

Pit River Tribe  
Hat Creek Planning Unit  
Land Stewardship Proposal

Revised by:



## Part I. Organizational Information

### Contact Information

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## Part 1.0 Executive Summary

The Pit River Tribe (“PRT” or the “Tribe”), is a federally-recognized tribe consisting of the original eleven autonomous bands that comprise the “100-mile square” ancestral boundary of the Pit River Tribe; located in Shasta, Siskiyou, Modoc, and Lassen Counties, as stated in the Pit River Docket No. 347, (7 ICC 815 at 844), Indian Claims Commission; and Constitution of the Pit River Tribe, adopted by the Secretary of the Interior on August 16, 1964. Through this constitution, the PRT has inherent sovereign governmental powers to protect and promote the health, safety, and/or general welfare of the people of the Pit River Tribe. The PRT also has the inherent sovereign power to create a political/ governmental subdivision under tribal law to fulfill a substantial government function of the Tribe.

For all Federal, State, and private agencies whose projects pertain to and are within the Tribe’s 100 square mile Ancestral Boundary; Pursuant to Section: 2 of the Tribal Constitution: *“The jurisdiction of the Tribe under this Constitution shall extend throughout its territory. Nothing in this Article shall be construed to limit the ability of the Pit River Tribe (Ajumawi- Atsugewi Nation) to exercise its jurisdiction to the fullest extent permitted by Federal law, including but not limited to lands, waters, properties, air space, fish and wildlife and other resources.”*

The Hat Creek Planning Units lies within the ancestral home of the Illmawi and Atsuge Tribal Bands, and has been utilized for many generations by these indigenous people. Archaeological records show settlement and use of the area spanning at least 7,000 years. Hat Creek serves as a vital source of resources to Pit River People; botanical resources used as traditional medicine and staple food; basketry and other cultural materials; traditional subsistence fishing (Salmon historically); various fish and other aquatic food species such as crayfish; as well as hunting grounds and gathering location for spiritual and cultural purposes.

The PRT plans to create a tribal political subdivision, known as the Pit River Tribal Conservation District (herein referred to as the “TCD”), for the purpose of obtaining fee title to parcels within the Hat Creek Planning Unit. As a political subdivision, the TCD will have the authority to issue a limited waiver of sovereign immunity for the specific purpose of ensuring that the conservation easement and other agreements executed pursuant to the Land Conservation Commitment, to which the TCD is a party, are enforceable. The TCD shall possess the same immunity from suit as is possessed by the Pit River Tribe; provided that this immunity may be waived consistent with its originating documents, as duly adopted through a written resolution of the Pit River Tribal Council.

Through its authority as a tribal political subdivision, the TCD will apply for grants and work with conservation partners, including California Trout (CalTrout), in order to meet or exceed the Stewardship Council’s minimum responsibilities of the land owner and pursue the goals and objectives of this proposal. Additionally, the TCD will utilize PRT department staff and expertise for resource management, planning and implementation of activities for

the Hat Creek Planning Unit.

The purpose and interest of obtaining these ancestral lands are derived from intent to: plan ecological restoration activities that preserve and enhance Wild Trout fisheries; monitor watershed conditions; balance recreational activities to protect cultural resources, enhance pristine habitat values of the Hat Creek by protecting endangered Wild Trout fisheries; and migrating bird of prey species such as the Bald and Golden Eagle.

Parcels 191, 206, 208, 211, and 232 are of primary target of interest to California Trout for wild trout fisheries and in-stream habitat protections, riparian restoration, noxious and invasive species management, and recreation management.

All parcels within the Hat Creek Planning Unit are of upmost interest to the Pit River Tribe as they contain sensitive cultural and environmental resources. Parcels 191, 196, 201, 203, 204, 206, 207, 208 209, are targeted for upland ecological restoration management to protect important riparian edge habitat.

Parcels 206, 196, and 203 are specifically targeted for bank stabilization projects to reduce sediment loading into Hat Creek. Parcels 188, 189, 190, 193, 195, 198, 202, 205, 209 and 210 will be surveyed and targeted for restoration, enhancement, and maintenance within the Hat Creek Land Management Plan. The above listed parcels within the Hat Creek Planning Unit maintain edge ecology and oak woodland habitats which serve as essential hunting ground for birds of prey and other key species.

The PRT's experience as a strong financial stakeholder within the region will be imparted to the TCD. The PRT owns and operates multiple enterprises within their ancestral territory that include: the Pit River Health Clinic (locations in Burney and Alturas), Tribal Housing Department, Casino, Fuel Station and Mini-Mart. These enterprises generate viable local economic resources in addition to providing a significant number of jobs for the community. The PRT manages a variety of federal and state funding sources and will support the TCD in in efforts for additional grants as well as to collaboratively develop and implement the goals and objectives of this proposal. PRT department staff will work with CalTrout as the Conservation Partner, and Lomakatsi Restoration a non-profit engaged in workforce development activities; in addition to entities such as BLM, FWS, DFG, Lassen USFS, Burney Hat Creek CFLR and the Hat RAC. As a separate entity of the PRT, the TCD will work collaboratively to support planning and implement management activities under the Hat Creek Planning Unit Conservation Management Plan.

The following list describes PRT departments and tribal programs and accomplishments. These programs serve tribal and local communities within the ancestral boundary in multiple counties:

**Environmental Department:**

- Clean Water Act Section 106 Water Quality Monitoring Program
- Clean Water Act Section 319 Non-point Source Pollution Prevention Program
- EPA Certified Quality Assurance Project Plan for Pit River Tribal Surface Waters

- Public Water Systems Operation and Compliance
- Source Water Assessment & Protection Program
- Tribal Workforce Training Program
- Tribal Youth Educational Programs

**THPO Department:**

- Organize Cultural Committee Meetings
- Coordinate and conduct repatriation activities
- Monitor local and regional projects and their potential to impact cultural resources

**Roads Department:**

- Roads infrastructure and development
- Road Maintenance
- Vegetation and erosion control

**Natural Resources Department:**

- Forestry Management
- Prescribed Range and Grazing Management
- Agriculture Planning

**Solid Waste Department:**

- Solid Waste Management for municipal solid waste and hazardous waste
- Protect human health and the environment
- Education and Outreach on household and other hazardous waste

**2.0 Project Summary**

The Tribal Conservation District's acquisition of the Hat Creek Planning Unit would translate into efforts that build programs to support:

- Ecological monitoring and environmental stewardship projects
- Traditional Ecological Restoration (TEK), application and fire management
- Youth environmental and cultural education programs
- Invasive species management and control
- Base-line data collection, ecological
- Performance Measure Habitat Monitoring
- Water Quality and Non-point Source Pollution Prevention Monitoring
- Sustainable Forestry Management where appropriate

The following are critical aspects to restore and maintain the site; and key objectives for planning future management activities. The PRT has routinely coordinated with PG&E and is looking for opportunities to implement joint invasive species and fire management activities through the TCD efforts in the Hat Creek Planning Unit. Collaborative efforts among agencies will isolate populations from spreading habitat restoration, and preservation strategies that are timed with weed control.

