



Legislation and Communications Committee

# Report on Tribal Legislation: AB 1881 (Ramos), AB 2218 (Kalra), and SB 1326 (Wahab)

Item 9-1

July 13, 2026

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## Item 9-1 Summary

### Subject

Report on AB 1881 (Ramos, D – Highland): California Indian Freedom Act of 2026 (May 19, 2026); AB 2218 (Kalra, D – San Jose): Water policy: California Native American tribes (April 16, 2026); and SB 1326 (Wahab, D – Hayward): California Environmental Quality Act: tribal cultural resources: mitigation measures (June 11, 2026).

### Purpose

To provide an update on key tribal policy issues advancing through the legislature

# Report on Tribal Legislation

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- California Native American tribes pursuing legislation to:
  - Expand access to and control over sacred sites on state lands
  - Augment protections of tribal religious liberty
  - Increase involvement in decisions on water use
  - Expand the use of tribal knowledge during the CEQA consultation process to protect tribal cultural resources (TCRs)

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- Metropolitan currently maintains working relationships with California Native American tribes
- Metropolitan complies with existing law, AB 52 (Gatto, 2014), which created a process under CEQA for tribal consultation on projects and added a new category of TCRs with the goal of avoiding or mitigating significant impacts
- Metropolitan respects that our tribal partners are seeking to uplift tribal knowledge in decision making on water and seeking to protect religious practices and TCRs on ancestral lands

# Report on Tribal Legislation

## AB 1881 (Ramos)

- AB 1881 (Ramos, D – Highland): California Indian Freedom Act of 2026 (May 19, 2026)
  - Requires state governmental agencies to obtain the prior consent of a California tribe before undertaking a project on state land that may pose a risk to tribal sacred sites
  - Prohibits state governmental agencies from substantially burdening a California tribe, or its individual members' exercise of religious beliefs or spiritual practices on state lands

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## AB 1881 (Ramos)

- Possible Impacts to Metropolitan
  - Prior consent provisions and the prohibition on substantially burdening religious practices could impact priority projects and programs and the long-term operations of the State Water Project
  - Lack of clarity with definition of “infrastructure and services” may result in litigation

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## AB 2218 (Kalra)

- AB 2218 (Kalra, D – San Jose): Water policy: California Native American tribes (April 16, 2026)
  - Creates a state policy seeking to address historic inequities in California Native American tribes' access to, and control over water through:
    - Providing financial assistance
    - Protecting tribal water uses
    - Consulting when adopting water-related permits, regulations, and policies
- Requires tribal consultation on all water rights investigations on tribal ancestral lands

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## AB 2218 (Kalra)

- Possible Impacts to Metropolitan
  - Creates additional, duplicative consultation obligations outside of AB 52 CEQA without lead agency involvement
  - Mandates financial assistance that could be passed on to permit applicants
  - Creates uncertainty about how this new obligation will impact existing water right holders

# Report on Tribal Legislation

## SB 1326 (Wahab)

- SB 1326 (Wahab, D – Hayward): California Environmental Quality Act: tribal cultural resources: mitigation measures (June 11, 2026)
- Revises the existing tribal consultation requirements under CEQA to expand the definition of a TCR to include anything listed in a local tribal register
- Requires, when requested by a tribe, that a lead agency prioritize avoidance of a TCR. If this is not possible, it requires the lead agency, when feasible, to adopt mitigation measures in consultation with the tribe

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## SB 1326 (Wahab)

- Possible Impacts to Metropolitan
  - Designating any resource identified in a local tribal register as a TCR under CEQA, without standard eligibility criteria, could greatly increase the number of resources subject to AB 52's existing requirement to avoid and minimize significant adverse impacts to the resource, when feasible
  - Having no standard criteria could also make it difficult for lead agencies to evaluate project impacts if they don't know why a TCR has been included in a local tribal register

## Report on Tribal Legislation

# Advocacy Efforts – Seeking Amendments

- Outreach to Authors / Tribes:
  - Assemblymember Kalra + Shingle Springs Band of Miwok Indians and the Karuk Tribe
  - Senator Wahab + Federated Indians Graton Rancheria, United Auburn Indian Community, the Habematolel Pomo of Upper Lake, and Picayune Rancheria of the Chukchansi Indians
  - Assemblymember Ramos
- Continuing Advocacy:
  - ACWA, CMUA, CSDA, CalChamber

