



**CALIFORNIA WATER PLAN UPDATE 2013
TRIBAL ADVISORY COMMITTEE MEETING**

9:00 A.M. – 4:00 P.M.

**CALEPA BUILDING, COASTAL HEARING ROOM
1001 I STREET SACRAMENTO, CA**

Next Meeting:

**Water Plan Update 2013 – Annual Plenary
October 26 - 27, 2011
Hilton Sacramento (Arden West)
2200 Harvard Street
Sacramento, CA**

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Opening Remarks, Blessing and Introductions

Opening Remarks

Kamyar Guivetchi, Manager for the Department of Water Resources (DWR) Division of Statewide Integrated Water Management, greeted Tribal AC members noting a few new participants and welcoming those on the webcast. He expressed his commitment to working with the Tribal AC members over the next couple of years on Update 2013 of the California Water Plan. Kamyar extended appreciation to the Water Boards for hosting the meeting and providing webcast capacity which allows participation from those who may not be able to travel to the meeting.



Mr. Guivetchi remarked on the great turnout for the day's meeting and acknowledged and thanked the members for taking time from busy schedules – and traveling from afar – to participate. The contributions of the Tribal AC will be very helpful to the State of California and the Water Plan. Referring to the full agenda for the day, Kamyar hoped that Tribal AC members would find the day valuable and helpful. DWR is looking forward to the feedback, input and ideas, to advance Tribal perspectives in preparation of Update 2013 of the Water Plan.

Agenda Review and Introductions

Stephanie Lucero, facilitator for the Tribal AC, reviewed the agenda items for the meeting and checked to see that all participants had a full packet of meeting materials. These materials are also online at:

<http://www.waterplan.water.ca.gov/materials/index.cfm?subject=aug0511>.

Blessing

William Speer, Shasta Indian Nation, opened the Tribal AC meeting with a blessing, requesting guidance and support for the group to work together with an open mind to the range of perspectives and needs found within the many discussions on water.

Introductions

Introductions were made around the room, with a special welcome to new Tribal AC members and to Tribal visitors who are observing the meeting for those Tribes thinking about joining Tribal AC. The full list of meeting participants is listed on the last page of the meeting summary.

Update on Update 2013

Kamyar Guivetchi provided an overview of context, overall schedule and activities associated with Update 2013. This follows up on the information presented at the May Tribal AC meeting, which identified the different venues and activities for involvement in Update 2013. This sets the larger framework for understanding how the Water Plan conversations will inform the other venues. Mr. Guivetchi noted that since the Tribal AC meeting in May, work has started on specific topics through caucuses. He welcomed Tribal representatives participate on those caucuses where they have a particular interest.

The first caucuses have been – or are being – formed to address the following topics:

- **Finance** and funding of water investments: next meeting on August 17th
- **Groundwater** data and information-sharing: next meeting TBD
- **Water Quality**: next meeting on August 24th (morning)
(webcast: <http://www.calepa.ca.gov/broadcast>)
- **Sustainability Indicators**: workshop on August 24th (afternoon)
(webcast: <http://www.calepa.ca.gov/broadcast>)



- **Flood** and floodplain management: TBD (likely in September or October)
- **Water Technology**: TBD (likely in September)

Kamyar explained that the Water Technology caucus will try to tie together the many water research initiatives throughout California, focusing on all aspects of water – supply, quality, ecosystem and flood. Tribes have expressed interest in serving on this caucus and an email will go out to the Tribal email list when the Water Technology caucus meeting is scheduled.

Anyone is invited to participate as a member of any caucus – and Tribal AC members are encouraged to join or to pass the information on to other Tribal representatives that might want to be involved in any of the caucuses.

Other recent Update 2013 activities include:

- Development of Scenarios and Response Packages: workshop on August 22nd
- Agencies identified for a pilot study on Land Use Decisions and potential impacts to water systems – as the studies evolve, information will be shared with the Tribal AC
- Planning (through Design Teams) and conducting of Regional Forums

Lew Moeller reported that the initial Forums had been held in the Sacramento, San Francisco Bay and South Coast hydrologic regions. Oscar Serrano explained that Colusa Indian Community hosted the first Forum in the Sacramento Valley. Tribes are encouraged and welcomed to participate in the Regional Forums, and the Design Teams that will help plan for each Forum. It was noted that meetings make strong use of conference call and webinar technology, to encourage participation from remote areas.

Mr. Guivetchi showed a high-level calendar and list of milestones, which highlighted key activities specifically related to Tribes. Planning for the next **Tribal Water Summit** will begin in early in 2012. As past Tribal Communication Committee members know, a great deal of planning will be required for the Summit which will held in the Fall of 2013.

A new feature of Update 2013 is a mid-process **Progress Report** to assess how the State is doing in terms of implementing the 2009 recommendations. This includes Tribal objectives of engaging Tribal communities, including Tribal information and the Tribal Water Summit. Other Tribal milestones for this version of the Water Plan include the **work groups** that will focus on:

- Updating the Tribal Communication Plan
- Drafting legislative language for how the State of California can better support and provide financial assistance to California Native American Tribes for water resources and water management

Kamyar highlighted that the **Public Review Draft** of Update 2013 will be released in February 2013, providing an opportunity for additional comments before the final version of Update 2013 is published at the end of 2013.



