

Quarterly Meeting of the Tribal Advisory Group

Sustainable Groundwater Management Program

California Department of Water Resources

November 10, 2022



Agenda

TIME	ITEM	PRESENTERS
1:00 – 1:15	Welcome & Introductions Introductions and Opening Remarks Meeting Goals, Commitment, and Desired Outcomes	Anecita Agustinez , Tribal Policy Advisor Paul Gosselin , Deputy Director, SGM Office (SGMO)
1:15 – 2:15	SGMP and SWRCB Updates and State and Federal Coordination <ul style="list-style-type: none"> • Tribal Beneficial Uses Overview Document – <i>see Att.1 for more information and resources</i> • Indian Health Service Updated Drought Risk Map – <i>see Att.2 for more information and resources*</i> • Federal Reserve Water Rights Case Studies – <i>see Att.3 for more information and resources</i> 	Adriana Renteria , SWRCB Tribal Liaison and Director, Office of Public Participation Luke Schulte, Deputy Director of Design and O&M, Indian Health Service Paul Gosselin and Erin Crandall , Outreach & Engagement Section, SGMO
2:15 – 2:45	Tribal Updates and Participation in GSAs and GSP Development	Facilitated by Anecita Agustinez
2:45 – 3:00	Planning for 2023 Meetings, Adjournment	Facilitated by Anecita Agustinez

*Note: Indian Health Service Staff were unavailable and therefore, are invited to a future meeting to discuss the Updated Drought Risk Map



Welcome & Introductions

- Introductions and Opening Remarks
- Meeting Goals, Commitment, and Desired Outcomes

Facilitated By:

Anecita Agustinez, DWR Tribal Policy Advisor

Paul Gosselin, DWR Deputy Director



Updates and Coordination Efforts

Approximately 20 minutes for each topic

See Attachments 1 – 3 for more information and resources

- Tribal Beneficial Uses Overview Document
- Federal Reserve Water Rights Case Studies

Attending: Bureau of Indian Affairs

Presented By:

Adriana Renteria, SWRCB Tribal Liaison and Director, Office of Public Participation

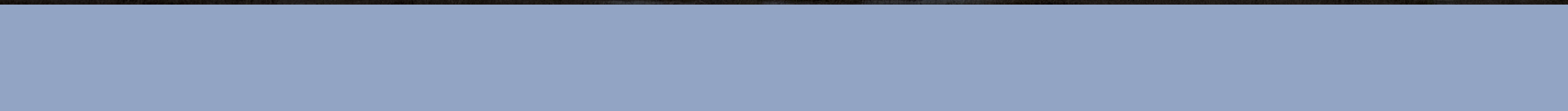
Paul Gosselin, DWR Deputy Director and Erin Crandall, Outreach & Engagement Section, SGMO



A landscape photograph showing a field of tall, dry, brown grasses and bare trees in the foreground. In the background, there are blue mountains with patches of snow under a clear blue sky. A white bird is visible in the lower left foreground.

Tribal Beneficial Uses Overview Document

Presented by Adriana Renteria, SWRCB Tribal Liaison and Director, Office of Public Participation



Protecting California Water Quality for Tribal Culture, Tradition, and Subsistence

Adriana Renteria, she/they
Office of Public Participation Director and Tribal Liaison





Office of the
Tribal Advisor

Office of Governor
GAVIN NEWSOM



Department of
Toxic Substances
Control



OEHHA
SCIENCE FOR A HEALTHY CALIFORNIA





Mission Statement

Preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations.



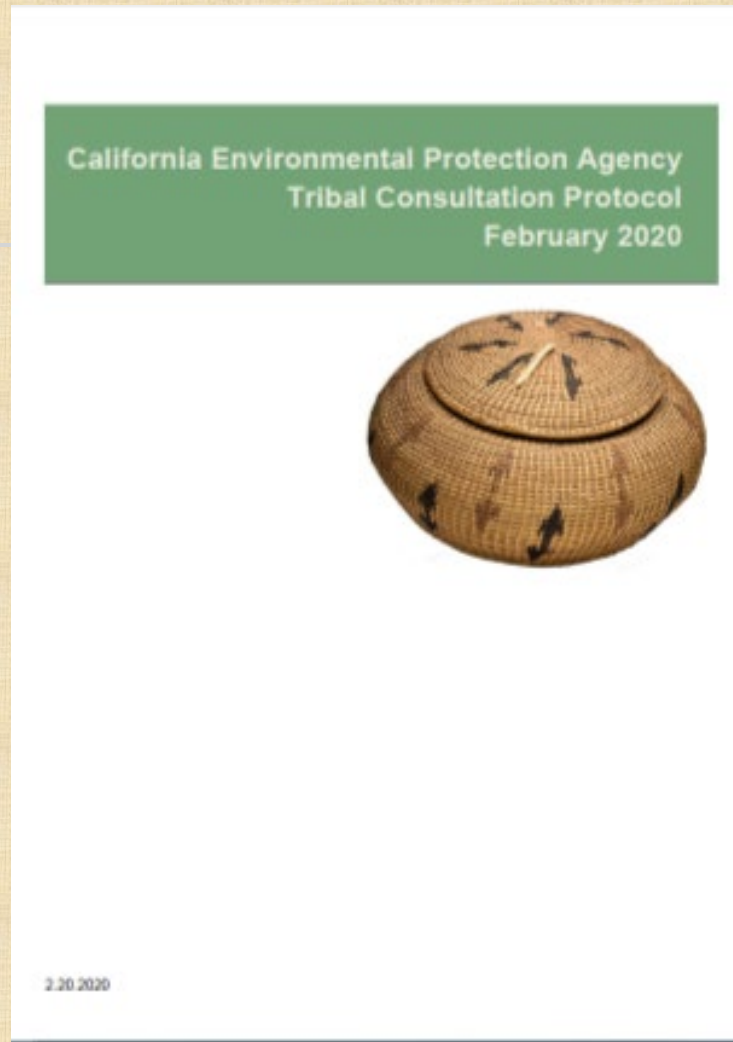
State Water Board Authorities

- Establish water quality standards
- Ensure safe and affordable drinking water
- Allocate water rights
- Coordinate tribal affairs

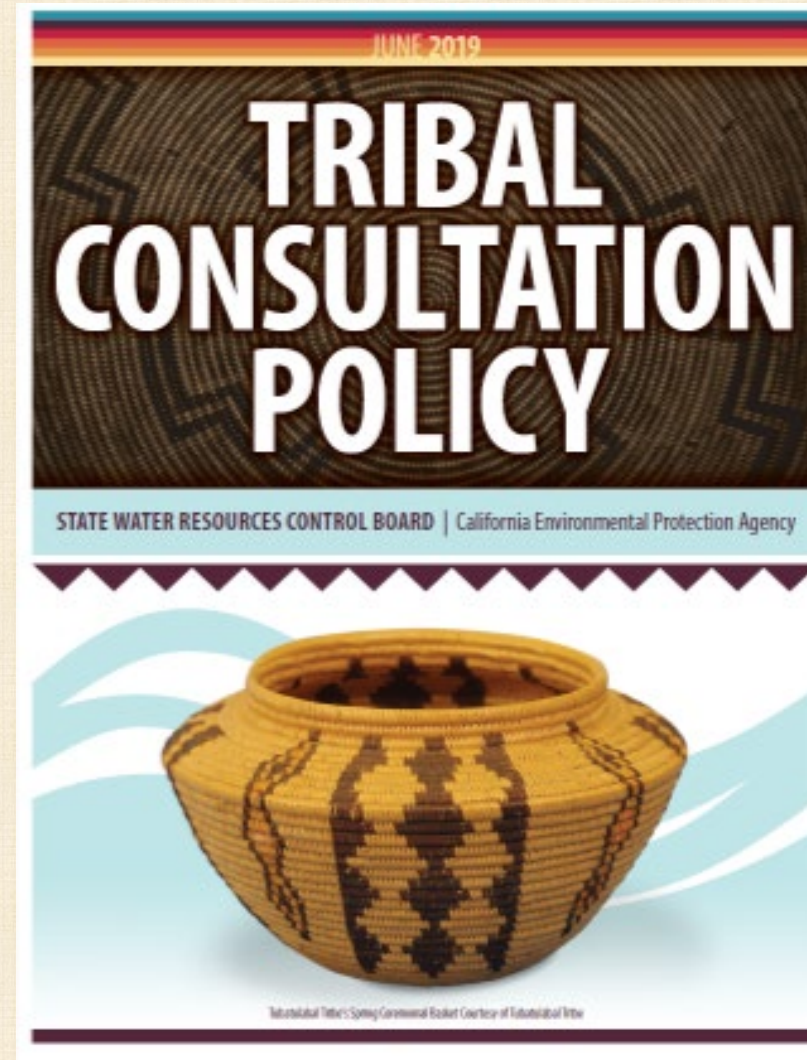
Nine Regional Water Boards

- Develop and implement Basin Plans
- Monitor water quality
- Issue water quality permits

CalEPA Tribal Consultation Protocol



Water Boards Tribal Consultation Policy





**Water Boards
Tribal Liaison:
Adriana Renteria**

**9 Regional Tribal
Coordinators**

bit.ly/SWB-Tribal

Basin Planning Process



How do the Water Boards protect water quality?

State Water Board establishes **statewide water quality standards**.

