

Nurturing Connection

Authentically engaging tribes is our responsibility as we live on the unceded lands of Tribal Nations



“Water has a memory, water has a spirit, and water is alive, and so you can’t contain it. You can’t change it.”



The water was colonized just like our people were and even though the river is concretized, channeled and controlled, water is still flowing underneath, within the water tables. It's not as easy of a flow, but water does and always will do what it is meant to do. There are places along the river where you can see the water seeping up. Likewise at Olvera Street where the vendors are, the brick is always wet. It's because water has a memory and it's still flowing as it always has even though it's underneath.

Water has memory, water has a spirit, and water is life. You can try to control it in the way people have since 1938, but water will continue to flow its course. We know that we're related to all the elements, we're related to nature, and we're related to each other. I feel like this is comparable to the resilience of our people – that resilience of the water.

Tina Orduno Calderon
*Gabrielino Tongva, Chumash,
Yoeme and Chicana*

Artist's Statement

Monica, a proud member of the Gabrielino/Tongva Nation, Acjachemen, and Mexican, draws profound inspiration from her diverse cultural background, infusing her artwork with a rich display of traditions. Specializing in illustration, painting, sculpture, creative writing, and digital art, she possesses a talent that knows no bounds.

Monica has remained deeply connected to her roots, dedicating herself to serving local native communities. She passionately collaborates with various native communities. Through her work, she meticulously documents their issues, traditions, and ceremonial practices, shining a spotlight on their invaluable cultural heritage.

Monica's recent body of work comprises a captivating series of paintings, where she skillfully incorporates hands actively engaged in Native culture from diverse tribes across Turtle Island. These artworks serve as powerful tributes to the vibrant tapestry of indigenous traditions, resonating with authenticity and depth.

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You can learn more about Monica and see more of her work at www.moniczavala.com

Lead Authors: Talia Dotson, Roland Pacheco, and Ariel Lew Ai Le Whitson

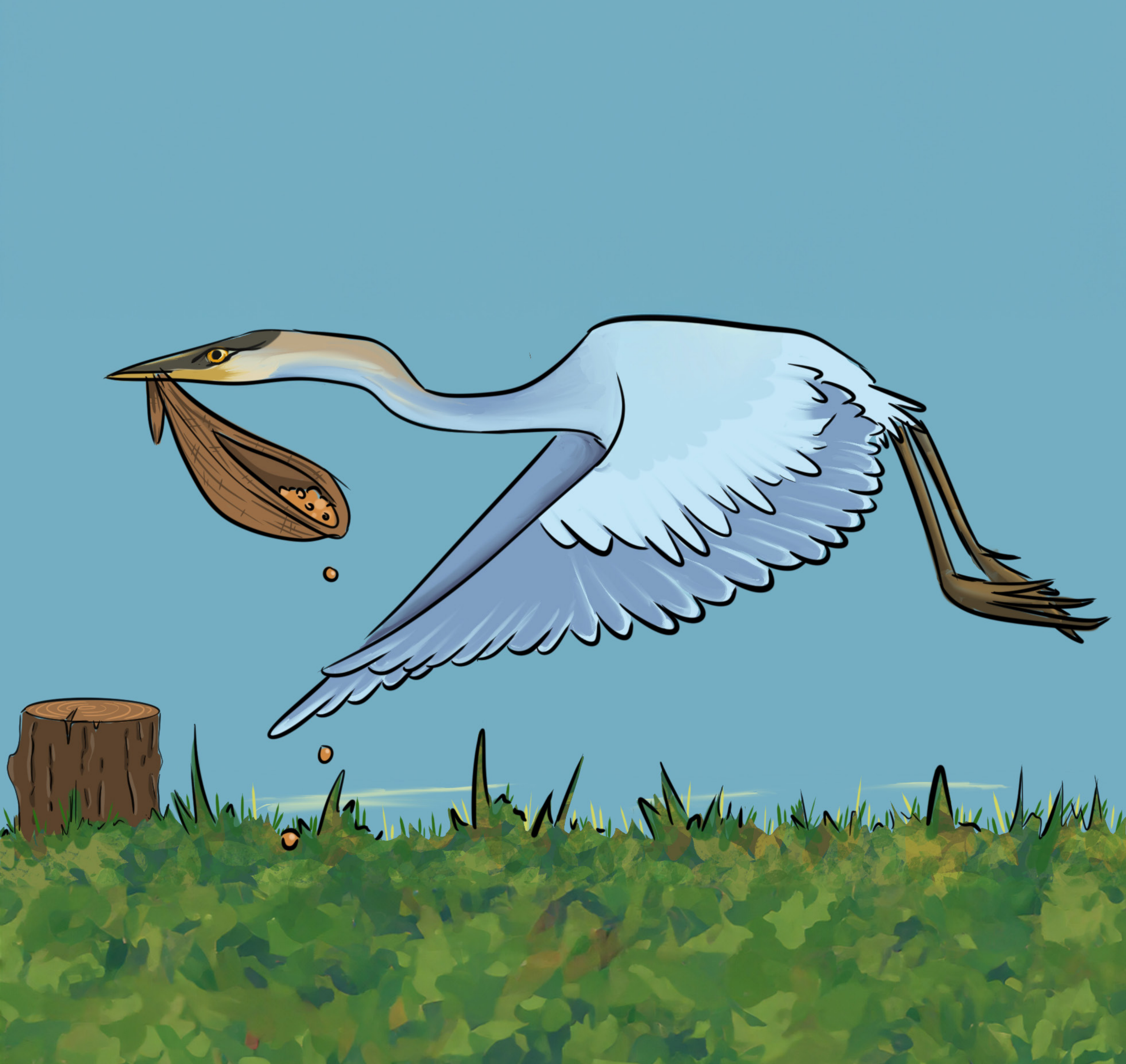
Art Work: Monica Zavala, Member of the Gabrielino Tongva Nation and Acjachemen Nation

