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

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

» **Goal 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.

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

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

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

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

May 1, 2010

Honorable Tribal Chairperson and Council:

With respect and gratitude to California Native American Tribal governments and communities, it is my pleasure to send to you the enclosed final California Water Plan Update 2009 (Update 2009).

In June 2007, I invited all California Native American Tribal leaders to join the California Department of Water Resources (DWR) and other state agencies and constituencies on a multi-year journey to plan and develop Update 2009. Many of you and your colleagues answered the call. As a result, this ninth update of the original 1957 California Water Plan is the first issue to reflect extensive participation of Tribal leaders, members, and staff in a variety of ways.

Beginning in October 2007, a Tribal Communication Committee (TCC) met regularly to advise DWR on ways to bring Tribal voices into statewide water planning. At the TCC’s suggestion, the first ever statewide Tribal Water Plenary meeting was held in January 2008 at Big Valley Rancheria in Lakeport. By July 2008, the TCC accomplished its first major task of developing a Draft Tribal Communication Plan with comprehensive goals and ten objectives to expand Tribal participation in California water planning. One of those objectives was to hold a statewide Tribal Water Summit (Summit). In December 2008, the TCC transitioned to the Tribal Water Summit Planning Team (Team). The Team and DWR held seven Regional Tribal Plenary meetings to receive preliminary input to the Summit. A first of its kind Summit was convened on November 4-5, 2009 in Sacramento. About 300 participants included representation of some 66 California Tribes, 15 Tribal organizations, 13 state agencies, and 8 federal agencies. The Proceedings of the Summit and the Tribal Communication Plan are included on the CD in the enclosed California Water Plan Highlights booklet.

These new features and initiatives of Update 2009 will open the door to greater Tribal participation in local, regional, and statewide water planning, and will grow as we work together to prepare Water Plan Update 2013.

Please consider placing the release of Update 2009 on your next council agenda. DWR will gladly provide an article for your newsletter and send a presenter.

Please contact me at (916) 653-7007 or mcowin@water.ca.gov if you have any questions. You or your staff may also contact Barbara Cross, DWR’s Tribal Liaison, at (916) 653-5150 or bcross@water.ca.gov.

Respectfully,

Mark W. Cowin
Director

Enclosure
California Water Plan Update 2009

Related Actions:

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

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

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

5. California Native American Tribes should 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 should shape the content of the Water Plan through a variety of mechanisms, particularly the review of regional reports, resource management strategies, and other materials, and through Tribal and public meetings.

7. California Native American Tribes should 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 should educate State, local, and federal government officials and Tribal planning executives and planners about the historical and ongoing relationships between California Native American Tribes and water, especially cultural and religious practices, including fishing.

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

10. California Native American Tribes should build a foundation of knowledge and relationships for hosting a Tribal Water Summit in 2009 that includes the highest level of decision-makers from State, local, and federal governments, and water purveyors. DWR will place proceedings of this summit in the Water Plan's Volume 4, the Reference Guide.

11. Indigenous communities should be involved in climate change adaptation actions that will directly impact their people, waterways, cultural resources, or lands.

12. The Tribal Communication Committee, Tribal Summit Planning Team, or an equivalent Tribal forum should advise the 2013 Water Plan Steering Committee on ways to implement these related actions and the recommendations from the 2009 Tribal Water Summit, and should assist in the preparation of subsequent Tribal water summits.

www.WaterPlan.water.ca.gov

As part of Update 2009, a Tribal Communication Committee (TCC) prepared a comprehensive Tribal Communication Plan for the California Water Plan (presented in the Volume 4 Reference Guide). The Tribal Communication Plan includes definitions, goals, objectives, guiding principles, audience and venues, and a detailed implementation plan.

The objectives of the Tribal Communication Plan informed Objective 12 of the California Water Plan and its related action:

Objective 12 of The California Water Plan Update 2009 states:

Develop Tribal consultation, collaboration, and access to funding for water programs and projects to have more sustainable Tribal water and natural resources.

2009 California Tribal Water Summit: Protect Our Sacred Water

The 2009 California Tribal Water Summit, with the theme “Protect Our Sacred Water,” was held on November 4 and 5, 2009, at the Radisson Hotel in Sacramento. Around 300 people attended the Summit, including 66 Tribes, 15 Tribal organizations, 13 State agencies, and 8 Federal agencies. The California Tribal Water Summit provided an opportunity for the highest tribal and State government officials to ensure that the water access, use and priorities of native peoples and nations are recognized and well preserved in California’s strategic water planning efforts.

The order of topics addressed was the same on both days: first Rivers, Dams, and Fish; next Watersheds; then Tribal Water Rights; and finally Institutions/Legal/Agency. Speakers and participants touched on the theme of Water as Sacred at numerous points throughout each day. The first day focused on Tribes clarifying key water issues and their positions on these issues, with State agency representatives primarily listening. The second day focused on dialogue between Tribes and representatives of State agencies regarding potential next steps for addressing issues identified on the first day. Numerous potential next steps were identified:

» The need to improve communication between State agencies and California Native American Tribes. In parallel, the need to improve communication between State and Federal agencies with Tribal policies, to ensure consistency. An information portal for State agencies working with Tribes could provide a first step.

» The need for improved data and information, and its exchange. It was noted that data is often lacking regarding the impact of programs and projects on Tribes. Improved information could include, for example, overlays of Tribal boundaries with other Geographic Information Systems (GIS) data layers.

» Collaborative watershed projects and planning should address the linkages between land use planning, water management, and watershed management.

» The need to engage and include Tribes in Integrated Regional Water Management Planning efforts and other state grant programs. This in turn raises the need for State-Tribal contract language, and for model bond language that explicitly includes Tribes.

The need for a State of California Tribal Consultation Policy, and a State Office of Indian Affairs. The precise authority, design, and funding will need to be developed collaboratively.

The Department of Water Resources suggested several possible next steps, including: (1) spearheading an interagency Tribal communication network; (2) integrating Tribal boundaries and information in GIS layers used in water planning; (3) reconciling State and Federal consultation policies; (4) integrating Tribes in Integrated Regional Water Management Plan planning processes; and (5) establishing a high level person in the Department to coordinate Tribal issues.