Tribal Outreach Meeting

Monday August 20, 2012
10:00am-12:00pm

Viejas Casino and Outlet Center
5000 Willows Road, Room C
Alpine 91901

Meeting Notes

Attendees:

Melissa Estes, Campo Band of Indians	Don Butz, Viejas Band of Indians
Laura Quaha, Campo Band of Indians	Darwin Tewanger, Viejas Band of Indians
Leslie Cleveland, Bureau of Reclamation	Mark Stadler, SDCWA
Jim Garner, La Posta Band of Indians	Sheri McPherson, County of San Diego
Eric LaChappa, La Posta Band of Indians	Goldy Thach, City of San Diego
Lisa Haws, Sycuan Band of Indians	Rosalyn Prickett, RMC
Sid Morris, Sycuan Band of Indians	Stev Weidlich, AECOM
Stan Pierce, Viejas Band of Indians	

1. Welcome and Introductions

Stev Weidlich welcomed everyone to the meeting and to Viejas Casino and Outlet Center.

2. IRWM Overview

Mark Stadler began the meeting by summarizing the purpose of the Integrated Regional Water Management (IRWM) Plan, which is to ensure the "long-term sustainability of San Diego's water supply, water quality, and natural resources." Mr. Stadler explained that the IRWM process is managed by three public agencies – the County of San Diego, the City of San Diego, and the San Diego County Water Authority – these three agencies are collectively referred to as the Regional Water Management Group (RWMG). A 32-member Regional Advisory Committee (RAC) representing water interests throughout the County provides input to the RWMG.

Questions/Comments

- How much funding has been provided to tribes through the IRWM process?
  - *No funding has yet been provided to tribes, but no tribes have completed an IRWM funding application.*
- Are tribes notified that there is an opportunity for funding? Is the money all from the State?
  - *Reminders go out to the entire IRWM stakeholder list during the process, and tribal representatives are on the contact list. Yes, all IRWM funding is from the State.*

- If CEQA compliance is required, it is not likely that tribes will apply for funding.

3. Tribal Characterization in IRWM Plan Update

Rosalyn Prickett then gave a summary on the IRWM Plan Update and the RWMG's intent to expand the description of the tribal nations within the region. She asked for input regarding what should be included for the tribal characterization and how that information should be gathered. Ms. Prickett noted that the disadvantaged communities map was included for reference purposes only. She referenced the list of issues in the meeting handouts, which were taken from a meeting with tribal representatives in 2010 and from noted issues in the County of San Diego General Plan.

Questions/Comments

- Tribal sovereignty needs to be more explicitly referenced in the language of the IRWM Plan Update and in DWR's IRWM Guidelines.
    - *Comments on IRWM Guidelines should be sent to DWR by August 24th.*
- Recommend that more tribal representatives become members of the RAC. Would be good for the IRWM process to engage the Southern California Tribal Chairmen's Association.
- The IRWM team should approach each tribal council and provide them information about what is going on in the IRWM process and how it affects water rights.
    - *The IRWM program is focused on selecting projects for grant funding; it is not about determining or evaluating water rights issues.*
- What projects may be eligible for funding? Concern that some requirements may be antithetical to the types of land uses and/or other realities on reservations. For example, funding has been available for establishing "walkable communities," which is not likely to occur on a reservation in a rural area.
    - *Any water management project – see Project Guide handout – is eligible.*
- Tribes are already managing their water and data is being collection, but they may not be willing to share it because they need to know for what purpose the data is being used. For example, Sycuan has a well-developed water recycling program.
- How was the table of tribal issues completed?
    - *Compilation of issues heard at a tribal outreach meeting in 2010 and all issues identified in the San Diego County General Plan.*
- Concern about using the General Plan, because the County General Plan was not considered an adequate representation of issues for some tribes.
- Attendees said that the historical sketches for the tribes are relatively accurate.

4. Prop 84-Round 2 Grant Opportunity

Mark Stadler summarized the amount of money available (approximately $10 million) for water projects in Round 2 and that 5 to 7 projects are anticipated to be funded. He suggested that projects submitted for consideration should have multiple benefits and multiple partners. A meeting will be held on September 12, 2012 during which agencies (including tribes) can mingle and discuss project submittals. The IRWM team also described the project submittal process, which is available via the online project database.

Questions/Comments

- CEQA is not applicable on tribal lands. Can CEQA requirements get waived for tribes (without an act of the legislature)?

    - *DWR has stated in the past that CEQA is required for grant funded activities, even on tribal lands.*

- If the CEQA requirement was removed, and a set-aside for tribes was established, tribes would be more likely to apply for funding.
- Tribal environmental review, a process of which is required to exist for all gaming tribes as a part of its compact with the State, may be adequate to replace the CEQA requirement.
- Perhaps DWR could be required to do CEQA for tribal projects.
- The needs of the Sycuan community are basic. For example, water distribution is antiquated on the reservation and the area needs a new reservoir and to maximize their well system.
    - *These would be good projects if additional benefits (water quality, ecosystem, etc.) were explicitly identified in the application packet. Good examples of how this integration can be described can be found in the handouts.*
    - *Projects put forth for funding must be referenced in the IRWM Plan and tribal needs must first be identified in the Plan.*
- Can one sit on the technical working group and be, for example, from a tribe that is submitting an application for funding? Who is on these technical working groups?
    - *This is possible, although people must recuse themselves from voting on their own projects.*
    - *Technical specialists in water and management are commonly on the working group, as they are able to judge the applications based on their technical merits.*
- Are there other active working groups?
    - *Other working groups exist, that some are less formal than others, and that they are called together to deal with issues on a temporary basis. The schedule for these meetings is online.*
- Are there any funded project examples from rural areas?
    - *There are not examples from rural communities. DWR asks for a great amount of detail, including linkages between other areas, a cost/benefit analysis of the project, a description project benefits, and a detailed description of how the project will be done. For some applicants, the amount of information is too much. This is typically true for rural applicants.*
    - *Prop 84-Round 1 provided $500,000 through Rural Community Assistance Corp (RCAC) for rural applicants and this may be an "easier road" for some.*
- Indian Health Service could make its own submittal, as a way for an outside agency to get money for tribal lands.
- Can funding applications be made for improvements to non-trust lands?
    - *Yes, there are no restrictions (trust vs. non-trust). However, CEQA would be required.*

5. San Diego Tribal Water Stories

Stev Weidlich provided information on the Tribal Water Stories project, introducing the idea of interviewing elders and cultural resource specialists from the various tribes and documenting traditional stories and other information about the importance of water. He referenced an example story in the meeting packet and stressed that DWR had put together its own packet of stories but that Southern California is not represented.

Questions/Comments

- Can tribes compile their own water stories and provide them to the IRWM team?
    - *Yes.*

6. Tribal Participation in the IRWM Program

Rosalyn Prickett inquired if there are other tribal groups, representatives, or interests that should be included in the IRWM process and invited to meetings such as the one held today. Several participants offered suggestions.

Questions/Comments

- Recommend that the Southern California Tribal Chairmen's Association be invited to these kinds of meetings, or that the IRWM team present to the Association.
- Recommend that the San Diego County Water Authority approach SANDAG to get information on how tribes can be more involved, as SANDAG has a good local model for tribal engagement.
- Is the Bureau of Indian Affairs involved?
    - *The Bureau is concentrated less on regional/local issues, although they were invited to this meeting.*
- Suggest that the IRWM team approach each tribe individually and "walk the land" with tribal representatives to get the best information.

Thank you for joining us today!