TRIBAL COMMUNICATION COMMITTEE (TCC)

WORKING DRAFT

TRIBAL COMMUNICATION PLAN

Summer 2008

Developed in support of the

CALIFORNIA WATER PLAN UPDATE 2009

SACRAMENTO STATE

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For the purposes of this Tribal Communication Plan, the term "California Native American Tribe" signifies all Indigenous Communities of California, including those that are federally non-recognized and federally recognized, and those with allotment lands, regardless of whether they own those lands. Additionally, because some water bodies and Tribal boundaries cross State borders, this Communication Plan includes Indigenous Communities in Oregon, Nevada, and Arizona that are impacted by water in California.

I. STATEMENT of PURPOSE and OVERVIEW

The Tribal Communication Committee's (TCC) Tribal Communication Plan (TCP) is intended to help everyone involved in the California Water Plan – including the Department of Water Resources and all other State and federal agencies – to communicate appropriately and effectively with all California Native American Tribes about water-related issues that may affect them in their territories and ancestral homelands.

More specifically, it aims to promote and increase the quality of all California Native American Tribes' participation in the California Water Plan Update 2009 (CWP) and all future Water Plan Update processes, in order to ensure the description and inclusion, protection, and advancement of Tribal water and culturally-related needs and rights.

This TCP recognizes that California Native American Tribes live in different places and have different relations with water resources. It respects and values this diversity. At the same time, it intentionally includes all the indigenous people of California and addresses them equally. In this way, it aims to provide a foundation for California Native American Tribes to begin coming together to promote their water concerns and needs for the future as one people, from the north to the south.

The CWP Tribal Communication Committee, in creating the TCP, will further utilize the CWP process to institute permanent government-to-government relationships between California Native American Tribes and appropriate State agencies.

HOW TO USE THIS DOCUMENT

The opening sections explain the origin of the document, who it was written for, its aims and approach, and key places where communication will take place.

The middle parts of the document identify key messages, materials, and partners, as well as 22 specific actions for communication.

The closing sections identify communication lists, a procedure for dispute resolution, and criteria for evaluating the success of activities. A glossary and list of contributors are also provided.

II. BACKGROUND

Tribal Perspectives

Historically, the State of California's water planning processes and associated funding programs have not included California Native American Tribes. This limits the ability of Tribes to control and access water in accord with their indigenous and aboriginal rights (see next paragraph). In turn, this limits their ability to continue their cultural and religious practices, and to fulfill their cultural and economic needs and aspirations.

Indigenous and aboriginal rights include but are not limited to:

1) the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures;
2) the right to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and economic activities;
3) the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources, and to uphold their responsibilities to future generations in this regard;
4) the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired; and
5) the right to determine and develop priorities and strategies for the development or use of their lands or territories or other resources, with States consulting and cooperating in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their land or territories and other resources, particularly in connection with the development, utilization, or exploitation of mineral, water or other resources.

For a full list see the 2007 United Nations Declaration on the Rights of Indigenous Peoples, http://www.un.org/esa/socdev/unpfii/en/declaration.html

For the first time, every California Native American Tribe has the opportunity to participate genuinely in statewide water planning; to voice their concerns and have them both heard and respected; and to shape the resulting California Water Plan.

The *California Department of Water Resources* Perspective

Recommendation 13 of the California Water Plan Update 2005 is to increase Tribal participation and access to funding. It calls upon the California Department of Water Resources (DWR) – which updates the California Water Plan every five years – and other State agencies to invite, encourage, and assist Tribal government representatives to participate in statewide, regional, and local water planning processes, and to access State funding for water projects. In order to comply with Recommendation 13, the California Water Plan Update 2009 (hereafter "CWP") seeks to include Tribal water concerns and

water uses in this water plan update, and to engage appropriate local, State, and federal agencies to resolve Tribal water issues that are identified.

DWR believes that California Native American Tribes should guide how they would like to be involved in the CWP. In the fall of 2007, DWR convened the Tribal Communication Committee (TCC) to provide this guidance in the form of a Tribal Communication Plan. The general purpose of the Plan is to assist DWR in obtaining Tribal regional input into Update 2009, including the overall strategic planning framework as well as specific recommendations and content.

III. AUDIENCES

Primary Audiences

1. California Native American Tribes, including
    - Tribal Councils, Leaders and Chairpersons
    - Traditional cultural practitioners
    - Tribes from all different regions, with different water rights and different concerns about water
    - non-federally-recognized and federally-recognized Tribes, and
    - Tribes living on allotment lands, regardless of whether they own those lands.

2. Tribal Non-Government Organizations

3. Tribal Administrators and Environmental and Cultural Directors

4. Governor Schwarzenegger and the Executive Branch of State Government, including
    - the Secretaries of (1) Resources, (2) Business, Transportation and Housing, (3) Food and Agriculture, (4) Environmental Protection Agency
    - the Directors of the Departments of (1) Water Resources, (2) Public Health, (3) Fish and Game, (4) CALFED Bay-Delta Authority, (5) Forestry and Fire Protection, (6) Conservation, (7) Boating and Waterways, (8) Transportation (Caltrans), (9) Housing and Community Development, (10) Parks and Recreation, and (11) Food and Agriculture
    - the Directors of (1) the Governor's Office of Planning and Research and (2) the Governor's Office of Emergency Services
    - the Chairs of (1) the State Water Resources Control Board, (2) the California Energy Commission, (3) the State Lands Commission, and (4) Native American Heritage Commission
    - the President of the California Public Utilities Commission

5. Regional and Local Governments

6. Regional and Local Water Purveyors[1]

7. State Legislators and Local Government representatives, including
   - the State Assembly Committee on Natural Resources
   - the State Assembly Committee on Water, Parks, and Wildlife
   - the State Assembly Committee on Environmental Safety and Toxic Materials
   - the State Senate Natural Resources and Water Committee
   - the State Senate Committee on Environmental Quality
   - County Supervisors
   - City Councilpersons