A key next meeting is the **Annual Plenary** session, scheduled for October 26-27 in Sacramento. This is where all the venues of the Water Plan come together as active participants and share information. The Tribal AC will decide what it wants to present to the other venues during the two-day Plenary meeting. Mr. Guivetchi noted that any new content that generated from other venues efforts will be presented at the Plenary and also at Tribal AC meetings.

Tribal AC – Meeting Calendar

A proposed list of Tribal AC meetings dates was suggested to set a schedule for the Tribal AC through 2013. The suggested dates are as follows:

2011

- *September 30 – Optional Teleconference Update for Tribal AC*
- October 26-27 (Annual Water Plan Plenary) – Wednesday, Thursday
- December 9: Tribal AC

2012

- January 13: Tribal AC
- March 23: Tribal AC
- *June 1 – Optional Teleconference Update for Tribal AC*
- *August 23 – Optional Teleconference Update for Tribal AC*
- September 12-13 (Annual Water Plan Plenary) – Wednesday, Thursday
- November 9: Tribal AC

2013

- January 25: Tribal AC
- April 19: Tribal AC
- *June 7 – Optional Teleconference Update for Tribal AC*
- August 23: Tribal AC
- October 23-24 (Annual Water Plan Plenary) – Wednesday, Thursday
- December 12: (Joint Tribal and Public AC meeting) – Thursday

* Note: Unless otherwise noted, Tribal AC meetings occur on Friday

ACTION ITEM: Tribal AC members will review the proposed meeting dates and respond to Stephanie Lucero by August 29th with any potential scheduling conflicts.

ACTION ITEM: DWR to establish a webpage for Caucus information on the Water Plan website.



ACTION ITEM: Stephanie Lucero will post contact information for Caucus leads on Tribal AC website, along with lists of caucus members when those lists are made available.

Update on Water Boards Training and Scoping

Marie Hoffman, with the Water Boards Office of Public Participation, distributed a survey developed to try and scope the Tribal understanding of the Water Boards programs and processes and to identify the types of training that might benefit Tribes. Initial efforts are now underway to begin organizing the training, which will likely be offered in the Spring of 2012. Completed surveys should be sent to:

Marie Hoffman, Analyst
Office of Public Participation
State Water Resources Control Board
(916) 341-5908
mhoffman@waterboards.ca.gov

ACTION ITEM: Tribal AC members will distribute survey (either hard copy or electronically) to other Tribal members to complete. This will help frame the training sessions.

Gita Kapahi, Director of the Office of Public Participation, Water Boards Tribal Liaison, highlighted the new publication – Citizen’s Guide to Working with the California Water Boards. This informative booklet describes the Water Boards programs and processes and options for being involved with Water Board activities. The document is also online at: www.waterboards.ca.gov/publications_forms/publications/general/docs/citizenguide2011.pdf

Additional copies of the guide may be requested by contacting Marie Hoffman (see contact information above).

ACTION ITEM: Reference to Tribes should say “California Native American Tribes” which include both Federally recognized and non-recognized. Item #10 will be changed to “Tribe or Tribal Community” or “California Native American Tribe.”

Ms. Hoffman briefly recapped other Water Boards projects that are being planned and may be of interest to Tribes. These are:

- Statewide Mercury TMDL and statewide Fish Tissue Objective
- Tribal fish consumption study (statewide)

Both efforts are in the early stages and outreach has not officially begun. Tribes will be contacted soon regarding the best participation methods and ways to provide information.



It was noted that the Water Boards will be reviewing survey information and that confidential information should not be included. It would be better contact Marie regarding sensitive information.

ACTION ITEM: Include information about who will be reviewing information and the suggestion to not include sensitive information.

Total Resource Management and Nature's Resources

Integrated Natural Resource Management

Bruce Gwynne, Department of Conservation, began the presentation by noting that the concept of Integrated Natural Resource Management reflects many ideas contained in the earlier concept of Coordinated Resource Management Planning. This current focus on the approach arose out of a 2010 symposium requested by the Resource Agency Director, Lester Snow, and organized by John Lowrie.

Mr. Gwynne reviewed key definitions and elements that comprise Integrated Natural Resource Management. He also highlighted the wide range of services provided by ecosystems – from cleansing air and water to generating soils and pollinating vegetation, from filtering ultraviolet rays to moderating weather extremes, and sustaining diverse populations and cultures, including beauty and spiritual sustenance. A key tension point is that there is no easy quantification to convey the value of ecosystem services and they are often under-appreciated.

The complexity of ecosystems provides the resilience to provide services that sustain life and to adapt to change. Bruce remarked that a robust range of options provides greater resilience in the face of change. He also described the range of values and approaches that support Integrated Natural Resource Management approaches. Mr. Gwynne concluded his overview with a schematic of a regional system, comprised of the ecosystem, community infrastructure, economy and public services.

Discussion

Comment: It was mentioned that not enough detail is given to relationships with the land.

For example, the concept of “wild nature” typically means letting everything grow, without any constraints. When Indians were living on the land, it was being managed – described by early explorers as a garden of Eden. Most conversations about nature don't talk about culture, God and the spirituality of the land.

