

**Jackson Demonstration State Forest (JDSF) Management Plan Update
Public Workshop: Co-Management
Agenda**

Tuesday, October 29, 2024

Location: Fort Bragg Town Hall, 363 N. Main St, Fort Bragg

Time: 5-7 PM

FORT BRAGG ZOOM Link: <https://us02web.zoom.us/j/86296649632>

Wednesday, October 30, 2024

Location: Ukiah Senior Center, 497 Leslie St, Ukiah

Time: 6-8 PM

UKIAH ZOOM Link: <https://us02web.zoom.us/j/82016040961?pwd=7ybeNF4NfjBwtlVX8XxJ3YpKn9inZ.1>

Objectives:

- Understand current statewide executive orders and legislative requirements that help frame co-management goals of JDSF
- Understand CAL FIRE work to date with the Tribal Advisory Council and their role in the JDSF Management Plan Update
- Share examples of collaborative projects
- Understand the principles of co-management
- Clarify the process of Tribal outreach during the Management Plan Update
- Understand the community's role in co-management and the Plan Update

I. Welcome, Land Acknowledgement and Community Agreements

II. Overview of Meeting Objectives and Agenda

III. State and JDSF Goals for Co-Management

IV. Understanding the Role of the Tribal Advisory Council

V. Examples of Completed Collaborative Projects

VI. Understanding the Principles of Co-Management

VII. Clarifying the Process: Tribal Outreach during Management Plan Update

Break

VIII. Clarifying Questions from Public

IX. Public Input on Co-Management at JDSF

X. Understanding The Community's Role in Co-Management and the Plan Update

XI. Closing and Next Steps



Using Prescribed Fire to Restore Acorn Harvesting Potential

Increasing cooperation and the sharing of land stewardship knowledge at Jackson Demonstration State Forest (JDSF) continues to be a vital goal for forest staff. At the beginning of February 2023, CAL FIRE Mendocino Unit (MEU) staff completed a 4.5-acre prescribed burn in an identified acorn grove at JDSF



near McGuire's Pond on Road 310.

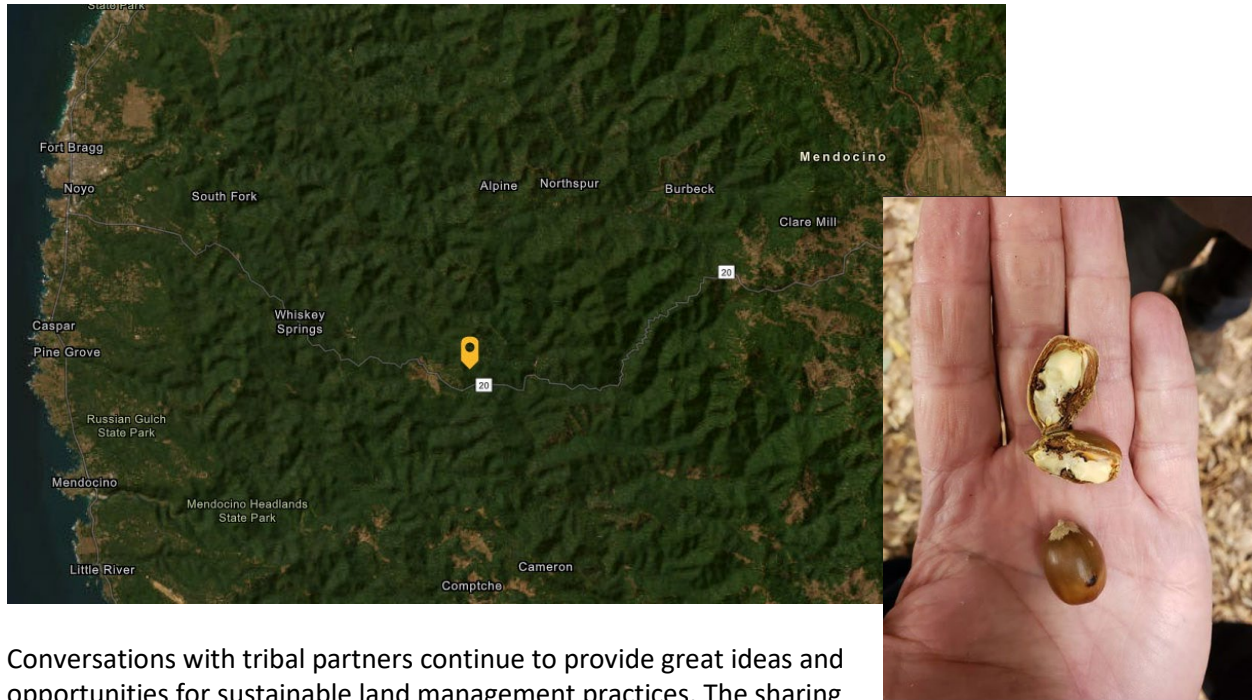
This acorn grove was selected as part of a longer-term restoration project in collaboration with the Sherwood Valley Band of Pomo Indians. Tribal elders need accessible places, flat enough to be safely traversed, with large, well-formed tanoak trees. Site visits with tribal leaders followed, and several potential acorn groves were identified.

