

VISIONARY POLICY:
THE TRIBAL WATER STORIES PROJECT

By

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ABSTRACT

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Human beings have inhabited North America for centuries. From the beginning they told stories - stories of creation, values, consequences of one's actions, and respect for all living things.

Due to European colonization many tribes were displaced and their land lost for the sake of progress. Developers seized the lands and natural resources. Tribes have been overlooked for centuries. Their ongoing marginalization and acculturation is part of the continuing attempts of genocide against the Indigenous peoples that inhabit the lands we now call California. Part of the genocide has been to take the land and water from Indigenous people without regard to their religious and beneficial sound ecological use of this resources. Clean water is essential to life. This is a deeply held feeling for Indigenous people as water is one of the elements necessary to carry on the Native cultural, traditional way of life.

For this project, I was the coordinator and video editor for the Tribal Water Stories. The project consists of personal testimonies about water that were recorded during the first California Tribal Water Summit proceedings, *Protect Our Sacred Water*, November 4-5, 2009, in Sacramento, California. The oral stories and subsequent analysis provide the basis for this current research. Conclusions drawn from this analysis

shed light on a dark void that exists between an Indigenous world view and a European overlay imposed on the American West.

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This Project is dedicated to my Grandmother Mary Reed Smoker, my Father and Mother, David and Ethel Maloney, my sister, Doris Donahue, to my children Sam and Heather, my grandchildren, Codi and Zabrina as well as to my niece Rosie Donahue who is always there for me with a smile and hug. If not for the love, support, and understanding of my family I would not have been able to complete this project.

To the Indian people with whom I am proud to represent and advocate for.

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CHAPTER I: HEADWATERS: AN INTRODUCTION

This year, 2014, California is again suffering from unprecedented drought conditions. Water shortages and mandatory water conservation measures throughout much of the state suggest that the current water policy has failed. Indigenous stories of water have much to contribute to decisions on the future of water conservation and use rights in California.

As a child I played on the banks of the Klamath and Trinity Rivers. My family originated in a place known as Smoker Falls. These rivers are very important, not just for memories, but because they feed, my stomach and the stomachs of my people. On the other hand, as an Indigenous person, they fill my heart and soul as well. Today, with the growth of moss and blue green algae, there are times when it is un-safe for children and animals to play in the rivers. It is dramatic to see that the waters of the Trinity and Klamath rivers are no longer safe for people or fish (See Appendix C, Blue Green Algae Warning). Who is responsible for protecting these waters? One answer may be that the California Water policy is responsible for the sustainable and ecologically sound water policy decisions.

The California Water Plan (CWP) was published in 1957 and was created to provide a framework for water managers, legislators, and the public to use when considering options and making decisions regarding California's future water use. This

plan provides important information and data on California's projected water supply and estimates how much water will be needed to adequately supply urban, agriculture, and environmental uses. It also quantifies potential shortfalls that may occur between water supply and projected water usage (Department of Water Resources, 2014). However, the tribes and their tribal water rights are in conflict with the California Water Plan (CWP).

It is a major assumption of this project that sustainable and ecological policy decisions regarding water can only be made when there is collaboration between California tribes and the Department of Water Resources (DWR). This project focuses on Rivers, tribes and DWR. I know from my family stories and from my academic research that access to clean water and healthy riparian habitat is a problem throughout Indian country (Adamson, 2001). Therefore, the objective of this study is to focus on California water policies towards its rivers, in particular, as well as focus on the value of tribal water stories, which led me to undertake this project.

Northern California tribes have a relationship with the land and water that includes cultural, spiritual, religious, and material aspects (Kroeber, 1978). To the Indian people these four things are inseparable. This relationship with nature instills within us an intimate and respectful understanding of Mother Earth and the need to protect her as well as the obligation to ensure that future generations will have the same blessings that we have enjoyed. California water policy has ignored these tribal water relationships, partly because their efficacy in water conservation has not been quantified and partly because western science does not recognize their stories and ceremonies as contributing to our knowledge.

In an effort to improve communication with Tribes, DWR invited Tribal members to help form a Tribal Communication Committee (TCC). On November 4th & 5th, 2009, the first California Tribal Water Summit (CTWS) themed “Protect Our Sacred Water” was held in Sacramento. During the summit proceedings a youth group call SacYes interviewed and recorded nineteen individuals willing to share their stories regarding the natural world, water, and their tribe.

This project is the result of my participation in the CTWS 2009. The Department of Water Resources (DWR) invited tribal members and other non-native ecological groups to participate in the conference by submitting a water story that told of historical and contemporary uses of water. These stories were recorded for historical preservation to demonstrate the importance of water to the tribes in regards to stories and ceremonies as well as preserving the ecological knowledge they represent.

The stories were shared in a traditional format in order to inform and educate legislators, state agency officials, water district managers, members of the general public. The resulting nineteen testimonies were recorded on DVD and were included within the California Water Plan Highlights, Integrated Water Management, Update 2009, as Tribal information.

CHAPTER II

TRIBUTARIES: REVIEW OF LITERATURE

WATER: THE STORY OF LIFE

As a child the earliest lessons taught me were that the mountains and rivers are my church and place of prayer. I was also taught that tribal people, who are at one with nature, felt they had no choice but to sit and watch, while political agendas led to catastrophic water conditions. These water conditions led to massive fish species die-offs and harm to the people using the water resources. This destruction resulted from the fact that water and its resources sustain the lives of people, while on the other hand misuse of water can lead to negative outcomes for the rivers, their resources, and the tribes.

Native Tribes are prevented from fulfilling their obligation of to be good stewards of the land and waters, when Federal and state management policy makers fail to recognize the value of traditional, holistic, tribal management practices that teach humans how to be a part of their environment rather than its master. There is major conflict between governmental policies and tribal cultural values of stewardship in terms of water. Don L. Hankins author of *Water as Sacred*, a briefing paper in the *Tribal Water Stories Book* states,

The cultural relationship to water is evident throughout California's diverse tribal communities. Water may be considered the backbone of tribal societies. Ancient tribal societies were organized into moieties or clans, which frequently had some reverence to water, and reference back to traditional law, whereby the members of that moiety or clan had responsibilities to look after matter pertaining to water. Nearly every tribe has traditional stories about water, which address issues from the origins of human beings to explaining the place one's ancestors depart

to when deceased. Tribes have also recognized sacred water such as springs, wetlands, lakes, which serve as places for story, ceremony, healing, and other purposes. Under traditional law, these places are frequently those protected or not accessible by the general population of the tribe. Protection of these places ensured the long-term viability of the source, and ensured the quality of the water would be highest (Hankins, 2010, p. 66).

Clean water is essential in Yurok traditional ceremonies. They start with the cleansing of one's body, mind, and spirit. Preparation for participating in a ceremony starts months in advance with living in a good and clean way. Water is considered the sacred source of life. How can one cleanse oneself in a contaminated river that has little to no flow? How can one cleanse oneself when the water that is flowing contains high levels of fertilizers, pesticides, and chemicals that contribute to the *algal* blooms?

Authors Doremus and Tarlock in *Water War in the Klamath Basin* agree that,

In recent years algal blooms in the reservoirs have become a health concern. Beginning in 2005, every summer has brought warnings from the EPA and California water agencies against swimming or boating in Iron Gate and COPCO reservoirs because of high levels of blue-green alga *Microcystis aeruginosa*, which produces a toxin capable of causing liver failure. (Doremus and Tarlock, 2008, p.142).

Tribes have a spiritual responsibility and duty to protect rivers to ensure clean water within their homelands. These beliefs are based on centuries of water observation and use that led to the survival of the people. Time has taught the tribes that the consequences of failing in their responsibility for the water, on which their lives are dependent, would be a tragic and terrible loss. Therefore, the tribes have had a unique and intimate relationship with water and with the landscape in which it flows over time.

Their stories tell of this stewardship, which includes respect for, as well as, preventing misuse of the rivers.

The rivers are seen as pathways that nurture an abundance of life. From the stories of tribal elders we have preserved how to best maintain healthy relationships with water. In this way, generations have learned the principles of gratitude, of sharing, of prayer, and above all, of conservation.

The ceremonial practices of Northern California tribes are interwoven with the river. The White Deer Skin Dance, The Jump Dance, the Boat Dance, Brush Dance, and Flower Dance are just a few of the ceremonies conducted adjacent to or directly on the water. Water is the element of healing and cleansing of one's body, mind and spirit. An example, would be when our men prepare for ceremony by cleansing themselves through a purification ritual conducted in a sweat lodge at the river's edge, which ends by bathing in the river. Conservation provides the means to keep water clean. Thus, conservation and preservation are part of the same processes passed on to future generations through ceremonies and stories. According to Gregory Cajete author of *Native Science* states that native storytelling allows for important knowledge of tribal life to be passed from one generation to another,

Storytelling is a very important aspect of Native America. It is not just the words and the listening but the actual living of the story. The author does a beautiful holistic treatment of Native American science by giving it "livingness" and spirit. The Native American paradigm comes to life as the author weaves through ecology, relational networks of plants, animals, the land and the cosmos. It is a renewal ceremony of Native American knowledge, a storytelling of the discoveries of regular patterns manifesting themselves in the flux. In other words, Native American science is a search for reality, and this is "science (Cajete, 2000, p . xii).

ORAL TRADITION: STORY TELLING

Human beings have always felt the need to create a record of significant ideas and beliefs. A few examples would be petroglyphs, pictographs, songs and art, the old and new testaments, literature or storytelling.

Oral tradition is the way tribal culture is nurtured and inherited. Story is the root word of “history”, and tribal stories are dynamic and alive, the meanings and lessons are adaptive for the individual and the culture as well. They are a collection of tribal memory and knowledge that recall the teachings of their parents, grandparents and great grandparents. But all serve to sustain and expand the community of knowledge and the wisdom of ages.

Oral histories cannot be validated by the standard systems of literate society. It would be unfair to judge the spiritual beliefs, the emotions and dreams of a culture based on oral traditions with tools that do not give much weight to matters that are of greater importance to one culture and not in another (Augustine, 2008, p. 5).

Furthermore, the reality is that “Indigenous history” is just as valid as overall history because it serves to sustain the community and provide knowledge through storytelling and ceremonies. In the book *Aboriginal Oral Traditions*, author Catherine Martin states,

I have a firm belief that the story is within our living memories, in our connection to our ancestors, in our genes, in our blood, and in our spirit. The story is sacred and requires to be treated in a sacred, respectful manner by accepting the responsibility from within our communities to tell the story from our place of knowing (Martin, 2008, p. 15).

Thus, it is the responsibility of tribal people to pass on their memories to future generations through storytelling and ceremony. Linda Tuhiwai Smith author of *Decolonizing Methodologies* says:

There are numerous oral stories which tell of what it means, what it feels like, to be present while your history is erased before your eyes, dismissed as irrelevant, ignored or rendered as the lunatic ravings of drunken old people. The negation of indigenous views of history was a critical part of asserting colonial ideology, partly because such views were regarded as clearly 'primitive' and 'incorrect' and mostly because they challenged and resisted the mission of colonization. (Smith, 2005, p. 29)

In summary, traditional stories are dynamic; they are a way to pass knowledge down from one generation to another. The telling of a story can be the beginning of acknowledging and naming the truth of tribal history. Future generations will be the upcoming elders who will pass along the wisdom and knowledge of the old ways, taught to them by their family.