Other Audiences

1. State agency program managers and staff
2. Federal agency executives, program managers, and staff, particularly those from the Bureau of Indian Affairs and Indian Health Services
3. Local government executives, program managers, and staff
4. the media
5. the greater public in areas surrounding Tribes and across California

IV. COMMUNICATION GOALS and OBJECTIVES

The following goals and objectives are essential to effective Tribal participation in the CWP:

GOALS

1) State agencies, local governments and water purveyors that deal with water resources acknowledge the indigenous and aboriginal rights of California Native American Tribes and their water rights, so that Tribes can safely continue their cultural and religious practices in perpetuity. (Safety in this context refers to the public health aspects of cultural and religious practices, for example, the ability to eat fish that are not contaminated with mercury and other toxins.)

2) State agencies, local governments, and water purveyors acknowledge that California Native American Tribes are a viable people comprising government or representative entities with viable concerns and solutions, and listened to as individuals and negotiated with on a government-to-government basis.

3) California Native American Tribes identify likely impacts and effects on interests and cultural resources from water planning and management decisions or projects in advance of decision-making, and have adequate time to review associated proposals.

[1] "Water purveyors" refers to publicly-owned, governmental, and private entities that use public water systems to provide people with water, and include both wholesalers and retailers.

4) California Native American Tribes bring their authentic and diverse voices, including traditional knowledge, into the CWP Update 2009 process, and into other State planning processes that involve water resources.

5) In 2009, a California Tribal Water Summit that includes the highest level of decision-makers from State, local, and federal governments, and water purveyors, is held.

6) California Native American Tribes from northern and central California begin to work together to protect their watersheds for habitat, water quality, water supply, and traditional cultural places, and develop ways of conveying water to assist Tribes in southern California.

OBJECTIVES

1. Everyone involved in the CWP shares information with California Native American Tribes about how Tribal water issues intersect with water law, planning and management in California. Intersections include, among other things, water rights, human life and health, fisheries management, water diversions, water storage and conveyance, flood management, water use efficiency, desalination, and climate change.

2. Everyone involved in the CWP shares information with California Native American Tribes about how the water planning, management, and projects of State, local and federal governments, as well as water purveyors, impact and affect California Native American Tribes.

3. Everyone involved in the CWP shares information with California Native American Tribes about State funding that is available for water projects, how California Native American Tribes can apply for this, what obstacles they may face in accessing these funds, and how they can influence future funding programs.

4. California Native American Tribes use the CWP as a stepping stone to ensure their representation and genuine participation in water planning processes throughout California, including those linking water to public health, housing, economic development, and environmental justice.

5. California Native American Tribes build a foundation of knowledge and relationships for developing their own long-term water management plans, as well as participating genuinely in regional and local water planning, including Integrated Regional Water Management Plans.

6. California Native American Tribes shape the content of the CWP through a variety of mechanisms, particularly the review of Regional Reports, Resource Management Strategies, and other materials, and Tribal and public meetings.

7. California Native American Tribes build working relationships and partnerships with relevant State, local and federal governments, and water purveyors, that are based on mutual respect, fairness, honesty, responsibility, and mutual trust.

8. California Native American Tribes educate State, local and federal government, and water purveyor executives and planners about the historical and ongoing relationships between California Native American Tribes and water, especially cultural and religious practices.

9. California Native American Tribes propose and clarify how DWR works with California Native American Tribes in State water planning efforts.

10. California Native American Tribes build a foundation of knowledge and relationships for hosting a Tribal Water Summit in 2009 that includes the highest level of decision-makers from State, local and federal governments, and water purveyors.

V. GUIDING PRINCIPLES

1. Respect California Native American Tribes and learn about them.

2. Allow all people, regardless of their wealth or power, to voice disagreements about the use of water resources – especially when this involves publicly-funding State agencies and water districts – and respectfully acknowledge and address these disagreements.

3. Connect to community issues, needs and values, so that California Native American Tribes see what is in it for them and feel they have a stake in the outcome.

4. Respectfully communicate with all affected parties well in advance of decision-making and action, allow adequate time for response, and continue communication after a decision has been made.

5. Communicate what other people need to know before they need to know it – in other words, take responsibility to proactively initiate communications and dialogue, rather than simply responding to issues and events as they occur.

6. Provide for early opportunities for information and engagement, because confidence in and acceptance of the ultimate outcome is greatly influenced by whether there have been real opportunities for engagement that can influence this outcome.

7. Overcome communication barriers by acknowledging that cultural differences in knowledge, language, meaning, and situations exist, particularly with regard to calendars and natural cycles.

8. Provide open, inclusive communications, with an emphasis on two-way communications so that DWR and State agencies as well as California Native American Tribes can learn how planning processes work and who should be contacted.

9. Take advantage of all methods of communication available.

10. Tailor every message to a specific audience.

11. Employ communication methods that are appropriate to the environment (both the context and physical environment) the message being delivered, and the audience receiving the message.

12. Offer opportunities for private communication, as appropriate, for people less comfortable speaking in group settings.

13. Use language that is easy to understand.

14. Use strong themes not scattered messages – strong themes increase the efficiency of communications and reinforce key messages.

15. Be decentralized – all parts of DWR and other State agencies should be involved – but maintain a commitment to presenting a consistent, focused message.

16. Be collaborative – create partnerships in the communications area, such as the Regional Public Information Officers Network.

