

Tribal Listening Session SOUTHERN CALIFORNIA

Harrah's Rincon Resort; Bordeaux Room
777 Harrah's Rincon Way, Valley Center, CA 92082
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Draft Session Transcript

Session Participants

Sheilla Alvarez, Barona Band of Mission Indians
Tom Bumgardner, Valley Center Community Recreation Center
Gregory Fisher, Colorado River Indians Tribe
Adam Geisler, La Jolla Band of Luiseno Indians
Eric Haley, Transportation Consultant to Morongo Band of Mission Indians
Virginia Hill, Lipay Nation of Santa Ysabel
Harry Hobson, San Pasqual Band of Diegueno Mission Indians
Anna Hohag, Pala Band of Mission Indians
Anna Hoover, Pechanga Band of Luiseno Indians
Ray Hunter, Jamul Indian Village
Howard Maxcy Jr., Pala Band of Mission Indians
Cody Martinez, Sycuan Band of the Kumeyaay Nation
Margaret Park, Agua Caliente Band of Cahuilla Indians
Lavonne Peck, La Jolla / Southern California Tribal Chairmen's Association
Albert ("Boxie") Phoenix, Barona Band of Mission Indians
D. Rodriguez, Rincon Band of Luiseno Indians
Mark Romero, Mesa Grande Band of Mission Indians
Mahoss Sass, Rincon Band of Luiseno Indians
Merv Scott, Colorado River Indians Tribe
David Toler, San Pasqual Band of Diegueno Mission Indians
Veronica Urle, Santa Rosa Band of Cahuilla Indians

Caltrans Staff

Alyssa Begley (AB), Chief, Office of Community Planning (OCP)
Lonora Graves (LG), Chief, Native American Liaison Branch, OCP
Kimberly Johnston-Dodds (KJD), Native American Liaison Branch, OCP
Gabriel Corley (GC), Chief, State Planning Branch, Office of State Planning (OSP)
Laurie Waters (LW), CTP Native American content lead, OSP
Ilene Gallo, Caltrans District 11
Connery Cepeda, Caltrans District 11
Gus Silva, Native American Liaison, Caltrans District 11
Trent Clark, Caltrans District 11
Lorna Foster, Transportation Planning, District 8

Caltrans Consultant Staff

Jeffrey Stine, VRPA Technologies, Inc.

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Morning Presentation and Discussion

LW, Caltrans: First of all, I want to thank everybody for coming today. We're really excited about doing this. It's the first time in the history of the California Transportation Plan [CTP] that we have gone out this early to talk with the Tribes about what you would like to see in the Plan. We're hoping that this session will be productive, and that we'll get a lot of really good input – and that we'll give you some useful information, too.

I'm going to give you a general overview of the CTP. Then Kimberly [Johnston-Dodds], from our [Caltrans] Native American Liaison Branch, is going to talk with you and hear from you about how you'd like us to continue working with you as we work on the CTP. In the afternoon, we're hoping to hear from you and see if we can get a good dialogue going on transportation issues and Tribes. We have some discussion questions that we can use if they're helpful; but if they're not, then we won't use them. As I am giving my presentation, if anybody has any questions, just go ahead and ask.

[A PowerPoint presentation begins.]

So, at its most fundamental level, the California Transportation Plan is the State's long-range transportation plan. It has at least a 20-year horizon, and it's updated every five years. At each of your seats, you have the currently adopted Plan for 2025. We did an addendum for 2030 to address SAFETEA-LU [the federal transportation reauthorization law]. We should have done another CTP update for 2035, but some new legislation came up in 2009, which added some new requirements for the CTP, so the Federal Highways Administration gave us some more time to prepare the next transportation plan, the CTP 2040, which will be finalized at the end of 2015.

This slide gives you a sense of how we coordinate with the regional transportation plans [RTPs], particularly under the new legislation that I mentioned a moment ago, which is called Senate Bill 391 [SB 391]. SB 391 has some parallels to SB 375; if you are involved with your regional agencies – that would be SCAG [Southern California Association of Governments] or SANDAG [San Diego Association of Governments] – then you probably know about SB 375 and how it requires the addition of “sustainable community strategies” to the RTP.

What we have to do in the CTP is to identify the “statewide multimodal transportation system,” taking the broadest view, and making sure that it has all the elements of the system, including the movement of freight. Then we have to identify the kind of integrated system needed to meet our climate change goals. We're doing that with some transportation modeling, using our Statewide Travel Demand Model, analyzing future scenarios and policies, and adding the results of that effort to the CTP. That's a new thing for the CTP; in the past, it was strictly a policy plan.

[Presentation continues]

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So, what is the Plan? The California Transportation Plan defines the goals, policies, and strategies and the future statewide multimodal transportation system. It integrates the [Caltrans] statewide modal plans (which I will talk more about later), and it builds upon the regional transportation plans and their Sustainable Community Strategies. And it builds upon the Tribal transportation plans, as much as we can do.

And that's one of the things that we wanted to talk about more today: how we can bring in your planning processes – whether they are Tribal transportation plans or whatever else that you have – into our Plan, and how the CTP can help your plans more.

[Presentation continues]

Why do we do it? The CTP provides a statewide, common policy framework; it guides transportation investments and decisions, gives strategic directions for regional plans, evaluates the performance of our plans, and identifies the systems needed to meet our climate change goals. So, the way we do this, we try to bring in the regional transportation plans. At a minimum, we review them, and make sure that we're reflecting them accurately. It's supposed to be kind of a two-way process, where we reflect their plans, and regional plans should reflect the CTP, so that overall in the State, we have a consistent view of transportation.

CTP 2040 is being updated for the 2040 planning horizon, and it's due to the legislature by December 2015. The policy framework that we had for the CTP 2025 is still what's currently adopted. We have the vision of the "3 Es" – a prosperous economy, quality environments, and social equity. We have a number of goals and policies, and under the goals and policies are a whole bunch of strategies. For the CTP 2040, we still want to have this basic idea of the vision of sustainability through the 3 Es, but we are updating the goals and the policies.

We're still early in the plan development process. We do have a Policy Advisory Committee [PAC], and we've had two meetings so far. We have three Tribal representatives on this PAC: Sandy Tripp from the Karuk Tribe, Jackie Hostler from Trinidad, and Connie Reitman-Solis with the Inter-Tribal Council of California. And Kimberly [Johnston-Dodds], from the Caltrans Native American Liaison Branch also attends the meetings to help make sure that we incorporate Tribal concerns through the PAC.

KJD, Caltrans: I just wanted to invite the Tribal leaders here, if they would be interested, to also attend our Policy Advisory Committee because we do not have Southern California representation on the PAC, and that would be wonderful. Perhaps through the SANDAG Tribal Working Group, or whatever would be appropriate, but we invite you to be a part of that committee.

LW, Caltrans: The PAC meets every other month. And we do have a teleconference option. We've thought about trying to do a video conference, but we've had technical difficulties; it doesn't work really well in our offices. But we can do a call-in. So, if anybody is interested in participating, that would be great.

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In your packet you have a copy of what we've done so far on the new policy framework; it looks like this. This is the new vision statement that we propose now:

California's transportation system is safe, sustainable, and globally competitive. It provides reliable and efficient mobility and accessibility for people, goods, and services, while meeting our greenhouse gas emission reduction goals and preserving community character. This integrated, connected, and resilient multimodal system promotes a prosperous economy, human and environmental health, and social equity.

I highlighted the elements that are a little different this time around, since the last CTP. Two of the main issues that have really come to the forefront since the last update are public health and social equity. You'll see that we are trying to bring those things more into the CTP this time. The policy framework is really a draft until the Plan is finalized in 2015, so we can continue to take input on it. We're trying to get it to a place that we can take it out to meetings like this, public meetings, and to the workshops that we're going to have next fall.

GC, Caltrans: I would say that one thing to think about today during this session, is to look at this framework and really think about what kind of strategies in your areas would support this framework, or what we will be covering under this framework that's going to be beneficial to the Tribes.

LW, Caltrans: The other thing that we wanted to talk about today is that, in conjunction with the CTP, we have all these other State long-range plans that you may or may not know about. They cover more specific parts of the transportation system. There is a fact sheet for each of these plans in your packet that will give you more detail about them.

We have what we call the "Highway Plan;" its official name is the "Interregional Transportation Strategic Plan" [ITSP]. That plan has just completed what is called an administrative update. We updated it to include new polices since it was last finalized, which was in 1998. Then the ITSP team is going to start on a full update right away. The full update will include possibly revising what routes are in that Plan.

There is also the Freight Plan, which is called the "California Freight Mobility Plan," and that plan is also being prepared now as we speak. They have a Policy Advisory Committee [California Freight Advisory Committee], and Adam Geisler, who is here today, is on that Committee, also with another Tribal representative – Isaac Kinney. And then we have the new State Rail Plan, which was just finalized recently. There's also the Transit Plan, which is called the "Statewide Transit Strategic Plan," which was updated in 2012. And the Aviation Plan was finalized in 2011. All of these plans are supposed to be rolled up into the CTP, and we are here to also get your input for these plans as well – specifically, the two plans that are in the process of being updated now, the Highway Plan and the Freight Plan.

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[*Presentation continues*]

Just to tell you a little more about the Freight Plan that's under development. It will address current freight conditions, identify important trends, and respond to major issues in goods movement across all modes and in all regions of California. The last Freight Plan was called the "Goods Movement Action Plan" [in 2005 and 2007]. This Freight Mobility Plan will hit on more contemporary issues, particularly community impacts related to freight, which are very important right now. It will also address trucking, new legislation, regional differences and linkages, and greenhouse gas emission reduction strategies. The schedule is to have a draft plan in December 2013 and then an approved plan by December 2014.

In the Freight Plan, as I understand it, they're going to address Native American issues in a separate chapter, but also address them throughout [the plan]. Adam, do you want to add anything else to the Freight Plan that I may have forgotten that may be important?

Adam Geisler, La Jolla: Well, we're trying to get them to include a separate chapter [on Native American issues]; we'd like to see that. And, also, in terms of prioritization, making sure that Tribes fall within a list of recognizable projects. Basically, there are 30,000 miles that come out of this Plan from the federal program [MAP-21: the "Moving Ahead for Progress in the 21st Century Act"]. California gets, I believe, 10,000 miles of that 30,000. So you have all the major ports and all the major railroads and the highway systems competing for those dollars. Which makes for some really interesting meetings, when you have the folks that are looking to eliminate greenhouse gases in places where the shipping industry exists and so on and so forth; it's really lively.

What we are looking for as Tribes is recognition that we have our own economies that we're generating. There are 111 Tribes now in the State of California that have their own economies. Some are in timber, some are in gaming, and some are in camping, but there are still mobility issues associated with the way that we operate our economies. And we should be able to have access to taking our products to market the same way that everybody else does.

We talked about this locally here with SANDAG in terms of the way that things have been looked at in the past, and the way that I think SANDAG is approaching looking at evaluation now, which is the difference between the traffic demand models versus activity-based models. There is a great draft right now on how SANDAG is looking to prioritize the projects, so that we can be more competitive.

We had a long dialogue about a "set-aside" concept – you know, that there should be a set-aside for Tribes. I think when people hear that, they think that we're talking about dollars, and essentially we are, but there is another way to look at it, which is miles. And I'll use Highway 76 as an example. I realize everybody in California is going to be fighting over 10,000 miles, but for the Tribes in this area – to meet the need that we have right here off of the main thoroughfare of SR 76, which services over nine Tribes – three or four miles is what we're looking for out of 10,000 miles. Down in the southern part, I'm sure it's probably

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between five and ten miles. So it's not like the needs of the Tribes are so over-burdensome; it's just that we are in mountainous areas, and some areas need to be straightened out on the highways.

So that's what I've been advocating for in these meetings; it's just so that we are not left out. And I'm really hoping that, in each of these plans, the five components that you've listed – highway, freight, rail, transit, and aviation – that there is a separate chapter for each of the Tribes in them, and recognizing how we're integrated into everything from the environmental component all the way through. If this is federally funded, there are consequences from TERO, the Tribal employment rights, that comes into play here for contracting with Tribal businesses or hiring Tribal people when it's in and around the territory. So just making sure that none of these plans miss the laws that are already on the books, and recognizing that there are some responsibilities there to include us in the funding components.