In this project Traditional Ecological Knowledge (TEK), an aspect of traditional knowledge will be employed. For the purposes of this project TEK can be defined as empirical knowledge that is based on centuries of observation and experience with natural phenomena. This type of knowledge is related to Traditional Knowledge (TK) and all it encompasses.

Traditional knowledge may be holistic in outlook and adaptive by nature, gathered over generations by observers whose lives depended on this information and its use. It often accumulates incrementally, tested by trial-and-error and transmitted to future generations orally or by shared practical experiences" (Berkes, et al. 2000, p. 1252).

Currently tribes as well as non-Indigenous agencies are endeavoring to include TEK in their management plans. Traditional Ecological Knowledge (TEK) is not only about oral traditions and storytelling but about the environment in which these stories occurred.

ENVIRONMENT: A PLACE BY THE WATER

A Yurok village of two hundred years ago would look much the same as a village of two thousand years ago. Far from what some would think of as primitive, it was a community that had structure and order. There were approximately fifty traditional villages on the banks of the Klamath and Trinity rivers (See appendix B for Yurok Village Map). Redwood plank houses clustered along the banks of the river would be surrounded by people engaged in the day-to-day activities of communal life. Women and young girls could be found grinding acorns, laughing, and telling stories. Others could be found weaving baskets or processing roots, sticks or fern.

Water played the most significant role in village location. Unlike peoples who frequently established rivers as boundaries, California natives looked upon the entire watershed of streams, reaching back from both banks, as natural territories. Such an outlook reflected economic as well as political considerations, for it ordinarily gave a native community control of both banks of the river or stream or creek, and it provided easy access to game and fowl that sought out such water sources. (Hundley, 1992, p. 14)

A typical Yurok day would find some men and boys working on redwood logs that would become the means of transportation. While carving the logs, they also heard stories of how a canoe has a heart and lungs, becoming a living entity. The stories that were shared enabled the young men to pass similar skills onto the next generation.

Children played in the shallows of the clear running stream. Young boys and girls tried to catch salmon with their hands as they lay resting in the cool water, trying to be like the fish. Specks of gold lay glistening in the riverbed, neither coveted nor collected.

The rivers were their highways and a means of traveling for hunting, trading and socializing through their attendance at ceremonies both up and down river. Even the names by which the tribes are known to one another reflect their relationship to the river. The Karuk are the upriver people and the Yurok are known as the downriver people. A deep sense of place was reflected through family names, and the fact that places were not named after people, but rather, people were named after their place or village of origin.

CHANGES: IN PLACE AND THE ENVIRONMENT

The oral traditions and tribal environments went through major changes as a result of colonization. The tribes felt the impact of this invasion in many disastrous ways.

Soon after the appearance of Europeans, the California Indian population dropped dramatically due to diseases from which they had no immunities. “It is calculated that at the time of the first Spanish settlement in 1769 there were about 310,000 Indians in California with a land area of 155,650 square miles.” (Heizer and Elsasser, 1980, p. 25).

The Indian population dropped to approximately 25,000 in 1910. (See Appendix D which contains a chart by Sherburne F. Cook, 1976, *The Population of the California Indians, 1769-1970*).

Indians were also hunted down and killed for sport and money. The government also called for assistance of the militia to carry out the atrocious acts of genocide.

During the 1850s, Governor Burnett called out the militia two times. The first order was promoted by incidents at the confluence of the Gila and Colorado rivers on April 23, 1850; in response, the Governor ordered the sheriffs of San Diego and Los Angeles to organize a total of 100 men to “pursue such energetic measures to punish the Indians, bring them to terms, and protect emigrants on their way to California. The second instance occurred in October 1850, when Governor Burnett ordered the sheriff of El Dorado County to muster 200 men. The commanders were instructed to “proceed to punish the Indians engaged in the late attacks in the vicinity of Ringgold, and along the emigrant trail leading from Salt Lake to California. (Johnston-Dodds, 2002, p. 15).

Indian people and children were stolen and taken away from their home lands to become indentured as slaves to immigrant families.

The 1850 *Act for the Government and Protection of Indians* facilitated removing California Indians from their traditional lands,

separating at least a generation of children and adults from their families, languages, and cultures (1850 to 1865). This California law provided for “apprenticing” or indenturing Indian children and adults to Whites, and also punished “vagrant” Indians by “hiring” them out to the highest bidder at a public auction if the Indian could not provide sufficient bond or bail. (Johnston-Dodds, 2002, p. 1)

Indigenous people struggled to maintain their land as well as their identity, which came from the land. The stories and ceremonies they engaged in assisted them in their attempt to hold on to their identity and cultural values. Without these stories and ceremonies much of the knowledge about conservation and protection of the land and rivers by the tribes would have been lost.

California Indian tribes never ceded their water rights to the United States Government and they have never recognized California’s claim to their waters. California water polices, including river diversions and alterations have historically been defined/developed/created without consideration of California Indian tribes’ cultural and spiritual dependence on the rivers. Norris Hundley, Jr. states,

The concept of “common good” was also invariably ethnocentric when transformed into action, a lesson learned early by the native peoples of the New World. Their land and water rights were often reduced to little more than a cipher, while their labor was commandeered on behalf of God, country, and other men’s profits (Hundley, 1992, p. 58).

The beginning of the 20th Century saw an inchoate federal water policy being formed. The Reclamation Act of 1902 and the *Winters* Decision of 1908 laid the groundwork for a federal doctrine that has changed little in over one hundred years. *Winters* and subsequent rulings held that water was reserved for Native use on federally created reservations. Almost immediately conflict arose with the concurrently

developing policies of states like California. During the rapidly population growth of the early 1900's, western states ascribed to the 'appropriative theory' of perfecting rights to water. This was based on the concept that the first to put the water to "beneficial use" would retain the right to that water. This discrepancy between state and federal water law was to become the crux of a dispute that still exists today. Daniel McCool writes that "Samuel Weil, in his famous 1911 water treatise, wrote that 'the conflict between State and Federal jurisdiction...is becoming marked; and the law is in an uncertain and formative stage' (Weil, 1911 p. 478 cited in McCool, 1987, p. 20).

Furthermore, the McCarran Amendment to the Reclamation Act in the 1950's seemed to allow the adjudication of water rights cases on federal land to be conducted in state courts. All of this is further complicated by a legislative process that reinforces the status quo. As Daniel McCool convincingly asserts in his work "*Command of the Waters*", there exists an "iron triangle" composed of legislators, agencies and special interests that has a vested interest in maintaining their symbiotic relationship regarding water policy and resultant projects (McCool, 1987)

TRIBES AND THEIR RIGHT TO WATER

Indian reservations were established before most water development began in the West. Because tribal water rights date from the origin of the reservation, tribes hold the oldest and thus, most senior, water rights. Water rights claims based on customary use go even further back in history. However, non-Indians have looked at water as a commodity since the early 1700's, an economic resource that can be dammed, diverted, bottled up

and sold back to the people from whom it was taken. Despite holding senior water rights, California tribes were not consulted regarding the management of California's water projects nor where they included within the allocations of water. This resulted in California tribes questioning and not trusting governmental agencies. There are ample reasons for a lack of trust.

Although tribes have fought to claim their water rights through litigation, court rulings and federal law, California has only recently recognized or considered the effects of its water policies in Indian Country (Today, 2013)

Indian water rights are based on a case known as *Winters v. United States*, (Winters, 207 U.S. 564, 1908). In Winters, the Supreme Court held that when Indian reservations were established, the tribes and the United States implicitly reserved, along with the land, sufficient water to fulfill the purposes of the reservations. (Williams, 2009) When policy is characterized by words such as "sufficient" and "reasonable" and "beneficial uses" and these words have different meanings to different people, we must look to the context in which they are used. What the State considers "sufficient", "reasonable" or "beneficial" to Indian communities is often at odds with what the tribes consider sufficient, reasonable and beneficial. Delia Parr and Jed Parr with California Indian Legal Services wrote a briefing paper entitled, California Tribal Water rights, that states;

In general, California's water allocation plan does not account for tribal water rights which have not yet been quantified. The exact count of tribes whose water rights have been accurately quantified is unclear, but what is clear is that the tally is far below the total number of federally-recognized tribes in the state. Furthermore, there is no evidence to suggest

that the water rights of any public domain allotment have been accurately quantified and incorporated into water allocations. Not properly accounting for reserved tribal water rights will inevitably limit the ability of public entities, business, tribal governments, and individual landowners to formulate reliable, long-term water usage plans (Parr and Parr, 2010, p.93).

Finally, Pueblo water rights were established by the early Hispanic settlers to ensure that the pueblos that they established would always have water no matter how large the population grew. Individual land holders could not have exclusive title to water. “Under Spanish law, water in a municipality did not belong to separate individuals, but rather passed from the monarch to the entire community as a corporate body” (Hundley, 1992, p.39).

This fundamental Plan of Pitic was the principle for the premise that all waters should be shared by all residents and included Indians as well. “Pastures, woods, waters, hunting, fishing, stone quarries, fruit trees and other privileges shall be for the common benefit of the Spaniards and Indians residing therein,” declared a key passage in the Plan, echoing a royal decree issued in 1533.” (Hundley, 1992, p. 39)

With this plan no one had superior water rights or allocations of water. Some of the concepts of the Pueblo water rights found a voice in water rights cases in California in the mid 1800’s, such as the case of *Lux v. Haggin* 1886. An adjudicated patchwork of riparian, appropriative and pueblo water right theories would become known as the California Doctrine (Hundley, 1992, p. 91).

CALIFORNIA WATER PLAN

The Bureau of Reclamation, the *Winters* doctrine of federal reserved water rights and Pueblo rights all contributed to some degree to the California Water Plan (CWP). In 1957 the CWP was formulated as California's strategic plan, setting priorities to ensure that urbanization, agriculture, industrial and environmental usage of water would continue to be sufficient for future social and economic growth. The CWP is used as a tool for decision makers as they analyze and calculate the appropriate policy, water needs and projections for future water investments. Neither the State of California Department of Water Resources (DWR) or the California Water Plan (CWP) historically or currently addresses the allocation of water for tribal land allotments or reservations.

Prior to Update 2009, California's state-wide water planning process did not provide a formal consultative role for Indian Tribes, despite their senior water rights and compelling interest in helping to shape State policy with regard to water resources. The absence of a meaningful role for sovereign Indian Tribes cannot be justified (Berkey, et al., 2010, p. 58)

The CWP is updated every five years and in 1999, a public advisory committee was established to provide a diverse point of view to the CWP. The committee sought and received the involvement of California Indian tribes. Tribal representation helped in the formation of the Tribal Communication Committee (TCC). Every tribe that wanted to be involved in updating the CWP could have a representative at the table. Individual Indians were also encouraged to participate. It is with their voice and representation that the vision of Native interests would be included in the updated CWP.

