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A Professional Law Corporation

## **Re: Comments to the RETI Phase 1A Consultation Draft**

To Whom It May Concern:

LaPena Law Corporation represents several Indian tribes throughout California and has been advising our clients on the Renewable Energy Transmission Initiative (RETI). Through this process, we have read the RETI Phase 1A Consultation Draft presented by Black and Veatch and have noticed that there are several issues affecting Indian Tribes which are not adequately represented in the report, thus we wish to add our comments to the draft.

As the RETI Steering Committee proceeds into Phase 1B to aggregate the identified renewable energy resources into Competitive Renewable Energy Zones (or "CREZ's"), it is essential that individuals doing the ranking include in their environmental concerns sensitivity to land that is culturally significant to Native American tribes.

California alone is home to 107 federally recognized Indian tribes. Neighboring states included in RETI's study region also are home to numerous Indian tribes. Within tribal aboriginal territories, there are many areas that have been identified as culturally significant including places of burial, sacred ceremonies sites and contain gathering materials. In ranking and aggregating potential CREZ's, another factor that should be included in the methodology is whether the land is culturally significant. If it is, it should be given low priority on the ranking system unless tribes connected with the land are consulted on such potential use and find no reason why project development should not continue.

Additionally, as Phase 1B begins, it is essential to remember that different rules and laws apply to any projects on trust land. Specifically, trust lands in California are not subject to the same CEQA rules. We understand that the RETI has established an environmental working group. If possible, we would like to be included on notices for their meetings so that we can attend along with interested tribal clients.

Thank you for your time and willingness to incorporate comments to the draft. If you have any further questions or comments, please contact me at your earliest convenience.

Sincerely,



Michelle LaPena  
LaPena Law Corporation