The TCD will plan to implement projects that: improve water quality; preserve cultural

resources; protect fisheries; enhance open space attributes and visitor experience; develop interpretive signage, maintain existing and proposed trails; monitor impacts associated with potential increases in recreation; monitor vehicular access; and maintain roads and vegetation.

The TCD will aspire to leave what is currently open space as just that, open space; to maintain and enhance existing recreational opportunities, to promote the public's enjoyment of these outdoor recreation opportunities, promote habitat and fisheries preservation and restoration, combined with educational and cultural access to the ecologically sensitive habitats in the Pacific Flyway, and preservation of the unparalleled views of the Fall River and McCloud Watershed valleys, and Mt. Shasta skyline.

Where appropriate within the Hat Creek Planning Unit, the TCD may also engage in sustainable forestry practices *and* develop a forest management plan through the evaluation of existing timber inventory data and supplemental information. The political subdivision may also explore opportunities to participate in a carbon credit program to generate revenue for the purposes of supporting projects consistent with the conservation easement and Land Conservation Commitment Plan developed for the Hat Creek Planning Unit.

CalTrout, as the TCD's land conservation partner, will assist in activities on the donated lands that contribute to the preservation and enhancement of the beneficial public values (BPVs) -- those related to the protection and restoration of the natural habitat of fish, wildlife, and plants in particular. As a qualified 501(c)3 non-profit, CalTrout has significant experience in protecting and restoring wild trout, steelhead, salmon and their waters throughout California.

With Cal Trout's assistance, the TCD will enhance program capacity to support ecological monitoring and environmental stewardship projects. The TCD will work with Cal Trout in baseline data collecting, ecological performance monitoring, and invasive species control, and other critical pre-restoration steps that are key objectives needed to plan for future management activities. Cal Trout's Hat Creek Restoration Project and Proposal for Requesting Funding for Enhancements on Watershed Lands from the Stewardship Council is attached to this LCP.

The TCD will also seek to work with other conservation partners, the State of California, and PG&E to pursue opportunities to implement joint invasive species management activities; to isolate such invasive species populations from spreading, assist in control efforts within the remaining FERC boundaries, participate in forestry management, and implement habitats.

The TCD will apply to become recognized by the Bureau of Indian Affairs (BIA), Internal Revenue Service (IRS), United States Department of Agriculture (USDA), and the Department of Conservation. This will allow for a memorandum of understanding between the PRT and USDA that provides access to technical support and other resources for the TCD to effectively manage land under its ownership/control.

The TCD will coordinate with regional conservation groups and non-profits to manage the Planning Unit in accordance with the objectives of the conservation easement and the LCCP. The TCD, will apply for funding and management assistance through programs offered by US Fish and Wildlife Service, US Environmental Protection Agency, Natural Resource Conservation Service, and the BIA to introduce financial cost-share opportunities to restore habitat, improve water quality, protect cultural resources, and support the recovery of endangered species within the watershed.

To these ends, the TCD's objectives for the Hat Creek Planning Unit will coincide with the Stewardship Council recommendations and potential measures.

### ***Epilogue***

The land-use of the Hat Creek Planning Unit since the late 19<sup>th</sup> century, has been characterized by public and private ownership involved in intensive streamside cattle grazing operations. Today efforts are in process to restore the eroded banks of spring-fed Hat Creek from past land-use activities; and watershed conditions that have degraded the integrity of this natural system. The Hat Creek Unit holds indescribable cultural significance to the Pit River People; additionally, known among recreationalists as a renowned wild trout fishery. The Pit River Tribe Hat Creek Land Stewardship Proposal presents an opportunity to balance cultural resource protection, environmental stewardship and recreational use of the Hat Creek Unit in perpetuity. Through baseline data collection, application of Traditional Ecological Knowledge (TEK), best management practices for restoration, and watershed results monitoring; the natural integrity of the Hat Creek Planning Unit can be maintained by the first people stewards of the region.

In partnership with conservation entities the PRT will ensure the protection of vital cultural and natural resources. Additionally, the location and land management partners will provide needed under-served environmental and cultural youth education programs for the region.

### **3. Organization Information**

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Tax ID Number is 94-2424153

Prior to finalizing the LCCP, the PRT shall provide adopted governing documents and organization information concerning the Pit River Tribal Conservation District as a tribal political subdivision.

#### **4. Rationale for Applying**

The Tribe's primary objective for all of the units in the Pit McCloud River Watershed is to enhance their ecological status, provide environmental and cultural education and protection opportunities to Indian and Non-Indian youth; and protect and enhance Hat Creek wild trout fisheries and habitat values. The goal is consistent with the Tribe's strong commitment to stewardship and protection of ancestral lands. The PRT will accomplish this goal through the creation of the tribal political subdivision authorized to obtain fee title to available parcels within the Hat Creek Planning Unit. This political subdivision, the Pit River Tribal Conservation District, will establish partnerships that engage collaborative planning for future management activities and in accordance with the conservation easement.

#### **5. Organizational Mission**

The TCD's goals and objectives will be consistent with the Pit River Tribe's 1964 constitution that states that the Tribe will "exercise and protect resources to the fullest extent permitted by Federal law, including but not limited to, lands, waters, properties, air space, fish and wildlife and other resources of its ancestral lands." This summary describes how the Tribe's traditional environmental values are consistent with the BPVs developed by the Stewardship Council as to the Hat Creek Planning Unit to the Pit- McCloud Watershed Area.

