September 2024

TRIBAL RESOURCES PACKET

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

Purpose

The California Environmental Protection Agency (CalEPA) consists of six Boards, Departments, and Offices (BDOs): the California Air Resources Board (CARB), the Department of Pesticide Regulation (DPR), the Department of Resources Recycling and Recovery (CalRecycle), the Department of Toxic Substances Control (DTSC), the Office of Environmental Health Hazard Assessment (OEHHA), and the California Water Boards.

- CARB works to reduce air pollution so all Californians can breathe cleaner air and leads the nation in fighting climate change with integrated programs to cut greenhouse gases.
- DPR protects people and the environment by fostering sustainable pest management and regulating pesticides.
- CalRecycle helps the state achieve the highest waste reduction, recycling, and reuse goals in the nation through programs that improve economic vitality and environmental sustainability.
- DTSC protects California's people and environment from toxic substances, enhances economic vitality by restoring contaminated land, and helps develop safer consumer products.
- OEHHA serves as the scientific foundation for CalEPA's environmental regulations and provides valuable information to consumers, policy makers and manufacturers on the safety of chemicals in our environment.
- The California Water Boards ensure that the quality of drinking water and our water ways are safe and that we balance water's use to meet the needs of all Californians.

In response to requests from tribes, we have prepared this Tribal Resources Packet to provide an overview of CalEPA and our BDOs, what each tribal affairs program does, grant opportunities for tribes, and contact information for each of our tribal liaisons.



California Environmental Protection Agency

Summary of Organization

CalEPA's mission is to restore, protect and enhance the environment, to ensure public health, environmental quality, and economic vitality.

CalEPA fulfills its mission by developing, implementing, and enforcing environmental laws that regulate air, water and soil quality, pesticide use, and waste recycling and reduction. CalEPA's departments are at the forefront of environmental science, using the most recent research to shape the state's environmental laws.

The Office of the Secretary heads CalEPA, overseeing and coordinating the activities of one office, two boards, and three departments dedicated to improving California's environment.

Tribal Affairs

CalEPA and its boards, departments, and office (BDOs) are committed to improving communication and working relationships with California Native American Tribes. CalEPA aims to cultivate and ensure the meaningful participation and inclusion of tribal governments and communities within the work of the Agency, supporting the effective integration of these governments' and communities' interests in environmental policymaking. These efforts seek to advance programs, policies, regulations, and new laws to strengthen these working relationships, and coordinate tribal affairs across the Agency and with external governments and organizations.

CalEPA Initiatives

Tribal Consultation Protocol

In February 2020, CalEPA adopted its Tribal Consultation Protocol (Tribal Protocol) as part of its Tribal Policy implementation and to provide guidance to CalEPA and its BDOs when conducting government-to-government consultations and engaging with California Native American Tribes. The Tribal Protocol builds upon the Tribal Policy and provides a step-by-step process that includes a set of best practices when engaging with tribes in meaningful, inclusive, and mutually respectful way. This Tribal Protocol is for use by CalEPA staff and the staff at each of its BDOs.

To view CalEPA's Tribal Consultation Policy and Tribal Protocol, please visit: https://calepa.ca.gov/tribal/

Tribal Advisory Committee

On Aug. 17, 2010, the CalEPA Tribal Advisory Committee Charter was approved by CalEPA and Charter Tribes. The purpose of the CalEPA Tribal Advisory Committee (TAC) is to discuss environmental issues between California Native American Tribes and CalEPA.

The TAC meets with the Secretary of CalEPA and/or her designee and the directors of each CalEPA BDO or their designees – the BDO Tribal Liaisons – at least quarterly each calendar year.

Each member of the committee is appointed by CalEPA upon nomination by a tribe. Each member of the TAC is considered an "at large" advocate, to the best of their ability, for the interests of all the tribes in the geographic area of the State of California (south, central, north, southeastern, and eastern) in which their Tribe is located. The TAC committee meets quarterly each calendar year.

Since the inception of the TAC, CalEPA has gained invaluable experience in actively pursuing the state's joint sovereign interest with tribes to safeguard and protect the state's precious resources for the benefit of current and future generations.

CalEPA reimburses each committee member for travel and lodging expenses to and from committee meetings. On occasion, and when feasible, committee members may also host quarterly meetings on their respective tribal lands.

