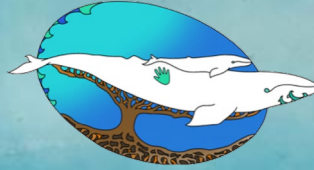




Greater Los Angeles County Region Agency Training Workshops



Grounding and Land Acknowledgment

Map of Native Land in California

Community Agreements



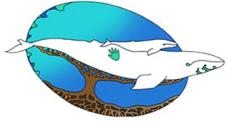
- Keep an open mind and heart
- One mic, be respectful and allow others to finish their thoughts
- Be mindful of the space you are taking
- Use Raise Hand button if you wish to speak
- Be conscious of Intent vs Impact
- Dismantling systems of oppression benefits everyone
- Liberation is possible
- Give credit where it is due
- Be your own Boo

Agenda



- ▶ Introductions
 - SPI and TreePeople
- ▶ Water, Culture, & Origin: Providing Indigenous Context
- ▶ Capitalism, Settler Colonialism, Commodification, and Contamination
- ▶ Working with Native Nations & Indigenous Peoples Today
- ▶ Allyship
- ▶ Closing

SPI and Tree People



SACRED PLACES INSTITUTE
FOR INDIGENOUS PEOPLES

SPI Mission Statement

Sacred Places Institute for Indigenous Peoples (SPI) is located on the southern California coast in the unceded ancestral homelands of the Tongva people. Our mission is to build the capacity of Native Nations and Indigenous Peoples throughout California, the United States, and around the world to protect sacred lands, waters, and cultures. Our long-term goal is to create paradigm shifts that support environmentally and socially just systems and assure the continuation of Indigenous cultures and people.

TreePeople

TreePeople Mission Statement

TreePeople inspires and supports the people of Southern California to come together to plant and care for trees, harvest the rain, and renew depleted landscapes.

Born from the efforts of a teenager over 40 years ago, we have involved more than 3 million people in planting and caring for more than 3 million trees.

We unite with communities to grow a greener, shadier and more water-secure city at homes, neighborhoods, schools and in the local mountains. We work with volunteer leaders using our unique Community Forester model, and we influence government agencies for a healthy, thriving Southern California.

Angela Mooney D'Arcy



Angela is from the Acjachemen Nation, Juaneno Band of Mission Indians. Angela was born in her ancestral homelands whose traditional territories include the area now known as Orange County and raised in the ancestral homelands of the Osage, Kaw and Wichita Peoples. She has been working with Native Nations, Indigenous Peoples, grassroots and nonprofit organizations, artists, educators and institutions on environmental and cultural justice issues for nearly twenty years. She is the Executive Director and Founder of Sacred Places Institute for Indigenous Peoples, an Indigenous-led, grassroots environmental justice organization dedicated to building the capacity of Native Nations and Indigenous Peoples to protect sacred lands, waters, and cultures. She co-founded the United Coalition to Protect Panhe, an alliance of Acjachemen people dedicated to the protection of the sacred site Panhe and served on the Board of the Blas Aguilar Adobe Museum & Acjachemen Cultural Center for nearly a decade. She received her B.A. from Brown University and her J.D. with a concentration in Critical Race Studies and focus on federal Indian law from University of California, Los Angeles School of Law. She currently lives and works in unceded Tongva homelands now known as Los Angeles, California



Jessa Calderon



Jessa Calderon is the Coordinator of Indigenous Oceans and Waters Protector Programs for Sacred Places Institute. Jessa is of the Tongva and Chumash Nations which are original peoples in Southern California. They are a paddler on the ocean with Chumash relatives, which holds a deep and sacred meaning to their heart. Jessa's journey is to protect the ocean and all bodies of life including other water sources, plants, and people.

Gabriella Lassos



Gabriella is Gabrielino Tongva. She has lived in her ancestral homelands for most of her life and from a young age has known of her heritage but was never able to truly learn and interact with tribal members outside of her immediate family. As someone who is still learning about their tribal heritage, Gabriella has taken on a position with Sacred Places Institute for Indigenous People to work with various programs including the Indigenous Waters Program, Sacred Ecologies Program and the Indigenous Youth Environmental Justice Program. Her position within the organization has allowed her to learn so much about her indigenous relatives and how to advocate for other indigenous folx.



Maritza Alvarez



Maritza Alvarez is a queer, detribalized Xicana with Indigenous roots in western Mexican territories. At an early age she was formally trained as a community organizer, spearheading successful campaigns for the Center for Third World Organizing, Communities for a Better Environment and other grassroots movements. Following her undergraduate work at U.C. San Diego she embarked into guerrilla filmmaking, (screenwriter/cinematographer) merging her activists work with film. Most of her work focused on the documentation of Pan Indigenous movements through Aba Ayala. Some of those projects included the general sessions at the United Nations on the Declaration on the Rights of Indigenous Peoples (UNDRIP), the South Central L.A. urban farm struggle, the 13 Indigenous Grandmothers Gatherings and countless others. She currently works for the SPI media, water and energy team and resides in the unceded Tongva traditional territories.

