



Briefing on Tribal Relations and Environmental Justice Policies and Activities by the Governor's Tribal Advisor

Background

In September 2011, Governor Brown issued Executive Order B-10-11 establishing the position of Governor's Tribal Advisor in the Office of the Governor in order to strengthen communication and collaboration between California state government and Native American Tribes. The Executive Order specifically directs the Governor's Tribal Advisor to oversee and implement effective government-to-government consultation between the Administration and Tribes on policies that affect California tribal communities. The Executive Order further directs executive agencies to work towards developing tribal consultation policies that promote regular and meaningful consultation and collaboration between the State and California Tribes.

Cynthia Gomez, appointed as the Governor's Tribal Advisor in February 2012, will provide the Commission with an overview of the Administration's policies and activities related to carrying out the directives of the Executive Order. Ms. Gomez will also discuss the draft tribal consultation policy being developed by the Natural Resources Agency.

The Department of Water Resources (DWR) is currently working with the Governor's Tribal Advisor, Secretary Laird's Office and California Tribes to develop a tribal consultation policy and related implementation guidelines for DWR that will reflect the purposes of the Executive Order, and final Agency tribal consultation policy as DWR continues to engage with California Tribes to carry out its mission and programs. Kimberly Johnston-Dodds, DWR Tribal Liaison and Policy Advisor, will provide an overview of the connection between the statewide policy and DWR.

Contact

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EXECUTIVE ORDER B-10-11

WHEREAS California is home to many Native American Tribes with whom the State of California has an important relationship, as set forth and affirmed in state and federal law; and

WHEREAS the State of California recognizes and reaffirms the inherent right of these Tribes to exercise sovereign authority over their members and territory; and

WHEREAS the State and the Tribes are better able to adopt and implement mutually-beneficial policies when they cooperate and engage in meaningful consultation; and

WHEREAS the State is committed to strengthening and sustaining effective government-to-government relationships between the State and the Tribes by identifying areas of mutual concern and working to develop partnerships and consensus; and

WHEREAS tribal people, as both citizens of California and their respective sovereign nations, have a shared interest in creating increased opportunities for all California citizens.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, by virtue of the power vested in me by the Constitution and the statutes of the State of California, do hereby issue the following orders to become effective immediately:

IT IS ORDERED that the position of Governor's Tribal Advisor shall exist within the Office of the Governor;

IT IS FURTHER ORDERED that the Governor's Tribal Advisor shall oversee and implement effective government-to-government consultation between my Administration and Tribes on policies that affect California tribal communities, and shall:

- Serve as a direct link between the Tribes and the Governor of the State of California.
- Facilitate communication and consultations between the Tribes, the Office of the Governor, state agencies, and agency tribal liaisons.
- Review state legislation and regulations affecting Tribes and make recommendations on these proposals.

IT IS FURTHER ORDERED that the Office of the Governor shall meet regularly with the elected officials of California Indian Tribes to discuss state policies that may affect tribal communities.

IT IS FURTHER ORDERED that it is the policy of this Administration that every state agency and department subject to my executive control shall encourage communication and consultation with California Indian Tribes. Agencies and departments shall permit elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities.

For purposes of this Order, the terms "Tribe," "California Indian Tribe", and "tribal" include all Federally Recognized Tribes and other California Native Americans.

This Executive Order is not intended to create, and does not create, any rights or benefits, whether substantive or procedural, or enforceable at law or in equity, against the State of California or its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that it be given widespread publicity and notice.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 19th day of September 2011.

Agenda Item: 7
Meeting Date: June 20, 2012
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EDMUND G. BROWN JR.
Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State