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STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

CALIFORNIA TRANSPORTATION PLAN 2040
TRIBAL LISTENING SESSION

REDDING RANCHERIA
MULTI-PURPOSE ROOM B
2000 REDDING RANCHERIA ROAD
REDDING, CA

THURSDAY, NOVEMBER 14, 2013
10:41 A.M - 2:46 P.M

By: Allen Rose
CSR No. 13753
Job No. 35818

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APPEARANCES

ELECTED OFFICIALS

David Gensaw, Sr., Councilman Yurok Tribe

CALTRANS

Pam Korte
Bruce De Terra
Kimberly Johnston-Dodds
Laurie Waters
Dave Moore
Joan Sollenberger
Kendee Vance
Bennie Lee
Austin Hicks
Steven Pendergast

Aaron Oliver, Cahto Tribe
Rob Krikorian, Redding Rancheria
Loren Norton, Hoopa Valley Tribe
Sandi Tripp, Karuk Tribe
Joe James, Yurok Tribe
Crista Stewart, Elk Valley Rancheria
Russel Burriel, Susanville Indian Rancheria
James Hayward, Redding Rancheria
Joe Myers, Chairman NAAC
Joey Silvas, Pit River Tribe
Herb Quinn, Pit River Tribe
Georgiena Vivian, VRPA Technologies

1 PROCEEDINGS

2 MR. HAYWARD: Welcome everyone. (In native
3 language), to my Pit River brothers. Welcome everybody
4 here. I'd like to do a little prayer for us to bring us
5 together today.

6 (Opening prayer.)

7 MS. WATERS: Thank you. So to give us a little
8 introduction and another welcome to everyone, this is Dave
9 Moore. He's the deputy district director at Caltrans
10 District 2 here. He's going to say a few words.

11 MR. MOORE: First off, I'd like to welcome
12 everybody here today to the Tribal Listening Session for
13 the California Transportation Plan development. I do want
14 to acknowledge a few people. James, thank you very much
15 for your opening.

16 I would like to thank the Redding Rancheria for
17 setting up this event for us and inviting us all here
18 today to sit here in their facility and host us. And Rob,
19 thank you for your efforts in putting that together. On
20 behalf of Caltrans, I'd like to welcome you all here
21 today. This is an important event for us, and we
22 appreciate Joe Myers with the Native American Advisory
23 Committee. For those of you that aren't familiar with it,
24 that's always an avenue to speak to Caltrans and bring
25 your issues forward.

1 First off, it's fitting that we have this
2 listening session this month here. This month is Native
3 American Heritage month. Also, given that many of us took
4 time out this week to honor our veterans, are there any
5 veterans in the room? Okay. I just want to thank any of
6 our veterans that were here today.

7 With that, I do want to go through a little bit
8 of housekeeping before we get started. Restrooms through
9 that way, somewhere beyond that door. There are
10 refreshments this morning back here in the back, so feel
11 free to get up and get a drink if you need it. This
12 morning we're going to have several presentations from
13 various Caltrans speakers here today to talk about
14 different elements of the plan and maybe help address some
15 of the comments that have come up.

16 This is the third listening session that we have
17 held across the state, and I think we're planning one or
18 two more after this. So they do kind of build on each
19 other. We're getting tribal input on what our
20 transportation plan should look like. These listening
21 sessions do build on each other, so we'll have those
22 presentations here. Hopefully, we'll get those done
23 around noonish, and regulatory we'll have lunch. After
24 lunch we'll have a dialogue and a more open discussion
25 with everyone. Feel free to ask any questions that come

1 up. I am sure the speakers will allow that.

2 The main idea is we're here to get outreach.
3 We're here to get your input. One of the first outcomes
4 of these listening sessions will be a fact sheet put
5 together of many of the issues raised and how that's going
6 to be incorporated into the transportation plan. And
7 there's far more experts than me here that can really
8 explain the process and what that plan is.

9 I'd like to go around and do some introductions.
10 As I said, my name is Dave Moore, and I am here
11 representing District 2. Our district rep couldn't be
12 here, so he wanted to be sure we provided a good welcome.
13 With that, we'll just start introductions. We'll start
14 down there with Bruce, and we'll just go around the room.

15 MR. DE TERRA: Hi, Bruce De Terra. I'm with
16 Caltrans at the headquarters. My office handles the
17 system, freight, and rail planning for the state. I'll be
18 talking about those three aspects. Thank you very much
19 for allowing us to be here.

20 MR. OLIVER: Aaron Oliver. I am here for the
21 Cahto Tribe, and I'm the Roads and Housing Director.

22 MR. KRIKORIAN: Good morning. Rob Krikorian, I'm
23 with Redding Rancheria, Public Works and Maintenance
24 Supervisor.

25 MR. HICKS: I'm Austin Hicks. I'm with Caltrans

1 in headquarters. I am staff that helps with the
2 California Transportation Plan.

3 MR. PEDERGAST: Steve Pedergast, also with
4 Caltrans located here in Redding. I'm the liaison for the
5 California Transportation Plan.

6 MS. VANCE: Kendee Vance, I am the District 2
7 Native American liaison and the CTP 2040 liaison.

8 MR. NORTON: I'm Loren Norton, Director of Hoopa
9 Valley Tribal Roads Department.

10 MS. TRIPP: I'm Sandi Tripp, Director of
11 Transportation for the Karuk Tribe.

12 MR. GENSAW: Dave Gensaw, Sr. I am a Councilman
13 for Yurok Tribe with the Requa Distric.

14 MR. JAMES: Good morning. Joe James,
15 Transportation Manager for the Yurok Tribe.

16 MS. STEWART: Good morning. Crista Stewart,
17 Director of Grants and Tribal Historic Preservation at Elk
18 Valley Rancheria.

19 MR. BURRIEL: Russ Burriel, Public Works Director
20 for the Susanville Indian Rancheria.

21 MR. HAYWARD: James Hayward. I am the Cultural
22 Resource Manager here at the Redding Rancheria. I am Pit
23 River, Wintu, and Yana Indian. And I am also a council
24 member thank you very much.

25 MR. MYERS: Good morning. My name is Joe Myers.

1 I am the NAAC Chair. I am also with the California-Nevada
2 TTAP, and I am the Director of the National Indian Justice
3 Center, and I'll let it go at that.

4 MS. SOLLENBERGER: Hello, I am Joan
5 Sollenberger. I am with Caltrans headquarters, and I am
6 with the Division of Traffic Operation. Formerly, I was
7 with the planning, and I was here about four years ago for
8 one of the last tribal trainings. So it's great to see
9 familiar faces again. I am happy to be here in the
10 capacity of safety.

11 MR. SILVAS: Joe Silvas, Project Manager for the
12 Pit River Tribe. I'm also a member of the Wailaki Tribe.

13 MR. QUINN: Herb Quinn, Pit River Tribe.

14 MS. WATERS: Laurie Waters, I am with Caltrans.

15 MS. KORTE: Pam Korte, I'm also with Caltrans
16 Sacramento office, and I'm the Chief of the Office of
17 State Planning.

18 MR. LEE: Bennie Lee with Caltrans headquarters,
19 Native American Liaison Branch within the Office of
20 Community Planning.

21 MS. JOHNSTON-DODDS: Good morning, I'm Kim
22 Johnston-Dodds at the Native American Liaison Branch in
23 Sacramento. And I'm just very pleased to have you all
24 here today, and I want to thank Redding Rancheria for
25 having us here. It's an honor to be hosted here on your

1 ancestral tribal lands. We're looking forward to hearing
2 your good words and your concerns and the wonderful things
3 you're doing in Indian lands.

4 MS. VIVIAN: I'm Georgiena Vivian. I'm
5 contracted with Caltrans for public outreach.

6 MR. MOORE: Welcome. I did forgot a little bit
7 of the logistics. We do have stenographer, so we're
8 taking down verbatim basically what is being said and that
9 will be kept for the record. So when you do speak, please
10 try to speak up loudly and have your name tag kind of
11 pointed to the stenographer so he can see your name and
12 keep track of the record here today.

13 I'd like to welcome all the tribes and your
14 representatives here today. I appreciate the time that
15 you've taken out today to be here to provide input to help
16 our process. With that, I'll turn it back over to Laurie.

17 MS. WATERS: Thank you, Dave. So I want to add
18 to what everyone has said how happy we are to be here, and
19 thank you so much Redding Rancheria for this. This is a
20 great room, great facility for us, and I know we'll have a
21 really good session today. Like David said, Allen is
22 taking everything down. Allen was the stenographer for
23 our last listening session, and he did a great job. We
24 really want to capture your input as fully as we can, so
25 that's why we're doing that.

1 So we hope that this is the start of a very
2 interesting and lively and very useful conversation that
3 we have with you as we go through the development of the
4 CTP and the other plans that we'll be talking about today.
5 So we're going to give some presentations in the morning,
6 and like Dave said, we're happy to do questions or
7 comments.

8 We want to keep it a very casual, open
9 environment. We want to try to get the presentations done
10 before lunch, get those out of the way, so they are going
11 to be fairly high level. Because of that, if you would
12 like more in-depth presentations on any of the plans, then
13 just ask and we'll try to accommodate that. We can come
14 just to your particular tribe or we've gone to other
15 meetings. Kimberly and I went to the Indian Manpower --
16 what's it called?

17 MS. JOHNSTON-DODDS: The California Indian
18 Manpower Consortium in the Eastern Sierra region in
19 Bishop.

20 MS. WATERS: So we'll go to meetings like that.
21 That's a good venue for us to come out and talk to tribal
22 groups too.

23 There's a lot of papers in your packet, so
24 hopefully I'll remember to explain what they are as we go
25 along. I'm here to talk about the CTP, the California

1 Transportation Plan, CTP 2040. And if you have no idea
2 what it is, it's the State's long-range transportation
3 plan. It's not just with Caltrans. It's for all of
4 transportation in California. It's the plan to meet our
5 future mobility needs. It will look out to 2040.

6 The CTP defines both policies and strategies to
7 achieve the collective vision for California's future
8 transportation system. It includes all the statewide
9 modal plans, which you'll hear more about, and then other
10 plans such as Joan's, the Strategic Highway Safety Plan.
11 And then it also builds on the regional plans, regional
12 transportation plans, as well as tribal transportation
13 plans.

14 So one of the things we want to hear from you is
15 how the CTP can be more useful to you in helping inform
16 your planning processes and vice versa. Also for the
17 first time for this CTP, we are going to be doing some
18 transportation modeling to analyze future transportation
19 scenarios. The currently adopted CTP looks like this:
20 This is CTP 2025. And then we did an addendum for 2030 to
21 address SAFETEA-LU, which was the last transportation bill
22 before MAP-21. The CTP has a minimum 20-year planning
23 horizon and is prepared in response to federal and state
24 requirements.

25 The more important question is why do we do the

1 CTP, and why should you care about it. How is it going to
2 help you, your families, your tribes. Why should you be
3 here today. It is long-range and mostly a policy plan,
4 but it's important because by being involved in the CTP,
5 the tribes can help inform the statewide transportation
6 policy framework. You can be part of the dialogue and
7 make sure tribal issues are included there. What I think
8 is the most important reason is that the CTP provides a
9 really great forum to raise important tribal issues.

10 For example, in this CTP one of the issues we
11 really want to try to get a handle on is how tribal
12 transportation projects are funded. It's confusing and
13 there seems to be a lot of issues with it, so we are going
14 to try to explain it, explain what the problems are, maybe
15 offer some ways it can be improved. The reason it's very
16 important to have that in the CTP is all of the regional
17 plans are supposed to look to the CTP and be consistent
18 with it, and vice versa, we're supposed to be consistent
19 with the regional plans.

20 The CTP is kind of this very top-level document
21 that all of the other transportation documents throughout
22 the state are supposed to look to, so these kinds of
23 issues really need to be in the CTP as a way to get them
24 serviced. Then like I said, the CTP gives direction to
25 the regional transportation plans, and then ultimately it

1 should guide transportation investments and decisions, so
2 it should inform projects. That would mean if there's a
3 project that's not consistent with the goals and the
4 policies in the CTP, it should not get funded. I am not
5 saying that never happens, but that's how it's supposed to
6 work. So the CTP is a very important document.

7 So like I said, it's being updated through the
8 2040 horizon, and it is due to the legislature in December
9 of 2015. It seems like a long way out, but it takes a
10 long time to get it written and developed.

11 This slide is supposed to kind of show the
12 coordination between the regional agencies. Kim was going
13 to help me on what regional agencies you should all be
14 working with now.

15 MS. JOHNSTON-DODDS: Over the last couple of
16 weeks, we have had some dialogue in different forums on
17 who are those either metropolitan planning organizations
18 or regional transportation planning agencies where the
19 different tribes have their lands or in those areas. So I
20 am looking at all the tribes that are here.

21 For the Cahto, I think that would be the
22 Mendocino Council of Governments. And then Redding --
23 maybe what I can do is the ones that I can readily figure
24 out, and then I can amend that. I think with Karuk it's
25 the Del Norte, and maybe Sandi can help me out?

1 MS. TRIPP: Actually, it's Humboldt and
2 Siskiyou.

3 MS. JOHNSTON-DODDS: Humboldt and Siskiyou, okay.
4 And then Susanville is the Lassen RTP. All of these for
5 all of the tribes in the room, they are the regional
6 transportation planning agencies. So those are a little
7 different animal than the metropolitan planning
8 organization. And Kende, you can help me out on these as
9 well.

10 MS. VANCE: For District 2, we have seven
11 counties and only one MPO. Shasta County is the only one
12 with an MPO. Metropolitan planning organization is based
13 population, so the population drives whether you're an MPO
14 or an RTPA. So that's for District 2. District 1 we have
15 Humboldt County, the North Coast HCAOG, and then Del Norte
16 is probably an RTA.

17 MS. TRIPP: And the Yurok Tribe, part of that you
18 guys chair that, correct, on the TTAC?

19 MS. VIVIAN: So the Tribal Transportation
20 Committee -- we'll call it TTAC.

21 MS. JOHNSTON-DODDS: So then I think Oak Valley
22 is the same area, and then Pit River, they may be within
23 their lands --

24 MS. TRIPP: Their tribal ancestral lands are in
25 four of our seven counties, but their Burney office is in

1 Shasta County.

2 MS. VANCE: I think this will be a good
3 opportunity to where -- if it wasn't clear, I would highly
4 encourage you to contact your Native American liaison who
5 could then put you in contact or help bridge that contact,
6 if you weren't clear about who to be coordinating with.

7 MS. WATERS: That's exactly the point that I was
8 going to make. It sounds like a lot of you are already
9 involved with your regional transportation agencies. But
10 if you're not, you should be. And if you don't know who
11 you should be talking to, then Kendee should know.

12 MS. VANCE: I don't recall saying that, but thank
13 you (laughter).

14 MS. WATERS: Caltrans, we're at the statewide
15 level, and then there's the regional level. We coordinate
16 back and forth. And then we each have these -- the
17 regional plans are subject to SB 375, and we're subject to
18 SB 391. They're kind of parallel legislation that tells
19 us what should be in our plans. The CTP is similar to an
20 RTP. It doesn't have projects in it, which an RTP does,
21 but it's similar. We coordinate back and forth, and then
22 ultimately, through this coordination, we deliver better
23 projects and use our resources more efficiently.

24 So after we printed these, I rearranged my
25 presentation a little bit, so sorry about that. The way

1 that the CTP is set up is that we have our overall vision,
2 which is the three Es for economy, equity, and
3 environment. They all work together, and then we have
4 goals and policies.

5 This is the currently adopted policy framework
6 for the CTP 2025. This is the revised for 2040. And you
7 actually have in your packet this very colorful piece of
8 paper that has our policy framework. And then this
9 matrix, I call it, which shows the goals and policies from
10 the 2025 and what they are in draft form right now. We
11 worked on this with our policy advisory committee. This
12 will be in draft form until the document is finalized in
13 2015, so it can always be revised.

14 Like I said, we have a policy advisory committee
15 that we work with on this, and we have three tribal PAC
16 members, which we are very honored to have Sandi Tripp
17 ,and then we have Jacque Hostler from the Trinidad
18 Rancheria, and Connie Reitman-Solas from the Inter-Tribal
19 Council of California, and then Kim also comes to the
20 meetings for us. Sandi has been our most active tribal
21 representative, and she's been great to work with. So
22 Sandi, do you want to add anything about the PAC?

23 MS. TRIPP: It's a good forum to be able to add
24 things into, for instance, the vision statements, things
25 like that that have to do with us. I think that even

1 though it doesn't say tribal this, tribal that, we are
2 going to have an opportunity to incorporate a lot of good
3 information and kind of move the policy forward to ensure
4 that we have tribal relevancy in the policy. I go to it,
5 but I would be really glad if any other tribal
6 representatives would like to go to it.

7 I'm also on the NAAC, and being on the NAAC I can
8 take information from the PAC meetings and share it at the
9 NAAC when necessary. As this gets going more, we'll be
10 able to do that. I'm very glad to be here. This is the
11 first listening session that I have been to. I look
12 forward to any future ones that I can possibly make it.

13 MS. JOHNSTON-DODDS: And I just wanted to add to
14 what Laurie is describing. Throughout the day when you
15 look at this in your packet, the opportunity that Sandi
16 and Laurie are talking about, thinking through and maybe
17 jotting down in each of these policy areas what are some
18 tribal examples. That's one of the things we have had in
19 our last listening session, the tribal representatives
20 have shared with us. As I look at this, there are tribal
21 examples in every one of them. So as Sandi is saying as
22 an opportunity, there is sharing that within those policy
23 frameworks.

24 This is the framework for the plan. It hasn't
25 been drafted yet. That's what is great in the opportunity

1 here. The folks that are working on it are here in the
2 room, and it's not even in draft, so this is from the very
3 beginning. We have an opportunity for each of these to
4 give examples and concerns that can be incorporated into
5 the plan.

6 MS. WATERS: Thank you, Kim. This is our
7 proposed vision statement, and just to give some
8 highlights of a couple things that have become much more
9 prominent since the last CTP that we're addressing in this
10 CTP are public health and social equity. So this is our
11 proposed vision statement: "California's transportation
12 system is safe, sustainable, and globally competitive. It
13 provides reliable and efficient mobility and accessibility
14 for people, goods, and services while meeting our
15 greenhouse gas reduction goals and preserving community
16 character. This integrated, connected, and resilient
17 multimodal system supports a prosperous economy, human and
18 environmental health, and social equity." The words that
19 are highlighted in orange, those are our added words or
20 thoughts from the CTP 2025 vision statement.

21 So this is just another version of that handout
22 that you have in your packet. So like I said, the CTP
23 integrates the other statewide modal plans. There's a
24 highway plan, which we call the interregional strategic
25 plan, the freight plan, the rail plan, the transit plan,

1 and the aviation plan. Three of those are in stages of
2 being updated, and Bruce is here and he's going to talk
3 about three of them: The highway plan, the freight plan,
4 and the rail plan. The transit plan was finalized in
5 2012, and then the aviation plan was finalized in 2011.
6 And that one, I know the aviation plan will be updated --
7 do you remember?

8 MS. KORTE: I think it's every two years.

9 MS. WATERS: So these are all continually being
10 updated. They should all be coming out to get tribal
11 input, and there's fact sheets on each of the plans in
12 your packet. They look like this. These all need to be
13 updated. They are a little bit out of date, but they give
14 you the basic information on each of the plans.

