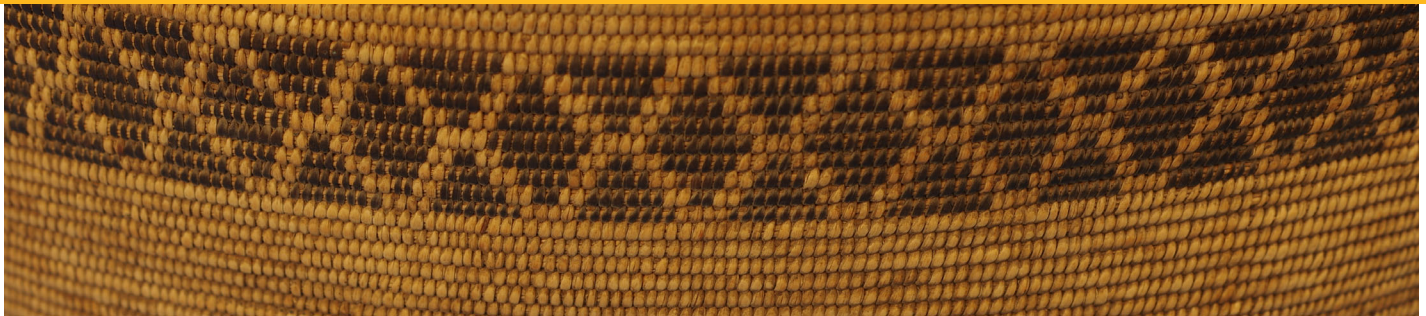


**Notice!** As the state transitions from the COVID-19 emergency, please contact your local Water Board to arrange necessary file reviews. ✕



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*Courtesy of the Tubatulabal Tribe*

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## Tribal Beneficial Uses Designations

The Tribal Tradition and Culture (CUL), Tribal Subsistence Fishing (T-SUB), and Subsistence Fishing (SUB) beneficial use definitions were adopted into the Basin Plans on 18 February 2022 and approved by the State Water Resources Control Board on 7 September 2022. The basin plan amendments will be provided to the California Office of Administrative Law and the United States Environmental Protection Agency for review.

**NOTE:** The Central Valley Water Board is currently receiving CUL and T-SUB designation requests on a rolling basis.

### What's New!

#### **\*SAVE THE DATE\* November 10, 2022 Tribal Beneficial Uses Update Meeting**

This invitation will be extended to Tribes, Tribal organizations, and confirmed consultants or individuals representing Tribes. This meeting will not be open to the general public.

**TBU Definitions: On 7 September 2022, the State Water Board adopted a resolution to approve adding TBU definitions to the Region's Basin Plans.**

- [State Water Board Final Resolution](#)

## TBU Designations: a Primer to the Basin Plan Amendment Process

- [Primer](#)

## TBU Designations: Frequently Asked Questions (updated July 2022)

- [FAQ](#)

## TBU Designations: a Statewide Overview Document

- New! Review the draft [Tribal Beneficial Use guidance document](#) and email [OPP-Tribal-Liaison@waterboards.ca.gov](mailto:OPP-Tribal-Liaison@waterboards.ca.gov) with feedback through October 30, 2022

# Tribal Beneficial Uses

On May 2, 2017, the State Water Resources Control Board adopted [Resolution 2017-0027](#), which approved "Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California—Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions" (ISWEBE Plan). Through Resolution 2017-0027, the State Water Board established three new beneficial use definitions for use by the State and Regional Water Boards: Tribal Traditional Culture (CUL), Tribal Subsistence Fishing (T-SUB), and Subsistence Fishing (SUB) beneficial uses. These beneficial uses may be designated by regional water quality control boards through the basin planning process on inland surface waters, enclosed bays, or estuaries in the state. The CUL, T-SUB, and SUB beneficial use definitions below are set forth in full:

## Tribal Tradition and Culture (CUL)

Uses of water that support the cultural, spiritual, ceremonial, or traditional rights or lifeways of California Native American Tribes, including, but not limited to: navigation, ceremonies, or fishing, gathering, or consumption of natural aquatic resources, including fish, shellfish, vegetation, and materials.

## Tribal Subsistence Fishing (T-SUB)

Uses of water involving the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, for consumption by individuals, households, or communities of California Native American Tribes to meet needs for sustenance.