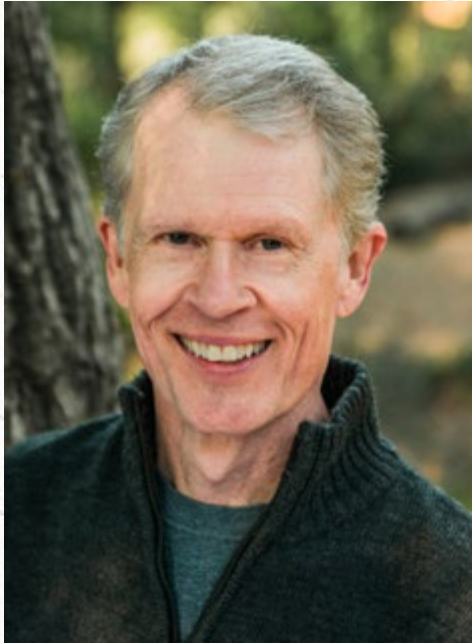
Ariel Whitson



Ariel Lew Ai Le Whitson, Director of Education and Community at TreePeople, leads and manages TreePeople's environmental education, water equity and urban greening community organizing departments. Her teams mobilize community-members across Southern California, with a focus on environmentally and economically stressed communities who have faced historical environmental injustice, in actively participating in initiatives focused on climate change solutions, reforestation, water security, fire resilience, urban soils and planting a healthy urban tree canopy. This includes supporting teachers and youth to take action in their communities through hands-on, science-based activities. She has extensive experience in managing programmatic and legislative initiatives, fundraising, and marketing campaigns. She also serves on the Board of Literacy for Environmental Justice.



Peter Massey



Peter Massey, Project Manager, Water Equity Programs, has more than 20 years' experience in non-profit administration, with a special focus on public fundraising, contract administration, project and program design, partnerships and strategic planning. Peter currently lead's TreePeople role as on-call consultant to LA County Dept. of Public Works for implementation of the WaterTalks Program, developing water projects and programs in both uncaded and underrepresented areas of Los Angeles and Upper Santa Clara River regions. Since May of 2021, Peter also serves as a Watershed Coordinator for LA County's Safe, Clean Water Program for the Santa Clara River Watershed.

Roland Pacheco



Roland is the Tribal Engagement Coordinator for TreePeople. Roland is of the Acjachemen Nation. Raised and lives on the traditional land of the Tongva Peoples in Whittier, California. Growing up in a family proactively involved in Indigenous community efforts in the East Los Angeles area, Roland has expanded on his involvement and understanding of Indigenous community efforts introduced to him as a child. Having worked in the water realm at the municipal and community levels, Roland is working on being able to further elevate the Indigenous voices in the community with his familiarity of water systems. His position in the organization has helped lead to reconnect with parts of his community.





Water, Culture, & Origin Providing Indigenous Context

Locating Ourselves



- The Los Angeles River stems from the waters of the Simi Hills and Santa Susana Mountains with tributaries streaming from the San Gabriel Mountains
- The River was an important means to travel, a rich food source, a gathering place for ceremonial purposes as well as a place to gather basket materials and more
- Tongva families understood the fresh water was a necessity therefore they contributed to a healthy ecosystem to sustain all life in and around the river

Water as a Living Entity



- Water is an energy source
- Life in the River
 - salmon, trout, animals that we lived off of and within
- What are some of the ways that you practice respecting water?
- Can you describe what water as a living entity means to you?
- Can you describe what water as an energy source means to you?
 - include in chat

Relationships and Reciprocity



- Relationship between plants, roots, rocks, pebbles to the dirt to the sand and how they all tie in to natural cleansing systems and work together
- Responsibility as human beings—our responsibility to care for plants and river
- Maintaining healthy relationships
- Understanding the power and importance of vibration and intention
- Taking only what is needed



Questions?



Capitalism, Settler Colonialism, Commodification, and Contamination

The Aqueduct Between Us



The Aqueduct Between Us first began life as a panel discussion centering on LADWP's long and documented history of extractive water practices in the Owens Valley.

The film was produced over the course of 2 years; assembled from over 15+ hours of footage to serve as an oral history detailing the shared experience of both Tongva and Paiute, alike.