The State of California has begun involving Indian tribes at some levels but this involvement has not affected water policy. Yet, California agencies were not able to ensure that traditional water interests, including future needs and uses, were included in California's water policies (CTWS, 2009).

STATEMENT OF THE PROBLEM

Currently, the State of California is working with Tribal governments so that state agencies may start to better understand Tribal religious, cultural, and subsistence uses of water for inclusion in future policy decisions. The CWP stated purpose is to be better informed and to quantify Tribal uses of water for inclusion in future policy decisions. However, these efforts have not included an understanding of the effectiveness of tribal storytelling and ceremonies in water conservation and use. The California Tribal Water Summit 2009 was part of cooperation between the state of California and tribal governments. However, at this time, 2014, tribal people have been engaged as quasi consultants but have not had significant input at the decision making level

This project was the necessary first step in making available the knowledge contained in tribal stories. This was done through an examination of the contributions made to the 2009 summit by nineteen invited story tellers. No research questions or hypotheses were developed and analyzed. Instead, the stories collected were examined and presented in this project as knowledge that could add greater awareness within water policy, as well as highlight the importance of tribal culture within their communities.

They also demonstrate the importance of quantifying tribal water rights, and support overall water conservation.

CHAPTER III
EXAMINING WATER:
SCIENCE AND TRADITIONAL ECOLOGICAL KNOWLEDGE
METHOD:
TRIBAL VOICES STORY TELLING AS DATA

In order to collect the data to be examined for this project, I served as the coordinator and video editor for the Tribal Water Stories Committee. The Department of Water Resources (DWR) is the owner and custodian of the original nineteen recordings. These testimonies were recorded during the first California Tribal Water Summit Proceedings, *Protect Our Sacred Water*, November 4-5, 2009, in Sacramento, California. The recordings have been included within the California Water Plan Highlights, Integrated Water Management update in 2009 as a Tribal informational DVD, California Water Plan (See Appendix K).

These stories were provided in a traditional oral format in order to inform and educate legislators, state agency officials, water district managers, and members of the general public. A more formal means of education is also provided through a printed booklet of Tribal Water Stories, which contains California Tribal Stories, Position Papers and Briefing Papers from the Tribal Water Summit (See Appendix L).

Traditional story telling allows for more insight and interpretation of the given story as well as providing a historical context. An example from the Tribal Water Stories DVD is the recorded version of the story “The Origin of People” by Wendy Ireland. In

this story Ireland relates that the world began with water, she implies that it is sacred, and necessary for life. In her story the tribes are protected in a jug. From this story we might assume it is the responsibility of the next generation to protect the water and the jug, i.e., the tribes. These stories and personal testimonies provide intimate portrayals of the detrimental effects of California's water policies and ongoing management practices that continue to jeopardize tribal traditional cultures.

It should be noted that, based on President Clinton's Executive Order 13175 – Consultation and Coordination with Indian Tribal Governments, November 06, 2000, state agencies need to include and consult with tribal governments

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications, to strengthen the United States government-to-government relationships with Indian tribes, and to reduce the imposition of unfunded mandates upon Indian tribes; (President Clinton, 2000, p. 2806).

Although the first California Tribal Water Summit was held in 2009 and the inclusion of the tribal water stories project was at the forefront of consultation with tribes. Nothing happened beyond the cutting of the DVD. If DWR employees and state officials viewed the TWS DVD to gain insight of tribal concerns regarding their management of natural resources, why weren't their adjudicated results published? I have not seen evidence of this within the CWP Updates. In an E-mail correspondence with Emily Alejandrino of DWR, I asked her the following:

I would like to talk to you get your position on the tribal water summit and tribal allocation for the plan. Are there any plans to quantify

or include tribal water allocation in the plan? My thesis addresses these questions and looks to the stories.

Her response was, “In regards to your inquiry about any plans to quantify or include tribal water allocation in the CA Water Plan, I brought that up to our data staff. I will respond when I hear from them.

Response from data staff, “Hi Ruthie, In regards to your inquiry about tribal water allocation, our staff indicated they are open to work with Tribes to identify water demands, supplies, dedicated flows, and document concerns to be included in Water Plan Update 2018. If this is something your tribe would be interested in let me now and I can connect you to our data folks. They also do mapping and provide other technical assistance that is not Water Plan related. Their office is located in Red Bluff (Alejandrino, 2014).

The California Tribal Water Summit Design Team, in partnership with California Department of Water Resources, convened the second statewide California Tribal Water Summit on April 24-25, 2013 in Sacramento. The theme of the summit was "California Indigenous Rights, Uses and Management of Water and Land: Leveraging the strengths and resources of Tribal, State and Federal agencies through collaboration." The summit showcased three topics: tribal ecological knowledge; indigenous rights to water; and water management and land use with featured keynote speakers including the Governor's Tribal Adviser, Cynthia Gomez (DWR, 2013).

It is interesting to note that no tribal water stories were solicited for the 2013 Tribal Water Summit. The stories presented at the 2013 California Tribal Water Summit were not solicited as in the first CTWS in 2009. The presenters of the 2013 CTWS told stories in spite of the fact that they were not solicited. I told a story about weaving baskets from the beginning of the dream or vision to the praying before gathering the basket materials to the songs I sing when I gather them as an example of Traditional Ecological Knowledge (TEK). However, there was no recorded footage of individuals

providing information on ceremonies or ecology as those from the 2009 summit.

Therefore, in this project the information from the 2009 California Tribal Water Summit was examined as a first step toward quantifying storytelling as Traditional Ecological Knowledge.

COMMUNITY PARTICIPATORY RESEARCH

I became a volunteer committee member of the Tribal Communication Committee (TCC), a member of the Tribal Water Summit Planning Committee and a member of the Tribal Water Stories Sub-Committee, I felt it was important for me to represent the native people and be a voice. From within this political arena, as a participant researcher, I was able to observe the development of the TCC plan for the first tribal water summit. At the summit many tribes came together to share their voices about California's water issues.

My undergraduate degree in Communication provided me the skills and ability to collect and examine these stories. Inter-personal communication, non-verbal communication, business and professional communication, American public discourse, and public speaking are just a few of the skills that served as valuable assets during these meetings and for developing this project.

The data was collected in the following manner: In an effort to improve communication with Tribal Governments, the DWR invited Tribal members to help form a Tribal Communication Committee (TCC). This volunteer committee was convened by the DWR in October 2007, to help everyone involved in the CWP to communicate appropriately and effectively with unrecognized and federally recognized California

Indian Tribes. The committee published a Tribal Communication Plan (TCP) in the spring of 2012. Objective 8 of the Plan was to “educate State, local and federal government, and water purveyor executives and planners about the historical ongoing relationships between California Native American Tribes and water, especially cultural and religious practices (TCP, 2012).

One way to accomplish the objective of increased communication between the tribes and water agencies was for DWR and the TCC to invite each tribe to submit a Tribal Water Story (TWS). In this way the tribes were able to reveal in their own words how they are connected to water and how things have changed within their watersheds. These stories were included within the CWP in a Special Reference Section and are available to help inform and educate thousands of State agency officials, water district managers, non-profit organizers and members of the public throughout California.

In the book *The Colors of Nature: Cultural Identity and the Natural World* (Deming and Savoy, 2011), the contributors argue that ignoring cultural contributions in the study of natural phenomena results in not employing a valuable source of data about nature. They also suggest that looking at cultural data with a more open mind, overtime, might result in a more livable and sustainable future in terms of natural resources. Guided by these assumptions, I looked at cultural stories from tribes in California to process them in terms of value for ecological insights and planning, especially in terms of water.

The format of the conference was akin to Community Theater, that is, the presenters were a forum of storytellers. In a sense, they could be seen as a community

chorus singing about water and its importance to life. From a methodological perspective the forum format allowed the history of many tribes to be presented for examination.

COMMUNITY THEATER

Oral communication through Community Theater is the passing down of history through theater, which allows for the expression of verbal and non-verbal communication (McGillion, 2014). Looking at environmental justice through theater and sharing the raw emotion of the time and place provided this researcher with an additional “lens” to examine the stories presented at the Tribal Water Summit. An example can be seen in the 2002 fish kill on the Klamath River. There was a devastating fish kill, over 34,000 salmon lost their lives due to low flows and high temperatures of the waters which created conditions for disease to spread among the salmon (May, Burcell, McCovey and O’hara, 2014)

A drama creation of *Community Based Theatre in the Klamath Watershed: Salmon Is Everything*, provided a means of expression and healing to the people who live and rely on the salmon within this area (May, Burcell, McCovey and O’hara, 2014).

RESEARCH FINDINGS IN VIDEO: STORIES OF THE PAST

The participants at the DWR conference were in a sense demonstrating through Community Theater, the form, and the content consisted of the water stories i.e. oral traditions. The content of their stories represented the data pool employed in this project. The method employed was viewing and transcribing the video archives, looking for

findings of particular importance that supported river degradation and/or past uses of water that reflected cultural life. An example of this type of research can be seen in Chag Lowry's (1999 - 2001) north coast oral history project.

Chag Lowry's, Living Biographies Project, developed through public television KEET 13, Eureka, California, sought to record anything the elders wanted to share, stories in their language, knowledge of history, cultural knowledge, knowledge of the local rivers and more. His project added to the knowledge of cultural traditions that are passed down from generation to generation. In an interview with Lena Nicholson, he reports how she talks about basketry and the importance of clean water, thereby supporting the cultural uses of water. This type of reporting on video archival data is similar to the method employed in this project.

Leana Nicholson (LN): My mother made baskets and my grandmother, my grandmother was blind and I can remember grandpa sitting with her and counting, you know with the designs, begin and stop. And mom made baskets but mom died when we were young.

Chag Lowery (CL): What type of baskets did they make?
LN: "Usually grandma made. The last basket I have of hers is a dipper of hers, a tightly woven, that held water and it was a dipper. Grandma made mostly acorn baskets (KEET 13 Living Biographies Project, 1999).

To develop my skills for this project, I analyzed the video "Storytellers of the Pacific #2 Self-Determination" 1996. I transcribed the interview of Billy Frank as an example of Federal, State and Tribal collaboration, in determining tribal fishing rights. This was an excellent opportunity to practice transcribing a video recording that focused on the decision making process between tribes and governmental agencies. (See Appendix E).

TRIBAL WATER STORIES PROJECT

There is a gap or misunderstanding between the dominant culture and the Native American cultural worldviews (Deloria, 1999), especially in terms of cultural storytelling as ‘science’ (Hulan & Eigenbrod, 2008) in the management of water. In order to start to bridge the gap between cultural viewpoints it is essential to communicate effectively. The California Water Plan (CWP) can be a means of initiating this process.

The following description outlines the procedures employed to set up the conference from which the archival DVD’s were obtained. In a sense this represents the procedure aspect of participant community research.

The DWR Tribal Water Summit 2009 began with public outreach conducted on Native American Day, September 25, 2008 at the State Capital, Sacramento (See Appendix I). The DWR had a booth in which the Tribal Water Stories Committee (TWSC) promoted our Tribal Water Stories (TWS) project as well as the California Tribal Water Summit (CTWS) event. The theme of the summit was “Protect Our Sacred Water”.

