



OFFICE OF THE GOVERNOR

Cynthia Gomez
Governor's Tribal Advisor

TRIBAL LEADER FORUM
TRIBAL ENERGY SYSTEMS:
CLIMATE PREPAREDNESS AND RESILIENCY
MARCH 4, 2015
THUNDER VALLEY RESORT, LINCOLN

Discussion Outline

- 1. Tribal Consultation in California**
- 2. California Drought Emergency**
 - Proclamation of a Drought State of Emergency**
 - Development of Governor's Drought Task Force**
- 3. Development of Tribal Consultation in Drought Emergency**
 - Statewide Tribal Consultation Meetings/ Webinars on Drought**
 - Marijuana Eradication : “Operation Yurok”**
- 4. Tribal Engagement in California Legislation**
 - Proposition 1: California Water Bond**
 - Sustainable Groundwater Management Act 2014**
 - Groundwater Sustainability Plans and Federal/Tribal Participation**
- 5. Water Conservation in California**

Tribal Consultation Development

- Governor's Executive Order B-10-11 executed on September 19, 2011
- Executive Order created the Tribal Advisor to Governor. Tribal Advisor duties include, but not limited to:
 - Advises Governor on Tribal issues.
 - Oversees creation of State Agency and department tribal consultation policies.
 - Facilitates communication and consultation between Tribes, Governor's Office and state agencies.
 - Advises on legislation and it's impacts to tribal communities.
 - Ensures tribal engagement in State processes as much as possible.

CLIMATE CHANGE

- NATURAL RESOURCES AGENCY
- CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
- Consultation with Tribes in 2012-13

State, Local & Tribal Leaders Task Force

- President Obama signed an EO on 11/1/2013
- California Representatives:
 - Governor Jerry Grown
 - Supervisor Salud Carbajal (Santa Barbara County)
 - Mayor Eric Garcetti (Los Angeles)
 - Mayor Kevin Johnson (Sacramento)



Drought Directives from Office of Governor Edmund G. Brown Jr.