Editors: Sacred Places Institute for Indigenous Peoples

Research and Supplemental Writing: Aria Abaei, Tanishka Chellani, and Hayat Rasul

Graphic Design: Marissa Devey





Nurturing Connection is a framework that centers California Native American Tribal engagement, with a focus in Los Angeles County, that is intersectional, fluid and rooted in justice that does not perpetuate harm. The goal of this framework is to provide a resource for community groups, agencies and individuals to learn from tribal voices and introduce guiding concepts to help further understandings around engaging with tribes and tribal members with water projects. These concepts and resources can be applied to building relationships for continued tribal environmental justice and equity projects.

This original idea was birthed through an extensive multi-year process through the [*WaterTalks*](#) program in the Los Angeles area, which began with a water tribal needs assessment that was conducted by Sacred Places Institute for Indigenous Peoples. Multiple project ideas flowed from the assessment and resulted in the development of this framework, which is authored and designed by a group of BIPOC (Black, Indigenous and People of Color) individuals who collectively have over a decade of experience in social, environmental and water justice.

This framework is meant to engage the reader through multiple modalities to promote understanding in ways that best support individuals absorbing unfamiliar content. Through art, tribal voices, concepts, history and practice exercises, the framework provides diverse avenues for readers. The authors intentionally avoided creating an ‘instruction manual’ type framework, as each tribe and tribal member are different. The authors believe that the best way to engage with tribes is to be active and continuous in one’s efforts. There is no one-size-fits-all approach, therefore this framework is meant to be a companion alongside one’s long term commitment to engaging tribes authentically.

INTENTIONAL TERMINOLOGY



California Native American Tribe

A Native American tribe located in California that is on the contact list maintained by the Native American Heritage Commission for the purposes of Chapter 905 of the Statutes of 2004.