Response: Mr. Gwynne acknowledged the importance of the points made in the comment. Those points are intended to be in the presentation. Management is about what people are doing in the environment. A “hands off” approach – on lands that have been managed over thousands of year – doesn't improve the ecological and cultural values. Often, the vegetation grows rank. The pictures of nature are intended to try and show that there is a greater force and value and to



- show that in a way that words and dollar signs can't convey. Bruce invited an offline conversation to find a better way to express that idea, which is a delicate issue because of the personal meaning found in nature.
- Comment: Restoration is often focused on product. For example, forest restoration activities promote production of fir, to the exclusion of cultural resources such as berries and other species of trees. At some point in time, there needs to be a better understanding of the terms that are being used – such as what “restoration” really means.
- Comment: There was a lot of movement towards appreciating ecosystem services. Many discussions in the literature include ecosystem services within the economic system. It's good that the schematic doesn't represent that. It would be helpful to reorganize the schematic so that ecosystem encompasses all of these systems. It would help show that greater services are being produced – many of which are intangible (such as spirituality), as well as services that support economic services.
- Response: It makes sense to have the ecosystem as the overarching circle, and the regional system and other three circles are inside of that. We may need to
- Comment: On the picture of “where your water comes from,” the Owens Valley provides most of the water to Los Angeles.
- Response: Your comment characterizes the point of this effort – to get more people from more of the regions to begin get the tools and information to influence change that is beneficial.
- Question: The discussion on change talks about adapting to inevitable change. Will adaptation be discussed in the Water Plan? Will sustainability be discussed? Will impacts to the natural resources be described?
- Response: Those are a lot of very big questions. The next presentation will include Water Plan information on ecosystem goods and services, followed by a discussion on developing tools to measure and document the sustainability of different changes and ecosystem services. The Water Plan looks at impacts and adaption to change. The presentations today focus more on sustainability.
- Comment: The list of values for Integrated Natural Resource Management should include traditional uses and ecological knowledge and knowledge of management of natural resources. Also, public involvement should be expanded to say public involvement and education. Education and awareness should be extended to water purveyors to better understand implications of water management actions.
- Comment: Discussions of ecosystems should include the marine resources along the coastline.
- Response: Update 2013 – for the first time in Water Plan history – will include near coastal resources. As a result, the Ocean Protection Council and the California



Coastal Commission are now members of the State Agency Steering Committee. The Public Advisory Committee now includes representatives of interests “from summit to sea.”

Ecosystem Goods and Services – Valuation Approach

Michael Perrone, DWR, mentioned that DWR is conducting a new study based on a perspective that is different from Integrated Natural Resource Management. The study is intended to help illustrative the contributions and benefits provided by ecosystems, and to convey the value of those services to those who don't understand the value of spending funds on restoring or protecting nature. This is intended for audiences who don't see themselves as the beneficiaries of nature and often see only the costs associated with habitat and ecosystem restoration efforts.

The study adopts a “proxy” strategy of identifying the value of ecosystem services by determining the costs of an engineered solution to provide those same benefits. The study has a narrow scope, focusing on the services associated with fisheries, erosion control, water treatment and groundwater recharge. Over the longer term, the values associated with carbon sequestration and subsidence reversal in the Delta will also be assessed.

The understanding is that these are selective examples of what it costs to try and replace what nature provides when those ecosystems are no longer intact and can no longer function. The costs include construction and maintenance costs for hatcheries, riprap, water treatment plants and groundwater recharge facilities. Another understanding is that the services provided by “proxy” facilities may not be comparable to those provided by nature.

Discussion

Comment: This is a courageous presentation and one that represents a cultural difference in perspectives. It would be helpful to shift away from the perspective of what a tree costs and to focus on the value of what the resources mean to us.

Response: This approach was intended to help satisfy requests for authors of the Resource Management Strategies to quantify costs and benefits (either in terms of dollars or water supply). It was also meant to help to start convey some of the costs that occur when ecosystems are compromised or destroyed. This approach takes a cut at a very small piece of the value of nature.

Response: The facilitator commented that the Tribal AC can also help provide the language needed to clarify that dollar values can't be put on nature.

Comment: Restoring nature's economy is essential to restoring human economy. Goods and services move the world and are being taken from nature – often leaving the landscape behind when there is nothing else to extract. The product is still there, but nature's economy needs to be restored before the resource can be used again.



Funding for water supply often starts at the dam and moves downstream. That thinking needs to change, to look at where the resource originates.

Comment: This is a very complex topic. The issue of subsidence compromises the rate of recharge. The issue of water treatment brings up the presence of pharmaceuticals. It's not clear how to deal with that.

Comment: The cost of using water involves the arrogance of man – water resources are not valued for supporting life if it can't be used for human purposes. There is a similar attitude about archeological resources. It's a tough battle to fight for water when you're stacked up against big opponents.

Response: Michael echoed that he heard that nature needs to be set right first, before there can be a sustainable economic system for people. Also, the idea that resources that are not being used are described as “wasted” is a common and unfortunate perspective.

Comment: Thank you for this presentation. Even pristine water supply has requirements for treatment, which might need to be considered in costs.

ACTION ITEM: Will continue to work with Michael and identify how the Tribal AC can provide input. Comments may be sent to either Michael Perrone or Emily Alejandrino at DWR.

