

A Tribal Perspective on the Delta Conveyance Project

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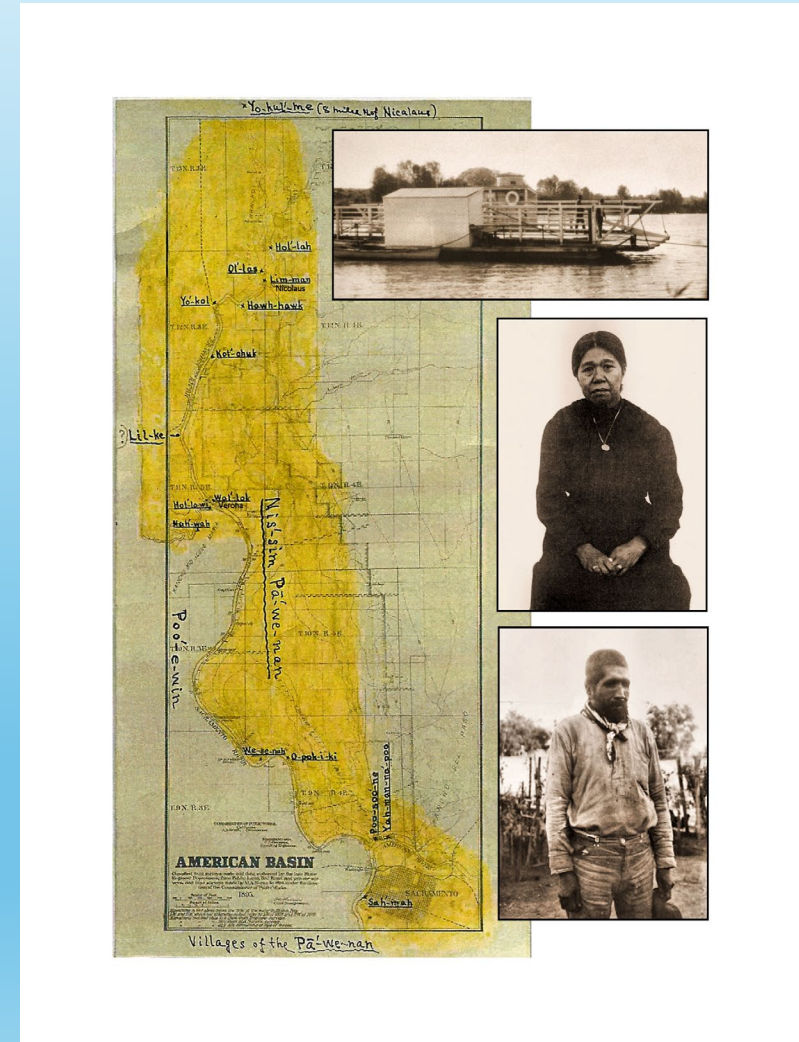
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Tribal History & Background

- Known today as the Shingle Springs Band of Miwok Indians, a mixed ancestry tribe comprised of Nisenan, Miwok, & Hawaiian lineage.
- Federally recognized tribe, located in El Dorado County.
- The Tribe was removed from ancestral homelands that span 7 CA counties, including Sacramento, Sutter, El Dorado, Yuba, Yolo, Placer, and Amador counties. The name, Shingle Springs Band of Miwok Indians, can cause some confusion pertaining to identity as we also have Nisenan tribal lineage.
- 1916 census - US government named the Tribe the Sacramento-Verona Band of Homeless Indians
 - unceded homelands were stolen, leaving many relatives “landless”, struggling to stay close to major village sites in the Sacramento Valley.
- In 1920, 160 acres of land, now known as the Shingle Springs Rancheria, was purchased by the US government and was eventually put into trust for the Tribe.
- Today, there are approximately 600 tribal members, 50% are children.