17. Set appropriate expectations.

VI. VENUES and TIMELINES

1. Resource Management Strategy Workshops (July-August, 2008, details to be determined)

2. Advisory Committee meetings (approximately every three months, the next being July 9-10, 2008, Sacramento)

3. Regional Workshops including Tribal Pre-Meetings (various locations, third round in 2009)

4. All Regions Forums

5. Water Plan Plenary (September 18-19, 2008, Sacramento)

6. Special events, workshops, or trainings designed by the TCC (to be determined)

7. California Tribal Water Summit (September or earlier in 2009)

8. Suitable events at release of CWP (December 2009)

VII. COMMUNICATION PLANNING

OBJECTIVE 1

For implementation, see Action Planning numbers 1-4, 10, 13, 17, 19, 20, 21, and 22.

VENUES – All Tribal venues, including but not limited to: (1) US EPA Region 9 meetings, (2) US EPA Region 9 RTOC meetings, (3) ITCC General Counsel meetings, (4) Lake County Tribal Chairman's Association, (5) Southern California Tribal Chairman's Association, (6) Sacramento Valley Indian Alliance, (7) Tribal newsletters, and (8) annual Caltrans statewide meeting of regional directors, and regional meetings

OBJECTIVE	Primary Messages	Constraints	Materials	Communication Channels	Potential Partners
Everyone involved in the CWP shares information with California Native American Tribes about how Tribal water issues intersect with water law, planning and management in California. Intersections include, among other things, water rights, human life and health, fisheries management, water diversions, water storage and conveyance, flood management, water use efficiency, desalination, and climate change.	(1) The Update 2009 process addresses issues that Tribes care about. (2) For issues that are not DWR's responsibility, the CWP can help Tribes identify the right State agencies to work with.	• bureaucratic language	• CWP Water 101 Brochures • CWP Strategic Plan Elements • CWP Assumptions & Estimates Report • CWP Resource Management Strategies • CWP Regional Reports	• CWP meetings – Tribal Water Plenaries, Advisory Committee meetings, Regional Workshops, and Regional Forums • radio announcements, mailings, and YouTube videos *(for example, a video of the Water Plan overview presented by Kamyar at a Regional Workshop, or an video developed by the TCC)* • local and statewide flood management meetings, including FloodSAFE • site visits by DWR to specific Tribes, as well as by local flood managers • email including links to materials • Television stations • Tribal newsletters and newspapers • the TCC's Tribal communication network • new venues for training	• DWR Headquarters and District Offices • Tribal members, leaders, governments, and NGOs • Traditional cultural practitioners • Inter-Tribal Council of California • Native American Heritage Commission • Regional Tribal Operations Committee liaisons • CDPH Water Operators and Distributors • Floodplain Management Association

OBJECTIVE 2

For implementation, see Action Planning numbers 1-4, 10, 13, 17, 20, and 21.

ALL VENUES – including (1) Regional Workshop Tribal Pre-Meetings and (2) Tribal Plenary Meetings

OBJECTIVE	Primary Message	Constraints	Materials	Communication Channels	Potential Partners
Everyone involved in the CWP shares information with California Native American Tribes about how the water planning, management, and projects of State, local and federal governments, as well as water purveyors, impact and affect California Native American Tribes.	Update 2009 can help Tribes become aware of State and local government plans and projects that will affect them.	• People may never have worked with Tribes before • People may not understand how to work with Tribes • People may not want to work with Tribes	• CWP Regional Reports • Current DWR Strategic Plan • Current DWR District plans • Integrated Regional Water Management Plans (IRWMPs) • Local government General Plans in specific regions • Local government water management and project proposals	• Field Trips • Cultural Competency Training through the American Institute of Certified Planners • CWP meetings • Local government and IRWMP meetings • site visits by DWR, IRWMP lead agencies, and local government Tribal liaisons to specific Tribes • email including links to materials • radio announcements, mailings, and YouTube videos • the TCC's Tribal communication network (see page 24)	• DWR Headquarters and District Offices • Local and federal government offices • Tribal members, leaders, governments, and NGOs • Traditional cultural practitioners • Inter-Tribal Council of California • Native American Heritage Commission • Regional Tribal Operations Committee liaisons • CDPH Water Operators and Distributors

OBJECTIVE 3

For implementation, see Action Planning numbers 1, 8, 9, 11, 13, and 20.

VENUES: (1) FloodSAFE California, (2) Integrated Regional Water Management (IRWM) Grant Program, (3) DWR Water Use Efficiency Program, (4) State Funding Fair, (5) Annual California Indian event at State Capitol

OBJECTIVE	Primary Message	Constraints	Materials	Communication Channels	Potential Partners
Everyone involved in the CWP shares information with California Native American Tribes about State funding that is available for water projects, how California Native American Tribes can apply for this, what obstacles they may face in accessing these funds, and how they can influence future funding programs.	The Update 2009 process provides opportunities to learn about on-going grant programs, and shape the language of future grant programs so that it includes Tribes.	• enabling statute and bond and language • contract language • lack of understanding of how to access funds	• a list of on State funding programs including Proposition 84 and 1E • associated program brochures, materials, and timelines • grant-writing guidelines and examples of successful grants	• presentations by DWR and other State agencies at CWP meetings • TCC-designed grant writing/proposal preparation workshops • radio announcements, mailings, and YouTube videos • site visits by DWR or other State agencies to specific Tribes • email including links to key funding websites • the TCC's Tribal communication network (see page 24)	• DWR Headquarters and District Offices • Related State agencies and programs – *for example, CALFED, California Department of Public Health, State Water Resources Control Board, and FloodSAFE California* • Matching federal funding sources, like the Bureau of Indian Affairs • Tribal members, leaders, governments, and NGOs • Traditional cultural practitioners • Inter-Tribal Council of California • Native American Heritage Commission • Regional Tribal Operations Committee liaisons

OBJECTIVE 4

For implementation, see Action Planning numbers 4, 5, 6, 10, 12, 13, and 17-22.