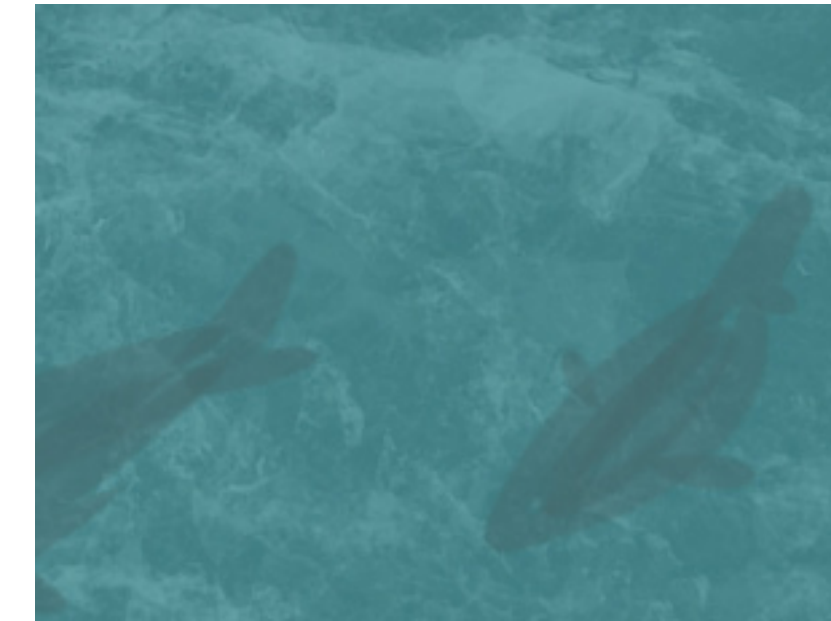
Tribal Engagement

Ensure that government-to-government communications between government agencies and Tribes effectively address areas of mutual interest and concern. Examples are establishing a Tribal Advisor in the Governor's Office to oversee consultation between the Administration and Tribes, and AB 52, Chapter 532, Statutes of 2014, which strengthens notification requirements under CEQA and invites tribal input at an earlier stage of environmental review.



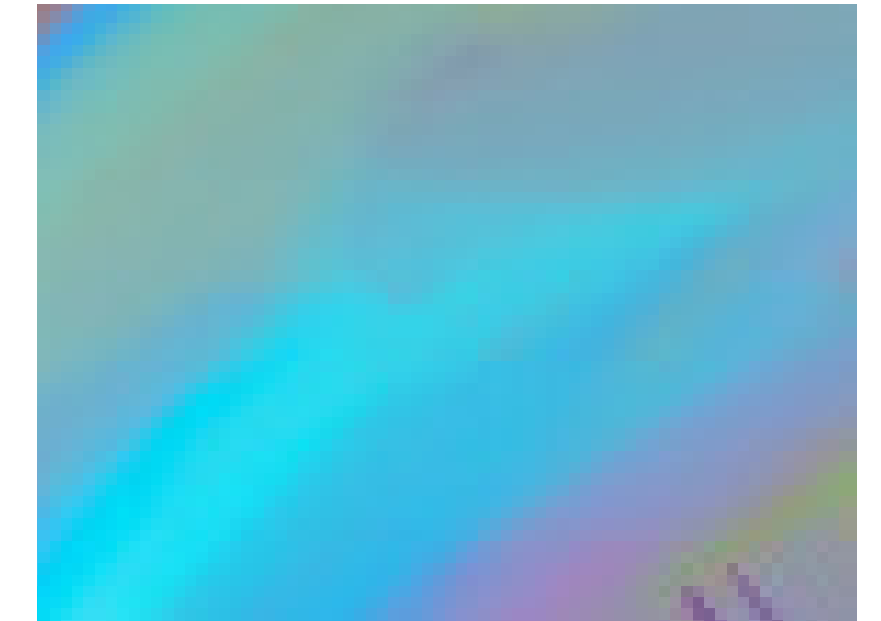
Tribal Consultation

California SB 18 defines consultation as "the meaningful and timely process of seeking, discussing, and considering carefully the views of others, in a manner that is cognizant of all parties' cultural values and, where feasible, seeking agreement. Consultation between government agencies and Native American tribes shall be conducted in a way that is mutually respectful of each party's sovereignty. Consultation shall also recognize the tribes' potential needs for confidentiality with respect to places that have traditional tribal cultural significance."



Tribal Sovereignty

Refers to the unique political status of federally recognized Indian tribes. Federally recognized Indian tribes exercise certain jurisdiction and governmental powers over activities and Tribal members within their territory. Existing limitations on Tribal sovereignty are defined through acts of Congress, treaties, and federal court decisions. Non federally recognized tribes are still sovereign, but are not currently recognized by the US government.



Free, Prior and Informed Consent

The right to Free, Prior and Informed Consent is a standard of human rights articulated in the United Nations Declaration on the Rights of Indigenous Peoples and utilized as a global standard, that affirms all peoples and Indigenous Peoples right to self-determination, recognizing that tribes are sovereign entities that should be consulted as such. FPIC ensures Indigenous People's right to provide, withhold, or withdraw consent from a project impacting their territory.

SECTIONS OF THE FRAMEWORK

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“ Our traditional ways of living are different, and we have the ability to conceptualize—we don’t work on the same timelines, our decision making processes are fundamentally different... we might not have answers right away when we need to discuss with community.

*Jessa Calderon,
Tongva & Chumash*

“ Some environmental justice groups have been super supportive and reached out at individual levels and reached out beyond just outline structuring – they are always checking in on legislation and news ensuring that local tribal voices are included.

*Anonymous,
Gabrielino/Tongva*

“ Problems come from conceptualizing amazing projects, but not providing sustainable methods to execute the project and Not educating oneself on the tribe/tribal organizations and then the tribe as a result having to educate.