15 MS. VANCE: Laurie, I have a question. As tribes
16 are able to peruse through the different fact sheets, even
17 though they may need to be updated, if there was something
18 that struck them as a tribal audience as something they
19 wanted to be included on, what would be the best avenue
20 for them to start being included in those types of updates
21 for those specific plans? Would that be somebody at
22 headquarters, would that be the director, the liaison?
23 How would that communication best start, I guess, or be
24 initiated?

25 MS. WATERS: I think either one is good. So Kim,

1 what do you think on that?

2 MS. JOHNSTON-DODDS: I think that's an excellent
3 question, Kendee. I think with the district Native
4 American liaison, and you can absolutely call me or Bennie
5 or email and we can link up. One of the things that's
6 unique in this spacing, for the first time we're partnered
7 with the state planning office. They are in charge of the
8 statewide plan, and there's also the federal requirement
9 to consult with the tribes on it. Similarly, with the
10 freight plan, I think there's the same, both federal and
11 state now. And Bruce will be able to tell us. Similarly
12 with Joan with the safety one. That can be, I know, quite
13 confusing for the tribes. So the liaisons and then also
14 our office, and we're going to be working a lot more with
15 those statewide plans in partnership with them to
16 facilitate that engagement with the tribes. So I have
17 some cards; Bennie has some. So it would be us.

18 MS. WATERS: Thank you. Along with the modal
19 plans, the CTP also incorporates other statewide
20 transportation plans, and here are just a few of them. We
21 look at all kinds of different things. There's the
22 Strategic Highway Safety Plan, and that's the one Joan is
23 here to talk about, and that's really a critical plan.
24 The SHOPP Ten-Year Plan, the Smart Mobility Action Plan,
25 Transportation Management System Plan. These are just a

1 few that the CTP incorporates.

2 And then this is also a handout in your packet
3 because it's hard to see here. The reason we have this
4 here is this kind of shows how the planning and
5 programming process works. It's confusing so Pam said
6 that she would talk about it. I volunteered her to help
7 me on this one.

8 MS. KORTE: I am going to make an attempt, and I
9 am going to ask for Joan's help for the tribal
10 transportation plans. I am not very familiar with how
11 that funding process works. But the point being of this
12 whole chart is that the California Transportation Plan is
13 shown here as being the umbrella document. Laurie
14 mentioned how we want it to be a guiding document for
15 these other plans that are developed at the regional level
16 and the other state-specific modal plans that focus on
17 rail, transportation, or safety, the one that Joan is
18 going to talk about today.

19 So this is the whole statewide process for
20 planning projects, getting money applied on those
21 projects, which is a programming process, and then getting
22 the actual funding. In the middle, there is a box that
23 says Project Initiation Documents, and that's the point in
24 time where a cost, scope, and schedule is developed for a
25 project and we look at alternatives to serve whatever

1 needs were identified through the planning cycle. And
2 then from there, once we decide where we are going to go,
3 we're going through these various programming documents to
4 say this is a project that's needed to address that issue.

5 We have the SHOPP plan, which is one that does
6 the maintenance and the maintenance-type projects for the
7 highways. We have the interregional transportation
8 improvement program. Bruce is going to talk a little bit
9 more about that, but that's the funding of projects that
10 goes along with one of the plans that he has lead for.

11 Then there's the regional piece, where each of the
12 regional agencies that you would be working through have
13 their list of projects. That all leads into a statewide
14 listing of all the projects all together, and that feeds
15 up to the feds where the federal dollars are involved.

16 So we've got the tribal transportation plan way
17 back in the beginning with the CTP and the regional plans,
18 and then we have the program for tribal transportation
19 down at the lower right-hand side. And I'll let Kim help
20 me out and talk about that process.

21 MS. JOHNSTON-DODDS: Thank you, Pam. Actually,
22 the process, I know, is really hard on a tribal level with
23 all we've got with the different plans. One of the things
24 with the statewide plan, it doesn't -- just to kind of
25 help a little bit there, it doesn't have projects in it.

1 It's a policy document, but it informs the folks that are
2 considering projects. As Bruce will talk about, there's
3 one plan that does have projects in it, and he'll be able
4 to speak to that.

5 In terms of the components of the tribal
6 transportation program, we have the plans and actually
7 there's a couple of experts here way beyond me. I think
8 Joey worked for the Bureau of Indian Affairs' side working
9 with tribes on their long-range transportation plans. And
10 then Kendee, you have worked on the K-Phase. So if I get
11 things wrong --

12 MS. VANCE: K-Phase is that big box right there.

13 MS. JOHNSTON-DODDS: That's a critical piece. It
14 is hard to understand in the myriad of stuff. I think
15 what I'll give is a little overview on the tribal
16 transportation program, and then maybe between the two of
17 us we can kind of put the pieces into context. Does that
18 sound okay?

19 MS. VANCE: I just defer to Dave whenever I don't
20 know.

21 MS. JOHNSTON-DODDS: So I think between us we
22 really want to help as much as possible. This came up
23 last week, and it's hard to understand, even for the
24 various people, the program and planning folks, all of us
25 too.

1 MS. VANCE: I think it's important to note that
2 as Laurie mentioned with SAFETEA-LU, the federal
3 authorization that recently went away, and now we have
4 this MAP-21 looking ahead for projects. There are shifts
5 and changes with that, especially when it comes to tribes
6 and what tribes can participate in and what tribes are
7 eligible for. And I mean tribes are directly eligible
8 for. There is not under MAP-21 a need or necessity to
9 have a local sponsor or going through, like say, Shasta
10 County as the person that is the manager or whatnot for
11 tribal projects.

12 In MAP-21 you can go directly as tribes to apply
13 for that and get those dollars, if you will, under a
14 certain program. And we're in the process of trying to
15 figure that out. How does that look? How does that
16 process actually happen? I have never gone through MAP-21
17 funding before, so there's going to be questions we do not
18 know the answer to yet. We're in the process of trying to
19 figure that out as best as possible.

20 MR. JAMES: And then maybe you can contact some
21 tribes that were directly funded. We work with state on
22 some projects, and we enjoy working directly with the
23 state or Federal Highways and the bureau directly at the
24 local level, so those are some examples we do have of
25 working directly.

1 MS. JOHNSTON-DODDS: So that's an important
2 piece, Joe, and we appreciate Yurok Tribe sharing those
3 examples. As we have heard in the last sessions, and in
4 the last couple weeks, the confusion and frustration on
5 the local level for different tribes in different areas,
6 some have good relations with those regional
7 transportation agencies and some do not.

8 I think this is an opportunity to raise that in
9 here, and then also I am going to be describing a little
10 later some other deliverable tools we are developing in
11 tandem or in addition to the tribal transportation. We
12 have the policy documents for the advisory community and
13 then also the fact sheet. There's multiple places that we
14 can raise the issues of concern for the tribes besides
15 this plan. We're using the time, we're hoping,
16 effectively for tribal leaderships and representatives to
17 bring those up. If we can't put them in the plan, the
18 transportation plan, we can raise them at the policy level
19 or in other venues so that that message is heard.

20 MR. JAMES: Larry, you mentioned earlier about
21 how the RTPAs look to the CTP. There's an opportunity
22 with the new one to include that RTPAs to either
23 coordinate with tribes, either quarterly or six months or
24 annually so it builds them together. We're past that part
25 of coming to an understanding. Basically, the bottom line

1 is safety improvements. RTAs need to come to tribal
2 governments, and they could also get educated and learn
3 and see how tribal governments and work. So there's a
4 great opportunity to put that in the plan too to make RTAs
5 come forward.

6 MS. TRIPP: And with the RTPs for local
7 transportation as well. There's one in Siskiyou County,
8 for instance, that would definitely benefit from some
9 coordination, collaboration, and understanding on tribal
10 issues.

11 MS. JOHNSTON-DODDS: Thank you for sharing that.
12 You've got the planning component, and then you've got the
13 programming component. And as Kendee was describing, and
14 I know there's tribes here in the room that are developing
15 under MAP-21 those direct agreements either with Federal
16 Land and Highways or Bureau of Indian Affairs on that
17 direct funding. I think really after the last couple
18 weeks it sounded -- in listening to the federal
19 representatives, they are still working that out it sounds
20 like. One of the other things is for us to be updating as
21 we hear in the branch or as you hear, us partnered
22 together, to make sure we have a clear understanding of
23 how that process works.

24 And then also the planning component: We knew
25 under SAFETEA-LU, we knew under Indian Reservation Roads,

1 you had the formula and you had that process. Well, they
2 really changed that a lot. The federal regulations are
3 not out yet on how to implement the transportation
4 program, so I think that will be critical to look at and
5 see what does that look like for California tribes. That
6 all feeds up because we're kind of waiting for all of that
7 to see how -- we have this instruction, this doesn't
8 change, but the funding and the criteria has changed.
9 We're still kind of waiting for those pieces. If I missed
10 anything or anybody wants to add to that?

11 MR. GENSAW: Well, I would just like to say
12 because we have gone to meetings like this, and we stress
13 our opinions. We have the road conditions, and not just
14 roads, other issues that we're here and come to the table,
15 but we're just coming to the table. I know this isn't
16 consultation, government-to-government, yet, and I'm
17 hoping that is what we're working towards.

18 I've gone to meetings in Sacramento, since before
19 I was even a councilman. We stressed some of our dangers
20 on our highways, and what they tell us is, Well, we really
21 can't do anything about it. There has to be fatalities
22 before there's implementation. Well, like on 196, there's
23 been fatalities there. But my understanding is that CHP,
24 that's where Caltrans goes to get their information, and
25 if it's not documented, who's going to document it?

1 Either there's got to be that avenue where CHP is
2 working with our officers or whatever so that
3 documentation can get put down there so that we could
4 receive help in those areas. And I'd like to have that on
5 the record because we just don't want to come to these
6 meetings and nothing is really happening. I know it's
7 just the beginning, so let that be known at the beginning
8 we do want to be heard and we do want to be a part of it.
9 With Yurok, we have our reservation boundaries, but we
10 also have ancestral territories. We have a lot of
11 ceremonial burial grounds and different issues that we
12 want to be a part of to make sure that those get
13 preserved.

14 MS. WATERS: Thank you for bringing that up
15 because Joan is here, and she is updating the Strategic
16 Highway Safety Plan. These are exactly the things she
17 wants to hear about. And the things that you talked about
18 came up at the Tribal Safety Summit that was just last
19 week. So yes, thank you very much. That's on the record,
20 and we'll probably be talking more about that later.

21 MR. OLIVER: I agree with what he's stating.
22 We're developing our Caltrans development policy for our
23 area in the Mendocino County area. We do meet with the
24 technical assistance committee. Basically, it's a
25 listening session there also. The policy doesn't allow

1 for accountability. That's the big ticket. What they
2 have stated in their consultation, they are meeting the
3 minimum by stating on their agenda they'll have one item
4 that says tribes. That's it.

5 We bring projects to that; it's a listening
6 session. We've updated our transportation plan, we have
7 provided it to the regional transportation committee.
8 Basically, it's in a box somewhere we don't know about.
9 And when we did ask if they were willing to sit down and
10 discuss our plan, nobody returned our calls.

11 So one of the things I see is we're a small tribe
12 and we actually are signing an agreement with Federal
13 Highways right now. One of the issues we're discussing
14 right now -- and this is going back to DC with Robert
15 Sparrows -- how do we bridge that gap. Because there's
16 that -- when we go to an MCOG meeting, we cite a safety
17 project, their response is, well, you need to go to TTAC.
18 We have already been to TTAC. We have already been on
19 their list.

20 Because we don't have that shared data system on
21 federal lands, we don't have the mileage count that we'd
22 necessarily need to make it a priority project. We all
23 know we don't have the count. We don't have a hundred
24 thousand cars going in and out every day. But there's
25 that accountability where there's a safety issue. We feel

1 there is. We're preventing fatalities; we're preventing
2 injuries. We're making a safer environment for our kids,
3 and I see that on your mission statement. So how do we
4 bridge that gap and hold accountability to our regional
5 transportation areas, our committees and planning
6 committees to where the tribe's voice is actually heard
7 and followed up on?

8 So I think one example we had is that we had a
9 bridge project where we were upgrading the bridge. We
10 went to the transportation committee. They put it on
11 their list. It was 52nd out of the list of 52 projects.
12 So we went to the regional meeting. They stated if the
13 tribe was willing to pay for it with federal funds, then
14 they would go forward with it. So we went through the
15 back door. We went with the transportation department and
16 worked with the engineer. Now we're putting together a
17 grant that we both shared together, and he's going to
18 present it. So that's the problem we're having. We're
19 having to use other avenues which are outside of the
20 policies of Caltrans.

21 MS. WATERS: So what you're saying is that -- all
22 of you are talking a lot to your local agencies, but
23 you're not seeing that anything is actually coming out of
24 it.

25 MR. OLIVER: There's the accountability measure.

1 It comes down to shared data. We have our data that we
2 would provide, but because it's not in AIS or it's not on
3 the national system, any car wreck that happens on tribal
4 lands is considered private property. And that's one
5 thing that went over at the safety summit. That data
6 that's collected on reservation land, really there is no
7 category in the safety system to put it. So how do we use
8 that data that we collect for the benefit of the tribe,
9 and also the public road system?

10 That's what we're running into. There needs to
11 be a system that will actually allow tribes to enter its
12 information either through CHP or through the tribe's
13 transportation department. They need to have the means to
14 get into AIS or create a shared service system where we
15 can document these things.

16 MS. WATERS: That's really excellent, and we're
17 hearing this a lot, this issue of data and consistency and
18 how it can be used. So I think this is definitely an
19 issue that we'll tackle in the CTP, and I'm sure Joan will
20 in her plan too.

21 I just want to finish up on this one and just to
22 say the reason we talk about some of this stuff at these
23 meetings is we have found that when we do our outreach is
24 that transportation planning and programming is very
25 confusing. We try to do a little bit of education when

1 we're doing these things too just because the more you
2 know, the more you can be part of the system and maybe get
3 better results.

4 This is our overall work plan, and I know you
5 can't read it. The point of this is just to show that our
6 process for outreach, tribal outreach and tribal
7 consultation, is ongoing throughout when we develop the
8 CTP. This handout shows a little bit more of the schedule
9 too.

10 So what's next. We're going to have a first
11 draft of the document in January or February of this year.
12 We did focus groups. These tribal listening sessions are
13 going on now. We have a little bit in December. We're
14 going to have one in the Central Valley, probably around
15 Fresno next month we're hoping. Tribal discussion is
16 ongoing. We're going to be doing or modeling scenario
17 analysis in the summer of 2014. We'll have public
18 workshops in the fall of 2014, and then the CTP will be
19 delivered to the legislature in December in 2015.

20 As we continue talking to you, here's some
21 context. The District 1 liaison is Cathlene Sartorious.
22 Unfortunately, she couldn't be here today, but she's
23 always happy to hear from the District 1 tribes. District
24 2 tribal liaison is Kendee, right there. And then the
25 Native American Liaison Branch, Kimberly, and then Bennie

1 is also in the Native American Liaison Branch. I am the
2 CTP tribal content lead. The CTP project manager is
3 Gabriel Corley, and then our office chief is Pam Korte
4 here. And then I was just thinking this morning that I
5 should probably put Sandi on this slide too because I'm
6 sure she would be willing to hear from you if you had
7 comments about the CTP as well.

8 MS. TRIPP: Absolutely.

9 MS. WATERS: Now Bruce is up.

10 MR. DE TERRA: Thank you, Laurie. So I am going
11 to be talking with you about three of the plans, and you
12 have some handouts on the right side of your packet. I
13 have far fewer. So what you have is the freight mobility
14 plan outline and then three maps. I am going to walk you
15 through this.

16 My office has responsibility for developing these
17 three plans: Our state freight plan, state rail plan, and
18 then our overall highway plan particularly focusing on
19 interregional travel, so not so much the metropolitan
20 travel within urbanized areas. We're coordinating very
21 closely with Pam's office to make sure our visions and
22 goals are lining up, so we don't have a set of plans that
23 I am doing that's actually delivering or identifying
24 projects being out of sync with what the overall state
25 policy is.

1 I am going to start with the freight plan. We
2 have both federal and state laws that are telling us we
3 have to do the freight plan. The state law requiring us
4 to do the freight plan was passed in September, signed by
5 the governor in September. It's brand-new, but it's
6 consistent with federal law under MAP-21 that was passed
7 this summer, not this summer but the one before. That was
8 enacted in October of last year. So we have brand-new
9 guidance regarding the freight plan, and this is the first
10 time we have had guidance consistent nationally and with
11 the state saying you shall do a freight plan and here is
12 what the content is going to be.

13 The federal law actually lists out specific
14 content that's supposed to be addressed. It is optional
15 under federal law, but the new state law says that we have
16 to be consistent with the federal law. So it's telling us
17 you are going to follow the guidelines in the federal
18 government; it's not optional.

19 There are three main pieces of the freight plan
20 under the federal guidelines, and those are that you
21 create a freight advisory committee, and this is pretty
22 much a permanent standing advisory committee to the
23 state. That a freight network get designated: At the
24 federal level, they are doing this with the U.S.
25 Department of Transportation designating a national

1 freight network. Congress set a limit of 30,000 center
2 line miles for the whole national systems, and it's very
3 focused on highways. There's a lot of concern being
4 expressed across all sorts of agencies and other folks
5 that are involved in freight planning that this highway-
6 centric approach and this limitation of 30,000 miles can't
7 possibly serve the needs of such a large country and the
8 individual states and regions and all the different
9 modes. It refers to things like seaports, railroads,
10 intermodal facilities where freight is being transferred,
11 but those things, under the legislation, are not actually
12 included as being part of the designated plan.

13 So within our freight planning, we're also
14 looking at identifying a state freight network that would
15 be more expansive and more inclusive than the federal
16 network. I have some maps on that that I'll walk you
17 through, and also the maps that are on the wall show some
18 of the facilities I'll be talking about in relation to all
19 the reservation lands that are federally recognized within
20 the state.

21 So the proximity, you can see the distribution,
22 and as you all know, the distribution of reservation and
23 tribal lands are all over the state. The systems I am
24 talking about, the freight system, the rail system, and
25 the highway system, are also all over the state. It's

1 impacting on pretty much everybody. It's either impacting
2 it in the positive sense of providing access and mobility
3 or in the negative sense of the impacts, or negative
4 impacts, we associate. So it's very important for every
5 tribal government to be involved or at least aware of what
6 we're doing, and we welcome all the input on here.

7 Our freight advisory committee has grown quite
8 large. We have 62 members on it now. We have two tribal
9 representatives. Issac Kinney from Yurok is one of those
10 on there, and we appreciate his participation. In fact,
11 even though our meeting last month was down in San Diego,
12 he was able to participate via web conference. And Adam
13 Geisler from La Jolla is also a representative who is from
14 the San Diego region, so we tried to balance. They are
15 both on the NAAC. We have met with the NAAC twice, and
16 then a tribal listening session last month in Woodland.
17 So we're actually incorporating the feedback we're getting
18 in the freight plan. And that's reflected in the outline
19 that you see, and I'll start with that.