ALL VENUES

OBJECTIVE	Primary Message	Constraints	Materials	Communication Channels	Potential Partners
California Native American Tribes use the CWP as a stepping stone to ensure their representation and genuine participation in water planning processes throughout California, including those linking water to public health, housing, economic development, and environmental justice.	Update 2009 provides a way for Tribes to learn about and get involved in other State Agency planning, regulation, and funding efforts related to water.	• Tribes may not see what is in it for them or feel they have a stake in the outcome	• the list of State agency Companion Plans • brochures and informational materials concerning State agencies whose work deals with water resources and their development • informational materials on associated planning and grant programs	• participation of State agency representatives in CWP meetings • radio announcements, mailings, or YouTube videos about related planning processes • email including links to the appropriate State agency websites • the TCC's Tribal communication network (see page 24)	• DWR Headquarters and District Offices • Other State agencies that are involved in water planning • Tribal members, leaders, governments, and NGOs • Traditional cultural practitioners • Inter-Tribal Council of California • Native American Heritage Commission • Regional Tribal Operations Committee liaisons

OBJECTIVE 5

For implementation, see Action Planning numbers 5, 6, 7, 10-13, 17, 20, and 22.

ALL VENUES, particularly Integrated Regional Water Management Plans (IRWMPs)

OBJECTIVE	Primary Messages	Constraints	Materials	Communication Channels	Potential Partners
California Native American Tribes build a foundation of knowledge and relationships for developing their own long-term water management plans, as well as participating genuinely in regional and local water planning, including Integrated Regional Water Management Plans.	(1) Update 2009 allows Tribes to network with other people involved in water planning. (2) It can also serve as a model for Tribes interested in doing their own water planning.	• lack of trust • each Tribe is unique • Tribes, State agencies, and water districts disagree about how to use water resources • disagreements may be suppressed rather than addressed	• the CWP Update 2005 as an example of topics and approaches that water planning can involve • examples of community-based participatory planning processes	• CWP meetings • radio announcements, mailings, and YouTube videos • email including links to materials • special technical meetings • the TCC's Tribal communication network (see page 24)	• DWR Headquarters and District Offices • Tribal members, leaders, governments, and NGOs • Traditional cultural practitioners • IRWMP partners • Inter-Tribal Council of California • Native American Heritage Commission • Regional Tribal Operations Committee liaisons • CDPH Water Operators and Distributors

OBJECTIVE 6

For implementation, see Action Planning numbers 12-16 and 20.

ALL VENUES

OBJECTIVE	Primary Messages	Constraints	Materials	Communication Channels	Potential Partners
California Native American Tribes shape the content of the CWP through a variety of mechanisms, **particularly the review of Regional Reports, Resource Management Strategies, Water Plan Update, and other materials,** and Tribal and public meetings.	(1) Tribes have unique concerns and knowledge that should be reflected in the CWP. (2) Participation and input in the Update 2009 process will improve statewide management of water resources. (3) Traditional knowledge can complement scientific knowledge and improve resulting plans.	• Tribes may not be aware of the CWP process and opportunities to participate	• electronic and/or printed copies of planning materials for review (e.g., CWP Resource Management Strategies and Regional Reports)	• **written reviews of CWP materials** • CWP meetings • structured surveys by mail, email or website • sites visits by DWR to specific Tribes • special technical meetings • the TCC's Tribal communication network (see page 24)	• DWR Headquarters and District Offices • Tribal members, leaders, governments, and NGOs • Traditional cultural practitioners • CDPH Water Operators and Distributors

OBJECTIVE 7

For implementation, see Action Planning numbers 3-7, 11, 12, 17, 19, and 22.

VENUES: (1) Department of Fish and Game, (2) Coastal Commission, (3) National Park Service, (4) US Forest Service, (5) Traditional Cultural Practitioners, (6) Tribal Drinking Water Treatment & Distribution Operators, (7) Water Plan Steering Committee, (8) US EPA Region 9, (10) Indian Health Services, (11) Bureau of Indian Affairs

OBJECTIVE	Primary Message	Constraints	Materials	Communication Channels	Potential Partners
California Native American Tribes build working relationships and partnerships with relevant State, local and federal governments, and water purveyors, that are based on mutual respect, fairness, honesty, responsibility, and mutual trust.	Partnerships provide access to a wide range of resources, increase political support, and allow parties to readily achieve common goals.	• California lacks a consistent consultation policy • lines of responsibility may be unclear or confusing • institutional memories may be short • leadership *within* Tribes may change regularly • Tribes may lack the resources necessary to become regularly and actively involved	• a draft joint statement of ethics concerning service and conduct • examples of Memoranda of Understanding and partnership agreements	• CWP meetings • site visits by DWR or other State agencies to specific Tribes • the TCC's Tribal communication network (see page 24)	• State and local and federal government executives, managers, and staff • Tribal members, leaders, governments, and NGOs • Traditional cultural practitioners • Inter-Tribal Council of California • Native American Heritage Commission • Regional Tribal Operations Committee liaisons • Indian Health Services • Bureau of Indian Affairs • Housing and Urban Development

OBJECTIVE 8

For implementation, see Action Planning numbers 5, 6, 14-19, and 22.

