



California Department of Water Resources Tribal Consultation Process

BDCP Tribal Informational Meeting
Anecita Agustinez, Tribal Policy Advisor
December 10, 2013

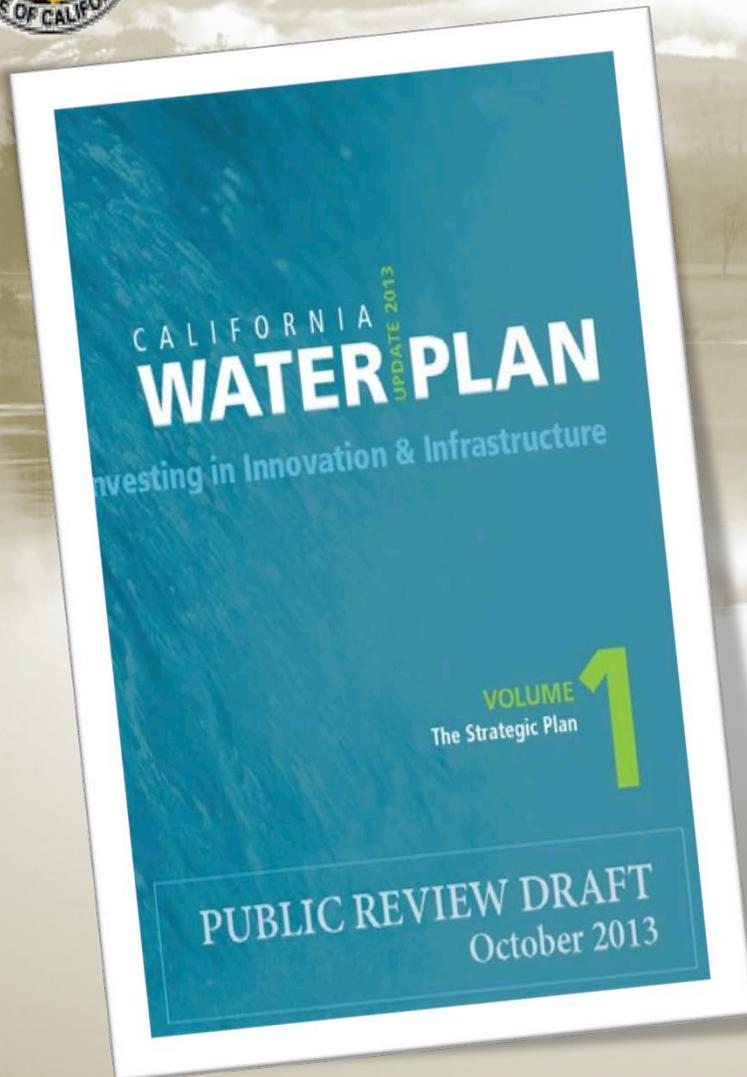


Opportunities for Tribal Engagement with Department of Water Resources

- California Water Action Plan
- California Water Plan
- Delta Plan
- Integrated Regional Water Management Plan
- Central Valley Flood Plan
- Bay Delta Conveyance Plan -BDCP-is a permit application process and is not a statewide master planning process; it addresses Delta Conveyance, habitat restoration and addresses other environmental stressors



The California Water Plan



First published in 1957

Water Code requires DWR to update Water Plan every 5 years

Growing interest by Legislature, citizens of the State and Tribes

Part of Governor's Strategic Growth Initiative

Not a mandate and no appropriations, since it is a recommendation tool



Tribal Involvement with The California Water Plan

2009 Tribal Communication Committee

Developed Communication Plan
New Forest Management - Resource Management Strategy (RMS) proposed by Melvin Carmen of North Fork Mono Tribe and integrated into the 2009 update
First Tribal Water Summit convened

2013 Tribal Advisory Committee

New Water & Culture Resource Management Strategy (RMS) with Tribal content integrated into the 2013 update
Second Tribal Water Summit convened

DWR will continue to integrate tribal concerns within its consultation policy development that will in turn assist in the communication and collaboration of future meaningful tribal engagement.



