TRIBAL ADVISORY COMMITTEE (TRIBAL AC)

WORKING DRAFT

TRIBAL COMMUNICATION PLAN

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Developed in support of the
CALIFORNIA WATER PLAN UPDATE'S 2009 & 2013

TRIBAL AC *WORKING DRAFT* TRIBAL COMMUNICATION PLAN – Fall 2013

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This Tribal Communication plan <u>is not</u> a formal consultation plan. This is strictly for communication with California Native Americans on issues involving the California Water Plan and updates thereof.

I. INTRODUCTION

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.

Origins of the Tribal Communication Plan.

In California Water Plan Update 2005, California Native American Tribal water interests were represented through the Public Advisory Committee. For California Water Plan Update 2009 (CWP 2009), the California Department of Water Resources (DWR) believed that Tribal involvement would be better designed by the California Native American Tribes themselves. Therefore the CWP 2009 Tribal Communication Committee (TCC) was established to assist DWR staff, the Facilitation Team and the State-agency Steering Committee in organizing, designing, and delivering Tribal regional input into Update 2009 – including the overall strategic planning framework, as well as specific recommendations and content. One of the primary objectives of the TCC was the development of a Tribal Communication Plan. Their work resulted in the 2008 Draft Communication Plan (2008 Draft TCP), which is the foundation of this document.

Upon completion of the 2008 Draft TCP many of the members of the TCC worked with DWR in hosting the first California Tribal Water Summit, which took place in November 2009. A culmination of the TCC's work on the 2008 Draft TCP and the 2009 Tribal Water Summit was a Tribal Engagement Plan which called for the creation of a California Water Plan Tribal Advisory Committee.
For more information relating to the TCC and the Tribal Engagement Plan, go to:
http://www.waterplan.water.ca.gov/tribal2/index.cfm

California Water Plan Tribal Advisory Committee

In November 2011, the DWR extended invitations to California Native American Tribes and non-profit organizations serving California Native American Tribes to participate in the first ever California Water Plan Tribal Advisory Committee (Tribal AC). The goal of establishing a Tribal AC is to create a forum where California Native American Tribes and non-profit organizations serving California Native American Tribes can review, comment on, and help to develop the material in the California Water Plan Update 2013 and ensure that these materials include Tribal perspectives on land, water, and culture. This includes implementing and developing strategies to address issues identified at the 2009 Tribal Water Summit; the Water Plan's Strategic Plan, Resource Management Strategies, and Regional Reports; and Tribal water planning concerns in general. The Tribal AC will advise DWR on these matters directly. The Water Plan will also create opportunities for direct discussion between the Tribal AC and the Water Plan State Agency Steering Committee, chaired by DWR.

The Tribal AC consists of members identified by California Native American Tribes and CA Native American non-profit organizations to serve as liaisons between the California Water Plan Update 2013 (CWP 2013) and their respective Tribes and/organizations. Additionally, the Tribal AC has 1-3 seats on the Public Advisory Committee for the California Water Plan (Public AC). The primary role of these

Tribal AC representatives on the Public AC is for information exchange. These representatives participate in Public AC meetings and are responsible for sharing Tribal AC perspectives (when developed by the Tribal AC in advance), and identifying items of interest to bring back to the Tribal AC. They are responsible for ensuring that the Tribal AC and the Public AC are kept current on each other's dealings and discourse. The Tribal AC reps on the Public AC are not responsible for documenting the entire minutes of the Public AC, but on ensuring that items that may be of particular interest to Tribal AC or Tribal peoples are flagged to the Public AC and brought to the attention of the Tribal AC.

The Tribal AC convened in February 2011 and since then has developed a charter that lists updating the 2008 Tribal Communication Plan as an intended outcome of the Tribal AC's work.

II. STATEMENT of PURPOSE and OVERVIEW

The CWP 2013 Tribal AC's revision of the 2008 Draft Tribal Communication Plan (TCP) is intended to help everyone involved in the California Water Plan – including the Department of Water Resources (DWR) 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. An important element of integrated water planning also include the traditional knowledge and uses of water – this communication plan promotes the improved understanding of the Tribal perspectives and lessons to be learn from Tribal cultures and communities.

This TCP aims to promote and increase the quality of all California Native American Tribes' participation in the California Water Plan Update 2013 (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, rights, and sustainability.

This TCP recognizes that California Native American Tribes live, throughout the state and have relations with water and water resources. It respects and values and acknowledges 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 AC, in revising the TCP, will further utilize the CWP process to institute permanent government-to-government relationships between California Native American Tribes and appropriate State agencies.

