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RESTORING ANCESTRAL LANDS

A six-session training on considerations and process of forming Indigenous Conservation Trusts

Report and Summary of Key Points from Session 1 Proceedings

Judge Richard Blake shared his memories about his father who was a Yurok Elder and believed that one day their homelands would be returned to them; Judge Blake believed his father's words. Now, even though the majority of Hupa and Yurok ancestral land is held for timber or carbon footprint by Green Diamond and the Federal Government, there are instances of land being returned. For example, the traditional dance grounds on Bald Hill are once again open for ceremonies and dancing. Judge Blake supports reclaiming ancestral lands for the right reasons, and voiced the commitment of Northern California Tribal Court Coalition to collaborate with other organizations on land return.

Mr. Hawk Rosales joined us from the traditional territory of Central Coast Pomo people to provide the history and overview of land trusts. He provided several examples of types of Indigenous land trusts, including but not limited to:

- Tribal conservation land trusts
- Tribal consortia
- Tribal government-based land trusts
- Tribal land initiatives
- Tribal community land trusts

Mr. Rosales also discussed pros and cons for individual Indigenous peoples or non-tribal government groups to think about when considering forming an Indigenous land trust:

1. Avoid conflicting with tribal interests.

It is prudent and respectful to discuss your plans with and request support of the Tribal government(s) within whose traditional land or ocean waters you wish to work.

In circumstances where a tribe is not ready to take on land-back initiatives, an indigenous land trust may be appropriate.

2. Before acting, take a hard look at what is involved with operating an organization.

Operating a non-profit is a lot of work and requires a lot of support. Failure rate for non-profits is high, and often tribal governments have both the agency and authority to address many, if not all, of the key land protection goals and objectives of land trusts.

3. Indigenous Peoples are the proper stewards of their homelands.

Remember the obligation of Indigenous Peoples to be stewards of biocultural diversity within the cultural landscapes, seascapes, and celestial-scapes of their ancestral homelands. These places have existed since the beginning of time, and are the origin places of each Indigenous group. These places define Indigenous identities and provide purpose, solace, and healing for the Indigenous group that originated in a particular place.

4. Obtain the consent of the beings that abide in the place you wish to designate as a trust property.

Embrace the core principles of reciprocity and reverence for nature. Before designing a land trust and designating lands for the trust, it is important to also receive the consent of nature in that place.

Indigenous peoples must lead the process of gaining and receiving the consent of nature because Indigenous legal systems are based on the laws of nature, so Indigenous Peoples retain the inherent rights and responsibilities to their homelands and it is proper for them to request consent.

5. Recognize the difference between Indigenous and colonial views of nature and value systems.

The systems of indigenous laws are unique and predate all imposed colonial laws, so they must be honored. The laws of nature are based on abundance and balance while colonial laws commodify nature into transactions, which promotes greed and leads to chaos and suffering. Nature provides for humans but penalizes greed.

6. Non-Indigenous land trusts often struggle with the idea of land back, and need to find ways to work with the Indigenous land back movement.

Because non-indigenous land trusts are often controlled by rich, old patriarchies who have been in control of stolen indigenous lands for many generations, the risk of losing privilege and wealth makes land-back threatening. For non-Indigenous land trusts that want to work with Indigenous Peoples, Hawk Rosales recommends those organizations:

- A. Internally determine their own intentions in engaging with tribes;
- B. Request an opportunity to meet with tribal leaders and explain their work and desire to engage with tribes;
- C. Commit to a journey of learning about the tribe so that they can develop a relationship of trust; and
- D. Develop respectful and collaborative processes to return lands to Tribes, which should include financial and other support to develop tribal capacity to engage.