

**STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

**STAFF SUMMARY REPORT: Tong Yin
MEETING DATE: April 8, 2026**

ITEM: 6

Proposed Amendment to the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) to Add Tribal Tradition and Culture (CUL), Tribal Subsistence Fishing (T-SUB), and Subsistence Fishing (SUB) Beneficial Use Definitions — Hearing to Consider Adoption of Proposed Basin Plan Amendment

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DISCUSSION

The attached Tentative Resolution (Appendix A) would adopt an amendment to the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) to add three beneficial use definitions: Tribal Tradition and Culture (CUL), Tribal Subsistence Fishing (T-SUB), and Subsistence Fishing (SUB). Appendix A contains the tentative resolution and proposed Basin Plan Amendment language, Appendix B contains the supporting Staff Report, Appendix C contains the sole comment letter received, and Appendix D contains our responses to comments received.

Background

The State Water Resources Control Board (State Water Board) established the Tribal Tradition and Culture, Tribal Subsistence Fishing, and Subsistence Fishing beneficial uses in Resolution No. 2017-0027, which approved “Part 2 of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (ISWEBE Plan) - Tribal and Subsistence Fishing Beneficial Uses and Mercury Provisions” (Statewide Mercury Provisions) for use by the State Water Board and nine regional water quality control boards in their water quality control plans. The Tribal Tradition and Culture use reflects uses of water that support the cultural, spiritual, and traditional ways of living by California Native American Tribes. The Tribal Subsistence Fishing and Subsistence Fishing uses recognize use of some surface waters by populations that are likely to consume more fish than the average recreational angler in California.

The San Francisco Bay Water Board’s 2024 Triennial Review List of Prioritized Basin Planning Projects, adopted via Resolution No. R2-2025-0016, identified designation of the Tribal Tradition and Culture, Tribal Subsistence Fishing, and Subsistence Fishing beneficial uses as the highest priority Basin Plan project. The proposed Basin Plan Amendment to add the definitions to the Basin Plan would complete the first phase of this priority project.

This amendment does not designate the Tribal Tradition and Culture, Tribal Subsistence Fishing, or Subsistence Fishing uses for any waterbody. Specific

designations will be undertaken in separate processes for future Basin Plan amendment(s).

As part of the Basin Plan Amendment development process, the Water Board conducted outreach to tribes and environmental justice communities. Emails were sent to thirty tribes within the San Francisco Bay Region's jurisdiction, notifying them of the proposed project and opportunities for engagement. A dedicated engagement meeting with the Confederated Villages of Lisjan Nation was held in June 2025. Earlier engagement efforts introduced the statewide approach to protect Tribal Beneficial Uses. Those efforts included two Tribal Summits, hosted by the San Francisco Bay Water Board in April 2022, which provided background on Tribal Beneficial Uses and solicited input from Tribes in our region regarding their needs for designation.

Comments from Stakeholders and Staff Responses

We received a comment letter from the Bay Area Clean Water Agencies (BACWA) expressing support for the proposed Basin Plan Amendment (Appendix C). Our response to their comment letter is in Appendix D.

APPENDICES:

- A. Tentative Resolution with Exhibit A, Proposed Basin Plan Amendment
- B. Supporting Staff Report
- C. Comments
- D. Response to Comments

Appendix A
Tentative Resolution with Exhibit A,
Proposed Basin Plan Amendment

Appendix B
Supporting Staff Report

Appendix C

Comments

For an electronic copy of the comments, please contact Tong Yin via email to Tong.Yin@waterboards.ca.gov or at (510) 622-2418.

Appendix D
Response to Comments