III. 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, religious and sustainability practices.

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

DWR updates the California Water Plan every five years. Recommendation 13 of the CWP Update 2005 called upon DWR 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 accomplish this Recommendation 12 of the California Water Plan Update 2009 is to develop Tribal consultation, collaboration and access to funding for water programs, and projects to better sustain Tribal water and natural resources. It provides the history leading to the formation of the Tribal Communication Committee and the development of the 2008 Draft Communication Plan, which is the foundation of this document. Objective 12 of the California Water Plan Update 2009 further incorporates the 10 Objectives laid out in this document and additionally provides that:

Indigenous Communities should be involved in climate change adaptation actions that will directly impact their people, waterways, cultural resources, or lands; and, formation of a forum (i.e. the Tribal Advisory Committee) for the purposes of implementing the actions identified in Objective 12 of the California Water Plan Update 2009.

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 was to assist DWR in obtaining Tribal regional input into Update 2009, including the overall strategic planning framework as well as specific recommendations and content. The Update 2013 revisions to this Communication Plan shall serve as a strategic communication planning framework for implementation of Objective 12 of Water Plan Update 2009, develop strategies to address 2009 Tribal Water Summit issues and ideas, and develop Objectives for 2013 CWP.

IV. 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.
- Tribes whose water bodies and Tribal boundaries cross into California State borders

2. Tribal Non-Government Organizations or Consortiums

3. Tribal Administrators, Planning, Environmental, and Cultural Directors

4. Governor 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
   - Fish & Aquaculture joint Committee

8. Others
   - State agency program managers and staff
   - Federal agency executives, program managers, and staff, particularly those from the United States Bureau of Indian Affairs, Indian Health Services, Environmental Protection Agency, Bureau of Reclamation, and Corps of Engineers, and Forest Services.
   - Local government executives, program managers, and staff
   - the media
   - the greater public in areas surrounding Tribes and across California
   - Western Regional Partnership (WRP)
   - California Water Plan Public Advisory Committee

[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.

V. GUIDING PRINCIPLES

Collaboration	Promote effective communication through collaboration with the Public Advisory Committee (PAC), Federal and State Agencies, Tribes and Tribal Organizations, Regional and Local Water Planning Boards and Committees, Tribal Cultural Practioners, Educational Institutions (i.e., Universities, Colleges), Non-Profits, Water Purveyors, Agencies Public Information Officer Networks, and other water related interest partners.
Communicating Effectively	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.
	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.
	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.
	Develop clear and strong focus themes to improve efficiency of communication and reinforce key message(s).
	Take advantage of all methods of communication available.
	Provide appropriate avenues for constructive and sensitive private communication and for people less comfortable speaking in group settings.
	Communicate effectively by being aware of specific audience, communication method is appropriate to the environment (both context and physical), ensuring that the audience is receiving the message, and language used is easy to understand.
	Communicate effectively by distributing a consistent and focused message to state agencies and DWR (all levels) who should be involved and aware of Tribal Water related issues, ideas, and recommendations.
	Develop and communicate appropriate expectations.
	Communicate proactively by taking responsibility to initiate communications and dialogue, rather than simply responding to issues and events as they occur.

Community Focus	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.
Education	Assist with educating California Water Planning Partners about California Native American Tribes and help to remove communication barriers by acknowledging that cultural differences in knowledge, language, meaning, and situations exist, particularly with regard to Tribal calendars and natural cycles - overall this helps to develop respect, understanding, and trust.
Voice and Addressing Disagreements	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.

In all of these guiding principles there is an understanding that California Native American Tribes must ensure a level of Confidentiality regarding certain issues: The basis of this desire is two-fold. First, there is an interest in ensuring the confidentiality of the location and/or purpose of traditional sacred and cultural sites or practices. Often times when this information becomes public, it encourages trespassing and exploitation of the sites or practices involved. Secondly, there is an interest to ensure that comments and information made for a specific purpose are not used out of context. For example, in the education of government officials about historical and ongoing relationships with water, California Native American Tribes may require an assured level of confidentially prior to any disclosure of sensitive information.

VI. 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, religious, subsistence, economic, and sustainability practices in perpetuity. (Safely 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 resources from water planning and management decisions or projects in advance of decision-making, and have adequate time to review associated proposals.

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

5) Regular California Tribal Water Summits that include the highest level of decision-makers from State, local, and federal governments are held.

