

# PREFACE – DELETE THIS SLIDE

- This is a **DRAFT powerpoint template (July 2020 Version)** for Region staff to use when speaking with Tribes and Tribal representatives about TBUs.
- There may be future revisions to this template. If so, you will be notified by State Water Board OPP staff and/or the State Water Board Tribal Liaison and will be provided a finalized template.
- You can anticipate using this draft document through late Fall 2020.
- For any questions about this powerpoint, email [itzel.vasquez-rodriquez@waterboards.ca.gov](mailto:itzel.vasquez-rodriquez@waterboards.ca.gov) or call 916.445.5615

# INSTRUCTIONS – DELETE THIS SLIDE

- This is a powerpoint template for Region staff to use when speaking with Tribes and Tribal representatives about TBUs.
- **You do not need to use every slide in this template**
  - I wanted to give you all as many slides to choose from as possible
- Slides 26 - 29 are extra
- Edit or remove all **[red boxed text]** on slides before presenting
- You may edit the language on any of these slides as you see fit
- There are notes (see notes section below the slide) for each slide of this presentation for your use
- For any questions about this powerpoint, email [itzel.vasquez-rodriguez@waterboards.ca.gov](mailto:itzel.vasquez-rodriguez@waterboards.ca.gov) or call 916.445.5615



# Tribal Beneficial Uses - Region X Status

PowerPoint Subtitle

Presenter Name





# Overview

- Basin Plan / Triennial Review Process
- Tribal Beneficial Uses Explanation
- How can California Native American Tribe be involved?
- Contact Information
- Questions