VENUES: (1) larger CWP venues (e.g., Water Plan Plenary, Advisory Committee meetings), (2) State Agency Steering Committee, (3) Governor's Office of Planning & Research, (4) University of California and California State University campuses, (5) American Institute of Certified Planners Continuing Education Units, (6) California State Association of Counties, (7) Local Government Commission, (8) Superintendent of Public Instruction, (9) Law Enforcement, and (10) Attorney General's Office

OBJECTIVE	Primary Messages	Constraints	Materials	Communication Channels	Potential Partners
California Native American Tribes educate State, local and federal government, and water purveyor executives and planners about the historical and ongoing relationships between California Native American Tribes and water, especially cultural and religious practices.	(1) Tribes continue to depend on free-flowing water for their cultural and economic needs. (2) The federal government legally guarantees Tribal water rights. (3) State agencies are therefore obligated to respect and accommodate Tribal water rights in their activities.	• Tribal uses of water and land may not be understood and have value for mainstream Americans • a lack of interest in understanding Tribal issues • in some cases, norms and beliefs and discrimination	• recorded oral stories about the histories and contemporary cultural practices of different Tribes and their uses of water, which will be included in the CWP Update 2009 • maps of Tribal uses of water resources • timelines of Tribal histories • copies of treaties and legal documents addressing Tribal water rights • Tribal statement crafted for Tribal Water Summit purposes	• presentations by Tribes at CWP meetings • meetings with DWR and other State agency executives and planners • meetings with the Secretary for Resources and the Governor • create a website • special technical meetings • the TCC's Tribal communication network (see page 24)	• Tribal members, leaders, governments, and NGOs • Traditional cultural practitioners • Inter-Tribal Council of California • Native American Heritage Commission • Regional Tribal Operations Committee liaisons • Local Government Commission

OBJECTIVE 9

For implementation, see Action Planning numbers 5, 6, 7, 9, 12, 17, 19, and 20-22.

VENUES: (1) California Tribal Water Summit, (2) FloodSAFE California, (3) Integrated Regional Water Management Plans

OBJECTIVE	Primary Message	Constraints	Materials	Communication Channels	Potential Partners
California Native American Tribes propose and clarify how DWR works with California Native American Tribes in State water planning efforts.	DWR's communication and planning efforts, including the CWP Update 2009, can benefit from Tribal advice.	• agencies have ways of doing things that may need to be changed	• draft protocols for working with Tribes in updating the Water Plan • examples of consultation processes and documents	• CWP meetings • special workshops designed by the TCC • site visits by DWR to specific Tribes • the TCC's Tribal communication network (see page 24)	• DWR Headquarters and executives • Tribal legal and policy specialists

OBJECTIVE 10

For implementation, see Action Planning numbers 3-7, 14-17, 19, and 22.

VENUES: (1) California Tribal Water Summit, (2) some kind of miniature pre-Summits where bring geographical groups together to sort out key messages, (3) facilitated meetings with Bureau of Indian Affairs and Indian Health Services

OBJECTIVE	Primary Message	Constraints	Materials	Communication Channels	Potential Partners
California Native American Tribes build a foundation of knowledge and relationships for hosting a Tribal Water Summit in 2009 that includes the highest level of decision-makers from State, local and federal governments, and water purveyors.	Many Tribal water issues – including Tribal water rights – are bigger than the CWP Update 2009. For them to be addressed by the State of California, politicians and agency executives at the highest levels must be educated about their legal basis and importance.	• water resources upstream and downstream of Tribal waters are connected, but State and federal agencies may not acknowledge this	• introductory statement about origin and intent of the Summit • summary of Tribal input from Regional Workshops and January 28 Plenary • Tribal statement(s) drafted for Tribal Water Summit purposes • ideas for water-related grant programs, including success stories like Tule River • key court findings and legal interpretations, like Winter's Doctrine and *California v. Arizona* • Tribal oral histories about water • copies of treaties and legal documents addressing Tribal water rights • timelines of Tribal histories • maps of Tribal uses of water resources	• presentations by Tribes to the State agency Steering Committee • meetings with State agency executives and planners • the 2009 Tribal Water Summit • meetings with the Secretary for Resources and the Governor • the TCC's Tribal communication network (see page 24)	• Tribal members, leaders, governments, and NGOs • Traditional cultural practitioners • Inter-Tribal Council of California • Native American Heritage Commission • Regional Tribal Operations Committee liaisons

VII. ACTION PLANNING

Action 1

What: **record an interview on a Tribal television station**
Who: Atta Stevenson and Kamyar Guivetchi
Why: the television show can reach a wide Tribal audience, foster clear, simple communication, and help spread the word about the CWP process
Where: station located in San Jose
When: June or July 2008
How: Atta Stevenson to contact station, then Kamyar Guivetchi to appear on the show

Action 2

What: **write press release about the Communication Plan**
Who: CWP staff
Why: the press release will promote awareness among State agencies and among the American public with a clear, understandable, and unified message about Tribal water concerns and the value of Tribal involvement
Where: newspapers and radio throughout the State
When: May or June 2008
How: CWP staff will write the release and give it to DWR's public affairs office

Action 3

What: **write a joint statement about Communication Plan for use in news and publications**
Who: the TCC, and the CWP Steering Committee and Advisory Committee
Why: the joint statement will (1) reach a wide Tribal audience – including those without internet or email; (2) provide a clear, understandable unified message; (3) build trust among parties; and (4) illustrate the CWP's response to Rec. 13 on Tribal Involvement (from CWP Update 2005)
Where: written in Sacramento and then distributed throughout California
When: May or June 2008
How: TCC participants will jointly write the statement, then TCC participants will distribute through the TCC's Tribal communication network (see page 22)

Action 4

What: **write a joint letter from Tribal, State, and federal agencies that promotes the CWP's effort to increase Tribal involvement**
Who: Tribal organizations like ITCC, Water Plan State Agency Steering Committee members, Indian Health Services, Bureau of Indian Affairs, and the California Rural Indian Health Board
Why: in-person meetings are the basis of any working relationship, and each Tribe is unique
Where: various locations throughout California
When: on-going 2008-2009
How: TCC participants draft and circulate the letter

