



Tribal Participation in the High-Speed Rail Project *How to Get Involved*

1. Ensure that your tribe is listed on the Native American Heritage Commission's Tribal Contact List.

The High-Speed Rail Authority (Authority) relies on the California Native American Heritage Commission (NAHC) to provide current lists of local tribal representatives whose interests/cultural affiliations lay within the High-Speed Rail project areas. Using the tribal contact lists provided by the NAHC, the Authority conducts outreach and solicits input from the tribal communities beginning early in the project planning process. This is also how the Authority begins to identify tribal consulting parties for each High-Speed Rail Section. All notices, updates, and meeting invitations will be sent only to those tribes who are on the NAHC's contact list. For tribes who are already on the NAHC's list, it is important to contact the NAHC to confirm that all information on file is correct and current. The Authority requests updated lists from the NAHC on a regular basis, prior to any new notifications/mailings to tribes.

2. Identify your tribe's geographic area of concern in relation to the High-Speed Rail Project.

The High-Speed Rail Project is geographically extensive and is being developed in a series of sections spanning from San Francisco and Sacramento in the north down to Los Angeles and San Diego in the south. Please refer to the High-Speed Rail Program [Maps](#)¹ to view the location of the state-wide system, as well as the individual project sections. In addition, please see the Authority's [Ethnographic Tribal Territories Map](#)², which identifies the traditional tribal territories in which the high-speed rail project is proposed.

3. Notify the Authority early if your tribe has specific concerns about potential effects to cultural resources within the High-Speed Rail project area

If your tribe is listed on the Native American Heritage Commission's tribal contact list *and* the high-speed rail project coincides with your traditional tribal territory, your tribe will be contacted by the Authority regarding the specific high-speed rail section that corresponds with your tribe's traditional territory. Using the NAHC tribal contact list, the Authority contacts tribes at the early stages of the project planning and development process for each high-speed rail section to solicit input from tribal representatives regarding concerns for tribal cultural resources within or near the proposed project area. These early stages of project development are critical, as this is when decisions about which alternatives to carry forward for analysis in the environmental document begin to be made. For more information about the alternative analysis process, please see the Authority's [Alternatives Analysis Methods for Project EIR/EIS](#)³. Should your tribe have concerns about potential effects to cultural resources within or near the project area, your early input will enable the Authority to take such concerns into consideration when

¹ <http://www.hsr.ca.gov/Newsroom/Multimedia/maps.html>

² http://www.hsr.ca.gov/docs/programs/tribal_relations/Ca_Tribal_Territory_Map.pdf

³ http://www.hsr.ca.gov/docs/programs/eir_memos/Proj_Guidelines_RevisAA_MethodsVer3.pdf

making decisions about proposed alignments. *It is important to note that, due to the design constraints associated with the need to achieve high travel speeds, the avoidance of resources becomes difficult or impossible once an alignment is selected.* Thus, in order to ensure the avoidance of important resources for which your tribe has knowledge, early input from tribal communities about resources/areas of concern is strongly encouraged. The Authority welcomes input from tribes at any time, and it is not necessary to wait until the Authority contacts your tribe to provide input. The Authority recognizes that information regarding the location and nature of tribal cultural resources is sensitive. Such information will never be publicly disclosed.

4. Participate in Meetings of the High-Speed Rail Authority's Board of Directors

Attending one of the Authority's Board of Directors meetings is a good opportunity to speak directly to the Board Members about matters important to your tribe. The Authority Board of Directors meetings are open to the public, and one of the first items on the meeting agenda is to provide an opportunity for public comment on any public agenda item. If you wish to comment on agenda or non-agenda items, you must submit your request to the Board Secretary prior to the start of the meeting by filling out the green cards provided. Typically, public comments will be limited to 90 seconds per person, however the Chair may decide to shorten or lengthen the public comment periods, at his or her discretion. Meetings of the Board of Directors are generally held once a month. Board meetings are typically located in Sacramento; however, meetings are also variously held in the Bay Area, Central Valley, and Southern California. Please refer to the [Board Meeting Schedule](#)⁴ for dates, times, and locations. Meetings of the Board of Directors and its committees are noticed at least 10 days in advance and conducted in accordance with the [Bagley-Keene Open Meeting Act](#)⁵. If you are unable to attend a Board meeting, you may [submit comments online](#)⁶ to the Board through the Authority's website.