Office of Governor  
**GAVIN NEWSOM**



Office of the  
**Tribal Advisor**



**CalEPA**  
California Environmental  
Protection Agency



Department of  
Toxic Substances  
Control



**OEHHA**  
SCIENCE FOR A HEALTHY CALIFORNIA



**CALIFORNIA WATER BOARDS**

**TRIBAL BENEFICIAL USES**



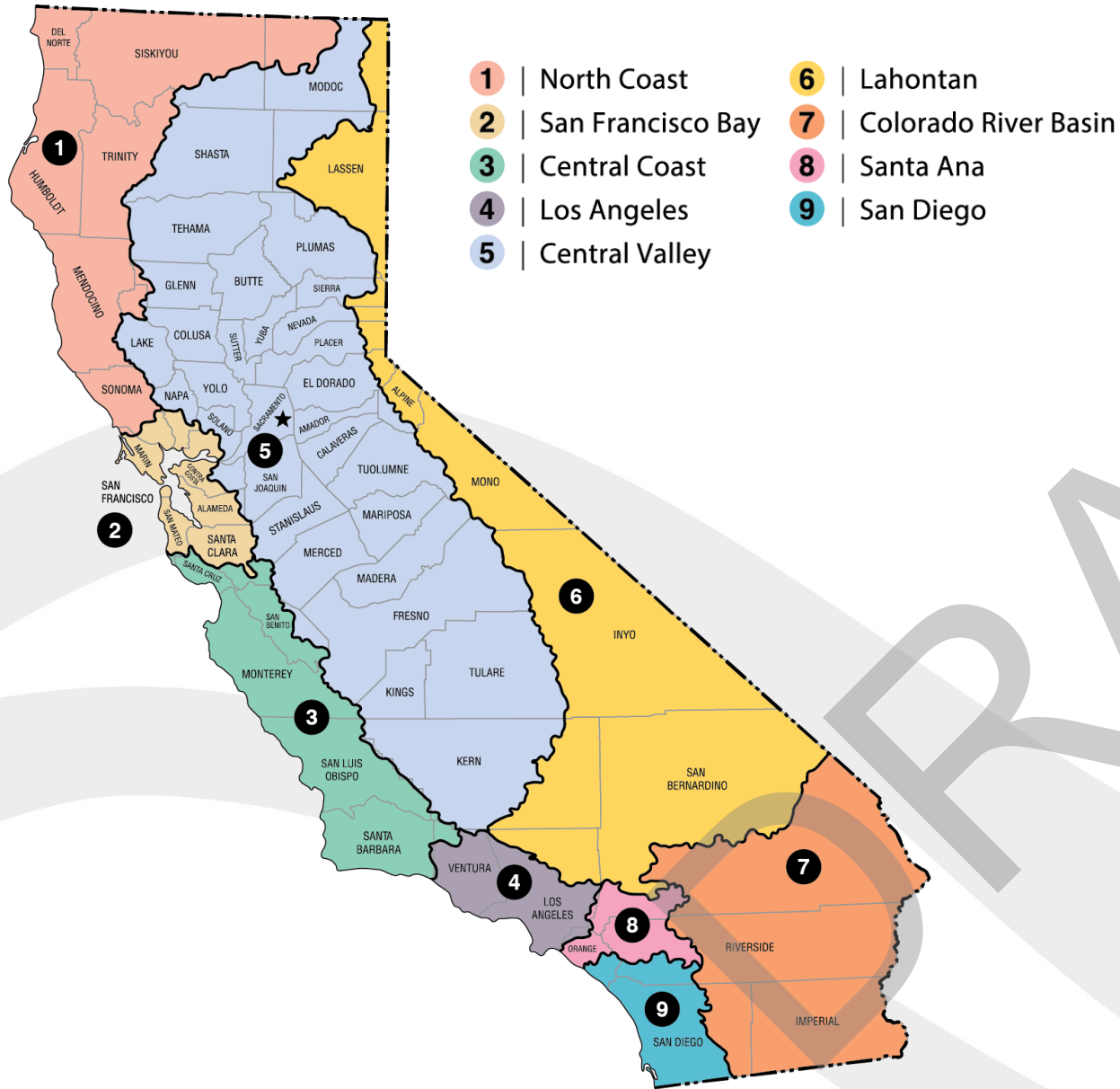


## Water Board's Mission Statement

*"Preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations."*

# What does the State Water Board do?

- Develops statewide water quality protection plans & policies
- Establishes water quality standards
- Allocates surface water rights
- Regulates and ensures drinking water safety
- Sets drinking water regulatory standards
- Coordinate with Regional Water Quality Control Boards
- Implements the Federal Clean Water Act & Porter-Cologne WQ Control Act



# What do the Regional Boards do?

- Develop and Enforce Water Quality Objectives
- **Develop Basin Plans (Beneficial Uses)**
- Issue Waste Discharge Permits
- Determine compliance with requirements
- Take enforcement actions against violators
- Monitor water quality



# Water Quality Control Plan (Basin Plan)

- Beneficial uses
- Water quality objectives
- Implementation plans
- Monitoring



# Triennial Review

- Review the Basin Plan every three years
- Develop a priority list of potential issues
- May result in Basin Plan Amendments
- Available online at: [\[LINK\]](#)



# Triennial Review List

- Ranking based on the Board's priorities
- Timeline is in the order of the priority ranking
- Some listed issues will not be addressed before next Triennial Review
- Reconsideration for the 2023 Triennial Review period
- Involvement facilitates priority ranking



# Tribal Beneficial Uses

Tribal Subsistence Fishing (T-SUB)

Tribal Tradition and Culture (CUL)



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## **Tribal Tradition and Culture (CUL)**

- Uses of water that support the cultural, spiritual, ceremonial, or traditional rights or lifeways of California Native American Tribes including, but not limited to: navigation, ceremonies, or fishing, gathering, or consumption of natural aquatic resources, including fish, shellfish, vegetation, and materials.

## **Tribal Subsistence Fishing (T-SUB)**

- Uses of water involving the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, for consumption by individuals, households, or communities of California Native American Tribes to meet needs for sustenance.

# Purpose of Tribal Beneficial Uses

- Help protect activities specific to Native American Culture and their historic uses of CA waters, including practices not covered by existing beneficial uses
- Current water quality standards may not be sufficient
- Ensure that appropriate water quality objectives apply



# Additional Triennial Review Issues

- Water Quality Objectives
- Other Beneficial Uses
- Unlisted Water Bodies
- TMDLs
- Policies



# Basin Plan Amendment

- A series of complex administrative and technical processes
- Takes one to four years or more
- AB-52 Tribal Consultation
- Substitute Environmental Documentation
- Scientific peer review
- Regional Water Board and State Water Board approval
- Office of Administrative Law approval
- USEPA approval

# Confidentiality and Public Information

- Water Boards acknowledge, recognize, and respect the need and importance for confidentiality regarding Tribal cultural places and practices
- For Tribal Beneficial Uses, no need to specify the exact location or detailed description of the practice or activity
- Some limited information is needed to help with the designation process



# [20XX] Triennial Review Schedule

Project Product	Months	Start	Finish
Develop Schedule	0.5	Nov 2019	Nov 2019
Initiate Tribal Engagement	2.5	Nov 2019	Feb 2020
General Issue Solicitation	1.5	Feb 2020	Mar 2020
Develop Triennial Review Package	6	Mar 2020	Sep 2020
Public Participation & Hearing	2.5	Sep 2020	Dec 2020
Transmit Resolution & Record	1	Dec 2020	Jan 2021

- [Insert a schedule of your region's triennial review process. See example above or use your own chart or image. Delete this text and other images when done.]