Sustainability Indicators

Frasier Shilling, UC Davis, provided an update on the May 5th presentation regarding Sustainability Indicators. He noted that the Water Plan contains different strategies and objectives and the goal is to evaluate how sustainable the State is in meeting current needs. Sustainability is considered in terms of sustainable ecosystem processes, healthy communities and water quality to provide for different needs. The underlying principle is to be sustainable for natural systems and people in future generations. The goal is to measure that. Indicators literally indicate something about nature, economy or society. The effort focuses on looking at whether the State is sustainable under the Water Plan.

The approach is mostly quantitative. A comment from the May 5th Tribal AC was to look at other approaches other than quantitative measurements – which has been part of the thinking over the past few months. The workplan is to develop the analytical framework, conduct an analysis on a small test area, and then to identify key issues and data gaps. This would ultimately be a statewide approach, beginning with a smaller set of indicators.

Mr. Schilling described the proposed approach as connecting stories and knowledge and wisdom about how systems work with more analytical approaches. The goal is to coordinate intuitive and scientific understanding. A key element is developing shared definitions – sustainable is not the same thing as sustained, and these terms or often



confused. The elements of the approach formalize what is known and then making that information available to support the idea of sustainability.

Frasier described the workplan for developing the Sustainability Indicators, reviewing the goals, objectives and metrics. Metrics represent what needs to be measured to see if activities are sustainable? For example, this might involve converting temperatures to what it means for salmon smolts. A sample objective was shown to illustrate the relationship with elements of the Water Plan, examples of indicators and the relevance to sustainability objectives. The process will look at identifying trends. The results will be reported out to help inform decision-making. A table from the Feather River report card was presented as an example of how to display information.

Discussion

Comment: It was a little disappointing to not see a whole slide about gathering Tribal information, including Traditional Ecological Knowledge. Coming from an EPA standpoint, Tribes have health water indicators, species indicators. It would be good to see how that could be integrated. The Tribal Clean Water program sends out a “WQRX” report, which looks at how Tribes monitor surface and ground water. The biggest point is that Tribes need to be added to the process. Some Tribal water indicators may be higher, resulting in healthier ecosystems.

Response: What the best way to have a conversation about indicators and communicate information?

Reply: The best way is to add a slide that says “how do you want to give me your information?” RTOC is a good contact. Another method is to send a letter to the Tribal EPA Departments.

Comment: RTOC doesn’t include non-recognized Tribes; another process will be needed.

ACTION ITEM: Frasier will develop a letter explaining what is needed for Tribal input. The draft will be sent to the Tribal AC for review and then finalized and sent out to the Tribal reflector list and the RTOC coordinators.

Comment: The report card approach is an interesting one and a good one. Much of the data is collected for the report card is based on the interest of the people involved in the process. It is important that, once the study area is identified, Tribes within that region be involved. It also helps change the perceptions of others regarding how they see Tribal capabilities, how they interact with Tribes, and how they view traditional wisdom. Being involved in that process will be really helpful. We can help you with contact information for Tribes, within the study area. The Indicators team is to be commended – this is hard-going work.

Response: We also need to assure that once we identify a region, that we continue statewide outreach for indicators for the larger, statewide framework.



Comment: I also thought of the process as an hourglass, with traditional knowledge and scientific knowledge at the two ends – with the sand meeting in the middle.

Question: Will Tribes be involved in identifying the actual indicators? When measuring the sustainability aspect – will information be presented in a user-friendly format? How will you determine who you are collecting information from? (E.g., Is that going to be need-based, interest-based, Tribal-based, indicator-based?)

Response: The entire Framework is open for review, revision and editing. That includes definitions and indicators. The processes for identifying statewide and regional indicators will be different, with more involved work at the regional level. Obtaining data is difficult and complicated by data-sharing restrictions.

Reply: Could a questionnaire be developed for Tribes, to help collection of information?

Response: That's a great tool suggestion. Thank you.

ACTION ITEM: Post the link and mail out draft Framework for Sustainability Indicators to reflector list and EPA Directors, including information on the August 24th meeting. The meeting on the 24th is where there could be a discussion about questionnaires. It will be important to have Tribes involved in the pilot study area.

Working Lunch Sessions - Reports

Amber Mace, Executive Director of the Ocean Protection Council (OPC), recapped that the discussion on **near-coastal issues** included marine protect areas, relationships with the Department of Fish and Game, and priorities that the OPC is highlighting for the Coastal areas. Two other valuable venues for Tribal engagement include the revision process for the Department of Fish and Game and the OPC Strategic Planning session which includes a webcast meeting on August 11th and public workshops in Arcata, Oakland and Costa Mesa during the month of August.

Ron Goode reported out on the conversation regarding **cultural resources**. One topic was the new Heritage Center, which looks at the Native American culture as a living cultural. This probably separates the Center a bit from the museum, which tends to look at Indians in the past. The Heritage Center is looking to acquire property at the confluence of the American and Sacramento rivers. We also discussed how to use the SB 18 list. The Stewardship Council needed to look at a list of recognized California Native American Tribes. Working with NAGPRA is difficult because it is a process that works with Federally-recognized Tribes. The Sierra National Forest has determined that **all** Tribes will be consulted in the NAGPRA process. In the past, there was a proposal for a State NAGPRA that did not materialize and might be worth reconsidering.

Bruce Gwynne, Department of Conservation, reported on the exchanges relating to **species health**. One key challenge and take-away message was the importance of some of the species that are often overlooked, such as the candlefish and other smaller species. Another major theme was how IRWM planning has expanded beyond water, but



everything being discussed is still related to water. The question is who owns that new area to make it a reality?