An incredible amount of love was put into the piece as we saw this as the opportunity to tell **our story**. It was our intention with the film to record as many authentic accounts, perspectives, and settings in our effort to bring a much needed indigenous perspective to the conversation of water in California

- Isaiah Mendoza - Producer and Editor



Indigenous Voices on Sacred Waters



- State agencies play an important role in the connection between water and people.
- Allowing indigenous people, especially those from local tribes, to have co-management opportunities allows the public to see that Indigenous people are not a thing of the past
- Meaningful consultation and co-management is so much more important than the performative kind that a lot of agencies currently engage in
 - It allows for trust between tribes and agencies to be built

Concretization of the River



- The river has been denaturalized for the benefit of settlers.
- An effort to stop yearly flooding has disrupted nature and has led to many native plants and animals disappearing from the LA River
- The concrete also creates a disconnect between the people of LA and the River because they no longer see it as a body of water but as infrastructure



Outsourcing Water



- Water coming from places different other than its original source
- Forced Movement of water for the benefits of settlers and to allow more people to settle in LA
- Outsourcing of water is important to keep in mind today as reservoirs are drying up
- As we move water to us, it is important to keep in mind than more often than not we are taking it from someone else who needs it

Where Does your Water Come From?



- It's important to know where your water comes from so that you can properly show respect to the water itself
- Keep in mind that the water is not willingly flowing into your home, it is being forced to do so because of the infrastructure that is in place
- Reconnection with water will help you understand why its is sacred and not something we should be wasting





Questions?



5 Minute Break

Please take this time to stretch and grab a
drink and/or snack



Working with Native Nations and Indigenous Peoples Today



Honoring Our Ancestors & Building Relationships for the Future



Working with Tribal Communities – Historical Context

Origin Stories: Before there was California – Indigenous Peoples Here Since the Beginning of Time



NATIVE PEOPLE OF THIS PLACE



The Native peoples of California | Map by Timara Lotah Link, who adds: "Although many Native people in California lost their lives and cultures during the Mission and Gold Rush eras, they are reviving their languages, continuing their cultural traditions, and teaching us about this place we call home."

Tending the Wild, What John Muir Missed: the Uniqueness of California Indians, available at <https://www.kcet.org/shows/tending-the-wild/what-john-muir-missed-the-uniqueness-of-california-indians>

Doctrine of Discovery and Violence to Place and People in California





From the Global to the Local: International Roots of Settler Colonialism -- Doctrine of Discovery & Manifest Destiny

• Doctrine of Discovery

In the bull of 1452, Pope Nicholas directed King Alfonso to "capture, vanquish, and subdue the saracens, pagans, and other enemies of Christ," to "put them into perpetual slavery," and "to take all their possessions and property."



• Manifest Destiny

The belief that the United States has some unique moral virtues that other countries do not possess; the idea that the United States has a mission to redeem the world by spreading democracy, and a divinely ordained destiny to accomplish these tasks.

California Financed Attempted Genocide



Table 2 details the State's expenditures for expeditions from 1854 to 1859.

Table 2

Expeditions Named in the Act of Appropriations by Congress made March 2, 1861				
Expedition	Year	Amount Allowed by California*	Amount Allowed by United States**	Amount Disallowed by United States
Shasta Expedition	1854	4,068.64	1,261.38	2,807.26
Siskiyou Expedition	1855	14,036.36	6,146.60	7,889.76
Klamath & Humboldt Expedition	1855	99,096.65	61,537.48	37,559.17
San Bernardino Expedition	1855	817.03	419.99	397.04
Klamath Expedition	1856	6,190.07	2953.77	3,237.30
Modoc Expedition	1856	188,324.22	80,436.72	107,887.50
Tulare Expedition	1856	12,732.23	3,647.25	9,084.98
Klamath & Humboldt Expedition	1858 & 1859	52,184.45	31,823.94	20,360.51
Pitt River Expedition	1859	72,156.09	41,761.54	30,394.55
Total		\$449,605.74	\$229,987.67	\$219,618.07

Source: Comptroller of the State of California, *Expenditures for Military Expeditions Against Indians, 1851-1859* (Sacramento: The Comptroller, Secretary of State, California State Archives, Located at "Roster" Comptroller No. 574, Vault, Bin 393).

*Amount submitted to the United States for reimbursement.

**Amount actually paid by the United States.

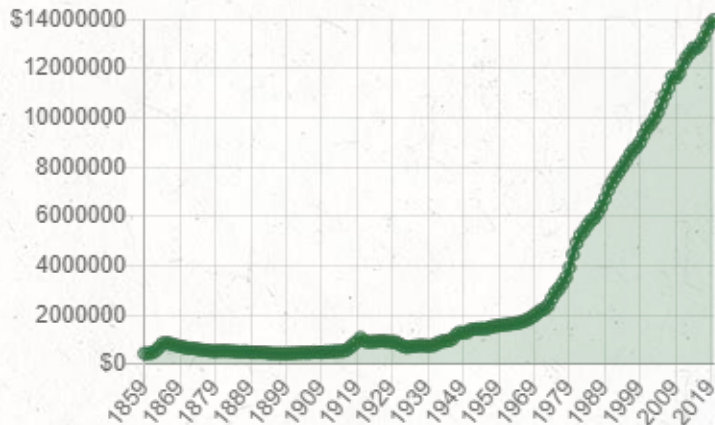
Table 3 sets forth the twenty-seven California laws that the State Comptroller relied upon in determining the total expenditures recapitulated in the official report. The total amount of claims submitted to State of California Comptroller for Expeditions against the Indians was \$1,293,179.20.