When the Tribe passed its Water Quality ordinance in 2001, the Tribe made a commitment to developing its water resource programs with a priority to protect fisheries on Tribal and ancestral lands. When it received its Treatment-As-State status from the USEPA in 2007, it took the next step in watershed-based planning through implementation of projects that reduce non-point source pollutants being discharged into rivers and streams. The PRT Range program operates on the XL Ranch and implements 3 types of projects that enhance rangeland health. These projects include invasive plant species control, soil mapping, native



plant monitoring, juniper removal, fencing, and spring development to distribute water across rangelands for migrating wildlife. The PRT protects water quality and operates land management activities in accordance with its USEPA approved Non-Point Source Pollution Management Plan. It intends for the TCD to adopt and management similar programs where appropriate within the Hat Creek Planning Unit.

The Tribe places a high value on open space. Preservation of open space is a priority consideration within the Tribe's Land Use Plan. As a result of their land use planning and environmental inventories, the Tribe has identified areas within Reservations and Rancherias that are to be preserved and protected as open space. Tribal Lands historically have provided unfettered access to Tribal members for outdoor recreation. Outdoor recreation on Tribal Lands includes hunting, fishing, and subsistence gathering. The Tribe's agriculture use of their lands is deeply rooted in their history. Since 1939, Pit River Indians have owned and managed cattle and hay operations on the XL Ranch in Alturas, CA, as well as on allotments scattered throughout the Upper Pit River Watershed. Today, the PRT operates the XL Ranch through its Natural Resources program.

Significant amounts of funding are cost-shared into this program to enhance the environment's natural and cultural resources on the Reservation. The Tribe has protected miles of the Upper Pit River Watershed and habitat through, environmental protection and improvement programs such as: the Riparian Management Zone projects, Riparian Fencing and Offsite Solar Cattle Watering Program, USFWS and NRCS Riparian Fencing Projects. These projects have created large corridors for nesting and migration which further improve and protect water quality and fisheries.

The PRT continues to preserve historic values on tribal lands and throughout its ancestral territory. In its 11 year history, the Environmental and Cultural Departments have protected traditional environmental values on ancestral lands by fostering relationships with land management agencies. These efforts have led to the establishment of multiple MOUs; ethnographic studies; Pit River Aboriginal Cultural Districts; Historic Properties Management Plans; and new partnerships that protect and monitor watersheds, focus on ecological restoration and workforce development.

## **6. Geographic Focus**

The purpose of this summary is to illustrate the PRT's knowledge and experience in the region that will be imparted to the TCD as a tribal political subdivision. Today's PRT Members are the descendants of the Indians that utilized the Pit-McCloud River Watersheds. Their history includes observations and stories of the area's recent historical settlement, reclamation, and agricultural and land- use development.

Although the Pit-McCloud River Watershed is much different than the area that existed in pre-European contact, PRT Members continue to practice age old traditions and religion all through these ancestral areas. For example, Pit River people continue to access the Pit-McCloud River Watershed's to gather traditional subsistence foods; native plants for medicine and art. The area provides the members of the PRT access to their homelands that include

many sacred sites, family cemeteries, and domain allotments. Therefore, the Tribe has the longest and most unique perspective of the area.

Like most California Indians, Pit River people were converted into agrarian societies by the federal government. In fact, Pit River people were operating an agricultural association for several decades on the XL Reservation, in Alturas CA during the early 20th century. Therefore, the Tribe has a long-term understanding of the agricultural, economic, social and recreational opportunities of the Pit-McCloud River Watershed.

The PRT employs many people from the local community, and has significant community and public support through economic opportunities such as; the purchase of supplies, materials, contracts with consultants and equipment operators. Approximately 25% of the tribe's 23,000 acre land base is located in and around the Pit-McCloud River Watersheds. Additionally, the Environmental and Cultural Departments participated in the Pit-McCloud River Watershed Cultural Resource Management Planning with FERC and PG&E. To this end, the Tribe continues to partner in planning many aspects of the Pit- McCloud River Watershed. The Pit River Tribe's Natural Resources and Roads Department has existed for 11 years and annual funding has grown from \$40K to \$1.5M over this period. The key driver behind the growth in this Department has been the Tribe's management of the XL Ranch, road and tribal access development, and its greatly expanding experience in agricultural and livestock operations.

Within the Upper Pit River Watershed, the PRT actively manages its many natural resources. These resources are similar to those which exist in the Hat Creek Planning Unit area. These issues include: managing non-point source pollution discharge into surface waters, wetlands and riparian protection, expansive aquatic and invasive plant infestations, and upstream unmonitored cattle and logging operations that degrade water resources. Drawing on our experience from the XL Reservation, we believe we can tackle the hard resource issues and implement conservation efforts that restore the natural integrity of Hat Creek in perpetuity.

## **7. Organizational Experience and Capacity**

The purpose of this summary is to illustrate the PRT's organizational capacity that will be imparted to the TCD as a tribal political subdivision, to operate, manage, and enhance resource values on the Hat Creek Planning Unit. This summary presents 3 Tribal programs involved in natural resource management; environmental protection, and cultural resource preservation, and education for youth.

### **Summary Below:**

#### **ENVIRONMENTAL PROTECTION DEPARTMENT**

This Department is responsible for managing and developing environmental program capacity for tribal environmental protection programs.