20 The federal guidelines had 11 distinct chapters,
21 and they have a paragraph saying what this chapter should
22 address. Coordination with tribal governments is
23 referenced, but it's not strong. It doesn't talk about
24 that we should actually go looking at what the tribal
25 needs are within the plan. But we've definitely gotten

1 feedback earlier on that that's something that really
2 needs to be in the plan, so we've included that in the
3 outlines under Section 1, under the Chapter 1-5. So each
4 one of the chapters and sections in here is referencing
5 the federal guidelines and state guidelines of what we're
6 supposed to have in our freight plan, so we're kind of
7 structuring how that would go.

8 We included that specifically rather than having
9 them just kind of sprinkled throughout the document though
10 we do that as well, what the tribal needs are and concerns
11 regarding freight within California because there are
12 quite a lot. Some of that is that access to the freight
13 system. And you may have some your ancestral lands
14 impacted by railroads or highways, and we want to
15 represent those within the plan, those needs.

16 So the three big sections we have in the context
17 of freight issues in California, we're being consistent
18 with the work that Pam's group is doing, and there's some
19 overarching things we are going to be addressing. One of
20 those is this Senate Bill 391 that's requiring us to
21 reduce greenhouse gas levels to a particular level, and
22 that's 80 percent below 1990 levels. So what we were
23 emitting in the state in 1990 for our transportation
24 system, by the year 2050, they want us to be 80 percent
25 below that level. So that's kind of the challenge that

1 Pam gets to do because she has to actually show how that's
2 going to happen.

3 Our freight plan is going to be identifying what
4 those projects and strategies might be for the freight
5 industry to actually achieve that. So we're being
6 consistent with the CTP that we have a 2040 planning
7 horizon, but we're also looking at 2050 because we know
8 what we do now will greatly impact what happens and what
9 we have to do in 2050. These freight facilities last for
10 decades, and the investments we make will be continuing
11 forward. If we make the wrong decisions now, we're going
12 to set ourselves up for failure in the future, and we have
13 a lot of unknowns. So we want to be considering that
14 we're not precluding some option in the future because of
15 some decision we make today.

16 Some examples of that in the past are
17 interchanges, for example, had design standards that had
18 the overpasses fairly low and narrow constraints. So as
19 the transportation system grew over time, you know, maybe
20 the railroad tunnels, the way they came up with
21 innovations to double stack trains. Not all the tunnels
22 built a century ago can handle that, so we have to go back
23 and fix it. We want to think about in the year 2050, what
24 are we going to need to make sure we don't preclude those
25 options through the projects we do now.

1 And then this is one of those plans that Pam
2 mentioned that we're actually going to have projects. In
3 order for these projects to be eligible to be considered
4 within the federal program, they are going to have to be
5 in the state plan. Currently there is no money. I should
6 have started out with that. There's no freight money. So
7 it's a little like we have this great freight plan, Hey,
8 by the way, anybody want to donate money to implement
9 this?

10 So this federal transportation bill is a two-year
11 bill, and we're one year into it. We only have 11 more
12 months under the current federal transportation bill, and
13 they are going to have to reauthorize it or do one of
14 these continuing resolutions that Congress has gotten very
15 good at dancing on the edge of not doing it, but
16 eventually they seem to get done.

17 To the extent that in the next transportation
18 bill, which may be a six-year bill which has been
19 traditionally what was done, there will be a freight
20 program, and that will have funding associated with it.
21 We will have a designated freight network nationally, and
22 we'll have a set of projects nationally that are
23 priorities. So we want to get the California priorities,
24 the big broad sense of California, included within our
25 plan at that point so they are eligible for what may

1 become available in the future.

2 The current freight system in California is a mix
3 of private ownership and public ownership and public and
4 private operators on that. So it's really a big mix. We
5 have 12 deepwater seaports in the state, and you can see
6 on this map some of the state's major freight network.
7 And this by the way, this map represents the nonhighway
8 portion of the freight network that we'll likely to
9 propose within the freight plan.

10 So we have California's 12 deepwater seaports.
11 By deepwater, that means they are crossing the Pacific
12 going somewhere else. It does not include like the North
13 Coast fishing harbors. It includes Humboldt, the port of
14 Humboldt, and then the next one south of that would be San
15 Francisco, Oakland, the Bay Area ports. So there's places
16 in between that are very important locally but would not
17 be part of the state's freight network, the seaports,
18 because they are not engaged in international commerce.
19 Although they may be important going forward gathering
20 seafood and bringing that in and that becomes part of that
21 commerce, but that facility does not have ships going out
22 and crossing the ocean. It's also the size of the ships
23 is very large.

24 We include the entire state rail network, and the
25 state rail network is -- the majority of it, the green and

1 the orange lines Union Pacific Railroad and BNSF. They
2 own the vast majority of the railroad network within the
3 state. On that same network, the passenger system
4 operates, so we have a lot of mix between freight trains
5 and passenger trains, and I'll talk about that when I talk
6 about the rail plan.

7 We also have all the short line railroads. These
8 are typically privately owned by small companies although
9 there have been some efforts nationally to consolidate
10 that. Genesee & Wyoming recently bought a big competing
11 national network of short line railroads. So they are
12 starting to be a coordinated short line railroad for the
13 national network.

14 We're not including excursion trains with the
15 freight network that are exclusively for recreational
16 purpose. And as I joked on the last thing, our staff is
17 going to schedule a check on that Napa wine train to make
18 sure there's no freight going on there, other than us.
19 The black lines on this map represents those short line
20 railroads.

21 We also included intermodal facilities, and this
22 is where freight is transferred from one mode to another.
23 They are typically very large facilities with a lot of
24 activity going on. They are almost always in the dense
25 urban areas of the Bay Area and Southern California. And

1 as you can see by the map where all these system are, the
2 vast majority of where the freight activity is happening
3 is in Southern California.

4 Frankly, Southern California dominates the
5 freight industry for the entire country and North
6 America. Forty percent of the container cargo that comes
7 into the United States comes in through the ports of LA
8 and Long Beach. So LA is the number one seaport in all
9 the Americas and Long Beach is number two. The Port of
10 Oakland is number five. So the volume and importance of
11 the seaports to California is enormous, particular for
12 Southern California and the Bay Area. It also represent
13 the ability for California to export our agricultural
14 products, which is a huge industry here in California as
15 you all know.

16 So the other things within this network that
17 we're proposing are California's 12 largest air cargo
18 airports, and we measure the largest not by the land area,
19 but the volume of cargo going out. So we measure how much
20 cargo is out of the airport as well as coming in and see
21 what the top 12 are. After 12, it just drops off.

22 Redding has a very large facility capable of
23 handling large aircraft, but the air cargo is very small
24 by comparison to the next level. The smallest major
25 airport we have is Fresno, and the largest is LAX. So

1 those are also proposed as part of the freight network.
2 And then the navigation channels which I failed to mention
3 for the seaports are in this network.

4 The federal government also requires the freight
5 plan to address pipelines, and as the California
6 Department of Transportation, we're not really equipped to
7 say a whole lot about pipelines, so we're going to be
8 utilizing input from the California Public Utilities
9 Commission who has the authority over the state pipelines,
10 and they are also on the advisory committee to provide
11 that help.

12 So our 62-member advisory committee does include
13 the two tribal representatives. It also includes several
14 seaport representatives, both of the large railroads, and
15 the short line railroads association, a couple of the
16 large airports, the MPOs, the large MPOs within the state,
17 some of the smaller -- so the medium sized are RTA, and
18 then the rural county task force has a representative from
19 Mendocino, and I'm sure I'm forgetting some. Oh, the
20 trucking industry, the automobile club. We have added,
21 and this wasn't required in the federal legislation, but
22 we have community groups that are specifically concerned
23 with the freight industry impact on communities, and we
24 have several environmental groups that are concerned with
25 air quality and other kinds of impacts.

1 These interests on the committee are by far the
2 most vocal in bringing their issues forward. A lot of the
3 other representatives in the freight industry, they are
4 not used to dealing with these issues in a public forum
5 like this so they haven't yet gotten up and had a lot of
6 dialogue although they have had some.

7 So the network I didn't talk about is the highway
8 network. So I'm going to talk about that a little bit
9 with the highway plan as well. You're welcome to ask me
10 any questions. Don't just let me talk nonstop if you have
11 tribal concerns.

12 MR. SILVAS: If the tribe has a need for the rail
13 system, would that be something that they would want to
14 get that project -- even though there are no funds, would
15 they want to get that project into your plan?

16 MR. DE TERRA: Well, for our plan or the state
17 rail plan? Would this be a new rail, existing rail?

18 MR. SILVAS: Not a new rail, say a loading
19 station or something like that.

20 MR. DE TERRA: So you have rail in proximity, and
21 you want to get access to that?

22 MR. SILVAS: They bypass the reservation and then
23 go on down, and then they have the trains turn around and
24 go back. It goes on into Lake New Oregon, and then ties
25 into that system up there. It passes right through the

1 reservation, and the tribe has been considering economic
2 developments up there that would produce product, and that
3 would be a form to transport it out.

4 MR. DE TERRA: That would be very appropriate,
5 yes, within our plan, and then when we do the rail plan.
6 Our previous rail plans focused primarily on the two big
7 railroads. There used to be more of them, but they've
8 consolidated. And then the passenger rail, very heavy
9 emphasis on the passenger rail. Passenger rail also
10 consists of the high-speed rail. So I guess we want to
11 end up going to Kimberly or your district tribal liaison
12 to help with that so we're consistently gathering that
13 information, it's not just lucky you managed to reach me.

14 MR. OLIVER: I have a question: On your plan you
15 have on here, these are all proposed railways that are
16 going to be operational?

17 MR. DE TERRA: These are railways that are
18 already operational. So the one that's not shown on this
19 map is the high-speed rail system. The rest of this is
20 actually operating freight network throughout the state.
21 They are not all highly active. So coming up the North
22 Coast, that's still formerly a railroad, even though
23 that's not currently active.

24 MR. OLIVER: But so that's my question, you
25 consider it a railway even though it's not active.

1 MR. DE TERRA: Yes. Until it is actually sold
2 off or somehow taken off the system. But I think it's
3 still -- there's still quite a few people that are trying
4 to work to reestablish that railroad. So we're not going
5 to make judgment about the future of that railway.

6 So a lot of the work we're doing, and my office,
7 we're not an expert in all of these things. We're using
8 the input of the local and regional experts of what is
9 going on in their area and then other plans such as port
10 master plans or tribal transportation plans. We can't
11 pretend to know all the details that go into our plans, so
12 we're gathering a lot of information at this point to see
13 how we're going to fill out this outline, which is what
14 our office is currently doing. So right now we're getting
15 all the available information in the state and what of it
16 applies to freight. And frankly, there's not very much
17 from regional agencies except for the very large MPOs.
18 And primarily that's just Southern California that has the
19 freight plan.

20 MR. MYERS: Bruce, I have a couple of questions:
21 One is are you satisfied with this idea of the public
22 utilities handling, I would call it a dwindling
23 infrastructure with regard to pipelines that cross the
24 state, with natural gas and so forth. You know, San Bruno
25 is a good example of what could happen again, and again,

1 and again. It seems to me there ought to be an agency or
2 institution that is focused on those issues. And I don't
3 think the Public Utilities necessarily is that institution
4 that can oversee PG&E and Con Edison and other big public
5 utility entities because they are letting the
6 infrastructure collapse. And that's very unfortunate for
7 us as the California public.

8 That's one issue, and the other issue is what
9 about vendors who more and more bring customers to Indian
10 casinos? I know there was an issue down in Southern
11 California on Route 76 when CHP was citing buses for being
12 too long for the contour of that two-way highway.
13 Are tribes going to face some kind of problem with regard
14 to this in the future because those buses will only
15 increase as time goes by. So is it the vendor that's
16 responsible, or are we going to have problems as tribal
17 governments?

18 MR. DE TERRA: So I'll address your second
19 question first. So this is a process of what we would
20 term oversized -- well, they are not oversized vehicles,
21 but vehicles that exceed the design standard for the
22 roadway. And CHP does have that authority and that
23 responsibility to enforce the law and crossing that double
24 yellow line. That's a big problem for trucks. You have a
25 lot of that in this region. Dave and I were just talking

1 about that on 299, the challenges of getting the
2 full-sized 53-foot maximum truck crossing 299. So the
3 same would apply to buses, and it's a problem throughout
4 the state and in quite a few areas.

5 So the only way we know of around that is you
6 either have a CHP escort that gets paid independently from
7 CHP or geometric changes are made to the roadway. And
8 geometric changes take quite a while in the funding to get
9 there. There is no specific program to do that. That's
10 an issue we're going to be addressing in the freight
11 plan. The trend has been for bigger and bigger trucks,
12 and the same has been true with the buses. They have
13 gotten larger and roadways have not. So we're talking
14 about correcting it, mapping all that out, going out and
15 determining the correct geometry of the road. It is a big
16 undertaking, and then identifying the money is a big
17 undertaking. But if a need can be shown and there's not
18 another solution, then that would be something to work
19 both with -- again, who owns it is the state highway. It
20 would be cooperation between regional and the state.

21 So I'm not sure it's clearly addressed. Joan
22 knows quite a bit about that.

23 MS. SOLLENBERGER: I think the only thing I would
24 add is that CHP is active in citing venders that have
25 vehicles that cannot maneuver on the facilities and not

1 having accidents involving that. At one point I was on
2 loan to Business Transportation Outreach and the Cattle
3 Haulers Association wanted to bring in these huge trucks
4 from out of state and bring them in. They were just going
5 to be on the Interstate. You can't stop on the
6 Interstate. You have to get off on something local
7 somewhere, and we couldn't allow it because it was such a
8 huge issue, a huge safety issue.

9 That's one of those things if eventually
10 geometric changes can be made to accommodate truck use,
11 great. But in the meantime, they have got to enforce the
12 law that there's unsafe maneuvers where they can be taking
13 the corner and cutting off vehicles on the other. And
14 they go off the edge sometimes, so that's a huge safety
15 issue. There's got to be that accommodation and
16 enforcement and looking at areas where -- I think what
17 Bruce was also suggesting was improving the access. Those
18 are very expensive and time-consuming. There's a lot of
19 issues because these roadways were built when vehicles
20 were smaller.

21 So there is a combination of those two issues,
22 and we've got less money to actually change some of those
23 grades. But where we can show there's a real need, those
24 are important things to do going forward that would
25 improve access to places.

1 MR. DE TERRA: So the California Highway Patrol
2 is on our advisory committee as well, so this is an issue
3 we can highlight and address. And it's not specifically
4 just for the buses, and that may actually be something
5 within the CTP in our highway planning that we would
6 address that need. But it's also, some of it on the
7 freight side, is a land use decision where land uses are
8 being approved by a city or county just adjacent to
9 interchanges off the highway. In some of the large chain
10 stores, they get their goods delivered in these 53-foot
11 trucks. And as Joan said, they can't get off the
12 freeway. There's no legal roadway for them to drive on
13 once they get off the Interstate, and that's a real
14 problem. Some of these distribution centers now that they
15 get approval, Oh, by the way, your road is not legal for
16 the trucks to be serving the facility. And they only
17 discover that after the fact. Caltrans looks at the
18 highways, but we don't look at the whole local roadway
19 network to get into the facility.

20 MS. SOLLENBERGER: The only thing I would add is
21 we do have transportation permits for extralegal or extra-
22 high loads. So I'd have to ask our permit people about
23 how many actual requests we get for things like oversized
24 buses. I have no idea. But there's a process for asking
25 for a permit. You have to pay money, and they get a route

1 to go some place. But if the facilities can't handle that
2 vehicle, they would deny the permit. So that's another
3 place to test it, at least, is to request a permit.

4 MR. DE TERRA: I see lunch is being delivered, so
5 what's my time? Should I move more quickly?

6 MS. WATERS: Do you think you can finish up with
7 all of yours, and then we'll eat. Or do you want to break
8 now, and then?

9 MR. DE TERRA: Okay. So I'll try to move
10 quickly. So next comes highway planning, and that's the
11 next map you have. It's got a multicolored highway system
12 here. It is not the entire 265 state highway routes that
13 we have. This is a much smaller subsection we call high
14 frequency focus routes.

15 Back in 1997 when the legislature enacted
16 something called Senate Bill 45, it split the available
17 funding that you saw on the charts that Pam had about the
18 STIP. 75 percent of the funding in the STIP went to
19 regional agencies, and 25 percent went to Caltrans for us
20 in cooperation with the CTC, California Transportation
21 Commission, to identify how those funds would be utilized
22 for our interregional road system. So the focus in
23 planning, and Joan was there as part of the team that led
24 this effort, identified a set of ten state highways that
25 they found to be the most significant highways for

1 providing connectivity between major regions of the state
2 such that we created a latticework of these ten corridors,
3 which are represented on this map with the multiple
4 colors, and then the Interstates. When you overlay these
5 two, you get access to all the major regions of the
6 state.

7 What we wanted to do at the department is bring
8 some of these facilities, the state highway facilities, up
9 to a higher design concept. So for example, we identified
10 highways where it doesn't accommodate the standard truck,
11 the 53-foot truck. We would be looking to straighten
12 curbs or do other things to make sure that route could
13 accommodate larger trucks so you could get from the
14 Central Valley to Eureka in one truck and not have to go
15 and find a smaller truck because it affects their economy
16 and their access to goods and services.

17 So for that set of highways that was identified,
18 each piece of that highway was identified, and this was in
19 1998, for what needed to be upgraded. So for some
20 facilities in some locations, they took a two-lane highway
21 and said it should be a four-lane expressway. And some
22 examples of that would be between Sacramento and
23 Marysville, Highway 99 and Highway 70 were both two-lane
24 facilities. And those were both upgraded to highway or
25 freeway.

1 So there were facilities like that. Highway 99
2 in the Central Valley, I believe when we did this it still
3 had some stops on it. They actually had signals on
4 Highway 99 in the San Joaquin Valley. So that was to
5 upgrade all of 99 to a freeway south of the Sacramento.
6 And then in some places, upgrade the freeway from four
7 lanes to six lanes. And that was to accommodate
8 anticipated future demand for travel as well as existing
9 conditions.

10 Now, a lot of this also makes safety improvements
11 because a lot of these facilities -- I'm going to use
12 Highway 395 on the east side of the Sierras. It's a
13 two-lane highway with a high demand for travel, high
14 speeds, no shoulders, just a yellow striped line down the
15 middle. It's a problem. So that was one of those routes
16 that was identified, and so they did a four-lane facility
17 as an expressway. We got rid of the head-on collisions,
18 controlled access so you don't have cars pulling out of
19 driveways and dirt roads going on that main highway.

20 So our office just completed, literally this
21 month, a status update to what got accomplished since this
22 1998 effort was identified. We're going to be posting
23 that on our website, and we'll provide the address to all
24 the tribal governments to Kimberly's office. She has your
25 email addresses, and those who don't, we'll mail a copy

1 out to you. It provides the status of what we have
2 accomplished.

3 Now we're going to start a process to update and
4 reconsider if these routes are still the appropriate
5 routes we should be focusing our interregional
6 transportation funds on. Should they remain, are there
7 other routes that should be added, for some of these that
8 are approaching completion is it time to take them off the
9 list and not have them be the focus anymore because they
10 have achieved what was planned. So the colored map on
11 here tells us the status of a particular facility, whether
12 we have done what we were planning to do, or if it's still
13 in the planning phase. When we send out that report, it
14 will be very clear.