LW, Caltrans: Thank you, Adam. Adam reminded me of something that I should have mentioned before. The CTP itself does not specifically include projects. By legislation, it can't. However, projects are sort of rolled up into the CTP through the Freight Plan, which does have projects, and the Highway Plan, which also has projects, and then also through the modeling that we're doing. And even though the CTP doesn't have projects, and it's a lot of policy, the policy is very important because it sets the stage for the projects in the future.

[Presentation continues]

So, the Highway Plan. This is the other plan that is being updated now. The maps that are around the room are borrowed from our [Caltrans] branch that is updating the Freight Plan and the Highway Plan. The maps show the corridors and their relationship to Tribal areas, so they're really good maps. As I mentioned, they are just finishing up an administrative update of the Highway Plan, and then they are going to start right away on the full plan.

Let me explain a little about the purpose of the ITSP. The purpose of the plan is to recommend improvements to the Interregional Roads System (IRRS). (I hope you don't mind me reading this, but I want to make sure I get it right.) The IRRS includes 93 State highway routes or portions of routes of the 265 State routes. The 93 routes include a subset of 34 "High Emphasis Routes" and a further refinement of ten "Focus Routes." These ten Focus Routes represent the IRRS corridors that are the highest priority for completion to at least the "minimum facility concept standard" (which is typically upgrading the freeway or expressway) during the 20-year planning horizon of the ITSP and updates on the status of the projects listed for the ten Focus Routes.

The current [administrative] update does not add or remove routes since the 1998 Plan, but when they do the full update, they will be readdressing those Focus Routes, so those routes could be added or removed. I'm not sure what they all are, but I'm sure some of them do have an effect on the Tribal areas. That update is running concurrently with the CTP update, and

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we're doing our outreach jointly; so probably through our [joint] processes, you'll be getting input into those routes.

Eric Haley, Morongo: Excuse me, just one question. Is there going to be a financial element to the revised Focus Routes on the IRRS, and are you assuming 25 percent of the State pot of funding to fund that statewide? That's two questions.

LW, Caltrans: Yes. Regarding the second question, I would say yes, we are assuming the 25 percent; I think we are still assuming that. The first question is if there is a financial element. I think you mean, is it fiscally constrained? The Plan is not, right, Gabe?

GC, Caltrans: I don't think it is. I think really where it gets fiscally constrained is us working with our local partners, with the regional transportation plans. That's where they would be fiscally constrained. Really, it's us going to the local partners and saying these are our focus routes for interregional travel. This is what's important and then getting input into the local plans.

Eric Haley, Morongo: By local partners, that includes sales tax transportation authorities, county transportation authorities, as well as RTPAs [Regional Transportation Planning Agencies]?

GC, Caltrans: When I say local partners, I mean the RTPAs. That other input will be coming through the RTPAs.

LG, Caltrans: Another kind of connection, I think, is looking at the Highway Plan and the Interregional Transportation Strategic Plan. I think the ITSP helps prioritize some of the highway system improvements for the Interregional Roads System. I think the CTP, the California Transportation Plan, is supposed to capture the whole thing to include those [improvements]. And the 25 percent that I hear mentioned, I think has to do with the 75 percent going to the regional agencies, and 25 percent of State funding going to the Interregional System that Caltrans works on.

But like Laurie was saying, as the Highway Plan is updated, the Focus Routes and the Emphasis Routes that basically connect urban centers together might be modified. If you look at the maps on the wall, there are some gaps in the routes that were outlined before. I think it kind of shows where 20 years ago, when this was done before, where those routes might go. As this next iteration of highway planning of the ITSP goes forward, that might be an opportunity for the Tribes to be in conversation [with Caltrans]. Because you may not be an urban center, but you're between them; and there might be some interest in how that is formulated. I don't know that the Tribes were really involved last time it was put together. So this is an opportunity to make connections that should be made.

GC, Caltrans: That's a great point because that really is what this Plan is doing. It's making those connections. I think it would affect a lot of reservations around the State.

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LW, Caltrans: Yes, thank you, Lonora. Lonora is exactly right. That was the overall philosophy of the last ITSP, trying to get those connections and get the State connected, making sure all those routes are up to standards. It may need to be a little different now, or it may not, I don't know. That's what they [the ITSP team] are going to look at.

Any other questions on the ITSP or the other plans? Okay, I'm going to throw it back next to Lonora, because she's going to explain this flow chart here on how all the plans work together.

[Presentation continues]

LG, Caltrans: You have a copy of this chart in your packets. I could spend a day trying to explain how all of this goes together, but I'm hoping that, in the two minutes that I am going to talk to you about it, that I can give you sense of how things go together, so that as we have a conversation later, or as you ask questions later, you can be considering how the Tribes can be reflected in the California Transportation Plan. In the last iteration, there are some gaps. We're hoping that you can help us fill in those gaps. And again, this meeting will be documented, and Kimberly will be talking a little bit later about how you want to be involved.

The first box here, it mentions the California Transportation Plan, the regional transportation plans, and the Tribal transportation plans. Those really should be – or, ideally, we would like for those to be – reflected in the California Transportation Plan and somehow coordinated; it's like we have some conversations back and forth as the plans are being developed. There are opportunities to partner on projects. I know that sitting around the table, we have a lot of expertise, and you might be able to share some examples of where partnerships have happened well. One component of the California Transportation Plan is documenting current and future trends. I know that a lot of you have Tribal transportation plans. I don't think that those were well reflected in the last iteration.

So when we start looking at what might be added – I don't know how you want to organize it, and again we will talk about how that might work – but think of where Tribal priorities or Tribal vision might be reflected. We talked about the vision statement earlier; the handout with the chart on it. We didn't really talk about what's on here [the chart], but it includes some of the proposed policy framework components. We looked at multimodal mobility and accessibility, and talking to people coming in today, the Tribes have some ideas on ways that people can move beyond just the car. So that might be something to think about: how that can be reflected in the Plan. We talked about supporting “vibrant economies.” What does that mean? The Tribes' idea of “vibrant” might be different. As we are asking questions, just think about how the Tribal transportation planning and programming process can be reflected here.

Laurie went over the different statewide plans – the Highway Plan, the Freight Plan, the Rail Plan, the Transit Plan, and the Aviation Plan – that are supposed to be reflected in, and be consistent with, the CTP. Again, there are varying levels of success in consultation in the development of those plans. We're hoping that, as they are updated, there is more robust

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consultation; but think of the components the Tribes might have for these kinds of planning documents that could be reflected there, too.

There is so much on the chart I'm trying to figure out how to organize it. I know you know the Tribal transportation planning process very well. I am not going to try to explain it, because you could educate me. As I understand it, one difference between the Tribal transportation planning process and the regional and State planning processes is that, for the regional and for state planning processes, in order for a program or for a project to be prioritized, it has to have money allocated to it. The State and regional agencies have to complete a project initiation document [PID]. That's a kind of a preliminary engineering document. We look at the scope of what might go in there; there's a cost analysis, a schedule, and alternatives are considered. In order for that to happen, it has to be in the 20-year statewide or regional transportation plan. There are varying levels of success of coordinating with the Tribes on those. I know that SANDAG is working really hard with the Tribes down here to have Tribal priorities and Tribal projects included in their regional plan. Other regional agencies may not be doing quite so well. Again, when we're looking at values and we're looking at components, even naming that in the transportation plan might be something that we can consider.

I kind of just wanted to say that, talking to people as they came in, sometimes it's really hard to – until there's problem, until a road fails and people can't get home, it's hard to articulate the importance of transportation planning. And that's just with a short timeframe. If you have to go 20 years out, and have a project or a concept in the 20-year regional transportation plan or the 2040 State Transportation Plan, that's another giant step that has to be taken if the Tribes want to partner with the State and with the regional agencies. I don't know how to fix it; but I just wanted to call out the fact that our planning horizons might be a little bit different, and look for ways that we bring those together so that we can partner on projects or make sure Tribal priorities are a part of the CTP that will help guide funding decisions moving forward....

Adam Geisler, La Jolla: How does it work if Tribes aren't – I mean, we're lucky enough here in San Diego to have a decent relationship with SANDAG, and we've done some partnerships for some planning grants and healthy community things. But how does it work for Tribes that may be in regions where they [their agency partners] are – well, not so friendly? The way that this is structured right now, there really isn't a way for the Tribes to get their plans into the State Transportation Plan without going through a Regional Transportation Planning Agency.

LG, Caltrans: I really don't have a good answer to that; it doesn't work very well. But, as Laurie said, the State Transportation Plan is supposed to inform the regions as they do their planning process. So maybe there's a way to articulate the need to work with Tribal governments. I mean, it's in the statutes, it's in the laws. There aren't really a lot of teeth to it, so it doesn't work well. So we're looking for ways that we can address the issue on different fronts. You know how we were talking earlier about SANDAG and the Tribal priorities that you were talking about with the activity-based planning? Maybe there is an opportunity to put something like that in the Plan. I'm kind of brainstorming, but I do think it is a problem....

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Adam Geisler, La Jolla: There should be an option, I think, because, even though their relationship with the local planning groups within their county may be sour, it doesn't mean that there aren't relationships that are good still within the State, and that's what you're saying. You talked earlier about the 75-25 split between how the money is divvied up. So if I can't work it out with the group that has the 75, then I might as well go with the group that has the 25, and have that at least identified in the State Plan, so we can work with the Caltrans reps to get whatever's done. Because a lot times – well, I guess I can only speak locally for La Jolla. We only have Highway 76, which is a State Route, so if I ever had to not deal with SANDAG – and I'm not saying that's where we're going at all – it would be nice to have that option to work, you know, around them.

LG, Caltrans: I don't see it as an “either/or;” I see it as a “both/and.” Maybe reflecting that either partner needs to be a part of the State process. Not maybe; I think it *is* important. And it's also important to reflect the need to work with the Tribes regarding the 75 percent regional process, too. So those might be some things to consider as we talk through these questions. I don't have a solution for it either.

KJD, Caltrans: Adam, I think you and the representative from Morongo [Eric Haley] are hitting it right on the head, and that's what I'll be talking about in a few moments in terms of the process – how can we have these things reflected in policy documents and in a framework like the California Transportation Plan, and the white paper that we'll be talking about, capturing what the Tribal governments want to see, and having a number of options to provide to decision-makers at Caltrans or other agencies. The California Transportation Plan is one of them, and I'll be going through that in talking about the process. But these are excellent points. Let's have a conversation about what the Tribal governments here around the table would like to see and how we can do that together. That's what we're going to talk about next.

Erik Haley, Morongo: Since you brought me back into this topic, let me compliment Adam's institutional setting. SANDAG is probably the best model in the State of California, because it's got planning, it's got money and taxing authority, it's got the Council of Governments, it's got transit – it's the whole ball of wax – it has the Board of Supervisors and the individual reps from each of the cities. So they have more collective power to exercise at one point than any other regional agency in the State.

I think as you go into your discussion, we have to talk about the sales tax authorities that have lists of projects that you can weigh in on during the election cycles for those sales tax measures, and also the impacts of various commissioners and the like. And I'll talk about Riverside County at some later point. We have a number of relationships with County Boards of Supervisors that have prioritized that 75 percent money, and the local money for emergency access on I-10. My friends are here to talk more about this. But there are lots of different ways into this; San Diego is the best example. Maybe you can make a chart and show it to everybody, what you're doing right.

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Adam Geisler, La Jolla: Tomorrow, I'm hoping you can all attend the Native American Advisory Committee, the Caltrans meeting, tomorrow; it's here, if you are able to stay. SANDAG is going to be giving a presentation about what they've been up to in working with the Tribes.

LW, Caltrans: So, as we think about what the CTP can do for the Tribes, this – what Lonora was explaining – is a perfect issue for the CTP. Trying to explain how Tribal transportation projects get funded; what is the process; how's it supposed to work, how is it not working; is there a better way. Maybe we use SANDAG as an example of how things should work. That's a great subject for the CTP. We get it out there in the State Plan, and then hopefully, all the regional plans look to this, and the other local agencies. And we just at least get the issue out there, and maybe offer some potential solutions or ways that it can be better. So thank you, everybody, for helping on that, and I hope we can talk more about that later.

[Presentation continues]

Next, this slide covers what I had mentioned before: how we're doing transportation modeling for the first time in a CTP. And it is similar to SANDAG's and SCAG's Sustainable Community Strategies process, where they come up with transportation alternatives or "scenarios," as sometimes they call them, on ways to mostly lower vehicle miles traveled and thereby reduce greenhouse gas emissions.