Desirae Jordan, Choctaw Nation of Oklahoma, Former Program Manager of Tataviam Land Conservancy

“ Empty promises feel like being handed a mic that is turned off – we had an experience with an agency that expressed they would love to help but then later retracted these sentiments citing it was not in the best interest of their customers.

*Anonymous,
Tongva*

“ An agency hired a tribal liaison which was good, but that liaison was from Arizona with no community relations tribe whose lands they were on and the tribe claimed to have never met him – they felt like his position was just symbolic and was not actually pushing to do the work of working with and for tribal communities.

Cynthia Ruiz, Cherokee, Former Los Angeles Department of Water and Power Commissioner

LOS ANGELES NATIVE AMERICAN TRIBAL VOICES

“ One time as I was heading home, the ancestors guided me to stop at an art & research organization that I have a relationship with, so I did. They were having a meeting with the Army Corps of Engineers because of their expertise on the river...I was invited to sit down and join the meeting that I would not have been part of...I had not been invited initially.

Tina Calderon, Gabrielino Tongva, Ventureño Chumash, and Yoeme



GUIDING CONCEPTS

Organizational and Individual Intentions

Building authentic relationships take time.

Partnerships with tribes should be seen as long term investments into a relationship based on showing up, listening first and engaging in reciprocal exchanges.

Re-evaluate notions of time/pace.

Patience is key—restricting tribes on time can deeply be deeply harmful and setback the relationship and we must evaluate who in society we allow more time for vs who we don't and why.

Inclusion every step of the way.

"We are still connected to these lands...let us decide if we need to be there or not based on what's happening and what topic it is." - Tina Calderon

Be comfortable with the uncomfortable.

Tribes have had to endure 200+ years of not being heard, erasure, oppression, and subjection to violence—listening and having patience and a growth mindset are critical.



GUIDING CONCEPTS

Actionable Commitments

Accountability is critical after a legacy of failed promises delivered.

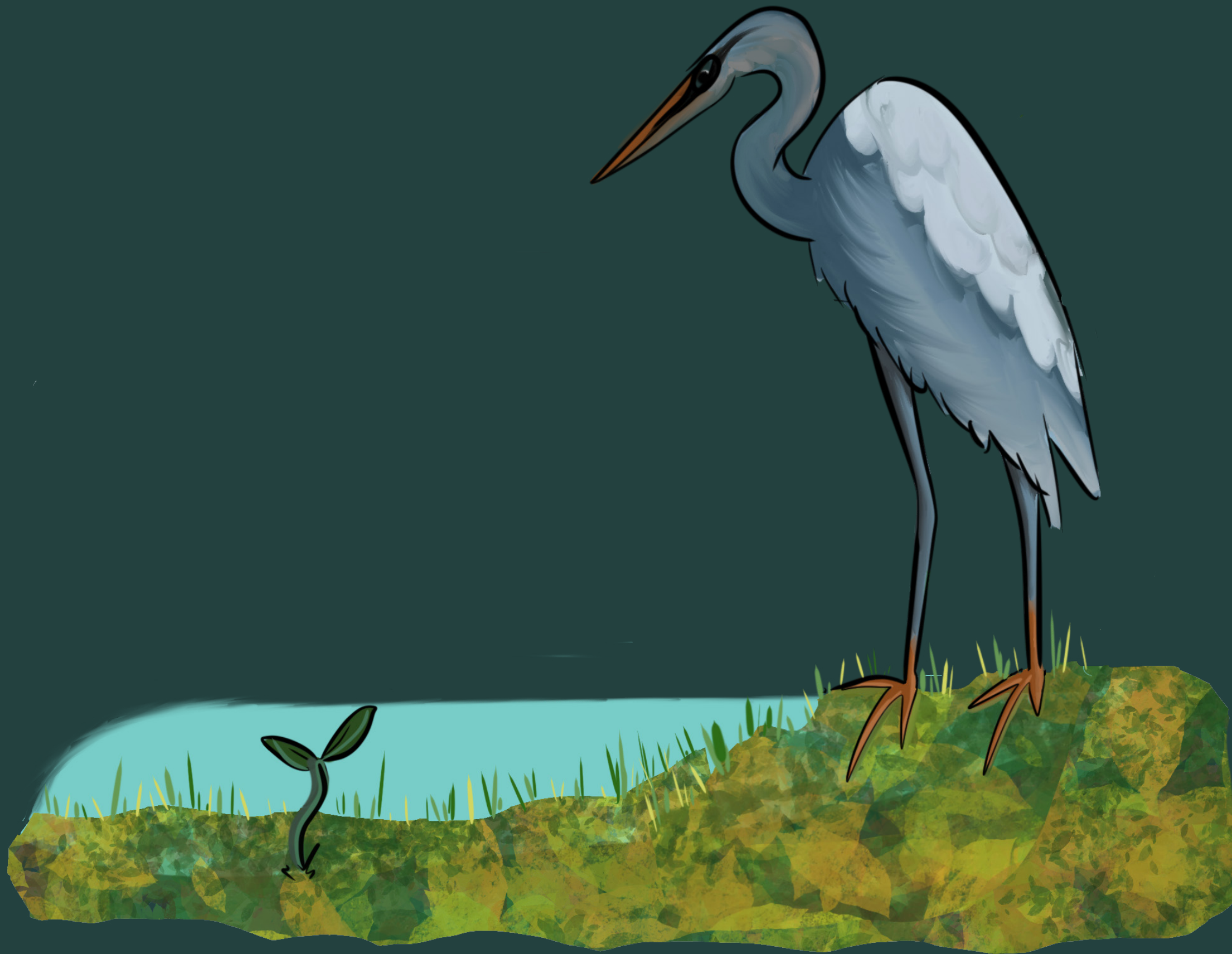
Not delivering on promises leads to continued mistrust and permanent and long lasting continued damage to tribal relationships.

