

From: [Janis Offermann](#)
To: [Lassell, Susan](#); [Havelaar, Christiaan](#); [Risse, Danielle](#); [Lloyd, John](#); [Rogers, Jenifer](#)
Cc: [Briard, Monique](#); [Williams, Nicole](#); [Wolf, Barbara](#)
Subject: RE: Call with DWR
Date: Thursday, July 29, 2021 2:16:42 PM

Hi, Susan

DWR is happy to provide Yocha Dehe with the site records, but because it is confidential data, they need a vehicle by which that information can be provided. Processing a FOIA request would take too long, while establishing a government to government relationship with the tribe solely for the purpose of distributing the site records only takes a letter from the tribe. So, yes, it would be consultation under DWR's policy, and not as part of the CEQA process for the project or under any federal nexus.

I hope this helps
Thanks
janis

From: Lassell, Susan <Susan.Lassell@icf.com>
Sent: Thursday, July 29, 2021 1:38 PM
To: janis@horizonh2o.com; Havelaar, Christiaan <Christiaan.Havelaar@icf.com>; Risse, Danielle <Danielle.Risse@hdrinc.com>; Lloyd, John <John.Lloyd@hdrinc.com>; Rogers, Jenifer <Jenifer.Rogers@icf.com>
Cc: Briard, Monique <Monique.Briard@icf.com>; Williams, Nicole <Nicole.Williams@icf.com>; Wolf, Barbara <Barbara.Wolf@icf.com>
Subject: RE: Call with DWR

Hi Janis –

Could you confirm or clarify about DWR's expectation for the request for government to government consultation? That would be consultation under DWR's own Policy on Tribal Engagement, and would not suggest any nexus with state or federal regulations, right?

My concern is that folks working on the Sites Reservoir Project who are not familiar with the DWR Policy and practices could misunderstand this development to mean that the Tribes are consulting with DWR as part of CEQA or other regulatory reviews since that's the more common use of the phrase "government to government consultation."

I'm cc'ing Monique, Nicole, and Barbara for awareness, since this crosses over into CEQA/NEPA strategies beyond our Section 106 group's focus.

Susan

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From: Janis Offermann <janis@horizonh2o.com>

Sent: Wednesday, July 28, 2021 3:25 PM

To: Havelaar, Christiaan <Christiaan.Havelaar@icf.com>; Lassell, Susan <Susan.Lassell@icf.com>; Risse, Danielle <Danielle.Risse@hdrinc.com>; Lloyd, John <John.Lloyd@hdrinc.com>; Rogers, Jenifer <Jenifer.Rogers@icf.com>

Subject: RE: Call with DWR

OK thank you!!

From: Havelaar, Christiaan <Christiaan.Havelaar@icf.com>

Sent: Wednesday, July 28, 2021 3:00 PM

To: janis@horizonh2o.com; Lassell, Susan <Susan.Lassell@icf.com>; Risse, Danielle <Danielle.Risse@hdrinc.com>; Lloyd, John <John.Lloyd@hdrinc.com>; Rogers, Jenifer <Jenifer.Rogers@icf.com>

Subject: RE: Call with DWR

Thanks for the heads up Janis. We are working on getting the DPRs divided up into individual files and have someone lined up to start on that tomorrow. Whether or not we have already sent files to DWR, we will need to send them updated, individual files once we are done. I anticipate we will have it all sorted out by middle of next week and can coordinate directly with Jackie on how to get them over to DWR.

From: Janis Offermann <janis@horizonh2o.com>

Sent: Wednesday, July 28, 2021 2:44 PM

To: Lassell, Susan <Susan.Lassell@icf.com>; Risse, Danielle <Danielle.Risse@hdrinc.com>; Lloyd, John <John.Lloyd@hdrinc.com>; Havelaar, Christiaan <Christiaan.Havelaar@icf.com>; Rogers, Jenifer <Jenifer.Rogers@icf.com>

Subject: Call with DWR

Hi, all

Just got off the phone with Anecita at DWR. DWR is happy to share the site records with Yocha Dehe, BUT.... it is as I suspected. They want to be in control of the data and want to provide the tribe with the electronic copies. Their reasoning is that the Sites Project Authority is a JPA and a JPA can dissolve itself at any time, or be subsumed under another entity; at that point, if that were to happen, control over the confidentiality of the site records could be in jeopardy. DWR will be there forever and will have better control over the data.

As a result, they would like Yocha Dehe to request government to government consultation with DWR on the project and request copies of the site records. I think Yocha Dehe will be OK with that and I will let Laverne know during our meeting tomorrow. If he wants, I will write the letter for him so that it isn't their typical standard request for consultation letter.

Christiaan/Jenna, can you please verify whether the digital records were sent to Jackie at DWR? Or I can just give her a call, if you prefer.

Thanks!

janis

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