state, federal, and NGOs, so
20 not all agencies, and university. We also engage with
21 the southwest climate science center.

22 So really where this comes back to relevance
23 for today is that tribal seat on the steering committee,
24 which is currently unfilled, and we know that's a
25 problem. The LCC was established in 2009. There was an

1 initial engagement effort for tribes for the
2 introductory launch meetings for the LCC, and
3 essentially, the leadership of the LCC followed the
4 standard method that agencies use, which is to send a
5 form letter to the heads of the state and federally
6 recognized tribes. Well, that didn't really result in a
7 whole lot of engagement. I think one person was able to
8 attend one of the two launch meetings and really didn't
9 even stay the whole time, and it's very possible that
10 the reason was a lack of funding to get there, which is
11 something that we're now realizing that might have been
12 one of the issues.

13 So suffice it to say, that for a few years
14 there the California LCC basically focused on
15 housekeeping issues, getting a charter in place, and a
16 strategic plan and a science management plan, and all
17 along knowing we've really got to get tribes engaged.

18 So coming back to my experience with the Tribal
19 Water Summit, I realized here's an opportunity to bring
20 in tribes to the California LCC. DWR has already done a
21 lot of the work of bringing the interested parties to
22 the table and working through some of the sticky issues
23 that were necessary in order to move forward. And so
24 what we're trying to do is build upon the California
25 Water Plan Tribal Advisory Committee process.

1 And so I can refer you then to the second
2 handout, or at least it's within the mix there, which is
3 the California LCC Tribal Engagement Form. Any tribal
4 members in the room, I would encourage you to take a
5 look at this. This is our one-page handout, which is an
6 attempt to capture you and bring you into the process.

7 My contact information is at the bottom of the
8 first page. You can send me an e-mail or give me a
9 call. And what -- essentially, we are still undergoing
10 a process of figuring out who will be the steering
11 committee member, and there's a subcommittee that has
12 been formed, a tribal TEK subcommittee. Those are the
13 people that will inform the steering committee member
14 once that person is selected, so what I'm trying to do
15 right now is round up some people for this steering or
16 the subcommittee rather, so that you can have a voice in
17 the priorities and the actions and the process for the
18 California LCC. We have about 15, maybe I'm
19 overstating, maybe about 12 members right now, and we'd
20 like to grow it exponentially, if possible, and bring in
21 a lot more tribal members.

22 So you can see that there's some examples of
23 tribal involvement with some of the other LCCs, the
24 north Pacific has been really on the ball with this
25 issue. They have a -- they funded a number of projects

1 last fiscal year, and I'd like to see that same thing
2 happen here for the California LCC Tribal Climate
3 Allocation Project, and whatever else needs to be done,
4 and more than funding because there's some funding
5 available, but more than anything it's about support.

6 Another handout that you'll see in there
7 related to the California LCC is really for the tribal
8 members in the room, and this is soliciting your input
9 on a work shop that we'll be holding this fall. It's
10 scheduled for September 2014. It's a joint effort with
11 the California LCC and DWR.

12 The point is really to educate agency staff,
13 high level steering, the folks that are on the steering
14 committee for the LCC, and the decision makers within
15 their agencies that will potentially, hopefully, support
16 projects related to tribes in the future.

17 So this workshop is the TEK training, because
18 very few state agencies or federal agency folks really
19 know what TEK is. They're in the same boat that I was
20 and my colleagues were as of last April when we went to
21 the Tribal Water Summit. And if we can get them to have
22 that sort of "uh-huh" moment about the value of
23 traditional knowledge and how it can be used in resource
24 conservation, we can gather support for the future.

25 So planning process is under way still,

1 although as I said, we do have a date. It's going to be
2 in Sacramento at Sac State campus on the 23rd of
3 September. If you've like to provide some input into
4 the agenda, which is still in draft form, you can fill
5 out this form and leave it with Emily Alejandrino today,
6 or send me an e-mail with responses to these questions.
7 That's all fine. And also, you know, if you're
8 interested in even just beyond this workshop,
9 participating in the subcommittee, please let me know
10 and I'd be happy to add you to the list.

11 One final thing in terms of resources that the
12 DWR climate team is producing for tribes. I'd like to
13 just direct you to this one last resource that's in the
14 back right-hand side of your packet. And it's called a
15 Potential Climate Change Vulnerability Matrix, and it
16 also has some adaptation strategies.

17 This is something we developed for water
18 managers in general. We got some feedback from tribal
19 folks that it would be helpful to have something that's
20 more tribal specific, so that's where this has been
21 developed.

22 There's information on the website at the
23 bottom in case you'd like an electronic copy, and if you
24 have any questions you can always use me, your regional
25 climate change specialist person, for the resource.

1 That's it.

2 Are there any questions?

3 Yes.

4 MR. ALDERN: My name is Jared Aldern, and
5 Michelle, this is great. The adaptation strategies
6 table here, and, in particular, I see in several places
7 that a strategy would be to promote traditional
8 practices to restore traditional landscapes.

9 And you mentioned funding, where is the funding
10 to -- for restoration and all the other strategies that
11 you suggest here?

