TULE RIVER TRIBAL COUNCIL
TULE RIVER INDIAN RESERVATION

July 9, 1999

Content Analysis Enterprise Team
Room 103, USDA Forest Service, Federal Building
200 East Broadway
P.O. Box 7669
Missoula MT 59807

Attention: Eric Jones
Karen Solari

First of all, I must say that I am extremely pleased to be afforded an opportunity to make comments on the proposed "Unified Federal Policy for a Watershed Approach to Federal Land and Resource Management". As requested, our general comments are as follows: "While you state that the proposed UFP will not directly apply to tribal lands, it could have a dramatic effect in some cases on tribal natural resources indirectly. In our case, it could effect the quality and quantity of water that we utilize for domestic, recreation, commercial/industrial, and agricultural needs. Case in point; the Army Corps of Engineers are proposing a project at Lake Success in Tulare County. This project would raise the existing spillway of the dam by 10 feet and widen the spillway from 200 to 365 feet. This would increase the storage space to 110,000 acre-feet, and increase of 28,000 acre-feet. The Tule River Tribe was not asked to comment even though the South Fork of the Tule River which flows in Success Lake, comes from the Tule River Reservation and its headwaters.

This particular federal agency did not consult with this Tribe as required by Executive Order # 13084 or Order # 12898. Federal agencies near Indian Reservations that wish to implement projects such as this need to adhere to the Presidential Orders.

In addition, some of our specific comments/questions are:

1. *Will tribes be eligible for funding available for Watershed restoration activities, although we are not required to adhere to the Policy?*
2. *Tribes would like to be in contract with Agencies when they are developing standards and policies for waterways that effect Tribal lands (like the South Fork Tule River that runs through the Reservation).*
3. *Federal agencies must adhere to the Presidential Executive Orders # 13084 and # 12898 to effectively communicate with the tribes.*

Telephone (559) 781-4271
P.O. BOX 589 — PORTERVILLE, CALIFORNIA 93258

Again I thank you for this opportunity to comment on this Policy on Watershed Management. I can be reached at (559) 781-4271, or by fax at (559) 781-4610. You may also contact Alec Garfield, Water Rights Liaison, or Kerri Vera, EPA Program at the same numbers, should I not be available.

Sincerely,

Philip D. Hunter, Chairman
Tule River Tribal Council

Cc: Kerri Vera
Alec Garfield