Shingle Springs Territory Map by County

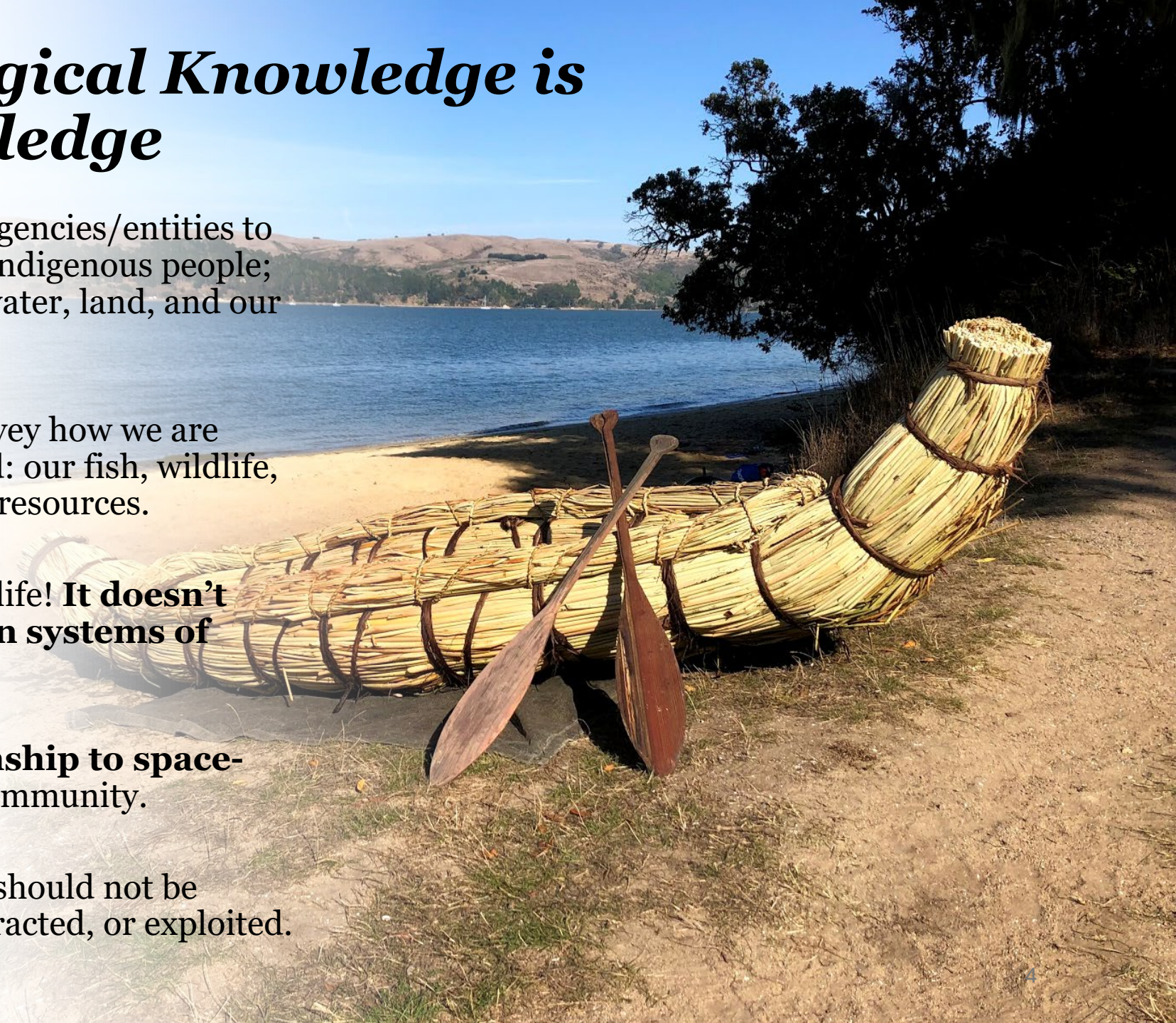
The Tribe's aboriginal village sites and historical presence occupied the lands on the east and west banks of the Sacramento River, the confluence of the Sacramento and American River, the east and west banks of the Feather River, and various points along the Consumnes River to the crest of the sierras.



“Our way of life centers upon the waterways. Our ancestors lived in various villages along the rivers. The Sacramento – San Joaquin Delta was & is our grocery store. It fed us, clothed us, housed us, kept us healthy; and in return, we tended to the land that gave so much to us. Today, we continue to be guardians of the region & its waterways.” M.Tayaba

Traditional Ecological Knowledge is Indigenous Knowledge

- “TEK” is a term we use with outside agencies/entities to explain how we have always lived as Indigenous people; in a reciprocal relationship with the water, land, and our eco-cultural landscapes.
- It is an all-encompassing term to convey how we are interconnected with the natural world: our fish, wildlife, plant ancestors, and natural/cultural resources.
- It’s OUR way of knowing, and way of life! **It doesn’t seamlessly translate into western systems of governance or understanding.**
- “TEK” is also **place-based, relationship to space-based, and unique** to each tribal community.
- It is OUR indigenous knowledge and should not be “packaged”, stolen, commodified, extracted, or exploited.



Protection & Application of Indigenous Knowledge

- Indigenous Knowledge needs to be protected and respected by federal, state, local governments & entities.
- Each tribe controls what we share, how it is shared, and with whom.
- Confidentiality should be maintained at all times, and each tribe controls what can be shared publicly.
- Sharing is NOT permission to use our Knowledge and/or practices. Permission is explicitly granted by each tribe.
- If and when Indigenous Knowledge is applied, it should only be with tribal permission and participation.
- You cannot truly and effectively apply TEK/Indigenous knowledge without indigenous people!