12 MS. SELMON: I think that's an excellent
13 question, and I don't really have the answer right now,
14 but that's one of the things that the subcommittee will
15 work on, is identifying sources of funding and putting
16 that in an easily accessible place for tribes in helping
17 tribes with projects in mind to link up with the
18 appropriate sources of funding because the LCC didn't do
19 everything. There will definitely be some funds for
20 tribes, but there will always be more work to be done
21 than we can fund through the California LCC, and so
22 identifying the other sources of funding and making sure
23 that people are aware of the deadlines and perhaps even
24 providing technical support to write the grants, that
25 sort of a thing, that could all be part of what the

1 California LCC or DWR can provide, but then beyond that
2 we've got to find other funding.

3 MS. AGUSTINEZ: I'd like to add to that that
4 this workshop is really groundbreaking and the first
5 that's happening here in California, and the reason why
6 it's going to be an audience of our decision makers, is
7 to open up those types of avenues of fundings because
8 even just talking about tribal knowledge and tribal
9 knowledge systems, it's, you know -- as traditional
10 people, we know it's there, but to get it to the page on
11 publications, to get it to the water action plans and
12 these other things, if we're not training our
13 executives, we're not going to see it get done and
14 that's going to open up funding, so that's actually a
15 really good question.

16 If you can mark that on the survey sheet, what
17 part of the workshop would be presenting that funding
18 source, I think that would be a really great topic of
19 discussion.

20 MS. SELMON: It would, and if nothing else we
21 can have a table -- in fact, we even talked about this,
22 having a table with funding information and we could
23 maybe even capture additional information that attendees
24 might have that we don't already know about. We'll work
25 on that as part of the process.

1 MS. LANDIS: This is our last presentation
2 before lunch break.

3 MS. WAIT: Good afternoon, I'm Jackie Wait.
4 I'm representing the Division of Environmental Services.

5 Division of Environmental Services helps the
6 Department of Water Resources comply with state and
7 federal environmental rules that affect the state water
8 project, both in the operations and in the water
9 management programs.

10 This is achieved by coordinating increasingly
11 complex environmental litigation, documentation,
12 monitoring, and recording responsibilities required of
13 the department.

14 Division experts negotiate solutions and
15 develop strategies to avoid or reduce adverse effects on
16 the environment that could result from water management
17 activities. And such things as the development of
18 criteria for fish protected facilities.

19 There's a wide variety of fish, avian, and
20 wildlife studies that are conducted, many of which
21 include the more ecological sensitive Sacramento/San
22 Joaquin Delta.

23 The mission of the Division of Environmental
24 Services is to provide complex scientific and
25 environmental analysis, monitoring and documentation to

1 support management of California's water resources while
2 protecting, restoring, and enhancing the natural and
3 human environments. And this is very similar to the
4 Department of Water Resources overall mission. Through
5 environmental stewardship, the department is making a
6 difference.

7 The organization of the Division of
8 Environmental Services is kind of outlined by this
9 chart, which shows the offices and branches of the
10 division. The division chief is Dean Messer, and he's
11 supported by an administrative and program control
12 section, which provides a variety of business services
13 to the division staff.

14 There on the left, DHCCP stands for the Delta
15 Habitat Conservation and Conveyance Program, and it's
16 tied to the Bay Delta Conservation Plan or BDCP.

17 There's two major offices within the DES,
18 there's the Office of Water Quality, which contains the
19 environmental water quality and studies branch, and the
20 municipal water quality program branch, as well as the
21 Bryte Chemical Laboratory. This laboratory was
22 established in 1951 and has maintained certification by
23 the Environmental Protection Agency, as well as the
24 California Department of Health Services for water
25 analysis since 1978.

1 The Environmental Planning and Information
2 Branch and the Regulatory Compliance Branch are under
3 the division chief, and then there's the Office of
4 Environmental Compliance, which contains the branch that
5 my section is in. And the three branches in the Office
6 of Environmental Compliance are environmental compliance
7 and evaluation, ecological studies and mitigation, and
8 restoration. And this office also has a geographical
9 information systems support.

10 So the head of the Office of Environmental
11 Compliance is Heidi Rooks, and the mission of this
12 office is to protect the quality of the state's
13 environmental resources by complying with applicable
14 laws, regulations and permits, restoring, maintaining
15 and enhancing habitat, and mitigating impacts associated
16 with the operation of the state water project that could
17 occur on the natural environment.

18 And then the branch line of focus on is the
19 Environmental Compliance and Evaluation Branch, which is
20 headed by Gail Kuenster. The Environmental Compliance
21 and Evaluation Branch provides environmental compliance
22 and review services to the department and other state
23 and federal agencies. The branch prepares, coordinates,
24 and executes environmental documents for the
25 department's continuing operation and maintenance, and

1 new facilities construction in support of the state
2 water project.

3 Clinical work activities include working on the
4 BDCP EIR/EIS, doing environmental service, federal
5 energy regulatory commission relicensing of the Oroville
6 facilities, and North Bay Aqueduct intake of the state
7 water project, Fullerton 160, which is the state water
8 plan, and then Delta Field Division Maintenance
9 Projects.

