

Tribal and Environmental Justice in the Sacramento-San Joaquin Delta: History, Current Perspectives, and Recommendations for a Way Forward

Summary of Staff Edits to the Public Review Draft



**Delta
Stewardship
Council**

A CALIFORNIA STATE AGENCY

- This document provides a high-level summary of changes made to the public review draft tribal and environmental justice issue paper (issue paper).
- Changes are informed predominantly by tribal consultations (3 tribes) and public comments both verbal and written (14), including comments raised during staff presentations and tabling at community events throughout the last several months (comments from 11 presentations). Comments from Councilmembers and members of the public at the September 2024 Council meeting are also included. Staff also made relevant changes to the paper to be consistent with other Council initiatives, new research findings, partner organization documents, and others.
- The changes include both clarifying edits as well as more substantive changes. The following is a section-by-section summary of changes.

Title

- Updated the title to better reflect the breadth and intent of the paper.

Executive Summary

- Added results from interviews conducted with tribes on interweaving Traditional Knowledge.
- Updated the environmental justice graphic to 1) make the three tenets clearer; 2) incorporate tribal justice; and 3) provide further explanation in the figure description.
- Edited language around tribes and environmental justice communities; included how tribes are marginalized at the federal and local levels; mentioned how tribal health is dependent on resource health; and referenced lack of government staff cultural competency.
- Added minor language changes under Council-specific recommendations, goals 2 and 3, as informed by input from tribal members.

Section 1: Introduction

- Added and changed language regarding federally and non-federally recognized tribes.
- Added an overview of how tribal and environmental justice initiatives relate to the Council's authority regarding the coequal goals, the Delta Reform Act, and the Delta Plan.
- Mentioned the interplay of this initiative with Delta Adapts and added a call out box explaining the Delta Adapts processes.

Section 2: Recommendations

General Recommendations

- Under "Invest in Relationship and Trust Building," added language that agency staff can be members of environmental justice communities and the importance of hiring staff within this context.
- Under "Work Through Trusted Community Partners," cited relevant and recent research findings on organizational structure and environmental justice collaboration, that use the data from this initiative's interviews.

- Under “Make it Easy to Participate Early and Often,” included discussion of grants and other funding for tribes and community-based organizations (CBO); mentioned timely availability of key information and diverse means of communicating that information; and highlighted the importance of improving coordination with tribes.
- Under “Identify and Fill Research Needs and Effectively Communicate Findings,” added a sentence highlighting the importance of reviewing and integrating research and data needs from interviews with environmental justice representatives and tribes, the Delta Adapts process, and the Delta Plan Five-Year Review.

Council-specific Recommendations

- Added introductory language on scope and summarized the recommendations as a compilation of information gathered through interview and research processes.
- Updated goal 1, strategy 1a, action 1 to focus on annually reporting progress on actions.
- Under “Identify Environmental Justice Communities,” added that the framework would be used to guide Council actions and resources targeted to environmental justice communities and removed the word “spatial” so that the framework can include both place-based and non-place-based elements when identifying environmental justice communities.
- Under “Enable Career Pathways to the Council,” expanded language to include inter-agency and CBO partnerships.
- Added “Define and Update Inclusive Language” with guidance for identifying and updating this language.
- Under “Amplify Tribal Histories,” highlighted a report from the California Truth and Healing Council.
- Under “Set and Uphold Tribal Consultation Expectations,” clarified how the Council sees consultation impacting outcomes.
- Under “Communicate Risk,” added language about Delta Adapts.

Section 3: What is Tribal and Environmental Justice

- Made changes to language and citations to enhance reader clarity.

- Added an expanded environmental justice tenet graphic (see Executive Summary edits).
- Added language clarifying the use of indicators for identifying environmental justice communities.

Section 4: History and Context

- Included further discussion of historical, state-sanctioned violence against tribes.
- Added further context around the Chinese Exclusion Act and Alien Land Law, as well as impacts of these laws, and other discriminatory and violent actions by the federal and State governments, on water rights.
- Added a mention of the Governor's "Equity Bridge" framework.

Section 5: Current Tribal and Environmental Justice Issues in the Delta

- Added information about data sources, including interviews, recent community outreach, and the October 2024 tribal roundtable. Pointed to Appendix C for further information.
- Added note about the Council's role in acknowledging a wide range of issues and not just those directly under the Council's purview.
- Included a paragraph introducing the tribal and environmental justice issues identified through staff research.
- Incorporated results from the tribal Traditional Knowledge interviews.
- Mentioned discrepancies in the definitions and tools used to identify environmental justice communities.
- Incorporated relevant findings from the 2023 Delta Residents Survey regarding Delta decision-making, lack of trust in government agencies, and high trust in community organizations and scientific experts. Cited a quote from a Delta Residents Survey respondent about compounding concerns of economic decline and income inequality, overuse and contamination of waterways, and climate change.
- Provided further detail on Bethel Island flood risk (reporting concerns heard at a community meeting) and alternative flood insurance options like Geologic Hazard Abatement Districts.
- Added callout boxes highlighting the 2024 Science for Communities projects.

- Barriers faced by small Delta communities when establishing emergency housing during times of flood.
- Water quality monitoring efforts promoted through the Science for Communities series.
- How to safely consume wild fish exposed to mercury.
- Added a paragraph on the growing threat of Valley fever to certain communities in the Central Valley and coast.
- Cited quotes from a CBO's interview process with Delta farmworkers in Yolo County to highlight unique stressors for that community (as Council staff weren't able to connect with a CBO that represents farmworkers).
- Mentioned the role of the Public Trust Doctrine in protecting outdoor access.

Section 6: Moving Forward

- Changed title from "Conclusion" to "Moving Forward."

Appendix A: Issue Paper Limitations

- Minor changes to language and citations to enhance reader clarity.

Appendix B: Definitions

- Added the following definitions: California Native American Tribe, Tribal Community, Tribal Knowledge, Traditional Knowledge.
- Minor changes to language and citations to enhance reader clarity.

Appendix C: Issue Paper Development Process

- Updated the issue paper development timeline graphic.
- Added a summary of results and data analysis methods from the interviews conducted with tribes on interweaving Traditional Knowledge.
- Added a tribal consultation and engagement summary.
- Updated the community engagement summary, including types of events hosted and attended by Council staff, and input collected via these outreach events for the issue paper and the related Delta Adapts initiative from 2022-2024.

- Summarized how the issue paper was developed and how comments heard during the public comment and tribal consultation periods were incorporated.

Appendix D: All Issues Identified

- Removed this appendix.

Appendix E: Public Comment Analysis

- Renamed this Appendix D due to the removal of the former appendix.
- Included a note about the document's use of the term "stakeholder."

References

- Included a note on the availability of federal webpages.