We are doing something somewhat similar, using our Statewide Travel Demand Model. This is an aspect of the CTP that changes probably every day. So, it's new to us; it's a technical element that we have not done before, but we're trying to figure it out, what our Statewide Travel Demand Model can do and can't do. What we can model, what would be good to model, and what kind of alternatives we should have. We're working on this Policy Advisory Committee, and we also have a Technical Advisory Committee that's trying to help us out. And that's where we are at right now with our overall approach. I'm not a modeler, so I can't get into a lot of details about how the model will do this. But we're going to have three packages of strategies that we'll end up modeling to see what kind of results we get.

We're thinking that the first package will roll up the RTPs [Regional Transportation Plans] with the SCSs [Sustainable Community Strategies], and then the ITSP [Interregional Transportation Strategic Plan] and the other modal plans, just to see what we can call the "base case," what kind of results we get just from that. Then, in the next alternative, will add some possible VMT [Vehicle Miles Traveled] reduction strategies. The strategies could be things such as a toll on roads, things like that. A strategy like that would shift modes, theoretically; if you have to pay to drive, maybe a person would shift his or her transportation to transit. Then the model would also add the Air Resources Board's [ARB] "vision tool" with the California Energy Commission's fleet mix. What those two components do is they bring in what kind of greenhouse gas emission reductions you would get from alternative fuels and alternative vehicles, like hybrids or electric vehicles.

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And then our last package of strategies would be even more aggressive. The main difference in this package is the Air Resources Board fleet mix, which has a more aggressive projection of the future fleet mix. When I say “fleet mix,” I mean the fleet turn-over. So right now there is small percentage of people that drive alternative vehicles. If you wanted to lower greenhouse gas emissions, you need more people driving in alternative vehicles and using alternative fuels. The difference in the last strategy is that the ARB has a more aggressive rate of turnover, so that the fleet would turn over faster.

I hope that wasn't totally confusing. Any questions?

[Presentation continues]

So we will model these packages of projects. These are all actually projects within the model. Then this is what the results could be. Greenhouse gas emissions, the mode split – meaning how much of the travel is done by cars, air, bike, pedestrians, rail, and transit – vehicle miles traveled, vehicle hours of delay, and trips. We would be looking a lot at interregional trips, relationship to jobs, the Gross State Product (GSP), and so on. The way that Tribal travel is reflected in the models is through the California Household Travel Survey. That is a big survey that basically is done by telephone, right, Kim?

KJD, Caltrans: Yes, but one of the key things to be thinking about in this phase and for our afternoon session, is what at your community level –. This [the Statewide Travel Demand Model and the California Household Travel Survey] is a model, and there are gaps in it on reflecting the reality in Tribal communities. What we would really like to see happen is a conversation on what more data may be needed; or, if there are no data out there, that needs to be reflected in the California Transportation Plan as well, and make a recommendation.

None of this is set in stone. I just want to put that in context; since this is the beginning of our process here, help us out with what would you envision is an accurate reflection of what's going on in your communities. For example, the interregional trips. Those [interregional trips] look very different in different parts of Indian country in California. What's driving this are State mandates to reduce greenhouse gas emissions. However, there are a lot of innovative things happening at the Tribal level – and I know they're out there – that may be exceeding [the mandates], and to call those things out is an option here, too.

But in the Household Travel Survey, there were gaps, and we need to make sure that there is an accurate picture of what you would like to see on the data side for the Tribes. This is great opportunity in the Plan to call that out.

LW, Caltrans: Are there any questions here on this aspect of the Plan that you would like me to try and answer here?

[Presentation continues]

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I know that this is very hard to read, and I can see that these boxes don't show up at all, so sorry about that. This is our CTP timeline. It's kind of how we see things happening; but just to give you the highlights here, we're going to have three other Tribal listening sessions. The next one I think is going to be in Redding, and then we will do one in Woodland, which will be in conjunction with the next NAAC meeting [Native American Advisory Committee] in October. Then we'll do one in the Central Valley; probably the Fresno area. We'll get those done in the next couple of months.

Our conversations with you will continue as we go on. Along with these listening sessions, we can come out to any venues that you want us to. We will likely go to the SANDAG meeting, the Tribal Working Group. I'm sure we'd give a presentation there anytime they want us to. Or any other groups like that. We can come out and do formal consultation, and we will provide updates through the Native American Advisory Committee. What's also going on now is the Policy Advisory Committee, and we also have a Technical Advisory Committee. And we'll have focus groups with the general public, getting some idea of what issues people are having on transportation throughout the State, and then we'll have public workshops in the fall of 2014. That will be when we have a draft CTP document. The basic idea is that there are ways to give input all throughout the process, all the way until the CTP document is finalized in 2015.

[Presentation continues]

This has more of the highlights of the CTP. The first draft we hope to have completed in January; or we'll keep working on it through January 2014. Focus groups we are having last summer [and fall], and we're having these Tribal Listening Sessions go on now. Tribal consultation continues throughout. The scenario analysis – that's the modeling part the I talked about before – that should happen in the summer of 2014, and workshops in the fall. Then ultimately, it will go to the Legislature in 2015.

So, the other things that I didn't put in this slide but you might be interested in – we are taking notes and recording this session. And when those notes are in a form that we can send to everyone, we will send them out, and you can tell us if they need to be revised, if they do not accurately reflect what happened. Then, when all of the listening sessions are done, we'll do a summary report of all of them, and then send that out to everyone.

What we're hoping to develop – and there's something in your packets. It's this one: "California Transportation Plan and Native America Tribes." This is just a real early start. What we ultimately want to have is a nice fact sheet like these – an overview of the California Transportation Plan and Tribes. Then we can use that as we go out for our upcoming outreach. In the past, we've developed these fact sheets more on our own; this time, we'd like to develop it along with you, so we get it right. I read some of the Tribal transportation plans to try to get some of the issues in here, and we're hoping that we can get that finalized maybe by the beginning of next year sometime.

[GC, Caltrans, reminds LW about the comment card]

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One more thing, before I turn it over to Kimberly. Can you show that again, Gabe? There's a card like this in all of your packets. If there's something – if you think of a question, or if you have or an issue that either you are not able to bring up in this meeting or may not feel comfortable, you can write it down on the card, and give it to any of us or leave it at the front desk. Then we can either address that directly to you, or however you would like.

And this is our website. You can always go there, and see what is going on. And there are all kinds of people that you can contact and talk to us more about the Plan. I just have some of our initial contacts here. The District 8 Tribal Liaison you probably know, and she's back there, is Lorna Foster. District 11 Tribal Liaisons are Jess Silva and Trent Park, and they're over there. And the [Headquarters] Native American Liaison Branch is Kimberly Johnston-Dodds, who is the CTP lead in their group, and there's also Lenora [Graves] and Benny [Lee]. And then, Alyssa Begley is back there, our Office Chief. The CTP Tribal Content Lead is me; I'll probably be writing the section in the document. The project manager is Gabe [Corley]. So those are some contacts, but there are lots of other ones. I didn't put people's name and numbers on there, but we can give those to you. And, I think that's it; I'll turn it over to Kimberly. Thank you, everybody.

[Applause]

KJD, Caltrans: You guys doing okay? You need to stretch or we can make it through to lunch here? Thank you, Laurie, for all the information that you provided.

Welcome everyone from the Native American Liaison Branch. We're thrilled that you're here.

As I was looking around the room and as I was thinking last night, I thought: my goodness, we've got a lot of highly esteemed folks here with Tribal transportation. I'm looking around and thinking of the years and years that are represented in this room; we are very fortunate, and it's an honor to have you here to be able to share your thoughts and work with us. Boxie, it's an honor to have you here; thank you for coming. And we are looking forward to your perspectives, everyone here.

A couple of weeks ago, in Sacramento, there was a session, which I was unable to attend because I was ill, but there was a session that talked about the Native American Advisory Committee and the history of it. I was thinking about all of us benefitting from that legacy. I'm sorry that Chairman Mazette is not here today. We want to say, thank you, Mahoss, that you and Chairman Mazette did a lot of work for us to be able to set up this meeting. Another leader in Tribal transportation throughout California and way beyond.

So they were having a panel discussion, and I was thinking about it, even the starting the Native American Advisory Committee, working with the districts – really, that started in the late 90's. And, if you think about it in terms of generations, past, present, and forward, it's taken one generation to get to having folks here in this room. But what does that mean?

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I think, Adam, when you were talking, and the gentleman from Morongo [Eric Haley], about SANDAG – I mean, it's really amazing that you have a large Metropolitan Planning Organization that's working government-to-government with the Tribes, and the Caltrans district is engaged in that. So, just to have that context, to think through this afternoon. And then, also, to think through the process that you, as Tribal government leadership in this room, working with the Caltrans leadership – what do you want to see in terms of the process, and then also in terms of what does “Tribal Transportation in California” look like?

This, I think, is a great opportunity, with the Plan just starting from the beginning, because as you look through the current iteration [of the Plan], you will see that the “California Native American Tribes” is in there in teeny bits. And that needs to change. And that's why we are here, to have that conversation, and we look to you to tell us what is important in your communities. For instance, earlier, I touched on data a little bit. That is a huge thing in terms of safety, in terms of funding, in terms of planning, and in terms of prioritizing and spending.

And so, as we gave the background on the California Transportation Plan, and the related plans, as Laurie just finished talking about, what we are doing – really, this is a space to listen. And in this session what we're going to do is summarize what your thoughts are and send those back to you. So the process for the listening sessions is going to be the conversation; let's raise the issues in terms of what are the cultural values that go with transportation. So we'll have an opportunity after lunch to put those up here. And also, what are the issues? What are the concerns?

The other thing too, I think, is what are the innovations? You are doing amazing work now, down here and in Riverside and San Bernardino. What are those examples that we can put into our Transportation Plan, and in other avenues, too? So that's what's going to happen here and in other parts of the State.

The listening sessions aren't necessarily a onetime event. As Laurie was saying, this is an informational, complementary piece. You have got your district liaisons here. The [Caltrans] district directors last spring sent out the letters to invite the Tribal leaders to have formal consultation on the Plan, if that is what Tribal leadership would like to have happen; and we're available for that, and it's ongoing.

So there is that process, government-to-government. The listening sessions are an opportunity for us to engage collectively to see what other folks are doing and share information and memorialize it. Actually, what's going to happen throughout this fall, is that we'll send the notes when they're finished to everyone who's here; let us know if we memorialized it accurately. We will have a timeframe – and we can decide what that is here, today – for when the summary for this session will be complete. And that will happen in each of these sessions.

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And what we are looking to do with that is share the results of our listening sessions, as they are approved by Tribal leadership, with the Native American Advisory Committee and also with the Director of Caltrans. And it will be a summary that captures what's going on from Tribal leadership's perspectives on transportation in California. What we would like to have happen is – the goal for that summary to provide to the director and to the Native American Advisory Committee will be for the first meeting in January of the new committee.

So that's one piece. The second piece in our conversation here, as Laurie mentioned, is a template on the "Tribal Transportation and the California Transportation Plan." This is a really great opportunity because this fact sheet – or we'll call it whatever you want – this is your opportunity as Tribal leadership to have you work with us to create your fact sheet. What do you want to see, what do you want said there? What does Tribal transportation in California look like? And we'll have an informational document to share with locals or RTPAs. It doesn't have to be one fact sheet; it may be a regional perspective. If things are happening down here and the concerns, they may be the same or different up in Humboldt or in Inyo County. What does that look like from your perspective that you want us to share together?

And so what I would like to do is just talk about the Tribal listening sessions, is this an okay process? Is this something that will work for you as Tribal leadership here? I'm putting that out there. And then also, in terms of the fact sheet: is there something that would be useful, and what would the process be to develop that with you. We haven't really gone through that. Let's come up with a consensus, or, you know, something that works, so that we can move forward with those.

The third thing I wanted to mention – and I think all of this is interconnected – one of the things that I have been tasked with, or we as the Native American Liaison Branch as liaison for the Native American Advisory Committee (we are staff to the Committee) – they've asked us to work on a "white paper," a position paper on MAP-21 and the new Tribal Transportation Program. What does it look like?

And this session can be a great opportunity to work on that paper as a policy document, with all the information we're gathering for the statewide plan and the other plans to inform that white paper, as I work with the Advisory Committee to develop it. And we are certainly willing to share that document, and if there are folks here in the room that want to be a part of that position paper, that would be fantastic. The goal for that paper will be to share it, in whatever way the Advisory Committee want to share it. It will be an informational tool. If it's something that's useful to take to your leaders at the federal or a state level, it's a tool to be able to do that. That's what the last one was used for; so we're basically updating to the current status of things.