Table 3

Laws and Joint Resolutions Passed Relative to the Indian Wars in the State of California 1851-1859			
Legislation	Date	Page	Description of Act or Joint Resolution
Statute	1851	489	Creating William Foster & William Rogers Pay Masters
Statute	1851	402	Creating James Burney Pay Master to pay Troops
Statute	1851	520	To negotiate a loan for the War Fund \$500,000
Joint Resolution	1851	530	To Establish Forts on our Borders
Joint Resolution	1851	532	Directing Adjutant General to enter names on Muster Roll
Joint Resolution	1851	534	Reference to the payment of claims and informal transfers in writing
Joint Resolution	1851	535	Reference to the payment of certain claims in the Gila Expedition
Joint Resolution	1851	538	Authorizing the Pay Master of the Gila Expedition to pay claims
Joint Resolution	1851	539	For the Benefit of the Citizens of Los Angeles County
Statute	1852	59	Authorizing the Treasurer to issue Bonds for \$600,000
Statute	1852	61	Authorizing and requiring Board of Examiners to settle with William Rogers
Statute	1852	250	For the relief of James S. Bolen
Statute	1852	261	For the relief of Jacob C. Kore
Statute	1852	262	For the relief of John G. Warrin
Statute	1853	79	For the relief of Thomas A. Wilton, M.D.
Statute	1853	95	To pay troops under Captain Wright S. McDermott \$23,000
Statute	1853	97	For the relief of Beverly C. Sanders
Statute	1853	130	For the relief of John C. Johnson
Statute	1853	134	Additional War Fund \$23,000
Statute	1853	154	For the relief of A.D. Blanchard and Samuel Stephens
Statute	1853	177	Secretary of State constituted one of the Board of Examiners
Statute	1853	177	Providing for the pay and compensation of Major James Burney
Statute	1853	200	For the relief of John Brown \$1,150
Statute	1853	225	Payment of the Fitzgerald Volunteers
Statute	1853	268	For the relief of John W. Jackson
Joint Resolution	1853	310	General Statement of War Debt to be made out
Statute	1854	171	For the relief of Powell Weaver

Source: Comptroller of the State of California, *Expenditures for Military Expeditions Against Indians, 1851-1859* (Sacramento: The Comptroller, Secretary of State, California State Archives, Located at "Roster" Comptroller No. 574, Vault, Bin 393).

\$449605 in 1859, adjusted for inflation



Early California Anti - Indian Law, Policy and History



1850: AN ACT FOR THE GOVERNMENT
AND PROTECTION OF INDIANS

1858 - AN ACT TO PROVIDE FOR
BINDING MINORS AS APPRENTICES,
CLERKS AND SERVANTS

1855 – AN ACT TO PUNISH VAGRANTS,
VAGABONDS, AND DANGEROUS AND
SUSPICIOUS PERSON

1850 - 1859: CALIFORNIA MILITIA
AND “EXPEDITIONS AGAINST THE
INDIANS”

California Land Claims Act of 1851

18 Unratified Treaties

Indigenous Perspectives on Settler State Climate Violence in California

“It is difficult to be Indian under any circumstances; think what it must be like to see a phenomenon like Los Angeles spreading over your meadows and valleys, diverting your rivers, building parking structures on your holy sites, transforming the land that nurtured your ancestors into something unrecognizable.”

--L Frank Manriquez, Tongva &
Ajachemem Artist, Writer, Activist



L. Frank Manriquez and Kim Hogeland, *First Families-A photographic History of California Indians* (Berkeley: Heyday Books, 2007), 93, as quoted in AnMarie Mendoza, *The Aqueduct Between Us: Inserting and Asserting an Indigenous California Indian Perspective about Los Angeles Water* (2019).

Self Determination, Sovereignty and Government - to - Government Consultation



Indigenous Self Determination—Article 3 UNDRIP

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Tribal Sovereignty— “refers to the legal recognition in the United States of America law of the inherent sovereignty of American Indian Nations. The law applied to American Indians by the US government is called Federal Indian Law. Although undermined by various Acts, legal decisions, and policies, it still stands to this day. Indian reservations are recognized as what can be termed “nations within.” Each has its own government and sovereign powers to make laws, tax, etc. and most also have their own tribal justice system, also based upon their inherent powers.”