15 We're going to initiate this process very
16 shortly. It's not legislatively mandated, but it's very
17 useful for the development of the interregional
18 transportation plan and program, which is the companion to
19 the STIP. There's something called the ITIP that tells us
20 what we're going to do with our 25 percent share. The
21 amount of money we're talking about for each two-year STIP
22 cycle is about \$300 million available to Caltrans to apply
23 to the entirety of this network to make improvements.
24 They are outside the money that goes to maintenance
25 operations. So that's not a whole lot of money to go with

1 that large of a system.

2 MR. JAMES: I believe the plan is also to
3 identify -- like if you were to widen a two-lane highway,
4 make it wider, does it also determine the cost that's
5 associated with it?

6 MR. DE TERRA: It does not. It's only when the
7 project goes through the development process that the cost
8 is determined, or it makes into a regional plan. So this
9 plan is not fiscally constrained, which means it is a
10 visionary plan. This is what we want to achieve long
11 term. We don't yet know how much it's going to cost
12 because we can't predetermine the outcome.

13 MR. JAMES: Does it identify existing issues, say
14 for example for us, Highway 101 up in Northern
15 California. It's right there on the tribal ancestral
16 territory there. In Del Norte County for the Yurok Tribe,
17 all the tribes that travel through that area. And that
18 road has been band-aided up to this point, and there's a
19 lot of concern in the region. It's just a matter of time
20 of when that road is going to fail.

21 Has this plan looked at issues like that? If
22 it's appropriate, what, would you change that from two
23 lanes to the four lanes?

24 MR. DE TERRA: So the section you're addressing
25 is north of the junction with 299?

1 MR. JAMES: Highway 101, up on the upper
2 left-hand corner.

3 MR. DE TERRA: So you can see that orange color,
4 other than the one green dot, what the orange color means
5 is that we have a concept for it in the future that's
6 identified in the plan, either straighten curves, add a
7 truck climbing lane, or widen to four lanes. But there's
8 currently no funding identified at all to accomplish that.
9 So this would be one of the areas that we would look to
10 apply interregional funds as they become available. So
11 then we want to partner, though, with the regional
12 agencies. And I can imagine none of those RTPAs have very
13 much money. And, of course, the tribe doesn't either. So
14 this is a common thing with funds.

15 MR. GENSAW: But like Joe just talked about, it's
16 going to happen. It's definite. You can't get from
17 Crescent City to Klamath. And that cuts off that whole
18 route not just to Klamath but all the way down south. The
19 only way out is Grants Pass and down into I-5. And then
20 for us it would be 299. It's going to happen. There's no
21 doubt about it. They have just got done fixing it and
22 it's already starting to show the damage.

23 MR. DE TERRA: There are a number of programs to
24 repair failure of the roadways. That's a long-range plan
25 that we have addressing that. Highway 101 and Highway 1

1 on the coast are, I think I can safely say, some of the
2 most difficult challenges in pretty much all respects, in
3 costs, the impacts.

4 MS. SOLLENBERGER: I was just going to add that
5 yesterday I was out in Grass Valley with the 16 northern
6 regional agencies because they have that super region.
7 Del Norte County was there and talking about that issue
8 and needing an economic study similar to you may recall
9 the Confusion Hill issues going on about the two plates of
10 land, and the highway is right on top of it and wasn't
11 holding together. Same kind of thing, it's destined to
12 fail. And that tends to not fall in the long-range plan
13 for preservation. It becomes an emergency project and it
14 falls within the State Highway Operations and Protection
15 Program. So that's probably where that likely will end up
16 there even though they're trying to fix it. That's
17 something that may end up falling in that category just
18 because it's preserving what is there.

19 MR. JAMES: Is that the SHOPP mechanism?

20 MS. SOLLENBERGER: That's the SHOPP, yes. So
21 even though that's going in the state transportation plan,
22 the SHOPP is likely the place where it's going to get
23 addressed. And that has had a great shortfall of funding
24 as well for all the needs in the state. And like you
25 said, that's a major risk of failure, and that's an

1 economic lifeline to the north part of the state. And
2 that's something I know that the district is in discussion
3 on, but I don't know the status.

4 MR. DE TERRA: But being within our plan puts it
5 on the radar for the funding decision-making. And this is
6 the priority concern that the route is listed on this.
7 Also we will be doing this in conjunction with the work
8 that they are doing to the CTP. We haven't started yet,
9 but we will be doing the consultations, offering
10 consultations, and we can get some of these specific
11 things in during that process, or if you just want to
12 informally provide that.

13 MS. STEWART: I noticed that emergency
14 preparedness was part of your plan, your vision. Is the
15 state eligible for FEMA funds for some of these projects?

16 MR. DE TERRA: That's a good question. I believe
17 in order for the FEMA, in order to access that, there has
18 to be a declaration of an emergency on the federal level
19 for that. We do have this long-term plan. It's one of
20 the aspects that we do that for. We have Homeland
21 Security on our advisory committee as well, and so they
22 have FEMA under that. But I don't believe like this
23 particular project would fall under that, but there are
24 other federal funds.

25 MS. JOHNSTON-DODDS: Since we don't have an

1 answer to that, we could certainly ask FEMA and get that
2 back because that's an important piece.

3 MS. STEWART: I do believe they have
4 pre-mitigation and disaster funding I have heard about.

5 MR. DE TERRA: We will be doing an analysis under
6 here for the freight system about sea level rise and how
7 that will be impacting. Again, we're looking at 2040-2050
8 scenarios. If we're building new facilities close to sea
9 level, we need to understand that, or if we have existing
10 facilities. Just by definition, seaports and everything
11 associated with them are basically at sea level, so we
12 might have some issues there.

13 So this highway planning process is just going to
14 get started. We'll be coming back to the NAAC and then
15 consultations and having a fairly large, open process.
16 There are going to be a lot of people that want to add
17 routes to this list, but with the \$300 million pot, it's
18 not going to grow as most of you know.

19 MS. WATERS: First of all, Sandi, did you have a
20 comment that you wanted to make?

21 MS. TRIPP: Actually, that's been discussed.

22 MS. WATERS: And then, Dave, did you have
23 something to add to that?

24 MR. MOORE: I just wanted to state really that
25 this interregional plan was really dealing with what is

1 the vision of these routes and to steer those
2 interregional funds to put them on the roadway. There are
3 many different funding sources, as you know, on how
4 projects get built. Some of those other funding sources
5 actually meet some of these needs and upgrade these road
6 standards.

7 The SHOPP funds sometimes do that when the goal
8 of that SHOPP project is consistent with the goals of the
9 interregional project. So in terms of issues like you
10 brought up, there's very little interregional dollars that
11 come to the real world part of the interregional system
12 out there. District 1 may have one project it fully
13 funded in the next STIP cycle with those interregional
14 funds, and that's that section between Arcata and Eureka
15 to upgrade a piece of that.

16 That's probably the only interregional project
17 we're going to see in the next STIP cycle in the two
18 districts up here. So it's pretty limited, but there are
19 other means and avenues we get to. You look at the stuff
20 on Buckhorn, those improvements are helping bring that
21 roadway up to the focus route standard, but we're paying
22 for those out of the SHOPP program. So I see some of that
23 stuff on 101 probably ultimately picked up by the SHOPP
24 program or by other funding sources. But hopefully when
25 they take on the project, you're looking at what is the

1 ultimate concept for the route, and hopefully that project
2 is consistent with helping to meet those goals.

3 MR. DE TERRA: Thank you. I'm thinking Laurie is
4 going to say that's probably a good place to stop.

5 MS. WATERS: We're thinking maybe we can finish
6 the rail plan after lunch. So what do you think, Bruce?

7 MR. DE TERRA: At my last freight advisory
8 committee that Pam was at we actually had lunch an hour
9 and a half late. They were grumpy, so I'd say go for
10 lunch. So far I've only made it 17 minutes late.

11 (Lunch recess.)

12 MS. JOHNSTON-DODDS: Back to one of the things
13 Aaron said. A few of us raised it, and we're all kind of
14 thinking along the lines of where Aaron said policy does
15 not allow for accountability. That's such a critical
16 issue. And one of the ways I think maybe there's an
17 avenue, rather than us just saying well we don't enforce
18 RTPAs working with the tribes. Elevating that, this thing
19 has come up, it's a critical issue that doesn't seem to be
20 moving forward. And perhaps the best thing would be to
21 take this issue, now that we have a transportation agency
22 and Secretary Kelly, and raise it in that venue because
23 there's the consultation policy there.

24 He said that he wants to hear about those kinds
25 of things. And if there's a way that accountability can

1 be built in at a level that they can talk directly with
2 the tribes on, and if it needs to be legislative or
3 whatever, because we have the constraint within our
4 department that limits us. But having that -- raising it
5 up to the agency level and having that dialogue with
6 Federal Highways or with the Governor's Office or
7 whoever. I really think we should encourage the tribes to
8 do that and take that to Secretary Kelly.

9 One of the things we can do too -- and this feeds
10 into my comments on the process and on this plan. For the
11 listening sessions, I just wanted to -- again, a number of
12 you heard about how the process works, but for those of
13 you who have not, these are complementary and
14 informational to the governmental-to-government
15 consultation. They do not take the place. But it's an
16 opportunity to hear about them and capture folks at
17 multiple levels, their concerns and interests.

18 What happened last spring, each of the district
19 directors sent to the tribal chair of the federally
20 recognized tribes in California a letter inviting and
21 initiating consultation. So that's the component that
22 Laurie had that's ongoing. And if council members, tribal
23 leadership, and tribal governments want to have that
24 happen, we will work to make that happen. The way to
25 initiate that would be to contact the district directors

1 and the district liaison, and then they will work together
2 with us to come to the tribes. And if it's a council
3 meeting scheduled, whatever works within the protocol of
4 the tribal government, we would welcome that invitation.

5 And so that's that aspect of the listening
6 sessions. This isn't just a you're here, you're gone.
7 What we have done is there's going to be a summary of each
8 meeting. That's why we have Allen here taking the notes
9 for the meeting so that we are freed up to have a
10 conversation with you. And then what we will be doing
11 after the meeting and when the transcript is prepared, we
12 will be sending that to all of you as participants. Look
13 it over. Did we accurately reflect your information, and
14 we'll have kind of a final deadline so we get that back
15 and finalized. And we're doing that for each of the
16 sessions.

17 That will be rolled up into a summary that we're
18 going to do for the Native American Advisory Committee and
19 that will go to the director of Caltrans. And it's
20 sounding like it's a really good thing to send it to the
21 secretary as well. I think it will be a really useful
22 tool for them as they learn to engage with tribes, what
23 are those critical needs that have been presented to us.
24 Also, it's a tool to begin to work with all of the staff
25 who will be writing the chapters of the transportation

1 plan and the freight plan.

2 The second thing is this is another tool we're
3 doing in tandem because the Native American Advisory
4 Committee has tasked us to work with the tribes and with
5 Caltrans staff to put together transportation issues,
6 tribal transportation issues in California policy
7 briefing. And that's going to be not just the statewide
8 plan but the full range of MAP-21, the safety pieces, and
9 the emergency management. There's lots of components. So
10 that is going to be a policy paper that the Native
11 American Liaison Branch staff is preparing. That will go
12 to NAAC and the director and the transportation agencies.

13 But also the last time Pam and I did it for the
14 Indian Reservation Roads, I think there was an opportunity
15 the tribes took. The document is -- the spirit of it is
16 to use it as a policy tool, and you can take it wherever
17 you need to take it. There's many venues that tribal
18 governments have access to use it. We may not, but it's
19 to provide information in one spot as a tool for the
20 tribes.

21 Also the third one when Larry was talking about
22 the fact sheets earlier: We haven't drafted that. The
23 fact sheets are similar to the transportation plan in that
24 it will be created afterwards. We're kind of thinking we
25 might need a couple because regionally we're just kind

1 of -- some of the things we're hearing up here may be
2 unique to Northern California or Southern California, but
3 the basic framework will be some of the themes we've been
4 hearing, and we'll also be sending those to you as
5 participants. I think that was the spirit.

6 In your packet there's an example, but it's just
7 a draft, to get people thinking about what they'd like to
8 see and the format. So those are tangible projects that
9 we want to provide back to the tribes. And then the
10 transportation plan itself, it's going to be both -- there
11 will be a tribal government component chapter to it, and
12 then also examples within each of the chapters.

13 So if there's any questions or suggestions?

14 MR. GENSAW: I think it would be a fine
15 opportunity for Yurok because we would like to have
16 Secretary Kelly come to Yurok, and then we can actually
17 have that dialogue. How is that going to work, would it
18 be through you?

19 MS. JOHNSTON-DODDS: You know, I'd be happy to
20 take that back to the liaison and to maybe -- yeah, I will
21 take that back. Let me work with them, with Secretary
22 Kelly's office. One other thing is if you want to have,
23 you know, the level of staff that would be there. And we
24 can certainly take that back. I did that when I was at
25 Water Resources. I've done that request, and took it

1 where it needed to go and we made it happen. So I'd be
2 happy to do that.

3 MR. GENSAW: Okay, and have your senior staff
4 work through Joe.

5 MS. JOHNSTON-DODDS: Absolutely. I will take
6 that back as well.

7 MS. VANCE: I just want to comment on what you
8 just mentioned and the timing of the draft consultation
9 policy with tribes with the agencies is in the process of
10 putting that together right now. That could definitely be
11 something that's addressed in that policy. If a tribe
12 does have a desire to meet with the secretary of the
13 agency, or if you want to break it down to the departments
14 say with a particular director or whatnot, then there
15 might need to be some dialogue in that policy that
16 actually lets you know how you'd go about doing that.

17 It doesn't have to be long and expansive. It
18 could be very simple and direct. But I don't think you
19 you're alone in that thought process. It would be nice to
20 have the invitations sent out. Come over here to Indian
21 country where we are at, and we'd like to let you know
22 what concerns we have. I know that Secretary Kelly has
23 attended the NAAC meetings before, I think twice: Once
24 while he was acting, and once after he was elected. And,
25 you know, the Native American Advisory Committee is a

1 great forum for that, but it's not necessarily getting it
2 out to our neck of the woods.

3 MS. JOHNSTON-DODDS: So it sounds like there's
4 two things in addition to the invitation for Yurok that I
5 can take back to them but also the general larger question
6 of who do you contact for those types of questions, and
7 what's the process and protocol.

8 MS. VANCE: Right, because it's easy for me to
9 answer questions. But if someone came and said I would
10 like to talk to the director of Caltrans. That would be
11 me. You would go to me, and you would say, "I would like
12 to set this up." And I would do whatever I could to get
13 the Liaison Branch involved. But as far as the secretary
14 of the agency that encompasses seven departments, that
15 wouldn't be me. Who would that be? How do we know that?
16 How would any of the 111 tribes know that?

17 MR. OLIVER: I have two things. In the Federal
18 Highways guide for tribal transportation, there is a
19 section in there called info corroboration, coordination,
20 cooperation. I mean, it's in the department already
21 established in Federal Highways. I would think that would
22 roll over for what I use it for. I think that would roll
23 over to Caltrans. I have used it in the past for state
24 projects, and I've quoted it. So I think that's a great
25 start for the consultation process. It's in the federal

1 regulations already. We have to abide by it, so the state
2 should have to abide by it.

3 The other thing is that I don't know how critical
4 the information is for what we're doing here with the
5 listening session. You kind of made it seem as though it
6 was only going to be distributed to the Native American
7 side of it. I would like to see it distributed to the
8 regional committees just to let them be aware that they
9 are being discussed and these are the issues that tribes
10 are bringing to the table. Because for me, I would use
11 that as a tool, just the summaries that come back when we
12 sit down at the table. These are the issues that are
13 going on. That's all I have.

14 MS. TRIPP: I agree with Aaron. I think that we
15 need to let them know that they are being discussed. And
16 we find -- I mean, on one hand there are some counties and
17 some RTPs and local transportation commissions that want
18 to work with tribes and are welcoming, but there are a
19 whole lot of them that are not. And I think the more that
20 they know that we know that, and the more that they
21 understand that it's their responsibility, or can we make
22 it their responsibility, to coordinate with us, to consult
23 with us, to hear our issues and not try to keep us out and
24 off of the plan, but in fact try to include us.

25 I think that we're really feeling -- I know that

1 I'm definitely not the only one. I know it goes
2 throughout the state. It's not just here in Northern
3 California. Those entities don't really want to include
4 tribes because they are afraid that their money is going
5 to be taken for tribal projects. They don't see the
6 benefit of partnering with us. It's frustrating. It's
7 hard to continue to go to those meetings and continue to
8 just be heard.

9 MR. NORTON: To follow up on what Sandi said.
10 Sandi, myself, and Joe all worked with Humboldt County
11 HCAOG. And Joe could probably give you better testimony
12 than I can, but HCAOG has been really progressive with
13 working with us. But that has just happened in the last
14 few years. We finally just got a seat that's through the
15 North Coast transportation committee, tribal
16 transportation committee, on HCAOG. And that was a long
17 battle.

18 My tribe, Hoopa Tribe, started it back in the
19 '90s, and we finally got there. And now they are working
20 with us. We have a group of people that are working with
21 us. But we're still competing with Rio Dell, Fortuna,
22 Eureka for those funding dollars that come down through
23 HCAOG. They gave us a lot of good information on Safe
24 Routes to School Program, and they have helped us out with
25 some data. But we're still -- we are competing for that

1 small amount of dollars.

2 One of the things that I talked to Sandi about
3 was my biggest concern is our population count. Okay, our
4 population count in Humboldt and Del Norte County barely
5 reaches 200,000. That's the whole populous. We're
6 competing with the rest of the state, or we're trying to
7 be heard at this session with the rest of the state, and I
8 think Aaron had brought that up with the highway count.
9 You know, so it is concerning. It is concerning to us.
10 How much of the state attention are we going to receive?

11 We have very beautiful land. We have very
12 beautiful mountains. We have beautiful rivers that the
13 whole state populous access, but again that causes those
14 traffic incidents within our reservation. And so I think
15 that's where we need to sit down and be heard.

16 MS. JOHNSTON-DODDS: I just had one thought that
17 maybe Sandi and myself and the folks who are going to be
18 at next week, the members of the Native American Advisory
19 Committee who were going to be at -- Federal Highways is
20 hosting a MAP-12 workshop. And so with the small VMTs and
21 the small populations, I think we should kind of put it on
22 our radar to see are there performance measurements or
23 some component that we can capture. Because they are
24 going -- my guess, at least looking at the pre-work stuff,
25 they are going to be in that larger urbanized areas, with

1 the big MPOs. So kind of be thinking through what those
2 performance issues are because that's what the funding
3 pieces are. It's going to be a criteria in different
4 ways, at least that's kind of what I was hearing last week
5 when we sat down with Federal Highways. They haven't
6 figured it out yet, so we have an opportunity to help them
7 out, we, meaning the tribes, because they are unique. And
8 the criteria for the MPOs and Caltrans is not a
9 one-size-fits-all.