10 This office also provides comprehensive
11 environmental compliance services including
12 environmental review, permitting and compliance
13 monitoring, biological assessments and field surveys,
14 cultural and historical resources, identification and
15 protection, wetlands delineation, and ecosystem
16 restoration, mitigation, habitat conservation banking,
17 phase 1 and phase 2 environmental site assessments, site
18 remediation, and hazardous materials management,
19 multi-media sampling and analysis.

20 I'm not going to read this entire list, but as
21 you can see there's a long list of classifications and
22 we have a very diverse multi disciplinary staff.

23 The department's wetland coordinator, cultural
24 resources/historical resources coordinator, and the
25 environmental site assessment program reside within the

1 Environmental Compliance and Evaluation Branch.

2 The branch consists of four sections, cultural,
3 recreation, and environmental planning; environmental
4 plan assessment; environmental studies and compliance;
5 and special projects coordination.

6 The cultural, recreation and environmental
7 planning section undertakes a broad range of tasks
8 required under various environmental laws and
9 regulations. It is responsible for overseeing all
10 department activities pertaining to or affecting
11 cultural resources and recreational opportunities in
12 compliance with CEQA and NEPA guidelines.

13 Other cultural resources and responsibilities
14 include coordination with Native American communities,
15 archeological surveys for projects from all divisions
16 within the department, and assistance in the preparation
17 of environmental compliance documents. As well as
18 document review for local and other state agencies.

19 And as I mentioned this is the section that I'm
20 the supervisor of and we work with Native American
21 communities on projects on a staff-to-staff level. So
22 when there is a project that the department is proposing
23 that we're involved in the cultural resources review,
24 we'll do initial outreach to the local Native American
25 community giving them information about the project,

1 asking them if they have any questions or concerns, and
2 then they're invited to participate in the entire
3 cultural review process, which could include actually
4 visiting the project site with one of my staff, and
5 three archaeologists.

6 Recreational related activities include
7 technical assistance on fishery issues at the state
8 water projects upper bed river facilities, contractual
9 issues related to the ---* program, and
10 coordinating current section activities with the
11 department state wide recreation planning and
12 implementation program.

13 Then the site assessment section provides
14 comprehensive environmental assessment, property
15 assessment, and hazardous materials management services
16 within the department.

17 The mission of this section is to ensure the
18 department's continued compliance with applicable state,
19 federal, and local and environmental laws and
20 regulations to support the project -- department's
21 projects and work activities for the protection and
22 restoration of the state's ecosystems, and to minimize
23 the department's liability for hazardous substance
24 contamination and remitigation.

25 The environmental site section consists of a

1 multi disciplinary team of environmental professionals
2 responsible for performing or delivering a wide range of
3 client based services, including biological assessments,
4 compliance monitoring, environmental permitting, field
5 surveys, hazardous materials management, multi media
6 environmental sampling and analysis, CEQA review, phase
7 1 and phase 2 site assessment, and site clean up and
8 recommendation.

9 The environmental studies and compliance
10 section provides environmental clearances for
11 departmental projects, as well as the operation and
12 maintenance for the field division.

13 The environmental document review and oversight
14 is another core activity of this section. Individual
15 expertise in herpetology, most notably the red-legged
16 frog and the giant garter snake, provides the department
17 relief for these threatened and endangered species.
18 This section is a lead on oversight for environmental
19 documentation and for relicensing of the Oroville Dam,
20 CEQA NEPA process.

21 And then the last section is special project
22 section, which provides specialized expertise and
23 assists with policy development and guidance on both
24 wetlands management and restoration, and ecological
25 functions as they relate to the department's activities.

1 Within the section is the department's wetlands
2 restoration coordinator and the recreation and wildlife
3 resources advisor for ecological issues.

4 The wetland's restoration coordinator consults
5 with and assists department management to formulate and
6 implement wetlands, wildlife recreation, and land use
7 policies and practices. The coordinator works with the
8 department inter and intra agency committees and working
9 groups, regarding wetlands and land policy, together
10 with wildlife and recreation activities.

11 Opportunities for wetlands restoration and
12 enhancement are identified by the coordinator through
13 the tracking and evaluation of developmental programs.

14 The recreation and wildlife resource's advisor
15 assists with the development of departmental policy as
16 it pertains to a variety of ecological issues related to
17 programs in the department. Staff has the lead in the
18 development of the environmental water use component of
19 the state water plan.

20 We have a handful of offices that are spread
21 throughout the northern part of the state. The Division
22 of Environmental Services is headquartered in west
23 Sacramento; the BDCP/DHCCP office is located in downtown
24 Sacramento; the Feather River program resides in
25 Oroville; the Bryte Laboratory is in west Sacramento;

1 and there's a future facility to be located in Rio
2 Vista, which is the Rio Vista Estuarine Research
3 Station, and that would be in the Sacramento/San Joaquin
4 Delta.

5 The DWR is committed to protect, restore, and
6 enhance the environment as it implements its decisions
7 that address current and future demands on water
8 resource and flood protection throughout California.

9 For more information regarding the Division of
10 environmental Services programs, please visit our
11 website at www.water.ca.gov/environmentalservices.