- **Existing Programs:**
  - Pit River Water Quality Monitoring

- Non-point Source Pollution Prevention
  - XL Cemetery Reach ('04 to '06): implement a structural/bio-engineered design to stabilize an eroding bank on the North Fork Pit River
  - North Fork Pit River Riparian Management Zone ('05 to '07): BMP to reduce sediment runoff into surface water and wetlands project along 5 miles of the North Fork of the Pit River.
  - Thomas Creek Grassed Waterway Restoration (2008): arrest gully erosion and restore floodplain function of a 5 acre meadow.
- Tribal Workforce Training and Development
  - Lomakatsi Restoration MOU development; established partnership for restoration workforce training
  - Project-specific agreements for fire management activities, planting basketry materials, trail work, archaeological restoration, and other projects.
- Public Water Systems Monitoring and Compliance
- **Additional Program Areas:**
  - Grant Research and Development
  - Tribal Water Resources Protection

## THPO DEPARTMENT

Three areas that demonstrate the Tribe's capacity to manage historic values on large tracts of land include the following:

- **Medicine Lake Highlands:**

Documents that protect the pristine character of this superlative landscape with specific projects that include:

- Medicine Lake Highlands ethnographic studies
  - Medicine Lake Historic Properties Management Plan Designation Traditional Cultural District with eligibility for the National Register of Historic Places
- **The Pit River - FERC re-licensing of Pits 1 and 2 and Pits 3,4 & 5:**

Ethnographic studies of areas documenting the Tribe's ancient and modern cultural uses, significant plants, and geographic cultural features

- Designation of a 18,582 acres of the Pit River as an Aboriginal Cultural District, eligible for the National Register of Historic Places.
- A comprehensive Historic Properties Management Plan that preserves ancient sites, gathering and hunting areas, as well as a Monitoring Plan for Archaeological Resources
- Collaborative Management of Ancestral Lands: The Tribe has established working relationships and programmatic agreements with land management agencies that have shared responsibilities on the Tribe's Ancestral Territory.
- Memoranda of Understanding with the U.S. Forest Service, Bureau of

Land Management, Caltrans, PG&E (in progress), and the California Department of Parks and Recreation (at Ajumawi Lava Springs State Park).

## NATURAL RESOURCES DEPARTMENT

This Department is responsible for planning, ordinance enforcement, agricultural operations, and on-the-ground resource and road management projects on 23,000 acres of Tribal Land in the Pit River watershed. The following projects demonstrate the Tribe's capability to manage land and water resources of the Pit-McCloud River Watershed.

### ▪ *Agricultural Operations*

- Eliminate livestock trespass and drift into recreational areas, and prepare for prosecution if necessary to enforce violations
- Conduct irrigation operations and maintenance to distribute water more efficiently in existing and potentially new agricultural operations
- Determine land carrying capacity for agricultural and livestock operations, advertise bids, and enforce contract compliance.

### ▪ *Rangeland Management*

- XL Ranch Rangeland Assessment ('04 to Present): monitor rangeland and meadow health by detecting trends in ecosystems.
- Implement NRCS Prescribed Grazing Practices ('06 to '09): Annual determination of the stocking rates based on soil type and vegetation, and water availability
- XL Corral and Big Parker Spring Development ('04 to '08): Construct watering facilities from natural springs to distribute livestock and improve wildlife habitat
- Pit River Tribe Invasive Plant Species Control Program ('03 to Present) and BLM Noxious Weed Control Participating Agreement ('07 to present): Conduct annual noxious weed mapping, monitoring, and control with BIA, CDFG.

## SOLIDWASTEANDRECYCLING:

In addition to this Department's responsibility to Solid Waste and Recycling, it coordinates the Pit River Youth Resource Conservation Group. Since knowledge of the Pit River culture is passed from one generation to the next through oral history and hands-on activities, the department is developing youth education and outreach by the following activities:

- 1.** Watershed Day Camp– this activity will strengthen the Pit River youths connection to the ecosystems of the watershed they live in.
- 2.** Burney Creek Clean-up – this annual activity gets Pit River united with concept of clean rivers and streams in their watershed
- 3.** Traditional Cultural Gathering at Medicine Camp on the shore of Medicine Lake. This educational outreach event brings Tribal people and their children to celebrate the connection with the land and renew Tribal ways and teachings.

Currently the PRT owns in Fee title, governmental trust and reservation lands over 23,000 acres along the full length of the Pit River Watershed, and areas of the McCloud Watershed. These lands are and have been part of the ancestral homelands of the Pit River people from time-immemorial. The PRT's current practices and management techniques have been summarized above.

## **8. Organizational Finances**

Day-to-day operations of the Tribe's finances and budget are managed by the Tribal Administration which includes a Tribal Administrator (CEO) and Chief Financial Officer. The finance committee is the Tribal Government and the Tribe's Treasurer and their finance committee is responsible for oversight of the Tribe's finance operations. The experience of the Tribe's finance committee will be imparted to the Tribal Conservation District's financial officer(s). The Tribal Conservation District will have a separate budget, ability to raise funds, and expend funds for the benefit of the lands transferred to the Tribal Conservation District consistent with the LCCP to be developed by the Tribe and the Stewardship Council.

The Tribe's operating budget is prepared annually by the Tribal Administration, Department Directors (Health, Housing, Casino, and Natural Resources and Roads) and program managers (Environmental, THPO and Solid Waste Departments). Annual budgets are modified as funding becomes available. Financial statements are reviewed by the Tribal Council on a monthly basis. The Tribe's financial department generally consists of chief financial officer, accountant, grants manager, and accounts payable and receivable, and revenue sharing clerk. Additional information regarding the Tribe's finances may be provided on request and as necessary to further this proposal.

The Tribe's EPA and Natural Resources and Roads Department are responsible for participation in the Watershed Stewardship Council Land Conservation and Conveyance Plan. The 2013 operating budgets represent funding from the USEPA, Bureau of Indian Affairs, NRCS, US Forest Service, Bureau of Land Management, and income generated from the XL Ranch. A description of category amounts (i.e. wages, contract, etc.) may be provided upon request and as necessary to further this proposal. The Tribe's BIA portions are amounts that are drawn-down into Public Law 93-638 accounts. These dollars "effectively" lose their federal identity and become "Tribal Dollars"; therefore amounts can be carried- forward year to year if not expended.

## **9. Key Personnel/Staff**

PRT Staff positions and key personnel (who may constitute officers or board members of the Tribal Conservation District) that demonstrates experience relevant to the management of the units include:

Dolores Raglin (Tribal Chairman), Corina Lego (Tribal Vice-Chair), Ida Riggins (Tribal Secretary), Charles White (Tribal Administrator), Shawn Normington (Natural Resources Manager) \*Herb Quinn (Roads Department Coordinator), \*Morning Star

Gali (THPO, THPO Department), \*Marissa Fierro, (Coordinator, Environmental Department), Rile Webster (Solid Waste Department), \*Christopher Piroso (PRT Environmental Specialist), \*Terry Alan Del Bene (Archeologist/THPO Advisor), and \*Shawna Wilson (Office Assistant, PRT Environmental Department).