Collaboration over power.

Let go of authoritative power notions when entering the relationship and remember that tribes are sovereign.

Thoroughly compensate Tribes for their time and expertise.

Tribal knowledge and expertise should be valued as specialists and subject-matter experts and be compensated accordingly. Tribal expertise is much rarer and tribal knowledge is both intergenerational and unique, which should be valued accordingly.





GUIDING CONCEPTS

Internal Understandings and Expectations

Do your homework.

Take time to do research and learn about the tribe/s being engaged before reaching out, and evaluate how to adhere to tribal protocol.

Center your thinking in how your intentions will benefit tribal people.

Consistently evaluate if your behavior is extractive.

Benefitting tribes benefits all of us.

As the original and best stewards of the land, benefitting tribes is supporting a cultural legacy of uplifting quality of life for all.

GOVERNMENT TRIBAL ENGAGEMENT HISTORY

Below are resources that detail United States policy and legislation that relates to the history of the government's acknowledgement (or lack thereof) of tribal sovereignty and the right to tribal self-determination. The authors of this Framework would like to highlight that federal, state and local government recognition of tribal sovereignty, consultation and engagement has been harmful, violent and insufficient. Some policies have changed over time thanks to hard fought reform led by Indigenous Peoples.

The authors of this Framework strongly encourage readers to read and engage with the resources below to understand these histories as they are critical to formulating authentic strategies around tribal engagement.

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- **American Indian Politics and the American Political System**
By: David E. Wilkins and Heidi Kiiwetinepinesiik Stark
Chapter 5. A History of Federal Indian Policy
 - **Native American Heritage Commision - California Indian History**
By: Professor Edward D. Castillo, Cahuila-Luiseno
 - **California Indian History**
Contributors: Kimberly Johnston-Dodds, M.P.A., M.A., Deborah Cismowski, Susan Hanks, M.L.I.S., Marta M. Knight, M.A., Chris Kuzak, M.A., Sarah Supahan, Michelle Trujillo, M.A.
 - **Indian Policy Timeline - The Indian Experience**
By: Native Wellness Institute



PUTTING CONCEPTS INTO PRACTICE



The following scenarios and questions are meant to facilitate reflection, conversation, and dialog to practice and reinforce the concepts in this framework as the reader begins engaging tribes and continuously along the way. The authors of this framework strongly encourage actively engaging with these questions through journaling, self reflection and discussions with others.

Scenario

I am a community organizer facilitating a native plant workshop for local gardeners in my community. I want to engage local tribes to help deepen my understanding of flora, fauna and historical significance of the area. I've found the website of a couple local tribal organizations, what are my next steps?

Questions to ask

- ☐ *Why am I reaching out to tribal members?*
- ☐ *What are my expectations going into engagement with tribes?*
- ☐ *Am I cognizant of the true history of the tribal groups I am engaging with (from their perspective)?*
- ☐ *Have I engaged with all tribes with historic ties to this locality?*

Scenario

I am a city planner working to develop TEK-informed (traditional ecological knowledge) solutions for water management and conservation in heavily impacted regions. I want to engage local tribes for their input on appropriate solutions. Assuming I have completed the steps of the previous scenario, when and how do I approach tribes to be involved in this project?