A PROCLAMATION OF A DROUGHT STATE OF EMERGENCY

January 17, 2014

<http://gov.ca.gov/news.php?id=18379>

A PROCLAMATION OF A CONTINUED DROUGHT STATE OF EMERGENCY

April 25, 2014

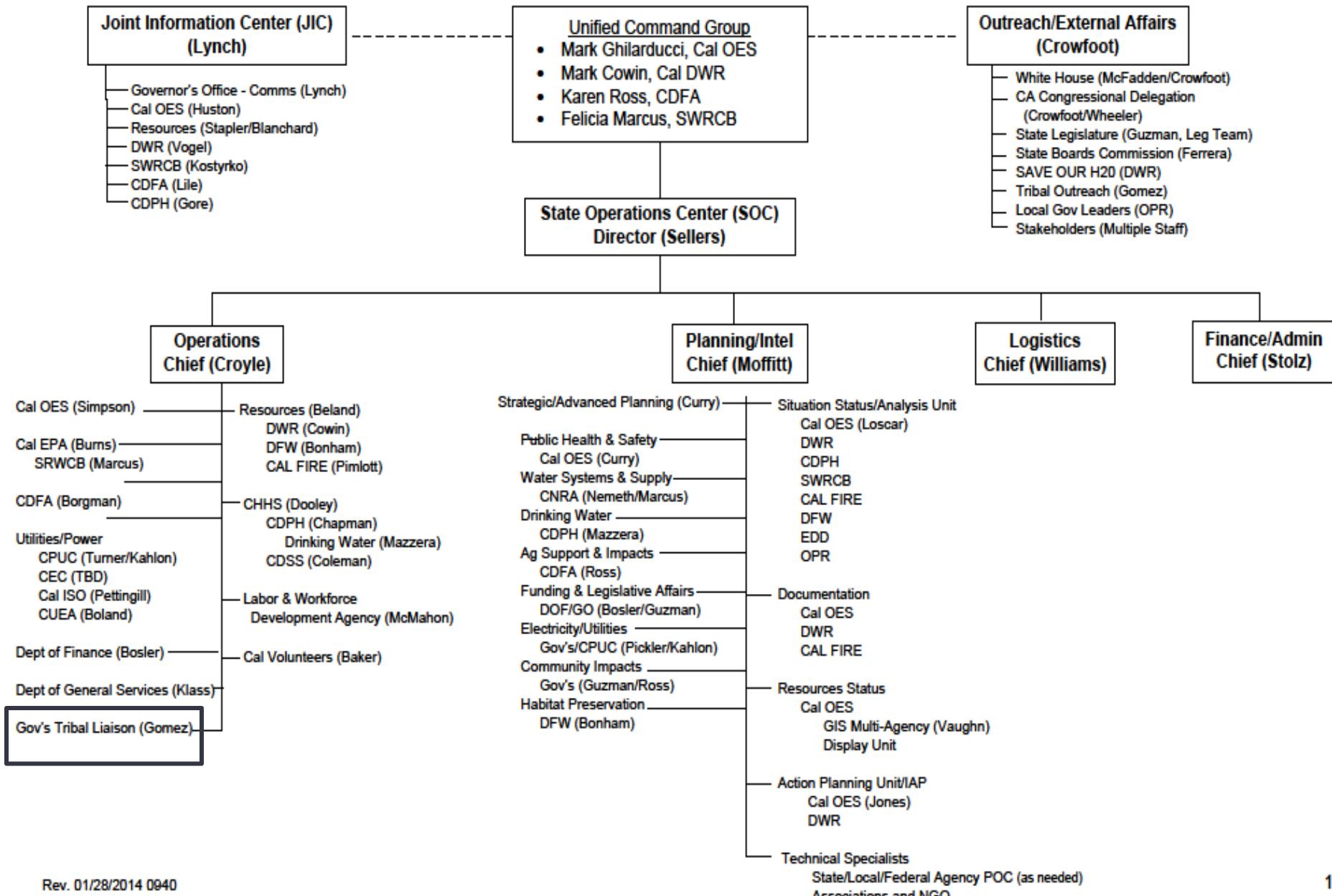
<http://gov.ca.gov/news.php?id=18496>

EXECUTIVE ORDER B-28-14

December 22, 2014

<http://www.gov.ca.gov/news.php?id=18815.>

DROUGHT TASK FORCE ORG CHART



Tribal Consultation on Drought

- Bi-Monthly Drought Tribal Consultation Webinar/ Call:
 - Government to Government with Tribal Chairperson/Tribal Council or those given specific authority by letter to represent the tribe.
 - State Partners: DWR, Cal OES, National Guard, SWRCB, CDFWS, OPR
 - Federal Partners: IHS, US EPA,
- Upcoming Consultation dates
 - March 17, 2015
 - May 19, 2015
- The Governor's Office of the Tribal Advisor- Drought Updates:
 - http://tribalgovtaffairs.ca.gov/Drought_Updates/Meeting_Info.html
 - @CAGovTribal
- California Drought :
 - <http://ca.gov/drought/>
- Regional Meetings:
 - Local County Governments and Tribal Government coordination

Tribal Government Drought Response

- **9 Tribal Drought Emergency Proclamations**

- Hoopa Valley Tribe (Humboldt County)
- Yurok Tribe (Humboldt County)
- Tule River Indian Tribe (Tulare County)
- Karuk Tribe (Siskiyou/Humboldt Counties)
- Sherwood Valley Pomo Indian Tribe (Mendocino County)
- Yocha Dehe Wintun Nation (Yolo County)
- Cortina Indian Rancheria (Colusa County)
- Kashia Band of Pomo Indians of the Stewarts Point Rancheria (Sonoma County)
- Picayune Rancheria of the Chukchansi Indians (Madera County)

- **3 Tribal Drought Task Force participating in their county**

- Hoopa Valley Tribe (Humboldt County)
- Yurok Tribe (Humboldt County)
- Sherwood Valley Tribe (Mendocino County)



Tribal water systems at high risk due to drought conditions:



Updated January 15, 2015—Updates will be made as conditions change and information becomes available.