So I'll leave it with that. What do you think? Are we on a track that would be useful or do we make adjustments – really, you know in terms of the process? I'll just kind of open the discussion up.

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David Toler, San Pasqual: It seems like the process is something that we kind of looked at before. You know, we've had the availability of SANDAG, and the comment was made earlier that SANDAG really goes a long way with this. But I think what I'm not seeing here at this point is that we're talking long-term Transportation Plan, and we really don't know what the State's schedule is for some of the roads that affect us. I think if we had that, it would give us an opportunity to collaborate amongst ourselves to be able to get a real true plan that's going to benefit the reservations.

KJD, Caltrans: I think you raised one of the things that was raised in other conversations prior to our collective conversation here, which is talking about the long-term transportation plans that the Tribes might have. Those are pieces, too – how can we bring those in? We don't really have all of the plans; it would be great to work together to see what those look like. So, yes, I think that we need to be doing exactly that. Yes, go ahead, Adam.

Adam Geisler, La Jolla: I was just kind of going back to what we were asking, what do we want included in this planning process, and what do we want included in this Plan? I wrote down a few bullet points here – or we can maybe do that after lunch....?

KJD, Caltrans: No, go ahead, if you want to put the bullets out there. We can be thinking about it and start to look at categories or what other things that we heard in other places. It sounds like, with the Freight Plan that you raised –. If you look at the policy framework, or the goals, every single one of those goals, there is an example from the Tribes. How can that be called out in the Plan? And the same with the objectives. In every single place. I think there is a potential for describing that in an integrative way in the California Transportation Plan, but then also having a separate chapter.

One of the things that we really want to respect is your time. I mean this is amazing that you're here and willing, as such busy Tribal leaders, sitting down with us today. When there are places where we can bring the other plans in, and have those conversations, and also, in this process of working through the listening sessions, memorializing it, the other plans, the folks that are responsible for those, to varying degrees, they do or do not know how to work with Tribes and Tribal leadership. And so, this is an opportunity with the SANDAG model, and with the State Plan, to develop that, to say here's what worked, and you need to be working with the Tribes in this way, and we can help you. But respecting Tribal leadership's time is important, because you can't be going to a bunch of different places all the time.

So, if there is the SANDAG model that's working well, and we can do that through there, in that space to get this done, we want to respect that; and help us, tell us how to do that. That's not the model in other parts of the State. And it's not going to be [that way] for a little while. So that is why we are looking to this in a regional way, so that we can include Tribal leadership throughout the State. Lonora, did you want to add something?

LG, Caltrans: I'm not sure what to add; I don't want to cut off your questions. But going back to the question before, it sounds like there was some concern about – maybe not concern, but

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I heard a little bit about how we're asking for your information and how do you get ours. That might be something that is reflected.

I was looking through the existing CTP, and on page 34 the goals are listed. But there are a lot of different goals in maintaining the transportation system. Maybe under each goal section, there is kind of a discussion of what the goal is and some strategies for getting there. And one thing that is repeated throughout this California Transportation Plan is coordination and collaboration. Maybe a goal *is* to more effectively coordinate or effectively share from the regional and from the State perspective with the Tribes. So that our projects are known, and there can be some collaboration and strategizing. I don't know if that's addressing your question, but I heard a couple of times around the table the need to – or even the question that Adam or Eric asked, how do you better partner on funding opportunities?

We might need to actually, specifically, call out some Tribal priorities or Tribal government needs, or something in those sections. So when we need to a look at it; that might be something to comment on, or something that needs to be documented, so that when the listening sessions and Commission go forward, it's used to help develop the Plan, and that can be addressed. Or if not addressed, at least commented on, so it's captured, so that a discussion happens on the need to do a little bit better can be captured, too.

KJD, Caltrans: Yes, actually, I'm just thinking, there's a whole section in here on trends and challenges. And raising the challenge of, what are they? And let's have that conversation.

LG, Caltrans: It's a possible recommendation on how we could do better. I know there's a section on shared transportation decision making. I don't see Tribes, or Tribal governments, Tribal transportation planning, represented there. So again, there are some gaps that might be need to be filled in.

Adam Geisler, La Jolla: It's not mentioned in, like, this entire Plan... *[laughing]*.

Lavonne Peck, La Jolla: And that's really the question that I have. When we're sitting here, looking at the California Transportation Plan and input from Tribes, you know, how do Tribes have input when you have northern, central, and southern, and we're all so different? And so, when we're collectively trying to come up with what works for us today, and the comments that I think that you alluded to – you know, three things that just made me think right off the bat: safety, funding, and planning, and how you can address those as far as Tribes – are easy for me to single out.

But the question is – and this would be looking at Southern California and one of things that you discussed on the timelines and transportation – most of us, most of our Tribes, we're 35, 40 minutes, some an hour away from hospitals, grocery stores, you know, and I think that really impacts the timelines when you are collectively looking at the State.

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The majority of the 111 Tribes *are* rural. There are very few of us that are in city municipalities. So I think when you look at that, then the planning process and input from us as we address this Plan, it's kind of hard for Tribes. And I think we discussed that – and I apologize for the people that were at the meeting last week – but we discussed that in trying to identify – we had a Safe Routes to School [grant] – La Jolla we received \$70,000 from Caltrans – and we identified all the areas that we need to improve safety for our children and our bus stops and, you know, walking areas within the residential areas of the reservation. But now that we identified it, how do we pay for it?

Because the Tribes are competing against municipalities for funding. So, you know, we can sit here – and I don't want to say a “set-aside;” I like the mile idea that was suggested at our meeting last week – let's ask for 20 miles for Tribes. That would be in our area; I don't know about Central and Northern California.

So, how do we go about putting in our input for a whole State Plan? And I guess that's a question, when we have so many gaps already within the Plan. And I think that's a huge piece, because it seems like everybody – I don't care if you're talking about water, land use planning, it doesn't matter – they want “Tribal input;” they want us to sit on boards. And we talked about this this morning: we can't have one Tribal member, one Tribal chairman from Southern California sit down and represent all 18 Tribes when we're talking about water. Our whole issues are totally different. But they always want Tribal input and representation but they don't want to give us – give us *three* seats on the board then. Give us more than one.

I mean, we are on SANDAG across the board. But we don't – the one I sit on, the Advisory Committee, I don't have a vote, I'm just there for “input,” and it's like –. This is all wonderful, and I love what you're doing, I'm not trying to, you know, be condescending to the idea, but I think for us to put in some real blood and guts into the plan, we need to be addressed within that plan. And I applaud your efforts, because it's hard to get Tribal leaders at meetings, it really is, because you just have a few people doing everything, you know. The gaming Tribes have a little bit more staff that they can send. But I think that's one of the things that we need to concentrate on, is how do we get what we want into a Statewide Plan, without it being looked at [in terms of] Southern, Central, and Northern?

Virginia Hill, Santa Ysabel: I'm just going to add on to that, too. You have your Transportation Plan, and we're not even listed as partners. So there's a disconnect in this.

KJD, Caltrans: I know; there is. And I thank you for pointing that out. That's critical. As Tribal leaders, take a glance at the Plan during lunch time, and take the opportunity right here to critique it, and go for it. I mean that sincerely, because the Tribes were not included – I shouldn't say it that way precisely, but I mean, when you look at it for each of the goals, there are partners listed for every single one. And, as I looked at it in the last couple of days, it's like, in every single goal, the partners there, the Tribes [should be] front and center. In each of the districts to varying degrees, I think – down here, absolutely amazing examples. And so that needs to be reflected the next time around, and that's why we're having this conversation here

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today. And, Chairwoman Peck, yes, the pieces of what does it look like in California, yes, we need to have a full picture as a statewide plan and the different Tribes. And how can we do that? It's not going to be easy, but that doesn't mean we are not going to do it.

Merv Scott, Colorado River: Excuse me. Also you need to be straightforward. Because we dealt with Caltrans, and, when you decided to cross the River into Arizona – a multimillion dollar bridge – you were at a standstill. Because Caltrans did not want to pay the Tribal TERO fees. And in the end, what you did was you paid the State of Arizona, the Arizona Department of Transportation, and they paid the Tribes. So we were at a standstill, so we were at the table with Caltrans for a long time, and there was no give.

So if you going to honestly do this, then you need to come forward and work with the Tribes. And Lavonne is right: every Tribe is different; some have 20 members, some have 40 members, some of them have four thousand, some of them have 10. And each tribe is different. Some can afford it, some cannot afford it.

But when you get down to it, you know, you weren't straightforward with us, and you stood your ground on the TERO. It was a huge amount of money, you know, because the bridge was going to be put in place crossing California and Arizona, and you still had to come forward to get parts of our land – and it still hasn't happened – to expand the road on the California side, and we were at a standstill there, so it was a just a fight with Caltrans. And even now, we're still fighting with you over the TERO fees and the union dues and whatever else comes up our side of the river. And we have two pits over there that you guys try to pick up material from, and we're still arguing over that.

Because we live in both Arizona and California, you know; we support – we have railways on our side also – if freight comes through. We just had a big issue over the radiation that was in our small town. We demanded that they move it, so they moved it. I don't know where they put it. It might be on your side of the river; we're still trying to track it down. You know, we raised a big ruckus over it; they said, one part per million; it don't matter if it falls and breaks loose, there is still radioactivity in the middle of our small town. We issued them right-of-way only, that's all it was, they couldn't store it there, so they moved it. I don't know if it's on the California side or off the reservation

We have to work to be straightforward and honest with each other. Because it was a fight with Caltrans; you finally paid the TERO fee, but it was to the State of Arizona, you did not pay it yourselves to the Tribe. So you waterfalled – and it's important, on these roads on the reservation, if something happens to that freeway and we had a disaster, where are they going to go? They are going to be up here coming off the side road; everything becomes important at times of disaster, so if you're going to look forward, you'll have to include the Tribes.

The other thing I don't understand is why you don't work with Tribes closely to achieve federal funding. If you look at the State of Oklahoma, they take all the federal funding; their entire roads are listed as highways, Indian highways. They get a huge portion of the federal money;

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so that would assist here. Some of these Tribes are too small to earn any money; some are lucky, some have gaming, some have other issues. You need to find a way to work with the Tribes so that they can collectively get these roads fixed.

This is a scenic route that a lot of people use, but it's also a dangerous road. I've got relatives who live here, and I come over here for weddings, funerals, and other things. I think you really need to include the Tribes and be straightforward on the table and get your laws worked out, because I think your statutes prevent you from paying us as a Tribe. So that needs to be ironed out. I still don't understand some things because this is only my second term. ... That's all I wanted to say, thank you.

KJD, Caltrans: I appreciate that. And I'm hearing actually three things potentially. TERO needs to be somewhere in the California Transportation Plan or somewhere. The other possibility is why just have the California Transportation Plan. Maybe this is a catalyst for that larger document of what does private transportation look like in California; and it could be something that is added in some way – or having your own and working to develop that. I mean, there are a lot of possibilities here, but yes, you are absolutely right on all of those pieces, and I'm glad that you shared that, and that we also have the note-taker to memorialize that concern, too.

LG, Caltrans: And the third thing that I heard there is that, bringing it to the California Transportation Plan, which is a policy-level, statewide document, was that consultation, coordination, working effectively with the Tribes isn't represented there very well. And there might be opportunities to include that into various sections of the Transportation Plan that will guide Caltrans beyond.

And I think that some of the comments he made might also be really helpful for the white paper that you're working on. Some of it is looking at how transportation is funded; the Tribes are left out on the federal side and in the State processes for a number of reasons -- but it might be something that we need to capture as that is being put together. And maybe at lunch, we can talk TERO.

KJD, Caltrans: Anyone else? Adam? You had some bullet points...?

Adam Geisler, La Jolla: I had nine! I'll just throw them out [for discussion] because it's kind of all along the same lines you guys are talking about.

On council, I feel like I read a lot of contracts; I read a lot of legal documents. And there's always some section at the beginning of whatever you're reading explaining why it is that you are about ready to embark upon the document that's being created. And usually, definitions are included in that section, etc., but it almost seems like the Plan just needs to include things that already exist in law, so that there's no misunderstanding.

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So, one point is TERO, and understanding how TERO works, and the requirements that, quite honestly, the local planning agency should be complying with, because they are receiving federal dollars, whether it is passed through the State or not. So, TERO; also including other legal acts, like the Joint Powers Act, that ties up questions about contracting; people are running into that, it kinds of drives contracts. So kind of just kind of hammering out the legal foundation behind this.