Questions to ask

- ☐ *Am I open to receiving honest feedback when I reach out to tribal groups?*
- ☐ *Am I building a team that tribal groups can trust?*
- ☐ *Am I asking for tribal input on this project or mining for tribal cultural knowledge?*
- ☐ *Have I thought about where I can invite tribes and tribal members to the tables of power I have access to?*
- ☐ *Have I engaged with all tribes with historic ties to this locality?*

Scenario

I am project lead for an engineering firm hired to engage the local community on a water infrastructure project. I understand that the project site is housed on a certain group's tribal lands, and want to connect them in the early stages of development and design. I have assigned a member of my team to contact the tribe regarding this project; but they've reported no response to their email inquiries and feel that the timeline will not allow adequate time to gather and implement tribal feedback. Assuming I have completed the steps of the previous scenario, how can I assist my team to ensure a successful project?

Questions to ask

- ☐ *Have I familiarized myself with all local, state and federal laws mandating respectful government-to-government consultation?*
- ☐ *How does shifting a deadline make me feel and can I reflect on who I am willing to shift timelines for?*
- ☐ *In what ways am I preparing and educating my team on engaging tribes?*
- ☐ *How will I compensate tribal members for their expertise equally to others I engage on a project?*
- ☐ *Have I engaged with all tribes with historic ties to this locality?*

Scenario

I support the tribal policy advisor for a large public agency and am helping to plan the next iteration of climate resilience funding and projects. How would I engage tribes to identify and implement water and other climate management solutions on a regional scale that increase regional self-reliance, reduce conflict, and manage water to concurrently achieve social, environmental, and economic objectives?

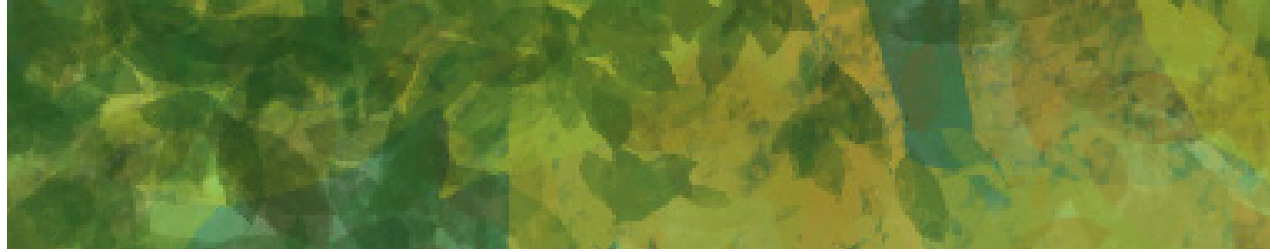
Questions to ask

- ☐ *How will I ensure to engage tribes at each step of a process?*
- ☐ *In what ways will I show up for the tribes I'm engaging?*
- ☐ *Have I made promises I can't keep to tribes?*
- ☐ *Have I engaged with all tribes with historic ties to this locality?*



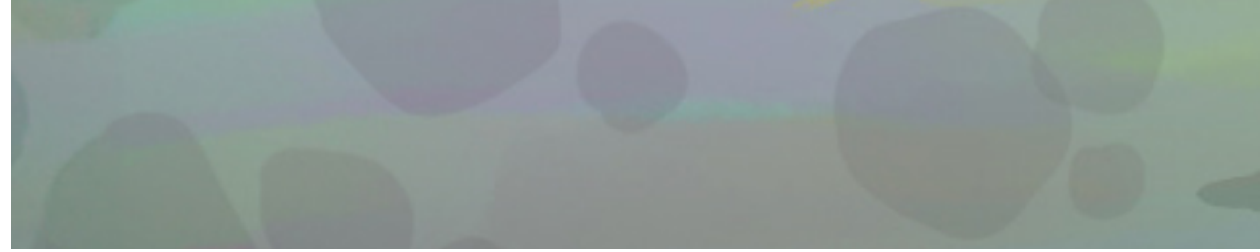
LESSONS FROM THE FIELD/CASE STUDIES

The following lessons and stories from the field are first hand accounts from the authors of the Framework in the work they have done—sharing their experiences in an attempt to help guide readers to put the concepts and resources into practice.