Map #	Tribe	System Name	# of Indian Homes
11	Sherwood Valley	Original Sherwood Valley Rancheria	16
5	Yurok	Owl Creek	8
5	Yurok	Kepel	17
5	Yurok	Wautec (aka Johnson's Village)	14
12	Redwood Valley Rancheria	Redwood Valley County Water District	31
14	Coyote Valley	n/a	33
24	Tule River	Main	282
18	Ione Band of Miwoks	n/a	13
10	Grindstone Rancheria	n/a	51
15	Cortina	n/a	6
30	Santa Ysabel	Main	84
21	Big Sandy	Main	46

Total Systems to Date = 12

Source: Indian Health Service California Area Office of Environmental Health and Engineering. Based on vulnerability and risk assessment scores.

Drought contingency planning tools/resources:

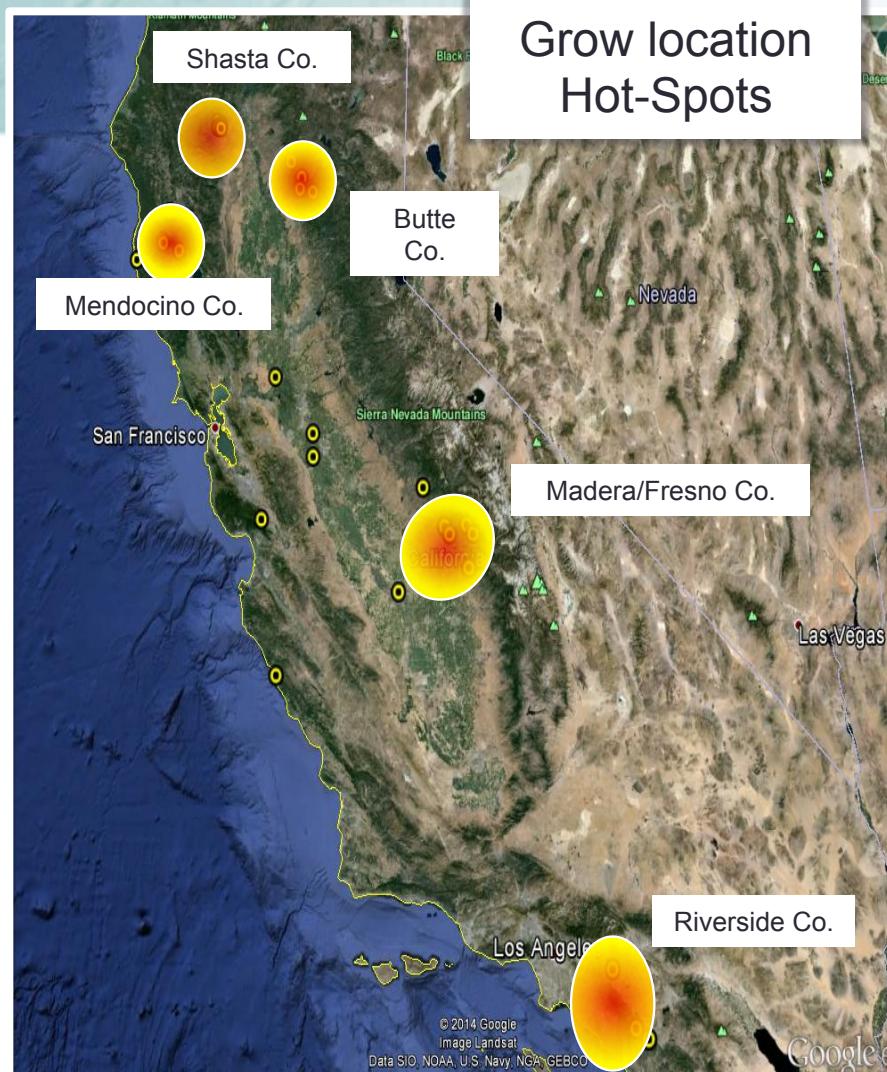
<http://www.ihs.gov/tasks/sites/california/assets/File/DroughtContingencyPlanTemplate.docx>

