



Best Practices in Meaningful Tribal Engagement and Consultation

Introduction

Staff from the Department of Water Resources (DWR) Office of Tribal Affairs (OTA) will cover current state policies mandating Tribal consultation and Tribal engagement with California Tribes. Through a review of best practices, staff from DWR OTA will summarize the role of State agencies in addressing historical practices and how current application of State policies, regulations, and guidelines can be implemented to achieve meaningful engagement with Tribal governments and Tribal communities.

Background

In California the relationship between Federal, State and Tribal water law and Tribal water rights is especially complex due to unratified treaties negotiated with California Tribes. Efforts to quantify the water rights of California Tribes have been slow and historically have taken decades to resolve. In general, California's water planning does not account for unquantified Tribal water rights, and, by not establishing meaningful relationships with Tribal partners – whether on fee, trust or public domain allotments – limits the ability of Tribal governments, public agencies, and private landowners to formulate reliable, accurate and long-term water usage plans and ensure equitable water allocation. To help address water-related and a broader natural resources issues, California Natural Resource Agency (CNRA) developed [resources for Tribal Consultation and best practices](#).

The Commission exists within DWR and is under the umbrella of the California Natural Resources Agency (CNRA). The Commission follows [CNRA's Tribal Consultation Policy](#) and [DWR's Tribal Engagement Policy](#) and consults with DWR's OTA on applicable matters.

DWR's OTA is the central point of government-to-government consultation and coordination with California Tribes to ensure proactive and meaningful engagement. It is DWR's policy to respect Tribal sovereignty through effective collaboration and informed decision-making where all parties share a goal of reaching a decision together with common values such as:

- Working to restore, protect, and manage the State's natural resources for current and future generations.
- Using creative approaches and solutions based on best available science including Indigenous Knowledge.
- Developing strategies for preserving California Native American Tribes' water rights and providing for the sustainable management of California's sacred waters.

Agenda Item: 12

Meeting Date: September 17, 2025

Page 2

- Respecting Tribal sovereignty and maintaining an open and free exchange of information, resources, and interests.

This agenda item advances Goal Two, Objective three of the [Commission's Strategic Plan](#), which calls on the Commission to consider connecting with Tribes and historically marginalized and under-represented parties on topics of interest and relevance to them.

Meeting Overview

At the September meeting, Anecita Agustinez, Executive Manager for DWR's Office of Tribal Affairs, will provide an overview of current state policies mandating Tribal consultation and Tribal engagement with California Tribes. Following their remarks, the Commission will hear Tribal and public comment and have the opportunity to discuss the information presented.

This is an informational item.

Contact

Sarah Lesmeister

Assistant Executive Officer

California Water Commission

(916) 450-8402