The long-term goal is that these will be places where interested local tribes will be able to steward their ancestral land and harvest the bounty of their stewardship for decades, if not centuries, to come. Improving acorn health and harvesting potential by burning the understory in projects such as this will, in-turn, help to maintain the forest for contemporary uses for local native peoples. The first step, in the meantime, is to reintroduce prescribed fire, to decrease downed wood tripping hazards, increase the fire resiliency, and decrease the complexity and pretreatment required of future cultural burns.



Tan Oak acorns, once dropped to the ground, are quickly infested with weevils, which make them unfit for collection. [In using prescribed fire to burn the understory](#), acorns infested with weevils are burnt off, and when new acorns drop the spread of weevils is slowed. This allows more time for acorns to remain on the ground and be collected. The photo below shows the inside of an infested acorn alongside a whole acorn with the tell-tale small hole that the weevil enters the acorn through.

Large oak trees can yield as much as 500 – 1000 pounds of acorns per season however they do also require some processing to eat. A process of sorting, drying, shelling, and grinding is required. Thanks to the natural tannins found in acorns, they can also be stored for years under the right conditions.



Conversations with tribal partners continue to provide great ideas and opportunities for sustainable land management practices. The sharing and recognition of the value of Traditional Ecological Knowledge and cultural burning practices by tribes and cultural fire practitioners continues to expand and gain public and governmental recognition and support in both California and across the U.S. MEU Deputy Unit Chief Brandon Gunn is working on a plan to provide fire safety training for CAL FIRE’s local tribal partners while also inviting them to educate CAL FIRE personnel on the importance of cultural burning and how it helps with the gathering and production of natural resources.

To learn more about this prescribed fire and CAL FIRE’s efforts, head to [California’s Strategic Plan for Expanding the Use of Beneficial Fire](#).



***Ca Sil Xale Dah*: A popular trail now has a name, thanks to collaborative work with tribal partners**

"Ca Sil Xale Dah" has been chosen as the new name for the trail that starts at the Caspar Scales Trailhead and parallels Road 500. The name was chosen by Valerie Stanley, Tribal Historic Preservation Officer and Tribal Elder, Sherwood Valley Band of Pomo Indians, and has the support of the Coyote Valley Band of Pomo Indians. She, and sister Georgina Sanders, Tribal Elder, Sherwood Valley, recently met in the forest with Mendocino Coast Cyclist president Dan Sweet, Recreation Supervisor Erik Wahl, and other CAL FIRE officials to discuss the naming of the previously unnamed trail.

The new name, *"Ca Sil Xale Dah"* translates from Northern Pomo to *Redwood Tree Path*. An official naming ceremony will be scheduled soon. We're proud to continue this partnership and collaboration with our tribal partners.



Building Relationships With Tribal Partners to Enhance Stewardship on JDSF

At a recent cultural burn in the Chamberlain area of the Jackson Demonstration State Forest (JDSF) in Mendocino County, the Department of Forestry and Fire Protection (CAL FIRE) worked with Tribal partners to learn, create, and document cultural resources and practices, furthering its commitment to important tribal partnership and collaboration. The 12-acre burn was conducted as a learning session between CAL FIRE staff and Tribes local to JDSF where all participants shared knowledge on traditional stewardship through fire, and how CAL FIRE deals with fire on a California landscape with climate change in the forefront of the Californian's minds.