The Center for Collaborative Policy (CCP) sent letters to tribes throughout California inviting them to submit a TWS. The letter noted that, “The purpose of the Tribal Water Stories Project is to provide all California Native American Tribes with an opportunity to tell a story about how they have been connected with water in the past and continue to be connected to water in the present.” (Resources, 2008) (See Appendix F)

We engaged the services of a local youth group called Sac Yes that was interested in film production to compile the rough footage. During the Summit proceedings the Sac

Yes program had a booth that was set up to record and film summit attendees who were willing to tell a tribal water story. The final production and editing of the DVD was done by Jack Kohler and this researcher. The funding for this project was provided by the Sierra Nevada Conservancy.

Some of the problems encountered during this procedure were as follows; Indian people are often reluctant to talk to researchers so it was necessary, in some cases, to explain to them the importance of participating in this program. Some people were hesitant for other reasons but overcame their initial shyness and became enthusiastic participants.

In spite of these challenges, enough data was collected to develop a meaningful project. In the next chapter an examination of the California Tribal Water Summit 2009 participants' responses are evaluated. The results are discussed in the final chapter of this project.

CHAPTER IV: RESULTS

PRODUCTION OF TRIBAL WATER STORIES DVD

The nineteen personal testimonies, which composed the *Tribal Water Stories* DVD, provide a traditional format of oral storytelling and Community Theater that is being used to inform and educate legislators, state agency officials, water district managers, and members of the general public.

The stories provide data for this project, as well as for a, “Tribal Water Stories” booklet that was published and distributed. The book included submitted tribal creation stories, briefing and positions papers that were submitted for the California Tribal Water Summit 2009. There is a “Tribal Communication Plan” that has been published and is available through the Department of Water Resources website. The data analyzed in this project is part of the public domain. There were nineteen participants attending the conference as storytellers. This included 53% (10) females and nine 47% (9) males. Nine tribes were represented. The topics presented ranged from sacred to ecological and there were fifteen (15) themes in all. Some of the story tellers came from three (3) different agencies such as the Department of Conservation Division of Land Resources Protection Water Management, Sierra Salmon Alliance and the California Indian Environmental Alliance. (Complete results can be seen in Figure 1 and Table 1.)

ANALYZING TRIBAL VOICES

The Tribal Water Stories DVD consists of nineteen individual stories. The themes that emerged throughout the recordings were organized into the following

fourteen (14) categories: water contamination and degraded ecosystem, dams, obstruction and diversions, salmon ‘nepuey’ stories, legislative agenda, creation and ceremonial stories, community sharing, blue green algae, access, global warming, language, cultural materials, and oak trees and acorns (See Appendix J for complete chart of themes for the Tribal Water Stories 2009).

Many of the themes presented were connected. Dams, for example, not only obstruct migratory fish but also provide a diversion point for water that is used outside the watershed. Where such diversions occur, the demands of political expedience have been allowed to supersede the requirements of the ecosystem. Mitigation measures proceed at a snail’s pace compared to the ongoing deleterious effects of obstruction, diversion and pollution. Because of this type of overlap, the themes were merged to create six salient themes, the percentages refer to the number of story tellers (%) that talked about this subject: Water Contamination and Degraded Ecosystems (74%), Dams Obstruction and Diversion (58%), Salmon “Nepuey” Stories (58%), Legislative Agenda (47%), Ceremonial Stories (37%), and Creation Stories (37%) (See Figure 2 and Table 2 for complete statistic on themes).

Participant	Discussed
Ron Goode, North Fork Mono tribal chairman	Intro to water stories and closes with Indian humor
Wendy Wermuth-Ireland	Water Creation story and analysis of “Origin of People”
Lois Conner, North Fork Mono Tribe	Basket Weaving & Water contamination
Ruthie Maloney, Yurok & Navajo Hoopa, California	Health of the water, ceremonies HSU Student
Chris Peters, Yurok & Karuk Executive Director 7 th Generation	Closing Remarks of Day one Tribal Water Summit. Yurok water story Kmos.
Jack Kohler, Karuk Film Producer & Editor	Karuk Creation story
Marcellene Norton, Hoopa Tribal Councilmember	Fish Weir, Water contamination & Diversion, regain tribal water rights
David Arwood, Karuk Tribe	HSU student, Salmon and Culture, Legislation,
Bill Jacobson, Sierra Salmon Alliance	Spiritual Advisor and Calling Back the Salmon
Sherri Norris, California Indian Environmental Alliance	Healthy Fish Consumption, Water contamination
David Rain Ortez, Blackfoot & Azteca	Drinking Water and Grey Water
Bruce Gwyenn, Department of Conservation, Division of Land Resources Protection, Water Management	Water Development
Jesse Martinez	Water Distribution and Ecology
Mike Rodriguez	Artist of Logo and Water Rights
Cecelia Sylvis, Cultural Resources Illmawi Band	Water Pollution.
Donna Begay, Tribal Chair Tubatulabals of Kern Valley	Creation story of ‘when the earth shook’ and Lake Isabella Water
Consuela Vargas	Protect Sacred Sites Medicine Lake
Rosa Martinez and Mary Brown, DQ University Coalition	Water Contamination

Figure 1: Interviewees and key story themes from Tribal Water Summit 2009

Table 1

Demographics of Interviews from the Tribal Water Summit 2009

Participants	Number
Male	09
Female	10
Agency	3
University	3
Tribal Affiliation	16
Azteca	1
Black Foot	1
Hoopa	1
Illmawi Band	1
Karuk	3
Kern Valley Tubatulabals	2
Navajo	1
North Fork Mono	2
Yurok	2

The stories consisted of personal accounts and memories of how water was used and contemporary stories of how water is no longer safe to use. More important is the underlying message of each story, that water is the source of all life and clean flowing water is needed to carry out a traditional way of life. The deterioration of California water sources in the last one hundred years has proven to have detrimental effects for all Californians. The Yurok and Hoopa tribes have maintained their ancestral fishing rights on the lands that remain to them but other California tribes have been far less fortunate.

Name	Water Contamination & Degraded Ecosystems	Dams Obstruction & Diversion	Salmon “Nepuey” Stories	Legislative Agenda	Ceremonial Stories	Creation Stories
Ron Goode						X
Wendy Ireland						X
Lois Conner	X		X			
Ruthie Maloney	X	X	X	X	X	
Chris Peters	X	X	X	X	X	X
Jack Kohler			X			X
Marceline Norton	X	X	X	X	X	X
David Arwood	X	X	X	X	X	
Bill Jacobson	X	X	X		X	
Sherri Norris	X	X	X			
David Ortez	X		X	X		
Bruce Gwyenn		X		X		
Jesse Martinez	X	X	X	X		
Mike Rodriquez	X	X		X		
Cecelia Sylvis	X			X		
Donna Begay	X	X			X	X
Consuela Vargas	X	X	X		X	X
Rosa Martinez & Mary Brown	X					

Figure 2: Content Analysis of Themes from the Tribal Water Summit 2009

Table 2:

Content Analysis of Themes from the Tribal Water Summit 2009

Theme	Number of Stories that Address Theme	Percentage
Water Contamination & Degraded Ecosystems	14	74%
Dams Obstruction & Diversion	11	58%
Salmon “Nepuey” Stories	11	58%
Legislative Agenda	09	47%
Ceremonial Stories	07	37%
Creation Stories	07	37%

WATER CONTAMINATION AND DEGRADED ECOSYSTEM

Water contamination was the most frequently discussed topic. Of nineteen interviewees, thirteen or 68% of them discussed water contamination within their stories. They explained how the contaminated water has affected their lives and communities. Fertilizers and pesticides contribute to algae blooms and moss, which make the rivers unsafe for children and animals. Ceremonies conducted on or along the river are also affected by water quality.

Sherry Norris gave an example, “One hundred and twenty five years ago or more than that from the gold rush we are left with a legacy of the mercury and other mining toxins like arsenic, asbestos working its way through our river systems now” (Resources, 2009).

Twelve of the nineteen or 63% discussed degraded ecosystems that are the result of unclean water. Species that rely on nutrients from the river can hardly go elsewhere for their food. Impacts from logging and ore extraction adjacent to the riparian environment are still being felt. Unstable hillsides and chemical detritus must be addressed.

Lois Connor of the North Fork Mono tribe is concerned, "A lot of oak (acorn) trees are dying and the surface water has receded so much and the oak trees are having a hard time in the summer time and I am really worried about our oak trees." "Where's our water going, that's what I want to know?" (Resources, 2009).

Twelve of the nineteen or 63% of interviewees discussed the need for clean water. Water is no longer safe to drink and some tribes are buying bottled water. Some reservations have old dump sites and mill sites that are leaching toxins into the ground water.

The availability of clean water without contaminants is essential. Lois Conner stated, "Our mouth is like a third arm, everything goes into our mouth" during the basket making process. She also talks about areas where she can no longer gather due to old mill sites that continue to contaminate the ground and groundwater. Her grandmother told her that "they found two headed fish in the lake so do not gather from the shore line." She had to throw away the materials that she gathered from there. Much of tribal basketry materials such as willow, willow root and fern are found on the shoreline of the river or creeks. The quality of the water determines the quality of the basketry materials.

In order to continue to weave our traditional baskets, it is essential to have clean strong materials as basket makers rely on these materials.

Today, these resources are often not healthy, due to poor water quality, pesticides use, and the absence of traditional burning which promotes pests that destroy basketry materials. Traditional food sources such as acorns are also at risk to the pests and for the last couple of years the gathering of acorns have been unusually low. The bugs have already beaten me to them. There is also the issue of sudden oak death that threatens our traditional food source. Discussions about access, be it private or publically owned land in order to practice traditional gathering were acknowledged within the stories (Resources, 2009).

DAMS, OBSTRUCTION AND DIVERSION

Eleven of the nineteen or 58% of the interviewees discussed dams, obstruction and diversions within their stories. Dams and the diversion of water changes and sometimes depletes the natural species and ecosystem. The quality of water changes. Are the dams really doing any good? The tribes knew they provided hydroelectricity but how much and for how many people? Do they provide enough to degrade the ecosystem to the point of species extinction and cultural extinction? I decided to research what dams are for. According to the Association of State Dam Safety Officials dams provide;

The right amount of water in the right place at the right time. Most dams do more than one job! We fish, swim and boat on about 1 in every three lakes formed by dams. Lots of dams provide water for growing crops and for farm animals to drink. They also store water for fighting fires and can help control floods. Dams also give us hydroelectric power! U.S. dams provide almost 10%

of the nation's power needs. Hydropower is a renewable source of electricity that is friendly to the environment. It does not contribute to global warming, air pollution, acid rain or ozone depletion (Damsafety.org, 2014).

Why do people build dams? I have included a chart that reveals what dams are used for; 31.3% of dams are used for recreation purposes, 17% for fire and farm ponds, 14.6% for flood control, 13.7% for irrigation, 9.8% for drinking water supply, 8.1% for mine waste retention, 2.9% for hydroelectric, 2.3% for undetermined, and 0.2% for navigation. The numbers speak for themselves, degradation and extinction for the sake of recreation with only 2.9% producing electricity (See Appendix H).