For more information on the TAC and nominations, please visit: https://calepa.ca.gov/tribal/committee/

CalEPA Executive Leadership

CalEPA executive leadership includes the following people. More information on CalEPA executive leadership can be found on CalEPA's website at https://calepa.ca.gov/about/bios/

- Yana Garcia Secretary for Environmental Protection
- Catalina Hayes-Bautista Undersecretary for Environmental Protection
- Sabine Talaugon Deputy Secretary for Intergovernmental Relations (Tribal, Border, and Federal Relations)
- Yuting "Yvonne" Chi Deputy Secretary for Environmental Justice and Equity
- Krystal Acierto Deputy Secretary for Public Policy
- Jason Boetzer Deputy Secretary for Local Program Coordination and Emergency Response
- Nefretiri Cooley Deputy Secretary for Communications and External Affairs
- Sarah Izant Deputy Secretary for Climate Policy
- Ana Jovel Melendez Deputy Secretary for Legislative Affairs
- Linda Lye Deputy Secretary for Law Enforcement and General Counsel
- Jeannie Lee Assistant General Counsel

- Anna Naimark Deputy Secretary and Special Counsel for Water Policy
- Scott Lichtig Deputy Secretary for Environmental Policy
- Mike Marshall Agency Information Officer

Grant Programs

CalEPA is administering the Environmental Justice Action Grants Program to provide grant funding to a wide variety of projects. The Legislature directed CalEPA to use the money for grants to support tribes, community-based organizations, and residents to engage in:

- 1. Emergency preparedness,
- 2. Public health protection,
- 3. Environmental and climate decision-making, and
- 4. Coordinated enforcement efforts affecting their communities.

Visit this link to learn more about the EJ Action Grant Program: https://calepa.ca.gov/ejactiongrants/.

CalEPA will accept applications from: federally recognized tribes; 501(c)(3) nonprofit organizations; and organizations receiving fiscal sponsorship from 501(c)(3) organizations

Supplemental Environmental Projects (SEPs)

A Supplemental Environmental Project (SEP) is an environmentally beneficial project that is included as part of a settlement for environmental violations. Violators can voluntarily agree to undertake such projects in lieu of part of the penalty that they are required to pay for the violations.

To be a SEP, the project must meet certain requirements under the law, as well as any additional requirements established by the individual CalEPA board or department that brought the enforcement action.

CalEPA compiles a list of SEPs that have been approved by its BDOs and are available for inclusion in settlements. CalEPA updates the list annually.

For more information on SEPs and to view each of our BDOs' SEP Policies, please visit: https://calepa.ca.gov/enforcement/supplemental-environmental-projects/

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Tribal Consultation Policy https://calepa.ca.gov/tribal/

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Grant Manager

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California Department of Toxic Substances Control

Summary of Organization

Management and staff of the Department of Toxic Substances Control (DTSC) are committed to protecting Californians and their environment from exposure to hazardous wastes by enforcing hazardous waste laws and regulations. The department takes enforcement action against violators; oversees cleanup of hazardous wastes on contaminated properties; makes decisions on permit applications from companies that want to store, treat, or dispose of hazardous waste; and protects consumers against toxic ingredients in everyday products. The department is committed to engaging the public in a way that gives those most affected by its decisions opportunities to voice their concerns and ask questions.

Tribal Affairs

This program fosters communication, collaboration, and consultation between DTSC and California's Native American Tribes. Tribal Affairs and program staff coordinate with tribes in the development of policies, programs, and activities that may affect a tribe's community, ancestral territories, or cultural resources. We are committed to meaningful engagement with indigenous communities, and to strengthening government-to-government relationships between the State and California Native American Tribes.

DTSC's Tribal Affairs program is part of the Office of Environmental Equity, which includes its Environmental Justice and Public Participation programs. By integrating all three programs throughout DTSC, we strive to be part of achieving a healthy California for all. Learn more by visiting the Office of Environmental Equity web page.