10 MR. GENSAW: And this way it gives us assurance
11 that -- they are the ones that are sending you out here,
12 but we would like that dialogue with them so that they
13 know that we're serious. This is the beginning, so we
14 want a good foundation under it. That would be the only
15 way we could be sure that that's getting out there and
16 being heard. And we could actually take them out there
17 and give them a visual and show them exactly what we are
18 talking about. So I think that's important.

19 MR. JAMES: I don't know if anybody's mentioned
20 it, but I was thinking right now we have the rail plan and
21 freight plans and transportation plan. What about a
22 consultation plan?

23 I am thinking in accordance with the executive
24 order from the President. When you're talking about the
25 use of federal funds, it goes along with it. And then you

1 have a policy made by the director, and you have all these
2 things about consultation, but we're not making these
3 people accountable because they don't have to be. So what
4 about a consultation plan, the submittal of a consultation
5 plan in accordance with their planning for these regional
6 areas, then they will have to be accountable.

7 MS. KORTE: Just the thought I have is since
8 these performance measures are in the process of being
9 developed, maybe you are kind of getting at that too, a
10 performance measure, anything that suggests that FHWA be
11 established for consultation. Are they doing it? How
12 often are they doing it? How many meetings did they
13 have? Maybe it needs to be tracked.

14 MR. DE TERRA: We're going to be updating the
15 regional transportation plan guidelines in cooperation
16 with the transportation commission fairly soon, and I
17 think our planning division takes the lead for that for
18 the department. That could be something that we put in
19 the RTP guidelines, to actually have consultation plans as
20 part of their plan and to put more strength in it so that
21 it's not an optional activity. Just like air quality
22 analysis is not optional, you just know it's what you have
23 got to do, and the regional agencies need to understand
24 that.

25 MS. SOLLENBERGER: I was just going to suggest to

1 look for the language. The regional transportation plans
2 are a series of shalls and shoulds. Shalls are statutory;
3 shoulds are what the California Transportation Plan wants
4 to push as policy. And if we look at this and see these
5 are the shalls, that would be very promising. And the
6 shoulds, it's always good to have something.

7 MR. GENSAW: Another thing too, this is what
8 we're hearing from our communities. When Caltrans comes
9 through and they are working on the reservation, we're not
10 seeing the members being hired for those jobs. And so we
11 would like to have that be known too. That's going
12 through our reservation, and we're working with Altura
13 too, and we want to build on that.

14 MS. WATERS: We have about an hour and a half of
15 time left. And so what we're thinking is if Bruce could
16 quickly finish up on the rail plan and then Joan can
17 quickly go through her presentation so we have plenty of
18 time left for more open discussion. So how does that
19 sound, good to everyone?

20 And I wanted to say: First of all, I want to
21 compliment Redding Rancheria because that food is really
22 good. And there's plenty left over there, so please keep
23 going, and it would be great if we didn't have any left.

24 MS. TRIPP: Thank you very much for lunch. We
25 appreciate it.

1 MS. WATERS: It's the least we could do for
2 getting you here, so please keep going back to eat. And
3 back over to Bruce.

4 MR. DE TERRA: Thank you, Laurie. Just to
5 quickly wrap up the freight plan, I will briefly move to
6 highway network. The federal program government has not
7 yet released their draft highway network of what they want
8 to see as the national freight network, so we're not yet
9 sure what our state response is going to be to that in
10 terms of leaving out facilities or what criteria they are
11 going to be utilizing.

12 It's likely there will be a 30-day federal
13 comment period when that comes out, that draft network.
14 So we'll distribute that to everybody we can so they can
15 provide individual comments. And then to the extent we
16 can, we'll be consulting with our freight advisory
17 committee, but we may not have a meeting because of the
18 time. It takes a lot of effort to get 62 people together
19 from all around the state.

20 The federal plan is due under state law to be
21 turned in to the governor, the legislature, the California
22 Transportation Commission, California Air Resources Board,
23 and a few other entities no later than the end of December
24 2014, so basically one year and one month from now we have
25 to have the freight plan done. So as I mentioned earlier,

1 we're going through all the existing regional freight
2 plans and everything that's already been approved by lots
3 of other folks to see what the entirety of all this is,
4 what policies are out there related to freight, and
5 starting to try to put it into the pieces of what the
6 federal guidelines say so that we have something that
7 people respond to. Right now it's kind of a theoretical,
8 esoteric exercise without actually looking at what is all
9 this we have done.

10 So we'll be having consultation between the end
11 of December, or early January, and June, which is when
12 we'll be trying to talk specifically about what the
13 freight plan needs to say. So it's during that time
14 period that it will be arranged in cooperation with CTP
15 with consultation with tribes that wish to have a
16 discussion. And we'll continue to talk with the NAAC and
17 their representatives on the advisory committee.

18 The state rail plan was just approved. It was
19 approved by the Federal Railroad Administration, so we
20 have federal and state laws requiring us to do a state
21 rail plan. And the state rail plan is for both passenger
22 and freight rail. We just got new guidelines. As soon as
23 we got the rail plan done, new guidelines came out from
24 the federal government and state government requiring us
25 do the rail plan over again. So we're going to initiate

1 it, and that literally was just approved a month ago by
2 the state via the state rail plan and by FRA in June. It
3 took quite awhile to do the state approval.

4 So we're going to initiate the update to the rail
5 plan, and again that's going to be freight and passenger
6 rail, and that includes Amtrak thruway buses. So that
7 service is pretty comprehensive. It doesn't go everywhere
8 people would like it to, but it's the best of that system
9 we have in the country, and it is state supported and
10 we're continually trying to improve that. The new rail
11 plan will begin; we're drafting the scope of it now. The
12 new federal guidelines were very specific in terms of what
13 the content needs to be and the order of it. They laid
14 out in their first chapter it will be this and will answer
15 that. So it goes down a long list where we break apart
16 the federal guidelines.

17 A state bill was passed in the end of September
18 that aligns the state rail plan requirements with the
19 federal and has those same timelines. So instead of doing
20 two different rail plans, we're just going to be doing one
21 to meet both the state and federal requirement. It is due
22 for absolute completion in the early spring of 2017. But
23 in order to get there, we have got to start it this coming
24 spring. We're doing the scoping now. We'll be under
25 contract by the end of spring, by June 2014, and then

1 immediately begin the process of developing the rail plan.

2 Because it's brand-new, we will not repeat the
3 lack of communication and consultations that happened with
4 the last version where the group responsible for that came
5 out and talked to tribes very late and not in an adequate
6 fashion. So we're going to take some time upfront and
7 build it into the overall work plan to start consultation
8 immediately. We have a really good platform to work from
9 because we just have concluded the state rail plan, so we
10 have a solid reference to work from concerning the range
11 of concerns and possibilities.

12 In order for a project to receive federal
13 funding, it has to be in the state rail plan. So that's
14 another one of these plans that we have that's going to be
15 project-specific. Unlike the CTP, we're going to have
16 projects that are going to be fiscally constrained, and
17 there will be a section that's not fiscally constrained.
18 That's if we have money, we'd like to do this, even though
19 it's not there now.

20 It's also going to talk about integration of the
21 high-speed rail network and how the existing passenger
22 rail system is going to work with that system, and then
23 also how the two of those systems together are going to
24 interact with the transit system, and how that impacts the
25 communities. So it's a really big undertaking to try to

1 accomplish all that.

2 There's no money being provided to develop this
3 plan. We're diverting other funds we have available
4 within our division to do this, and a lot of our own staff
5 are conducting the work. This is also true for the state
6 freight plan. There was no money set aside to do this, so
7 we're just going ahead and doing it.

8 MS. TRIPP: It's an unfunded mandate? I mean,
9 you are mandated to get that done, but there is no funding
10 for it?

11 MR. DE TERRA: We are mandated to do the plan.
12 We have funded rail plan staff that are paid for out of
13 our regular planning funds, but there's not specific
14 funding provided to Caltrans to develop a rail plan.

15 MS. TRIPP: Is it going to be sufficient for you
16 to get that plan done?

17 MR. DE TERRA: We'll make it sufficient. The
18 plan we have just finished this last month was actually a
19 Federal Railroad Administration grant in excess of \$2
20 million to do that work, so this time it's on us to do it
21 ourselves. But that will build a foundation to try and
22 build as much as we can from the work we've already done.

23 MS. VANCE: And Bruce works every Saturday.

24 MR. DE TERRA: Yes, pretty much. I go out for a
25 walk in the morning and go for a walk in the evening,

1 otherwise I go nuts.

2 MS. VANCE: So Bruce, you have the highway plan,
3 and then is there another one?

4 MR. DE TERRA: So highway plan, freight plan, and
5 rail plan. All of those. So we're trying to coordinate
6 those so they are consistent, and we are trying to achieve
7 the same things, and we're talking about each other within
8 those plans. The highway plan is not in the stovepipe,
9 but it's recognizing it is interacting with communities,
10 with the other systems, the highways lead to seaports, you
11 know, and then also with the CTP.

12 MS. VANCE: I also think it's important because
13 there's such a time crunch. If there's something that we
14 end up going through fairly quickly that you or your tribe
15 might be interested in, his contact information is on the
16 backside of at least two or three of those fact sheets in
17 there. And Bruce, you are available as far as email or
18 phone calls. Saturday works great for him (laughter).

19 MR. DE TERRA: So our freight advisory committee
20 meetings, in order to make them accessible to as wide a
21 range as possible, we're broadcasting those over the web
22 so that anybody in the state who wishes to watch it can go
23 to our website and connect to the link the day of, and you
24 can watch the whole thing. We won't be able to have the
25 feedback and back and forth because we'll be subject to

1 the Bagley-Keene Act, which requires a particular kind of
2 format for state agency committees which we have now. So
3 we're going to be under a new law -- well, it's an old
4 law.

5 Because our plan is mandated to have a committee,
6 we have to follow some additional procedures. We're not
7 allowed to take feedback directly from community members
8 or the public over the web access unless the location that
9 we're connecting with is an official public meeting spot
10 that we have officially noticed and you have all that
11 access you would have at a normal meeting spot. That
12 would be an undoable thing for a group of six people that
13 are working on the freight plan. We couldn't coordinate
14 that in the committee itself.

15 So if there are no further questions on this, I
16 guess when we do the discussions later, if you have
17 questions, they will come up. Thank you for your time.

18 MS. SOLLENBERGER: Okay. So I am going to try to
19 be very brief today. My name is Joan Sollenberger, and I
20 am just so happy to see everybody here. I know this is
21 been a passion of mine for longer than a decade when we
22 started the Native American Advisory Committee. I am also
23 sad to hear it hasn't gotten better with some of the
24 regional agencies. Some of the issues just haven't gone
25 away, and hopefully that will improve. We have to just

1 keep at it. That's my wish for everyone.

2 I am here to talk about a plan that isn't
3 necessarily covered as much at these meetings because I am
4 kind of new to the game. I am in the Division of Traffic
5 Operations, which is a sister division to the planning
6 division you have been talking to a lot of the
7 representatives of. But we're in a close partnership to
8 look more comprehensively at the whole system, so one of
9 my jobs is the Strategic Highway Safety Plan requirements
10 that have actually been strengthened in MAP-21.

11 I am going to cover a few of those today. And
12 also because I was at the super region meeting yesterday,
13 I have some slides hot off the presses that are not part
14 of the presentation. They are on my USB stick, but I
15 think it will take too long to pass around. I have a
16 couple of hard copies to pass around that shows all of the
17 data that we have for the 16 northern counties in
18 California on safety issues. And that's not in my
19 presentation because we literally just developed it with
20 our contractors at UC Berkeley. So I'll touch on that end
21 of this, but I am going to run through this a little bit
22 quickly. I'm going to talk about the differences between
23 the other plans you have heard and this one, the
24 similarities, and one of the most important points is
25 there's money.

1 So let's go ahead and get started on this. So
2 starting in SAFETEA-LU, there was first a requirement for
3 something called the Strategic Highway Safety Plan. The
4 first plan was developed in California in 2005, 2006 time
5 range, but it didn't require any consultation with the
6 tribes or there was nothing explicit in there about tribal
7 involvement. I think that that is one of the lessons
8 learned by the folks at the back end. They should have
9 had more involvement, but they had this massive thing to
10 start from scratch that they had never done before.

11 So with the new requirements now, there's much
12 more explicit requirements, and it actually calls for
13 consultation with tribal government. One of the reasons I
14 asked to be part of this meeting was because as we started
15 reviewing the requirements and we have a plan to do, and
16 then we went to the Native American Advisory Committee,
17 and really the best way to do this is to have the state
18 come to you once here. I don't want to have to call you
19 to a second meeting. I think that's a really important
20 aspect of this, and I really appreciate being invited to
21 this so I can say a few words.

22 This plan, actually the original one had 400
23 stakeholders out there. I guess I have to start with the
24 first misnomer. You see highway safety plan, ex out the
25 word highway and it says all public roads. This plan

1 actually is to cover all public roads. So that includes
2 tribal roads that aren't just private limited access. So
3 remember that every time you see this.

4 The other difference is this says "strategic."
5 Strategic plans are a little different than a California
6 transportation plan because a California transportation
7 plan has to be comprehensive. Both of our plans are
8 continuing and cooperative, so there are three Cs that go
9 with all of our plans. What is different about the
10 strategic plan is a comprehensive plan covers everything,
11 let's say, from soup to nuts. This strategic plan is what
12 are the most important things we need to actually tweak to
13 get us to some goal. We can't do it all, so it's going to
14 be a few strong actions versus everything we want to do.
15 So that's an important distinction.

16 What we're also learning, and I'll go over this a
17 little bit more, is that the Strategic Highway Safety Plan
18 has to be consistent with the California Transportation
19 Plan and vice versa. So there's a definite connection to
20 the two of these, and that's why it's a great opportunity
21 to look at these together right now.

22 The other thing to point out on the slide is when
23 we talk about safety at the federal level, they really
24 talk about the four Es. There's the engineering, and you
25 know what, most of us in the room for Caltrans, we're

1 planners. So I am going to say engineering includes
2 anything from planning to engineering that is something
3 you look to Caltrans to or to your regional planning
4 agencies because it fits under that umbrella. And then
5 enforcement, of course, usually lies with California
6 Highway Patrol for us on the state system. And then it's
7 a partnership of the sheriff, the city police, and the
8 tribal police on all the other roads and streets.

9 And then the education piece of this: We have
10 stakeholders involved in the education side because a lot
11 of what can happen is preventive or changing the culture
12 and changing people's behaviors so that they don't end up
13 in a safety issue. And then last but not least emergency
14 service. I looked at this as the emergency services
15 trying to get in. But when we were at the Tribal Safety
16 Summit last week, they had the story of the Tuolumne Tribe
17 and the Rim Fire. They realized they only have one access
18 in and out. If that gets cut off, that's really dangerous
19 for them. So it involves everything from people getting
20 to you and also people getting out, and those are things
21 that are also covered under safety.

22 MS. VANCE: I think there's a huge component and
23 very important topic, especially with the rural parts of
24 the state. And since I work in a rural part of Northern
25 California and I have lots of meetings with tribes,

1 council meetings, or project-specific meetings and that
2 issue has come up a lot, not only on emergency-type
3 situations, whether it's fires, floods, slides. You know,
4 that darn gravity and water just don't together.

5 I also have had a lot of interest from tribes on
6 trying to coordinate with state agencies. Some of them
7 already do, especially with local departments and things.
8 But coordinating on a statewide level for a what-if plan.
9 If this happens, what then. Instead of, Oh, we're in the
10 middle of a fire or a flood, what do we do. I know there
11 are a couple of tribes that have on their lands and within
12 their access, the only detour route that would be
13 effective.

14 We're not just talking about getting tribes to
15 and from. We're also talking about the whole. They are
16 in a very unique position to help the entire population of
17 California to get to and from. A lot of people don't
18 realize that the Indian Reservation Roads inventory is
19 very large and has accessibility that we do not have as
20 far as where our state system even goes. Especially if
21 101 goes down or 96 goes down or 299 goes down in some way
22 shape or form. There are other avenues, and if we don't
23 know what those are ahead of time, panic sets in. It
24 would be so much better if we could create a dialogue
25 ahead of time. And I thought it would be a perfect

1 opportunity to let you know that's something I hear
2 repetitively from the tribes.

3 MS. SOLLENBERGER: I understand that Tuolumne is
4 looking at evacuation plans and they learned from this.
5 They were also hosting the entire firefighting effort on
6 their soon-to-be golf course. Luckily it wasn't developed
7 yet because it probably would have pretty much destroyed
8 it. Yes, so excellent point.

9 And I have to tell you that when I finally
10 decided I was leaving the North Coast and moving to
11 Sacramento, it was the 1986 floods and all highways were
12 closed, so here I am sitting here with my little moving
13 truck. Well, I can't get out of here unless I go up to
14 Oregon. And luckily they opened the slide. I had to
15 drive up over the dirt because they opened it up just
16 enough. You were going over a mound of part of the slip
17 out that had happened there. We felt pretty cut off, and
18 I know with rural areas it's a lot easier to get cut off
19 there.

20 So the last important thing to say about this
21 first slide is that, really, the strategic part of this is
22 applying resources where it's needed most to make the most
23 improvement or improve the performance and save more
24 lives. So I think those are really important points about
25 the SHSP. The PowerPoint actually has a lot more slides

1 in it, so I'm kind of doing the Reader's Digest version
2 today. So you'll just get some of the slides, and you'll
3 have the rest of those in there that you can see.

4 We have within that large structure all the
5 leaders of the organizations. We had Secretary Kelly come
6 this year. September 25th we had the annual Strategic
7 Highway Safety Plan executive leadership meeting they
8 call. And that's when all of the agency directors get
9 together. Secretary Kelly opened the meeting, Federal
10 Highways was there, and then our director, Director
11 Dougherty, Commissioner Farrow from CHP, at the time it
12 was Russia Chavis who was also at CalSTA, but she is right
13 now Office of Traffic Safety director. They were all
14 there to have a dialogue about what's important from a
15 leadership perspective to look into for the next year.

16 So the top priorities were to update the plan.
17 We're required to do that, and I'll talk a little about
18 local, regional, and tribal involvement. And then the
19 third one is actually the traffic safety culture. Data
20 was such a big deal, I put it on here. It wasn't the
21 third one. Data is something I wanted to touch on which
22 is very much an issue that we recognize for this.

23 The things they have accomplished over the last
24 six years, they had something like 17 challenge areas that
25 covers everything from impaired driving to child safety to

1 roadway improvements. There are 17 areas that have
2 volunteers from all over the state that sit down and try
3 to determine the most important things to do. And we only
4 have one, I think, tribal rep, and she was -- I think is
5 on one of the challenge areas. And she was actually at
6 the Tribal Safety Summit. This is an area where if
7 someone, you know, as you learn more, you could get
8 involved in that to help solve some of the problems. We
9 welcome that kind of involvement on an ongoing basis if
10 possible but ad hoc if that's all that someone can do.

11 A lot of accomplishments have been made, a lot of
12 resources have been focused and a lot of investments from
13 some of the things that happened here have improved safety
14 especially on the state highway system. And right now
15 we're turning to, as I was jumping in here, with local,
16 regional, tribal involvement. There's an especially
17 important reason why that has become a priority, and that
18 is because so much has been done now to the state highway
19 system. It's not to say enough has been done. It
20 hasn't. But more fatalities and serious injuries are
21 happening on the non-state highway system now. That's a
22 big issue.