Depleting a watershed for the sake of another just is not working. David “2 sticks” Arwood shared this same concern stating, “I don’t think fixing one watershed at the cost of another watershed is what we should do” (Resources, 2009) (See Appendix G).

Some dams are currently up for relicensing - through the Federal Energy Relicensing Commission (FERC). The errors of the past can be acknowledged and rectified to the best of our abilities. A new vision must emerge, a sustainable way of moving forward while learning from the stories of the past. Bill Jacobson stated that, “FERC relicensing and Pacific Gas and Electric or whatever the utilities are can also become heroes in this process by just simply providing passage ways (for migratory salmonids) and looking at water from Indigenous perspective” (Resources, 2009).

The impacts of dams and diversions have made their mark on history. The 2002 salmon kill was a manmade disaster, according to one participant. The book *Salmon is Everything* states that,

We demonstrated scientifically that high water temperatures, low water levels, and toxic algae levels caused by the overuse of water by agriculture were the material causes of the fish kill. Warnings had been given in spring 2001 by Native scientists and in reports made to the Environmental Protection Agency (EPA) by the National Marine Fisheries Services and other agencies. But when the EPA made its ruling in favor of salmon, farmers and ranchers in the Klamath County agricultural areas staged their own protests, and ultimately, the federal government reversed its position, giving farmers in eastern Oregon the water they claimed they needed to maintain their own economic survival (May, et. al, 2014, p. xi).

This year another fish kill was averted by the releasing of water for the aquatic life of the rivers. Jeff Barnard with the Associated Press wrote in an article in the California Report,

As the drought continued this year, the bureau has again made special releases for Klamath salmon, which the judge also refused to stop, finding that the potential harm from drought to salmon right now was greater than the potential harm to farms next year (Barnard, 2014).

This was a blessing and the tribes were very thankful that history did not repeat itself. Many of the storytellers wondered what would happen next year, ten years, fifty years from now.

Several story tellers noted the 2002 salmon kill. If the rivers are restored back to their original ecosystems, dams removed, and diversions stopped, there will be enough water to sustain life. The rivers will repair themselves overtime. The salmon population will again flourish. I will be smiling, my heart full of happiness.

SALMON 'NEPUEY' STORIES

Eleven out of nineteen or 58% of interviewee's stories included discussions about salmon - their importance to our culture and importance to the health of the Indian people. Salmon were of great concern in the video. Interviewees remembered how "you could walk across the river on the backs of the salmon, because there were so many" (Resources, 2009). This has changed due to the construction of dams and the diversion of our rivers.

Salmon are viewed as indicators and represent how the world is doing. Major fish kills within a watershed are sure signs that something is wrong. Yurok people feel that we are part of the salmon and once the salmon are gone we will be gone. David '2 sticks' Arwood stated it best, "Our bodies co-evolved with the salmon" (Resources, 2009).

These stories provided a historical comparison of how salmon 'nepuey' used to be on the Klamath and Trinity Rivers and how today they have declined. All of the shared stories indicated a decline in salmon population and fear of what the future may hold.

LEGISLATIVE AGENDA

Eight interviewees or 42% felt that legislative means are necessary to address the fact that the California Water Plan does not allocate water for tribal uses. California tribal people have a minimal allocation of California's water resources. According to the Department of Water Resources, California Water Plan Update 2005 states this about tribal water rights:

Some Indian reservations and other federal lands have reserved water rights implied from acts of the federal government, rather than state law. When tribal lands were reserved, their natural resources were also reserved for tribal use. Since reserved tribal rights were generally not created by state law, states' water allocations did not account for tribal resources. In the landmark *Winters v. U.S.* case, in 1908 the U.S. Supreme Court established that sufficient water was reserved to fulfill the uses of a reservation at the time the reservation was established.

The decision, however, did not indicate a method for quantifying tribal water rights. *Winters* rights also retain their validity and seniority over state appropriated water whether or not the tribes have put the water to beneficial use. Only after many years did tribes begin to assert and develop their reserved water rights.

In 1963, the U.S. Supreme Court decision *Arizona v. California* reaffirmed *Winters* and established a quantification standard based on irrigation, presupposing that tribes would pursue agriculture. Despite criticisms of the "practicably irrigable acreage" (PIA) quantification standard from various perspectives, the PIA standard provided certainty to future water development. Quantifying water needs in terms of agricultural potential does not accurately show the many other needs for water. Even urban water quantity and quality assessments that look at the adequacy of the domestic water supply and sanitation do not provide a complete picture of tribal water needs. A large part of the tribal water needs are for in stream flows and other water bodies that support environmental and cultural needs for fishing, hunting, and trapping (Resources, Update 2005).

Marceline Norton a Hoopa Tribal Council Member feels that "What we as a tribe need to do is fight to retain and include back our original water rights so it is sustainable for us and sufficient for us and all the users on the Trinity River" (Resources, 2009). This is a lot of unaccounted allocation of water for the first inhabitants of California, especially since they should hold senior water rights.

The importance of acknowledging tribal water responsibilities as well as restoring tribal water rights was an overarching theme in the stories. An important statement by

Chris Peters, Executive Director of Seventh Generation Fund demonstrates the difference between Indigenous and European worldview,

I hate the word rights because that's not a native word, we don't have water rights, we have water responsibilities, we are responsible for water. We don't have sovereign rights we have sovereign responsibilities, we don't have human rights we have rights as human beings (Resources, 2009).

The solution to tribal rights being respected, many believe, would take legislation and compliance by the states. Cecilia Sylvis believes, "It's gonna take congressional action but I believe that's the solution (Resources, 2009). Other messages urged people to be aware of political meandering within funding issues and proposed legislation that have bills attached to them. As Consuela Vargas stated, "We have been trying to put pressure on them (Bureau of Land Management) to not make these back door deals without us Native people because that is our sacred site, that is our prayer site (Resources, 2009).

CEREMONIAL STORIES

Seven or 37% of the interviews discussed ceremonial stories. Marcelline Norton gave a historical account of personal memories of villages that were on the banks of the River. One was called Medildin (place of the boats). This is a place where the last fish weir ceremony was held over fifty years ago. This religious event provided fish for the entire community. She recalls a time when the bank of the river was completely covered with salmon, when people would go and take as much as they needed for their families. A few years ago an educational project helped Hoopa High School students to experience

and revive a tradition that was lost for over a decade by reconstructing the fish weir.

(Resources, 2009)

As a participant I conveyed that the loss of religious ceremonies has a major impact on the lives of Native people. Without these religious ceremonies people become isolated with no sense of community or belonging. There is a loss of connection with oneself and of who we are as a people. The participants spoke about the importance of a young woman's coming of age ceremony called the Flower Dance. When I was growing up there were no traditional ceremonies for me to attend. I was asked to be part of this ceremony and I was very honored and scared because I did not know the songs and protocol of the Flower Dance. Participation changed my life as a woman.

I felt as though it was my coming out ceremony. These religious ceremonies instill in the young woman a sense of who she is as well as providing her with a sense of belonging within the community. She knows that she is loved, and all the people that have attended, are there for her, and they are praying for her to have a good long life, they are also praying for the family she will have someday. Our ceremonies start at dusk and go throughout the night. It takes endurance to participate and pray all night. The young lady has prepared herself for over ten days. She fasts and stays to herself with a helper. She has to be strong which stays with her, her entire life.

CREATION STORIES

Seven or 37% of the interviews discussed creation stories. Creation stories tell tribal people how they came to be and what their purposes were here on earth as a people.

Jack Kohler provided a story that was told by a Karuk elder in traditional language with an English translation. One hears the beauty of the Karuk language and the poignancy of the possible loss of this language. Traditional language is lost to many Native American tribes and English is the prominent language. This is a loss of tradition that may never be recovered. This story was a great opportunity for the audience to hear how the Karuk language sounds and how beautiful it is. His story also tells of *Ka'tim'iin*, the center of the world for the Karuk people, where they were created. The place is real as are the stories that are told. The elder tells of Spirit people who taught them how to fish, and gave them the salmon to survive, which is why they are known as the River people.

Donna Begay told a story about how the earth quaked. This particular story reveals a historical event of an earthquake and how the water turned milky white and smelled of sulfur, revealing signs of an underground fault and how the story was passed down through generations. Mrs. Begay believes that if the city planners had been told the story, they would have known not to build on a fault line. Generations of such stories can give insight about how the area from which they came lives and breathes.

These Water Stories provide an alternate idea of social and environmental responsibility. The gap between this way of seeing the world and the euro-centric basis

for water policy decision making could be the greatest obstacle in crafting sustainable policies for the future. It is almost impossible to convey this value system into social acceptance. However, it is this worldview and understanding of being part of the world as a whole, being connected to all living things, that instills in one the understanding of stewardship and obligation to protect the world we live in.

In summary, this analysis revealed that the waters and rivers within the State of California have been polluted and diverted to the detriment of one watershed for the purported benefit of another. This in itself is a crime against nature. It leads to the destruction of a cultural way of life and ongoing cultural genocide. The gravity of the situation to Native people, to their sense of place and to their connection, with Mother Earth, cannot be overstated.

The stories that were shared had power and emotion. They were stories that came not only from the heart and mind of the storyteller but from a tribal memory. People who are comfortable and successful in our modern society but also people who had their roots in something much, much older. Change and adaptation are a part of life and were found resonating in each of these stories.

CHAPTER V

DISCUSSION: THE MOUTH OF THE RIVER

For years Indian people have been marginalized and discounted in the United States (Deloria, 1999). The irony is that this scorned and scarred people may hold the key to our future in their ancient wisdom regarding water and water management.

One of the major assumptions guiding this project is that without the historical perspective and cultural values that Native people contribute to ecology there will be a weak comprehensive and unsustainable water policy in California's future. Equal weight must be given to the Native perspective and world view that have been passed down through oral tradition for generations. Policy makers have avoided developing ways in which Traditional Ecological Knowledge could be incorporated into water policy decisions. It is in my opinion, that the problems associated with water management can only be overcome through a collaborative, rather than a vaguely consultative partnership, with Tribal governments. The California Tribal Water Summit 2009 was a beginning.

The stories examined in this project suggested that the Native perspective should be included in any water planning process as well as be given equal weight when framing water policy. Traditional ecological knowledge (TEK) provides a basis from which DWR can gain insight when developing sustainable water management policies. As such, the tribes must be part of the decision making process regarding the management of water resources in that they provide the TEK. The stories presented at the summit suggested many ways in which ecological disasters could be avoided if heard and understood by the

DWR. For example, the storytellers noted many problems, i.e., those associated with building dams, without thinking about the damage to the ecosystem, of earthquake damaged sites that weaken the land, and of water diversions that have caused problems to the salmon population over generations.

Although there is legal precedent and a moral imperative for the rights of Indians to determine the best use of their resources, the very nature of water demands that a wide-ranging vision be instituted throughout the watershed. Present day water management and water management over the last one hundred years have resulted in crises as many of the stories illustrate. The stories also demonstrated that pure water existed for generations. The consequences of the commercialization of water were clearly evident. Facing a bleak future with no simple answers the so called experts are scrambling for solutions.