Grant Programs

For current grant opportunities, please visit: https://dtsc.ca.gov/brownfields/loans-and-grants/

The California Department of Toxic Substances Control (DTSC) has launched one of the boldest Environmental Justice initiatives in California history. The Cleanup in Vulnerable Communities Initiative (CVCI) is a multi-year investment in communities that suffer from multiple sources of contamination. The following core CVCI programs aim to benefit vulnerable communities:

- Equitable Community Revitalization Grant
- Discovery and Enforcement
- Workforce Development
- Technical Assistance Grant

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Social Media

• Facebook: @ Department of Toxic Substances Control (DTSC)

Twitter/X: @CaliforniaDTSCInstagram: @CaliforniaDTSC

• YouTube: DTSCgreen

Tribal Consultation Policy

 $\frac{https://dtsc.ca.gov/wp-content/uploads/sites/31/2020/06/DTSC-Tribal-Consultation-Policy-Final 040220-AB434.pdf$



California Air Resources Board

Summary of Organization

CARB is charged with protecting the public from the harmful effects of air pollution and developing programs and actions to fight climate change. From requirements for clean cars and fuels to adopting innovative solutions to reduce greenhouse gas emissions, California has pioneered a range of effective approaches that have set the standard for effective air and climate programs for the nation, and the world. CARB is the lead agency for climate change programs and oversees all air pollution control efforts in California to attain and maintain health-based air quality standards.

Tribal Relations

CARB's mission is to promote and protect public health, welfare, and ecological resources through the effective and efficient reduction of air pollutants while recognizing and considering the economy of the State. California Native American Tribes are an essential part of CARB's mission being realized. Governor Brown signed Executive Order B-10-11 on September 19, 2011, directing State agencies and departments, including CARB, to engage in effective government-to-government cooperation, collaboration, communication, and consultation with both federally recognized and non-federally recognized tribes when developing legislation, regulations, rules, and policies on matters that may affect Tribal entities. CARB is committed to strengthening its communications and relationships with tribes across the State. CARB is working to ensure tribes are directed to the right tools and resources to engage in consultation, both formal and informal, as well as to participate in funding opportunities.

https://ww2.arb.ca.gov/tribal-relations

Grant Programs

The programs listed on the site linked below have hundreds of millions of dollars available over the next several years to reduce air pollution across the state. Tribes may apply for funds from these programs to reduce air pollution on tribal lands. While CARB oversees these funding programs overall, some of these programs (such as the Carl Moyer Program) are implemented in partnership with local air districts.

CARB updates Funding Opportunities on its website:

https://ww2.arb.ca.gov/funding-opportunities

Funding Workbook for all California Tribes

In March 2024, California Climate Investments launched the Funding Workbook for All California Tribes (Funding Workbook). The Funding Workbook guides Tribal leaders and staff through the funding opportunities available within California Climate Investments, helps assess which programs may fit your tribe's needs and priorities, and identifies next steps tribes can take to pursue funding. Many programs offered through the California Air Resources Board are highlighted within the Funding Workbook.

To explore the Funding Workbook, please visit: https://www.caclimateinvestments.ca.gov/funding-workbook-for-tribes

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Tribal Consultation Policy https://ww2.arb.ca.gov/tribal-consultation-policies



Department of Resources Recycling and Recovery (CalRecycle)

Summary of Organization

California's Department of Resources Recycling and Recovery (CalRecycle) brings together the state's recycling and waste management programs to move the state towards a circular economy that reduces waste and reuses all materials.

Through landmark initiatives like the Integrated Waste Management Act and Beverage Container Recycling and Litter Reduction Act, California works toward a society that uses less, recycles more, and takes resource conservation to higher and higher levels.

CalRecycle's Mission: Protecting California's environment and climate for the health and prosperity of future generations through the reduction, reuse and recycling of California resources, environmental education, disaster recovery, and the transition from a disposable to a fully circular economy.

Tribal Affairs

Established and guided by AB 649, CalRecycle's Office of Environmental Justice, Tribal Relations, Education, and Outreach is responsible for:

- 1. Ensuring that the department's programs effectively address the needs of disadvantaged communities, low-income communities, California Native American Tribes, and farmworkers.
- 2. Providing an evaluation of a range of strategic, scientific, technological, regulatory, and economic issues for the department related to environmental justice and tribal relations.
- 3. Integrating environmental justice considerations into department programs, policies, and initiatives.
- 4. Lessening the environmental impacts on communities disproportionately burdened by environmental harm and risks.
- Addressing environmental justice by ensuring meaningful involvement of disproportionately burdened communities in department decision making, building capacity to address environmental impacts in disproportionately burdened communities, and promoting collaborative problem solving for issues involving environmental justice.
- 6. Strengthening partnerships with other governmental agencies at the federal, city, county, and Tribal levels regarding environmental justice issues.