12 And we have a short survey on the back table
13 just asking how you would like for the department to
14 communicate with you as far as involving cultural
15 resources.

16 And other than that, any questions?

17 MS. AGUSTINEZ: Well, thank you very much.

18 As you see, the purpose was to provide to
19 you -- introduce you to staff in our department that
20 handle these various divisions in the Department of
21 Water Resources.

22 Before we break for lunch, there is additional
23 information in your big package of materials, are these
24 questionnaire forms, question/comment forms. So if you
25 have any particular questions that you'd like to leave

1 with us, how we can -- any suggestions or comments or
2 anything specific to a particular program, just go ahead
3 and bring it up, or leave it with anybody here. If
4 you're doing that during the lunch hour you have some
5 comments or thoughts.

6 I'd like to suggest we break for lunch and add
7 some time to the lunch. I believe most of you may know
8 the general area but, Sophia, if you wouldn't mind just
9 to suggest what we have in the lunch area here, and our
10 lunch now from 12:30 -- we'll add 15 minutes and resume
11 back at about 1:45ish.

12 (Lunch recess.)

13 MS. LANDIS: Thank you everyone for coming
14 back. This morning I think was good. Hopefully you
15 benefited from hearing a lot about what the department
16 is doing, and efforts to engage with the tribes and
17 programs where you may want to engage with us.

18 This afternoon is just really going to be very
19 informal. There's some suggested topics here, but
20 certainly we want to hear anything that you have to say,
21 and we'll hopefully be able to answer questions that you
22 might have, and if we can't, we'll find out who can and
23 get back to you.

24 So I'll turn it over to Anecita, and she wants
25 to make some remarks to get the dialogue going.

1 MS. AGUSTINEZ: Thank you. I know we have a
2 few of our tribal committee members here, and some of
3 you are representing your tribal government, and most
4 likely you're going back and reporting on the
5 information here so we do want to mention that -- just
6 reiterating for the morning, that the transcript will be
7 available in a few days, probably maybe within a week at
8 the most, of today's topics, and you'll also access the
9 last two consultations that were the benefit of the
10 Central Valley tribes, I mean, the Sacramento tribes and
11 northern tribes, that you can also take a look at those
12 transcripts and everything is on the websites, the power
13 point presentations as well. So we have your check-in
14 information, and we can send that to all of you. And if
15 there's anything in particular you wanted something
16 additional of we can send it to you.

17 I'm hoping you're taking advantage of the table
18 back there. That's a diskette of BDCP that contains all
19 the documents on there, on the plan, so as much
20 information as we could provide to you.

21 As you're looking at the public comment period,
22 and you're needing other technical reviews with the
23 fishery aspects or the technical -- other technical
24 aspects, we can also provide you that information as
25 well.

1 But this is an opportunity for an open
2 discussion. I'd like to hear back in terms of did you
3 find that the morning portion was of relevance or
4 importance. We try to make sure that you understand
5 what the Department of Water Resources does in
6 relationship to what you hear from other agencies like
7 CAL EPA and State Water Resources Control Board.

8 If you don't mind, we're open for questions
9 from anybody here if you'd like to -- I'm sorry. We
10 don't have a -- do we have a wireless mic? So Rebecca
11 has the mic, so if you could let her know if you have
12 any questions, and state your name for the record for
13 us, please.

14 I don't see Chairman Goode here. I'm hoping
15 he's coming back.

16 To get us started, if you don't mind, I'd like
17 to maybe turn the tables on our audience here. Could
18 you just tell us, you know, your names again and a
19 little bit about your tribe or where you're located from
20 here.

21 I know Tule River, you've declared a drought.
22 If there's any particular issues that's happening there.
23 I do have a website or a document to share about drought
24 monies available through FEMA.

25 And so, Rebecca, if you don't mind, it's to our

1 benefit of understanding a little bit more about your
2 tribe, where you're located and any particular issues.
3 Thank you.

4 MS. McDARMENT: Okay. My name is Charmaine
5 McDarment. I'm with the Tule River tribe. We're
6 located about two hours southeast of here, or about
7 halfway between Fresno and Bakersfield but up in the
8 mountains.

9 Our reservation ranges in elevation from 900
10 feet to 7,500. The south fork of the Tule River runs
11 directly through the reservation.

12 One of the biggest issues that we have this
13 year is because of the drought, lack of storage for
14 water. We have, I believe, about three different water
15 systems on the reservation and depending on where they
16 are, the water source varies.

17 The main community system is fed by the river
18 and also springs, and then we have several wells on the
19 reservation that go out to tanks that go out to
20 individual homes.

21 Our well levels, just like pretty much
22 everywhere in California, are dropping. There's only a
23 certain distance we can drop pumps down into those wells
24 before there's no more water.

25 Our springs are drying up. The river, I

1 checked it yesterday, I think it's at 1 CFS, which is
2 probably normally it's that low at the end of July,
3 August, September time frame. So a lot of our -- well,
4 homes on the reservation have started running out of
5 water in different spots. We anticipate even more so as
6 we get into the summer months. More people will run out
7 of water because we really haven't had a problem with
8 the springs drying up and the river being as low as it
9 is in the past.