\*indicates resume attached

CalTrout Staff positions and key personnel that demonstrate experience relevant to the management of the units include:

Curtis Knight (Mount Shasta Region Manager) and Andrew Braugh (Mount Shasta Conservation Manager)

## **10. Community Engagement and Collaboration**

The PRT has demonstrated a collaborative approach to environmental stewardship, which will be imparted to the Tribal Conservation District by means of partnering with local, federal, and state agencies. Through these established working relationships many types of agreements have been implemented including; Programmatic Agreements, Memoranda of Understandings (MOU's), Supplemental Agreements, Participating Agreements.

For over a decade the Pit River Tribe has established numerous partnerships with agencies through agreements with land management agencies that have shared responsibilities on the Tribe's Ancestral Lands such as the U.S. Forest Service, Bureau of Land Management, Caltrans, PG&E (in progress), and the California Department of Parks and Recreation (at Ajumawi Lava Springs State Park, Burney Falls State Park, Lassen USFS, Shasta Trinity USFS, Fall River RCD, Hat RAC, California Trout, and Lomakatsi Restoration Project). The sole purpose of these agreements vary depending on the agency, some activities carried out include; fire management activities, botany restoration, trail work, archaeological restoration, and other projects.

Through the Tribe's USEPA Tribal Region 9 General Assistance Program (GAP), the Tribe has incorporated an environmental education and outreach component which is anticipated to include community based projects; to educate Tribal and non-tribal communities on issues that impact human health and the environment; promote understanding of local and regional watershed issues; and provide opportunities for environmental stewardship. Activities include: ecological workforce opportunities, watershed monitoring; community engagement presentations, annual creek clean-ups; distribution on educational/outreach materials; and youth environmental education programs.

Another valuable component to the USEPA GAP program is the collaborative management component which was developed specifically to build working capacity with the local, Federal and State Agencies; non-profits and other entities engaged in environmental protection and management activities. The experience and internal capacity building that has allowed for these programs will be imparted on the Tribal Conservation District.

The Tribal Conservation District will be structured in a manner that allows for utilization and coordination with other tribal departments and political subdivisions that overlap with its intent and purpose as to conservation and preservation of the lands transferred to the Tribal Conservation District.

## **11. Legal Compliance and Best Practices**

- a.) Describe what best practices, standards, or guiding principles your organization uses to ensure all operations are legally and ethically sound and in the public interest.

The PRT undergoes an annual audit of its finances, as a whole for the Tribe, and then each of its departments pertaining to its Grant management and application. Each department is responsible for monthly, quarterly and annual summation reports, both narrative and fiscal, pertaining to the management of its grant funding.

The Tribe is governed by the 25 CFR (that is, the Codes of Federal Regulations) issued by the United States Government as governance of statutes, laws and regulations pertaining to all Tribes in their dealings within governmental agencies.

The Tribe has an adopted and approved “Policies and Procedures” manual governing employment with the Tribe. This manual is updated on a regular and “as needed” basis governing all aspects of employment with the Tribe.

Each Tribal department has its own set of Standard Operating Procedures that are in compliance with the set-forth general SOP’s of the Tribe as a whole.

The Pit River Tribe adheres to a “Fiscal Policy and Financial Procedures Manual” that governs a systematic method of: “Control of Internal Accounting Methods”; Fiscal and Administrative operations, in addition to Economic Development operations. This Policy and its Procedures Manual is available for full review upon request. The tribal political subdivision created for the purpose of obtaining fee title to the Hat Creek Planning Unit will also adhere to these policies.

The TCD shall be required to prepare an annual budget that will be submitted to the Tribal Council for review and approval upon approval of the Board of Directors for the TCD. The debts and liabilities of the TCDE shall not be the debts of the PRT. All funds raised or earned by the TCD shall be dedicated to the Tribal Conservation District.

- b.) Describe any current violations of law that may involve your organization(s) in any way. The Pit River Tribe has not conducted any law violations.

## **12. Conflict of Interest Disclosure**

The PRT does not perceive any real or potential conflicts of interest.

**Part 2.        Section 13. Land Stewardship Information**

**Please identify the specific parcel(s) or portions of parcels that your organization is interested in receiving in fee title. Please refer to the background information packet for parcel identification numbers and approximate acreage.**

This proposal encompasses the entire Hat Creek planning unit consisting of 26 legal parcels and totals approximately 3,176 acres of land, of which only 2,706 acres are available for donation. The remaining 470 acres are located within the FERC boundary to be retained by PG&E. Under this Proposal, the tribe would acquire all lands available for donation, there would be no subdivision of legal parcels of the Property, other than those that will delineate that portion of the Property that FERC requires ownership be retained by PG&E.

**14.    Baseline and Enhanced Land Management**

The plan laid out in this Proposal will manage the Hat Creek planning unit through a collaborative approach that ensures adequate protection to the cultural and ecological resources of the property, while permitting and supporting continuing use of the property by existing users and agreements.

There is a high degree of interdependence between all of the BPVs relevant to the Hat Creek planning unit. To determine the best measures for preservation and enhancement, there needs to be a comprehensive inventory and assessment of all of the resources present to establish baseline conditions.

When a comprehensive assessment of all of the resources to establish baseline conditions is completed, we will develop a wildlife and habitat management plan that integrates the BPVs most suited to the planning unit, including protection of habitat, preservation of open space, outdoor recreation, and preservation of cultural and historic values.

**BPV #1**

**Protection of the Natural Habitat of Fish, Wildlife and Plants**

As stated above, the first step in determining which management strategies will be of most benefit to protecting the natural habitats will be to determine what empirical knowledge exists related to these resources on the Hat Creek planning unit, and commencing those studies which will fill in the 'gaps' in existing knowledge. Once all of the initial studies are completed, a comprehensive Wildlife and Habitat Management Plan may be drafted and implemented for this planning unit.