- 7. Enhancing research and assessment approaches related to environmental justice.
- 8. Collaborating with impacted communities and governmental agencies to promote equitable data collection regarding environmental burdens.
- 9. Improving access to technical resources for disadvantaged communities.
- 10. Enhancing protections for vulnerable communities.

Grant Programs

CalRecycle offers funding authorized by legislation to help public and private entities create circular waste systems. Please visit this site to see open grant programs: https://calrecycle.ca.gov/funding/

Tribes are eligible for the grant opportunities listed below:

- Beverage Container Recycling Grant
- Beverage Container Redemption Innovation Grant Program
- Community Composting for Green Spaces
- Edible Food Recovery Grant Program
- Farm and Ranch Solid Waste Cleanup and Abatement Grant Program
- Household Hazardous Waste
- Local Government Waste Tire Amnesty Grants
- Local Government Waste Tire Cleanup Grants
- Organics Grant Program
- Recycled Fiber, Plastic, and Glass Grant Program
- Reuse Grant Program
- Rubberized Pavement Grant Program
- Tire-Derived Aggregate Grants
- Tire-Derived Product Grant

Contacts

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Social Media

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Department of Pesticide Regulation

Overview of Organization

The California Department of Pesticide Regulation's mission is to protect human health and the environment. The department achieves this mission by fostering safer, sustainable pest management and operating a robust pesticide regulatory system. DPR's work includes registering all pesticides sold or used in California, conducting pre- and post-registration scientific evaluations of pesticides to assess and mitigate potential harm to human health or the environment for pesticides in the air and water, and enforcing pesticide use laws and regulations in coordination with 55 County Agriculture Commissioners and their 500 field inspectors.

DPR's Goal for Sustainable Pest Management (SPM)

By 2050, pest management approaches in both agricultural and urban contexts in California will promote human health and safety, ecosystem resilience, agricultural sustainability, community wellbeing, and economic vitality. The implementation of these approaches will help steward the state's natural and cultural resources, enabling healthy lives for all and an abundant, healthy food supply for future generations.

Tribal Affairs

DPR is committed to working with California Native American Tribes, both federally recognized and non-federally recognized, through consultation when developing regulations, rules, and policies that affect Tribal land as well as cultural and natural resources. We value two-way communication with California Native American Tribes to promote pesticide safety and sustainable pest management across California. This communication can include consultation, enforcement, and outreach with California Native American Tribes.

Grant Programs

Tribes are eligible for grants under DPR's Pest Management Grants Program:

- Research Grant Program
- Alliance Grants Program

For more grant information, visit https://www.cdpr.ca.gov/dprgrants.htm

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Tribal Consultation Policy https://www.cdpr.ca.gov/docs/envjust/tribal_affairs.htm



Office of Environmental Health and Hazard Assessment (OEHHA)

Summary of Organization

The Office of Environmental Health Hazard Assessment (OEHHA) is the lead state agency for the assessment of health risks posed by environmental contaminants. OEHHA's mission is to protect and enhance the health of Californians and our state's environment through scientific evaluations that inform, support, and guide regulatory and other actions.

OEHHA implements the Safe Drinking Water and Toxic Enforcement Act of 1986, commonly known as Proposition 65, and compiles the state's list of substances that cause cancer or reproductive harm. The Office also develops health-protective exposure levels for contaminants in air, water, and soil as guidance for regulatory agencies and the public. These include public health goals for contaminants in drinking water and both cancer potency factors and non-cancer reference exposure levels for the Air Toxics Hot Spots Program.