Carl Lischeske, Chief of Northern California Field Operations for the Department of Public Health, and Eric Alvarez with the Delta Stewardship Council, also hosted tables at the working lunch session. Stephanie Lucero thanked all of the State agency leadership for joining the lunchtime networking session.

Resource Management Strategies

Megan Fidell, DWR, presented information on the approach for revising the Resource Management Strategies (RMS) for Update 2013. New RMS may also be suggested. The RMS chapter comprised Volume 2 of Update 2009. Each chapter provided a description for the respective strategies, including potential costs and benefits, major issues and considerations, recommendations and references. Light to moderate revisions are anticipated for most of the existing RMSs.

For Update 2013, more emphasis will be given to the quantifying the performance of various strategies, as well as the interaction between strategies and the tradeoffs and potential groupings of strategies. Substantial new work for how the RMSs are being used and applied in the regions will be included in the Regional Reports. It will be especially helpful to have the Tribal perspectives about how the RMSs are working on the ground. The Progress Report and the Sustainability Indicators will also refer back, to see whether the RMSs are being implemented and – if so – whether that leads to sustainability.

Tribal members were asked for their level of interest in reviewing and commenting the draft RMS(s) before they are sent out for public review. Anyone who is interested in serving as a reviewer should contact Megan Fidell at mfidell@water.ca.gov or Hoa Ly at hly@water.ca.gov. Initial reviews would occur at the start of next year. Megan noted that typically state and federal agencies volunteer staff to author the RMS chapters.

Comment: It would be good to include an RMS on Cultural and Traditional Uses and Stewardship. This could fit in the category of “Practice Resources Stewardship.”

Lisa Beutler, Executive Facilitator, noted that the vision for the Forest Management RMS came from a Tribal meeting with the Water Plan. The hope is that something similar will happen for an RMS on Cultural Resources – thinking about what the vision might look like and how to articulate that. Tribal thinking about Cultural Resources can inform the framework for the RMS and make a difference in terms of how people see the issue. The RMS on Cultural Resources will need to include cultural uses of water by groups other than California Native Americans.

ACTION ITEM: Ron Goode, Donna Miranda-Begay and Connie Reitman will assist in framing and coordinating the authors for the Cultural Resources strategy.



ACTION ITEM: Tribal AC members are requested to identify new RMS topics, along with suggestions for potential resources and individuals with technical or cultural expertise **by August 29.**

Discussion

Question: Where are integrated water planning strategies addressed?

Response: Kamyar Guivetchi explained that Chapter 1 of Volume 2 describes the RMSs and that chapter will be expanded to discuss integration. The concept of integration is described in Volume 1. Volume 2 represents the tools in the toolbox, Volume 1 discusses how to use the tools for particular ends.

Reply: It is important to characterize the fluidity of water and the need for agencies to work together.

Response: Companion state plans were included in Update 2009, for the first time in the Water Plan. That section will be expanded in Update 201 to include Federal agencies involved in water planning.

ACTION ITEM: It would be good to have the one-pager diagram (showing the State agency organizational relationships) in Volume 2 as well as in Volume 1.

Question: Where are strategies for instream flows addressed?

Response: That is covered in the chapter on Ecosystem Restoration.

Water Quality

Jose Alarcon, DWR Water Quality Team Lead, preceded his presentation by noting that Tribal perspectives are being sought in terms of: general advice to the Water Quality Caucus, and specific Water Quality Caucus deliverables that should be brought back to the tribal AC. He noted that the major deliverables are outlined in the caucus work plan.

The objective for the caucus is to highlight water quality challenges throughout the State and to recommend strategies to protect and improve water quality to safeguard public health and the environment and to improve the reliability of water supply. Information on water quality is contained throughout all volumes of the Water Plan, including:

- Volume 1: Strategic Plan – Water Quality Objective, California Water Today
- Volume 2: Recycled Municipal Water. Drinking Water Treatment and Distribution, Groundwater Remediation, Matching Water Quality to Use, Pollution Prevention, Salt and Salinity Management, Urban Runoff Management and Recharge Areas Protection
- Volume 3: Emphasis on regional water quality topics, such as: existing conditions, issues and recommendations, success stories and major projects
- Volume 4: Update the report “Californians with Safe Drinking Water;” inventory water quality facilities; summarize water quality monitoring and databases.



Mr. Alarcon invited Tribal participation in the Water Quality Caucus. The first meeting will be on August 24th from 9:00 – 12:10 and available on webcast. Four caucus meetings are expected over the next year, with potential sub-committee meetings. Other options include a Tribal AC liaison member to the caucus and briefings to the Tribal AC.

Discussion

Question: In updating the report on “Californians without Safe Drinking Water,” is there a strategy for obtaining information on drinking water supplies on Tribal lands and allotments? There may be about 100 that have distinct water quality issues and some that completely lack access to water. Asking the Tribal AC to review the information in an informal way is not likely to provide the information needed. It may be helpful to contact the BIA and obtain a list of the allotments and to contact Tribes and ask what their water quality issues are.

Response: The Department of Public Health and the Water Boards put together a needs assessment every 5 years. Does EPA provide a needs survey?

Comment: Indian Health Services sends out a survey to Tribes and ask them to participate in the Sanitation Deficiency Survey (SDS).