Regional Water Boards develop Basin Plans that identify water bodies within the region and include:

- (1) **beneficial uses** and their designations,
- (2) **water quality objectives** that must be maintained or achieved to protect these beneficial uses, and
- (3) **implementation programs** designed to achieve and maintain the water quality standards.

Permits applications are required for actions that may impact water quality. Regional Water Boards use the Basin Plans to help guide their review and approval/denial of permits.

Tribal Beneficial Uses

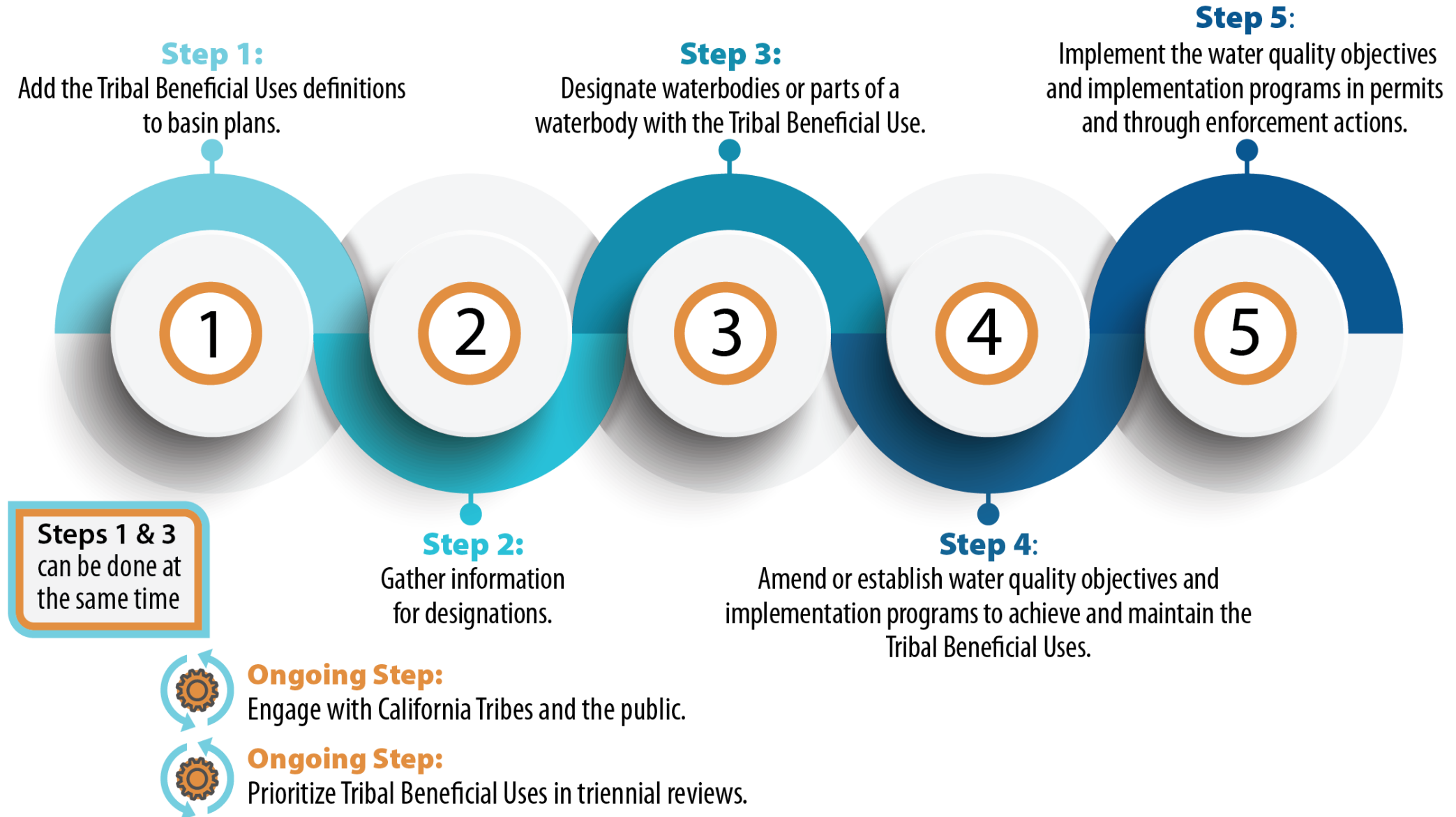
Group of beneficial uses that can help protect activities specific to Native American cultures and their uses of California waters, including the consumption of non-commercial fish or shellfish.

Comprised of:

- Tribal Subsistence Fishing (T-SUB)
- Tribal Tradition and Culture (CUL)
- Subsistence Fishing (SUB)*



Overview of steps the Water Boards may take to protect water quality for Tribal Beneficial Uses



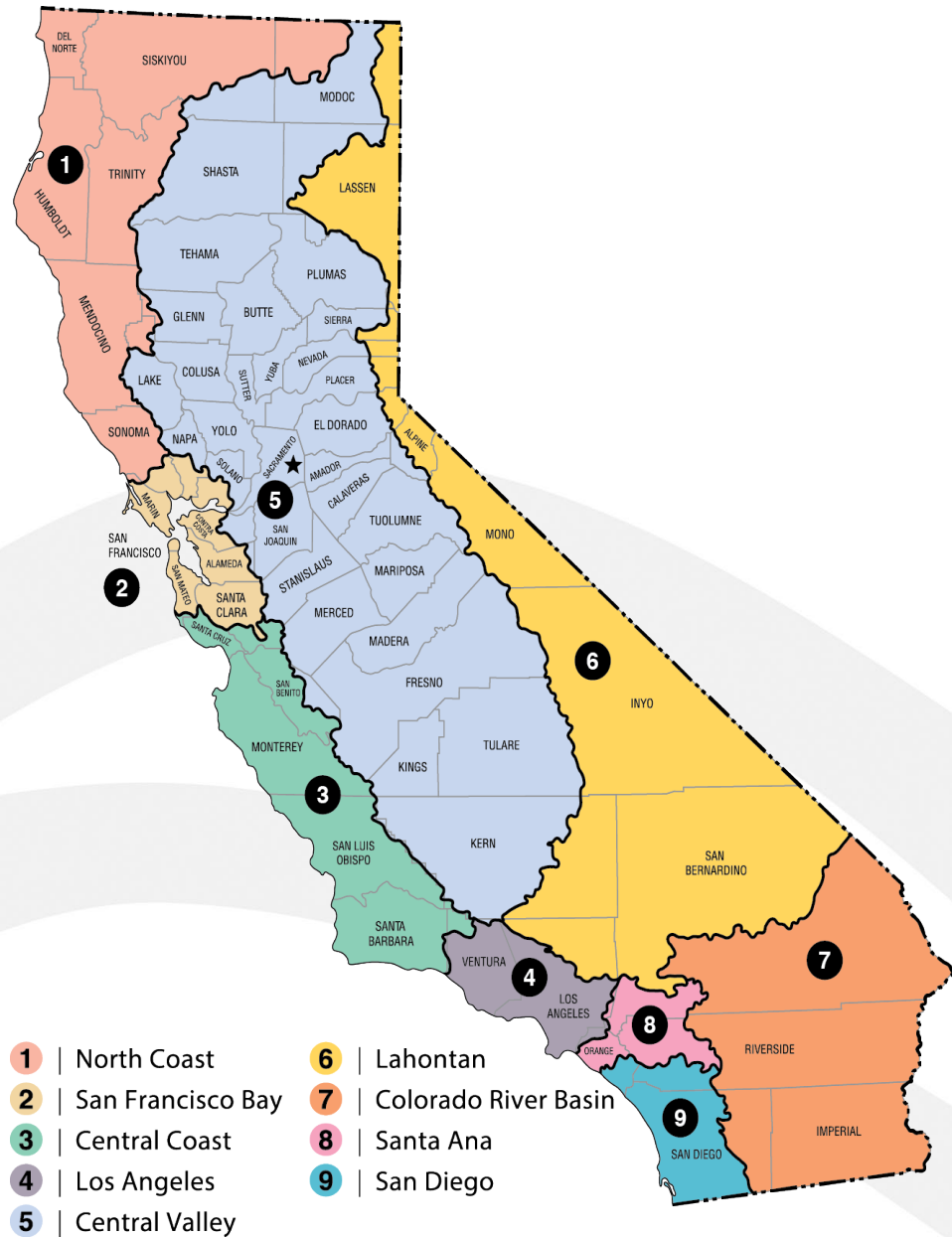
Resources and Contacts

Tribal Affairs Website: [waterboards.ca.gov/tribal affairs](http://waterboards.ca.gov/tribal_affairs)

Tribal Beneficial Uses Website:
[waterboards.ca.gov/tribal affairs/beneficial_uses.html](http://waterboards.ca.gov/tribal_affairs/beneficial_uses.html)

Tribal Coordinators Contact Information:
[waterboards.ca.gov/tribal affairs/tribal_contacts.html](http://waterboards.ca.gov/tribal_affairs/tribal_contacts.html)

Adriana Renteria, Tribal Liaison
Tribal-Liaison@waterboards.ca.gov, (916) 216-1126