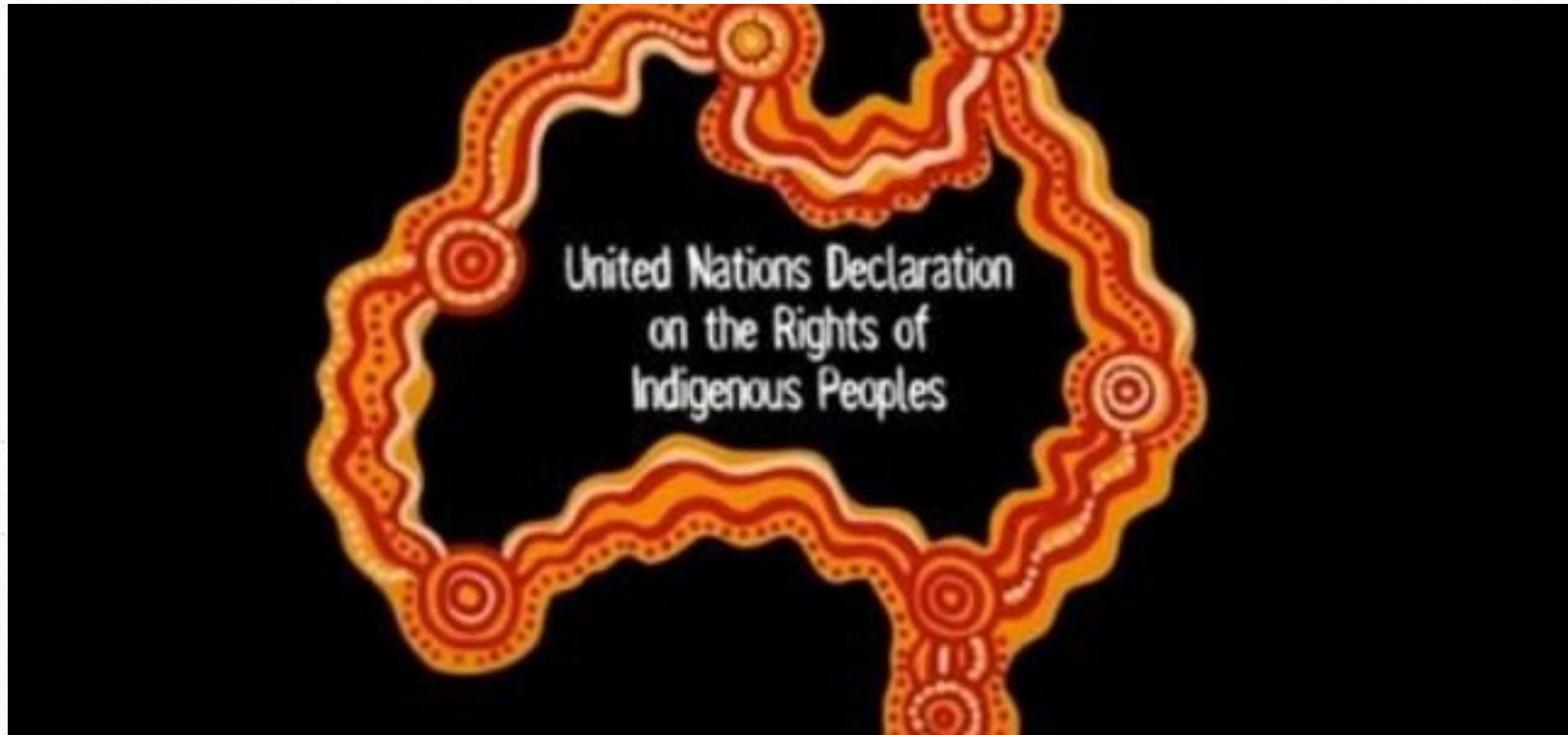
Indigenous Environmental Network

Self Determination, Sovereignty and Government - t o - Government Consultation



Indigenous Sovereignty– “is distinguishable from Tribal Sovereignty in that it is not a nation-state recognition of inherent sovereignty under nation-state dominion. Rather, it arises from Indigenous Traditional Knowledge, belonging to each Indigenous nation, tribe, first nation, community, etc. It consists of spiritual ways, culture, language, social and legal systems, political structures, and inherent relationships with lands, waters and all upon them. Indigenous sovereignty exists regardless of what the nation-state does or does not do. It continues as long as the People that are a part of it continue.” Indigenous Environmental Network

United Nations Declaration on the Rights of Indigenous Peoples



UNDRIP



Article 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 11, Section 2

States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

UNDRIP



Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Federal Laws



National Historic Preservation Act

American Indian Religious Freedom Act

National Environmental Policy Act

Native American Graves Protection and Repatriation Act

State Laws - Native American Heritage Commission



California Native American Heritage Commission

Sacred Lands Inventory

Section 5097.9 Public Resources Code

No public agency, and no private party using or occupying public property, or operating on public property, under a public license, permit, grant, lease, or contract made on or after July 1, 1977, shall in any manner whatsoever interfere with the free expression or exercise of Native American religion as provided in the United States Constitution and the California Constitution; nor shall any such agency or party cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine located on public property, except on a clear and convincing showing that the public interest and necessity so require. The provisions of this chapter shall be enforced by the commission, pursuant to Sections 5097.94 and 5097.97

State Laws –EO B- 10 - 11 and EO- N- 15- 19



California Law EO B-10-11 & EO N-15-19

Executive Order B-10-11--IT IS FURTHER ORDERED that it is the policy of this Administration that every state agency and department subject to my executive control shall encourage communication and consultation with California Indian Tribes. Agencies and departments shall permit elected officials and other representatives of tribal governments to provide meaningful input into the development of legislation, regulations, rules, and policies on matters that may affect tribal communities. For purposes of this Order, the terms “Tribe,” “California Indian Tribe”, and “tribal” include all Federally Recognized Tribes and other California Native Americans.