5. Attend the Authority's Informal Tribal Information Meetings held for Individual High-Speed Rail Sections

The Authority holds informal tribal informational meetings with both federally-recognized and non-federally-recognized Native American tribes specific to each section to provide project updates and to identify potential tribal consulting parties. Tribal informational meetings are by invitation only, and invited tribal representatives are identified from the NAHC's tribal contact list. Tribal informational meetings are an opportunity for your tribe to meet face-to-face with the Authority's cultural resources and environmental planning teams to ask questions about the project and provide direct input regarding any concerns your tribe may have about a specific high-speed rail section.

6. Become a Tribal Consulting Party

In accordance with the [Section 106 Programmatic Agreement](#)⁷, the Authority consults with California Native American tribes that attach religious and cultural significance to cultural/historic properties that may be affected by the project. Tribal consultation occurs at key milestones in the environmental review process to gain input from tribal governments. As the Authority begins to identify effects to cultural

⁴ http://www.hsr.ca.gov/Board/mtg_sched.html

⁵ http://ag.ca.gov/publications/bagleykeene2004_ada.pdf

⁶ http://www.hsr.ca.gov/Contact/contact_form.html

⁷ http://www.hsr.ca.gov/Programs/Tribal_Relations/programmatic_agreement.html

resources as a part of the environmental review process, Native American tribes with a demonstrated interest in the project will be invited to participate as consulting parties to the development of both the Memorandum of Agreement (MOA) and Archaeological Treatment Plan (ATP). The MOA and the ATP are important documents, which address procedures and protocols for the treatment of cultural resources affected by the project. As a consulting party, your tribe would have an opportunity to review both the draft MOA and the draft ATP and provide input to help shape the content of these documents. All input received from the consulting parties will be considered and incorporated into the MOA and ATP, as appropriate. More detailed information about tribal involvement in the cultural resources investigation process can be found in Stipulation IV of the [Section 106 Programmatic Agreement](#)⁸.

7. Participate in the Public Scoping and Environmental Review Process

Pursuant to the requirements of the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA), the Authority and FRA, as lead agencies, are responsible for implementing a public involvement program as part of the environmental review process. The public involvement program includes distribution of informational materials, such as fact sheets, as well as holding informational and scoping meetings, including town hall meetings, public and agency scoping meetings, individual and group meetings, presentations, and briefings. Public scoping is an important element in the process of determining the focus and content of an EIR/EIS and provides an opportunity for public involvement/input. Scoping helps identify the range of actions, alternatives, environmental effects, and mitigation measures to be analyzed in depth. It also helps focus detailed study on those issues pertinent to the final decision on the proposed project.

To become involved in the public scoping and environmental review process for the high-speed rail sections that lie within the geographic area of concern to your tribe, please visit the Authority's website at www.hsr.ca.gov where meeting notices and public documents are posted. The website includes information about the statewide high-speed rail system, the various sections and proposed alternatives, the Authority's updated Business Plan, newsletters, press releases, board of directors meetings, recent developments, status of the environmental review process, Authority contact information, and related links. Notices about public meetings and Draft EIR/EIS comment periods are also published in local newspapers and in the *Federal Register*, and local media outlets receive press releases.

8. Become a Tribal Monitor

Opportunities to participate as monitors during archaeological excavations or during project construction in sensitive cultural resource areas will be available for representatives of consulting party tribes. For more information on tribal monitoring, please see our [Tribal Monitoring Frequently Asked Questions](#)⁹ sheet.

⁸ http://www.hsr.ca.gov/docs/programs/Tribal_Relations/CAHST_Sec_106_PA%20signed_06_2011.pdf

⁹ http://www.hsr.ca.gov/docs/Programs/Tribal_Relations/Tribal_Monitoring_QA_March_2014.pdf