Regional Water Board Updates



Region 1 – North Coast

➤ **Step 1:** Working to adopt TBU definition(s) into the Basin Plan

- **Upcoming Meeting/Key Dates:**

None Scheduled

- **Action Step:**

Submit support letter to adopt TBU definitions

- **Tribal Coordinator:**

Cody.Walker@waterboards.ca.gov

(707) 576-2642

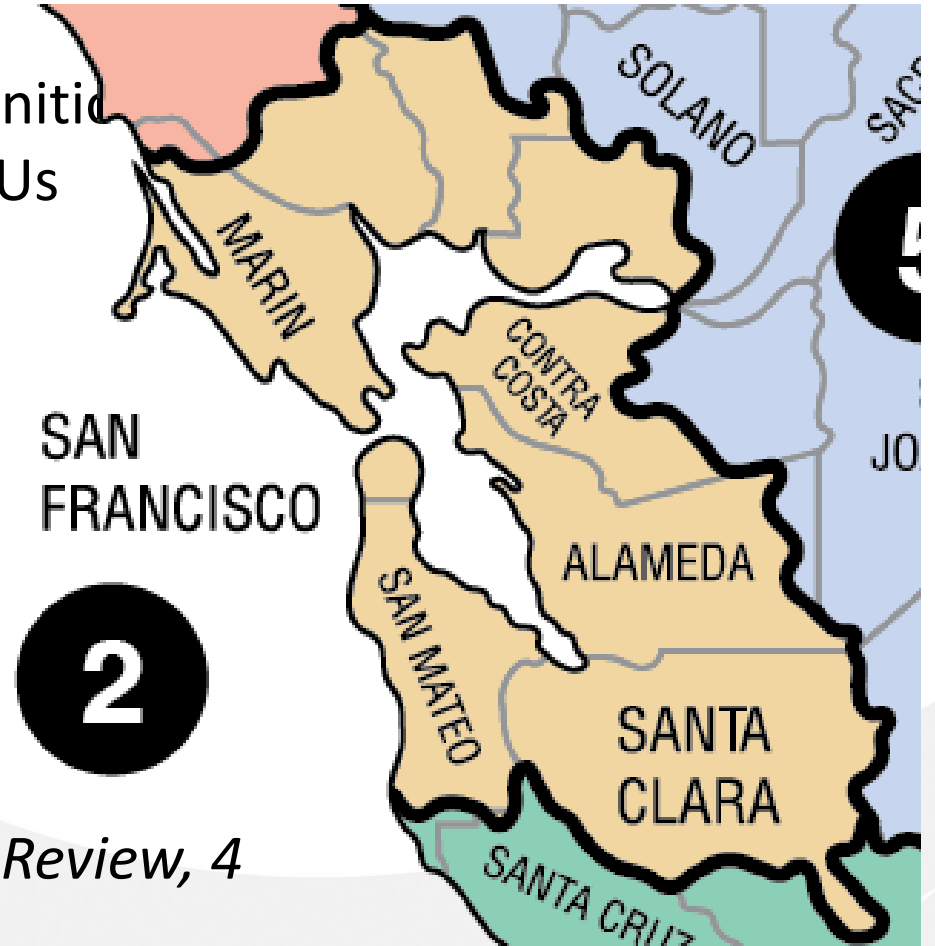
- *Region 1 has previous beneficial uses that protect Native American Culture and Subsistence Fishing*



Region 2 – San Francisco Bay

➤ **Step 2:** Gather data for designations
Prioritized TBUs in Triennial Review and will adopt definitions
the same time as water bodies are designated with TBUs

- **Upcoming Meeting/Key Dates:**
October 21 Tribal Summit
- **Action Step:**
Submit support letter for TBU designations
- **Tribal Coordinator:**
Samantha.Harper@waterboards.ca.gov
(510) 622-2415
- *5 tribes submitted support for TBUs on the Triennial Review, 4 Tribes attended the April 2022 Tribal Summit*



Region 3 – Central Coast

- **Step 1:** Adopt TBU definitions into the Basin Plan.
- **Upcoming Meeting/Key Dates:**
 - 2023:** Initiate tribal outreach and TBU definitions project
- **Action Step:**
 - Engage with staff regarding TBU definitions project
- **Tribal Coordinator:**
 - Daniel.Ellis@waterboards.ca.gov
 - (805) 549-3889
- *0 tribes submitted support for TBUs on the 2021 Triennial Review, or attended Triennial Review workshop*



Region 4 – Los Angeles

➤ **Step 2:** Gather data for designations

On October 18, 2022, adopted TBU definitions into Basin Plan.

- **Upcoming Meeting/Key Dates:**
TBD
- **Action Step:**
Submit letters to request TBU designations
- **Tribal Coordinator:**
Susana.Lagudis@waterboards.ca.gov
(213) 576-6694
- *2 tribes and 41 attendees participated in TBU September 2021 public workshop*
- *3 tribal support letters received for the proposed Basin Plan Amendment*



Region 5 – Central Valley

➤ **Step 2:** Gather data for designations

On Sept 7, 2022, adopted TBU definitions to the basin plan.

- **Upcoming Meeting/Key Dates:**

- **Nov 10** TBU update meeting

- **Action Step:**

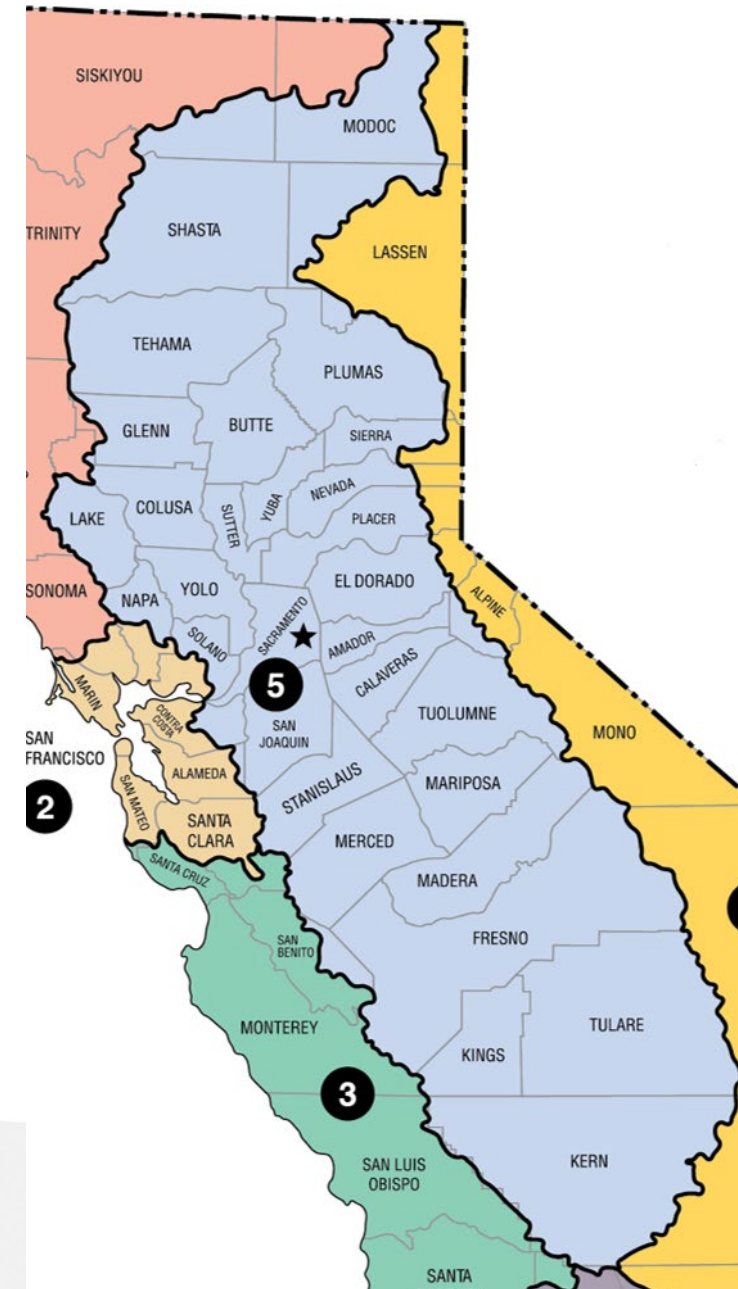
- Submit letters to request TBU designations

- **Tribal Coordinator:**

- Adriana.Ross@waterboards.ca.gov

- (559) 445-5576

- *5 support letters received for the proposed Basin Plan Amendment*



Region 6 – Lahontan

➤ **Step 2:** Gather data for designations

Adopted TBU definitions into Basin Plan in 2020. Will designate Mono Lake as the first water body designated with TBUs in the Region.