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

7) Identify and outreach to Tribes and Tribal Communities whose water bodies and Tribal boundaries cross into California State borders – ensure that their Tribal perspectives and concerns are being considered for the CWP.

8) In planning future California Tribal Water Summits, identify, strategize and prioritize all issues and ideas for program and policy change and/or recommendation.

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,

traditional fishing, basketry, religious lifeways, and sustainable 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, sustainability, 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, including 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 lifeways.

9. California Native American Tribes propose and clarify how DWR works with California Native American Tribes in State wide water planning efforts for current and future generations.

10. California Native American Tribes build a foundation of knowledge and relationships for hosting a Tribal Water Summit in 2013 that includes the highest level of decision-makers from State, local, and federal governments, and water purveyors.

11. A listing of the Tribes and Tribal Communities whose water bodies and Tribal boundaries cross into California State borders be included with the California Native American Tribes and Communities.

VII. VENUES

Available Venues will be consistent with California Water Plan Updates and available Caucuses, Advisory Committees, Workshops which will vary for each Update and are dependent on funding. Tribal communication should be incorporated and considered for all California Water Plan venues.

VIII. COMMUNICATION PLANNING

For Implementation, See Action Planning (Section IX)

ALL 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, (8) annual Caltrans statewide meeting of regional directors, and regional meetings, and (9) Northern California Chairman's Association

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, traditionally sustainable fisheries management, water diversions, water storage and conveyance, flood	(1) The CWP Update 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 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 a 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	• 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 • California Indian Manpower Consortium • California Indian Museum and Cultural Center • And others as relevant

management, water use efficiency, desalination, and climate change.				• Television stations • Tribal newsletters and newspapers • Tribal Communication Network (See Glossary) • New venues for training	

OBJECTIVE 2

For Implementation, See Action Planning (Section IX)

ALL VENUES – including, but not limited to: (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.	CWP Update 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 • Agency regulations may not have established protocol 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 Tribal Advisory Committee (See Glossary)	• DWR Headquarters and District Offices • Local and federal government offices including Land Use • 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 • California Indian Manpower Consortium • California Indian Museum and Cultural Center • And others as relevant

OBJECTIVE 3

For Implementation, See Action Planning (Section IX)

ALL VENUES including but not limited to: (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.	CWP update process provides opportunities to learn about on-going grant programs, and shape the language of future grant programs so that it includes Tribes.	• Legislative changes to acquire bonds and grant funding • Contractual language • Lack of understanding of how to access State 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 • Grant writing/proposal preparation workshops • Radio announcements, mailings, and YouTube videos • Site visits by DWR or other State agencies to Tribes • Email including links to key funding websites • Tribal Communication Network (see Glossary)	• 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, Cal EPA* • Matching federal funding sources, like the Bureau of Indian Affairs, Indian Health Services, Bureau of Reclamation, USDA • 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 (Section IX)

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, sustainability and environmental justice.	CWP Update provides a way for Tribes to learn about and get involved in other State Agency planning, regulation, and funding efforts related to water projects.	• Tribes may not see what is in it for them or feel they have a stake in the outcome • Agency regulations may not have established protocol to work with Tribes	• 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 Tribal communication network (see Glossary)	• DWR Headquarters and District Offices • Other State agencies that are involved in water and land use planning • Tribal members, leaders, governments, and NGOs • Traditional cultural practitioners • Inter-Tribal Council of California • Native American Heritage Commission • Regional Tribal Operations Committee liaisons • California Indian • Manpower Consortium California Indian Museum and Cultural Center • And others as relevant

OBJECTIVE 5

For Implementation, See Action Planning (Section IX)

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) CWP Update allows Tribes to network and collaborate with other people involved in water management planning. (2) It can also serve as a model for Tribes interested in doing their own water management planning.	• Historic 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 • Lack of acknowledgement of tribal ancestral territories	• The CWP Updates 2005, 2009 and 2013 as examples 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 regional meetings • The Tribal communication network (see Glossary)	• 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 • California Indian • Manpower Consortium California Indian Museum and Cultural Center And others as relevant

OBJECTIVE 6

For Implementation, See Action Planning (Section IX)

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 CWP Update process will improve statewide management of water resources. (3) Traditional knowledge and traditional science can complement scientific knowledge and improve resulting plans.	• Tribes may not be aware of the CWP process and opportunities to participate • Tribes may not be aware of prior CWP updates.	• 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 Tribal communication network (see Glossary)	• 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 (Section IX)