Yurok & Tule River Marijuana Eradication

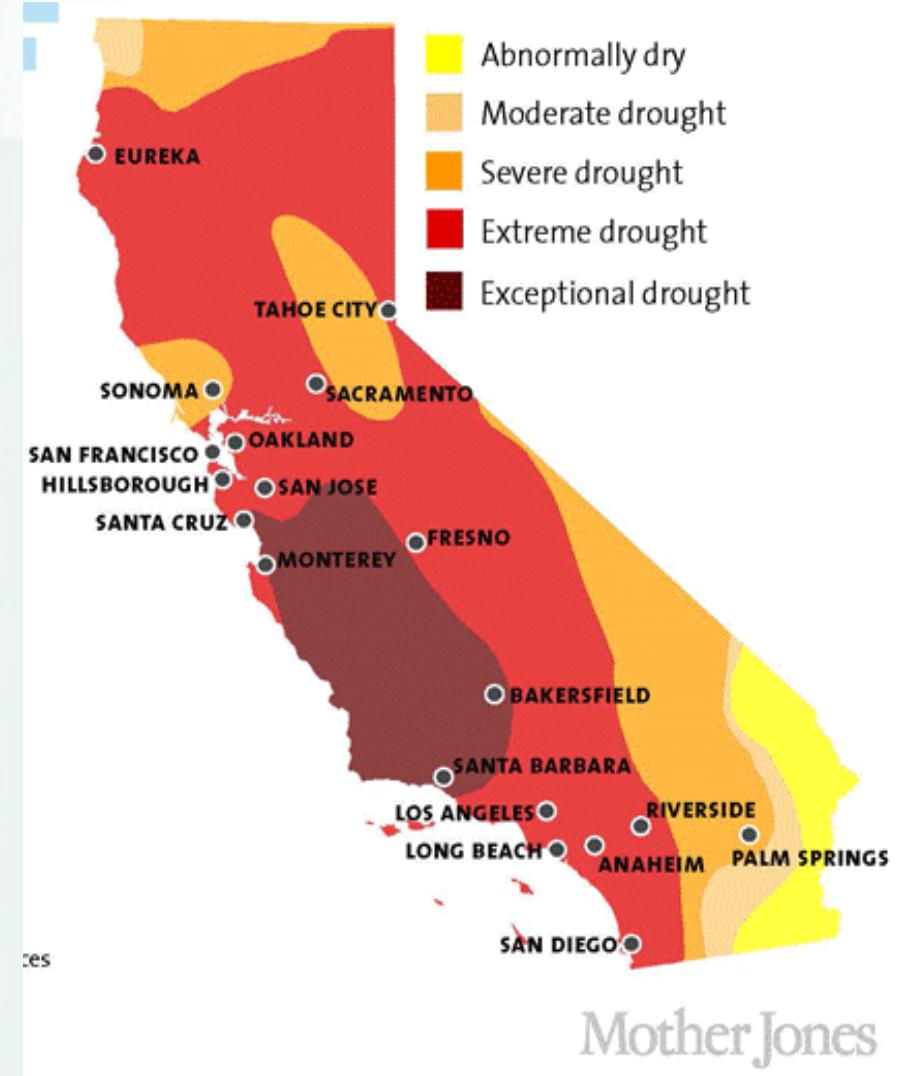


- From 07-21-2014 to 07-24-2014, the Humboldt County Sheriff's Office joined the Bureau of Indian Affairs, California Department of Justice, California Fish and Wildlife Service, Marin County Sheriff's Office, Humboldt County District Attorney's Office, Yurok Police Department and Eureka Police Department in eradicating marijuana grows on Yurok Tribal Land and adjacent properties.
- The 35 officers served twenty Humboldt County Superior Court Search Warrants and nine Tribal Court search warrants during the four days.
- The operation eradicated more than 12,898 plants, over 300 pounds of processed marijuana and seven firearms were seized.
- Officers located extensive environmental damage at several search warrant locations, along with California Fish and Wildlife violations.
 - ❖ Millions of gallons of water was wasted by the clandestine cannabis farms.
 - ❖ Illegal water diversions filled large, tarp-lined pools.
 - ❖ Fish and wildlife killing fungicides and herbicides were used at the illegal sites.
 - ❖ The high nitrate fertilizers and other chemicals threaten drinking water systems.

