STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

EDMUND G. BROWN JR., *Governor*

DEPARTMENT OF WATER RESOURCES
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

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Department of Water Resources
Tribal Engagement Policy

The Department of Water Resources (DWR) is committed to fulfilling its consultation obligations to California Native American Tribes (California Tribes[1]) and their sovereign authority over their members and territories. This Tribal Engagement Policy will strengthen DWR's commitment to improving communication, collaboration, and consultation with California Tribes consistent with the Tribal Consultation Policy directives in Executive Order B-10-11[2], the California Natural Resources Agency Tribal Consultation Policy[3], and AB 52[4].

DWR adopts the following policy principles to achieve early and meaningful tribal engagement and to strengthen and sustain collaboration with California Tribes:

- Establish meaningful dialogue between DWR and California Tribes early on in planning for CEQA projects to ensure that DWR's tribal outreach efforts are consistent with mandated tribal consultation policies, and to ensure that California Tribes know how information from consultation affected DWR's decision making process;
- Establish guidelines to share information between DWR and California Tribes, while protecting their confidential information to the fullest extent of the law;
- Consult with California Tribes to identify and protect tribal cultural resources where feasible, and to develop treatment and mitigation plans to mitigate for impacts to tribal cultural resources and cultural places;
- Develop criteria in communication plans and grant funding decisions for all applicable DWR programs that will facilitate tribal participation;
- Provide cultural competency training for DWR executives, managers, supervisors, and staff on tribal engagement and consultation practices;
- Recognize that California Tribes have distinct cultural, spiritual, environmental, economic, public health interests, and traditional ecological knowledge about California's natural resources;
- Enable California Tribes to manage and act as caretakers of tribal cultural resources.

To implement this policy, DWR's Executive Committee of the Environmental Coordination Committee will convene a work group of Division and management staff to develop the needed guidelines, procedures, and resources to implement this Tribal Engagement Policy. The work group will present its proposals to the Governance Board, essential to DWR's government-to-government tribal consultation, for approval.

Carl A. Torgersen
Chief Deputy Director

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[1] California Tribes and "Tribal Communities" and "Tribal", include all Federally Recognized Tribes and other California Native Americans as defined in Executive Order B-10-11.

[2] See attached Governor Executive Order B-10-11 established September 19, 2011.

[3] See attached California Natural Resources Agency Tribal Consultation Policy established November 20, 2012.

[4] AB 52 (Gatto) added Chapter 532 (Statutes of 2014) Native American/CEQA; found at Public Resources Code section 5097.94 and in sections of 21000, et seq.