# How can California Native American Tribes be Involved?



# Questions to Consider

- Is your Tribe doing water monitoring?
- Do you submit your water quality data to WQX or CEDEN?
- Has your Tribe designated (through the Triennial Review process) waterbodies where Tribal Beneficial Uses occur?
- Has your Tribe identified your beneficial uses?
  - Do you know the water quality objectives for those beneficial uses?
  - Do you know the numeric and narrative criteria for those beneficial uses?



# Moving Forward to Develop Tribal Beneficial Uses

- Work with your Tribe and Elders to determine historical and current traditional uses of water
- Identify exposures due to traditional activities, contract for Risk Assessments
- Shape your 106 Water Monitoring Program (if applicable) to collect data to show compliance or impairment
- Consider adding TBUs to current and future grand applications
- Share your opinions with the Regional Board(s) – next slide

# Working with the Regional Board

- Contact [NAME], the [TITLE] for Region [XX], and notify them if you think Tribal Beneficial Uses (TBUs) should be prioritized as a project, preferably in writing.
- Share water quality concerns with the [Tribal Coordinator]
  - What are you seeing that needs to be addressed?
- If your Tribal lands overlap with multiple regions, you can reach out to the Tribal Coordinators in the respective Regions to get the status for the Region that you inhabit or email [Itzel.Vasquez-Rodriguez@waterboards.ca.gov](mailto:Itzel.Vasquez-Rodriguez@waterboards.ca.gov)

# Tribal Beneficial Uses Contacts

- [NAME OF REGION] Basin RWQCB  
Basin Planner [and Tribal Coordinator]
  - [NAME, POSITION, PHONE #, email@waterboards.ca.gov ]
- State Water Resources Control Board
  - Itzel Vasquez-Rodriguez, Tribal Affairs Program  
(916) 445-5615  
[Itzel.Vasquez-Rodriguez@waterboards.ca.gov](mailto:Itzel.Vasquez-Rodriguez@waterboards.ca.gov)
- [\[Basin Plan link\]](#)





# Questions?



# Statewide Tribal Beneficial Uses Resources

## Tribal Affairs Website

- [https://www.waterboards.ca.gov/about\\_us/public\\_participation/tribal\\_affairs/](https://www.waterboards.ca.gov/about_us/public_participation/tribal_affairs/)

## Tribal Beneficial Uses Website

- [https://www.waterboards.ca.gov/about\\_us/public\\_participation/tribal\\_affairs/beneficial\\_uses.html](https://www.waterboards.ca.gov/about_us/public_participation/tribal_affairs/beneficial_uses.html)

## Tribal Beneficial Uses Contact Information

- [https://www.waterboards.ca.gov/about\\_us/public\\_participation/tribal\\_affairs/tribal\\_contacts.html](https://www.waterboards.ca.gov/about_us/public_participation/tribal_affairs/tribal_contacts.html)

Adriana Renteria, Tribal Liaison – for help contacting a Regional Board

- [Tribal-Liaison@waterboards.ca.gov](mailto:Tribal-Liaison@waterboards.ca.gov)



# Thank You!



# All Regions - Basin Planning/Triennial Review Process

- Regions that added Triennial Projects on TBUs:

2017	2018	2020?
Region 3 - Central Coast	Region 1 - North Coast Region 2 - San Francisco Bay Region 5 - Central Valley Region 6 - Lahontan	Region 4 - Los Angeles Region 7 - Colorado River

# TBU Working Group

- Purpose: Internal (Water Boards) information/knowledge sharing medium to facilitate integrating TBUs into Boards' Basin Plans
- Participants:
  - Basin Planning staff from each Regional Water Board
  - State Water Board:
    - Division of Water Quality
    - Office of Public Participation – Tribal Affairs Program
    - Office of Chief Counsel
- Schedule: Every 3 months since Aug 2019 (next meeting is on [DATE], 2020)
- Topics: Each Regional Board is working on their own timelines towards Basin Plan Amendments
  - Adding definitions vs. designating waterbodies



# Title

- text

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