And then, also, consultation has been something that the Governor has been requiring, which is why you guys are here – well, I think you would be here anyway, this group of people – but making sure that it's understood. Because that needs to trickle down into regional transportation, the Regional Transportation Planning Agencies. But in hearing how the money is divvied up, one of the ways that San Diego has been successful is that dollars were set aside so that the consultation could occur with two people, both from the Tribal chairman side and somebody from the SANDAG side. And so, you know, it's hard to require people to do things when it's unfunded. So look at how you will require everybody to continue to do the consultation, but back it up with dollars and set-asides that are identified in each of the planning budgets.

You talked about the fact sheet and looking at the Tribes' ability to provide services. You know, we're not holes in the middle of the maps of the State of California. I think one thing that was really powerful when CNIGA [California Nations Indian Gaming Association] got together and did their economic development impact report. It was a handful of Tribes, and it was hundreds and hundreds and millions of dollars that were generated, jobs, etc. I recognize that not everybody's in gaming, but a lot of us still have our own fire departments, things like that, even if it's volunteer. It would be good to put together an angle of emergency services. You know, our people are responding to and supporting their own rural communities and addressing those needs out there, whether we were supposed to or not, whether we're being required to through mitigation measures or not; it's something we're doing.

So if we are going to talk about a fact sheet, talk about the total number of Tribal fire stations in relationship to county stations. Talk about the number of personnel that are associated with that. Then talk about the number of service miles or square miles that those departments are providing service for in relationship, because those routes require maintenance and should be maintained so that we can deal with those things.

Same thing with industry, on the factsheet. Recognizing that you have five different plans, you know your rail, your freight, and all those, and recognizing that Tribes fit in each one of those types of industries that are out there, so that there's no misunderstanding that we are vibrant economies.

And then the last one was kind of the same thing that Lavonne mentioned regarding also an identification of whether to closest hospitals and medical facilities are. That's something that we already have to identify in our LRTPs, working with the BIA, so I mean it's not like these are things that aren't available.

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And, if we are going to be frank with each other, we also know that there are Tribes out there that just aren't going to do it. I think that we have to be reasonable and provide the platform for those who want to play in the sandbox with everybody, that we can do it, and we also got to recognize that there are going to be Tribes out there that are just never going to want to do it. I shouldn't say never, but, you know, you are really twisting some arms just to get them out there, and that's just the way they are, and that's okay, too. But at least, again, thinking about how that other half might work, if they don't want to share.

I know some Tribes are worried about, why am I going to tell the county where I'm going to expand my casino, or why I'm going to go do this or that, because I'm going to get a laundry list of mitigation measures if I tell them what I'm thinking. You know, there needs to be a way of how to address that so that they're comfortable in identifying their plans, without feeling like they're going to get penalized in the future for it.

And then maybe sources of funding. I know one thing that I scratch my head over is when we look at mitigation impacts along a corridor and road improvements, and everybody points a finger at each other about who is supposed to pay for it. And I don't understand why, you know, we can't float a bond collectively together or get creative in the ways that we look at it. You know, our federal dollars, matching our federal dollars –. With MAP-21, we can actually borrow off of our allocation now, which wasn't something we were able to do. The idea of us going and borrowing 5, 10, 15, 20 million dollars and incorporating that into our long-range plan is something that's acceptable now, that we could do. So I think there are creative financing things that need to be looked at in the Plan as well. I guess that was, like, twelve things....

KJD, Caltrans: That's awesome. That is exactly where we need to be. And we can tee off with all of those. I especially like the mention of the emergency planning, disaster planning; that hits everybody, across jurisdictions and everything else, we can talk about that, too. Anyone else want to share? Or are you hungry and ready to eat? Okay, why don't we grab our food, then get back at it?

[Lunch break]

Afternoon Discussion

LW, Caltrans: Okay, is everyone ready to get started? This is like the listening part of the Listening Session.

Adam Geisler, La Jolla: Funding, that seems like that should be the first topic that should be on the list?

LW, Caltrans: Okay. Funding is going to be a big part of the Transportation Plan in general, but we will make sure that that is a big topic particularly for Tribal projects, as well.

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David Toler, San Pasqual: You know, on freight? In our region here, a lot of us focus on Highway 76, because that route services quite a number of reservations; then also down in the south end, we also have State Route 94, which also services some of the reservations. But to come back to 76, and we talk about freight, and on the whole, the interpretation of what “freight” really means.

I know what we do have here. We have water companies that haul semis with water on this State highway and these hairpin curves; we have hay trucks that haul hay from the Imperial Valley to the dairies all through Southern California; we have semis that deliver to these facilities, like this facility here – just imagine, the vendors that are involved, and so on. So we do have – what do you think of a plan to consolidate these different facets of what we are trying to describe?

It kind of goes back to what Adam was saying, that it primarily is the funding. We made the comment earlier that we just don't know your long-term plans, on what segments that you would call priorities. It's like, if we knew that, maybe we could do some consolidation, if we understood what freight monies were about.

Because what I think what we have here – and I don't fully understand the 30,000 miles and then California's going to get the 10,000 miles – you look back to Morongo and Agua. They're fortunate in the sense that they have an interstate highway, and those monies are already – whatever priority is there, they have them. I realize that probably Morongo has some specialized concerns and needs with an off-ramp that would probably be more convenient and so on. But I think Morongo has worked on that for years. And I think some of it has been in vain.

Now, so what that does is, it puts a lot of us in the same category, because you have Tribes like Morongo and Agua that are well-established in communities. And then you have some of us down here, like La Jolla, Santa Ysabel, and Mesa Grande, and some of the other reservations that are isolated, and we do have – I don't know how familiar everybody here is with it; I'm only so familiar with it – we do have the IRR monies, the Indian Reservation Roads, the federal monies. And then you talk about the long-term transportation plan. We have to have a long-term transportation plan to be able to qualify to put those monies on the inventory. And then you have an Agua, that's well-staffed, that interpreted placing roads on the inventory, and they placed just about every road in Palm Springs on the inventory. So, consequently, the other –

Margaret Park, Agua: Well, they don't generate funding, which is important. The monies can be used, but they don't generate funding, so we don't –

David Toler, San Pasqual: Well, maybe not in your case, but in our case down here, when we get our long-term transportation plan, we place roads on the inventory specifically to *get* funding. And I know MAP-21 is kind of changing [things]; I think that MAP-21 is really kind of

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molded after the situation that Agua did, which is that they placed a lot of roads in the inventory.

So there again, what you do, you – how do you say – you disturb the “Good Old Boys Club” in a sense, with your Navajos and your Wind Rivers, which have massive land bases, so that's where the bulk of the money goes. When we were first starting to see the statistics, there was roughly over 310 million dollars or something allocated for IRR roads. California is getting less than 1 percent.

Now, we give the State a lot of credit because Cynthia Gomez [Tribal Advisor, Office of the Governor], who's the Tribal liaison – Cynthia and her staff came to all the reservations they could and put on seminars and classes and stuff for us to better understand it. So we asked the question, why does California only get less than one percent of it? And they said, well, you need to add roads to the inventory. Next question, how do you add roads to the inventory? And by adding roads on to the inventory, it's given us more funding. And so what we did with Rincon – and I'm not sure if it involved La Jolla – is that we considered adding these main roads into the inventory....

And then MAP-21 raises its head, and so the whole formula has now changed. So, we're still, after all of these years, we're not too much further along than we were ten years ago. We still have Highway 76, those hairpin turns up there, which are very dangerous. You have those semis I described; plus, you have the youth, who are learning to drive, who are going down these roads...

We would like to look to the State for a funding source. And so, I think, without bouncing around too far from what Adam brought up earlier on these freight monies, how can we get creative and utilize something like what we are describing to put these monies into an area that can service these isolated reservations, which, like Virginia was saying – you know, Santa Ysabel, 70 percent unemployment. And those are *youth*; they are great young people, looking for an opportunity. But are you going to run them down this road with these hairpin turns?

So we're really in a dilemma here. So we're reaching out; we really appreciate the State doing these sessions like this. We'd really like to see something come out of it.

LW, Caltrans: Yes, we would, too, definitely. I heard a whole lot of issues that you brought up. Funding, funding, funding for one thing. But I also heard a lot of things that should be not only in our CTP, but also in the Freight Plan and the Highway Plan. So I want to make sure that we are getting that input correctly. Adam, I think that, with the Freight Plan, they are putting together a list of projects, is that correct? And there's not a funding source now but they want to address the funding sources...

Adam Geisler, La Jolla: Yes, I want to say 92 percent of the 10,000 miles is federally funded, or something like that. Or 92 percent of the prioritized, of how they prioritize those projects – 92 percent of the funding would be coming from the federal source.

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LW, Caltrans: And so right now, the Freight Advisory Committee [the policy advisory group for the Freight Mobility Plan] is looking to address that, right Adam?

Adam Geisler, La Jolla: *[Laughing.]* We just got done with the mission statement! It took a whole day of, like, people trying to figure out what the vision was; I mean, it was insane. So, yes, I think we're going to start to get into that, but it's also going to come back to regionally what's happening. And locally, some of the things we're trying to do is coordinate with SANDAG, working with them, and working with Caltrans. That's something that we're doing down here, so that we can all be on the same page. And I don't know how you guys are doing it out in the desert, but that's something we're looking at here.

But, again, when I'm looking at the Tribal Listening Sessions questions, it's almost like, what are the biggest challenges facing Tribes' transportation systems into the future. And I get it, it's a State plan but, if you really want to address those [kinds of issues], I don't really necessarily have a gigantic population increase issue on my reservation. We do have an aging population. Traffic congestion, not really for us, but I know other areas probably do, especially if their checker-boarded into certain cities and things. But I think it all kind of centers around dollars and how we leverage those. That's really the challenge. How do we leverage all the monies that we have and be included in future planning. Which is what we're doing here today.

GC, Caltrans: I just wanted to go back to David real quick, because I heard you mention a couple of times that you'd like to see what the plan is for Highway 76. And we do have plans out there. We have what we call "Route Concept Reports," and then SANDAG has a Regional Transportation Plan – those will show what's going to happen to Highway 76 over the next 20 years or so. And so, if you want more information on that, feel free to either contact the district liaison or contact myself, and we can point you in the right direction.

David Toler, San Pasqual: What we've done there with SANDAG and the Tribal Transportation Working Group, we identified corridors that would benefit the Tribes. So once you started to look at the demographics and start to consider all the Tribal population statistics, the Tribes, because of their population base and the traffic miles, really don't qualify. But now, on the weekends, and less all the tourists and all that use the roads, that doesn't come into our plans; so we're kind of at a dilemma, because we've taken those steps, we've tried to identify roads that we can focus on, but we simply don't qualify.

Now, if you were to take the land base, we would qualify for – like La Jolla, for instance, which has approximately, I think, 8,500 acres, and you have a Santa Ysabel – I'm not sure about those Tribes up there, but I think it's 18,000 acres, so we have – the Palas and the Paumas – there's a large land base, but the population base just doesn't keep up. And also, like with the aging population, that's so much more the reason to have these safer roads. And I'll just tell you a little story, my mother is 86, and she still loves to drive, and *she's* driving these roads, guys, and so, watch out! *[Laughter]*

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LaVonne Peck, La Jolla: You know, as far as challenges, I think I'd be remiss if I didn't say federal and State legislation, and I'd like to tie that to cultural values. I think Kimberly brought that up in her presentation.

I think it's challenging because – and I know we're skipping around – but as we look at the Plan, especially for the rail on 15, you know, that's going right through Luiseno territory. I mean, we are going to be running in to a lot of cultural issues. And this is something I brought up to Tribal Chairmen's [Association], is that we need to get on board, and I don't really know how to do it, but we were discussing it at an earlier meeting this morning, and there have been meetings in Pechanga.

And really, it's almost like we have to go to the State or the federal level to change how they address repatriation, and how we address when transportation is coming through, and you know that there are areas that are very sensitive to our Tribes. And no one's ever going to listen to us; you know from Gregory Canyon, you know from different areas around Pechanga – they had to buy the quarry finally. So there are different areas all around the State, not just in Southern California, where transportation is going to be going through that are sensitive areas to Tribes. I think that we need to really take a look at that amongst *all* the Tribes in the State, and how do we address that when it comes to transportation.