Hiring

Intentionality in hiring is critical throughout the process of executing tribal projects if you have the responsibility for the hiring of an internal team and managing the budget. After several meetings with a tribal-led consultancy firm pushing for the hiring of a full time staff member focused on tribal engagement, the Director and Project Manager of the nonprofit managing a state-funded water justice program came to the understanding that this was extremely important. They moved around priorities in the budget, found supplemental funding and got approvals to make this a reality. Hiring for the tribal engagement coordinator position took time and the team was patient and gave it the time it needed. The team employed recruitment strategies based on authentic relationship building with tribes, tribal organizations and tribal members and did not cut corners. **There were many moments where the Director and Project Manager could have rushed the process, but the patience and relationship building resulted in hiring a tribal member of the region.** Hiring was also not the only component of responsible hiring. Supporting the new hire, giving the new hire space and time to develop relationships, and respecting tribal customs and procedures was critical. Not doing this leads to employees feeling undervalued and leaving.



Working with Tribal Organizations

A program consisted of a series of project ideas that were developed by a group of community-based organizations. The original intention was for a tribal organization to operate as a consultant and review the project ideas in partnership with the partners involved before beginning the process of selection for funding. One of the main requests of the community-based organizations was for a project that created opportunities for tribal engagement; be it history, plant knowledge, workshops, dedicated education sites etc. The underlying sentiment was that organizations wanted to be able to learn more about and interact with tribal communities.

There was an unspoken expectation that the tribal organization would take on the development and implementation of this project; however due to the sheer amount of work that they already had on their plate, it was necessary to change the timeline for their review of established projects. Through the built authentic relationship with the tribal organization there was an open pathway for dialogue about the realities of time and workload. There were extensions granted and incorporated for their review which led to a collaborative document which became the foundation for this tribal engagement framework.



Partnership With A Tribal Conservancy

A project with a tribal conservancy had a lot of energy and enthusiasm from all partners involved. The only reason the project was moving forward was due to the relationships that had been built over time by the tribal engagement coordinator. As with any project the conservancy was figuring out the ways in which they wanted to execute different goals and components of the vision for the conservancy. To be an authentic partner to the conservancy it was critical to shift timelines, help with different components of the project as things arose and be flexible. What was hugely important was ensuring that in working with the conservancy, other partners wouldn't impose their own organizational systems onto the conservancy. Ultimately these timeline changes and deliverable changes were very similar to other changes that have been made for other non tribal clients and partners. A critical takeaway was questioning who and who not your organization is willing to make timeline shifts for and why.



Consideration Without Representation

A non-tribal BIPOC* team member who actively practiced tribal engagement found themselves pushed into a position as the authority on tribal engagement across other projects within their organization. Often this looked like co-workers sharing their events or ideas in a meeting, mentioning a tribal component, and then silently waiting to see if the team member would add any comments. As a non-tribal BIPOC woman in predominantly white spaces, she was hesitant to speak/act on behalf of other marginalized groups that she was not a member of. However, in these instances, centering best-possible-outcomes for tribes helped to create opportunities for thoughtful consideration on the validity/necessity of proposed projects. Some questions posed included:

Q: How is simply giving a white-designed landscaping feature a Tongva name benefiting the tribe?

A: it's not, and may even mislead people into believing the Tongva were considered, consulted and included in any phases of this project.

Q: Does the use of "nature based solutions" create erasure for the indigenous practices that informed their origins?

A: yes; implementing a practice of using the term "Traditional Ecological Knowledge" (TEK) in organizational course material and briefing staff on the importance of using the appropriate term helps tribes to retain their visibility in the arena or ecological development.

**BIPOC people are not the end-all-be-all representatives of other BIPOC peoples. While their insight and experiences are valuable, having a BIPOC team member does not supersede the need for tribal engagement training and practice for all staff members.*



Being Asked for Advice as a Tribal person

Directly following a presentation on a project, a Tribal person was approached multiple times to be a sounding board for someone's idea. Due to the difficulty of talking about some of the subject matter associated with this project and feelings of being in these predominantly white spaces, and the length of the presentation, the Tribal person had taken a break and was unavailable for a period.

While the act of reaching out may have been well intended and there may have even been great ideas, there was a lack of awareness and understanding of insights just shared and explained in the presentation on this project. In a space in which the development team of this project are asking participants to be open minded and willing to accept different perspectives and decolonize the ways of working with communities, it became apparent that the person who reached out did not think it applied to them.