Action 5

What: **conduct individual site visits, and have Tribes visit DWR offices**
Who: Kamyar Guivetchi, Barbara Cross, DWR public affairs officers (PAOs), DWR District staff, and persons from State agencies involved in the CWP, and Tribes
Why: to help make Tribal persons aware of the CWP process, increased Tribal engagement, and the value of getting on board; to establish personal, face-to-face relationships and build trust among parties; and to educate the American public about Tribal water concerns and the value of Tribal involvement
Where: various locations throughout California
When: June or July 2008
How: actors identified in "who" will respond to individual requests for site visits

Action 6

What: **conduct regular water planning information sharing**
Who: State agencies involved in the CWP
Why: information is the foundation of Tribal involvement in water planning, and can increase awareness of upstream-downstream linkages
Where: various locations throughout California
When: on-going 2008-2009
How: TCC participants will distribute information through the TCC's Tribal communication network

Action 7

What: **utilize a Speaker's Bureau that consists of people that can be called upon to present at events**
Who: Tribes, key CWP officials and officials from participating State agencies
Why: to build relationships and improve Tribal access to DWR and other CWP-related agencies; to help agencies see the value of working with Tribes; and to help Tribes understand who is responsible for different activities and programs
Where: selected venues
When: during selected meetings
How: Tribes or DWR submit a request for a speaker on a particular topic to the Speaker's Bureau

Action 8

What: **conduct grant workshops for Tribes**
Who: TCC and staff from DWR and other State agencies with water-related grant programs
Why: Tribes may lack the resources necessary to plan for their water resources; Tribes may not be familiar with how to access State funding, or who is responsible for particular programs; the CWP aims for water-related funding to be inclusive of all interested parties
Where: various locations throughout California
When: on-going 2008-2009, and into the future
How: Tribes contact agency point-persons and request a workshop in their area

Action 9

What: **draft language for statutes, bonds, and contracts that includes Tribes, which could be formally adopted at the Tribal Water Summit**
Who: a sub-set of the TCC, Tribal persons, DWR staff, and Tribal and State agency lawyers
Why: existing language often excludes Tribes, and improving Tribal access to support for planning and funding is valuable; improved language can ensure that programs and resources available to Tribes are complementary, rather than a grant from one program excluding Tribes from receiving a grant from another
Where: Sacramento or another suitable location
When: 2008-2009, before the Tribal Water Summit
How: Tribal persons and DWR staff working with Tribal and State agency lawyers would meet and draft language, and then have it reviewed by outside experts, in preparation for adoption at the Summit

Action 10

What: **develop a guidance kit or worksheet to help Tribes assess their own values, water resources, water needs, and water rights**
Who: a sub-set of the TCC working together with DWR staff
Why: to help Tribes understand the value of the CWP, and how they begin to conduct their own water planning
Where: various locations throughout California
When: on-going 2008-2009
How: the sub-set of participants meet with DWR to plan the kit, develop the materials, refine it, and then distribute it through the TCC's Tribal communication network

Action 11

What: **provide technical assistance to Tribes**
Who: DWR staff
Why: the lack of technical capacity is a major barrier to Tribal water planning efforts
Where: various locations throughout California
When: 2008-2009, and into the future
How: Tribes request technical assistance to DWR District or Headquarters offices

Action 12

What: **develop standard ways of engaging the CWP**
Who: the TCC and Tribes
Why: changes within Tribal leadership is barrier to regular Tribal involvement in the CWP
Where: various locations throughout California
When: 2008-2009
How: the TCC makes sure Tribes receive appropriate invitations, and Tribal persons and leaders discuss and agree on how they would like to regularly engage the CWP process

Action 13

What: **ensure that contact lists are maintained and current**
Who: Tribes and State agencies and other organizations that maintain lists

Why: over time contact lists become inaccurate and less useful if they are not maintained
Where: various locations throughout California
When: 2008-2009 and into the future
How: organizations that possess contact lists periodically review and update them

Action 14

What: **review draft CWP documents, including regional reports, resource management strategy narratives, and the Water Plan Update**
Who: Tribes
Why: a primary way for Tribes to improve the CWP Update 2009 is by reviewing and submitting comments on draft materials
Where: materials are available online and comments can submitted at http://waterplan.water.ca.gov
When: 2008-2009
How: DWR staffpersons announce and solicit comments on new materials through the TCC's Tribal communication network

Action 15

What: **review the draft CWP regional reports in particular**
Who: Tribes
Why: the regional reports are the primary location where place-based concerns are described, and on-going or planned activities for an area are described
Where: materials are available online and comments can submitted at http://waterplan.water.ca.gov/regions/index.cfm
When: 2008-2009
How: DWR staffpersons announce and solicit comments on the regional reports through the TCC's Tribal communication network

Action 16

What: **review the draft CWP resource management strategy narratives in particular**
Who: Tribes
Why: the resource management strategies identify the major activities and priority areas of investment for statewide and regional water planning in California
Where: materials are available online and comments can submitted at http://waterplan.water.ca.gov/strategies/index.cfm
When: 2008-2009
How: DWR staffpersons announce and solicit comments on the resource management strategy narratives through the TCC's Tribal communication network

Action 17

What: **ensure that collaborative regional water planning efforts reach out to Tribes**
Who: State agencies and water users in a particular area
Why: Tribes and other users and State agency staff in a particular area may not trust one another, may disagree about how to manage water resources in the area, may avoid addressing these disagreements, and may not recognize the range of upstream-downstream linkages in an area

Where: various locations throughout California
When: on-going regional outreach for 2008-2009, and into the future
How: the conveners of a regional water planning effort use this Communication Plan to guide their outreach efforts

Action 18

What: **improve State agency records-keeping**
Who: State Agency Steering Committee
Why: as staff turn over, State agencies may forget the history of their involvement with Tribes
Where: Sacramento and at agency offices throughout California
When: 2008-2009, and into the future
How: State agencies designate staffpersons that develop a system for storing records of involvement and making them publicly accessible, including this Communication Plan