- **Upcoming Meeting/Key Dates:**

- **February 2023:** deadline for TBU designation requests

- **Action Step:**

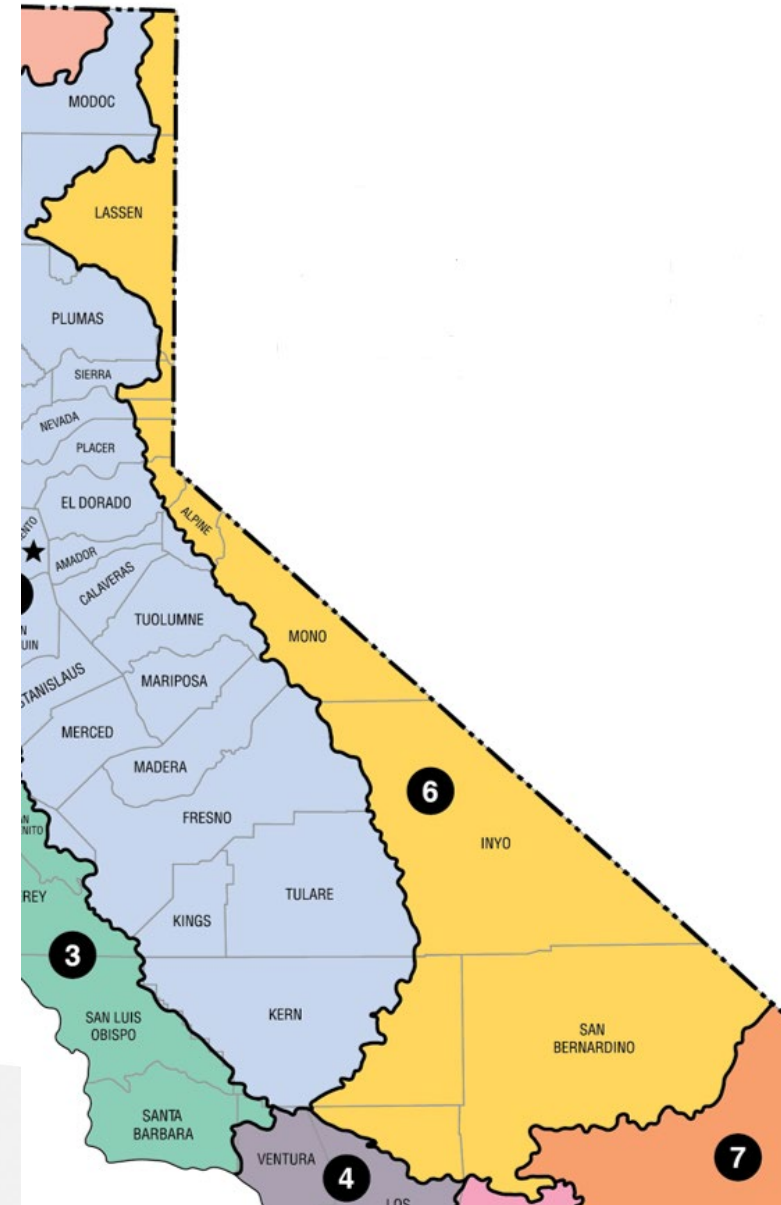
- Submit letters to request TBU designations

- **Tribal Coordinator:**

- Daniel.McClure@waterboards.ca.gov

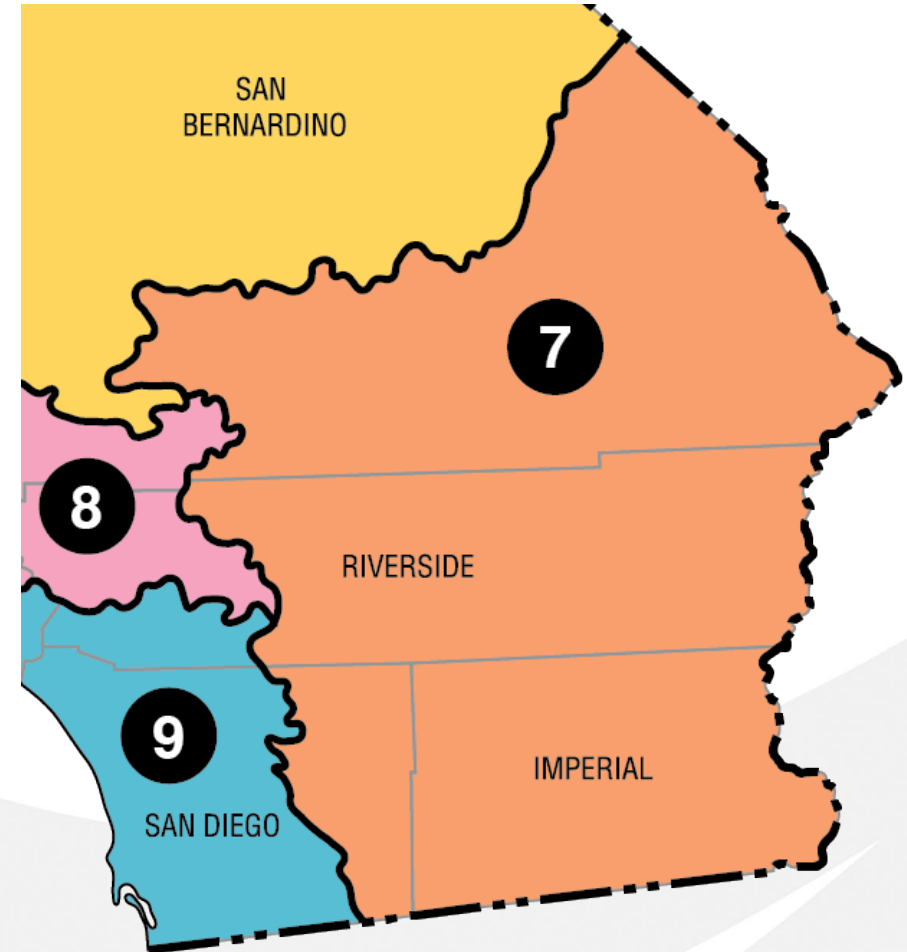
- (530) 542-5443

- *2 support letters received for Triennial Review TBU project, met with interested tribes*



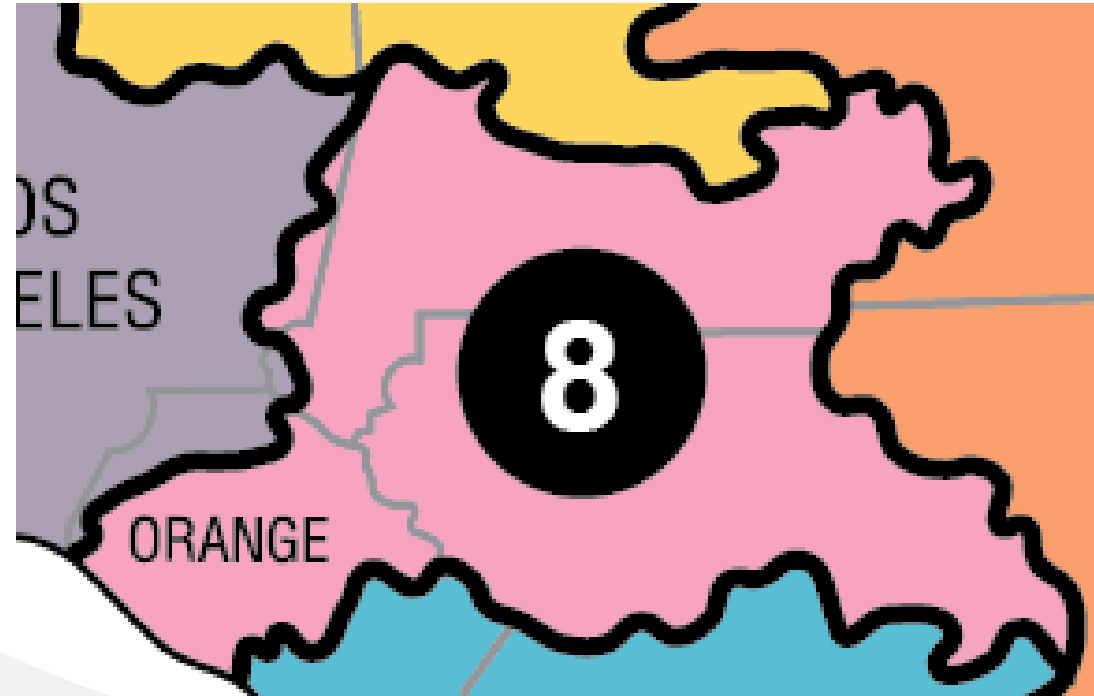
Region 7 – Colorado River Basin

- **Step 1:** Adopt TBU definition(s) into the Basin Plan
- **Upcoming Meeting/Key Dates:**
None Scheduled
- **Action Step:**
Submit support letter to adopt TBU definitions
- **Tribal Coordinator:**
Maria.Davydova-Flores@waterboards.ca.gov
(760) 776-8947
- *2 tribes submitted support letters for Triennial Review*