ALL VENUES: all venues including but not limited to (1) State and/or Federal Department of Fish and Wildlife, (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, and (12) Bureau of Reclamation

OBJECTIVE	Primary Message	Constraints	Materials	Communication Channels	Potential Partners
California Native American Tribes build working relationships and partnerships with relevant tribal, 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, confusing, or non-existent. • 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 Tribal communication network (see Glossary)	• 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 • California Indian Manpower Consortium • California Indian Museum and Cultural Center • And others as relevant

OBJECTIVE 8

For Implementation, See Action Planning (Section IX)

ALLVENUES including but not limited to: (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, (10) Bureau of Indian Affairs, and (11) 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 lifeways.[2]	(1) Tribes continue to depend on free-flowing water for their cultural lifeways 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 is included in the CWP Update 2009 as the Tribal Water Stories • 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 land use planners • Meetings with the Secretary of Natural Resources and the Governor's Office • Create a website • Special technical meetings • The Tribal Communication Network (see Glossary)	• 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 • California Indian Manpower Consortium • California Indian Museum and Cultural Center • And others as relevant

[2] Tribes are generally a complex entity, with numerous varying relationships with many other entities including: tribes, local governments, federal agencies, private land-owners, and private businesses. The relationship each tribe has with these various entities requires that certain information be held privately for various reasons. For these and other reasons, we respectfully requests that a confidentiality policy/procedure be integrated into the Plan. This will give tribes the confidence to work with the varying agencies on all levels, and ensure an open and productive dialogue.

OBJECTIVE 9

For Implementation, See Action Planning (Section IX)

ALL VENUES including but not limited to**:** (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 wide water planning efforts for current and future generations.	DWR's communication and planning efforts, including the CWP Updates can benefit from Tribal advice.	• Agencies have established 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 TAC • Site visits by DWR to specific Tribes • The Tribal Communication Network (see Glossary)	• DWR Headquarters and executives • Tribal legal and policy specialists

OBJECTIVE 10

For Implementation, See Action Planning (Section IX)

ALL VENUES including but not limited to**:** (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 consistent with the California Water Plan Updates that includes the highest level of decision-makers from Tribal, State, local and federal governments, and water purveyors.	Many Tribal water issues – including Tribal water rights – are bigger than the CWP Update. For them to be addressed by the State of California, politicians and agency executives at the highest levels must be educated about their legal and political 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 all Venues, including previous Tribal Water Summits • Tribal statement(s) drafted for Tribal Water Summit purposes • Ideas for water-related grant programs, including success stories • 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 & Tribal histories before and after contact • Maps of Tribal uses of water resources before and after contact	• Presentations by Tribes to the State agency Steering Committee • Meetings with State agency executives and planners • All Tribal Water Summits • Meetings with the Secretary of Natural Resources and the Governor's Office • The Tribal Communication Network (see Glossary)	• Tribal members, leaders, governments, and NGOs • Traditional cultural practitioners • Inter-Tribal Council of California • Native American Heritage Commission • Regional Tribal Operations Committee liaisons • California Indian Manpower Consortium • California Indian Museum and Cultural Center • And others as relevant

IX. ACTION PLANNING

(Water Plan should incorporate the Tribal Objective and Related Actions and identify necessary components as follows:

1. **Tribal Objective and Related Actions.** Identify relationship between California Water Plan components, sections, etc. And Tribal Objective Related Actions (See V. Communication Goals and Objectives).
2. **Use of Venues.** Venues for accomplishing Tribal Objective Related Actions are listed below, but are not limited to: CWP Venues, Federal and State agencies, California Native American Tribal Governments, tribal non-profit organizations, tribal consortiums, and tribally affiliated associations.

3. **Principal Message.** Identifying how the primary message of the Tribal Objective Related Action relates to CWP components.

4. **Constraints.** For each objective there will be foreseeable constraints that must be identified. Communication planning will include devising methods, strategies, and outcomes that take these constraints into consideration and adjust accordingly.

5. **Developing Materials.** Ensuring that materials are developed in advance to permit California Native American Tribes the opportunity to review and comment. For example:
   - **a.** Meeting Agendas (minimum of 3 to 7 days) [3]
   - **b.** Larger Documents or reports (30-90 days).[4]

6. **Communication Channels and Potential Partners.** Achieving each objective includes identifying appropriate channels to disseminate information as well as potential partners working on similar or related Tribal Objective Related Action.