And it may be that we have to come up with our own guidelines and take it to the feds and have it passed. There are guidelines now, but to the extent that nobody listens, and they just go through and move our stuff, and, you know – there's arc [archaeology] we talked about. They do have the archaeologists and all the people, but they say, no, that wasn't remains and, you know, the whole – over six remains then it is considered a cemetery; well, to us, you find one body, that's something to us. So, I do think that is the huge area as we move forward into the future that we need to address as far as cultural values.

LW, Caltrans: So, is it the [National Historic Preservation Act] Section 106 process where these [issues] would come out in the environmental [impact assessment] process, that's not working right? Is that what you're getting at?

Adam Geisler, La Jolla: Even when it comes out, it's being bulldozed right over, in every sense of the word [*laughing*]. Literally and philosophically. That's what's happening, and I think cultural mitigation – I mean, if you were going to ask me what's one of the biggest challenges facing California's transportation into the future, it's Tribes abilities to throw a wrench into the Rail Plan, etc., because of the impacts that are going to be occurring due to poor planning. So, like LaVonne said, Pechanga just came right out and bought the quarry. You know, enough is enough; there was no other choice.

Lavonne, La Jolla: And you do know that in all California, we were here. So you're going to see, you know, villages and different artifacts all throughout the State. But I think when you are looking at specific areas, I think that the planning should be cognizant of where you are

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putting that and be respectful to the area, knowing that the Tribes are there. So maybe it is just a way that you put it in the other side, or I don't know maybe you move it, I mean, there has to be something in place because you are going to find stuff.

LW, Caltrans: Right, exactly.

David Toler, San Pasqual: I think the key word there is “significant.” See, I think that's the values, the Tribes are going to put more value on the significance of an item than the State. Even the State Heritage Commission, the SHPO, when they look at it, there are so many times that they'll – the process would ask, do you know of anything sacred in this region? Ninety percent of the time it's a “no.” In all actuality, yes, there is something. So when they get that stamp, a lot of times the development has more free reins to go forward. But I think the key word is “significant” – the values on the cultural aspect.

LW, Caltrans: So, is it that the Tribes need more – they need to do more to inform the determining of significance?

David Toler, San Pasqual: Part of it is, but I think – not to demean this or anything like that – but that process is something like this process that we're going through now. Not to take anything from it, but I think that this is part of a process, and it is kind of equivalent to [Section] 106 consultations, in a sense. You guys have a format; you need to go around the State. I think you guys are really reaching out, but it's such a complex issue for us to have input in – real input that's going to impact anything.

I think the 106 consultations – that's what it is. Once the BLM or developer, or whoever, the city or the county – once you start that process, it's a checklist: we met with you, thank you, next. That's kind of where we're at. At the end of the day, the majority of the time, these sites are being wiped out. And so here we find ourselves today -- because we speak for the people that came before us, and that's what they left, that's what they left. And so we have a big, big responsibility to do anything we can to protect that. We know we're in a progressive world and so on, so we'd just like to be able to show that our input has been taken, and there are results from our input.

Anna Hoover, Pechanga: It's the entire process that's flawed, and it starts from right now, where we are here. Because we've had agencies tell us over and over again, that's really nice, we're glad you brought up cultural issues, but this is a planning document, and you can address it when that project comes around.

But that's not where it starts, it needs to start here, and it needs to start with the agency talking to the Tribes about – it doesn't have to be any specific location, like, okay, here's a burial and here's a sacred site, none of that. It's simply, this is our area of concern, and you need to make sure that you come to the Tribes to find out what their cultural values are. And that is not addressed from a scientific viewpoint with the archeologist.

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And then it trickles down from there. In addressing Section 106 – and it's exactly what this gentleman said about it not being a checklist. We've had Caltrans come back to us and say, thank you very much for the information you've provided, those fourteen pages that you gave us were great; however, we still don't think it's significant, so we're just going to continue doing what we were going to do. CEQA and NEPA and Section 106 are not meant for Tribes. And we don't have any way to fight back except for like continually writing letters and by coming to these meetings, and continuing to voice our concerns about cultural issues. So they need to be addressed in these overall planning documents for the future.

Because we are not all going to be here, you know, 50 years from now. But that document is still going to be there. And what we are finding a lot of times is, if we can get the cultural information into those environmental documents, they will continue on from document to document, especially in archeological studies. So that's why it is *really* important to address the cultural resources in this document.

Adam Geisler, La Jolla: Maybe in the opening [introduction to the Plan] that we were talking about, where you're going to list all the laws that are out there, it would be really great if there was some kind of acknowledgement that, like –. Your SHPO for the State, they go off these maps that were done – how long ago? Like, what was it, in the 1900s, early 1900s, where surveying equipment was off, etc. And the reality was that they'd come out and ask the Tribes, you know, what are the areas of significance? And the last thing that any the Tribes were going to do at the time, and probably even still now, is walk you right over the places of true significance.

We ran into that over here with Pankey Ranch and the Palomar College issue. We weren't going to turn around and tell them more than they needed to know; and what they needed to know was that there were burial sites over there. And even though they continued to turn up – where are we at – 14, 15 sites, 16? – that, for whatever reason, didn't seem to matter, and they could still build a road over the middle of a cemetery. And that's what was thrown in our face: "Well, we have a locus over here, a locus over there, and that's all we have that was identified by the SHPO, so what's your guys' problem?" And we said, we guarantee you, as soon as you start pulling up the dirt, in the middle of all this, you're going to run into things. And that's exactly what happened. And they're going to continue to run into things as they move forward with that development.

But there should be something in this document that recognizes that some of the information that the State might hold in relationship to cultural pieces may not be accurate. And there should be something in here allowing the Tribe to intervene in the process or in the planning, early on in the planning process. I don't know how you do that, but there's, like I said, some kind of weird preamble, just simply recognizing that the information that they may be trying to use against us in the future may not be as accurate, and the Tribes should have some voice to help with the NEPA and CEQA components that we fight with.

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GC, Caltrans: I was just going to say, I was just looking at the Framework. If you look at Goal 6, Policy 2, I think there is a great opportunity in this section to really bring up a lot of the things that you guys were talking about here.

Gregory Fisher, Colorado River: You know, I'm amazed, sitting here, because it just doesn't work. Doesn't work! *[Laughter]*

What he's just now saying is what we just got done fighting for two years on the Genesis Solar Project over by Blythe. You know, for two years, we fought them. We went to federal court, and we lost. We told the State of California, BLM, the same issue. On our ancestral lands they found, they estimated it as a 4,000-year old necklace, and 5,000-year old graves. We cremate; so we had a ceremony – they allowed us to have a ceremony to close it out again, and then they found another grave, on the second solar project. They allowed us to reinter that one and move it. But that was the extent of it; it didn't stop the project. They bulldozed the village down, put the solar project up, and SHPO never replied. They found excuses; we sent them two years by then.

And lo and behold, I come here – and I apologize, this is my first meeting – but I hear the same issues that we just got through fighting with this group for two years, all right here in California. So I don't see anything new; it's the same issues that we had, only difference was the solar. But they did not listen to the Tribes. Finally, they started getting our people, our culture, our own people to go in there and try to understand it. Because I told them, what you see is just fire spots; to us, it's our ancestors. Because we been in that area for years, and we have four families, I think, four families that are directly tied to that area that still survive.

So, what I hear now, you know, is just amazing. We've already gone around in California, with BLM – over different issues, yet it's coming up now with Caltrans. And I don't know if it's going to be approached the same way. Like you said, NEPA, CEQA, SHPO – none of it applied; the rules are supposed to be there to protect the Tribes – archeologically, culturally. It didn't work. Just like you said, they just bulldoze everything over and keep going. And they walked next to us and –. We did stop them once. They dug up some more remains, but our monitor happened to be there, and he shut them down. But within a week, the federal judge ruled them to go ahead.

So they finished the project, and now they are starting on the second project. We've got, in our area, we've got six, eight solar projects coming up, because of the desert. We've got petroglyphs in a couple of spots, and we're working with Pechanga and – I forget the other one, because we're all tied together, the Tribes along the river. And talking with the Navajos, they had Senator Kyl and Senator McCain with them at the time, but now Senator McCain's gone the other way, and Senator Kyl's retired. So they've lost some of their push. ... I hope you come to a conclusion, because I see you are going the same way we did. We fought for two years, went to Federal court, and lost.

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Lavonne Peck, La Jolla: And a lot of money. That's why I think we have to do legislation; we have to take it to the Hill; that's the only way we're going to succeed, because --. But there's time. I mean, I keep bringing it up at Tribal Chairmen's [Association], is that we need to act *now*. Not later, when they're ready to put the rail in, and we're all going, stop, stop, stop – we'll all be dead in 2050, but – you know. You have to do it now; we can't wait. And I think that's something that the Tribes need to be looking at, but I think that's a challenge....

Merv Scott, Colorado River: But you also need to be aware, since a lot of you are drinking water from the Colorado Riverbed, one of our biggest fights, because it's a desert area, is that they're trying to bring nuclear waste out there all the time. About 40 miles from the river, 30 miles from the river, I can't remember, they were going to bring the nuclear waste; they were going to dig a big pit and drop it in there. We fought that; we got it shut down with a lot of the California Tribes that came and assisted on it, on that Ward Valley. But we got to get it out of there; they're still trying to come back with some more. Now we've got the radiation coming through – Twentynine Palms, Barstow. So it works up that way, and the spurs come off, so that'll affect the California Tribes, if anything happened like that....

So somehow, we've got to get these rules in place, so we all understand where we're going; the Tribes keep getting pushed to the side. And you're right, we try to go back every couple of months to Washington, D.C. and lobby for all these changes that we're trying to get going, because we're caught, both sides of the River. Solar projects are really bad for us, but you're correct: SHPO, NEPA – they mean nothing. And I believe in San Diego, where we heard the elders speak, that they just bulldozed gravesites and put up the power line. And she just stood there – she's about 75 years old, and she'd want to make you want to go on the warpath – but they just bulldozed over it.

So, I don't know, if we could come to a conclusion where *that* comes first, I think. As a culture, we're always different culturally. People don't understand that. I keep telling people that, you know, you have your culture; we have ours; and that will never change. That'll never change. Four- or five-hundred years of differences – they won't go away. But I hope we come to a conclusion, because I hear the same things that we fought for two years. And we're still back at the table, doing the same thing. We're back fighting over the same issues. What about our culture, our grave sites; they're bulldozing them over anyway. I hope we come to a good plan here. And you're correct: the Tribes need to be included – this is what we told them before. They did this big [plan] for Southern California, so you should include the Tribes at the beginning, but they never did. And this is the same thing here; you're already done the plan, and now the Tribes are being brought in afterwards. So I hope something –

LW, Caltrans: No, we're just starting this [CTP] –

Merv Scott, Colorado River: You're just starting this, so hopefully this will come to a better conclusion than those solar projects did....

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Albert Phoenix, Barona: See, that is the biggest problem; it's always been that way. We've always been left out. And now, here a few years back, they started to include us, and that's where we are today. At least, you know, we have these ladies in this session to come and find out what we need, or what are our needs. And like I was telling the lady over here, that our biggest problem is that none of the Tribes have a long-range transportation plan. To see how it's going to work for them with the State. How are we going to fit in. What are your needs, and everything.

And if we don't have a long-range transportation plan, we'll always be sitting in the back seat. We've got to have that. And I've been preaching this to Tribal Chairmen's and the Tribal Working Group, and everybody – I've been in this transportation thing for a long time, and that's our biggest fault, is that we don't have what they're asking for.

They're asking our help; now what do you guys need, or what would you guys like to see? And we got to sit down and continue this, this idea with the State, and SANDAG, and – you guys, I don't know, out there in the desert – with SCAG or what. But, you know, you got to sit down and see what's going on. You know, it used to be SAFETEA-LU, now it's MAP-21 – where is all this going to take us, how are we going to fit in. That's what we've got to look at.

Merv Scott, Colorado River: And I hope that you go that route, and I hope all these things that you put forward work. Because like I said, I have seen the SHPO and NEPA not work. I hope that when you put it in this plan, we get this great plan, and it works.

Albert Phoenix, Barona: And Laurie, I hope you come down to one of our Tribal Working Group meetings. I mean, not very many Tribes are there, but I keep harping, come on you guys, you need to sit here, and then, just like these guys talking, these things can be brought up over there, and you'll know more really what Tribes are thinking now.

LW, Caltrans: The SANDAG Tribal Working Group, right? I think that there already is a plan for us coming to the next meeting... Virginia, did you have still have something...?