Region 8 – Santa Ana

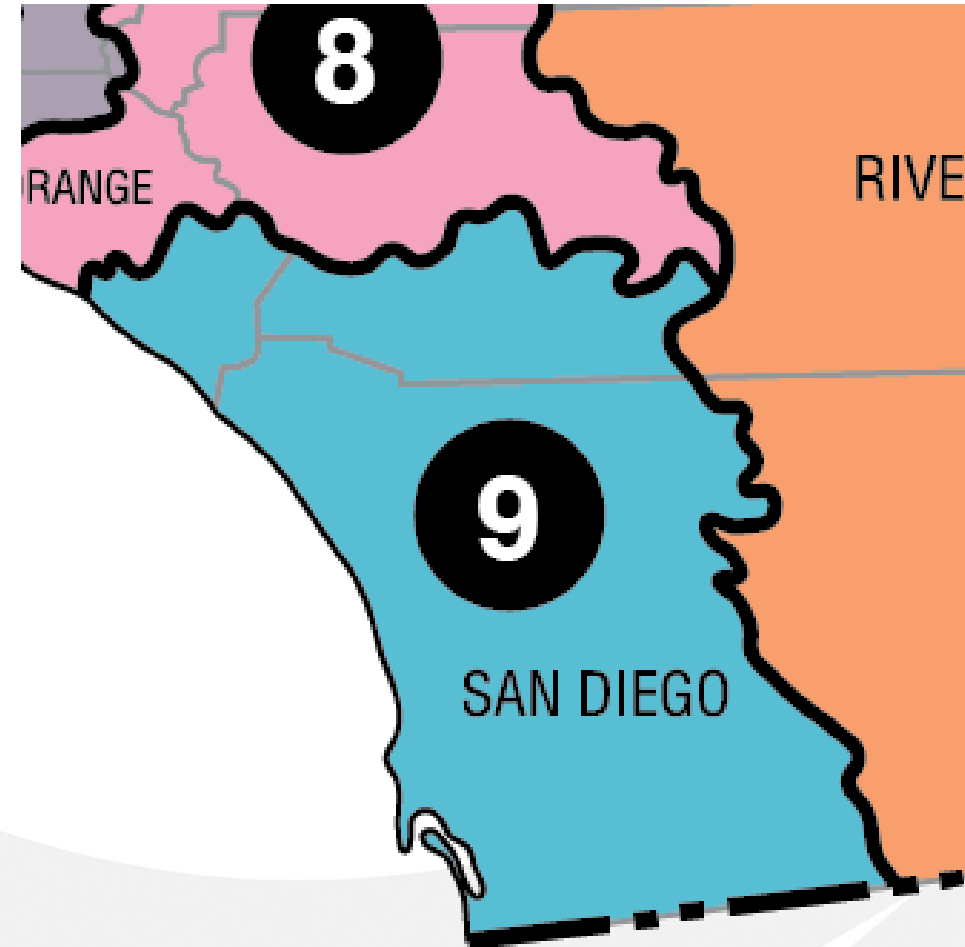
- **Step 1:** Adopt TBU definition(s) into the Basin Plan
- **Upcoming Meeting/Key Dates:**
None Scheduled
- **Action Step:**
Submit support letter to adopt TBU definitions
- **Tribal Coordinator:**
Claudia.Tenorio@waterboards.ca.gov
(951) 782-4963
- *3 tribes participated in March 2021 workshop*



Region 9 – San Diego

➤ **Step 2:** Gather data for designations
Prioritized TBUs in Triennial Review and adopted TBU definitions into Basin Plan.

- **Upcoming Meeting/Key Dates:**
None Scheduled
- **Action Step:**
Submit letters to request TBU designations
- **Tribal Coordinator:**
Cynthia.Gorham@waterboards.ca.gov
(619) 521-3921
- *6 tribes participated in August 2021 summit*





Federal Reserve Water Rights and the Sustainable Groundwater Management Act

Case Study Examples

Presented by Paul Gosselin, DWR Deputy Director and Erin Crandall, DWR Sustainable Groundwater Management Office

SGMA and Tribal Engagement

Tribal Involvement:

Water Code Section [10720.3](#), part (c):

- “...any federally recognized Indian tribe...may voluntarily agree to participate in the preparation or administration of a groundwater sustainability plan...”
- “A participating tribe shall be eligible to participate fully in planning, financing, and management under this part, including eligibility for grants and technical assistance...”



A Guidance Document for Engagement with Tribal Governments under SGMA is on DWR's [Assistance and Engagement website](#)



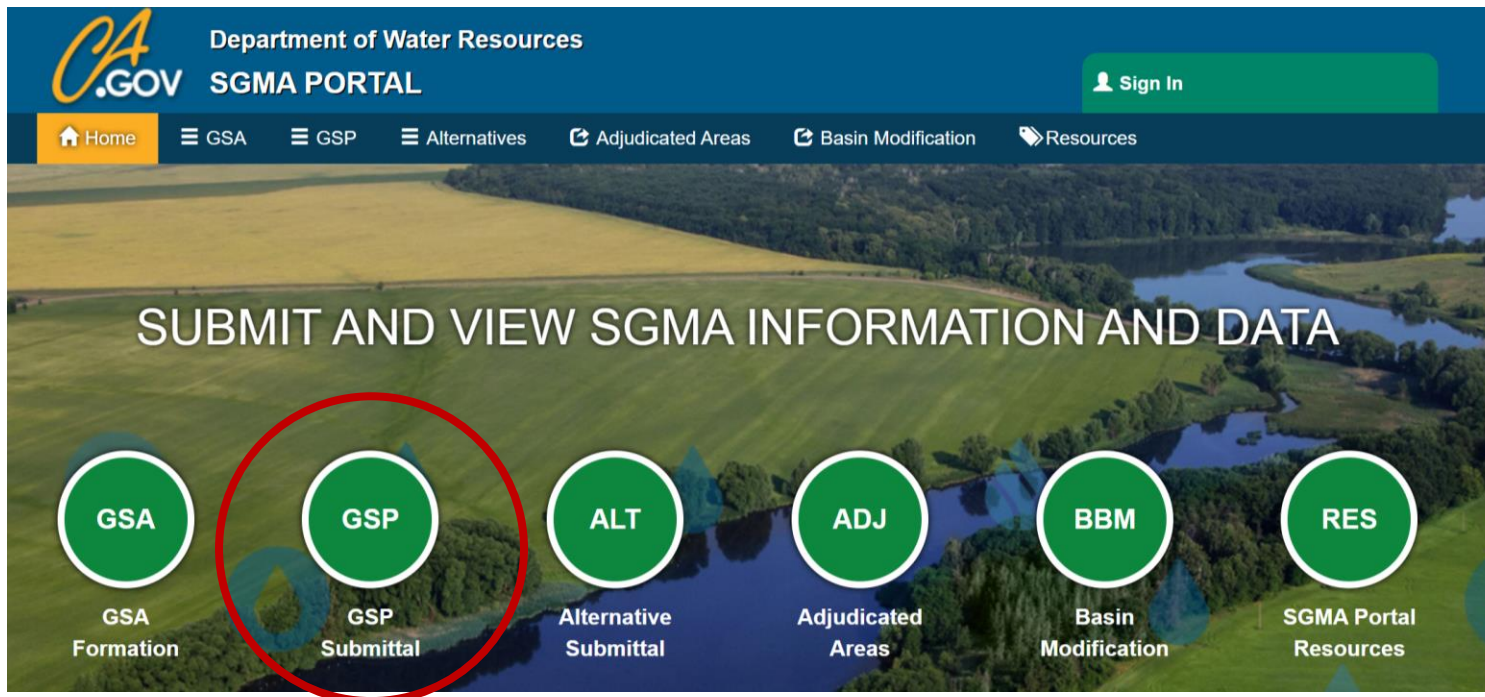
SGMA and Federally Reserved Water Rights


Water Code Section [10720.3](#), part (d):

- “In an adjudication ... and in [management of a basin] by a [GSA] or by the [SWRCB], federally reserved water rights to groundwater shall be respected in full. In case of conflict between federal and state law in that adjudication or management, federal law shall prevail.”

How to Provide Public Comments on Plans Submitted to the State

- All Plans and Alternatives are posted to the SGMA Portal, under Submittal tabs
- Public comment can be submitted at any time



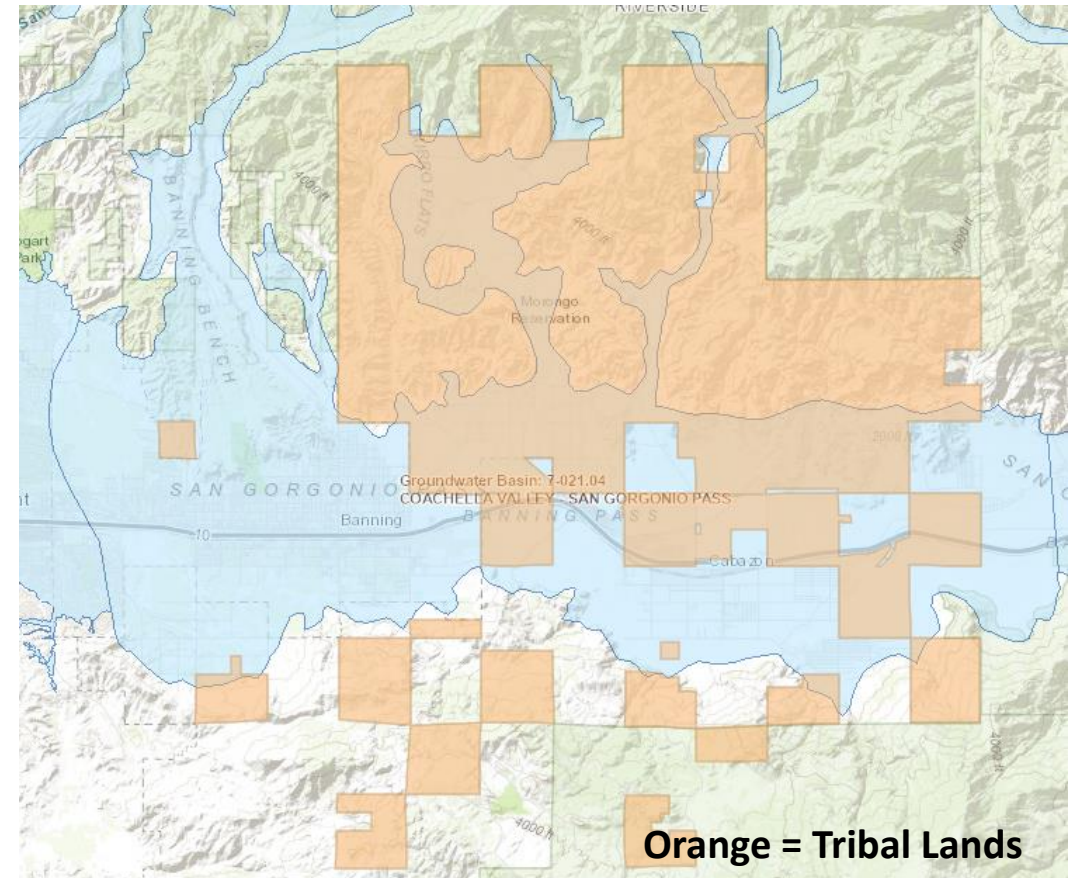
- Select: 
- Submit questions: GSPSubmittal@water.ca.gov
- Additional information available on the SGMA Portal: <https://sgma.water.ca.gov/portal>

