

Prepared Testimony – UAIC
NAHC October 18th, 2024, Public Meeting
Action Item 8

Good afternoon, Mr. Chairman and Members of the Commission. I am John Williams, Chairman of the United Auburn Indian Community of the Auburn Rancheria.

Thank you for the opportunity to speak to you today regarding conflicting Most Likely Descendant (MLD) Designations for the American River Common Features Project. The project is a large levee project that includes both the Sacramento and American Rivers in the greater Sacramento area.

After speaking with the Shingle Springs Band of Miwok Indians, we are here today to request that the Commission update the MLD designation to a co-MLD designation of both United Auburn and Shingle Springs for the entire American River Common Features Project.

We have a long history of working well with Shingle Springs on this project. Updating the MLD designation to a co-MLD designation would allow both of our Tribes to continue the important work of protecting the many unmarked cemeteries that are being disturbed by this levee work.

Over the last eight years, the Commission has made multiple conflicting MLD designations to both United Auburn Indian Community and Shingle Springs Band of Miwok Indians for this project.

Typically, these MLD designations are made without adequate fact finding and without speaking to the Tribes who are already consulting on and monitoring the work.

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Our recent letters to the Commission provide extensive details regarding these issues. They include:

- Failures in fact finding,
- Failures to follow the existing process for MLD designation, and
- Failure to explain the process that is being used to identify an MLD designation.

In our August 23rd letter to the Commission, we requested that this issue be placed on the agenda and that the Commission make a recommendation or take action to resolve the conflicting designation.

Despite our clear request for Commission review, the Executive Secretary himself instead made yet another conflicting MLD designation for the American River Common Features Project.

In his September 20th MLD designation letter, Executive Secretary Hitchcock changed the MLD designation again.

The new MLD designation placed UAIC as the MLD for the Sacramento River East Levee portions of the project, and Shingle Springs as the MLD for the Lower American River portions of the Project.

In his most recent letter, the Executive Secretary acknowledged his ties to the region as a member of a local federally recognized Tribe. We have very strong concerns about potential conflicts with the Executive Secretary making decisions for MLD designation in a region where he has cultural ties.

We respectfully repeat our request for the Commission to designate both UAIC and Shingle Springs as co-MLDs. This solution would respect the sovereignty of both Tribes with respect to protecting our Ancestors.

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Thank you for the opportunity to address you today. I respectfully request a recommendation from the Commission within the next 90 days. My Senior Manager, Melodi McAdams, is here to answer any technical questions.