Executive Order N-15-19-- “apologizes on behalf of the citizens of the State of California to all California Native Americans for the many instances of violence, maltreatment, and neglect California inflicted on tribes...”

State Laws Government to Government Consultation



SB 18—Traditional Tribal Cultural Places (Adopted in 2004)

In recognition of California Native American tribal sovereignty and the unique relationship between California local governments and California tribal governments, it is the intent of the Legislature, in enacting this act, to accomplish all of the following:

- (1) Recognize that California Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places are essential elements in tribal cultural traditions, heritages, and identities.....
- (3) Establish government-to-government consultations regarding potential means to preserve those places, determine the level of necessary confidentiality of their specific location, and develop proper treatment and management plans.

State Laws Government to Government Consultation



AB 52 (Adopted in 2014)

Assembly Bill 52 (AB 52) “recognizes California tribes’ expertise regarding cultural resources and provides a method for agencies to incorporate tribal knowledge into their CEQA environmental review and decision-making processes. Under AB 52, California tribes now have the ability to establish, through a formal notice letter, a standing request to consult with a lead agency regarding any proposed project subject to CEQA in the geographic area with which the tribe is traditionally and culturally affiliated.”

–Tribal Consultation Under AB 52: An Overview and Tips for Compliance

State Laws Government to Government Consultation



DWR Policy

California Native American tribal governments and tribal communities have sovereign authority over their members and territory and a unique relationship with California's resources. California tribes and tribal communities, whether federally recognized or not, have distinct cultural, spiritual, environmental, economic, and public health interests and valuable traditional cultural knowledge about California resources.

State Laws Government to Government Consultation



The **California Water Boards Tribal Consultation Policy** (policy) is to develop effective communication with all California Native American Tribes that allows for meaningful participation and input while developing or revising the Water Boards' regulations, rules, policies, programs or plans that may impact Tribes. It is the intent of this policy to establish the guiding principles to consult with California Native American Tribes on a government-to-government basis when requested and deemed to be appropriate through discussion with the requesting tribe(s), or as required by statute (e.g. Assembly Bill 52 and Section 106 National Historic Preservation Act).

State Laws – Tribal Cultural Use as Beneficial Use



Tribal Beneficial Uses – Cultural Uses of Water

Since time immemorial, California Native American Tribes have used, and in some cases continue to use, water to support their cultural, spiritual, ceremonial, and/or traditional rights. Tribal Beneficial Uses provide a water quality safety measure that considers these specific uses of water by individuals, households, or communities of California Tribes.

Regional/Divisional Tribal Coordinators
Adriana Renteria, Tribal Liaison
Email: Tribal-Liaison@waterboards.ca.gov
Phone: (916) 216-1126

State Laws – UN Declaration on the Rights of Indigenous Peoples adopted by Joint Resolution in California



Joint Resolution 42 – UNDRIP (Adopted in 2014)

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of California expresses its endorsement of the principles of the United Nations Declaration on the Rights of Indigenous Peoples adopted by the United Nations General Assembly, and recognizes the call for increased awareness, sensitivity, and respect for issues of sovereignty, sacred and historic sites and traditions, and other vital aspects of the heritage of Native Americans and indigenous peoples implicit in those principles, notwithstanding the nonbinding nature of the declaration;



History of the Legal rights of Nature

1972-Publication of law professor Christopher Stone's seminal article, "Should trees have standing - toward legal rights for natural objects."

He argued that under existing law, nature was considered right-less, with no legally recognized right to defend and enforce

2005- Navajo nation tribal council drew upon the nations previous codification of non-colonial traditional and customary law when it banned uranium mining

2006-Tamaqua Borough, Pennsylvania bans dumping of toxic sewage sludge as the violation of the Rights of Nature. The first place in the world to recognize the rights of Nature in Law

SOURCE Community Environmental Legal Defense Fund
<https://celdf.org/rights-of-nature/timeline/>



Indigenous led efforts

2008 - Ecuador becomes the first country in the world to recognize the Rights of Nature in its national constitution.