23 So with this program, under MAP-21 it's supposed
24 to be data driven. The data is showing us that we're
25 starting to need focus because we're not really doing as

1 much as we need to on the local system, and that includes
2 all local public roads. So what we need to do that,
3 though, is where is the data. We have data in some of the
4 places, and we don't have it in the other places. In
5 order to be able to use some of these things, that's one
6 of the areas that we're focusing on that we need to
7 improve.

8 Okay. As I mentioned, data driven and the
9 strategic push is really the high level, most important
10 things to get you to some goals. We describe a program of
11 strategies to improve safety, so this is where we really
12 need to better engage local governments, regional
13 governments, and tribal governments, and other interests
14 in determining what are the most important things to do
15 because there is a pot of funding called the -- and in my
16 newer PowerPoint I actually have the acronym up here.
17 HSIP is actually Highway Safety Improvement Projects.
18 HSIP is an actual funded pot of money, and right now with
19 state statute, half of that money goes to the state and
20 half goes to local jurisdictions. Tribes are eligible
21 under MAP-21 for that funding pot.

22 MS. TRIPP: I guess the really big issue there is
23 that it's great we can get into that funding pot, but it's
24 data driven.

25 MS. SOLLENBERGER: Right. That's exactly what my

1 point is going to be is what we need to work on. So let
2 me get to that because I think that's a really fundamental
3 piece of this. So just so you know, there is a definite
4 funding connection to this planning process.

5 MR. JAMES: Can you remind me again about the
6 HSIP funding process? Is that through the RTP or a
7 competitive grant process?

8 MS. VANCE: Well, I think it's probably most
9 important to talk about how the federal program is
10 administered by the state like federal lands access.

11 MS. SOLLENBERGER: Yes, that's true.

12 MS. VANCE: Do we have direct access to it; is
13 that what you're asking?

14 MR. JAMES: Yes. You mentioned tribes are
15 eligible. Does that mean through a competitive grant
16 process or through the state or the RTPs?

17 MS. SOLLENBERGER: My understanding at this
18 point, and I am still learning this area because I don't
19 run the HSIP program myself, but my understanding is it
20 goes to our state division with local assistance to your
21 district local assistants. It is a state-administered
22 program. But, and I was talking to Dave about that, I
23 believe that right now it's a competitive grant program
24 based on benefit-cost of the project. That opens it up to
25 everybody. And then when those grants are made, then it

1 has to get amended into the programs at the regional
2 levels.

3 There is a consistency with the regional planning
4 level, but what I have to learn is does something have to
5 be in the regional plan. It's a competitive program, so I
6 think before it can go to the program you actually compete
7 for the funding, and then it gets amended into
8 transportation improvement program because it was
9 disbursed to the places that were most competitive.

10 MR. DE TERRA: So are they competing for the
11 state portion of the 50/50 split or the regional?

12 MS. SOLLENBERGER: No, they're competing for the
13 local portion. It's split 50/50 under state statute.
14 Now, there is some flexibility under MAP-21 that HSIP
15 funding could be used to gather data and do behavioral
16 things. That's a big change for that funding program.

17 MR. GENSAW: Even though it's data driven, and
18 you know, there's many going after it, so then what? How
19 are we assured there is going to be anything left by the
20 time we get data that needs to come from the tribes?

21 MS. SOLLENBERGER: It's an ongoing program. One
22 of the things we hope to do is better prepare you with
23 information so that you can be competitive. That would be
24 a question for the Strategic Highway Safety Plan update.
25 Strategically, what needs to happen in order that

1 everybody can compete equally for this money for their
2 needs. And I think that's a key to this. We won't solve
3 the problem with the strategic plan, but the strategic
4 plan will drive future actions and future investments.

5 MS. TRIPP: It will look at the way we can
6 actually collect that data because we're going to be kind
7 of behind the eight ball for a long time because we
8 haven't been able to collect that data. So even if we
9 collect it, maybe what we're going to be looking at then
10 in the Strategic Highway Safety Plan is ways that we're
11 going to collaborate and ways we're going to figure out
12 how in rural California we're going to collect that data
13 and actually get it into the system. Because right now in
14 our rural areas, getting the CHP coming up there more
15 often, if we even want them to.

16 Another thing is if our collection process is
17 going to work with other collection processes, then how
18 can we partner with the CHP. I don't have anything
19 against them. The fact is they just have a lot of work to
20 do, and I can't see them taking two hours for a small
21 little accident, maybe for fatalities, yes. And I know we
22 have talked about this in different forums recently. It's
23 just a really big concern. That's great we can get into
24 certain funding, but if it's data driven, you know, we
25 don't have that. So let's figure out a way. That's, I

1 guess, what I am going for.

2 MS. VANCE: Or even better yet, if you don't have
3 the data, how do you become equally competitive. Is there
4 another option?

5 MS. SOLLENBERGER: And I think that's exactly
6 it. The fortunate part of having the dialogue now with
7 you and with the others we're going to go around the state
8 to talk to, we can explore that. This is the opportunity,
9 how do we get the path to get there, and that can happen
10 in a number of ways. In addition to the way the money is
11 divided, if truly the issues are on the local level, then
12 that percentage could shift. So there should be more
13 funds coming to the local side and not the state side.
14 And if it's data driven, it is very conceivable that would
15 happen at this point.

16 We kind of have to step through this to do that
17 assessment so we can determine where the greatest needs
18 are so we can get the funding to the right places. And
19 right places, you know, we need to find a way to make sure
20 that -- you know, because a lot of folks don't have the
21 resources to do this, or the data, so how do we do that?
22 And I think those are things to explore through the
23 discussion.

24 MR. GENSAW: And a lot of our problem is we're
25 mostly native people that are there. So it's not as

1 important to Caltrans to go down there and fix those
2 roads. I am looking at the Pekwan area. That's way out
3 of the area, but there's a lot of lives lost out in that
4 area. And if there's an accident down there and it's
5 fatal or critical, it takes them a long time to get
6 there.

7 MR. DE TERRA: So, Joan, should they be applying
8 directly to Caltrans as a local application and Caltrans
9 would be making the decision, or do they have to get a
10 sponsorship through the regional agencies?

11 MS. VANCE: Actually, Joan, if you don't mind
12 because in April when our local safety person first talked
13 to me about the changes under MAP-21 and how it affects
14 tribes, I spent a massive amount of time with Ted Davini
15 who is the Caltrans headquarters safety person who has a
16 lot more knowledge on HSIP than I ever thought I needed to
17 have. I asked him probably 8,000 questions because as a
18 tribal liaison I wanted to know.

19 It's great to tell tribes you're eligible. Look
20 at this chart. Isn't it fantastic. I don't now how
21 you're going to get it. I don't know what you're going to
22 do it with it once you have it. And I don't how to apply,
23 you know, where you actually go to apply for HSIP.

24 So from what I know from Ted is that tribes
25 directly apply to Caltrans. They are not considered an

1 agency. They are sovereign nations, so they are not a
2 city or local agency, if you will. They are tribal
3 governments, so they apply directly. He did not have a
4 lot of information on what that then looks like. So if
5 they compete and they are successful in getting an award,
6 then what?

7 Because what we do with our local agencies is we
8 have these master agreements that we have entered into.
9 That's how funding is able to go from here to here. And
10 as I said, I don't have the knowledge that we have master
11 agreements with tribes and the State. How would we enter
12 into a master agreement with a sovereign nation? It's not
13 a city; it's not a county. It's a sovereign nation.

14 And he said in his experience, it would be like
15 if they were trying -- if Caltrans was then trying to do
16 something with the National Park Service. They would look
17 at fund transfer agreements as opposed to facilitating
18 funds directly. And he was still looking into that. And
19 that conversation happened in April because of a call for
20 a project on HSIP deadline was July 31st. Whenever I send
21 these notices to the tribal administrators, I always cc
22 them because there are roads and counties and
23 transportation. They received that call for a project,
24 and that's what initiated our conversation on the
25 data-driven competitive processes.

1 So I don't necessarily know, Bruce, if that -- we
2 don't know yet. But we're working on it, and I think
3 another important component, not to beat this dead horse,
4 but because I am going to beat this dead horse: If tribes
5 are frustrated, I would highly recommend that Federal
6 Highways -- which this is their program. This is not
7 Caltrans's program. This is a federal program that we as
8 a state with the local assistance of Caltrans administer.
9 We don't write the guidelines; we don't create -- as far
10 as I know, if you know something different, definitely let
11 me know. But it's not a Caltrans program. It is a
12 federal program that we, the State, administer. So I
13 would think if changes need to happen to it, I would be
14 inclined to find out who you would go to.

15 MS. SOLLENBERGER: Those are all good questions.
16 I need to find out more about them because I am just now
17 coming onboard. There are guidelines for the local side,
18 and I thought there were state, but there is federal
19 regulation coming that will determine more of this. Right
20 now we have interim guidelines, and January 6th we're
21 supposed to get the proposed rules on the safety
22 performance measures and the HSIP program.

23 There's going to be a comment period back to the
24 federal government, so that's going to further define some
25 of this. So this is an opportunity to come back. And

1 after we had gone to the Native American Committee, Kome
2 Ajise the department rep there decided that we were having
3 such a lively discussion, as we are now, that we would
4 have that as a standing agenda item for the Strategic
5 Highway Safety Plan on the Native American Advisory
6 Committee for the foreseeable future so that we can start
7 to talk about those issues there and try to work through
8 them because there's some unknowns.

9 MS. VANCE: I think you're right. The guidelines
10 may be from state, but it's not a state program.

11 MS. SOLLENBERGER: It's federal funding, federal
12 requirements. As one of our representatives said in a
13 meeting yesterday for the Strategic Highway Safety Plan
14 that especially now that -- not especially, but with
15 MAP-21, it really strengthens the dialogue with the tribes
16 even in MAP-21. And then our California division office
17 takes very seriously their trust responsibilities. And so
18 they are saying they want to work through this. They are
19 going to be at the table with us. We won't be by
20 ourselves. Aaron?

21 MR. OLIVER: I had a meeting last week with
22 Robert Sparrows, the director of Tribal Transportation,
23 and I asked the same question. His response was that even
24 though it's a federally funded program, the State of
25 California through Caltrans manages the funds. The tribes

1 have the policies and guidelines that are determined by
2 Caltrans when it comes to the selection process. So even
3 though it is a federal program, yes, but we're still
4 subject to the policies and guidelines of Caltrans. So
5 for those things we work on, even though, as you stated,
6 it's a federal program. Well, federal sees it as we gave
7 the money to Caltrans. Now you're at their guidelines.
8 So their interpretation is once it gets to Caltrans, it's
9 the discretion of Caltrans.

10 MS. SOLLENBERGER: When it's a state-supported
11 program from federal money, that's typically the way it
12 works. It doesn't mean that Federal Highways doesn't need
13 to be at the table to help make sure --

14 MR. OLIVER: That was going to be my second
15 point. It should have Federal Highways and State of
16 California come down and discussing these issues. It's
17 the gray area we're discussing. It sounds like there is
18 no master agreement or government-to-government. What is
19 the possibility that tribes come to the table saying we
20 want to earmark our portion of those funds?

21 It could be as simple as taking a portion out of
22 it and if those funds are not expended by such and such a
23 date, then they go back into the separation of funds for
24 local and state funds. I mean, we are talking federal
25 funds, and there are 111 tribes in California. There are

1 a massive amount of projects on tribal lands. What is the
2 possibility of earmarking funds for tribal roads or public
3 roads that are on tribal land?

4 MR. GENSAW: And then when you say it's their
5 trust responsibility and they know it's their
6 responsibility, you know, that doesn't really give us a
7 lot of confidence because of the trust responsibility in
8 the past. So that's where we're coming from.

9 MS. SOLLENBERGER: I hear you, believe me. So I
10 understand that. And I just heard the staff really say
11 that I think that was heartfelt, that they understand that
12 this is an issue for them. And I don't know about
13 everybody there at Federal Highways, but the folks that
14 work on the local assistance side, they spoke at the
15 Tribal Safety Summit and made that statement. So what we
16 can all do is help them to understand the needs, and
17 Caltrans can help facilitate the dialogue to work through
18 these issues. So that's where I think our Native American
19 government-to-government policy really helps us put these
20 on the table. And then we can focus everybody that needs
21 to be there --

22 MR. GENSAW: I think it should be known that we
23 feel that we're at the tail end. By the time there's
24 funding there, there won't be any left for us.

25 MS. SOLLENBERGER: I'm just learning all this

1 coming new into this job, and we'll see if we can help you
2 catch up. That's the best we can offer, and it will take
3 an interactive dialogue to do that.

4 MS. VANCE: I think even if you weren't
5 necessarily in that position, MAP-21 has taken funding
6 authorization and went (indicating).

7 MS. SOLLENBERGER: Yeah, they changed rules on
8 us, and they didn't explain it very much. We're just now
9 figuring out part of it. That's part of it. Oh, you gave
10 us this, but you didn't give us all the tools to do it.
11 And that's an issue.

12 MS. TRIPP: It's a really big deal. We've only
13 got the two years, we don't know what is going to be after
14 that. We know there's all kinds of things we have to do
15 and all kinds of ways the funds have to be spent or can be
16 spent. And who knows what is going to happen at the end
17 of two years. These are the kind of things --

18 MS. SOLLENBERGER: Don't take the two years too
19 seriously. They extended the last authorization for about
20 three years.

21 MS. TRIPP: Twelve times, for sure.

22 MS. SOLLENBERGER: But what resides, what is
23 resilient to that is this plan. The State is still
24 executing this plan no matter what's going on at the
25 federal level. So those HSIP funds are very popular, and

1 safety is the top federal and state priority. So that
2 funding pot is going to be there. We just have to figure
3 out what happened here with MAP-21 and figure out what to
4 do with it. That's why I'm really here today. This is
5 the beginning of dialogue to figure out what can we do
6 with this strategic plan update to clear that path and
7 help make everybody competitive for the funding. Either
8 competitive, or as you put it, is there some sort of
9 priority.

10 MS. JOHNSTON-DODDS: I am just kind of thinking
11 through those layers of where to move things forward.
12 Listening to the tribal voices here and adding this to
13 that list to take directly to the secretary and having
14 that be the secretary of Caltrans and the tribes and
15 Federal Highways all in the same room at the same time
16 talking together. Our experience last week in varying
17 degrees at the safety summit with different Federal
18 Highway representatives, since not everybody was in the
19 room all at the same time, we were all getting different
20 degrees of different information.

21 And unfortunately, I think for the tribes, it was
22 confusing because you had Caltrans, federal
23 representatives kind of looking at each other. There
24 wasn't clarification. So having that conversation with
25 all of the folks in the room would be -- let's get them to

1 clarify that or a commitment from the secretary and the
2 Federal Highways division person on what's next.

3 MS. SOLLENBERGER: Thank you for that
4 clarification. And I missed day two, and so I'm sorry I
5 couldn't be there.

6 As always, you bring up the money. And this is
7 the discussion because you guys don't get as much access
8 to the money, and so that is perfectly understandable.
9 The statewide integrated management system for where the
10 data goes, this is a statewide system and this is to
11 highlight some of the issues that you raised. The folks
12 that do the reports that actually populate this are the
13 CHP, sheriff, and cities. And there's instances where I
14 heard in one of the counties, actually it was Del Norte
15 County, said that the Sheriff's reports are sitting in a
16 stack over here. They are not in the database. So they
17 are going to try to fix that because they are missing
18 data.

19 MS. VANCE: Sheriff's is one, but CHP has a
20 two-year plus backlog. I am not bagging on them. I'm
21 saying resource-wise something different has to happen,
22 especially when you look at the safety studies, you're
23 looking at seven years, or five years, and two of it is
24 missing.

25 MR. NORTON: There's also the tribal police. I

1 have a tribal police department that I rely on data for,
2 but we've had so many turnovers in tribal chiefs that we
3 don't have that consistency.

4 MS. SOLLENBERGER: And what I don't know yet just
5 how the data -- you know, when we were at the Tribal
6 Safety Summit, the data comes from the Highway Patrol in
7 places where they have the jurisdiction. But they asked
8 the tribes to ask them to come in and take reports so they
9 could get data in and have a dialogue with the region
10 commanders about that. And that's a whole nother topic.
11 But I think that's one way of looking at this. This is
12 another issue. We just have to look at how do we get the
13 data.

14 UC Berkeley has SafeTREC, the TREC is
15 Transportation Research and Education Center. They are
16 pulling from SWITRS database and doing analysis for us.
17 They are under contract with Caltrans. At the Tribal
18 Safety Summit, we had them pull data for the tribes. And
19 while I have maps for the tribes, I hesitate to bring them
20 here. I could give you a hard copy because I think there
21 is a liability issue there. But what I notice, every dot
22 on the maps was like a line bisecting it wherever there
23 was a state highway through tribal land, all the accident
24 data was right on that corridor. It was nowhere else. So
25 you didn't see a dotting, it was just the state highway

1 and in some cases maybe a few dots, some sort of economic
2 development like a casino or something like that.

3 It was very obvious to Berkeley that there's a
4 lot of missing data because nothing else was showing up,
5 and that's an issue for everyone. And I've got more of a
6 statewide map here. This was something that we looked at
7 knowing this an issue that we need to take a further look
8 at. And then what they did was they looked at the tribal
9 areas map. They did that in a very short period of time
10 for us, and that could use some improvement. What they
11 identified was 3,700 collisions in 29 tribal areas of the
12 state. That's probably way underrepresented. That's just
13 the bottom line.

14 So this explains kind of how things work with CHP
15 and just to emphasize the fact that if we're going to do
16 data driven, there's a lot of caveats in public law. 280
17 comes into play; all sorts of things come into play. So
18 this is an area that probably needs some more work. And
19 just remember with the Strategic Highway Safety Plan, CHP
20 is a full member, Office of Traffic Safety is a full
21 member, NHSTA, the National Highway Safety Transportation
22 Administration, Caltrans, Education, DOD, they are all
23 part of the partnership. It isn't just Caltrans.
24 Caltrans is just the lead. It's part of the California
25 Transportation Plan. It's a plan for all transportation

1 safety for the state.

2 MR. GENSAW: So back there when you said all
3 those accidents, injuries, lead to where there's a casino,
4 you know, and then we just heard about the funding stuff.
5 But then -- just the thought in my mind is, okay, they'd
6 probably turn around and say, well, it's leading to the
7 casino and casinos have money. Some of the casinos have
8 the funding to build the roadways and make them better,
9 but meanwhile we're hearing -- are you getting where I am
10 coming from? We're hearing that you can take the money
11 out of their pockets, but is that money actually going to
12 that without them having to put in?

13 MR. NORTON: Not all of the casinos do.

14 MR. GENSAW: And not all of the tribes have
15 casinos, or they do but they don't make a whole lot of
16 money. What they do is they put money into communities.
17 In Del Norte and Humboldt County, tribes now are -- like
18 Yurok Tribe, we're not a casino tribe, but we have 3,800
19 employees. So where's that money being spent. You know,
20 we're creating those jobs. They don't have the mills
21 anymore where you punch in your time card, but there's
22 casinos out there where they are punching time cards. And
23 it's not just tribal members. Actually, we're outnumbered
24 even there. When it comes to funding, we're outnumbered.