Getting a Seat at the Water Governance Table

We have tried many different paths to make our voices heard

- Meeting with elected and appointed officials
- Engaging with advisory councils
- Advocating within regulatory processes
- Requesting formal consultation
- Developing legislation
- Forming a coalition and filing a civil rights complaint with USEPA



8, Vice Chair of the Shingle Springs Band of Miwok Indians, stands beside the Sacramento River near a

The Delta Conveyance Project Is Incompatible With Our Values and Ways of Life

- The Delta needs more freshwater flows to support the aquatic and plant life essential to our ecocultural practices
 - Water-based ceremonies
 - Plant collection
 - Fishing
- The DCP would take more water out of the Delta
- The DCP would undermine our goal of repairing degraded waters
- Construction of the DCP would disturb remains of our ancestors

State Water Resources Control Board Administrative Hearing on DCP

[DTEC-058]

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9 *Little Manila Rising, and Restore the Delta*

10 **THE STATE OF CALIFORNIA**
11 **BEFORE THE STATE WATER RESOURCES CONTROL BOARD**
12 **ADMINISTRATIVE HEARINGS OFFICE**

13 IN THE MATTER OF PENDING PETITIONS
14 FOR CHANGE OF WATER RIGHT PERMITS
15 16478, 16479, 16481, AND 16482
16 (APPLICATIONS 5630, 14443, 14445A, AND
17 17512, RESPECTIVELY) OF THE
DEPARTMENT OF WATER RESOURCES.

DECLARATION OF DR. JAMES SARMENTO

Hearing Officer: Nicole L. Kuenzi

5 Shingle Springs Band Traditional Ecological Knowledge and the Delta

6 22. The Shingle Springs Band has dedicated itself to returning to Delta waterways, reclaiming
7 its culture, and healing the alienation of many Tribal members from the water. In 2017, the Shingle
8 Springs Band established within the Cultural Resources Division its own TEK program, founded by
9 our Vice Chair Malissa Tayaba, to help preserve the Tribe's traditional lifeways, natural resource
10 management, and spiritual practices so that these teachings can be passed down through generations.
11 The program has reeducated Tribal members about who they are and where they are from by teaching
12 them how to make regalia, food, clothing, shelter, and modes of transportation from the natural
13 resources found along Delta waterways. TEK and cultural revitalization are vital elements of who
14 Shingle Springs Band are as Tribal people.

15 23. The TEK program's work first focused on building traditional regalia for ceremonies,
16 using plants and animals from Pusune, Wallok, and other ancestral sites descended from those
17 gathered by Shingle Springs ancestors. Building that regalia deepened Tribal members' awareness of
18 the importance of being connected to villages, the rivers, and the resources they sustain. From there,
19 the program has supported reeducating the Tribe about their identity as a people, bringing people
20 back to Shingle Springs lands and village sites, and teaching them how to make regalia, food,
21 clothing, shelter, and transportation all out of natural resources. For example, the TEK program goes
22 to Stone Lake (just outside of Hood and near the DCP intakes) and other locations south of Hood and
23 up and down the Sacramento River to collect tule—a long grassy plant that once lined the waterways
24 and has served many purposes for Shingle Springs ancestors and Tribal members today, including in

Title VI Complaint with USEPA

- Alleges discriminatory mismanagement of Bay-Delta ecosystem
- Includes petition for EPA rulemaking
- EPA investigation ongoing
- 2023-2024 Informal Resolution Agreement+ process
- Requested remedies include implementation of TBUs in Bay-Delta Plan

BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

TITLE VI COMPLAINT AND PETITION FOR RULEMAKING FOR PROMULGATION OF BAY-DELTA WATER QUALITY STANDARDS

Pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq. and 40 C.F.R. § 7.120; the Administrative Procedure Act, 5 U.S.C. § 553(e); and the Clean Water Act, 33 U.S.C. § 1313(c)(4)(B)

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Ensure Tribal Water Uses Receive Equal Weight and Consideration as Other Beneficial Uses of Water

- AB 2614 (2024)
- AB 362 (2025)

Contentious Issues:

- Definitions
- Fiscal impacts
- Existing State & Regional Water Board Processes and Timelines
- Bay-Delta Water Quality Control Plan

Oppose Bills that Limit Tribal Engagement

- 2025 Budget Trailer Bills
 - Delta Conveyance Project
 - Water Quality Control Plans
- 2026 CA Chamber of Commerce Ballot Initiative
 - Restrict or Eliminate CEQA for water projects

Key Issues:

- AB 52 Consultation
- Implementation of Tribal Beneficial Uses of Water
- Legal remedies

Conclusion

Whether adequate flow standards are achieved via regulation, legislation, or otherwise, tribes and our water uses need to be protected. Our Indigenous Knowledge needs to be considered and incorporated into governance processes that impact our waterways and communities. We seek to be part of equitable solutions, rather than the bearers of continued harm.