Therefore in **2011** the first Rights of Nature court decision was issued in the Vilcabamba River case in Ecuador, upholding the Rights of Nature constitutional provisions

Source: Global Alliance for the Rights of Nature
<https://www.garn.org/>



Indigenous Rights of Nature efforts

BOLIVIA

“When the passage of Bolivia's Law of the Rights of Mother Earth was announced to the world in late 2010, international media described the new legislation in glowing terms --- transformative, astonishing, unprecedented, a turning point.”

- Lee Bran, Nature Needs Half, 2018

UNIVERSAL DECLARATION OF THE RIGHTS OF MOTHER EARTH

April 22, 2010

World People's Conference on Climate Change
and the Rights of Mother Earth
Cochabamba, Bolivia

Preamble



Personhood to bodies of water



New zealand



“.... treating the river as a living entity is the correct way to approach it, as an indivisible whole, instead of the traditional model for the last 100 years of treating it from a perspective of ownership and management.”



New Zealand river granted same legal rights as human being

After 140 years of negotiation, Māori tribe wins recognition for Whanganui river, meaning it must be treated as a living entity



▲ Prince Harry paddled down the Whanganui river during a visit to New Zealand in 2015. Photograph: Chris Jackson/Getty Images

SOURCE:

<https://www.theguardian.com/world/2017/mar/16/new-zealand-river-granted-same-legal-rights-as-human-being>



Northern Tribes



2017- **the Ponca Nation** in Oklahoma passed a statute recognizing the rights of nature in response to their own struggle with fracking.

2021- **the White Earth Band of Ojibwe** adopted a Rights of Manoomin law to protect the legal rights of manoomin, or wild rice, and the fresh water resources and habitats on which it depends.

Source; Community Environmental Legal Defense Fund



California tribes

III. Declaring Personhood Rights to Nature for Climate Resiliency

...On **May 9, 2019**, the **Yurok Tribal Council** adopted **Resolution 19-40** granting the **rights of Personhood to the Klamath River** and established the Rights of the Klamath River to exist, flourish, and naturally evolve; to have a clean and healthy environment free from pollutants; to have a stable climate free from human-caused climate change impacts; and to be free from contamination by genetically engineered organisms. **The Klamath is the first river in Northern America to have personhood rights declared...**



YUROK TRIBE

190 Klamath Boulevard • Post Office Box 1027 • Klamath, CA 95548



Frankie Myers, Vice Chairman, Yurok Tribe

Testimony Regarding

Natural Solutions to Cutting Pollution and Building Resilience

Yurok Tribe - Northern California



...The law encourages the Yurok people to continue living and practicing their traditional lifeways to harvest plants, salmon and other fish, animals, and other life-giving foods and medicines for both subsistence and commercial uses. The law also **establishes the rights of the Yurok people to protect and represent the River in Yurok courts** if they witness harms impacting the River. Through this **legal mechanism**, the Yurok Tribal Council wished to encourage the courts to hear and adopt traditional ecological knowledge to ensure the **reciprocal relationship** to care and protect each other between the Yurok people and the Klamath River can be fully adopted in judicial proceedings.



What are some of the various approaches to attaining legal hood or independent voice for a river ?

- **Protection principles** utilized to **inform** statutory decision makers - 2017 Yarra River Protection Act of Victoria, Australia
- “Principals reflect indigenous cultural values, heritage and knowledge and the importance of involving traditional owners in policy planning and decision making “
- Post-settlement cultural diversity and heritage values embodied in environmental, social, recreational, management and general protection principals
- Can be distinct according to locale and entail both legal and independent voice

Implications / impacts



- Legal economic costs when dealing with government jurisdictions. This can be more challenging for non federally recognized tribes due to limited resources and capacity.
- Working within colonial structures can impose restrictions and threaten tribal sovereignty
- Long term , midterm and short term impacts
- Compromises indigenous peoples inherent rights and obligations as first peoples to steward their original traditional territories and it's resources



Language and Actions matter

- **Relationship:** pro-active efforts to involve ALL local tribes that share water or land is necessary for true full engagement and honest connections.
- **Respect:** demonstrate regard or consideration for ALL life (flora, fauna and beyond)
- **Restoration:** the action of returning something to a former owner, place, or condition.
- **Rematriation** :retuning of the feminine seeds back into the communities of origin. The Indigenous concept refers to reclaiming of ancestral remains, spirituality, culture, science, knowledge and resources, instead of the more Patriarchally associated Repatriation.



Questions?