Comment: The objective in asking the question is not to put anyone on the spot, but for the Tribal AC to rally ideas and strengthen DWR’s ability to outreach. Perhaps conducting a statewide Tribal assessment of water quality related issues. We need to put the alarm out that Tribal communities need to provide information to help identify and address gaps. There are a lot of haves and have-nots in Indian country when it comes to water quality. We need to start talking about this and sharing information – especially if there are possibilities for grant programs. It doesn’t matter who Tribes partner with – Federal, State, or local entities – the bottom line is that we need quality drinking water.

Comment: The State is conducting water quality analyses and, in many areas, septic systems are contaminating water supplies. Tribal communities may be located in and around these areas, where county conditions are impacting Tribes. Is there a way to provide information about water quality problem areas and sharing information with Tribes?

Response: Would this be a matter of the Regional Reports identifying problem areas and making sure that the Tribes are aware of what is occurring?

Comment: Essentially. Some of that communication may be happening, although the information isn’t widely distributed. It would also be helpful if there’s a solution for remedying those concerns, to assure that Tribes are invited to benefit from the project. For example, in going to some type of wastewater treatment facility off-Reservation, Tribes should be invited to participate and benefit from the larger resource project that is going in around them.

Stephanie Lucero recapped a few take-away points, including:



- Regional Forums are an opportunity to identify some of these localized water quality issues and to ensure that Tribal perspectives are incorporated into those regional discussions.
- The Water Quality Caucus can frame items for the Regional Reports that relate to the water quality issues being discussed here.

Stephanie Lucero posed the question of whether the Tribal AC is interested in identifying a liaison to the Water Quality Caucus.

It was suggested that perhaps it would be good to see if there is a Tribal representative that is participating in the first caucus meeting, and they could be invited to serve as a Tribal liaison to the Water Quality Caucus. The caucuses are open to all and the Tribal perspective does not need to come from a Tribal AC member, there may be others from your organizations with the expertise to inform the policy dialogue. The hope is that there can be a representative bringing in the cultural and Tribal perspective. It would be terrific to have Tribal participation. Another possibility is to use the RTOC workgroup and perhaps use Tom Keegan as a liaison.

Comment: If you don't take care of Mother Earth, Mother Earth won't take of you. It's the same way with water. That's one thing that should be emphasized. Something that is traditional for Tribes is to take care of and not overuse things.

Question: How will the caucus agendas be designed? It will be important to identify how specific water quality issues affect specific communities.

Response: Three Public AC members are serving as co-leads for the caucus and will help develop the agenda. The co-leads are: Karl Longley (California Water Institute, Fresno State), John Ricker (Santa Cruz County) and Dan Young (Surfrider Foundation).

Tribal AC Charter

Stephanie Lucero reviewed the working version of the charter, which contained text boxes to show areas of the charter that received comments along with proposed revisions to the text. The proposed changes will be discussed at this meeting, then circulated and finalized within three weeks, and then sent to Tribal Councils for adoption. It was noted that the charter is a living document and can be amended in the future as necessary.

Page 2, Consensus

- There was a suggestion that when there are areas of disagreement to also document the areas of disagreement.
- What does consensus encompass? Does it mean consensus of the entire Tribal AC? Consensus of members who are attending the meeting? The current policy is to develop a proposal with those in the room and to then circulate the proposal with time (a week or two) for review.
- ACTION ITEM: The proposed language will be incorporated into the charter.



Page 2, Dispute Resolution

- ACTION ITEM: The proposed language will not be incorporated into the charter. It was a clarification provided for purposes of understanding.

Page 4, Remote Participation

- Under hardship conditions when Tribal AC members or alternates cannot participate in person, the facilitation team will seek to provide options for remote participation.

Page 4, Meeting Preparation

- Meeting materials will be posted online 10 days in advance of the meeting. To the extent that draft materials are available, they will be posted.

Page 6, Advancing Tribal Recommendations

- A new footnote is provided to explain the process and options for documenting Tribal recommendations that are not able to be incorporated into the main sections Update 2013. This includes the option for a Tribal Advisory Committee View document, which was used by the Public AC in Update 2005.
- A Tribal AC member noted that DWR does a good job of documenting all comments. The discussions of the Tribal Communication Committee are still available on record – every word is still on the internet. It's really a good thing.

Page 7, Statutory Timelines

- Kamyar explained that the Tribal AC can also introduce topics at the Tribal Water Summit, which has its own timeline. Additional time to work on a topic could be provided at the Tribal Water Summit and the proceedings are incorporated into the Water Plan.
- With the understanding that materials must be presented to support the statutory timeline, there also needs to be time for Tribes to present information to the agencies and make a statement from a Tribal perspective.
- There was a question as to the role of the Tribal AC – to advise DWR or to be advised? Does DWR want to hear what the Tribes want to do on this?
- These initial meetings have been content heavy, trying to provide a clear picture of what the Water Plan content and venues include – to assure that everyone has the opportunities to be involved and provide Tribal perspectives.
- It was suggested that the time for lunch networking sessions be made available for more discussion. It will still be important for Tribes to convey their perspectives on hot topics, such as forest management or cultural resource protection.
- DWR was strongly encouraged to provide cultural sensitivity training for those involved in water planning efforts, and that this be done by the end of the year.
- ACTION ITEM: Kamyar suggested that, if not already in the charter, it should be made clear that the Tribal AC will be making presentations to the other Update 2013 venues including the State Agency Steering Committee and the Public AC.