Presenting Traditional Worldviews

While meeting with a major regional water agency, tribal members were asked of ways to best conduct outreach and work with tribal communities. While specific actionable suggestions were made (including adjusting timelines, reaching out a multitude of times, patience, clear communication, etc.), the discussion of difficulties in getting tribal communities interested in this line of relationship building was discussed. It was made clear that not only would historical harms need to be addressed, discussed and likely brought up, but it was also highlighted that there would be significant challenges as the entity's existence is against Tribal world views and perceptions regarding water. While the water agency may genuinely want to improve relations and work in a more authentic and intentional way with tribes, it seemed important to let them know of conflicting ideals that may be present. Those who work at an agency that want or are planning to work with tribes need to recognize or be open to understanding their existence and function proactively harms Tribal communities if they are to build authentic relationships.

RESOURCES

ADDITIONAL GUIDANCE

For Institutions And Companies

- ☐ The most important component of a framework and strategies is how those framework and strategies will authentically and intentionally be implemented
- ☐ Authentic relationships with tribes requires individual and collective work
- ☐ Understand that Tribe's needs and preferences may be directly in contradiction with a project and an agency's goals
- ☐ Continually engaging tribes is a long-term commitment; it will not always be comfortable but it is always important
- ☐ Prioritize the agency and sovereignty of tribes to propose significant changes to, or even reject a project or proposal.
- ☐ Ask: how are our interactions with Tribes benefitting tribal communities?

To see sample institutional frameworks and policies please reference the [appendix](#).

Consider when developing policies and frameworks that they are:

Accessible

- Be easy to find on the agency or organization's website
- Cite the relevant Executive Order, policy and legislation that are referenced
- Go beyond the requirements of those Executive Orders, policies and legislation

Well-Supported

- Have a clear team with specific roles
- Have a tribal liaison/s or individuals that will be prepared to be responsive and in consistent communication with tribal groups
- Finalize a plan of "timely and consistent" outreach practices
- Have funding and/or capacity building resources attached to it

Comprehensive

- Go beyond the internal team's needs and takes into account Tribes' and tribal groups needs, preferences and limitations
- Build towards consultation and/or consensus: a form of deep listening where in a cooperative approach to community agreement is prioritized by investing time and considering different perspectives and modalities, until trust is built and a new level of understanding is reached.
- Partner with other offices, organizations, or departments to ensure that a tribal engagement framework is consistent and applies to all relevant groups and/or entities in the organization
- Center around receiving and building on feedback

Author's Note:
This is not an
exhaustive list.

APPENDIX // CALIFORNIA STATE AGENCY TRIBAL ENGAGEMENT WEBSITES, DOCUMENTS, POLICIES

AGENCY/ORGANIZATION	RESOURCE TITLE AND LINK	DATE
California Office of the Governor	Governor Jerry Brown Executive Order B-10-11	09-19-2011
California Office of the Governor	Governor Newsom’s Executive Order N-15-19	06-18-2019
Governor's Office of Planning and Research	Tribal Research Program (Fifth Climate Change Assessment and Tribal Research Program)	N/A
California Natural Resources Agency	Tribal Affairs Overview	N/A
California Natural Resources Agency	Tribal Affairs Departmental Overview	N/A
California Natural Resources Agency	CNRA Adoption of Final Tribal Consultation Policy	09-19-2011
California Natural Resources Agency	Tribal Nature Based Solutions Program	N/A
California Natural Resources Agency	Tribal Nature-Based Solutions Draft Grant Guidelines Summary	N/A
California National Resources Agency	Natural and Working Lands Climate Smart Strategy	N/A
California National Resources Agency 30x30 Partnership	30x30 Tribal Priorities Summary	N/A
Ocean Protection Council	OPC Tribal Engagement Strategy + Summary	01-24-2023
California Climate Adaptation Strategy	California Climate Adaptation Strategy	N/A
CA Department of Water Resources	CA Department of Water Resources Tribal Policy	N/A
CA Department of Water Resources	Tribal Engagement in Integrated Regional Water Management	N/A
California Coastal Commission	California Coastal Commission Adopted Tribal Consultation Policy	08-08-2018
CA Department of Water Resources	Sustainable Groundwater Management Act (Overview)	N/A
CA Department of Water Resources	DWR Program Assists Tribal and Underrepresented Communities With Groundwater Challenges	09-23-2022
California Office of the Tribal Advisor	Cultural Humility Training	N/A
California EPA	CalEPA Tribal Policy	08-20-2015
California EPA	Committee Charter and Directive by CalEPA Secretary	02-24-2011
California EPA	CalEPA Policy for Working with California Indian Tribes	10-19-2009