25 MS. SOLLENBERGER: Understood. So the dotting on

1 the map is an indicator of where the issues are, if you're
2 data driven. And if we're not reporting where the issues
3 are, then we don't really have that data-driven aspect.
4 But the solution to those issues can be the engineering,
5 which is the money for a project, or it could be
6 education, or it could be the emergency services, or it
7 could be -- what was the fourth E? It's the quiz at the
8 end of the day.

9 So there's a series of different things that
10 could be the right answer. Any number of solutions to a
11 problem. One of them could be the money, but that's where
12 the federal HSIP money is applied based on the clustering
13 in the state. If you don't have the data, you don't see
14 the clustering. If you don't have the clustering, you
15 can't show you've got a problem. So it isn't necessarily
16 a casino issue. It's where does this federal funding get
17 applied for various strategies. It is statewide, but if
18 we're missing the data, we have no way of justifying that
19 the solution get put there. And that's one of those
20 things we have to work on.

21 MR. OLIVER: So is SWITRS, the only program that
22 you compare data from?

23 MS. SOLLENBERGER: There are a couple of other
24 smaller systems, but my understanding is all state and
25 local roads use SWITRS. That's what CHP codes, and then

1 they come to the state, and right now they are two years
2 behind.

3 MR. OLIVER: And then the other thing on those:
4 At the safety summit the commander was there. He had
5 stated that all the information that's entered into SWITRS
6 that happened on tribal land is coded to one code only,
7 even if it's a collision, fender-bender. The only thing
8 that would prevent that and go outside that code would be
9 a fatality. So when it goes into the coding, it goes only
10 as a fender-bender on private land. The other thing is
11 that they don't do a GPS. They don't do it. It is not
12 allowable. So how do -- if we don't have access to
13 SWITRS, we have our own tribal police force. For our data
14 collection, we have the tribal police force, or I go out
15 the next day and I log it and I put it into GIS. Now, can
16 I use that information to submit to Caltrans?

17 MS. SOLLENBERGER: That's what I don't know.
18 Right now what CHP has told us is they are the official
19 and have to observe everything that goes into SWITRS, or
20 another law enforcement agency. And does that include
21 tribal police? I don't know. That's something that we
22 need to work on, and that's something at the Tribal Safety
23 Summit we noted in there that there's something we need to
24 check out here. Is there a way to do this so that things
25 can be either entered in SWITRS, or is some sort of

1 database okay. And that's what we have to follow up on.

2 MS. KORTE: Joan, you said data collection is
3 going to be -- you could submit a grant for data
4 collection? Did you say that?

5 MS. SOLLENBERGER: I didn't say it quite that
6 way. The funding is flexible to be used for data
7 collection. We cannot access that yet because right now
8 under state statute it says money goes 50/50 for a
9 project. We may have to change state statute to make it
10 available for data. We may have some steps to get there,
11 and I don't -- it's a really good question. I don't think
12 we've even approached the idea that someone could apply
13 for money for their own area. Or if we do it, it might be
14 cheaper by the dozen to say off the top, we can get some
15 data. This is where we need to explore as part of this
16 plan update what it is we need to do. If we need some
17 data off the top, some data resources, that's something we
18 can explore. So that's the good news.

19 MS. KORTE: So maybe on a pilot basis. I'm sure
20 other people have talked about smartphones. So maybe you
21 could collect this information on a pilot, like give
22 everybody a smartphone so the tribal police are collecting
23 safety data, something like that.

24 MS. SOLLENBERGER: That would be helpful, but I
25 have to tell we just had our management meeting with Ed

1 Lamkin, who is the operations and maintenance deputy for
2 this region. And he said, you know what, I have 60-mile
3 circles in District 2 that have no cell service. That
4 would be a great idea if it worked everywhere. He put out
5 the idea, hey, we need microwave. He thinks microwave
6 towers are the way to go. And also just getting emergency
7 services to someone if they are in that zone. They are
8 saying 15 minutes, someone could be dead. So if someone
9 can't get to them, if they just had that, that would be a
10 safety improvement. So we have put that on our list of
11 things to explore of what we can do to help the rural
12 areas.

13 MR. OLIVER: My question would be why -- I mean,
14 I think it would be advantageous to CHP and Caltrans if
15 tribal police had access to SWITRS. That might be the
16 easiest way to go. Right now the way it goes in to SWITRS
17 is you file your 555 form, and it goes in. What was
18 stated to me is it doesn't go in as a collision. It just
19 says other property accident, or collision, or whatever it
20 is. If you wanted to add to what it was, you can add it
21 in the comments. But that's not going to be part of the
22 data that's going to be collected as a whole. It is just
23 going to be a comment only.

24 So if tribal police could have access to SWITRS,
25 then they could file their 555 form. They can do the

1 inventory. What's to prevent them? We do have the joint
2 partnership when it comes to enforcement. We are a
3 two-way state. Why aren't we able to add to SWITRS for
4 our data?

5 MS. SOLLENBERGER: And those are questions we
6 will ask. It's great to have these interactions. That's
7 the ideas that we need, and then we need to have that
8 dialogue to bring everybody up to speed. I know I am
9 running way over, but this is a really good suggestion.

10 MS. VANCE: This is just in response to Aaron's
11 question. In the interim until we have an answer, I would
12 submit the data you have. Until I am told I can't use
13 that data, I would think it would be beneficial to go
14 ahead and use it. Granted you're putting out effort and
15 resources to put together a package, to put together an
16 application and all those other things. I would think
17 until we had a clear delineation line -- granted, this is
18 the one-stop shop up here, but if you're not able to
19 access that and not able to include your information in
20 there, why then wouldn't your information be as valid?

21 MR. OLIVER: Then if I submitted that and I
22 didn't get selected because my data wasn't collected, then
23 to me that's a breach of trust. My trust is that the
24 State of California and the United States government
25 treats everybody equal. And if we're not being treated

1 equal, then that's a breach to me.

2 MS. SOLLENBERGER: So those are -- we certainly
3 need more dialogue to figure out what to do about these,
4 so excellent points.

5 This is kind of what we learned when we were
6 trying to figure this out just getting ready for this
7 tribal discussion because we literally got in the game two
8 weeks ago. So this is pretty new. It may not be a
9 hundred percent correct, but that's why we need the
10 dialogue to get the best information and get the correct
11 information out there.

12 Obviously, we have some data issues, so this is
13 where the conclusions slide was, that we need -- you know,
14 this is something we ought to explore as a task together.
15 We look forward to that dialogue. Today, this is just the
16 introduction to it, but we will go back and do our
17 homework and see what we can bring back as options, but
18 we're going to need more input from you as well.

19 Just to go over a couple of the data slides, and
20 we have much more extensive slides in your packet, but
21 bottom line is -- as you see, the lines are a little hard
22 to see. The fatalities are luckily the lowest, but you
23 can see the lines -- I guess that one kind of goes like
24 that (indicating). Then the severe injuries are this
25 other line here, and that one goes there, and then your

1 minor injuries. And this is literally how we would chart
2 something. But if there's no data, it doesn't show up in
3 there. So just remember that when you see these.

4 The Indian reservations, for the 3,700 that were
5 tracked, this is where they fell out. You can see
6 Southern California got pretty big there with Aga
7 Caliente. But they are small numbers showing up in the
8 north state, and I am not surprised by that because of the
9 long distances. That's something to work on. So we kind
10 of -- we only have a little bit of data. We need more
11 data.

12 The statewide map, when we did this -- and
13 there's some more slides that I have that actually break
14 this out. But looking here, a lot of these are actually
15 along state highways. But that's what was real visual to
16 me was to see that. And even up in the north state, they
17 tended to be along highways because that's, of course,
18 where you had other people traveling on the road and
19 things are happening and CHP and others are getting to
20 those and getting them logged in. So certainly lots of
21 area for improvement, and this is how we can really start
22 to show statewide leaders that we have an issue is if
23 things show up on here. That's one way to show them.

24 Now, the thing that I think is important at the
25 end here is the safety on the tribal lands is integral to

1 MAP-21. We had Aaron Wint (phonetic) from Federal Highway
2 Lands, and I actually have his email that describes the
3 tribal safety plans. My understanding is several of the
4 tribes here applied for a direct funding from the federal
5 government, Federal Lands, for a tribal safety plan. So
6 when you talk about money being available, you have money
7 available to you on a competitive basis, and that means
8 you have to work to get the grant. But actually you could
9 work on some of those issues.

10 MS. VANCE: We have grant recipient in this room
11 right now.

12 MS. SOLLENBERGER: You mean I can actually say it
13 out loud? I wasn't allowed to say who got it.
14 Congratulations.

15 MR. NORTON: I got the award acknowledgment
16 yesterday.

17 MS. SOLLENBERGER: Yesterday, okay. Did anybody
18 else in the room get one?

19 MS. TRIPP: It was noted in a meeting in DC
20 yesterday. And then the list was put out, it's on the
21 Federal Highways Tribal Transportation Program.

22 MS. SOLLENBERGER: So I know that there were
23 several in the north state, anybody else get one. So
24 there was Hoopa, Yurok, Karuk? All three of you got one.
25 Fantastic.

1 MS. KORTE: There were nine. California had nine
2 awards. One being the Reservation Transportation
3 Authority down in Southern California. That was to
4 develop 16 tribal safety plans down there. And then I
5 think I counted five up in Northern California, but I can
6 send out the list.

7 MS. VANCE: The website is not quite up to date
8 yet. When you click on the link, it doesn't have the full
9 awards out yet, but it tells you what the dollar amount
10 is.

11 MS. SOLLENBERGER: So what Aaron had said in his
12 note, and this is out just since you got your award, and
13 for those that might want to apply in the future, because
14 there will be more rounds of this, it says: Projects for
15 which Indian tribal governments may apply for Tribal
16 Transportation Safety funds is \$8.6 million nationwide.
17 Highway safety improvement projects eligible under the
18 HSIP program. The funding may include strategies,
19 activities, or projects on public roads that are
20 consistent with the SHSP. So they want you to look at the
21 Strategic Highway Safety Plan that we already have. So we
22 can make sure we get that information to you. But
23 likewise, Aaron said you could develop your plan. Your
24 plan could be like a SHSP just for your tribe.

25 MR. MYERS: Good point. I just wanted to bring

1 that up, going back to your opening statement. Myself,
2 I'd like to see you attend these meetings and future
3 meetings because of the new safety program that we have.
4 I actually met with a policy expert for the Pacific
5 Regions for Northern California, and we discussed the
6 policies, guidelines, and criteria of the Tribal Safety
7 Program. So it's a new program. We are looking forward
8 to it. We also want to make sure it's coordinated with
9 California and also the federal side of it too.

10 So there is going to be a quick turnaround. The
11 point is to get out there, put these projects on the
12 ground, highlight them, spend the money. Transportation
13 is a two-year bill, so they are looking probably at
14 February for the next bill to come out. So it's going to
15 be a really quick turnaround. So with your presence
16 regarding safety, to have your resources here from the DOT
17 side would help the tribal side in implementing their
18 safety program moving forward. Not only that, but I'd
19 also like to see the data people, I guess the operation
20 side, the traffic people within the department that you're
21 working with. I think that would be a good asset to have
22 them here to discuss data collection and stuff like that
23 MS. SOLLENBERGER: Absolutely. Dr. Ragland from
24 UC Berkeley SafeTREC has offered to see what he can do to
25 analyze the data and let you know where he sees things

1 that we can improve on. And I'm going to be really asking
2 Kim's branch and statewide plans and everybody, as you do
3 these plans that we pool our resources with Caltrans to
4 help assist you. You're getting money the regional
5 governments aren't getting. We want to make sure that we
6 help you get those in the shape that you'd like to get
7 them in because then you can get them back to the regional
8 governments. You can give them to us to make them part of
9 our Strategic Highway Safety Plan. There's all sorts of
10 opportunities coming up, so that's why we're mentioning
11 that.

12 Now, it also says tribes could use this data for
13 activities instead of developing a tribal safety plan, but
14 I'd really encourage that they do develop their own plan.
15 So any of the tribes that doesn't feel the wherewithal
16 that they can go for that grant, we want to know if
17 there's anything we can do to go for a statewide project
18 that would then help your area.

19 So that's something for future meetings. We're
20 going to get started. I know I've already gone over, so
21 I'm just going to say we're just getting started scoping
22 our actual work plan. Our timeline is very close to the
23 statewide transportation plan. We need to be done sooner,
24 though. We have to have our process approved by Federal
25 Highways, and they are sitting at our side going through

1 this. Hopefully, that will be an easy approval. We need
2 Secretary Kelly's approval on it by August 1st of 2015 at
3 this point. We don't know if the regs will change that.
4 If we don't get it done in time, California cannot
5 participate in August redistribution, and that's a big
6 penalty. We're talking a hundred million dollars that
7 other states haven't spent that California grabs. And
8 then that filters its way to all the projects in the
9 state. So that's a big, big hammer they have got over us.
10 So this is a very serious thing for us to have to
11 complete.

12 You can see our trends going down here. Just to
13 conclude, you saw this little dip after about 2005.
14 There's some definite improvement they made in the state,
15 but with the economic recovery and other things we're
16 seeing that trend start going up. We know there's a lot
17 of issues in and around tribal lands that we want to --
18 the State's goal is to help minimize any of that from
19 happening. So that's kind of it in a nutshell.

20 I think I covered most of this. The consultation
21 and coordination, I don't know, somehow we can piggyback
22 that onto the consultation session with the state
23 transportation one. That would be, in my opinion, much
24 more efficient and we can explore that. I don't know if
25 we can do that, but that would sure be nice. Bottom line,

1 this is an opportunity to really step up the safety
2 discussion. Most of our regional planning agencies
3 haven't addressed safety very well at all. So everyone
4 needs to improve. Both regional and local was on there.
5 They like to pick that particular spot location, and they
6 are not really thinking about large strategy which
7 actually has much greater benefit. So we have got our
8 work cut out for us, and I'll just leave it with you.
9 We're very early in the process, and we look forward to
10 the dialogue. And I'm sorry I ran so far over, but it's
11 obviously an important topic to everybody.

12 MR. NORTON: No, that was good.

13 MS. WATERS: There's a reason on our agenda why
14 we don't have any times on there, and the reason for that
15 is if we want to talk about safety for two hours, then
16 that's what we'll do. So we're just kind of letting each
17 one evolve as it goes.

18 So we have about 20 minutes left, and so I am
19 going to ask Pam's help here on what she thinks would be
20 the best way to use that last bit of time. In your packet
21 is these discussion questions. We developed these only as
22 a tool to help discussion. We haven't really had problems
23 at any of our sessions, so we haven't had to use them a
24 lot. But we have them in case to give us something to
25 start with.

1 I was kind of thinking maybe since we talked a
2 lot about safety and a lot about data, maybe if there's
3 other kinds of transportation issues that we haven't
4 talked about yet that you really think are very important
5 that you want to make sure are brought out in the CTP, any
6 of Bruce's plans or Joan's plans or anything else? What
7 do you think Pam?

8 MS. KORTE: I think that sounds great. Does
9 everybody else like that idea?

10 MS. WATERS: Okay. So the first question on here
11 is what do you see as the major transportation challenges
12 facing California's tribes now and into the future. So
13 does anybody want to start the discussion on that? What
14 would you say would be the most important challenge?

15 MS. TRIPP: Well, I put in my notes with this
16 question, I put it under other. I put that state and
17 county routes, whether they go through tribal lands or
18 they are directly adjacent to tribal lands, I think we
19 have to accommodate, start looking at more accommodations
20 in rural Indian country for nonmotorized uses of those
21 corridors, and safe nonmotorized. You know, multimodal
22 use, bicycle/pedestrian pathways that are maintained. And
23 then a way that we can slow traffic. Think about the kind
24 of complete street idea for our areas. We have a lot of
25 high fatalities in regards to pedestrians and bicycles.

1 We can't very often even let our kids ride to school
2 because they have to ride -- that's another one, Safe
3 Routes to School. But Safe Routes to School is just an
4 area. We are further out. So things like that.

5 To add to that, I think it's really important we
6 begin the process of identifying how we can develop
7 agreements. We have developed agreements with the Forest
8 Service, with different entities of government, different
9 agencies, to move money because we are a sovereign nation,
10 and as such we have a different kind of relationship. We
11 want to keep that government-to-government relationship,
12 yet we do want to bridge that gap and have an agreement so
13 we can help put these things on the ground.

14 MS. WATERS: So the first one is that in tribal
15 areas, you need to focus on more complete streets for
16 pedestrian and bicycle safety and just more multimodal
17 travel. And then the second issue, can you repeat that
18 one?

19 MS. TRIPP: The second issue was Safe Routes to
20 School and just being able to -- I think, the tribes need
21 access, direct access to those funds so we don't have to
22 have a sponsor for those funds, but direct access. And
23 then also an agreement to move that money in agreement
24 form rather than a contract possibly.

25 MS. VANCE: And I also think there's the TAP

1 program, the Transportation Alternative Program. There
2 was a really good presentation done at the last NAAC
3 meeting on that. It incorporates the Safe Routes to
4 School. There's state and federal Safe Routes to School,
5 the bicycle transportation plans, and there's a lot on
6 complete streets, multimodal, pedestrian improvements,
7 better sidewalk lighting, bike lanes, those kinds of
8 things.

9 TAP, which previously you would have known as the
10 TE Program, the Transportation Enhancement Program, is now
11 TAP. And we're now in the process of updating those.
12 What I would like as a liaison is to be well-versed enough
13 to go out in Indian country or have meetings that I host
14 so that I can share that with tribes and be a good enough
15 liaison to actually provide the information you need to
16 capitalize on those funds. That pot of money, in my
17 opinion, for tribes is going to be a good way to go when
18 it comes to pulling strings.

19 MR. JAMES: I just wanted to mention again the
20 plug that I had been: Tribal trails Program. It's a big
21 picture. It's not out there yet. You know, it should be
22 in the CTP plan in the future as that goes forward. It
23 hits a lot of the things mentioned: nonmotorized, safety,
24 recreation, travel, tourism, hiking, modes of
25 transportation. There should be a Tribal Trails Program.

1 So I just wanted to put that out as the big picture down
2 the road.

3 MR. MYERS: Just a couple things on policy. We
4 talked a lot about policy today, and I think that it's
5 important to keep in mind that policy, unlike the law, can
6 be changed with enough pressure that people can exert
7 especially from Indian country.

8 With regard to Secretary Kelly and his approach
9 to consultation, I think with his listening session in
10 Sacramento at the CHP Academy, he was looking to tribal
11 folks for some ideas and an approach to effective
12 consultation. He realizes that there is the law, but
13 there's also this need to look at consultation as a
14 partnership and look at consultation as having to happen
15 all the time frequently as opposed to once in a while, and
16 as much as possible, face-to-face consultation and get it
17 away from notification. That's been the past. We've
18 always notified people, whether that's Caltrans or Federal
19 Highways or the Bureau of Indian Affairs, there's always
20 been this notice. Consultation in some sectors can bring
21 all the people together and we'll talk to them about the
22 policy. Well, consultation should be face-to-face with
23 individual tribal groups, and I think the secretary got
24 that message.