10 In addition to that, we are meeting and
11 speaking with our representatives because we have
12 negotiated a settlement agreement with the downstream
13 users, and we're trying to get legislation passed to
14 study whether it's feasible or not to put a storage dam
15 or some sort of storage on the reservation to be able to
16 put our water right to use, but I guess that brings up
17 one question.

18 We signed an agreement in 2007, but prior to
19 that we really had no state involvement in coming to the
20 terms of that agreement, and I was just wondering does
21 the state have any plans to be more active in Indian
22 water right settlement negotiations, or is that
23 something that you're just going to leave to the feds?

24 MS. LANDIS: I cannot answer that question on
25 behalf of the state, but I can point out that the

1 Department of Water Resources does not handle water
2 rights, that's the State Water Resource Control Board,
3 who are not represented here today, and I, as I said,
4 have not heard one way or the other if they're going to
5 be more active in tribal water rights or not.

6 MS. AGUSTINEZ: They've been requested and it's
7 come up because of the drought, and because we've had
8 six tribes declaring emergency drought declarations, and
9 now that we're doing curtailments, and also we're
10 dealing with, you know, the water transfers with senior
11 water rights.

12 The gentleman who's not here from Tuolumne,
13 they've done a significant water transfer to the benefit
14 of their community by utilizing their pre senior water
15 rights to the community, so it's for the benefit of all
16 agencies to work together.

17 We obviously -- that does fall under the State
18 Water Resources Control Board, but there's an
19 intersection between DWR and State Water Resources
20 Control Board on drought because the Department of Water
21 Resources provides a lot of the management planning to
22 the unified command group, which is the governor's
23 drought task force, so anything -- all the planning and
24 utilization of those technical skills you saw today with
25 groundwater, all those planning reports, those are all

1 utilized a lot by State Water Resources Control Board.

2 The governor's tribal advisor is attempting to
3 put all those parties together to have the tribes be
4 able to speak to these agencies at one time. So those
5 monthly meetings are conducted by Cynthia Gomez' office,
6 and the office of California Office of Emergency
7 Services once a month. It's a state wide Webinar. The
8 next meeting is June 30th, so that will be a great
9 question to bring up there. Felicia Marquez will be on
10 that panel. We always have a State Water Resources
11 Control Board representative. We always have an Indian
12 Health Service, California Department of Public Health
13 FEMA Representation, California Office of Emergency
14 Services, and I sit on there representing DWR, but will
15 also have DWR representatives on our groundwater
16 planning, because groundwater is so essential for some
17 of the smaller, rural communities, and obviously a lot
18 of our tribal governments are around these areas, or
19 they might have some small water systems, and you're
20 really dependant upon surface water or groundwater, and
21 you're not tied to imported water or some other type of
22 water, so we really want to try to get those types of
23 questions available that way.

24 MS. LANDIS: That brings me to this --

25 MS. AGUSTINEZ: I was just sent an e-mail about

1 FEMA monies, and the purpose and advantage for a tribe
2 to declare an emergency through the drought, is it puts
3 you on not necessarily a watch list, but it allows your
4 local governments to know that you are on the drought
5 task force, that you have declared that emergency
6 services, and it encourages you to work locally with
7 your county resources, which is really where all your on
8 the ground information is going to come.

9 And FEMA just announced a \$63 million grant,
10 and it's called a pre disaster mitigation grant.
11 Applications are due in July. So everybody that's here,
12 I'll send you this e-mail, and it's \$250,000 for
13 multi-hazard planning, and what they're encouraging
14 groups to do is to -- if you don't have an emergency
15 response structure or a drought contingency plan in
16 place now, that's allowed for trying to develop that.

17 I do know that in our monthly drought
18 conference calls, we've, through the Indian Health
19 Service, have submitted to tribes the drought
20 contingency plan work template, and so that's from the
21 Indian Health Service so that they can monitor ground
22 wells and also try to put together what grants they have
23 through Indian Health Service for assisting with the
24 contaminated wells that might exist now as your water
25 supply gets more and more depleted.

1 But thank you for giving us that update.
2 Anymore communities can tell us a little bit about
3 something particular to your area?

4 MS. RED TOMAHAWK: Good afternoon, my name is
5 Judith Red Tomahawk, EPA director for Table Mountain
6 Rancheria.

7 We're just here to learn the different things
8 of what you have to offer, whether it's through grants
9 and water related resources.

10 We currently have wells on our rancheria and
11 also we truck water into the rancheria. So I'm just
12 glad to be here and learning more from all of you, and
13 hopefully be an e-mailing partner with you.

14 MS. AGUSTINEZ: Thank you. And I don't know if
15 Table Mountain participates in your county halls on
16 Monday, and also with our drought monthly calls. But
17 one advantage, again, of a drought declaration for your
18 tribe is that you can keep track of any drought related
19 expenses, and those drought related expenses even can go
20 predated to the governor's proclamation date of January
21 17th, and so if you committed services or personnel to
22 that, keeping track of that will assist you when
23 there's -- when you're having to declare whatever your
24 costs are.