Integrated Regional Water Management

- The IRWM Planning Act of 2002 (California Water Code [CWC] 10530 *et seq.*) allowed for IRWM plans and named differing types of existing plans that could be incorporated into an IRWM Plan. The IRWM Planning Act of 2002 was repealed and replaced in 2008 with language that provided more definition and direction as to IRWM plan content and what the Department of Water Resources (DWR) needed to include in its grant program guidance.
- The IRWM Planning Act encourages local agencies, Tribes and stakeholders to work cooperatively to manage their water resources and to seek mutual solutions to water management issues.
- At this time, all funds for planning have been awarded and \$472 million in implementation grant funding remains. These funds are subject to appropriation prior to DWR issuing the Round 3 Implementation Grant solicitation.



Future Opportunities to Participate in IRWM

- The Grant Program Guidelines document establishes the general process, procedures, and criteria that DWR uses to implement the IRWM Implementation Grant Program. Applicants seeking to apply for an IRWM grant will need to adhere to both the Guidelines and appropriate Proposal Solicitation Package (PSP) relevant to each grant program.
- Draft Program Guidelines and Proposal Solicitation Package (PSP) for IRWM Round 3 is anticipated to be released in the summer of 2014 for public review. This is dependent upon DWR receiving an appropriation of local assistance funding in the Fiscal Year 2014-2015 budget.
- DWR will prepare the updated Round 3 Guidelines and PSP to be more culturally sensitive, and will address how Tribal involvement, engagement and governance will be evaluated.

For more information or questions about IRWM please visit: <http://www.water.ca.gov/irwm> or call (916) 651-9613 or email DWR_IRWM@water.ca.gov.



Governor's Executive Order B-10-11

Development of Tribal Consultation

September 19, 2011

[Governor Brown's Executive Order B-10-11](#)

<http://gov.ca.gov/news.php?id=17223>

The Office of the Tribal Advisor was created by Executive Order B-10-11 in 2010

Governor's Tribal Advisor serves as a direct link and facilitates communication/consultation between the Tribes, Office of the Governor, state agencies, and agency tribal liaisons

Every state agency and department subject to the executive order shall permit elected officials and representatives of tribal governments to provide meaningful input into the development of regulations and policies on matters that may affect tribal communities.



CNRA Tribal Consultation Policy



**Tribal Consultation
Policy November 20,
2012**

**[http://
resources.ca.gov/
docs/](http://resources.ca.gov/docs/)**

[Final Tribal Policy.pdf](#)
[f](#)

Outreach

- Consult at the earliest possible time in the planning process and allow a reasonable opportunity for tribes to respond and participate

Tribal Liaisons

- Each Department should designate a tribal liaison to serve as the central point of contact for Indian tribes

Tribal Liaison Committee

- Designated Tribal Liaison Committee will meet on regular bases to review tribal consultation efforts and opportunities

Access to Contact Information

- Maintain a contact list of tribal representatives

Training

- The Agency will provide training to tribal liaisons and executive staff, managers, supervisors and employees on implementation of this policy

Department of Water Resources

- **Tribal Consultation Policy in Development**



Prior Tribal Outreach History by DWR in the BDCP Review Process

- June 22, 2009- Letters of Inquiry sent to the individuals within the project area identified by the Native American Heritage Commission.
- February 28, 2012- Updated Letters of Inquiry sent to the individuals within the project area identified by the Native American Heritage Commission.
- July 26, 2012- Follow-up phone calls placed to the individuals who received letters.



Opportunities for Tribal Engagement in the Public Review Process of the BDCP

Anecita Agustinez, Tribal Policy Advisor



BDCP Scheduled Public Outreach Meetings

Fresno – January 15, 2014

Bakersfield – January 16, 2014

Stockton – January 21, 2014

San Jose – January 22, 2014
2014

Redding – January 23, 2014

Fairfield – January 28, 2014

Walnut Grove – January 29, 2014

Sacramento – January 30, 2014

Los Angeles – February 4, 2014

Ontario – February 5, 2014

San Diego – February 6, 2014

Clarksburg – February 12,



Question and Answer Session