



## **GUIDING PRINCIPLES AND STATEMENT OF GOALS FOR IMPLEMENTATION**

### **Guiding Principles**

**Whereas:** Water is essential to all life and has shaped, and continues to shape, human existence within the State of California through its many provisions including, and not limited to:

- drinking water supplies
- subsistence activities
- cultural life ways
- community and cultural identity
- spiritual and aesthetic qualities
- recreation
- ecological integrity
- navigation
- commerce

**Whereas:** The discussion regarding the essential nature of water is an international concern that has generated societal protections to serve the greater and common good, as expressed throughout history.

**Whereas:** In California, Assembly Bill (AB) 685 (2012) established state policy “that every human being has the right to clean, safe, affordable and accessible water adequate for human consumption, cooking and sanitary purposes.”

**Whereas:** Water supplies and water quality are inextricably linked to the conditions of associated watersheds and ecosystems, and are further affected by land uses.

**Whereas:** Water supplies, and water quality are inextricably linked to California Native American Tribe’s spiritual, cultural, subsistence and traditional life ways and practices.

**Whereas:** California Native American Tribes, governments and communities predate the formation of the State of California; many California Native American Tribes have and continue to co-exist with the environment and sustainably steward the lands, waters and resources on Tribal lands and aboriginal areas, applying traditional ecological knowledge.

**Whereas:** Numerous Federal and State directives have affirmed the inherent rights of Tribes: to exercise sovereign authority over their members and territory. Additional directives encourage communication and/or consultation with Tribes, including:

- Public Law 93-638, Indian Self-Determination and Education Assistance Act of 1975
- (Federal) Executive Order 13175 – Consultation and Coordination with Indian Tribal Governments (2000)
- (State) Executive Order B-10-11 (2011)
- California Natural Resources Agency Tribal Consultation Policy (2012)
- U.S. Constitution, “Indian Commerce Clause;” Article I, Section 8, Clause 3



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44 **Whereas:** Executive Order B-10-11 expresses:

- 45 • a commitment to strengthening and sustaining effective government-to-government
- 46 relationships with California Native American Tribes by identifying areas of mutual
- 47 concern and working to develop partnerships and consensus,
- 48 • an acknowledgement that both California Native American Tribes and the State are
- 49 better able to adopt and implement mutually-beneficial policies when they cooperate
- 50 and engage in meaningful consultation.

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52 **Whereas:** California Native American Tribes and tribal communities are not solely members of the  
53 general public and California Natural Resources Agency policy states that California Native  
54 American tribes and tribal communities have sovereign authority over their members and territory,  
55 and a unique relationship with California's resources. All California Tribes and tribal communities  
56 have distinct cultural, spiritual, environmental, economic and public health interests and unique  
57 traditional cultural knowledge about California resources.

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59 **Whereas:** Executive Order B-10-11 recognizes and reaffirms the inherent right of California Native  
60 American Tribes to exercise sovereign authority and oversight and management over their  
61 members and territory.

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63 **Whereas:** The State of California has responsibilities and authorities for oversight and management  
64 of lands, waters and resources in the State, through multiple agencies, boards and commissions

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66 **Whereas:** Other public entities, including Federal and local agencies, also have responsibilities and  
67 authorities for oversight and management of lands, waters and resources within the State

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69 **Whereas:** The California Biodiversity Council, comprised of representatives from state, federal and  
70 local agencies, adopted a resolution to improve coordination and alignment among federal, tribal,  
71 state and local governments and agencies to improve natural resource conservation outcomes and  
72 planning efforts (2013)

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74 **Whereas:** Traditional/Tribal Ecological Knowledge, generally, and Traditional/Tribal Ecological  
75 Knowledge, more specifically, is based on observations and understanding of environmental  
76 qualities and conditions, contributing to information on a range of topics including, and not limited  
77 to: species patterns, distribution and migration; ecosystem health and trends; medicinal properties  
78 associated with natural resources; and environmental response to treatment (or management)  
79 approaches

### 80 81 **Statement of Goals for Implementation**

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83 The representatives and agencies participating in the 2013 Tribal Water Summit are committed to  
84 advancing productive relationships and meaningful dialog, cooperation and coordination between  
85 California Native American Tribes and State agencies, with participation from Federal agencies as  
86 appropriate. Goals for implementation include:

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1. Tribes and State agencies will work together to develop strategies and approaches that better incorporate Traditional/ Tribal Ecological Knowledge into water and water-related resource planning and management activities.
  2. Tribes and State agencies will work together to develop strategies, educational materials, and recommendations that further the understanding of Tribal uses of water and the broader role of water, and access to water, in Tribal lifeways including subsistence and cultural practices.
  3. Tribes and State agencies will work together to develop strategies and options for ensuring greater and early collaboration regarding water resource projects, as well as watershed and land use planning and management activities, especially where decisions impact Tribal trust lands and/or traditional territories/homelands.