25 There needs to be a policy that builds with

1 regard to effective consultation that includes perhaps
2 three levels, and that's executive level, the management
3 level, and the folks that work out in the field so that
4 everybody gets to have a dialogue about issues. It needs
5 to be happening much more frequently than it's happened in
6 the past. So he's going down that path. Whether he gets
7 there or not, I think it's up to folks in tribal
8 government to either write to him or talk to him or his
9 deputy, Carol Farris, about what they see the needs are
10 with regard to consultation.

11 The other policy issue that has been put on the
12 table today is the CHP policy of looking at the roads in
13 Indian country as private roads for purposes of
14 enforcement when they want to get out of enforcement and
15 for purposes of data collection for accidents. If you had
16 the CHP accepting tribal accident reports that are on a
17 uniform report, one that CHP uses and the cities and
18 counties use if there's a universal report, it would make
19 it a lot easier to accept. Now, I'm not saying that's the
20 answer to anything, but it's a step in the right
21 direction.

22 There's also another idea that was brought to the
23 table about using the smartphones as a way of generating
24 reports. I think you could also have regional tribal
25 databases, and you could have the tribes having a uniform

1 report going into that database and creating that database
2 for every region. The northern region, central, and
3 southern regions with regard to the tribes in California.
4 It would take a little while to set up, but at least it
5 would be something that tribes would share and the reports
6 would be accurate.

7 So you would have your own service provider in
8 Indian country filling out those reports and collecting
9 that data and submitting that data to a database. That's
10 just something to think about, but I think we have to look
11 at other areas of data collection and not solely rely on
12 the CHP. But I think also you could conceivably get the
13 CHP to change that policy. I think the commissioner is a
14 reasonable person, and he needs to be convinced to change
15 the policy. Right now, we had CHP at the safety summit,
16 and while Clark did a very good job in presenting safety
17 issues, but he espoused the policy of private roads
18 designation in Indian country. He's mouthing the policy,
19 but that's the wrong policy, and that can be changed. The
20 commissioner can change that or the secretary can change
21 that. So with regard to policy and these issues of
22 transportation, we can always work on the authority within
23 the agencies to make changes and convince them that
24 changes are needed.

25 MR. OLIVER: Being from the Willits area where I

1 live, I have to say that one of the challenges that
2 Caltrans needs to work on is the consultation program when
3 it comes to the preservation of cultural resources and
4 sites. And I'll leave it at that.

5 MS. WATERS: One thing I wanted to add to what
6 Joe was saying. Everything that we've been talking about
7 safety and data will be addressed in Joan's plan. And
8 then in the CTP, I had mentioned we have our goals and
9 policies. Goal 4 is to improve public safety and
10 security, and then we have policies underneath that. And
11 then what we'll have is strategies that apply to the
12 policies.

13 One of the things I heard in this session,
14 probably more than other ones is what actual, real
15 strategies to address these things that we can put into
16 plan for regional data collection processes. So we can
17 put those things in the plan. When we send this back out
18 to you, you can help us to make sure we're getting what
19 you're saying correct and what you think would work best.

20 MR. GENSAW: Could you explain to us what
21 happened down in the Willits area with the Sherwood
22 Rancheria because I think there is a disconnection with
23 what we're hearing with Caltrans laying a road out or the
24 plans out for that bypass. What you hear in Indian
25 country is there was no dialogue with the tribes, the

1 tribes down there. That would give us some assurance on
2 that if we understood how that incident happened. That's
3 crucial to us.

4 MS. VANCE: Obviously, I was talking to Kathleen
5 Sartorius. She's the Native American liaison over there.
6 I personally do not know the ins and outs of the issue in
7 Sherwood with regards to consultation or lack of
8 consultation. I would be way out of line to speak as
9 expert at all. But what I do know and I feel very
10 confident in knowing, is that the consultation efforts
11 were incomplete. There was a lack of documents on them.
12 I know that just recently there was a site that was
13 destroyed in that project that was a known site. It was a
14 recorded site.

15 Based on what I read actually in the media, that
16 is where I got my information on that, and it's not
17 entirely from Caltrans. The site was recorded; it was
18 known. But it was apparently mapped out to be out of the
19 impact zone, I guess. I don't understand that. Why it
20 wasn't ESA-ed or cordoned off in some way, and it wasn't
21 until it was already in the process of being destroyed
22 that it was, wait, what is this.

23 From my perspective, my personal experience in
24 working with tribes, there are many, many important
25 aspects that tribes are looking for the Department of

1 Transportation to be heard on and to make sure their
2 concerns are validated and taken care of. But if there's
3 one that's the most driving factor, it is the preservation
4 of cultural places. Everything else is important,
5 everything else has it's value, but that one is above
6 everything else. Once it's no longer there and it's no
7 longer available, how do you get that back? You don't get
8 that back. Is there really any mitigation for that? I
9 haven't met a tribe that thinks there's proper mitigation.

10 I can tell you that the folks in District 1 and
11 in headquarters, Tina Biorn in the headquarters branch
12 could give you a much better answer to this. I know this,
13 and that's really not that much. But if you did want to
14 know more about that, I would put in a comment to Tina
15 Biorn.

16 MS. WATERS: I was trying to think what's the
17 best way too.

18 MR. GENSAW: And that's our concern because we
19 have a reservation boundary, but we have ancestral
20 territory. And yes, there's no fix for that.

21 MR. JAMES: And just like Aaron mentioned about
22 consultation, I know it's been mentioned in the past, but
23 it has to be in the pre-stages where we're sitting down at
24 the table. Once you get into planning, it's done and
25 they're moving forward. It's getting into those earlier

1 stages.

2 One thing when we talk about policy of the CTP,
3 we'd also like you to put whether it's the director or the
4 secretary. Highlight the NAAC and see how we can utilize
5 that also with the great work that has been done there
6 already in the policy. The director or the deputy -- I
7 know the deputy has been there a couple times already, but
8 have them present there annually or something like that,
9 six months, so instances like this don't happen again, so
10 it's filtered down. A lot of great work has been done at
11 this level, Kim, Joe, many other people that are here.

12 How do we create a policy that's going to filter
13 down to our staff down the road so it's top to bottom,
14 working with tribal governments, educating them this is
15 how we do business. When we talk about HSIP, I'd like to
16 see the programmers from Caltrans explain the HSIP program
17 at the NAAC level with Federal Highways there, with RTP
18 coordinators there. That could be a two-hour session
19 right there. At the same time, we're building new
20 relationships, and expanding on old ones. And so that's
21 that education there.

22 MR. MYERS: One good thing we can do is invite
23 Tina to the next NAAC meeting to give a report on
24 Willits. That way, just focusing on David's question, but
25 put it on the record about what their summary is of the

1 Willits issue. I think it ought to go on the record.

2 MR. JAMES: I think one thing too is like Loren
3 mentioned within tribal ancestral territory. To me it's
4 that coordination with the liaison that they have to do.
5 That's what triggered that earlier in pre-planning
6 stages. It's great to see we're having tribal policy as
7 part of the CTP plan, so that's very good to acknowledge
8 that.

9 MR. MYERS: One thing, Joe, that can get very
10 murky with regard to NAGPRA requirements, when you have
11 the option of consulting with the tribal religious leaders
12 as opposed to the government officials. And so there have
13 been times when there's an internal situation that goes on
14 with regard to that kind of thing.

15 MR. NORTON: That was my point exactly. I would
16 like to share with this group that I had a very good
17 experience with Caltrans representatives this year dealing
18 with cultural issues. Darrell Cardiff out of the Eureka
19 office had a project go through the Hoopa reservation this
20 year resurfacing. They scheduled the project with the
21 contractor so that it didn't interrupt our deer skin
22 dance, it didn't interrupt our boat dance, it didn't
23 interrupt our jump dance, our greatest or our most
24 important ceremonies.

25 I introduced Darrell to our tribal government,

1 but I also introduced him to our spiritual leaders. I
2 introduced him to Merv George, I introduced him to Lonnie
3 Cargroff, I introduced him to Merv, Jr. And he spoke with
4 them, had dialogue with them. And Joe and Dave are both
5 cultural spiritual leaders for the Yurok Tribe. And it's
6 not -- when you plan a dance, it's not a date. It's by
7 moon, or it's by a time or whatever the ramifications
8 are. So they couldn't give Darrell an exact date in the
9 early planning. So they came to a compromise. And it was
10 a very positive experience. We were involved with the
11 contractor through my department because we supplied the
12 aggregate for the material that was used for the project,
13 and it got done. So it worked out for everybody.

14 In regards to HSIP I have a project, Trinity
15 River Bridge Project. I went through the region, I went
16 down to HCAOG. It's on the complete streets call for
17 projects. It's quite a large project to add a pedestrian
18 walkway to the Trinity River Bridge. We have fatalities.
19 We have vehicle fatality, we have vehicle-pedestrian
20 fatalities, and we also have vehicle-livestock fatalities
21 that are mapped out on that bridge. So we need -- this
22 bridge was built in 1965, very narrow, no room for any
23 pedestrian walkways on it, so we need to come up with a
24 solution.

25 Where that project ranks within the region right

1 now, I do not know. You know, I don't know how we're
2 going to go after the funding for it. But this is a real
3 issue within our reservation, right in the middle of our
4 reservation. We have large transportation vehicles that
5 supply all the stores, supply Orleans, goes down the
6 river. They just fly through the reservation. They go
7 through our mountain roads, and all of a sudden you are in
8 Hoopa Valley and you have nothing but long, straight
9 stretches, so they are making up time. So we need to come
10 up with rumble strips. We need to come up with speed
11 zones. We need to come up with all those HSIP situations
12 that can be addressed.

13 But again, I am going through the region, I don't
14 know where I stand. I don't know what that process is. I
15 don't know if I go through the BIA, I could come up with
16 so much of it through my Indian Roads Program, but then I
17 have to coordinate with the county and the state.

18 MS. TRIPP: Because it's on the state highway.

19 MR. NORTON: It's on the state highway. It's 96,
20 yeah.

21 MS. WATERS: So I think on our plan, this is
22 something we're going to try to unravel a little bit on
23 how all of this works and the different sources and how
24 tribes can access that. So it sounds like we have some
25 takeaways from this meeting on the HSIP too, so you'll be

1 hearing more about that.

2 MR. OLIVER: Laurie made a good point that kind
3 of dawned on me. During the consultation with tribes on
4 the site for cultural resources, the ability to work with
5 the contractors is huge. And that's the thing, being able
6 to have the tribe, the contractor, and Caltrans be able to
7 sit down together and go over these sites and review the
8 buffer zones so the tribe can relay their importance of
9 the site and how it pertains to them.

10 Maybe the tribes and the contractor can work
11 together to create a better project, but not being able to
12 sit down with the contractor for consultation really ties
13 the tribes' hands. Just like in Willits, Sherwood Tribe
14 was working with Caltrans, but there was no consultation
15 with Sherwood Tribe, Caltrans, and the contractor in order
16 to identify these sites to make a better project.

17 MS. WATERS: Is that something that the tribes
18 are not allowed to talk to the contractors, or it's just
19 not happening?

20 MR. OLIVER: It's through contractors. It's
21 between the Caltrans and the contractor. But when it
22 comes to these sites of natural importance to the tribes,
23 once it's identified and is on the project, the tribe
24 should be automatically included in the planning stage and
25 all the way through to fruition. And then be given an

1 As-Built at the end so that they can actually be
2 included. Being able to work with the contractor is
3 huge.

4 MS. WATERS: Kendee, can you add anything on to
5 that about working on cultural resources with contractors,
6 or is this just something that we need to address in the
7 plan?

8 MS. VANCE: I think it's multi-tiered especially
9 with what Aaron is referring to now, way back in the
10 planning phase before a project has actually evolved. I
11 referenced the K-phase earlier, that little box or project
12 initiation document box. Back then, you know, that's
13 where it's very important to start that dialogue, to start
14 that communication. A lot of times tribes provide you
15 good information that you might not have in your database
16 or you go to the system and you don't see there are sites.

17 Now, granted a lot of tribes aren't going to be
18 forthcoming with you either on where their sites are, but
19 they can certainly tell you there's something there that
20 needs to be protected. Now, another tier to what he's
21 talking is are there monitors on the projects or are there
22 are not monitors on the project. In this era where
23 project are not in compliance with tribal employment
24 rights ordinances, those kinds of things. And if there
25 are monitors, then absolutely there should be that

1 coordination and dialogue with the contractor and the
2 tribal representative.

3 Some districts do it a little differently. But
4 you need to do it to create a communication and a dialogue
5 plan when you do have monitors on site. Who do you
6 contact, what if the monitor doesn't show up, what if the
7 contractor starts working in another area where he wasn't
8 supposed to, were things done in that project before ESA
9 fencing was placed. I could just go on and on about
10 things like that. That's the second tier.

11 And then I think the third part is -- this is in
12 my experience, but I have never seen a document or piece
13 of paper that tribes and contractors cannot communicate.
14 I agree with him a hundred percent that it is not
15 facilitated to happen enough. I know when we started our
16 Alturas dialogue, I was a fan of mandatory pre-bids. A
17 pre-bid meeting is a meeting that happens before
18 contractors even bid on a project, and they get together
19 and talk, about things that might come up that are
20 important or relevant before the contractor even bids on a
21 project.

22 So then let's say a contractor does bid on it and
23 he is awarded that contract. Now we're going to go to a
24 pre-construction meeting. I know there are tribes who
25 have participated in pre-construction meetings who don't

1 have monitors on the jobs. They just want to make sure
2 their concerns are heard, they are validated, and people
3 are on the same page.

4 This is a left hand, right hand communication
5 problem, and the last thing tribes want to hear is "Sorry
6 about that" when there is so much effort that could have
7 been expended ahead of time just to avoid it.

8 MS. KORTE: So it sounds like in our policy
9 framework for the CTP, we added a policy enhancing and
10 conserving the cultural resources for that policy. It
11 sounds like we could enhance some language there like what
12 you said for facilitating conversation between, in this
13 case, Caltrans and a contractor. And then maybe some of
14 the things that Loren was talking about, that they have
15 had some comments.

16 MS. VANCE: I think enhancing is great. I think
17 protecting would be even better.

18 MS. TRIPP: I had one more comment in regards to
19 cultural resource protection that's about projects and
20 thinking about particular contractor projects. But when
21 it comes to regular maintenance and road maintenance, so
22 we very often -- we have a good rapport with both
23 districts within our ancestral territory or aboriginal
24 territory. We work together, we do everything about the
25 ceremonies. We put together the monitors; we do all that.

1 But when it comes to maintenance, very often we talk about
2 it and we say, you know, there's certain things we have to
3 do, but maintenance doesn't hear it.

4 It wasn't the very long ago that I happened to
5 see the grader and the crew down by an area that was
6 actually supposed to have ESA fencing. You know, you
7 don't want to tell everybody that that's a site because
8 the people that you would never expect to go there will go
9 there. Every so often that happens, so you want to keep
10 that under your hat.

11 We have to have that information exchange of
12 sorts and ensure that the supervisor out there in the
13 field with that maintenance crew, that he knows and he
14 makes sure these places are protected, or they don't grade
15 in that area again, and we're not going to see those
16 artifacts coming out of the ground.

17 MR. PENDERGAST: They can see the fencing up
18 there. You don't necessarily need to highlight why it's
19 there.

20 MS. TRIPP: That's right because ESA fences are
21 used for different reasons.

22 MS. VANCE: But the definition of it is standard:
23 stay out.

24 MS. TRIPP: And the maintenance crews recognize
25 that.

1 MR. GENSAW: And I think it's important, also
2 this word consultation. We're not just talking to you.
3 Okay. We talked to you. We heard it, but now we're going
4 to go do it. That's a problem with that word. Again,
5 there needs to be a fix for that because we don't want to
6 just consult and something happens, and, Oh, we talked to
7 you already. We did that. That's right here.

8 That's something that's very serious, and we
9 really need to take a look at. We need to be careful with
10 that when we talk about cultural sites, culture
11 resources.

12 MR. JAMES: You talked about transit, or modes of
13 transit on reservations or transit service. Indian
14 tribes, a lot of those transit places are located in rural
15 areas. The RTPA is not going to fund it, and we're left
16 with nothing for that. So that's another hindering factor
17 along with that data. Population is not there, you're
18 isolated, you're really out there in the sticks. So we
19 rely heavily on the public transportation we have.

20 Another thing, Yurok Tribe is looking to
21 implement a ferry boat system. Highway 169 does not
22 connect the upper and lower part of our reservation. I
23 know that there was a ferry boat program, and that came
24 under safety at the time. That would be another thing you
25 could do if the program still exists. That would be a

1 project to have those programs and manage those programs
2 to have a river taxi to connect the upper and lower part
3 of the reservation.

4 MS. WATERS: Have you ever heard of that ferry
5 program?

6 MS. SOLLENBERGER: Mass trans.

7 MR. JAMES: We actually submitted an application
8 about three or four years ago.

9 MS. WATERS: Well, we're about out of time here.
10 But this has been really great. And I am going to turn it
11 over to Pam. She's going to just kind of wrap things up.

12 MS. KORTE: We just want to thank everyone. We
13 got so much good input. I went to the one in Woodland, and
14 we got some great input there. I think just in Joan's we
15 surpassed even that one because we got into a topic that
16 you had a lot of input and concerns and issues about. I
17 think that was really great.

18 As follow-ups to the meeting, we're going to have
19 the transcript that's going to be prepared, and we will
20 make a draft of that available. This is something that
21 Kim's group will work with everyone to get that out. Also
22 Georgiena was scribing in the back the major issues that
23 were brought up, so just a summary of the issues that will
24 be handy if you need to refer to. You all said we should
25 really share that information with the NAAC, with the

1 transportation agencies, with Malcom our director at
2 Caltrans.

3 The other thing is we let you know, too, that we
4 sent the letter out through our district offices to each
5 of California tribes offering to consult on the California
6 Transportation Plan and the other plans you heard about
7 today. We definitely want to include Joan's Strategic
8 Highway Safety Plan in that too. So work with your
9 district liaison to make that contact and let them know
10 you'd like to do that. And that was on the last slide of
11 Laurie's presentation that had the name of everyone on
12 there.

13 Finally, I want to do some thank yous. I want to
14 thank Redding Rancheria for letting us use this meeting
15 space today. It's beautiful. Thank you for helping with
16 the setup, and the food was delicious. And because I have
17 the chance now, I want to thank my staff and the folks at
18 Caltrans. I want to thank Bruce and Joan for coming to do
19 their presentations. You're a wealth of knowledge. I
20 want to thank the Native American Liaison Branch for all
21 their efforts, and I want to thank Laurie Waters. She's
22 done a great job putting these meetings together and doing
23 the presentations. Thanks everyone for attending.

24 (Meeting adjourned at 2:46 p.m.)

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CERTIFICATE OF SHORTHAND REPORTER

I, Allen Rose, CSR 13753, hereby certify that I am a Certified Shorthand Reporter; that I recorded verbatim in shorthand writing the foregoing proceedings completely and correctly; that I have caused under my direction said shorthand writing to be transcribed into typewriting and the foregoing pages constitute a complete and accurate transcript of said shorthand writing taken at the above-mentioned proceedings.

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

Dated: December 3, 2013



Allen Rose, CSR 13753

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