Other key OEHHA activities include:

- Developing fish advisories for mercury and other contaminants in sport fish from water bodies throughout the state and making recommendations regarding fishing safety and closures after marine oil spills.
- Creating CalHeatScore a new resource launching in 2025 to provide information about extreme heat events by translating weather forecasts into easy-to-understand health warnings and information about available local resources.
- Collaborating with the California Department of Public Health and Department of Toxic Substances Control on the Biomonitoring California program, which measures levels of chemicals found in Californians' bodies.
- Continuing to improve CalEnviroScreen, OEHHA's innovative environmental health screening tool that can be used to put together a more comprehensive picture of the burdens California communities face from environmental pollutants and their vulnerability to health and economic impacts.
- Identifying and analyzing Indicators of Climate Change in California.

The Office also provides scientific peer review of pesticide risk assessments; works with the Department of Pesticide Regulation to develop regulations to protect pesticide worker health and safety; trains physicians to recognize pesticide-related illnesses; and works with the California Department of Food and Agriculture to provide health information on pesticide applications aimed at combating invasive species.

Contacts

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Tribal Consultation Policy https://oehha.ca.gov/tribal-policy



State Water Resources Control Board

Summary of the Organization

The State Water Resources Control Board (State Water Board) and the nine Regional Water Quality Control Boards (Regional Water Boards), collectively known as the California Water Boards (Water Boards), are dedicated to a single vision: abundant clean water for human uses and environmental protection to sustain California's future. Under the federal Clean Water Act and the state's pioneering Porter-Cologne Water Quality Control Act, the State and Regional Water Boards have regulatory responsibility for protecting the water quality of nearly 1.6 million acres of lakes, 1.3 million acres of bays and estuaries, 211,000 miles of rivers and streams, and about 1,100 miles of exquisite California coastline.

The mission of the State Water Board is to preserve, enhance, and restore the quality of California's water resources and drinking water for the protection of the environment, public health, and all beneficial uses, and to ensure proper water resource allocation and efficient use, for the benefit of present and future generations. State Water Board staff are governed by the Executive Director, while the decision-making authority is governed by 5 board members appointed by the Governor. The State Water Board has six divisions and eight offices. On an annual basis the State Water Board develops a Strategic Workplan with priorities and goals to guide its work.

The mission of the nine regional water boards is to develop and enforce water quality objectives and implement plans that will best protect the beneficial uses of the state's waters, recognizing local differences in climate, topography, geology and hydrology. Each regional water board makes critical water quality decisions for its region, including setting standards, issuing waste discharge requirements, determining compliance with those requirements, and taking appropriate enforcement actions. Each regional water board has an executive officer that guides staff and seven part-time board members who are also appointed by the Governor. This map of each regional board provides more information and jurisdictional boundaries.



Tribal Affairs

Meaningful engagement with California Native American Tribes is fundamental to the mission of the Water Boards. Collaboration and input from all Californians help the Water Boards advance decisions and policies that better protect the environment, public health, and beneficial uses by effectively managing California's water resources. Working with California Native American Tribes holds a special value at the Water Boards because of our parallel relationship to the people we serve and because of tribes' historic knowledge and experience managing California's water resources since time immemorial.

By working together over the past decade, we, the Water Boards and California Native American Tribes, have strengthened our relationships, held meaningful government-togovernment consultations, and deepened our discourse to great success. For example, in the policy realm, we developed and defined statewide Tribal Beneficial Uses for water quality purposes—thus acknowledging the importance of Traditional Ecological Knowledge and the unique concerns and needs of tribes.

Grant Programs

The Water Boards are pleased to offer various financial programs and opportunities to assist California Native American Tribes with protecting and improving California's waters. Funding for the loan and grant programs primarily comes from bonds passed by voters and funding provided by the federal government. Each program has its own guidelines, application process and funding cycle.

Some current funding opportunities include:

- General Drought Funding
- Prop 68 Groundwater Treatment and Remediation
- Cleanup and Abatement Account
- Cleanup and Abatement Account Urgent Drinking Water Need Projects
- Nonpoint Source Grant Program Clean Water Act Sec 319(h) and Timber Regulation and Forest Restoration Fund
- Safe and Affordable Funding for Equity and Resilience (SAFER)

For a full list and description of these programs, please visit: https://www.waterboards.ca.gov/water_issues/programs/grants_loans/

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Social Media

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Tribal Consultation Policy

https://www.waterboards.ca.gov/tribal affairs/tribal consultations.html