

CALIFORNIA DEPARTMENT OF WATER RESOURCES

# Regional Tribal Operations Committee Spring 2021 – Region 9 California Issues Workgroup

April 28, 2021



**Anecita Agustinez**

**Tribal Policy Advisor**

**Department of Water Resources**

# CA Dept of Water Resources Update

- DWR Tribal Policy Advisor
  - Statewide Regional Tribal Liaisons
  - Statewide Tribal Consultation Policies
- SGMA - Update on Sustainable Groundwater Management
- IRWM – Integrated Regional Water Management
- DCP - Delta Conveyance Project

# DWR Office of Tribal Policy Advisor

HQ – Sacramento

## Regional Offices

- Northern Region Office (Red Bluff)
- North Central Region Office (West Sacramento)
- South Central Region Office (Fresno)
- Southern Region Office (Glendale)



# State Consultation Policies

- E.O. B-10-11 (Brown)
- CNRA Tribal Consultation Policy (2012)
- DWR's Tribal Engagement Policy (2016)
- Assembly Bill 52 (2014) effective July 1, 2015
- E.O. N-10-19
- E.O. N-15-19
- E.O. N-54-20

# Ancestral Lands Policy

- Statement of Administration Policy on Native American Ancestral Lands
- Issued on September 25, 2020
- Policy of this administration to encourage every state agency, department, board and commission to seek opportunities to support California Tribes' co-management and access to natural lands that are with a California Tribes' natural land and under the ownership or control of the state of California

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- <https://www.gov.ca.gov/wp-content/uploads/2020/09/9.25.20-Native-Ancestral-Lands-Policy.pdf>

# SGMA – Sustainable Groundwater Management Act Technical Review

- Process of review of GSPs for the state's critically overdrafted basins (COB) submitted in Jan 2020 to ensure they meet requirements
- Assess and evaluate GSPs to determine plans are adequate and will likely meet the basin's sustainability goals over the 20-year planning horizon of SGMA
- DWR has two years from date of submission to assess the COB plans (Jan 31, 2022 latest)

# SGMA –Ongoing Assistance

- DWR will continue providing planning, technical, and financial assistance for all GSAs through GSP development into plan implementation
- GSAs should continue to move forward with implementation of their plans, and provide their annual reports and five-year plan updates to DWR as required as by SGMA
- High/Med Priority Basins GSPs due Jan 2022



# SGMA – Guidance Document

- Engagement With Tribal Governments
- intended to provide general guidance to GSAAs regarding how and when to engage with Tribal governments
- Developed through SGMA Tribal Advisory Group
- Government to Government Relationship building





# IRWM – Integrated Regional Water Management

- Round 1 funding has been awarded (June 2020)
- Round 2 Grant Solicitation
- The remaining funds will be awarded in a second implementation funding round
- Grant Proposal Solicitation Package (late 2021)

# IRWM – Funding Regions

- Prop 1 designated 12 funding regions (2014)
- 48 self-defined IRWM regions in California
- Prop 1 allocated \$510 million to the 12 funding areas
- Each funding areas was required to conduct a needs assessment
- DACTI established 2016 and provided \$51.7million

# IRWM – Tribal Engagement

Disadvantaged Community and Tribal Involvement Program –

Interim Statewide Needs Assessment Report

- Early findings of Prop 1 DAC/DAC/DACTI funds (\$52m)



# IRWM – Tribal Hurdles in Participation Can be Overcome

- CEQA / NEPA issues on Tribal Land
- Audit and Access to project location(s)
- State / Federal prevailing wage issues
- Limited waivers of sovereign immunity
  - Resolution through Government-to-Government consultation

# DCP - Delta Conveyance Project

- E.O. N-10-19
- Single Tunnel Conveyance System
- Pre-AB52 Meetings in Fall 2019
- Consultation Meetings 2020-2021
- Informational and Annual Meetings

# DCP - Tribal Participation

## Delta Conveyance Authority – Stakeholder Engagement Committee

- Tribal Representatives:
- Hon. Malissa Tayaba, Shingle Springs Rancheria
- Hon. Jesus Tarango, Jr., Wilton Rancheria

## Tribal Engagement Committee - TEC

- Monthly meetings hosted by Shingle Springs Rancheria for Tribes culturally affiliated with Delta



# DCP - Tribal Cultural Resources Identification Process

- DWR conducting ethnographic research to identify locations in the DCP project area with potential significance
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- Consultation with Tribes to identify places with cultural significance to a California Native American Tribe
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- DWR includes the information from consultation for California Register evaluation of potential TCRs
- 
- DWR will develop a Tribal Cultural Resources Evaluation Report with Tribal Input and Review

# Questions

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