25 Some of the drought emergencies that are being

1 declared now aren't claiming resources to say that there
2 is a potential for resources needed, but it will give
3 you some kind of template there to track what it is, and
4 you'll see how those numbers will start adding up. And
5 also it gives you a FEMA representative on the Pacific
6 region to also start engaging with you as they develop
7 their drought response. But thank you.

8 Do we have any other tribes represented here?
9 Thank you.

10 MS. McDONALD: My name is Christina McDonald
11 and I'm from the North Fork Rancheria. It's about one
12 hour that way.

13 I missed this morning's session, I had a
14 doctor's appointment, but I was just kind of wondering,
15 you know, when I came here earlier when you guys were at
16 lunch so I was looking around, and I was wondering on
17 this -- let's see, which one is it? That IRWM monies,
18 can you give us an example of what other tribes have
19 submitted through their water groups on what type of
20 projects they've been doing?

21 UNIDENTIFIED SPEAKER: So I did mention this
22 morning, but we know there are six, at least six
23 projects involving tribes that we funded so far through
24 Proposition 84 and Prop 50.

25 I can't recall off the top of my head the exact

1 project types, but I do know that they involve
2 groundwater wells, and other water supply projects, but
3 as to specifics, I'm not sure.

4 The program, in general, will fund -- well, we
5 have -- we've had two rounds of Prop 84 funding so far.
6 This year we have what's called our expedited drought
7 solicitation that is funded through the drought
8 legislation.

9 Starting next year, in 2015, we'll go back to
10 sort of our normal grant program cycle in terms of not
11 being quite as expedited. The drought solicitation
12 passed the restrictions on the types of projects that
13 have to be involved. They have to be involved with
14 drought preparedness, drinking water, safe keeping
15 water, water conservation programs, and then also
16 projects that help alleviate water quality or ecosystem
17 conflicts created by the drought.

18 Next year it will be a little bit more open,
19 but in general it's projects -- any type of project
20 related to water supply, water quality improvement,
21 restoration, flood management. I mean, almost any type
22 of water project you can imagine, we'll fund.

23 What I recommend you do is what -- you can
24 visit our website. I can give you that website. But
25 how you become eligible to apply for these funds is you

1 have to apply through an integrated regional water
2 management, actual region that's been recognized through
3 the department, so I recommend you contacting that
4 region's representative.

5 MS. McDONALD: Another question I had --

6 MS. LANDIS: I have a question for you related
7 to that.

8 Have you been involved with an IRWM group yet,
9 your tribe?

10 MS. McDONALD: Yes, we're involved with Madera
11 or signed in with those guys, and then I've also
12 attended some with the -- what is it? The Mariposa, I
13 think, upper Merced River.

14 Any I just wanted to also know as far as the
15 ratio of funding between tribes and non tribal groups,
16 what is that with these funds? Because I mean, it's
17 probably really a low, low percentage when we have
18 tribes that really need the funding, but it's so
19 competitive and hard to get, you know, compared to
20 people in the valley, you know. We're just as
21 disadvantaged as the farmers and people within the
22 agricultural community, so I'm just kind of wondering
23 what's that ratio.

24 MS. LANDIS: I don't know that we have numbers
25 that would say what percentage of the dollars go to

1 tribes. I do know that the original legislation that
2 we're working off of committed ten percent to
3 disadvantaged communities, so that was a given and that
4 was a requirement. There was no such requirement for
5 tribes. I sympathize with your having to compete with
6 other groups, and as you point out maybe some ag
7 interests, or urban interests, or something in the
8 valley may have a priority in terms of the DWR
9 management group of a tribe, and I'm sure that that has
10 happened, and because it's up to the group as a whole to
11 decide what the priorities are and submit their projects
12 in that order.

13 Then we hear people in the valley, the same
14 people you were saying having advantage, and they're
15 saying LA and Bay Area have an advantage. It's just a
16 series of everyone wanting to take a bite out of the
17 same apple, and there's only so much to go around.

18 MS. McDONALD: Yes. A little background with
19 our people is that, you know, we have some trust land,
20 but the majority of our people in the town of North Fork
21 live on what they call "public domain allotments" so
22 they're all private well water. We have one property
23 that's run off the county water system, and then a lot
24 of our people are down here in the valley. They live in
25 Fresno or Clovis, but some of the projects that we would

1 like to do is to open up the -- our forested areas as
2 part of, you know, getting that water to hit the ground
3 and recharging the system, so I was just wondering if
4 some of the tribes were out utilizing this money for
5 that. That's what I was curious because that's how our
6 area would really be impacted with a project like that.

7 So, like, right now, personally, I'm doing a
8 project through the USDA, National Resource Conservation
9 Service, to do wildlife habitat restoration and fuel
10 reduction. So my contract is for clearing like 19 acres
11 of forest within our property, and then with that
12 opening up, you know, whatever water we get, you know,
13 it's penetrating the ground, so I was just curious if,
14 you know, that was done more, that would probably really
15 help our area, and even the water and the other users
16 that are non tribal, you know, because it's all going to
17 affect our whole community. So anyway, it's just --

18 MS. LANDIS: I don't know that there's a
19 specific project like that. I do know there's a great
20 deal of interest in protecting and managing the upper
21 watersheds, things like meadow restoration and removal
22 of exotic species, particularly.