Virginia Hill, Santa Ysabel: I'm just wanted to clarify that we are looking at Tribal monitors versus Caltrans consultants. They should be mentioned in there because they have the expertise that they should be primary decision makers if it's a cultural site or not.

LW, Caltrans: The Tribal monitors should be [the decision makers], as opposed to the consultants...?

Virginia Hill, Santa Ysabel: Yes, so there is no conflict of interest for the consultant.

Lavonne Peck, La Jolla: I just have a quick suggestion, in respect of time. I think these are all wonderful discussion questions. What if we circle the top three or four, and then turn them in to you? Would that work? I mean –

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LW, Caltrans: We don't even have to go through these. I just put something together as a way that if we needed to get the conversation going; so they're not – it's more of just conversation starters. That's all they are. But if you want to do that, that's great, too.

Adam Geisler, La Jolla: What do the Tribes around the table think about – we have the whole plan, and then we have the amendment to it, or whatever; but there's no mention of us in here. I think you guys [Caltrans] are trying to get an understanding of what we want and how we want to be represented in this. Are we kind of like, build our own Tribal chapter, are we looking at, in each section that they have in here, just including us in the section? How do people kind of see us being incorporated into the plan, moving forward? Or do you guys have a suggestion on how do you think it might make sense? Because like you said, we are starting kind of from scratch.

Margaret Park, Agua: In answer to your question, I think it would be most helpful if Tribes were referenced were appropriate throughout the Plan, rather than having a separate chapter. This is the State's plan. We want the Tribes to be acknowledged in here.....

Adam Geisler, La Jolla: So almost like a Tribal component in each of the –

Margaret Park, Agua: It may not be in each, because every Tribe is different. But it may end up being that way, where you have a Tribe in every section, or maybe not. But I think that it may be for each tribe to determine where their issues are or policies are. I think also there may be a way to include some policies or strategies that would support Tribes securing funding for road improvements on their reservations ... to show, you know, that you put some thought into the long-term. So having those kinds of references to Tribal long-range plans, or the need to have them, to me, I think, that might be the best way for this initial effort to get Tribes into this Plan. And then, going forward through the years, maybe it gets more and more integrated, as the folks outside of Indian Country get their consciousness raised, by more and more Tribes.

David Toler, San Pasqual: That's good input.

[Unidentified Speaker – Margaret Park?]: Or maybe since this is the first time we're actually going to be included, maybe having both – where we are integrated throughout the Plan, but also having a separate chapter where you would explain a little more about it....

LW, Caltrans: That's how I always –. When I thought about this question, people would give you both answers, that they want to see it integrated; other people say, no, we want our own chapters. So, I felt, maybe we should just do both...

Gregory Fisher, Colorado River: But also, don't you think to find out specifically from each Tribe what they basically need. Although we're all Tribes, the specifics are different. When you meld all of us into one, it doesn't work at all. We each have different needs. We basically

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all need roads, that's given. A secondary part is emergency services, and then anything else – But everybody's different. ... We each have our priorities; we're not the same.

LW, Caltrans: I think you just wrote the introduction to that chapter. It's all about how all of the – you know, we're trying to put this together into a plan, but we have to acknowledge that everybody has different issues and all the cultures are different. I think right up front we have to acknowledge that, and that we're doing the best we can in a plan like this to deal with all issues, but we really have to acknowledge all the differences too.

Margaret Park, Agua: I was just going to say, in the 2006 version, they have Map 5–Priority Region Corridors, Map 6–California Metropolitan Planning Organizations and Regional Transportation Planning Agencies. It would be very easy to have Map 7–Reservations throughout California.

LW, Caltrans: Yes, I think we actually have those maps. So, that's a very good suggestion.

Adam Geisler, La Jolla: What does everybody around the table think about –. You know, Boxie made the comment that one of the things that we've been able to do over the years is to develop a relationship with SANDAG, and Tribes putting together their long-range transportation plans. And that's one thing we've been successful with. Not everybody participated, but those of us who wanted to did participate with SANDAG in our regional plan.

And so, I guess my question is, how does everybody feel about that as being a means for our input to go in to the State Plan. Because that's what we are trying to gather, right? Because we're all going, how do we take everybody's needs and put them into one place. And the answer to that is, you really don't. You regionalize it, which is why I think you have the regional planning groups already throughout the State.

So, the question is, are we comfortable in providing and working with those agencies in order for us to be included in the State Plan? Or do we look at something completely different, where we maybe organize the Tribes throughout the State? Maybe we create our own reservation regional transportation – I mean, I don't know, because I know that there are places that the Tribes and the planning agencies don't get along.

One suggestion that I could maybe make was, coming back to the consultation, creating consultation dollars available for those planning agencies, and making that a requirement of theirs in order for them to receive the rest of their funding. That if they're not doing proper outreach – *proper* outreach, not just checking the box – that they don't get all their funding or some of their funding or something.

But I guess from our standpoint, we have a working model, so I know that we're able to integrate, and that La Jolla's voices will be heard in our regional plan because we're working with SANDAG. But how do we address those that aren't [working so well with their regional agencies] in this plan? It's kind of a weird question.

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Eric Haley, Morongo: I want to bounce off your question. About six years ago, I was in a different setting, so I have a sense of financial and planning sides. In Riverside County in 2007, which was just the last date I was associated with them, sixty percent of all transportation money that was spent that year – and that was about 170 million -- came from local sources. It came from local sales tax, voter-approved local sales taxes, and mitigation fees on development. Basically, the problem was for Tribes to get into the project-selection process in those electoral settings.

The same is the case all over the state, to answer your question about planning agencies that don't listen. Nineteen counties in California raise two billion dollars every year for transportation. It goes to maintenance, safety, connectivity – “connectivity,” a nice planning word for gaps in the system. I really think you need to look at those local agencies where you have a face-to-face relationship, you know the people; it's a heck of a lot easier dealing with a county supervisor than it might be with federal bureaucrats.

But those nineteen counties probably represent three quarters; three quarters of us are within those 19 counties. There's a whole lot of money there, and the decision point is the California Transportation Commission. This is a really important process. But the California Transportation Commission is just 11 people appointed by the governor who you *do* have access to, I know that, depending on how thorough your process is. But the California Transportation Commission will ultimately accept this plan and send it to the Legislature. They're the critical point in all of this, they make all the basic decisions, and they're all financial decisions. So what I am arguing for is a wedding of planning and finance. And what we haven't talked about this afternoon is finance.

Lavonne Peck, La Jolla: That's a good point. How do we get some of that half-a-cent [tax]?

Eric Haley, Morongo: Well, there are lots of different ways of doing it, and you run into yourself in some cases, to be honest with you. In some cases, there are Tribes that have chosen to levy a tax within their boundaries that's the same as all jurisdictions around. And they utilize that for general governmental purposes – for public safety, for roads, for any number of things. But if you were to utilize that half-cent to sort of build a wedge into the local decision-making process, then you'd have it. There is a sovereignty issue that's a problem here, whether you want to sit down in a government forum with local government officials that carve up the money. But it's a mistake to think that it's all federal and state; at least two-thirds of it is local.

Lavonne Peck, La Jolla: I think that's a question we need to ask Laurie because I don't know how much – Gus, maybe you know – how much of that half-cent goes to Caltrans to do different things through our county. Do you know? ... Because I think you make a good point. We know there is half-cent there. So what we need to look at so how do they determine where that half-cent goes –.

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Eric Haley, Morongo: They have work programs, with dates and dollars. And by the way, even for San Diego, every ten years they have to update their 19 billion dollar plan. That's the point for public input on what the projects are, and what priorities.

Albert Phoenix, Barona: If you don't have a plan – a transportation plan – you're not going to be included in the construction of roads or whatever that you want. You got to have your plan there so they can look at it and maybe fund it for you, or help get it funded. That's why I preach, you got to your plan, for the State, for Federal Highways, and even BIA money. If you don't have it, you are just going to be left out.

Lavonne Peck, La Jolla: That would narrow it down really quick. I think you're right, Boxie. So maybe they should only be dealing with the Tribes that have their plans in. That's eight of us, I think. In this county.

Albert Phoenix, Barona: I did learn something when I sat on SANDAG, down there, at the transportation meetings, and see how the funds would come down, how it works, from Federal Highways, through the State, to the BIA, and all that. And you got to have it. And nowadays, you know, to construct a mile of road is ten million dollars.

LW, Caltrans: What are the barriers that there aren't more Tribal Transportation Plans?

Albert Phoenix, Barona: I think it's that the Chairmen don't understand it. You know, they don't attend the meetings, and they just don't follow up or whatever. And I go to Tribal Chairmen's meetings, and every meeting I tell them, hey, you guys, let's get together here.

Adam Geisler, La Jolla: It's also dollars, too. *[Laughs.]* It always comes back to dollars! You know, these long-range transportation plans – I'm in the middle of rewriting ours right now; well, I should say updating it, but I'm pretty much scrapping it. And it's old! I mean the last time it was really, truly written out, without amendments, too, it was like back in the nineties. And the federal dollars that we get through our allocation – up until MAP-21, we were limited in what we were really allowed to spend for planning in the first place. They had a certain percentages that you were allowed to use. And when you're only getting 70,000 dollars, 100,000 dollars, something like that –. And the idea is just to be able to do a road, or maintain your existing system, it doesn't get you very far.

So one of the biggest barriers out there is funding, and then the other piece of that is having the appropriate expertise in-house in order to do it. Because, you know, some of the Tribes, I think realize that they didn't have it, or there is strength in numbers so they formed consortiums in order to do that. Which is what, RTA?

David Toler, San Pasqual: Well, the last time that there was an update on the transportation plans, and the opportunity – because they are complex, and they are expensive. And that's where your engineers come in. And not every Tribe has the resources to hire an engineer. And so, back to the State, and the Tribal Liaison, Cynthia Gomez, and we were able to – the

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State was able to get a grant to hire a contractor, and the contractor came to each reservation, and helped the Tribes that were interested to get a long-term transportation plan consultant.

So maybe, that's where it's at, and I think what you find here – I think the comment was made earlier that San Diego has eighteen reservations. And we all know each other, but we don't always work together. And everybody has their priorities and their pet projects, and so it's hard to consolidate everybody's thoughts. And that's the reason, that's where SANDAG and the Tribal Working Group has really helped a *lot* for us to be able to have the expertise that SANDAG brings to the table, in conjunction with the State.

Because we do have the State, but sometimes what's missing from these discussions is the BIA. And also, there are times that we don't have a county representative. Because a lot of us have the county roads, we have the state highways, plus we have the interstate highways. So it's one of those things that's easier said than done, to accomplish something when you have such a diversified variety of people and agencies and all. There again, that's what makes this really well worth its time, is for you guys to start this, whether it's just a formality format for you to meet your obligations. But still, there's really a lot to come out of it – for us to take it back now to the rest of our councils, and to take off with it.

And that's the reason I'd like to introduce Harry Hobson here. San Pasqual put him on as our Tribal Planner. And this is one of the first times that Harry has had an opportunity to be in this forum, and so, the next time we meet, Harry's going to have comments and input. Won't you, Harry?

Harry Hobson, San Pasqual: Absolutely. And I notice here even goal number 2, “Preserve Transportation Systems.” You know, I've been around just long enough to realize that a lot of the problem isn't to improve roads, but just maintaining roads that are here now. I've seen a lot of that around this area.

LW, Caltrans: I'd like to make a comment on the Tribal Transportation Plans from this side of the process. When I was preparing for this meeting, the most useful thing that I looked at were the Tribal Transportation Plans, the ones I could find. I know that they are difficult and expensive, but they are very useful from this end, too. And the ones that I found were the ones SANDAG included with their last RTP and SCS [Sustainable Community Strategy]. I found them extremely informative.

Merv Scott, Colorado River: I have a question? Can Caltrans set aside some funding so that they can see that the Tribes can get a plan?

AB, Caltrans: That's something that we can – we've heard that funding is needed for Long-Range Transportation Plans; that's part of the input we've heard today, and we can go back and have a discussion about it.

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Merv Scott, Colorado River: The bad part about that is, when you develop your plan, and it's through Caltrans funds, they're going to expect projects to be developed. And a lot of the times, Tribes don't have the manpower or the staff to see a project through.

LW, Caltrans: So you are saying if a project is in one of your plans, then it is expected that it will ultimately be built –.

Merv Scott, Colorado River: Depending on where the funding is coming from. There are new guidelines.