- ACTION ITEM: Allow more time for working sessions in the Tribal AC meetings. Organize work groups to begin discussions. Consider vetting a draft agenda in advance to review topics.
- ACTION ITEM: Tribal teleconferences will include discussions on agenda topics for Tribal AC meetings.

Page 8, Day-to-Day Operations

- More routine actions and recommendations will be made on a consensus-seeking basis with those Tribal AC members present at the Tribal AC meeting.
- Major recommendations, that need additional time before being decided, will be developed by the Tribal AC members present at the Tribal AC meeting and then circulated for additional review and discussion. The decision as to whether additional time is needed will be made by the Tribal AC members present at the Tribal AC meeting.
- Those on the webcast can provide input via email. For Tribes who are not able to attend a particular meeting, it is also possible to send comments to the facilitator in advance of the meeting.
- Every major decision, policy or recommendation will have the opportunity for formal Tribal endorsement (see page 9).

Page 10, Attendance

- Tribes have a commitment to attend Tribal AC meetings to provide their perspectives for Update 2013. Tribal AC members that do not attend are accountable to their own Tribal Council – it is not up to the Tribal AC to make them accountable. If they do not attend, then they may not be able provide their views on issues.
- Members are allowed to send alternates. Members and alternates have a responsibility to keep up with Tribal AC activities. If Tribes are not participating, it just leaves them out of the discussions. There is nothing that the Tribal AC can do about that.
- Suggesting that the Tribal AC can remove members runs counter to Tribal Sovereignty.
- Having a provision about possibly removing a member for missed meetings may help encourage members to attend. Maybe move footnote #1 to the end of paragraph “B.”
- ACTION ITEM: The provision to remove Tribal AC members for attendance will be removed. If members or alternates do not attend regularly, the facilitator will send a letter to the Tribal AC member or Tribal Council. If attendance becomes an issue, attendance requirements may be revisited in the future.

Page 13, Dealing with the Media

- This provides clarifying language



A Tribal AC member emphasized the importance of finalizing the Charter for the Tribal AC to be established as a committee and then focus more time and attention to policy discussions and recommendations.

Tribal Representatives on Public AC

Stephanie Lucero recapped that both Donna Begay and Oscar Serrano were nominated to represent the Tribal AC on the Public AC. No concerns have been raised about either of these candidates – and that so far there is unanimous consent on having these two individuals be named to the Public AC.

Steve Archer had also been nominated to serve as a Public AC. Some concerns have been raised regarding his serving in this capacity. The Tribal AC could amend the current charter language requiring consensus for the selection of Public AC representatives. (See page 5 of the working charter.)

Question: Is it the Tribe or the primary representative to the Tribal AC?

Response: The Tribal sponsor provides the name of a representative who serves as the Tribal AC member.

ACTION ITEM: Donna Begay and Oscar Serrano are confirmed as to serve on the Public AC as representatives of the Tribal AC.

Action Items

- Action items will be sent out to the Tribal AC
- Tribal AC members will review the proposed meeting dates and respond to Stephanie Lucero by August 29th with any potential scheduling conflicts.
- DWR to establish a webpage for Caucus information on the Water Plan website.
- Stephanie Lucero will post contact information for Caucus leads on Tribal AC website, along with lists of caucus members.
- Tribal AC members will distribute survey (either hard copy or electronically) to other Tribal members to complete. This will help frame the training sessions.
- Include information about who will be reviewing information and the suggestion to not include sensitive information.
- Continue to work with Michael Perrone and identify how the Tribal AC can provide input on Valuing Nature's Services. Comments may be sent to either Michael Perrone or Emily Alejandrino at DWR.
- Frasier will develop a letter explaining what is needed for Tribal input. The draft will be sent to the Tribal AC for review and then finalized and sent out to the Tribal reflector list and the RTOC coordinators.



- Post the link and mail out draft Framework for Sustainability Indicators to reflector list and EPA Directors, including information on the August 24th meeting.
- Ron Goode, Donna Miranda-Begay and Connie Reitman will assist in framing and coordinating the authors for the Cultural Resources strategy.
- Tribal AC members are requested to identify new RMS topics, along with suggestions for potential resources and individuals with technical or cultural expertise **by August 29.**
- Include the one-pager diagram (showing the State agency organizational relationships) in Volume 2 as well as in Volume 1.
- Add more time for working sessions in the Tribal AC meetings and organize work groups to begin discussions. Circulate a draft agenda in advance to review topics.
- Tribal teleconferences will include discussions on agenda topics for Tribal AC meetings.
- Incorporate the following changes to charter and take final:
 - Page 2: Incorporate the proposed language on consensus into the charter.
 - Page 3: The clarifying language on Dispute Resolution will not be incorporated.
 - Page 4: Incorporate the language for Remote Participation.
 - Page 4: Incorporate the language for Meeting Preparation.
 - Page 6: Incorporate the footnote for advancing Tribal recommendations.
 - Page 7: It should be made clear that the Tribal AC will be making presentations to the other Update 2013 venues. This includes the State Agency Steering Committee and the Public AC.
 - Page 8: Incorporate the language on day-to-day operations
 - Page 10: The provision to remove Tribal AC members for attendance will be removed. If members or alternates do not attend regularly, the facilitator will send a letter to the Tribal AC member or Tribal Council. If attendance becomes an issue, attendance requirements may be revisited in the future.
 - Page 13: Incorporate the clarifying language on Dealing with the Media.