Understanding How to be a Good Ally

Allyship



- Opening space with Land Acknowledgments in a non performative and understanding that Land Acknowledgements are the tip of the iceberg
- Creating meaningful relationships with Indigenous people whose homelands you live and work on
- Working with Tribal families and communities to understand their view points and needs



Allyship



- Being willing to give up your seat at the table if the Indigenous voices are not present
- Giving credit where credit is due: if an idea is utilized from Native folks they should be involved in how the idea is presented and compensated
- **Compensating** Indigenous folks for their time, knowledge and work



Aside from listening, actually following through with the help you are offering...Don't be a symbolic ally, no one wants that

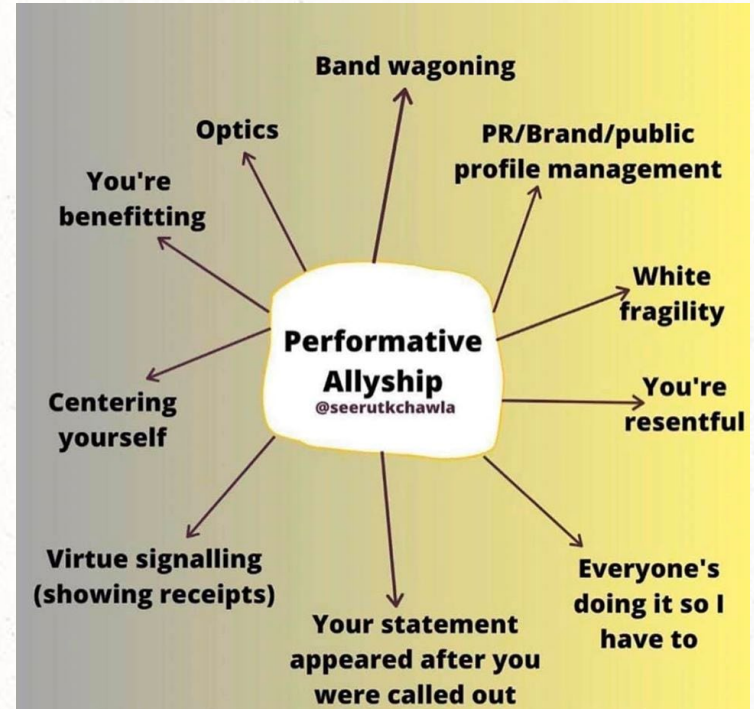
- Roland Pacheco
Indigenous Visions on Sacred Waters



Appropriation



- ▶ Wearing clothing to show appreciation/respect
- ▶ Stealing ideas and quotes from Indigenous folks
- ▶ Excluding Indigenous folks on conversations and actions about their homelands
- ▶ Using ceremonial items including Sage out of context
- ▶ Having Native folks involved at the slightest capacity to mark the box for public approval



Best Practices & Lessons Learned on Allyship



Positives examples of leadership

Negative Examples of leadership

Why are these impactful?



Questions?



Resources

[The Aqueduct Between Us](#)

[Indigenous Visions on Sacred Waters](#)

Supplemental Readings

Note, there is no expectation that you review these resources prior to the workshop. These resources are curated to supplement the workshop topics and serve as ongoing resources for your work

- Charles Sepulveda, [Our Sacred Waters: Theorizing Kuuyam as a Decolonial Possibility](#)
- Shannon Biggs, Tom Goldtooth, Osprey Orielle Lake, [Rights of Nature & Mother Earth: Rights-based law for Systemic Change.](#)
- Cara Romero (Chemehuevi) and Alexis Buntén (Aleut/Yup'ik), Bioneers Indigeneity Program, [What do the Rights of Nature have to do with Indigeneity?](#)
- [The Yurok Nation Just Established the Rights of the Klamath River](#)
- Larisa K. Miller, [The Secret Treaties with California Indians](#)
- [Cultural Appreciation or Appropriation?](#)
- [Native Voices Rising: A Case for Funding Native Led Change](#)
- [California Tribal Water Stories](#), from the 2009 California Tribal Water Summit

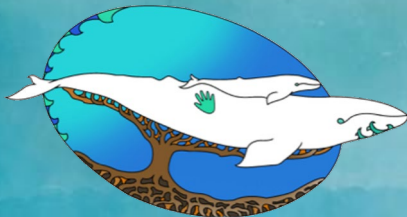


Resources

Presentation References

- [What is tribal sovereignty and what does it mean for Native Americans](#)
- NCAI, [Indian Country 101](#)
- High Country News, [How the Yurok Tribe is Reclaiming the Klamath River](#), Ana V. Smith, June 11, 2018
- Gabriel Eckstein, Ariella D'Andrea, Virginia Marshall, Erin O'Donnell, Julia Talbot-Jones, Deborah Curran & Katie O'Bryan, [Conferring legal personality on the world's rivers: /a Brief intellectual assessment](#), 44 Water Int'l (2019)
 - **NEED DATABASE ACCESS FOR THIS ARTICLE**
- High Country News, [The Klamath River now has the legal rights of a person](#), Ana V. Smith, September 24th, 2019
- <https://www.theguardian.com/world/2017/mar/16/new-zealand-river-granted-same-legal-rights-as-human-being>
- <https://intercontinentalcry.org/indigenous-protected-areas-are-the-next-generation-of-conservation/>
- <https://www.npr.org/2019/08/03/740604142/should-rivers-have-same-legal-rights-as-humans-a-growing-number-of-voices-say-ye>

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