But things are changing where everything is being data-driven. And where are we going to get these vehicle counts, what about the crash data, what about emergency medical, what about safety, what about multimodal forms of transportation, as well as high-speed rail? You know, a lot of the activity going on around the big cities is moving out towards us. And it's impacting us, and now we're going to have to adapt to that because, you know, we can't hardly stop it.

The infrastructures are growing. There are new inland ports planned to be built, there are trade agreements with Mexico now, that's going to open up all the way to Canada. New interstates are being planned. There's a lot that we are going to have to be prepared for. And planning is where it all begins. When a state route goes through Tribal lands, Caltrans should be aware of it, and want to assist the Tribes. It seems like they're saying, okay, it goes through Native lands, that's, you know, okay – they need to be more involved with what's going on. Or when all these changes do occur, they'll know where everything's at, and where they're allowed to go.

But high-speed rail is another item. I think, in this area, because you have the casinos, it would go over great here... I don't know what the actual alignment for the high-speed rail is, but I think it's to Las Vegas?

AB, Caltrans: That's a different high-speed rail project....

[Crosstalk, with several people talking about High-Speed Rail and another rail project]

Harry Hobson, San Pasqual: Councilman Toler said a few moments ago that there is already a precedent for Caltrans [the State] funding planning assistance for Tribes, from like the 1990s or so, is that correct?

David Toler, San Pasqual: Actually, there was a couple of them, this actually came back later, there were about four or five or six of them....

LW, Caltrans: Were those the needs assessments? Okay, so those were not plans – Tribal transportation plans. Maybe Lonora can explain?

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LG, Caltrans: There were a couple of different efforts, and they were funded by special SPR [State Planning and Research Program] funding, I believe. I'm having a hard time remembering what order they came in. One was to actually develop transportation plans, actually what you were saying about the Indian reservation roads inventory, and –. Actually, now I get it. The needs assessment came first. Some of those developed into transportation plans that were connected to Indian Reservation Roads for funding. And, in the last four years, I think, the other pot of funding came that was available to Tribes, who hadn't been a part of that process before, to try to complete needs assessments that again would be the framework for Tribal Transportation Plans. So they were special-funded projects that were subsequently applied for, and I believe – I don't remember who mentioned the CTC [California Transportation Commission] first – but I believe that a CTC special white paper report was completed that was for the first pot of funding.

Harry Hobson, San Pasqual: So is that still now available?

LG, Caltrans: I think that –. We can take the idea back and explore or see if there are funding options...

Erik Haley, Morongo: There was about 75 to 150,000 thousand dollars in funding, I believe...

Lavonne Peck, La Jolla: One thing that I'd just like to say is we're really fortunate, we just love Gus and Trent [Caltrans, District 11]; we have good relationships with the people down here. So I just hope that other Tribes are afforded the same thing in other areas. I don't know, it doesn't sound like they have it. But with SANDAG and with Caltrans –.

I think a lot of times, too, it's up to the Tribes. I mean Caltrans or anybody in the private sector, isn't just going to come to the Tribes, we have to reach out to them, too; it works both ways. And that's the approach that La Jolla has been taking with SDG&E and everybody that we may be doing business with in the future, is that you have to build those partnerships, you have to build those relationships; it just can't be one-sided. And I think that, sometimes, Tribes don't cross that line a lot of the times; we sit back, and then we wait till it's time, and then it's too late.

So I encourage all Tribes to reach out to the people that you may be doing business with in the future, that impact your roads, that impact your power and all the infrastructure within your community, and that's including the law enforcement. I mean, you can just keep going down the line and saying as you heard today, Tribes are constantly fighting for something. I mean we are fighting for money, and whether it would be housing, health care, infrastructure, water, sewer – you name it, it's just the constant shield that you put on everyday and decide which battles we are going into today.

And I think that's –. I always say that everyday is disappointing almost, but even a blind squirrel can crack a nut every now and then. So, I think, that's the way I look at it as a Tribal leader, and I think that's the approach you have to take. But you have to work with the people around you.

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And so I really applaud this meeting, I thank you for coming; I thank all the Tribal leaders and the Tribal representatives that came. And I'm just fortunate that we have it really good in Southern California and have the opportunity to work with good people that care about Tribes.

LW, Caltrans: You could not have done a better job in bringing us around to wrapping this up; that was so great!

I wanted to come back to what – I'm sorry, I don't know your name, but – you mentioned, the “intent of process.” And I love that phrase, because I want you to know that our “intent of process” in this is not just to check off the box. We don't really want to do that; I hate that, too. This is just the beginning. And if this kind of session worked out, then we'll do more of these; if this is not a good venue, we will figure out something else. We can come to the SANDAG meeting, and any other meetings, and to individual Tribes, too. However everybody would like the process to continue, we will keep doing that, and we'll keep talking. Kimberly, maybe you'd like to help wrap it up.

KJD, Caltrans: Yes, thanks, Laurie. And thank you, Chairwoman Peck. As we were talking about the next steps, before we all leave, what we'll do is send out the notes when they're ready. Give us a couple of weeks, and we'll send them to everybody here. And in respecting your time, maybe the thing to think through really quickly is, once you receive the notes, how long a time do you need to get back to us? Would you like a month? Is Council involved? Or what's appropriate on your end of the review and then getting your comments and feedback on what was memorialized today, so that we can have that as part of the building blocks for the summary report for the [Caltrans] Director and the Advisory Committee?

David Toler, San Pasqual: You said that you are going to have other meetings?

KJD, Caltrans: Yes, and the schedule for that is: September in the Redding area; October, we have the next quarterly Native American Advisory Committee on the 23rd, so the day before. And you are certainly welcome to come up to Sacramento. There's also the Policy Advisory Committee, I think Laurie was talking about. We don't have Southern California Tribal representation on it; they'll meet on August 22nd. They meet bi-monthly, on-going through this process. And then October is, like I said, the Listening Session; and November will be in Fresno. The goal is for the January NAAC to have a copy. So if you're one of the first ones, do you want that longer timeframe? We can also circulate what the other Tribes are looking at, what their priorities are. Happy to do that, too. And if that's okay with the folks in the room here, we can share what's been the conversation today. People can learn and get information that way, too.

[Group discussion ensued regarding the upcoming meeting of the SANDAG Tribal Working Group: Wednesday, October 2, at 10:00, San Pasqual Tribal Hall, San Pasqual Indian Reservation (Staff Contact: Jane Clough, Tribal Liaison)]

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KJD, Caltrans: We'll get the meeting notes to you –. Give us three, four weeks, to turn it back to you, and maybe then you'll have an opportunity to look at it following the SANDAG meeting. Then that would be contribution from down here.

David Toler, San Pasqual: When you say contribution, that's where I am still a little lost; what is that going to entail? It is just a request for what we think priorities should be, or...

KJD, Caltrans: Actually, looking over the discussion today, the whole discussion that we captured, the thoughts from everybody here – because there were different priorities, different topics, and so the thought is capturing that, and then – well, actually, that's a good question, because we're going to need to roll it up into that other document.

David Toler, San Pasqual: So, if we were to take what came out of this meeting today – and I know there were a variety of thoughts – when it comes back; how can we all gain from this? And we do have some roads that we want to emphasize, so I think that would be the goal down here, these routes. And then, I think that goes back to, Gabe, if those maps are available, I think the next question becomes – I think Adam surfaced it – about the freight. How can we consolidate these funds towards a priority project? That's where I think we would like to be; we need to know how to take our energy, what resources we do have, combined with the State input, and I think that's where maybe the county and the Bureau come in, and we can do something constructive. Then, in the next couple of years, we can look at this thing, and we can say, this meeting went well. We were able to put something constructive together, and here's the plan, and in the future here are the results.

GC, Caltrans: And, David, I would say from the CTP's perspective, what I would really like to see out of these meetings is, when you guys review them, add in there what we missed, or add in what you want to see that wasn't captured. And then we'll have this report of all these listening sessions from around the state. I'm hoping that's going to be a great springboard for us to really integrate Tribal issues and concerns all across the board in this new plan. So that's what I am looking forward to, and what we hope to get out of it.

KJD, Caltrans: The other thing, I think, too, is that we should have one of our Office Chiefs, Bruce de Terra [Caltrans Office of System, Freight, and Rail Planning], who is the expert on freight, come to that SANDAG meeting. Because he will be able to answer those questions and have that conversation, and give you more information there, exactly what you've just described. And have him there in the room to talk about freight. We can add it to the summary so that, as Gabe's saying, we'll have that as a resource, too. We're kind of talking about two things. We're talking about the summary for the State planning document, and then you're, in a positive way, saying, okay, yeah, let's do this, and let's work with our partners on it. They're separate, but related.

David Toler, San Pasqual: How do we get a representative on the transportation board?

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KJD, Caltrans: On the Native American Advisory Committee? Oh, on the CTP Policy Advisory Committee.

LW, Caltrans: I would say just let us know who you would like on it, and they are on it. You can come in person or call in, whatever works for you.

[Group discussion ensued regarding membership on the CTP PAC, and Mahoss Sass, Rincon Band of Luiseno Indians, agreed to be on the committee.]

LW, Caltrans: Just to add on to what Kimberley said about Bruce de Terra. He is the Office Chief, for the Interregional Transportation Strategic Plan (ITSP), too, in addition to the Freight Plan – for both of them. So, we'll make sure that he gets out to talk with you on both of those plans. Yes, **Tom?**

Tom Bumgardner, Valley Center Community Recreation Center [?]: Just to comment on my side of things. I've been living around here thirty-eight years, and I've working with all the Tribes trying to create a senior transportation, paratransit system here in this rural area. And the funding is not coming through at this point, but I'm sure it will. We've already had two buses from FTA.

So I see that this is a great project. I think it's magnificent what you're trying to do. But it is so big that it's going to have to be broken up into categories. The transportation system that we need out here isn't great, big, gigantic buses and trains. It's littler buses that do more for our folks, and that needs to be addressed. As far as designing transit value, the routes out here are totally different than any city or urban area; it's all rural. These roads would be great roads if they were slanted in the right way, if they were wide enough, if the shoulders were good, and things like that. You can get a lot of use out of two-lane roads if you design them right and take care of it.

These roads have been just let go. And it has not been because of the reservations. It's been because of Caltrans and the [County] Department of Public Works don't take care of them. Because they say, we can get away without taking care of these, let's go downtown to Escondido or Carlsbad or some other place. So we need to put more emphasis on the design of the road to make it safer, where transportation would move more efficiently. And I think that it is just something that has got to be put into the mix.. Caltrans has been great, SANDAG works on that project, but the money always seems to go to the cities, not to the rural areas.

And we need to change that, so that we could come up from here, to work into that, you know? We don't want curbs and gutters and sidewalks and stuff like that; but we want efficient roads and trails we could use for people, bikes, and horses, and things like that. And I think that's where we're – it separates itself, somehow, that the Tribes are a big problem, and they're not. The amount of money that goes through these reservations and comes back to the State or into the general funds, and a lot of big businesses, never gets back here to take care of the roads and do the things that need to be done.

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And I think that's something you need to consider. I know I'm going to; I've been working on it for four or five years, and that's exactly what's got to happen for me. But the picture you have of this is great, and I think that you are doing a great job. Thank you very much.

KJD, Caltrans: And that will be captured in our notes for today. We'll add those topics, too, because we didn't talk very much about transit, so that's really important.

And we're also right at our time, so respecting that time, is there anybody else who would want to add anything? You want to close us out, Gabe?

GC, Caltrans: Yes, sure, I just want to thank everyone for coming today. I think we've got a lot of great input, and I look forward to the report and the comments from everyone on the notes from today. Compared to what you see in front of you here, the plan that we're going to be putting out is going to be drastically different from this one. I just want to leave you with that. I hope everyone in this room could be proud of the California Transportation Plan for 2040.

Gregory Fisher, Colorado River: Can I say one thing to Caltrans? When you guys are doing this, please consider the work with BOR because of our dams. We have an emergency evacuation plan for the whole area. But on the California side, if anything ever happens, they're going to have a heck of a time getting out, and that's all the way from Parker Dam down and from Needles all the way down. For us, from Parker Dam on down, they have to come through the reservation to get out; that's the only way. And if that plan is ever put – we have gone over it for about three years now, it's finalized; we have that plan in place.... So I hope that emergency planning for everyone, all the communities, is considered in your plan.

GC, Caltrans: I think a lot of the things that we've been hearing from you definitely fit well in our plan as far as covering this issue, thank you.

I would also like to thank Rincon for having us. We appreciate the hospitality; you've been a great bunch, as well. Thank you!