Case Study Examples

- Federal Reservations
 - 5 Tribal
 - 2 Department of Defense
 - 1 Federal Agency and Tribal combination
- Discussion of Examples
 - Addendum to 'Engagement with Tribal Governments' guidance document

COACHELLA VALLEY - SAN GORGONIO PASS

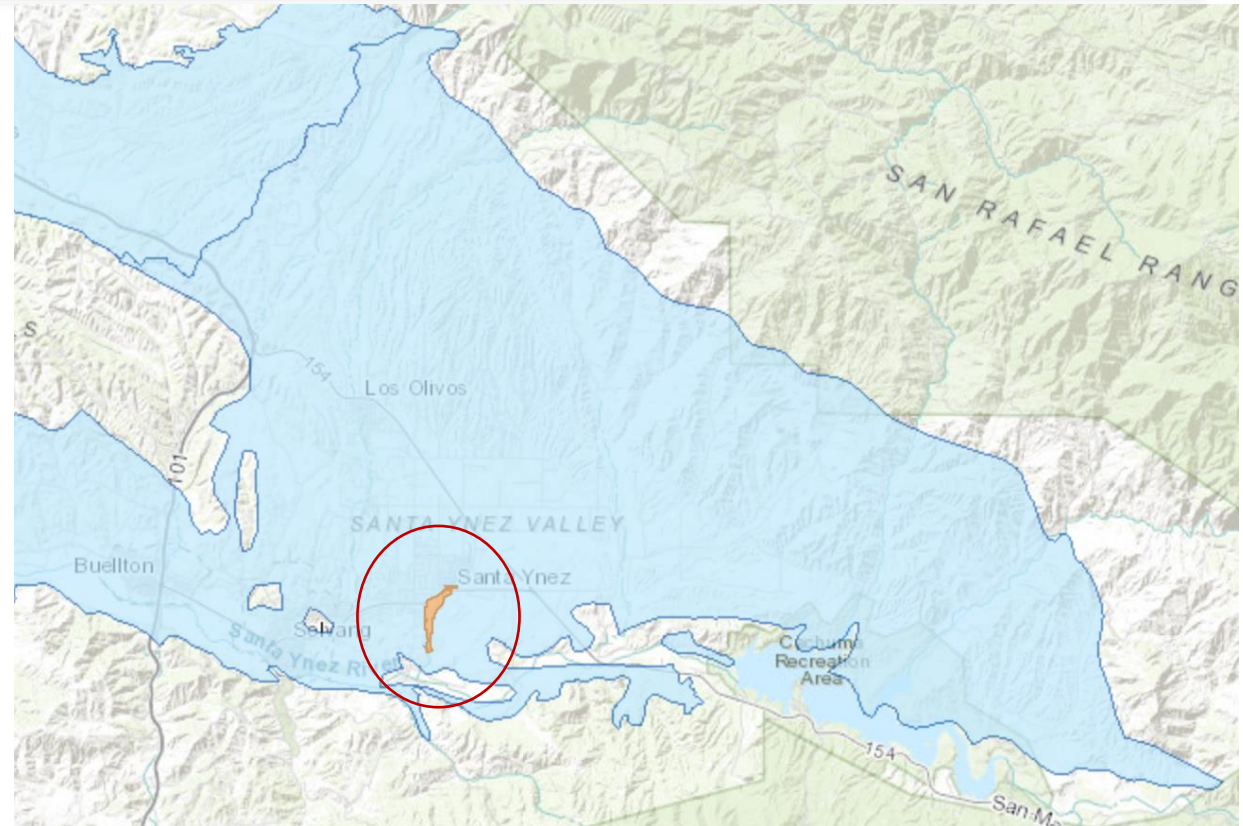
- **Federal Reservation:** Native American (Morongo Band of Mission Indians)
- **Engagement:** Tribe is an active partner in the San Gorgonio Pass GSP Working Group
- **GSP Discussion:** Tribal water rights discussed in surface water and groundwater sections, Tribal use included in water budget



SANTA YNEZ RIVER VALLEY

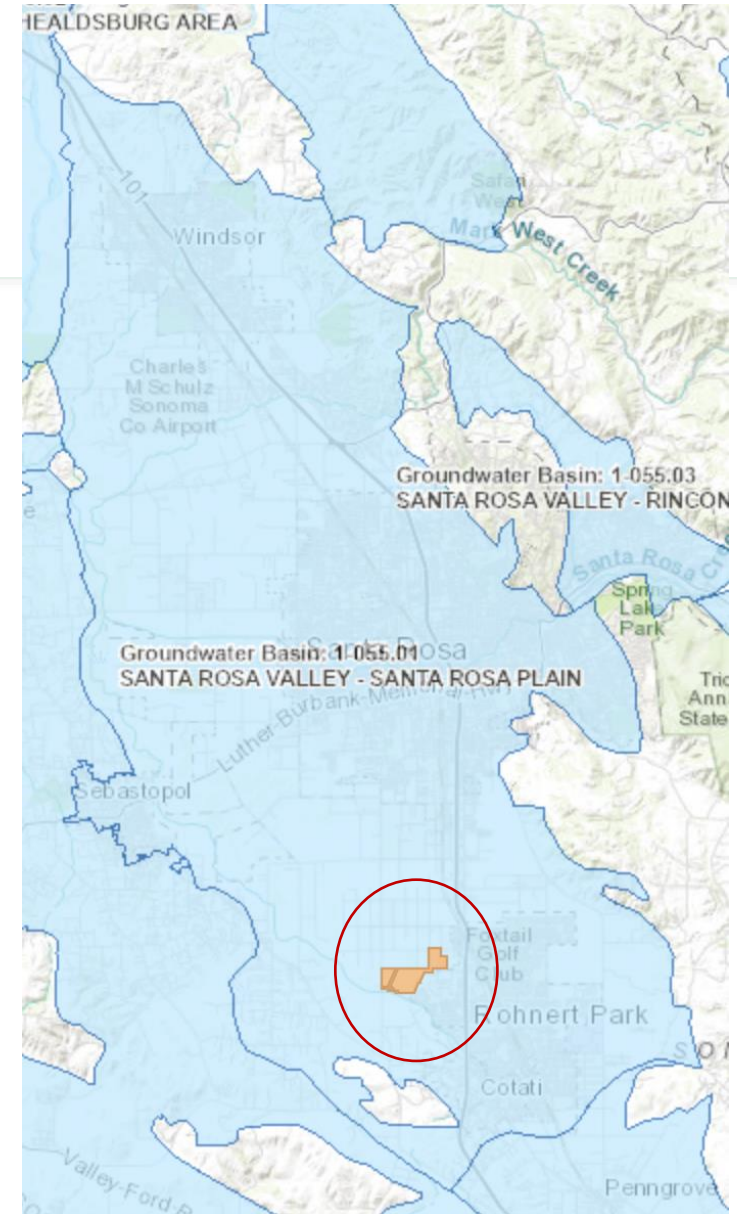
Eastern Management Area

- **Federal Reservation:** Native American (Santa Ynez Band of Chumash Indians)
- **Engagement:** Tribal member is present on Citizen Advisory Group
- **GSP Discussion:** Tribal sovereignty over Santa Ynez Reservation addressed; inflows for Tribe-owned Casino Resort Wastewater Treatment Plant included in water budget



