

PRESS RELEASE



KARUK TRIBE • SHINGLE SPRINGS BAND OF MIWOK INDIANS

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NEWSOM VETOES TRIBAL WATER RIGHTS BILL, DISAPPOINTS TRIBES

CA Tribes Will Keep Fighting to Turn Apologies into Action and Ensure that California Recognizes Tribal Expertise in Water Stewardship and Water Rights Assessments

SACRAMENTO, Calif. — California legislation aimed at giving Tribal governments a stronger voice in decisions affecting water management and environmental restoration but it was vetoed by Governor Newsom on September 30.

The Indigenous Water Rights Bill (AB 2218), authored by Assemblymember Ash Kalra, sought to create a state policy recognizing and addressing historic inequities related to Tribal access and control over water while strengthening government-to-government consultation between state agencies and Native American Tribes. The bill would have codified administrative policies designed to improve government-to-government consultation and collaboration between tribes and state agencies. The bill enjoyed bipartisan support and did not receive a single ‘no’ vote as it pass through the legislature.

“We are deeply disappointed with the Governor”, said Russell “Buster” Attebery, Chairman of the Karuk Tribe. “For generations, decisions about our rivers and water have been made without the meaningful participation of the Tribal people who have depended on and cared for these waters since time immemorial. AB 2218 was an important step toward changing that relationship. Tribes need to be at the table when decisions are being made, not brought in after the important decisions have already been made but we are not abandoning our efforts.”

In his veto message, Governor Newsom stated, “I have long recognized the historical harms perpetrated against Native peoples and tribal governments in California, and my administration has worked tirelessly to address them... however, that California must streamline its water policies to protect our water supply from the reality of climate change. I am concerned this bill would undermine that imperative — adding new layers of process to duplicate work that my Administration already prioritizes...”

[Full text of veto message.](#)

AB 2218 would have established state policy directing the State Water Resources Control Board, regional water quality control boards, California Natural Resources Agency and other state entities to address inequities affecting California Native American Tribes when developing water policies, regulations, permits and grant criteria.

In addition, the law would have strengthened Tribal participation in water-right investigations. When the State Water Board investigates claimed riparian or appropriative water rights, a Tribe whose ancestral territory includes the affected water body could request government-to-government consultation with the Board.

"Governor Newsom's veto of AB 2218 is a backhanded betrayal of California Tribes and a direct contradiction of his apology and promises of reconciliation," said Malissa Tayaba, Vice Chair of the Shingle Springs Band of Miwok Indians. "For nearly 200 years, California has made decisions about our waters without us, disregarding the Tribes whose cultures, communities, and lifeways depend on them. AB 2218 offered a meaningful step toward correcting that injustice. The Governor chose instead to preserve the status quo by aligning with special water interests that profit from extractive and exploitive water management practices. He cannot claim to stand with Tribal Nations while vetoing legislation that gives us a meaningful voice in decisions affecting our own ancestral homelands and waterways. We will remember this veto, we will hold the Governor accountable for it, and we will continue fighting until California recognizes that tribal sovereignty is not a promise to be invoked when convenient—it is a responsibility to be honored indefinitely."

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Editor's notes: AB 2218 passed the Assembly 57-0, Senate Natural Resources and Water 5-0, Senate Environmental Quality 4-0, Senate Appropriations 4-0, and Senate 28-0. Click [here](#) for more info on Bill history and read text.