The management plan will investigate and include all of the following aspects of the planning unit to ensure all avenues are being considered:

- Identification, management and preservation of biological resources
- Wildlife habitat studies
- Noxious weed identification and eradication



- Surface and waterway erosion control
- Surface and sub-surface water quality testing, preservation and conservation
- Identification and preservation of endangered and threatened species habitat
- Identification of degraded environments, and their remediation and restoration
- Maintenance of the landscape to improve wildlife habitat
- Limit timber harvesting to protect the view shed and water quality.

The PRT has examined the possibility to complete a study and provide a plan to control Eurasian watermilfoil utilizing the Northern Milfoil weevil as approved by the California Department of Food and Agriculture. Through the USDA the Tribe will apply for funding and technical assistance to implement this plan.

The PRT will utilize its existing US EPA CWA 106 and 319 programs to extend its water quality monitoring technical expertise to the Hat Creek Planning Unit. Through public scoping meetings the Tribe will expectantly gain input on the development of this plan. In addition, Tribal wildlife grant and other habitat restoration grant funds (under such programs as those administered by the Bureau of Reclamation, USFWS, EPA and other agencies) will be sought by the Tribe and TCD to promote habitat preservation and restoration projects targeting native and threatened species within the planning unit.

It appears that upper Spring Creek contains the largest remaining population of Shasta crayfish; currently the Shasta Crayfish Technical Review Committee, formed by the recent Pit 1 Project and Hat Creek Project License orders, has proposed a signal crayfish barrier project at Spring Creek. In an attempt to support these efforts by the committee the Tribe will provide access to the area for restoration efforts. In conjunction to the various studies and surveys proposed to take place, recovery and enhancement efforts pertaining to the Shasta Crayfish will be a part of the final Wildlife and Habitat Management Plan.

An assessment will be done to address the need for muskrat control along the area downstream of Hat Creek #2 Powerhouse to improve bank stability. This assessment will also be included in the Wildlife and Habitat Management Plan.

The Tribe proposes to utilize its Indian Reservation and Roads program to assist (cost share) in restoration efforts to take place for damaged unauthorized OHV roads to enhance and reduce habitat fragmentation.

A thorough assessment of noxious weed infestations will take place in accordance with the Tribes current Noxious weed programs and funding opportunities. A management plan will be developed to include terrestrial and aquatic weed assessment and mitigations throughout the unit. The plan will be consistent and coordinated with existing PG&E noxious weed efforts, the wildlife and habitat management, rangeland management, fuels management, and forest management plans.

## BPV #2

### Preservation of Open Space

The Tribe proposes to team up with the Conservation Easement holder on an informal level in order to ensure the values of the holder and the Tribe is being met and how the Tribe can assist. The Tribe poses a unique level of expertise regarding Natural Resources, Cultural Resources, history and the ability to gain funding to meet those needs. During the initial meeting with the easement holder an annual meeting will be suggested to assess the annual reports.

The core BPV that the Tribe considers a priority is the preservation of Open Space. All of the proposed and envisioned recreational and agricultural developments for the Hat Creek planning unit focus on retaining the magnificent vistas, enhancing wildlife viewing areas, restricting vehicular access while promoting non-motorized exploration, interpretative and educational walkways, and other components that value light footprints on the ecosystem while promoting the value of open space.

## BPV #3

### Outdoor Recreation

Upon completion of the appropriate surveys an outdoor recreation plan will be developed. The purpose of this Outdoor Recreation plan is to minimize adverse impacts to the landscape and preserve the current environmental value of the Wild Trout area, and Hat Creek as a whole. The document will outline objectives, timeline, public input, goals and means to achieve those goals. Objectives the plan will consider; creating a shoreline access trail by the picnicking area at the Baum Lake fishing access, provide restroom and trash facilities at the carbon bridge fishing access, Install interpretive signage at Crystal Lake, Baum Lake, and along the Pacific Crest Trail along with signage posting fishing regulations at the Hat Creek 2 powerhouse regarding access points.

The Tribe is hoping to develop a youth outdoor education program in collaboration with the program that will soon be developed for the McArthur Swamp planning unit, (which the Tribe is a primary partner of the Swamp Management team) being able to tie both programs together would be beneficial to both the Tribe and the McArthur Swamp Management Team as this would be a great economic opportunity. This coordination would provide an education program where the youth can have various surroundings to explore; including the proposed visitor/cultural center at the Swamp and the multiple trails proposed at the Hat Creek planning unit. Because these two planning units are from the same geographic area, the history of both planning units create a connection between the two, giving a more supportive storyline in interpreting the history and habitat of the area, thus supporting the coordination of combining programs.

It is the vision of the Tribe to focus on youth ages K through 12 with programs focusing on biology, conservation, stewardship, sustainable agriculture and Native American studies, all of which are incorporated in the proposal for the McArthur Swamp.

#### BPV #4

##### Sustainable Forestry

The Tribal Conservation District will utilize the PRT's Forestry Management Plan developed by the Natural Resources and Roads Department in coordination with the Bureau of Indian Affairs, Natural Resources Department. This management plan includes best management practices that evaluate the land's highest and best use, therefore maximizing economic values all the while sustaining and preserving ecological integrity.

A Forest and Fire management assessment will be done for the Hat Creek Planning Unit which will be included in the Planning Unit management plan, in conjunction with the Tribe's already implemented Forestry Management plan and will be coordinated with the noxious weed management plan, wildlife and habitat management, rangeland management.

Currently, the planning unit contains one Timber Management Unit (TMU) that is managed for emergency salvage harvesting only. However, there is no overall documented vision for the TMU within the planning unit. The TCD may evaluate the TMU and other appropriate areas within the planning unit, through the assistance of a conservation partner experienced in sustainable timber harvesting, participate in forestry management objectives and to certify carbon credits to further enhance the planning unit's BPVs.

#### BPV #5

##### Agricultural Uses

None

#### BPV #6

##### Preservation of Historic Values

The Tribal Conservation District will be responsible for conducting a comprehensive resource study needed to develop baseline conditions. Such components of this study will include the cultural study and monitoring necessary to identify, preserve and protect the Hat Creek cultural resources.

The Proposal's Cultural Component –

1.) The use of Pit River Tribe Cultural Monitors to properly assist in any enhancement/development while preserving and protecting its cultural resources. The PRT Cultural Monitors will survey and site monitor known archeological sites and new development activity to ensure the preservation of culturally sensitive and sacred areas in the divested lands. They will also continue to work with PG&E in the same capacity on the

retained lands. This will allow for continuity and consistency in both the Donee and Retained lands to their approaches of future development and monitoring.

