

Rincon Band of Luiseño Indians

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VIA U.S. MAIL AND E-MAIL

October 3, 2018

SAN DIEGO RWQCCB
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Ms. Jody Ebsen
Engineering Geologist
Restoration and Protection Planning Unit
San Diego Regional Water Quality Control Board
2375 Northside Drive, Suite 100
San Diego, CA 92108-2700
E-Mail: jody.ebson@waterboards.ca.gov

**RE: REQUEST TO INCLUDE TRIBAL TRADITION AND CULTURE IN 2018
TRIENNIAL REVIEW**

Dear Ms. Ebsen:

The Rincon Band of Luiseño Indians (the "Rincon Band") requests that the San Diego Regional Water Quality Board (the "Board") include *Tribal Tradition and Culture* ("CUL") as a beneficial use in the 2018 Triennial Review of the Water Quality Control Plan (the "Plan") for the San Diego Basin (the "2018 Basin Plan Review"). We believe it is critical that the application of the CUL beneficial use extend to certain riparian areas within the Luiseño aboriginal territory, particularly, the San Luis Rey groundwater basin which includes the San Luis Rey River and Paradise Creek, a major tributary. The protection of Luiseño cultural heritage is an obligation of the Rincon Band as well as the State of California, local governments and political subdivisions

The CUL designation is one of three standards adopted by the State Water Quality Control Board and approved by the United States Environmental Protection Agency in 2017. However, the Board has not yet engaged with tribal governments within the San Diego Basin to apply the CUL to specific surface waters even though other regional boards throughout the state have consulted with tribal governments to either include the CUL within their basin plan or are working to include the CUL as a beneficial use within their triennial plan review.

We understand that this request would require the Board to authorize amendments to the Plan and we are more than willing to assist and consult with the Board and other stakeholders to determine the appropriate designation of the CUL to specific surface waters within the Luiseño

Bo Mazzetti
Tribal Chairman

Tishmall Turner
Vice-Chairwoman

Steve Stallings
Council Member

Laurie E. Gonzalez
Council Member

Alfonso Kolb Sr.
Council Member

aboriginal territory. The San Luis Rey River water and certain surface waters included in the 2018 Basin Plan Review have ontological, cosmological and sacred significance to the *Payómkawichum* (Luiseño) people, including the Luiseño creation story.

We would appreciate the Board's immediate consideration of this request to make the CUL a beneficial use in the 2018 Basin Plan Review. To assist the Board, we will make our tribal leadership and science expertise available to accomplish this effort. The Rincon Band was recently granted Treatment as the State by the United States Environmental Protection Agency for purposes of the Clean Water Act and has developed and implemented water quality standards on the Rincon Reservation. In addition, the Rincon Tribal Historic Preservation Office, designated as such by the United States National Park Service pursuant to the National Historic Preservation Act, is the primary authority of the Rincon Band for cultural resource protection on and off-reservation. We feel confident that our request to immediately include the CUL as a beneficial use to certain surface waters in the 2018 Basin Plan Review can be expeditiously accomplished with our expertise and support. We look forward to further discussion at the hearing on October 10, 2018.

Sincerely,

RINCON BAND OF LUISEÑO INDIANS



Bo Mazzetti
Tribal Chairman