## Subsistence Fishing (SUB)

Uses of water involving the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, for consumption by individuals, households, or

communities, to meet needs for sustenance. \*

\*The SUB beneficial use does not mention "California Native American Tribe" in its definition but is grouped with the CUL and T-SUB beneficial uses because it may still be of interest to, and can still be utilized by California Native American Tribes, tribal members, as well as other interested persons or members of the Public.

The CUL and T-SUB beneficial uses will help to protect activities specific to Native American Culture and Tribes' historic uses of California's waters, including practices not covered by existing beneficial uses. The functions of these beneficial uses are not to protect or enhance fish populations or aquatic habitats. Fish populations and aquatic habitats are protected and enhanced by other beneficial uses, including but not limited to, Fish Spawning, Migration of Aquatic Organisms, Aquaculture, Warm Freshwater Habitat, and Cold Freshwater Habitat.

### Confidentiality and Tribal Beneficial Uses

In general, the regional water quality control boards do not designate specific locations but instead designate stretches of rivers or creeks or whole water bodies. There is no need to specify the exact location of the practice or activity. For traditional and cultural uses, information would need to be established about the practice to get an understanding of the risk involved and the nexus to water quality so the appropriate water body or water body segment may be designated. Such information would be public information and not confidential.

The Central Valley Water Board will be conducting formal consultation as part of all TBU designations. Early engagement on the designation of waters will include discussion of a Tribe's interest to maintain the confidentiality of traditional and cultural practices at the outset.

## Basin Plan Amendments to add the Tribal Beneficial Use Definitions to the Water Quality Control Plans for the Central Valley Regional Water Quality Control Board

### State Water Board Action

- [State Water Board Final Resolution](#)
- [Response to Comments \(State Water Board\)](#)
- [State Water Board Draft Resolution](#)

- [State Water Board Agenda Item](#)
- [State Water Board September 7, 2022 Meeting Agenda and Attachments](#)

## Central Valley Water Board Action

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### 18 February 2022 - Central Valley Water Board Hearing

- [Resolution R5-2022-0018](#)
- [Staff Report](#)
- [Public Notice](#)
- [Meeting Recording](#)

A public outreach meeting was held on April 28th to discuss the development of potential amendments to the Water Quality Control Plans for Tribal Beneficial Use Designations. Meeting materials are below: Note that the "Meeting Recording" is a link to the Central Valley Water Board's YouTube channel.

- [Draft Resolution](#)
- [Public Notice](#)
- [Meeting Recording](#)

## Meetings and Workshops

The Central Valley Water Board will be conducting formal consultation as part of all TBU designations. Early engagement on the designation of waters will include discussion of a Tribe's interest to maintain the confidentiality of traditional and cultural practices at the outset.

### **\*SAVE THE DATE\* November 10, 2022 Tribal Beneficial Uses Update Meeting**

This invitation will be extended to Tribes, Tribal organizations, and confirmed consultants or individuals representing Tribes. This meeting will not be open to the general public.

### **April 5, 2022 Tribal Beneficial Uses Update Meeting**

This invitation was extended to Tribes, Tribal organizations, and confirmed consultants or individuals representing Tribes. This meeting was not open to the general public.

- [Save-the-Date Invitation](#)

### **Public Outreach Meeting - April 28, 2021**

A public outreach meeting was held on April 28th to discuss the development of potential amendments to the Water Quality Control Plans for Tribal Beneficial Use Designations. Meeting

materials are below: Note that the "Meeting Recording" is a link to the Central Valley Water Board's YouTube channel.

- [Draft Resolution](#)
- [Public Notice](#)
- [Meeting Recording](#)



Subscribe directly to the  
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## Contact Us

- For general inquiries:  
[RB5S-TBU@Waterboards.ca.gov](mailto:RB5S-TBU@Waterboards.ca.gov)
- Lauren Smitherman  
Senior Environmental Scientist  
(916) 464-4668  
[Lauren.Smitherman@waterboards.ca.gov](mailto:Lauren.Smitherman@waterboards.ca.gov)



## Facts & Information

- [Central Valley Water Board's TBU Basin Plan Amendment Primer](#)
  - [Fact Sheet \(2022\)](#)
  - [Draft State Board TBU Overview](#)
-  [Regional Water Boards Map](#)



## Final Reports & Approvals

- [Staff Report for the Tribal Beneficial Uses Definitions Basin Plan Amendment](#)

(Page last updated 10/4/22)

*Water is a precious resource in California, and maintaining its quality is of utmost importance to safeguard the health of the public and the environment.*

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The State Water Board is one of six environmental entities operating under the authority of the California Environmental Protection Agency

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