The PRT Illmawi and Atsuge Band Cultural Monitors, who are indigenous to the area, will work with the Tribes THPO and Contracted archeologist on historical/cultural preservation; identification, mapping of culturally sensitive areas; making recommendations on how to limit access and recreation to sensitive locations; and create demarcated boundaries for cultural site preservation.

The TCD will utilize the expertise of the PRT Council, Tribal Administration, the PRT Environmental Department and Tribal Historical Preservation Office. The THPO Department will take the lead on the identification and preservation of Native American cultural sites. The PRT, through its many negotiated government-to-government MOU's, currently assists the USFS, BLM, Caltrans and the BIA among many other organizations, as well as PG&E and many other private businesses and agencies, on watershed and cultural resources monitoring projects in ancestral territory.

The PRT was instrumental in developing the Pit 1 Project Programmatic Agreement, as well as negotiating with PG&E on the development and utilization of its other holdings in PRT ancestral homelands. It has completed the re-licensing agreements for Pit 3, 4 & 5, and it is currently working with PG&E on its re-licensing agreements for Pit 6 & 7. No one organization is better qualified than a political subdivision of the PRT, which will be imparted with the working knowledge of the land held by the PRT, to implement and ensure application of the BPVs for the Hat Creek planning unit.

There also exists an opportunity for the TCD to utilize BIA – Indian Reservation Roads funding to help develop and maintain the roads, trails and parking infrastructure components of the proposed Hat Creek Recreational Development Plan. The TCD could petition the *Native American Byways* organization to help fund a portion of the development of the proposed day use areas.

#### Timeline For Enhancement Measures

The priority of the TCD is to inventory and collect baseline data on the Hat Creek Watershed to develop planning activities for the Hat Creek Unit. The TCD will compile a Hat Creek Watershed Management Plan to include: existing information and baseline studies to develop future watershed planning and long-term monitoring objectives. Two Public scoping meetings will be held to ensure input during this process before and after development of the management plan.

The specific survey/studies necessary to develop a management plan are:

1. Cultural Resource Surveys- *Completed on Hat Creek Project Site*
2. Survey of Botanical, Threatened and Endangered Species and Wildlife Resources
3. Oak Woodlands Preservation Plan

4. Soils Survey
5. Water Quality Monitoring
6. Ethnographic Study
7. Traditional Ecological Knowledge Compendium for Hat Creek
8. Habitat Distribution Mapping
9. Cultural Resource Surveys- *Completed on Hat Creek Project Site*
10. Fire Management Plan

The management plan will encompass all Cultural and Beneficial Public Values.

**First Year**

- Coordinate planning meetings among partners to develop and revise existing management goals and objectives for the year and modify as needed.
- Identify sources of funding and develop future restoration activities.
- Assemble and create a database of all existing assessments of the Hat Creek and determine which aspects need additional research;
- With the assistance of CalTrout as a conservation partner, create a management team to initiate the Hat Creek Watershed Assessment for future restoration activities; conduct geomorphological assessment; acquire input from the Pit River Tribal Council, conservation partners, Tribal Department staff;
- Initiate and complete development of a Terrestrial and Invasive Plant Species Management Plan and continue invasive plant control with an emphasis on A-rated weeds; to include Best Management Strategies for control of invasives;
- Initiate development of the Hat Creek Planning Unit Management objectives for erosion control, muskrat population monitoring and control, cultural resources protection and preservation, vegetation management, pest management, etc.;
- Initiate surveys outside the FERC boundary to identify cultural resources present on the Property;
- Initiate ethnographic surveys on land outside the FERC boundary to determine traditional cultural practices;
- Work with the Pit River Tribe staff Archeologist and Cultural Representatives for Illmawi and Atsuge Bands; to coordinate and conduct cultural resources surveys;
- Beginning the first year, after recordation of the conservation easement, a financial planning meeting will take place to develop needed reports and supporting materials to be included in an addendum to the final monitoring report;
- Identify other potential conservation partners; and
- Evaluate the TMU and other appropriate areas within the planning unit, through the assistance of a conservation partner experienced in sustainable timber harvesting, to participate in forestry management objectives and sell carbon credits to further enhance the planning unit's BPVs.

**Second year**

- Complete development of the planning unit management plan detailing watershed

restoration objectives, management strategy, erosion control, cultural resources protection and preservation, invasive vegetation management, and muskrat control and management activities;

- Develop partnerships to begin drafting an Oak Woodlands and Wildlife Habitat Management Plan for lands outside the FERC boundary balancing upstream agricultural uses with habitat protections and enhancements;
- Re-assess muskrat control activities along the banks of the Hat Creek #2 powerhouse downstream area and determine the necessity to include a mitigation plan in the wildlife and habitat management plan;
- Expand Invasive Plant Species Management Program to private and FERC land boundaries adjacent to the Hat Creek Planning unit;
- Participate in CalTrout activities preservation partners in its Hat Creek Restoration Project
- Support PG&E recovery efforts for Shasta crayfish;
- Continue traditional cultural properties and cultural resources surveys of lands outside the FERC boundary to identify on the Property;
- Complete ethnographic surveys on land outside the FERC boundary determining traditional land uses;
- Conduct annual meeting with the conservation easement holder regarding the terms of the monitoring of the easement will be following the same procedure as the first year;
- Enter into working relationships with other conservation partners; and
- Conduct sustainable timber harvesting within appropriate parcels and sell carbon credits to further enhance the planning unit's BPVs.

### Third year

- Conduct assessment of re-vegetation and bank stabilization restoration through geomorphic assessment, document findings;
- Study recreational usage of the PG&E retained lands to determine usage levels, needs of recreational users, and how recreational usage of PG&E lands impacts the resources of the land outside the FERC boundary and develop an outdoor recreation plan (plan to include interpretive signage);
- Continue to participate in CalTrout conservation partnership activities in its Hat Creek Restoration Project;
- Continued support of PG&E's recovery efforts for Shasta Crayfish;
- Revisit and revise the Oak Woodlands Wildlife Habitat Management Plan as new information is discovered on an annual basis;
- Meeting on an Annual basis with the conservation easement holder regarding the terms of the monitoring of the easement will be following the same procedure as the first year;
- Continue relationships with other conservation partners; and
- Continue sustainable timber harvesting within appropriate parcels and sell carbon credits to further enhance the planning unit's BPVs.