Marijuana Grow Hotspots / Drought



Grow location
Hot-Spots



Mother Jones

Tribal Engagement in California Legislation

- Proposition 1 – Water Bond
Water Quality, Supply and Infrastructure and Improvement Act
- Sustainable Groundwater Management Act (SGMA)

Tribal Governments & the Legislation

Sustainable Groundwater Management Act

- A majority of California's tribal lands rely on groundwater as their primary source of water because they were created in areas where surface or imported water is not available. Consequently, many reservations overlie groundwater basins for which Plans will be created.
- The Act requires that each Groundwater Sustainability Agency (Agency) consider the interests of all beneficial users of groundwater in the basin, including Native American Tribes. (Water Code § 10723.2).
- At the same time, the Act recognizes Tribal sovereignty, stating that it applies to Tribes and the federal government only "to the extent authorized under federal or tribal law." (Water Code § 10720.3(b)).
- The Act encourages Tribes to voluntarily participate in the preparation or administration of a Groundwater Sustainability Plan (Plan) through a "joint powers authority or other agreement with local agencies in the basin." (Water Code § 10720.3(c)).
 - A participating Tribe can assist with planning, financing, and management under the Plan, and is eligible for "grants and technical assistance" to help the Tribe exercise its inherent regulatory authority to regulate groundwater use.
- While the Act invites Tribal participation in the Plan process, absent Tribal approval, the requirements of a Plan do not apply to a Tribe's use of groundwater.
- The Act recognizes that in any judicial adjudication of groundwater rights or in the implementation of a Plan, "federally reserved water rights to groundwater shall be respected in full" and that if there is any conflict "between federal and state law in that adjudication or management, federal law shall prevail." (Water Code § 10720.3(d)). The Act states that this language is "declaratory of existing law."

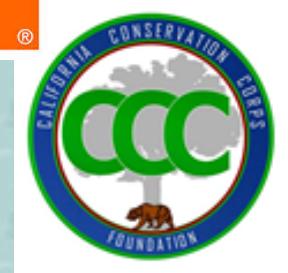
Water Conservation Toolkits

The Home Depot donated 30,000 drought toolkits to the California Conservation Corps Foundation (CCCF) to help disadvantaged communities experiencing or vulnerable to water shortages.

The Governor's Office of Planning and Research (OPR) partnered with the CCCF, the CCC, the Office of Emergency Services (OES) and other state agencies engaged in drought response, local and county governments, tribes, and NGOs to distribute toolkits to community members

Tool Contents:

- 1 5-Gallon Bucket
- 1 Low-Flow Showerhead
- 2 Bathroom Faucet Aerators
- 1 Kitchen Faucet Aerator
- 1 Auto-Shut Off Hose Nozzle
- 1 5-Minute Shower Timer
- Water Conservation Tip Sheets and Drought Emergency Resources in English and Spanish



Conservation Awareness

Save Our Water Campaign

- Focus on seasonally relevant information
- In-depth landscaping and gardening information
- Continued updates of public service announcements
- Focus on how small changes can mean significant conservation
- News and updates regarding extraordinary drought and that rainfall does not equal relief
- How to help Save Our Water grow
 - Welcomes Tribal Ecological Knowledge for ideas on ways Californians can conserve water
 - The program welcomes guest contributions such as column posts or any ideas for implementing Save Our Water within your community or schools

For more tips on how to conserve at home, visit <http://www.saveourh2o.org> or <http://saveourwater.com/>

Or follow Save Our Water on Facebook:

<https://www.facebook.com/SaveOurWaterCA>

or on Twitter: <https://twitter.com/saveourwater>



DROUGHT CONDITIONS

- January 2015 driest on historical record
- February 2015- Snow Survey, 19% of normal.
- Reservoir levels remain low.

Updated information:

TribalGOVTAffairs.ca.gov

Drought.ca.gov

Energy

- Water supplies lower this year, there is sufficient energy resources to meet the demand and maintain grid reliability.
- The difference, additional natural gas will be purchased to offset the loss of hydropower resources. May result in:
 - Higher cost for energy;
 - Greenhouse gas emissions.



THANK YOU

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