On January 17, Gov. Edmund G. Brown Jr. declared a drought state of emergency. On April 25, Governor Brown asked all Californians to redouble their efforts to conserve water, instructed agencies to cut red tape to get water to farmers more quickly, ensure that people have safe drinking water, protect vulnerable wildlife species and prepare for an extreme fire season. (Resources, 2014)

The summit stories provide a glimpse into the past that may reveal what can happen in the future if conservation and sustainable practices remain the same. The original consciousness and worldview that can be found within Native stories and ceremonies provide solutions for some of present day water management problems. How can these values and traditions contained in Native stories be communicated and bring about change within California policies?

Embedded within these stories are truths, experiences, and practical knowledge that are as relevant today as they were ten thousand years ago. To the credit of the Indigenous Peoples there are still tribes who would like to share their knowledge and wisdom. California water agencies only need to avail themselves of their input. The efforts of the Department of Water Resources and the formation of the California Tribal Water Summit 2009 represented a beginning.

This project examined the recordings of nineteen personal testimonies, which comprised the *Tribal Water Stories* from the California Tribal Water Summit 2009 to determine their content and context regarding water and water management. The stories provided a traditional format of oral storytelling and Community Theater to inform and educate legislators, state agency officials, water district managers, and members of the general public.

Themes of the nineteen individual story tellers are as follows: water contamination and degraded ecosystem, dams, obstruction and diversions, salmon ‘nepuey’ stories, legislative agenda, creation and ceremonial stories, community sharing, moss & blue green algae, access, global warming, language, cultural materials, and oak trees & acorns. For simplification, because of overlap, the themes were merged to create six topics: Water Contamination and Degraded Ecosystems, Dams Obstruction and Diversion, Salmon “Nepuey” Stories, Legislative Agenda, Ceremonial Stories, and Creation Stories.

SUMMARY OF THEMES

Each of the stories consisted of personal accounts and memories of how water was seen as the source of all life and how clean flowing water was needed to carry out a traditional tribal way of life. The stories told of the deterioration of California water sources over the last one hundred years. They also told of how tribes maintained the ecosystems through ceremonial practices and storytelling. The following is a summary of the major thoughts in the themes as well as some interpretation of the stories and their relationship between California Water Plan and the tribes.

Water contamination and the degraded ecosystem was the most frequently discussed topic. Of nineteen interviewees, fourteen of them discussed water contamination within their stories. They explained how the contaminated water has affected their lives and communities. The impact from logging and ore extraction, adjacent to the riparian environments has resulted in unstable hillsides and chemical accumulation, which has contaminated the rivers. The stories tell a history of the people being born of, nurtured by, and surviving because of the water. Water contamination is the result of dams and diversions which has affected the salmon runs.

Eleven of the interviewees discussed dams and water diversions within their stories which resulted in altering and changing the riverscape. Millions of people depend on dams because they provide them water, electricity, recreation, access to stored water for fighting fires and help control floods. However, depleting a watershed for the sake of electricity, etc., does not sustain the ecology of the area.

Eleven of the interviewees discussed Salmon, their importance to tribal culture

and their importance to the health. The decline of salmon was seen as an indicator of misuse and contamination within the watersheds. Yurok people feel that they are part of the salmon and once the salmon are gone Indian people will be gone. The stories provided a historical comparison of salmon quantities within the California Rivers with the decline of the salmon today.

One of the solutions for water contamination, dam building and diversion, and the decline in salmon runs was to develop legislative means. Nine of the respondents stated that Legislation was necessary in order to address the California Water Plan ignoring tribal water uses. The importance of acknowledging tribal water rights as well as including them in water management was an overarching theme. In my opinion any solution, righting this situation, would be lacking without Native input.

Ceremonial stories were the next frequent theme presented. Seven of the storytellers discussed the boat dance, flower dance, and jump dance. Included in the discussion of religious ceremonies were the regalia and materials necessary to perform the ceremonies. Along with the stories was an attention to how regalia is made and how the materials regalia are gathered as part of TEK. Thus, seasonal information, vegetation growth processes, water flow, and associated climate and weather changes were passed from generation to generation in a dynamic manner through ceremonial stories and TEK. The loss of religious ceremonies, because of poor water measures, is one of many water changes by the non-native population that has been greatly affecting the tribes. Without continuity of religious ceremonies people become isolated with little sense of community or belonging. According to Don L. Hankins, 2009 water is sacred to tribes and tribal

ceremonies.

Finally, creation stories were contained in seven interviewee's discussions. Creation stories informed the tribes as to how they came to be and what their purpose on earth as a people was to be. Jack Kohler provided a story that told how traditional language has been lost to many Native American tribes and English is now the prominent language. This is a loss of tradition that may never be recovered. Language, the medium for storytelling, affects all tribal ceremonies, which has an effect on life itself. Without the "Spirit people" how would tribes have known how to fish and survive?

Salmon is and has been one of the most important food sources for the tribes living within the Klamath Trinity Rivers. They flourished because of the rivers, the people and the salmon. Thus, salmon enabled the people to survive, which is why they are known as the River people.

It is through creation stories that Native people kept the "science" of natural phenomena alive. Through TEK tribes understood many aspects of the natural world.

In summary, it was concluded that, water stories provide an alternate "science" of social and environmental responsibility. The tribe's notion of stewardship, living within an environment because you have a responsibility to respect and use the environment wisely is the native way. Winona LaDuke reiterates the significance of the natural world an essay which stated,

Over the time we have been here, we have built cultural ways on and about this land. We have our own respected versions of how we came to be. These origin stories—that we emerged or fell from the sky or were brought forth—connect us to this land and establish our realities, our belief systems. We have spiritual responsibilities to renew the Earth and

we do this through our ceremonies so that our Mother, the Earth, can continue to support us. Mutuality and respect are part of our tradition—give and take. Somewhere along the way, I hope people will learn that you can't just take, that you have to give back to the land (LaDuke, 2005, p. 15).

LIMITATIONS OF THE PROJECT

I experienced a few challenges while working on this project. For instance, while working through the history section of this project, I found it very hard to write that particular section. It is very difficult being of Yurok and Navajo decent to read about the experiences of tribes during the 1800s. I am not sure that I could have survived such atrocities.

Working with the Tribal Water Stories subcommittee was challenging at times. I worked remotely from Northern California but commuted to Sacramento as needed for the meetings. Many of the committee members travel long distances often driving over a 100 miles to participate. For shooting the introduction to the video we had studio time reserved with DWR. I traveled from Northern California only to have no one show up. Setting up the meetings and getting people to show up was quite an inconvenience to say the least. Many of the people who had input and wanted things changed would make their comments known but would not offer to help make the changes or offer suggestions on how the changes could be made. Tribes need to be more forthcoming and responsible.

On the other hand, there are many in the bureaucratic hierarchy with whom the Indigenous beliefs will never resonate. What is needed is a paradigm shift - people, individuals and groups working together in good faith to create a pathway for progress

using visionary policy. Using Western science and Native Traditional Ecological Knowledge on equal terms would benefit the entire country.

Finally as noted earlier, the second California Water Summit was held April 24 & 25th, 2013. The tribal water stories project was not included at this summit as there was no one to head this project. I was asked again to help with the project but I was working for the Yurok tribe at the time and was unable to do so. They had the funding for the project but no one to lead.

FUTURE RESEARCH

The stories presented at the California Tribal Water Summit (CTWS) 2009 was analyzed by myself to observe the content and context of the tribal water stories as a first step in a process to foster positive relations between the tribes and the California Water Plan. Now nineteen individual stories within six major themes can serve as a statistical basis for data collection. At the next CTWS I will be ready to continue this project as I feel these stories and themes can enhance communication between cultures and begin to build an understanding of world views. Furthermore, at the next CTWS the collection of data should be outlined at the beginning, to add to these already collected stories and themes. Several researchers should be involved in this data collection and analysis for reliability purposes.

The results of this next conference should be analyzed using Western science and TEK. This project has outlined the major themes. The next project should attempt to quantify these themes.

CONCLUSION:

This project also looked at the question; did the California Water Summit help the relationship with California Indian tribes in the protection and/or allocation of tribal water rights? The answer is a resounding “No!”. While the door for communication has been opened through the summit proceedings, no real action has been taken within the CWP. California tribes have a minimal water allocation within the CWP. One of the problems with accepting the native point of view is qualitative research vs. quantitative. The stories and themes presented in this project are qualitative with no quantitative analysis. When upcoming Tribal Water Summits are to be held in the future, I plan to make significant contributions for change.

This project is just a first step to encourage people to see things in a different way so they may begin to understand their surroundings and the world in which we all live. Electronics is paving the way for the next generation. A focus needs to be made on how to enjoy nature rather than subjugating it for our own use or to “smite” other people as in the western vengeful God myth. Currently we are promoting a society that does not know how to live as one with the land.

“Only when the last tree has withered, the last fish has been caught, and the last river has been poisoned, will you realize you cannot eat money.”

A Cree Proverb

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APPENDIX A

LIST OF ACRONYMS

CCP	Center for Collaborative Policy
CTWS	California Tribal Water Summit
CWP	California Water Plan
DVD	Digital Video Data
DWR	Department of Water Resources
FERC	Federal Energy Relicensing Commission
TCC	Tribal Communication Committee
TCP	Tribal Communication Plan
TEK	Traditional Ecological Knowledge
TK	Traditional Knowledge
TWS	Tribal Water Stories
TWSC	Tribal Water Stories Committee

APPENDIX B YUROK VILLAGE MAP



APPENDIX C
HEALTH ADVISORY WARNING

HEALTH ADVISORY

Blue-green algae (cyanobacteria) are now present in some areas of the Klamath River. Some of these are capable of releasing toxins that are potentially harmful to human health.