#### **Fourth year**

- Revisit and revise the Hat Creek Planning Unit Management Plan as new information is discovered on an annual basis;
- Continue to participate in Cal Trout conservation partnership activities in its Hat Creek Restoration Project;
  - Continued support of PG&E's recovery efforts for Shasta Crayfish;
  - Removal of unnecessary fencing within the planning unit to improve movement of wildlife;
  - Following completion of the outdoor recreation plan, implementation of the plan will begin;
  - Coordinate annual meeting with the conservation easement holder regarding the terms of the monitoring for the easement will be following the same procedure as the first year;
- Continue relationships with other conservation partners; and
- Continue sustainable timber harvesting within appropriate parcels and sell carbon credits to further enhance the planning unit's BPVs.

#### **Fifth year**

- Work with PG&E to investigate cooperating to install interpretive signage regarding wildlife stewardship along the river near the public day use sites;
- Continue to participate in CalTrout conservation partnership activities in its Hat Creek Restoration Project;
- Work with PG&E to investigate cooperating to install interpretive signs at the day use areas regarding local history, role in hydropower generation, habitat restoration, traditional plants, and Native American heritage in the area;
- Continued support of PG&E's recovery efforts for Shasta Crayfish;
- Continue relationships with other conservation partners; and
- Continue sustainable timber harvesting within appropriate parcels and sell carbon credits to further enhance the planning unit's BPVs.

#### **Sixth year- Beyond**

- Revisit the Hat Creek Planning Unit Management Plan to determine if revisions are necessary;
- If deemed feasible in the youth education plan, implement a youth outdoor education program with the assistance of CalTrout and other conservation partners.
- Continue to participate in CalTrout conservation partnership activities in its Hat Creek Restoration Project;
- Determine if further enhancements or improvements would benefit the users, resources, and conditions of the Hat Creek planning unit (such as shade structures at the day use area).
- Determine feasibility of installing a youth camp on land outside the FERC

boundaries

- and whether funding exists to complete the project;
- Continue relationships with other conservation partners; and
- Continue sustainable timber harvesting within appropriate parcels and sell carbon credits to further enhance the planning unit's BPVs.

### **Physical Enhancements/Capital Improvements**

For the Hat Creek Planning Unit, the Tribe is currently implementing the Hat Creek Restoration, Cultural Protection and Recreation Improvement Project in partnership with Cal Trout and Lomakatsi Restoration. The project will focus restore and re-vegetate approximately 6.3 acres of riparian corridor throughout the Hat Creek Wild Trout Area.

The TCD will install interpretive signage at Hat Creek Crystal Lake, Baum Lake, and along the Pacific Crest Trail along with signage posting fishing regulations at the Hat Creek 2 powerhouse regarding access points; improvement to include; interpretive signage, parking area, trails, etc. These improvements are consistent with public needs and recommendations provided by the Stewardship Council in LCP Volume II; all the while adhering to the applicable regulatory requirements such as NEPA, and CEQA just as the Tribe routinely does when such developments are done.

The TCD will provide equipment and personnel for the work to be done in ongoing stewardship efforts on Hat Creek, as part of a cost-share policy.

For the Hat Creek Planning Unit, there also exists an opportunity for the TCD authorized to obtain fee title to utilize its tax status and a variety of funds from the BIA including Indian Reservation Roads funding to help develop and maintain the roads, trails and parking infrastructure components of the proposed Hat Creek Recreational Development Plan. The tribal political subdivision could petition the *Native American Byways* organization to help fund a portion of the development of the proposed day use areas.

### **Land Conservation Partners and Youth Opportunities**

In 2010, the PRT provided a letter of support for Cal Trout's Youth Initiative created by California Trout (Caltrout.org), in partnership with the National Fish and Wildlife Foundation. The Hat Creek Youth Initiative will continue to employ student workers to aid in the stream-bank restoration efforts at Hat Creek's Wild Trout Area. Students work in a supervised team of 5 to carry out a range of watershed enhancement activities during the summer.

As a political subdivision of a federally recognized tribe, the TCD will have constant opportunities to collaborate with Federal and State agencies on environmental stewardship. The PRT engages in quarterly consultation with the Bureau of Land Management (BLM), and has expressed interest in gaining their support in the efforts of pursuing the activities and responsibilities identified in this proposal. The Tribe currently has a Noxious Weed Contract and Archeological survey contract with the Alturas BLM and is continually



working to combine efforts to achieve common goals in caring for the land; specific to this planning unit, the Tribe hopes to gain grants and funding through the BLM to carry out Noxious Weed control efforts and completion of an Archeological Survey of the unit.

For the Youth related activities described in the *BPV #3 Outdoor Recreation* section, the Tribe hopes to coordinate with the McArthur Swamp Management Team in collaborating youth outdoor education plans. Because the Tribe holds a vote on the Management team with the Fall River RCD and Technical Advisory Committee the Tribe is certain that the efforts of the Hat Creek Planning Unit are in sync with the Swamp Management activities. This partnership compliments successful collaboration within geographic area and provides educational opportunities for youth and visitors looking to experience the area's history, wildlife and habitat.

### **Public Input**

According to public scoping meetings and recommendations from the public provided in the LCP, the Tribe has concurred and for the most part included as much public input as possible in this proposal, but the Tribal Conservation District will also plan to hold annual public scoping meetings (until year six) to gain continual participation from the public.

**ATTACHMENT**  
**S**

1. **Budget and Funding Plan**
2. **Resolution of support for submission of proposal from Tribal Council**
3. **2013 Operating Budgets for  
Administration/Indirect/CTPG/SSS-Confidential**
4. **Pit River Tribe Statement of Revenues and  
Expenditures-Confidential**
5. **Staff Resumes**
6. **Map of the Pit River Tribe Ancestral Territory**
7. **Cal Trout's Hat Creek Restoration Project**
8. **CalTrout Statement of Support and Commitment to Join as a Conservation  
Partner**