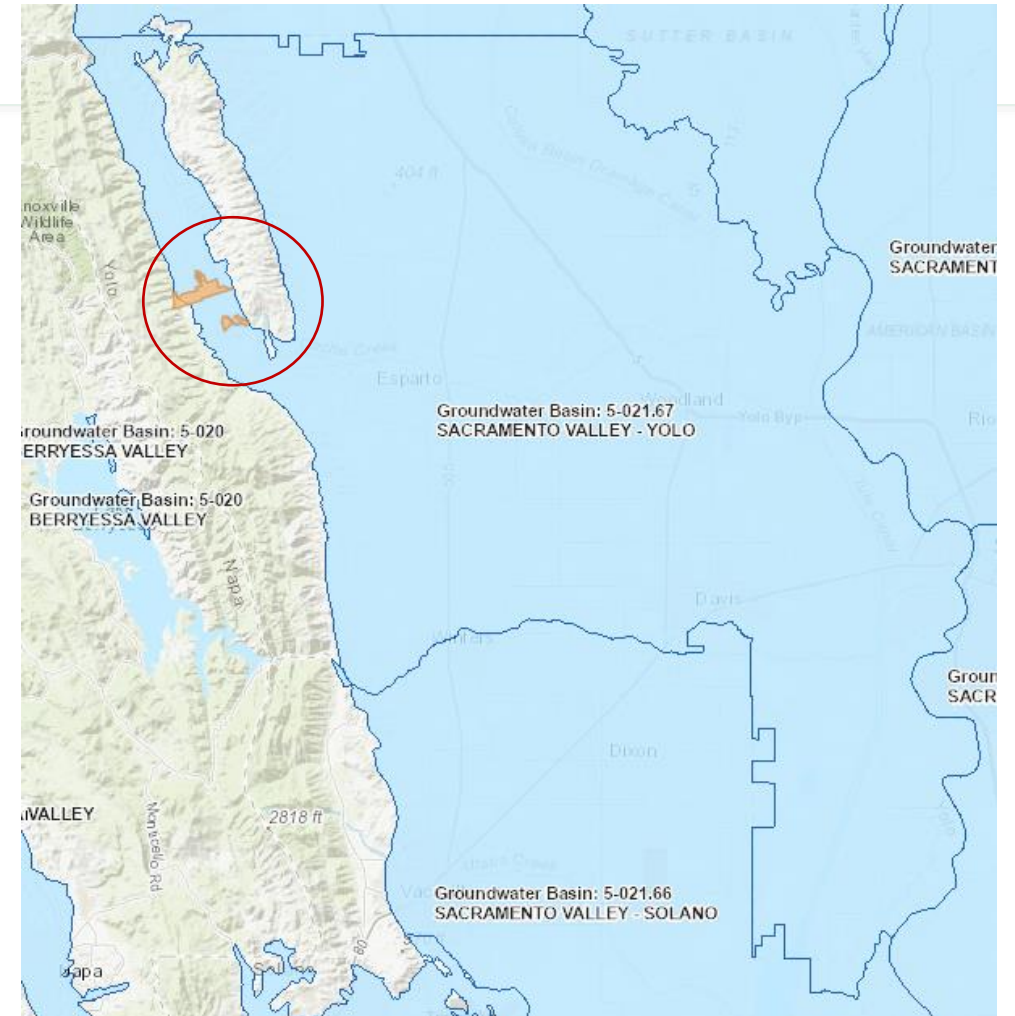
SANTA ROSA PLAIN

- **Federal Reservation:** Native American (Federated Indians of Graton Rancheria and Lytton Band of Pomo Indians)
- **Engagement:** Federated Indians of Graton Rancheria represented in the GSA Advisory Committee
- **GSP Discussion:** Does not include any information regarding federal reserved rights; acknowledges “known water rights holders”, but does not name any specifically



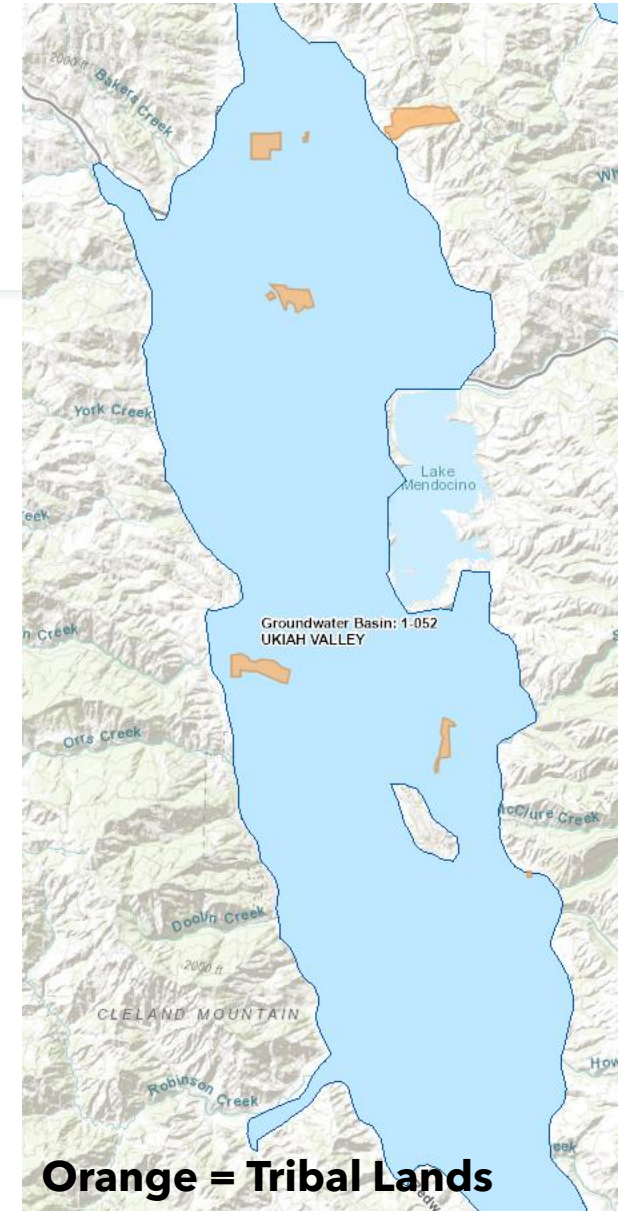
SACRAMENTO VALLEY - YOLO

- **Federal Reservation:** Native American (Yocha Dehe Wintun Nation)
- **Engagement:** Tribe is a member agency of the GSA and holds a seat in the GSA Board
- **GSP Discussion:** Acknowledges entirety of Capay Valley is within the Tribe's ancestral territory; establishes Capay Valley Management Area; Tribal water demand accounted for in modeling and water budget projections (not quantified specifically)



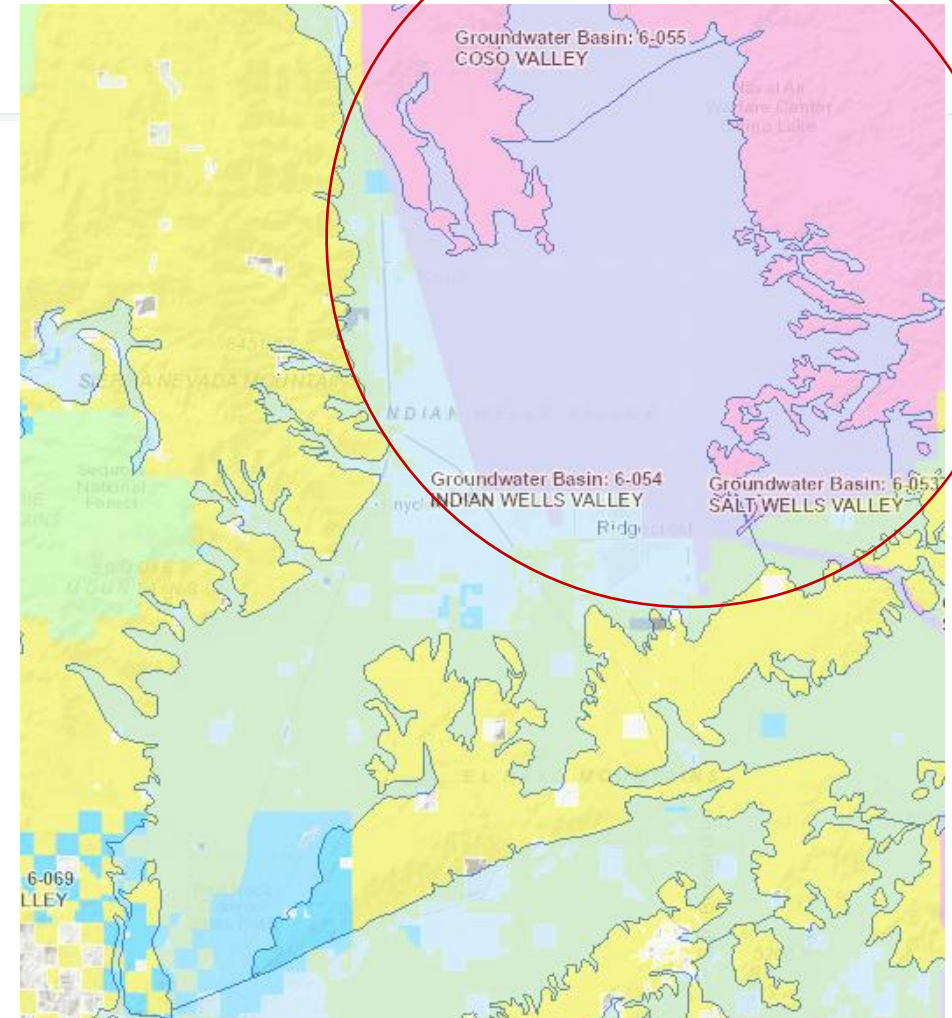
UKIAH VALLEY

- **Federal Reservation:** Native American (Pinoleville Pomo Nation, Redwood Valley Rancheria, Coyote Valley Band of Pomo Indians, Potter Valley Tribe, Guidiville Rancheria of California, Hopland Reservation)
- **Engagement:** One Tribal member present on GSA Board and second Tribal member present on Technical Advisory Committee
- **GSP Discussion:** Priority/sovereignty recognized (states that Federal Tribal Lands are not subject to SGMA requirements); supply/demand for Yokayo Tribe Water System is considered a data gap



