

SAN LUIS REY INDIAN WATER AUTHORITY

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October 3, 2018

Cynthia Gorham, Senior Environmental Scientist
San Diego Regional Water Quality Control Board
2375 Northside Drive, Suite 100
San Diego, CA 92108-2700

SAN DIEGO RWQCB
2018 OCT -5 AM 10:33

By mail and email to
Cynthia.gorham@waterboards.ca.gov

Re: 2018 Basin Plan Triennial Review
Tribal Tradition and Culture ("CLU") as a Beneficial Use

Dear Ms. Gorham,

The San Luis Rey Indian Water Authority (the "SLRIWA") is a consortium formed by five federally-recognized Indian tribes in northern San Diego County, whose federal Indian reservations are located along or close to the San Luis Rey River. The United States recognizes the SLRIWA as a tribal-level body responsible for implementing the San Luis Rey Indian Water Rights Settlement Agreement of 2015, initially in P.L. 100-675, Act of November 17, 1988, 102 Stat. 4000, and most recently in Section 3605 of the Water Infrastructure Improvements for the Nation Act, P.L. 114-322, 130 Stat. 1628, 1793, Act of December 16, 2016. That settlement and this legislation resolved the claims of the five tribes to the waters of the San Luis Rey River, which were illegally diverted for the use of non-Indians more than century ago.

SAN LUIS REY
Indian Water Authority

The Pala and Rincon Bands of Mission Indians are two of the five member tribes of the SLRIWA. The Pala Band has written to the Regional Board in its letter of September 4, 2018 in which it requests that the Regional Board act, at its Triennial Review, to explicitly recognize, as a beneficial use, Tribal Tradition and Culture (“CUL”) of waters. It does so as a step toward designating the waters of the Agua Caliente Springs at the historic Kupa village near what is now Warner Ranch Resort as such a beneficial use. The Rincon Band has also expressed its support separately.

The SLRIWA vigorously joins with and supports this request by the Pala Band. It is right as a matter of law, history, and justice. Other such designations of CUL may be made elsewhere in San Diego County. But his first recognition of CUL as a beneficial use by the Regional Board should not be delayed, while the forces of development continue to encroach on this fragile and irreplaceable traditional spring.

For these reasons, and those eloquently set forth in the Pala Band’s letter, the San Luis Rey Indian Water Authority joins the Pala Band in urging the Regional Board to recognize CUL as a beneficial use in its Triennial Review.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bo Mazzetti', written in a cursive style.

Bo Mazzetti, President