The following precautionary measures are recommended by public health officials:

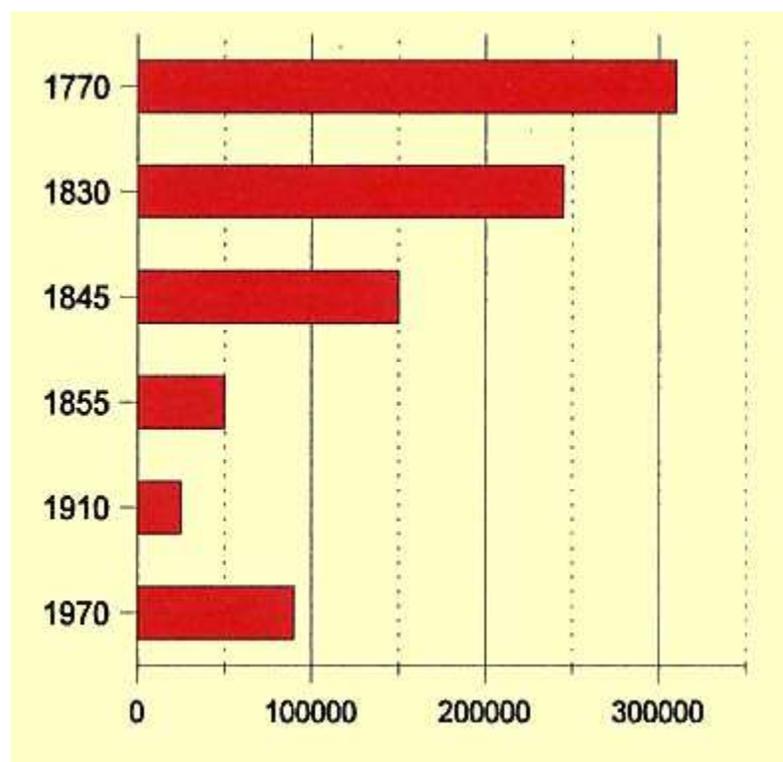
- Avoid wading and swimming in water containing visible blooms or water containing algal scums or mats.
- Carefully watch children to ensure that their exposure and accidental water ingestion is minimized. Because of their small body size and weight, children who ingest a small amount of water can receive a higher relative exposure to toxic substances than adults who ingest the same amount.
- Take care that pets and livestock do not drink the water or swim in areas with scums or mats, or lick their fur after going in the water. Rinse pets in clean drinking water to remove algae from fur.
- Do not drink, cook or wash dishes with surface water. Boiling or filtering water will not remove the toxins. In addition to blue-green algal toxin concerns, open surface waters can contain harmful bacteria and parasites.
- If you accidentally swallow water from a bloom and experience one or more of the following symptoms, you should contact a medical professional: stomach cramps, vomiting, diarrhea, fever. Exposure may also cause skin rash, eye irritation, or mouth ulcers.
- Before consuming fish, remove guts and liver, and rinse meat in clean drinking water. Shellfish from these waters previously tested positive for an algal toxin. Avoid eating shellfish as public health authorities evaluate the risk to human health.

Seek medical treatment if you think that you, your pet, or livestock might have ingested contaminated water. Be sure to alert the medical professional to possible contact with blue-green algae.

**For more information contact staff at:
North Coast Regional Water Quality Control Board
(707) 576-2220**

APPENDIX D
CALIFORNIA INDIAN POPULATION CHART

Native California Population, according to Cook 1978.



APPENDIX E

STORYTELLERS OF PACIFIC NORTHWEST, BILLY FRANK, JR. 1996

Billy Frank, Jr

Another source of research was “Storytellers of Pacific Northwest 1996, Contract with America”, according to Institute for Tribal Government,

Billy Frank, Jr., of the Nisqually Indian Tribe, has been the Chairman of the Northwest Indian Fisheries Commission (NWIFC) for 22 years. In this capacity, he “speaks for the salmon” on behalf of 19 Treaty Indian Tribes in western Washington. Under his leadership, the tribal role over the past 30 years has evolved from that of activist, fighting the state to secure fishing rights reserved in treaties with the United States government, to managers of the resource. Supported by the NWIFC, the tribes are unsurpassed in their abilities as natural resource managers. (http://www.tribalgov.pdx.edu/bio_frank.php)(Government)

Billy Franks, interview was so powerful that I have included the transcribed interview which states,

Billy Frank: Way back before this society that is here today, were here, they had everything, my dad would always talk about that. We had all of our food, we had all our Indian medicines, we had all our animals were well and healthy. Our salmon was running and we didn’t need anything, we had it all right here. We went through a whole lot of changes. We (treated) a lot of this land all through this country. To protect our salmon and to protect our watersheds, since the treaty was signed things like the United States congress and the state legislators wrote laws against us. The protection of our culture and our spiritual life. Way back in the 60’s living on the Squally river where I live. I was 13 when I first went to jail for fishing and exercising our treaty. But since then I have been in jail over 90 times. This river right here where were standing is kind of a battle ground for the United States and Canada and throughout our nation and on west. We were going to jail to bring attention to the United States to take our case and represent us against the state of Washington. We did that. There was some real positive things that come out of them days then in 1974 when the US vs. Washington decision was settled as the treaty was interrupted by Judge Folk the tribe should divide the fish up 50% to the

tribe, 50% to the non-Indians and when that decision came several principals for management of our salmon. And one of the principals was the Tribe should be co-managers with the State of Washington. Very unique throughout the whole nation. The northwest union fish commission was born when the Bolt decision was settled. Twenty tribes that speak with one voice. In 1980 one day I picked the paper up and it had big business joins the fight against Indian treaty rights. I see First Bank, Werhouser Timber Company, Rainer Timber Company and all the guys that run the State of Washington and they all put in \$10,000 dollars to fight the Indian treaty rights. Well we said were going to boycott the Sea First Bank and we got support out of the Calville tribe and then they pulled out 16 million dollars out of a little Sea First Bank on the other side of the mountain. And then I flew up to Alaska and presented our case they withdrew 80 million dollars. I no more got home when George Werhouser called me and asked me if I could the natives of Alaska to put their money back in the Sea First. I already talked to the president of Sea First and we had our meeting. We put the cards on the table and we asked if they would go to Washington D.C. and testify on our behalf against the abigration treaties. They said we will do that. And will do more things that you want us to do if you will put the money back in. So out of that came the Timber Fish and Wildlife agreement. Tribes are sitting on most everyone of the important decision making bodies now when it comes to salmon and our resource management here in the northwest. Were building schools, our tribal people are on boards, our tribal people are on committees, our tribal people are talking about the future of us our people. You know there are so many examples of things that the tribes have been doing. Not only for the tribes we've been doing it for everyone.

We're going to try to attribute between Canadian Tribal people, Alaskan natives and our people down here. And that treaty is the eagles here right behind us, they all over now, healthy, but in 76 they were disappearing here in the northwest. We had an opportunity to testify in congress about that and we got people together, we got the industries together, we got everyone together, the environmentalist, U.S. fish and wildlife, everyone the state, the government we all work together to bring them eagles back. Today there's eagles all over these islands and all over you can see eagles everywhere.

The first platform of the Republican Party in 1932, which happened to be the year I was born, was to protect Indian treaty rights. Was a very strong statement documented by the Republican Party but, today they have a platform in congress today and throughout all our states is a contract with America and you know our treaties was a contract with America, way

back in 1854 and 55. People forget about that. And new Republican Party has taken the legislative route, to abrogate our treaties.

I try to speak for the salmon but I think I'm getting less and less attention out there because it looks like people are really don't give a dam about salmon. You can see the watersheds being cut down, I talk about sustainable forest all the time and I asked the non-Indian, what does sustainable mean to you? Are you ever gonna make enough money? Do you have to cut everything down? Do you have to destroy our country? Do you have to take all the last drop of the water? Do you have to dike all of our streams up? It gets back to the salmon whether our salmon will be here and I think if the salmon are gone were not very far behind the salmon about resource and it's about our principles of our life and how we think as Indian people. We will work together for the future of our children and our next generation to come. (Recording of signing of treaty) Many of our relatives up there some of speak the same language and we've erased that boundary now with the signing of this treaty. I think that our grandfathers and our grandmothers that are gone would be very proud of the Indian people out here now, because they have survived that's what it's all about. That's self-determination right on the ground and it takes us all where we wanna be. (Pacific 1996)

This personal testimony of Billy Frank speaks of his struggle to protect and preserve his cultural way of life through environmental communication.

APPENDIX F

STATE OF CALIFORNIA – THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES

1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791

OCT 10 2008

Dear Tribal Leader:

We are writing to invite you to submit a "Tribal Water Story" to the California Water Plan Update 2009 (CWP). This is an opportunity for your Tribe to explain – in its own voice – how you have been connected with water resources in the past and continue to be connected with water resources in the present. Your story will be included in a special section of the CWP Reference Guide, and help to educate thousands of State agency officials, water district managers, non-profit organizers, and members of the public throughout California.

The idea of having interested California Native American Tribes tell their own stories about water as part of the CWP emerged from the work of the Tribal Communication Committee (TCC). This voluntary committee was convened by the Department of Water Resources in October 2007, to help everyone involved in the CWP to communicate appropriately and effectively with California Native American Tribes. The Committee released a working draft Tribal Communication Plan in July, 2008 (see <http://www.waterplan.water.ca.gov/tribal2>). Objective 8 of the Plan is to "educate State, local and federal government, and water purveyor executives and planners about the historical and ongoing relationships between California Native American Tribes and water, especially cultural and religious practices." Related water management practices are also especially relevant and educational (for example, meadow restoration), as well as stories about how climate change has started to affect Tribal water resources. Stories were identified as a particularly powerful and effective tool for accomplishing this objective because they are about real people and places and histories. The CWP was identified as a major State plan with a very large distribution network.

The content and shape of your water story would be up to you.

- It can be about loss and struggle, hope and accomplishment, or anything you choose. The only requirement is that it says something about your Tribe's historical relationships and something about current relationships with water. We want people to learn that Tribes were not just connected with water in the past, but continue to manage, depend on, and have a sacred relationship with water resources today.
- The story can be one or two pages, or a dozen or more.
- It can be written in your native language, or written in English, or written in both.
- It can include some sketches or maps or photos, or be plain text.
- It can be the product of one writer, or several members of your Tribe working together.
- Most importantly, if you want to make an audio or video recording, and have your voice heard and cultural landscape seen literally, we can accommodate this.

Please let us know if you are interested in submitting a story. We will be happy to answer any questions you have. Several Tribal members have already expressed interest, and we are hoping that there may be a dozen stories from across California that illustrate different Tribal relationships with water. We would ask that final submissions be complete by May 1, 2009, in order to leave adequate time for formatting and printing (the final Update 2009 will be published in December 2009).

Tribal Leader
OCT 10 2008
Page 2

For more information, please contact either

- (1) Bradley Marshall at (415) 260-7552 or bradleyhupa@hotmail.com
- (2) Ruthie Maloney at (707) 502-9155 or rbeadster@yahoo.com or
- (3) Dorian Fougères at (415) 812-7819 or fougeres@gmail.com

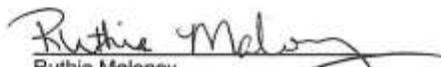
With respect,

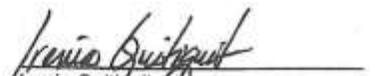
Tribal Communication Committee Tribal Water Stories Sub-Committee Members


Atta P. Stevenson


Donna Miranda-Begay
Tribal Chairwoman
Tubatulabals of Kern Valley


Bradley Marshall
Hoopa Valley Tribal Member


Ruthie Maloney
Yurok Tribal Member
Humboldt State University


Irenia Quidquit
Robinson Rancheria Tribal Member and
Environmental Director


William Speer, Sr.
Shasta Indian Nation Council Member


Steve Archer
Big Valley Rancheria

and

California Department of Water Resources


Mark Cowin
Deputy Director

APPENDIX G

Water Bills Pass California Legislature Ending Years of Wrangling

SACRAMENTO, California, November 4, 2009 (ENS) - The California state

Legislature today approved a far-reaching water package featuring an \$11-billion bond as the Sun rose over the Capitol building after an all-night legislative session.

The package includes a comprehensive policy measure that improves water conservation, groundwater monitoring, water rights and governance as well as a water infrastructure bond to be placed on the ballot in November 2010.

Governor Arnold Schwarzenegger has indicated he will sign the legislation into law, ending decades of political wrangling and failure to deal with the state's water worsening crisis.

