BACK TO OUR ROOTS

Watershed Management and Traditional Knowledge
Anecita Agustinez, Tribal Policy Advisor, Department of Water Resources

October 14, 2020
Nisenan
Maidu
Miwok
Yokuts
Patwin
UNDERSTANDING PROTOCOLS OF TRIBAL ENGAGEMENT

Ancestral Land
State Policies on Consultation
Tribal Sovereignty
Tribal Cultural Resources (TCRs)
STEWARDING ANCESTRAL LAND

Co-Management Practices
The Science of Tribal Knowledge
Beneficial Use
Traditional Use

THANK YOU SPONSORS!
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 (Amended CEQA)
- E.O. N-10-19 (Water Resilience Portfolio)
- Administration Policy on Native American Ancestral Lands (2020)
TRIBAL CULTURAL RESOURCES UNDER AB52

A site, feature, place, cultural landscape, sacred place or object with cultural value to a “California Native American tribe,” that is either on, or eligible for inclusion in, the California Historic Register or a local historic register, or is a resource that the lead agency, at its discretion and supported by substantial evidence, determines should be treated as a Tribal Cultural Resource. PRC § 21074(a)(1-2)

Tribes:
  • In the Native American Heritage Commission (NAHC) “contact list.”
    PRC § 21073
Thank you
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Executive Order B-10-11

- California recognizes Tribal sovereignty
- Every state agency under Executive Branch control shall encourage communication and consultation with California Tribes
- Respective of Federally AND non-federally recognized Tribes
- Engage with Tribes on a “Government-to-Government” basis
The Water Resilience Portfolio shall embody the following principles:

(3.g) Strengthen partnerships with local, federal and tribal governments, water agencies and irrigation districts and other stakeholders
(4.) These agencies shall conduct extensive outreach to inform this process, including to other state agencies, sovereign tribes, federal and local government, local water agencies, agricultural groups, environmental justice and environmental conservation organizations, local and statewide business leaders, academic experts and other stakeholders
Executive Order N-15-19

The State of California
- Recognizes and acknowledges the century of prejudicial policies against California Native Americans
- Apologizes on behalf of the citizens of the State of California to all California Native Americans for the many instances of violence, maltreatment and neglect inflicted on Tribes
- Reaffirms and incorporates by reference and principles outlined in E.O. B-10-11
- Establish the Truth and Healing Council.
Resources

Executive Order B-10-11 (2011)
http://gov.ca.gov/news.php?id=17223

CNRA Tribal Consultation Policy (2012)
http://resources.ca.gov/docs/Final_Tribal_Policy.pdf

DWR Tribal Policy (2016)
https://water.ca.gov/About/Tribal-Policy

Native American Heritage Commission
www.nahc.ca.gov

Protecting Cultural Resources