Action 19

What: **provide a "Tribal Governance 101" training for State, federal, and local government personnel**
Who: a sub-set of the TCC and DWR
Why: to help government personnel understand that they are not sovereign governments but rather public agencies created to fulfill trust responsibilities, and their relationship with sovereign Tribal governments
Where: Sacramento and various locations throughout California
When: 2008-2009
How: TCC participants identify or develop suitable training materials (for example, those offered by http://www.golearn.gov), and work with DWR to host a training

Action 20

What: **develop high-level and more specific protocol kits for contacting Tribes**
Who: a sub-set of the TCC
Why: to help DWR understand the proper ways to contact individual Tribes (each is unique), particularly if they have never worked with Tribes before or do not understand how to work with Tribes
Where: various locations throughout California
When: on-going 2008-2009
How: TCC participants will develop Tribe-specific protocols, and work with Barbara Cross, DWR, to develop a more general, high-level protocol

Action 21

What: **develop a consistent consultation policy for the State of California**
Who: Tribal persons and DWR staff working with Tribal and State agency lawyers
Why: the lack of a consistent consultation policy is one of the major barriers to Tribal involvement in water planning throughout the State
Where: Sacramento and other locations
When: 2009 and into the future
How: Tribal persons and DWR staff working with Tribal and State agency lawyers draft the

policy, and meet with State agency directors and the Governor's representatives to come to agreement on formal adoption

Action 22

What: **host a Tribal Water Summit in 2009**
Who: TCC and DWR
Why: many Tribal water issues – including Tribal water rights – are bigger than the CWP, and a Summit is a way to educate the highest State politicians and executives about their legal basis and importance
Where: Sacramento
When: two days in the early summer of 2009
How: the TCC will serve as a design team that develops a fact sheet and sends out a save-the-date, designs the process, invites guests and speakers and the media, looks for sponsorship and funding, and comments on content/products (which will be developed by Tribal and agency lawyers)

IX. TCC TRIBAL COMMUNICATION NETWORK

The TCC's "Tribal communication network" refers to the informal network of California Native American Tribes connected through TCC participants. The network provides a way for DWR, in collaboration with the TCC, to distribute CWP meeting invitations, documents, news, and information to California Native American Tribes.

The Tribal communication network consists of the contact lists for California Native American Tribes maintained by various organizations, including but not limited to:

A. Inter-Tribal Council of California (ITCC)
B. Native American Environmental Protection Coalition (NAEPC)
C. California Indian Environmental Alliance (CIEA)
D. Southern California Tribal Chairman's Association (SCTCA)
E. Tribal Alliance of Sovereign Indian Nations (TASIN)
F. San Luis Rey Water Authority, Pauma Valley
G. California Nations Indian Gaming Association (CNIGA)
H. California Native American Heritage Commission (NAHC)
I. California Department of Water Resources (which includes the Tribal Communication Committee participants, and participants at the January 28, 2008, Tribal Water Plenary hosted by Big Valley Rancheria, in Lakeport, California)
J. U.S. EPA Regional Tribal Operations Committee (RTOC), Region 9
K. U.S. Department of the Interior's Bureau of Indian Affairs, Mid-Pacific Region (Northern & Central California) and Lower Colorado Region (Southern California)
L. U.S. Dept. of Health and Human Services' Indian Health Service, California Area

The contact persons also include traditional cultural practitioners and other individuals identified by TCC participants.

The names and information of the persons identified in these lists remain, unless the lists are already public documents, private and confidential.

The lists are not compiled or maintained or otherwise controlled by the Department of Water Resources.

X. DISPUTE RESOLUTION

As expressed in Objective 7, the TCC seeks to foster working relationships and partnerships between California Native American Tribes and relevant State, local and federal governments, and water purveyors, that are based on mutual respect, fairness, honesty, responsibility, and mutual trust. Groundrules also exist to maintain a constructive and productive conversation (see appendix).

In cases where a Tribal participant in the CWP process feels unfairly or badly treated by a person working for a State, local, or federal government, they are encouraged to contact directly DWR's Manager for Statewide Water Planning, or the Executive Facilitator for the CWP. The Manager or Facilitator will keep their grievances confidential, and work to resolve their concerns. This may involve but is not limited to determining whether the situation emerged from misunderstanding or was unintentional; requesting an apology; and developing ways for such actions to be avoided and communication to be improved in the future.

In cases where a Tribal participant in the CWP process feels unfairly or badly treated by another Tribal person, they will look to their ancestors and future generations for guidance and resolution.

XI. EVALUATION

Guiding Principle: *Provide regular, unbiased reporting of progress toward achieving communication goals.*

Performance Measures

(1) sense of authentic engagement – people understand why they have been asked to participate, and feel that they can contribute meaningfully
(2) "CWP collaboration statistics" – the number of participants multiplied by the number of hours for different types of meetings and events (including but not limited to regional workshop pre-meetings, large-group meetings, and planning meetings)
(3) productive dialogue between participants at meetings and events
(4) shared understanding of the overarching aims, activities, and opportunities presented by different water planning processes and funding programs

(5) depth and breadth of Tribal input on Regional Reports, Resource Management Strategies, the overall CWP strategic planning framework, and specific recommendations for future Updates
(6) expressions of thanks to Tribal hosts and participants, including participation certificates
(7) the hosting of a California Tribal Water Summit that includes the Governor, Secretary of Resources, and State agency executives
(8) establishment of relations of mutual respect, fairness, honesty, responsibility, and mutual trust
(9) regular communication and sharing of information about water-related planning programs and concerns outside of the CWP Update 2009 process
(10) new partnerships between Tribes, and between Tribes and State agencies
(11) geographic diversity and number of Tribal participants at meetings and events (based on information provided voluntarily on sign-in sheets)
(12) positive media representation
(13) genuine participation of Tribes in other State water planning efforts
(14) initiation of water planning activities within Tribal communities
(15) sense of self-empowerment among Tribal participants, as expressed through actions like requests for technical assistance, and returned telephone calls