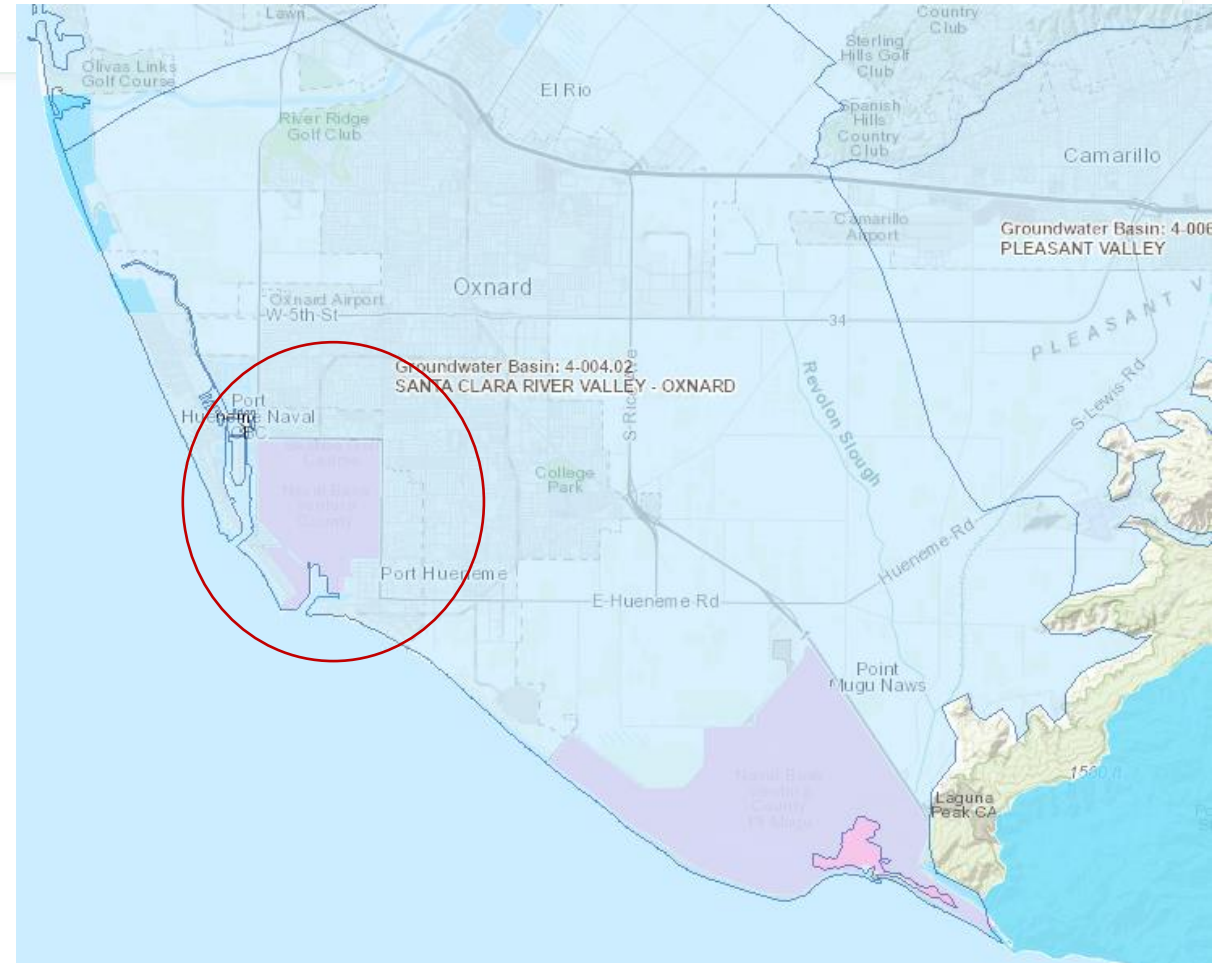
INDIAN WELLS VALLEY

- **Federal Reservation:** Department of Defense, NAWS China Lake
- **Engagement:** U.S. Navy serves as Associate Member (non-voting) on GSA Board and GSP Policy Advisory Committee
- **GSP Discussion:** Naval water rights and demand discussed in Management Actions and quantified in water budget



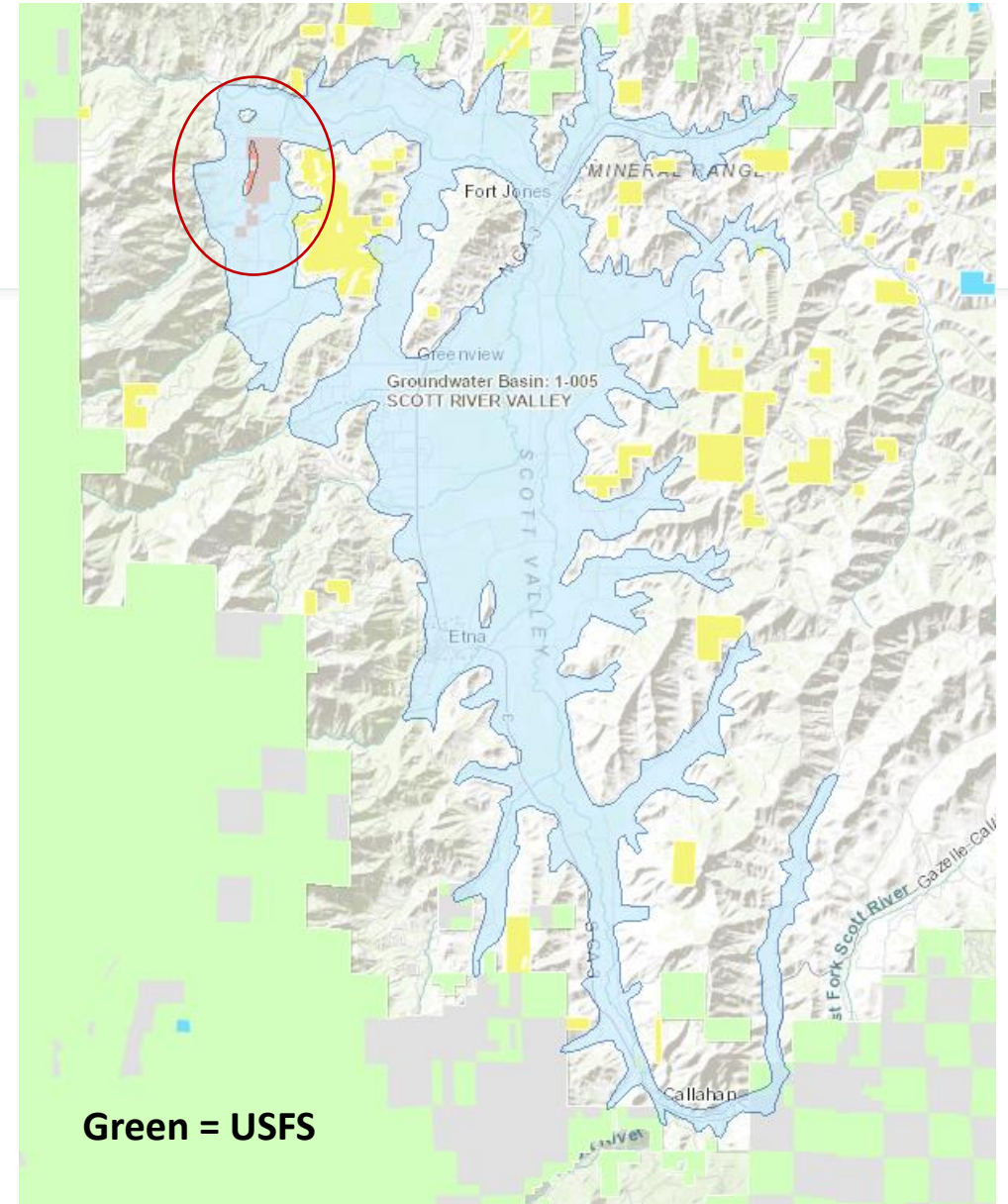
SANTA CLARA RIVER VALLEY - OXNARD

- **Federal Reservation:** Department of Defense, Naval Base Ventura County (NBVC)
- **Engagement:** NBVC Joint Land Use Study discusses water supply and potential impacts to water quality and quantity
- **GSP Discussion:** Naval priority/sovereignty recognized



SCOTT RIVER VALLEY

- **Federal Reservations:** Federal Agency, Adjudicated Right, U.S. Forest Service (USFS) and Quartz Valley Indian Reservation
- **Engagement:** USFS not listed as GSA member agency or advisory committee member, but Tribal member present on Advisory Committee
- **GSP Discussion:** USFS water rights accounted for in modeling and water budget projections; Tribal water rights not quantified in GSP



Questions and Feedback

Any Questions?

To provide feedback on the information presented in examples, please contact:

- Erin Crandall, DWR SGMP Senior Engineer: Erin.Crandall@water.ca.gov
- Anecita Agustinez, DWR Tribal Policy Advisor: tribalpolicyadvisor@water.ca.gov
- Provide public comment on GSPs posted on SGMA Portal:
<https://sgma.water.ca.gov/portal>

Tribal Updates

- Introductions
- Updates on Participation in GSA and GSP Development

Facilitated By:

Anecita Agustinez, DWR Tribal Policy Advisor



Reflecting and Planning Ahead

- Feedback from 2022 Meetings
- Opportunity for Tribal Hosted Meeting

Facilitated By:
Anecita Agustinez, DWR Tribal Policy Advisor



Adjournment

- 2023 Tribal Advisory Group Meetings
 - Schedule to be determined
- For questions, please contact:
 - Anecita Agustinez, DWR Tribal Policy Advisor:
tribalpolicyadvisor@water.ca.gov
 - Erin Crandall, DWR SGMP Senior Engineer, registration assistance:
Erin.Crandall@water.ca.gov

Facilitated By:

Anecita Agustinez, DWR Tribal Policy Advisor