23 For example, on the Pit River, junipers are a
24 huge huge problem. So there is certainly a recognition
25 of the value of the upper watersheds, and there is a

1 Webinar coming up later this month. It's hosted by a
2 federal agency, I don't recall which one. It's
3 specifically dealing with this. I made a note and we'll
4 forward that to you.

5 MR. WALLACE: If I could interject real quick,
6 so the Madera region did submit a project in its round
7 one property for implementation application for,
8 basically, removal, and it's on US forest service land.
9 So there are projects in your area that we're working
10 on.

11 MR. TAYLOR: There's studies going on where
12 they're removing some of the forest trees, I think it's
13 called SAMP, which is Sierra Nevada -- I can't remember
14 what the other letters stand for, but it's SAMP, and
15 they're looking at clearing not, you know, clearing the
16 entire forest, but taking out some of the shrubs and
17 smaller trees, and opening up the forest some, and
18 they're studying the results of that as far as would
19 there be more infiltration? Would there be more run off
20 from this or a forest that they've done this to?

21 You know, trees take up a lot of water, so if
22 they clear some of those out then it will be less to
23 take up from the trees, so they are doing a study there.
24 I think there's actually two places, I think one is up
25 in Dinkey Creek area and the other is a little further

1 north.

2 MS. AGUSTINEZ: We'll definitely have some of
3 the information on which tribal projects have been
4 funded. That's a question that's come up. I've been
5 given the information, but I can't remember all the
6 particular details to that.

7 The north coast region, as you know, has been
8 pretty much one of the more successful programs that
9 have had tribal individuals on their regional planning
10 team, and on their technical advisory team, and that has
11 -- really is the purpose of the state wide IRWM is
12 regional planning that's centralized to the local level.

13 Unfortunately, it requires tribes to also have
14 to do another layer of going into your local region and
15 participating in these board meetings, becoming familiar
16 with their process, they become familiar with you, and
17 what your interests are and how the general -- your
18 local region can actually cooperate on projects. In a
19 sense, yes, you're competing with the other local
20 neighbors, but that's the program, so we have recognized
21 that.

22 One thing that we are looking at is in -- I've
23 been talking to our IRWM chief, is working with Bureau
24 of Indian Affairs. We've been approached by the Bureau
25 of Indian Affairs about their underutilized program due

1 to lack their own staffing capacity, but they have an
2 integrated water management program that they might be
3 able to -- we're looking at potential partnerships to
4 help something like your program, which might be a small
5 program that may not filter up through your region, but
6 it's very valid and importantly needed and there might
7 be that opportunity, so we'll definitely keep you all
8 informed on that as we try to see what we can do for the
9 next year of funding cycles. It will take about that
10 long, but it's definitely on the road to whatever we can
11 make work.

12 We talked a little bit earlier about the tribal
13 knowledge systems, and the TEK. Does anybody have any
14 comments on that from our communities here? And how you
15 might see a program like that work or what areas we
16 should take a look at because that gives us a chance to
17 be able to train some of our agencies. We're also
18 looking for suggestions, you know, topics as well as
19 speakers. I think we've really coming close to
20 finalizing an agenda, but it's not too late to make some
21 suggestions on that.

22 Well, thank you, guys. Is there any other --
23 more questions or discussion even on general comments
24 about as we work on our tribal consultation policy?

25 One of the reasons for going out to regions

1 such as this is to introduce you to our staff and the
2 people that we have here and we really just want to make
3 those connections, and it's a good way to say can we be
4 invited to see you? And so because we would love to do
5 that. I'm looking forward to my personal formal
6 requests and your invitations to meet with your tribal
7 counsels and share our consultation policy, which we
8 hope to have placed within the next 30 to 60 days.
9 We've been conducting meetings since August in
10 Developing our engagement.

11 In the packet you see the consultation policy
12 that is there from the California Natural Resources
13 Agency. That's the agency under which Department of
14 Water Resources resides. So our consultation policy
15 falls under that and, of course, the Natural Resources
16 Agency Consultation Policy is pursuant to the governor's
17 executive order B1011 that established the office of the
18 tribal advisor, who is in charge of all the state tribal
19 liaisons.

20 We meet monthly with Cynthia Gomez with all the
21 agency state liaisons, and with the different agencies,
22 for instance, Natural Resources, Public Health, and Fish
23 and Wildlife, and we all try to share information on our
24 developing policies, and so one of the main things is
25 trying to make sure that we go out to regions and to not

1 have tribes always come up to Sacramento, so we're --
2 one of the reasons we're happy to be here is to -- I do
3 note some of you, it's still a drive. Some of you
4 traveled just as far as we have, but we're doing our
5 best to get localized in centrally located areas.
6 Because I know, Tule, you drove about two and a half
7 hours as well. It's a big general area here so -- but
8 more than happy to come down to Table Mountain or to
9 Tule and North Fork.

10 Are there any particular questions on the Bay
11 Delta Conservation Plan that we have -- are any of your
12 tribes considering oral comment on the Bay Delta
13 Conservation Plan?