Techniques

(1) Semi-structured interviews of Tribal members who attend meetings and workshops, as well as of State executives and managers involved in CWP Tribal-related activities
(2) Participatory group evaluation at meetings and workshops
(3) Annual evaluation of accomplishments
(4) Short pre-, mid-course, end-of-process, and retrospective surveys (in person, or via email, mail, and/or telephone) of Tribal members who attend meetings and workshops, as well as of State executives and managers involved in CWP Tribal-related activities
(5) Cataloguing of diversity and volume of Tribal and State attendance at events

Venues and Timelines for Evaluating Progress

1. Resource Management Strategy Workshops (June-July, 2008, details to be determined)
2. Advisory Committee meetings (approximately every three months, the next being July 9-10, 2008, Sacramento)
3. Regional Workshops including Tribal Pre-Meetings (March-April, 2008, various locations, and third round in 2009)
4. All Regions Forum (June 2-3, 2008, in San Jose)
5. Water Plan Plenary (September 18-19, 2008, Sacramento)
6. special events, workshops, or trainings designed by the TCC (to be determined)
7. California Tribal Water Summit (September or earlier in 2009)
8. suitable events at release of CWP (December 2009)

XII. GLOSSARY

1. "California Indian tribe" as used in California Law, government Code, Section 11019.8
   (a) All state agencies, as defined in Section 11000, are encouraged and authorized to cooperate with federally recognized California Indian tribes on matters of economic development and improvement for the tribes.
   (b) Cooperation by state agencies with federally recognized California Indian tribes may include, but need not be limited to, all of the following:
      a. Providing information on programs available to assist Indian tribes.
      b. Providing technical assistance on the preparation of grants and applications for public and private funds, and conducting meetings and workshops.
      c. Any other steps that may be reasonably expected to assist tribes to become economically self-sufficient.

2. "California Native American tribe" as used in SB 18 (2004)
   This bill would include a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission, among those entities and organizations that may acquire and hold conservation easements, as specified.

3. "California Native American Tribes" as used in State of California Tribal Consultation Guidelines, Supplement to General Plan Guidelines, Governor's Office of Planning and Research, November 14, 2005
   SB 18 uses the term, California Native American tribe, and defines this term as "a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the Native American Heritage Commission" (NAHC). "Federal recognition" is a legal distinction that applies to a tribe's rights to a government-to-government relationship with the federal government and eligibility for federal programs. All California Native American tribes, whether officially recognized by the federal government or not, represent distinct and independent governmental entities with specific cultural beliefs and traditions and unique connections to areas of California that are their ancestral homelands. SB 18 recognizes that protection of traditional tribal cultural places is important to all tribes, whether federally recognized or not, and it provides all California Native American tribes with the opportunity to participate in consultation with city and county governments for this purpose.

XIII. APPENDIX: GROUNDRULES

1. Use common conversational courtesy: Don't interrupt; use appropriate language, no third party discussions, etc.
2. All ideas and points of view have value: During our initial meetings you may hear something you do not agree with or you think is "silly" or "wrong." Please remember that the purpose of the forum is to share ideas. All ideas have value in this setting. The goal is to achieve

understanding. Simply listen, you do not have to agree, defend or advocate.

3. Honor time: We have an ambitious agenda, in order to meet our goals it will be important to follow the time guidelines given by the facilitator.
4. Humor is welcome: BUT humor should never be at someone else's expense.
5. Be comfortable: Please feel free to help yourself to refreshments or take personal breaks. If you have other needs please let a facilitator know.
6. Spelling does not count: Research indicates that writing on a vertical surface (like blackboards or flipcharts) actually increases the number of spelling errors.
7. Cell phone courtesy: Most of the participants have demanding responsibilities outside of the meeting room. We ask that these responsibilities be left at the door. Your attention is needed for the full meeting. Please turn cell phones, or any other communication item with an on/off switch to "silent." If you do not believe you will be able to participate fully, please discuss your situation with one of the facilitators.
8. Avoid editorials: It will be tempting to analyze the motives of others or offer editorial comments. Please talk about YOUR ideas and thoughts.

XIV. INDIVIDUAL CONTRIBUTORS TO THE PLAN

Ernie Adams, United Auburn Indian Community of the Auburn Rancheria
Steve Archer, Big Valley Rancheria of Pomo Indians
Donna Begay, Chairperson, Tubatulabals of Kern Valley
Mary Brentwood, Mechoopda Indian Tribe of Chico Rancheria
Marta Burg, Tribal Attorney
Melvin Carmen, North Fork Mono Rancheria
Teri Cawelti, Owens Valley Indian Water Commission
Devin Chatoian, Federated Indians of Graton Rancheria
Robert Columbro, Shingle Springs Rancheria
Gen Denton, Miwok
Cuauhtemoc Gonzalez, Chairperson, El Dorado Miwok Tribe
Ron Goode, Chairperson, North Fork Mono Tribe
Mark LeBeau, California Rural Indian Health Board
Jeff Lynch, Robinson Rancheria of Pomo Indians
Ruthie Maloney, Yurok
Bradley Marshall, Hoopa
John Mora, Pechanga Band of Mission Indians
Rose Mose, Miwok
Kristie Orozco, Rincon Band of Mission Indians
Chris Pirosko, Pit River
Marilyn Pollard, California Rural Indian Health Board
Irenia Quitiquit, Robinson Rancheria of Pomo Indians
John Tommy Rosas, Gabrielino Tongva
Sarah Ryan, Big Valley Rancheria of Pomo Indians
William Speer, Shasta
Atta P. Stevenson, Cahto
Randy Yonemura, Miwok