Announcements

- Ron Goode invited Tribal AC members to take a copy of the Water Stories publication.
- Stephanie Lucero reported that first meeting for Folsom Dam Reoperation is August 18th. Letters were sent to Tribal leaders inviting their participation.
- Emily Alejandrino is coordinating a presentation on the Tribal AC activities for the annual RTOC conference.
- California Indian Day will be September 23rd and celebrated at the Capital on September 22nd – it is “Honor Elders Day.”



- The Chair of Hopland Tribe went before the State Historical Resource Commission which unanimously approved changing the name of Squaw Rock to “Frog Woman Rock.”
- The Tubatulabals is initiating a Memorandum of Agreement with the Corps of Engineers, the Forest Service and Tule River Indian Reservation Tribe to address protection of cultural resources in, around and under Lake Isabella.
- The next meeting is the Annual Plenary, October 26-27 at the Sacramento Hilton.

The meeting was concluded with a closing prayer offered by Ron Goode who extended thanks for this good day and the opportunities to share and grow and work to enhance our resources and elements. A blessing was asked for our travels and thoughts and to watch over leaders and all those who are working to care for the land.

DWR Tribal Liaisons – Contact Information

- Mary Randall, Northern Regional Office, (530) 528-7407, mrandall@water.ca.gov
- Tim Nelson, North-Central Regional Office, (916) 376-1926, tnelson@water.ca.gov
- Abimael Leon, South-Central Regional Office, (559) 230-3315, aleoncar@water.ca.gov
- Jennifer Wong, Southern Regional Office, (818) 500-1645 x262, jenwong@water.ca.gov

Attendance

Tribal Advisory Committee Members and Alternates (22):

Steve Archer, Buena Vista Rancheria Me-Wuk Indians of California
Donna Begay, Tubatulabal and Inter-Tribal Council of California
Paula Britton, Habematolel Pomo of Upper Lake
Sirirat (Tia) Chullakorn, Kashia Band of Pomo Indians of Stewart’s Point
Alex Cleghorn, California Indian Legal Services
Sam Cohen, Santa Ynez Band of Chumash Indians
Robert Columbro, Shingle Springs Rancheria
John Covington, Morongo Band of Mission Indians
Rob Cozens, Resighini Rancheria
Michelle Fuller, Blue Lake Rancheria (via webcast)
Bill George, Pit River Tribe
Ron Goode, Northfork Mono Tribe
Richard Hawkins, No-Rel-Wuk Wintu Nation
Roselynn Lwenya, Buena Vista Rancheria Me-Wuk Indians of California
Kim Mattson, Quartz Valley Indian Reservation
Meyo Marruto, Hopland Band of Pomo Indians
Frank Ramirez, National American Indian Veterans
Oscar Serrano, Colusa Indian Community Council
William Speer, Shasta Indian Nation
Valerie Stanley, Sherwood Valley Rancheria
Koiya Tuttle, Potter Valley Tribe



Harry Williams, Bishop Paiute Tribe

Others (38):

Jose Alarcon, DWR

Emily Alejandrino, DWR

Eric Alvarez, Delta Stewardship Council

Keith Coolidge, Delta Stewardship Council

Leslie Cleveland, Bureau of Reclamation Southern CA Regional Office

Barbara Cross, DWR

Doug Garcia, US Bureau of Indian Affairs, Pacific Region

Carolyn George, Pit River Tribe

Julie Griffith-Flatter, Sierra Nevada Conservancy (via webcast)

Kamyar Guivetchi, DWR

Bruce Gwynne, Department of Conservation

Mark Hada, California State Parks

Marie Hoffman, Water Boards Office of Public Participation

Chuck Jachens, US Bureau of Indian Affairs

Gita Kapahi, Water Boards Tribal Liaison and Office of Public Participation

Tom Keegan, Dry Creek Rancheria

Charlie Kratzer, DWR IRWM

Blaine Lamb, California State Parks

Abimael Leon, DWR South-Central Regional Office (via webcast)

Carl Lischeske, California Department of Public Health

Hoa Ly, DWR Statewide Flood

Amber Mace, Ocean Protection Council

Paul Massera, DWR

Chelsea Merrill, Professional Engineers in California Government

Lew Moeller, DWR

Frank Molina, Santa Ynez Band of Chumash Indians

Brian Moniz, DWR Southern Regional Office

Tim Nelson, DWR North-Central Regional Office

Michelle Nguyen, Dry Creek Rancheria, La Pena Law Corporation

Michael Perrone, DWR

Mary Randall, DWR Northern Regional Office

Connie Reitman, Inter-Tribal Council of California

Dan Rodriguez, Coyote Valley Band of Pomo Indians

Frazier Schilling, UC Davis

Cindy Smith, Enterprise Rancheria

Cathy Taylor, California State Parks

Ernie Taylor, DWR South-Central Office (via webcast)

Jennifer Wong, DWR Southern Regional Office

Facilitation Team: Stephanie Lucero, Tribal Facilitator; Judie Talbot, Regional Facilitator; Center for Collaborative Policy, CSU Sacramento; Lisa Beutler, Executive Facilitator, MWH