



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

October 1, 2013

Tribal Ad Hoc Beneficial Use Group
(see attached list)

STATE WATER RESOURCES CONTROL BOARD PLAN TO PREPARE A RESOLUTION REGARDING CULTURAL AND SUBSISTENCE FISHING BENEFICIAL USES

The State Water Resources Control Board recognizes the importance of identifying tribal and cultural uses within water quality control plan beneficial use designations and is currently seeking input regarding appropriate language for creating tribal and cultural beneficial use designations. Currently, only the North Coast Regional Water Quality Control Board (Region 1) explicitly recognizes traditional and tribal cultural uses of water by indigenous (native) peoples as beneficial uses in its basin plan with the following designations:

Commercial and Sport Fishing (COMM) is defined as "uses of water for commercial or recreational (sport) collection of fish, shellfish, or other aquatic organisms including, but not limited to, uses involving organisms intended for human consumption, including human subsistence and/or for bait purposes."

Native American Culture (CUL) is defined as "Uses of water that support the cultural and/or traditional rights of indigenous people such as subsistence fishing, basket weaving and jewelry material collection, navigation to traditional ceremonial locations, and ceremonial uses."

While the State Water Board explores the appropriate means to address tribal and cultural beneficial use designations in the long term through including language in upcoming State wide plans and policies, the State Water Board is proposing a first step measure through issuing a resolution to set the foundation for future State Water Board actions to recognize traditional and tribal cultural uses of water by indigenous peoples. This resolution is expected to direct Regional Water Boards to consider developing beneficial use designations consistent with language presented in the resolution.

While this resolution will not specifically create a designation, it will present existing North Coast Regional Board language, and the State Water Board welcomes your input on the above language. We encourage CA tribes to discuss this beneficial use language in preparation for engaging in conversations on the proposed resolution in the coming months. We understand that dialogues among tribes and tribal organizations have already begun and we are encouraged by these intertribal efforts.

We look forward to meeting with you in the near future on this issue. Please submit your proposed language for consideration to Gita Kapahi, Water Board Tribal Liaison at Gita.Kapahi@waterboards.ca.gov, by October 25, 2013.

Sincerely,

Felicia Marcus
Chair

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

cc: Michael Lauffer
Chief Counsel
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Kenneth Bogdan
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Vicky Whitney
Deputy Director
Division of Water Quality

Rik Rasmussen
Acting Deputy Director
Division of Water Quality

Gita Kapahi
Director
Office of Public Participation

Strategy Meeting - Beneficial Use & IRWM Meeting, Sept. 10, 2013		
9-10-13 IRWM Beneficial Use Tribal Nation Meetings - Participants List		

First Name	Last Name	Tribe / Organization	Title	Email
Angela	Mooney-Darcy	Sacred Places Institute for Indigenous Peoples		a.mooneydarcy@gmail.com
Brenda	Tomaras	Lytton Band of Indians	LLC	BTomaras@mtowlaw.com
Crista	Stewart	Elk-Valley Rancheria *	Director of Grants/Tribal Historic Preservation	cstewart@elk-valley.com
Cynthia	Naha	Kashia Band of Pomo Indians	Water Quality Specialist	cynthia@stewartspoint.org
Danielle	Dolan	UC Davis	Masters Student	Danielle.Dolan@gmail.com
Irenia	Quitiquit	Scotts Valley Band of Pomo	Environmental Director	iquitiquit@svpomo.org
Lauren	Hughes	California Indian Environmental Alliance	Executive Assistant	
Lisa	Hillman	Karuk Tribe	Grant Writer and Resource Developer	lmorehead@karuk.us
Michelle	Chi	Cloverdale Rancheria and Mechoopda	LLC	mchi@kazhelaw.com
Sarah	Ryan	Big Valley Rancheria	Environmental Director	sryan@big-valley.net
Sherri	Norris	California Indian Environmental Alliance	Executive Director	sherri@cieaweb.org
Tom	Keegan	Dry Creek Rancheria Band of Pomo	Environmental Director	tomk@drycreekrancheria.com

Agency Participants				
Anecita	Agustinez	Department of Water Resources	Tribal Policy Advisor	Anecita.Agustinez@water.ca.gov
Gita	Kapahi	State Water Resource Control Board	Director Office of Public Participation	Gita.Kapahi@waterboards.ca.gov
Ken	Bogdon	State Water Resource Control Board	Senior Staff Counsel	kenneth.bogdan@waterboards.ca.gov

* Note future emails to Elk-Valley regarding this meeting and future IRWM and Beneficial Use work will go to Rob Jacob at				riacob@elk-valley.com
Richard	Capbell	Coyote Valley Tribe		epdes1@coyotevalleytribe.com
Robert	Columbro	Coyote Valley Tribe		epddir@coyotevalleytribe.com
Emily		Coyote Valley Tribe		epdes2@coyotevalleytribe.com