The burn was also conducted to remove hazardous vegetation and reduce the risk of conflagration fires and protect the resources on JDSF.

"I took part in a prescribed, cultural burn with CAL FIRE this week. First, I would like to say that the people of CAL FIRE and their crew made me feel very welcome. I see this as a great start to a relationship for the future vision and connection to the wilderness, rivers, watersheds. Hopefully we take this opportunity to come together and do some wonderful things for the wellbeing for all of our children," said Vernon Wilson, Tribal Member of the Cahto Tribe.



CAL FIRE's mission to improve California's natural resources incorporates the utilization of traditional tribal knowledge and practices. CAL FIRE acknowledges the significance of tribal governments and communities in restoring Traditional Ecological Knowledge and Indigenous expertise to the landscapes. This effort is aimed at promoting sustainable land stewardship for the benefit of all.

"We are strengthening both personal and professional relationships in Mendocino County between CAL FIRE and our local Tribal partners that will last well into the future. We have an understanding that as part of this continued learning and improvement, that we support and value everyone involved in this process. Sometimes this literally means sharing resources to help make it happen," said Deputy MEU

Unit Chief Brandon Gunn. “One of the most important aspects of this burn was bringing local Tribal partners to JDSF and be there with them when they express their cultural through the traditional use of fire. Fire is a part of the local heritage and tradition; I have both experienced it and heard of it spoken of as healing to the people and the land.”

As part of this cultural burn, Chief Gunn also worked to provide fire safety training for CAL FIRE’s local Tribal partners. This also allowed Tribal participants to train and educate CAL FIRE personnel on the importance of cultural burning and how it helps with the gathering and production of natural resources. Chief Gunn provided the Sherwood Valley Band of Pomo Indians the training materials they requested to ensure tribal members could burn safely. MEU and Sherwood Valley are still in the planning process to get this training implemented. CAL FIRE MEU staff are also working with the Cahto Tribe in developing cultural burning capacity. CAL FIRE is in the planning process for learning and training sessions as it relates to cultural burning.

Jackson Advisory Group Tribal Relations Subgroup
Management Plan Review and Recommendations

April 29, 2022

Overview

At the September 22, 2021 Board of Forestry (Board) meeting, the Director requested the Board review the Jackson Demonstration State Demonstration Forest (JDSF) Management Plan in light of the recent Executive Orders directing State Agencies to support tribal access and co-management of state-owned lands. Board staff encouraged JDSF staff to conduct an internal review and bring recommendations to a future Board meeting for public discussion.

A subcommittee of the Jackson Advisory Group (JAG) was formed at the November 16, 2021 JAG meeting to gather the relevant background materials, review current interactions with California Native American Tribes (tribes) in relation to the current Management Plan goals, and evaluate the adequacy of the current JDSF Management Plan to meet the objectives of the recent Executive Orders. The JAG Tribal Relations Subgroup will advise CAL FIRE and the Board on actions to better meet the objectives of the recent Executive Orders and if any deficiencies exist in the current Management Plan relative to those Executive Orders.

This document summarizes the JAG Tribal Relations Subgroup's efforts and provides recommendations to the Board and Director. This document is advisory in nature and does not represent legal advice to the Board, nor is it meant to diminish or impede negotiations between sovereign nations which take precedence over JAG recommendations. These recommendations have not been endorsed or recommended by any Tribe or tribal advocacy organization and merely represent a good faith effort on the part of the JAG members to fulfill the request of the Director.

Background Materials and Summary

In 2019 Governor Newsom signed executive order N-15-19 which apologizes for the State's historically sanctioned depredations and prejudicial policies against California Native Americans, reaffirming and incorporating by reference the principles of government-to-government engagement outlined in Executive Order B-10-11 and establishing a Truth and Healing Council. Executive Order B-10-11 (Governor Brown, 2011) states that "Every state agency and department shall encourage communication and consultation with California Indian Tribes".

In a further Statement of Administration Policy (2020), the Governor states that "... it is the policy of this administration to encourage every State agency, department, board and commission... subject to my executive control to seek opportunities to support California tribes' co-management of and access to natural lands¹ that are within a California tribe's ancestral land and under the ownership or control of the State of California." The Policy further states that "any action taken in accordance with this Policy shall: (i) comply with all applicable laws and regulations..."