14 The other thing to consider about the Bay Delta
15 Conservation Plan is, as I mentioned earlier this
16 morning, you may not have heard it, our representative
17 from North Fork is -- we're looking at creating a
18 cultural advisory committee with tribes that are
19 interested in the Bay Delta as we go forward with
20 planning and working with our federal partners and
21 agencies so -- that's something that's never existed
22 within the department. We do have a tribal advisory
23 committee that works with our California Water Plan, and
24 as you know the California Water Plan was just recently
25 being published for the 2013 period. It gets revised

1 and updated every five years, so the tribal advisory
2 committee, their roles and duties will sunset this next
3 month in July. So we'll be actively recruiting a new
4 makeup of tribal advisory committee for the 2018
5 California Water Plan update. We're hoping that a lot
6 of our existing members who participated will continue
7 to want to serve in that capacity, and then we're also
8 looking to, you know, obtain more tribal members.

9 One of our tribal members that participated in
10 a tribal advisory committee sat on our public advisory
11 committee, which had never been done before, so what
12 we've seen really with the Department of Water Resources
13 in the last seven years has really been a good forward
14 progression of tribal engagement.

15 In the bigger picture it looks like small
16 steps, but I really do think they're very major for the
17 department as large as ours and the work that we're
18 doing, not only because it's work that we see, but what
19 was done with the tribal advisory committee and their
20 participation with the California Water Plan was really
21 really important.

22 One of the new things done was the creation of
23 a resource management strategy that appears as Chapter
24 30, and it's called Water and Culture, and it also was
25 developed as an outcome from the guideline and principals

1 from the 2013 California Water Summit and 2009 Tribal
2 Water Summit, where it was important to the tribes. One
3 of the priorities was tribal ecological knowledge and
4 why is water culture important to tribes, so the chapter
5 itself is a strategy plan for regional water managers
6 who actually now are the managers who sit on these IRWM
7 groups, so when you're trying to participate in your
8 local region, your managers, these water managers, they
9 rely upon the California Water Plan as a planning tool,
10 so that planning tool is now in their hands, they have a
11 good understanding of what water and culture means from
12 a tribal perspective so I think that's just really
13 groundbreaking in terms of something like that. So
14 tribal participation is so so important as we highlight
15 and document the work we're doing.

16 But I kind of wanted to say thank you.
17 Chairman Goode was really instrumental in really
18 advancing a lot of that through the years. He's worked
19 with our California Water Plan. And Emily Alejandrino
20 is back here and she's been really strong in the liaison
21 for that.

22 And as you saw at one of the earlier
23 presentations that we have tribal liaisons state wide.
24 I'm the tribal policy advisor in Sacramento, and I
25 report directly to our chief deputy director, Laura

1 King-Moon but you see that we have liaisons at each of
2 our regions throughout the state that are here at the
3 local level who try to make sure -- that are being able
4 to outreach to tribes, and so it's more than just one
5 person in our department committed to engaging tribal
6 engagements.

7 MS. LANDIS: And on the end of the table down
8 here is the tribal liaison for this part of the state,
9 and Sophia, you want to introduce yourself.

10 MS. FADAL: Hello, I'm Sofia Fadal. I'm an
11 environment scientist here at the regional office for
12 the DWR, and I'm also the newest liaison, two to three
13 months, but I still have a lot to learn, but I really
14 like learning about everything.

15 Before this meeting, I looked up a little bit
16 of information about Tule River and North Fork and Table
17 Mountain just by looking at your websites, and they're
18 very helpful and informative, to learn a little bit more
19 about our communities and history, so I thought that was
20 very helpful.

21 But I also do a lot of environmental permitting
22 and environmental surveys for the region, but I'm here
23 to learn and hopefully help in any way that I can, if
24 not me, personally, then connecting with the people or
25 the resources that can help you better. Thank you.

1 MS. LANDIS: Well, we appreciate your
2 participation today. Look forward to engaging you in
3 other dialogues, both via e-mail and in person, and
4 hopefully you got some information today that you can
5 take away and follow up on. I know I have. So thank
6 you again.

7 MS. AGUSTINEZ: And everyone have a safe trip
8 home and thank you for being here.

9 Do we have anymore orange folders? If you need
10 any extra orange folders to take back now would be a
11 good time to grab them because I think we have a few
12 extra if you think that would be of some value. Let us
13 know. Thank you.

14 (End of proceedings this date.)

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1 CERTIFICATE OF CERTIFIED SHORTHAND REPORTER

2

3 I, WENDY A. WESTFALL, a Certified Shorthand
4 Reporter of the State of California, do hereby certify:

5 That I am a disinterested person herein; that
6 the foregoing consultation meeting was reported in
7 shorthand by me, Wendy A. Westfall, a Certified
8 Shorthand Reporter of the State of California, and
9 thereafter transcribed into typewriting.

10 I further certify that I am not of counsel or
11 attorney for any of the parties to said meeting nor in
12 any way interested in outcome of said meeting.

13

14 IN WITNESS WHEREOF, I set my hand this.

15 2nd day of July, 2014.

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WENDY A. WESTFALL, CSR 11176

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