For examples of implementation of the above, see Communication Planning in Update 2009 Draft Communication Plan.

X. DISPUTE RESOLUTION

As expressed in Objective 7, the TAC 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

[3] The California Water Plan Updates often deal with very tight timelines. The minimum days identified are not always be possible, but should be a benchmark.

[4] Please note that it will be in the discretion of each California Native American Tribe to review materials with their Tribal Councils and/or legal counsel and that such review may require significantly more time for review and comment then the benchmark provided, when Tribal Councils or legal counsel is required California Native American Tribes shall identify that additional time is needed, and latitude shall be given where possible in the timelines to allow this review and/or incorporation of comments in a way that respects California Native American Tribal perspectives.

mutual trust. Ground rules also exist to maintain a constructive and productive conversation (see appendix).

In cases where a Tribal participant in the CWP process has a conflict with 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 conflicts 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 participant in the CWP process has a conflict with another person or group, where requested the Tribal Advisory Committee and/or the Facilitator can be called on to assist in working to resolve potential conflicts related to the California Water Plan Update.

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 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

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 non-federally 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.

4. In Governor's Executive Order B-10-11 encourages communication and consultation between California Indian Tribes, agencies and departments. The terms "Tribe," "California Indian Tribe", and "tribal" as used in this Executive order include all Federally Recognized Tribes and other California Native Americans.

5. The term "Indian tribe" means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village but not including any Alaska Native regional or village corporation, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians. 42 USCS § 9601. This language refers to the definitions for "Federally Recognized Tribes" or "Federally Recognized Indian Tribe".

6. President Obama's November 5, 2009 Memorandum on Tribal Consultation commits the Obama administration to regular and meaningful consultation and collaboration with tribal officials in policy decisions that have tribal implications including, as an initial step, through complete and consistent implementation of Executive Order 13175. The terms "Indian tribe," "tribal officials," and "policies that have tribal implications" as used in this memorandum are as defined in Presidential Executive Order 13175.

7. California Water Plan Public Advisory Committee (Public AC) -- The Department of Water Resources (DWR) is required by statute (the Water Code § 1004-1013) to prepare updates of the ***California Water Plan*** every five years, and to form an advisory committee to assist in this effort. The Public Advisory Committee (AC) is this statutorily mandated group. It is intended to be a consensus-seeking group comprised of organizations representing diverse interests and place-based perspectives in order to inform a comprehensive approach for water planning and management. DWR is committed to an open and transparent process that seeks participation and collaborative input from stakeholders and the general public. The California Tribal AC may seat between 1-3 California Water Plan Tribal AC members to also sit on the California Water Plan Public Advisory Committee.

8. California Tribal Advisory Committee (Tribal AC) – is an advisory committee convened as part of the California Water Plan Update 2013 process The goal of the Tribal Advisory Committee (AC) is to create a forum where California Native American Tribes and organizations can help to develop the material in the California Water Plan Update 2013, and ensure Tribal perspectives on land, water, and culture are included in those materials. The Tribal AC also may identify 1-3 of its members to sit on the California Water Plan Public Advisory Committee.

9. "Local Governments" – for purposes of this communication plan the term "Local Governments" refers to a city, town, district, agency, tribal governments, federal, and, state agencies.

10. Traditional Cultural Practitioner –It is a person who lives culturally traditional ways, as in using water in a cleansing ceremony, in burial, in prayer, in life, in survival. The water must be clean for gathering materials to be safe to eat, weave, and for the medicinals and botanicals which are used by many traditional Native "Practitioners." A person may or may not be a healer or a medicine man or woman to be a traditional cultural practitioner. It should be noted that the term "practitioner" is in many ways a misnomer as it refers to a person who actively participates in traditional and culturally relevant Native American life ways.

11. Tribal Communication Network -- refers to the informal network of California Native American Tribes connected through the Update 2009 Tribal Communication Committee (TCC) participants. The network provides a way for DWR, in collaboration with the current Tribal Advisory Committee, 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 the TCC and current Tribal AC 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

XIII. APPENDIX: GROUND RULES

1. **Use common conversational courtesy**. (Don't interrupt; use appropriate language, no third party or side discussions, etc.)
2. **All ideas and points of view have value**. During our 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 ambitious agendas that are well defined and have adequate time limits.
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 Editorializing**. 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

A. CWP Update 2013 Contributors

CWP Update 2013 Tribal Advisory Committee

B. CWP Update 2009 Contributors (Draft 2008 Tribal Communication Plan)

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