"Water is the lifeblood of everything we do in California," said the governor this morning. "Without clean, reliable water, we cannot build, we cannot farm, we cannot grow and we cannot prosper. That is why I am so proud that the legislature, Democrats and Republicans, came together and tackled one of the most complicated issues in our state's history. This comprehensive water package is an historic achievement."

On October 11, the governor ordered the legislature to meet in a special session to address California's water crisis. He says the water package passed in the special session today accomplished that goal.

The historic plan increases water supply reliability while improving the fragile Sacramento-San Joaquin Delta, the source of drinking water for two-thirds of the state.

The plan includes both a comprehensive policy package that improves water conservation, groundwater monitoring, water rights and governance as well as a water infrastructure bond to be placed on next year's ballot.



The confluence of three rivers - the San Joaquin, Old, and Middle Rivers - in the Sacramento-San Joaquin Delta.

"The package includes conservation and storage, groundwater protection, water rights protection, and Delta protection and represents the most significant water infrastructure and policy advances since the State Water Project in the 1960s," said Assembly Speaker Karen Bass. (Photo by [Brother Grimm](#))

"This is a responsible plan - no one is getting 100 percent of what they want. Everyone who gets something has to give something, too. It is the only way to balance the many different individual interests for the overall greater good of having a safe and stable water supply for the entire State of California," Bass said.

Assembly member Jared Huffman, a San Rafael Democrat who chairs the Assembly Committee on Water, Parks and Wildlife, and Assembly member Anna Caballero, a Salinas Democrat who chairs the Assembly Committee on Local Government, were part of the Speaker's negotiating team on the water package.

"The package of water policy bills passed by the Legislature today reflects the most significant improvement in California's water management in decades," Huffman said.

"The bills, if signed by the Governor, would set critical water conservation mandates, finally bring California more in line with other western states regarding groundwater monitoring and enforcement of water rights, and the Delta bills would provide the

direction needed to resolve the 30 year gridlock over water and fisheries in the Delta," Huffman said.

Huffman said he believes these bills will "help to reverse the water crisis in California while also protecting and restoring the ecosystem and salmon fisheries in the Central Valley and Delta."

Caballero said, "We worked really hard to create a water package that will bring resources to communities hard hit by the lack of water. Additionally, the package will prioritize drought relief water projects for farmers and farm workers; helping to put people back to work and create jobs."

"This package deserves to be signed by the governor and then the bond needs to be passed by the public," Bass said. "It is our best hope to ensure clean, reliable water for California's families, farms and businesses."

Assembly Minority Leader Sam Blakeslee, a San Luis Obispo Republican, said, "The water package passed this morning by the Assembly is a bipartisan approach to ending California's water crisis. It solves a problem that has been 40 years in the making by ensuring new water supply, protecting water rights and promoting conservation. These actions will help bring much needed water and jobs to Californians throughout our state."

Senate Republican Leader Dennis Hollingsworth said, "After more than two years of negotiations, Senate Republicans have reached an agreement with the majority party that meets the water supply needs of California's growing cities and farms. The agreement would implement a strategy that includes conservation, storage facilities, recycling, and Delta protection measures."

"With hundreds of thousands of acres fallow and tens of thousands of unemployed farmers and farm workers, this comprehensive water package represents a step toward getting water flowing and helping people get back to work," said Hollingsworth.

California's water system was last upgraded in 1960, for a population of 15.8 million. Now, 36 million people call California home and the California Department of Finance projects that over 59 million will reside in the state by 2050.

"In 2005, enough water to supply 13 million families for a year was lost to the sea because there was nowhere to store it. Securing storage capacity for water created by rainfall and snow melts has been a key point Republicans have pushed for in this comprehensive water legislation," said Hollingsworth.

"It is important that this water measure address not only environmental and individual needs, but that economic uses of water resources are factored into this water use plan.

From a practical standpoint, increasing water storage is a no-brainer when the state faces such severe water shortages in the future and has lost such a significant amount of water due to inadequate storage capacity," said Hollingsworth.

The bond would set aside \$3 billion for new water storage and \$2 billion for ecosystem restoration in the Sacramento-San Joaquin Delta.

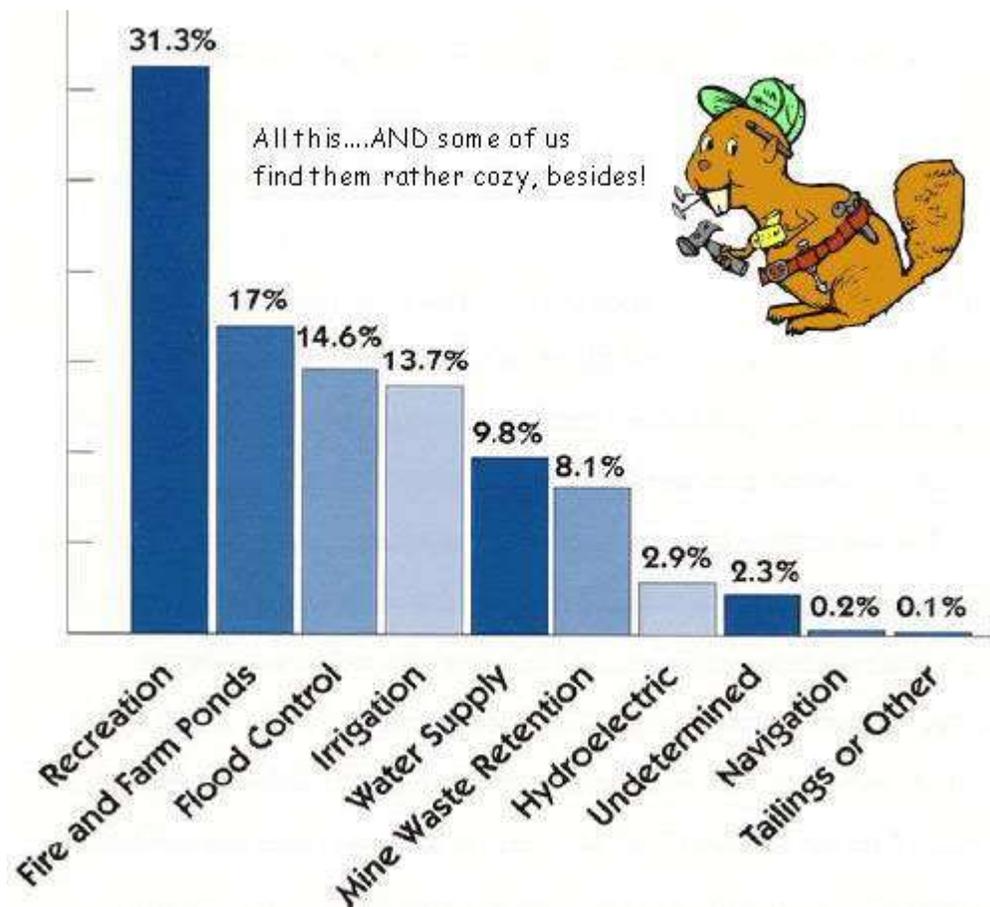
It would fund recycling and groundwater cleanup needed in Southern California and a dam removal project on the Klamath River in Northern California. It would cover restoration of the Salton Sea and watershed projects on the San Gabriel and Los Angeles rivers.

The conservation measure sets a target of reducing urban per capita water use by one-fifth by 2020. Agencies that fail to meet their targets would lose opportunities for state water grants and loans.

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APPENDIX H

WHY DO PEOPLE BUILD DAMS?



<http://www.damsafety.org/community/kids/?p=3e83ea84-8035-4bac-b5ce-47fbd1ebc27c>

[Association of State Dam Safety Officials, 10.31.2014](#)

APPENDIX I

E-MAIL CALIFORNIA INDIAN DAY PUBLIC OUTREACH

From: DRBEGAY@aol.com [mailto:DRBEGAY@aol.com]

Sent: Monday, September 29, 2008 11:25 AM

To: rbeadster@yahoo.com; Guivetchi, Kamyar

Subject: Re: Native American Day . . . DWR Booth

Hello Everyone:

I wanted to provide a summary of CA Native American Day – overall, the DWR booth was a great success. Omid Torabian did a great job with the Water Cycle Bracelet – from kids to adults, it was a big hit. Also, Ruthie did a great job promoting the collecting of our CA Tribal Water Stories and promoting Tribal involvement in the upcoming Tribal Summit 2009. We ran out of flyers and stickers towards the end of the event. So, we had to at least talk with about 200 – 250 people, easily at our booth. The booth was also in a great location – we saw several State Assembly and Senator Representatives, state employees, and many Tribal Leaders and Members.

We appreciate DWR Department registering and participating in this year's California Indian Days. Feel free to pass along this information to our members of the DWR TCC. I enjoy working in the DWR booth and having a chance to promote our DWR TCC efforts – great job everyone. Also, thanks Barbara, Dorian, and other folks for getting the booth, volunteering for this year's event, and getting the publications printed out for this event.

Attached are some picture from this year's event. I should have taken more pictures – but we had so many folks asking about our Water Planning efforts in California. Again – thanks Ruthie and Omid.... ☺

Take care,
Donna Miranda-Begay, Tribal Chairwoman
Tubatulabals of Kern Valley – www.tubat.org
Ph. 916-599-6860 email: drbegay@aol.com



APPENDIX J
COMPLETE THEME CHART OF 2009 TRIBAL WATER STORIES

Interviewee	Cultural Materials	Oak Tree & Acorns	Clean Water	Global Warming	Legislative Agenda	Traditional Language	Community sharing	A
Lois Conner	X	X	X					X
Chris Peters	X		X	X	X			
Jack Kohler						X	X	
Marceline Norton			X		X	X	X	
David Arwood		X	X		X		X	X
Bill Jacobson				X			X	
Sherri Norris			X				X	
David Ortez			X	X	X			
Bruce Gwyenn					X			X
Jesse Martinez			X	X	X		X	
Mike Rodriquez			X		X			
Cecelia Sylvis			X		X			X
Donna Begay	X	X	X			X		
Consuela Vargas			X					X
Rosa Martinez & Mary Brown			X					

Interviewee	Creation Stories	Ceremonial Stories	Salmon Stories	Degraded Ecosystem	Water Contamination	Dams Diversion	Moss Algae
Ron Goode	X						
Wendy Ireland	X						
Lois Conner			X	X	X		
Ruthie Maloney		X	X	X	X	X	X
Chris Peters	X	X	X	X		X	
Jack Kohler	X		X				
Marceline Norton	X	X	X	X	X	X	X
David Arwood		X	X	X	X	X	X
Bill Jacobson		X	X	X	X	X	
Sherri Norris			X	X	X	X	
David Ortez			X	X	X		
Bruce Gwyenn						X	
Jesse Martinez			X	X	X	X	
Mike Rodriquez					X	X	
Cecelia Sylvis				X	X		X
Donna Begay	X	X		X	X	X	
Consuela Vargas	X	X	X	X	X	X	X
Rosa Martinez & Mary Brown					X		

APPENDIX K

DVD: TRIBAL WATER STORIES



APPENDIX L
TRIBAL WATER STORIES BOOKLET