Additionally Executive Order N-82-20, acknowledges that "since time immemorial, California Native Americans have stewarded, managed and lived interdependently with the lands that now make up the State of California."

¹ PRC § 9001.5(d)(2) Defines "Natural Lands" as "lands consisting of forests, grasslands, deserts, freshwater and riparian systems, wetlands, coastal and estuarine areas, watersheds, wildlands, or wildlife habitat, or lands used for recreational purposes such as parks, urban and community forests, trails, greenbelts, and other similar open-space land..." PRC 9001.5(d)(1) Defines "Working Lands" as "lands used for farming, grazing, or the production of forest products." For to purposes of this report, we assume JDSF contains both types of land.

Evaluation of existing JDSF Management Plan relative to tribal consultation, access, and co-management

In evaluating the existing JDSF Management Plan, it is first necessary to contemplate the most recent direction from the Governor that state agencies support “tribal access and co-management” as these terms come in addition to encouraging agencies to “communicate and consult” under Executive Order B-10-11. It is our opinion that this direction asks agencies to make proactive efforts and expend resources to cooperatively include Tribes in management decisions if tribes choose to participate. We interpret this direction as promoting additional interaction between the State and tribes than was considered during the drafting of the current Management Plan or the CAL FIRE Native American Tribal Communities Relations Policy. As a result, we are recommending updates to the Management Plan to accommodate this direction.

Berkey et al.² note in a recent synthesis of tribal co-management policies that co-management agreements are “limited only by the creativity of the parties.” The California Fish and Game Commission has defined co-management as “A collaborative effort established through an agreement in which two or more sovereigns mutually negotiate, define, and allocate amongst themselves the sharing of management functions and responsibilities for a given territory, area or set of natural resources.”³ Because co-management agreements in California are relatively new and limited examples exist, it is our belief that the JDSF Management Plan should not preclude any management actions or inactions a tribe entering into a co-management agreement may wish to pursue, thereby adopting an adaptive approach. For the Management Plan to truly support co-management and tribal self-determination, the Plan must allow for sufficient leeway in order to accommodate management and/or access functions that are negotiated and mutually agreed upon by sovereign nations entering into a co-management or other form of agreement.

The existing JDSF Management Plan notes that, “statutory direction indicates that the management of Jackson Demonstration State Forest is primarily for sustainable timber production with the primary purpose of education and research relating to economical timber management.”⁴ While this issue is outside of the scope of the JAG, it raises an important question related to the legislative intent of the state forest system and the ability of the Board of Forestry and CAL FIRE to adequately meet potential tribal co-management goals under existing statute if tribal co-management goals conflict with the Board’s interpretation and administration of the law. It is only through collaboration between sovereigns that this question can be answered. The Board and CAL FIRE may wish to suggest legislative or policy changes to better support relations with Native American Tribes as an outcome of government-to-government negotiations. We encourage CAL FIRE and the State of California to continue to engage in Government-to-Government negotiations with affected tribes.

² Berkey C., Costa E., and Simon A., Revitalizing Stewardship and Use of Tribal Traditional Territories: Options for Improving California Policy and Law in State-Managed Lands and Waters. Berkey Williams LLP. 2021

³ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=184474>

⁴ JDSF Management Plan 2016 Update P.15

For the purpose of this report, our subgroup has based the below recommendations on the following line of reasoning:

- 1) That “opportunities to support California tribes’ co-management of and access to natural lands that are within a California tribe’s ancestral land and under the ownership or control of the State of California” shall “comply with all applicable laws and regulations”⁵
- 2) That applicable laws and regulations indicate that JDSF “must demonstrate sustainable timber production, and that timber production must be managed primarily to provide research and educational values”
- 3) That the “laws and regulations” that provide direction for the management of JDSF are broad and allow for high levels of management discretion by the Board and CAL FIRE. As a result, access and co-management opportunities could likely be satisfied by updating the existing Management Plan, however, it is, ultimately up to Tribes to make this determination based on their access and co-management objectives.

Recommendations

1. CAL FIRE should, in consultation with Native American Tribes, consider adopting a co-management vision statement or updating the existing CAL FIRE Native American Tribal Communities Relations Policy to include a formal definition of co-management to help guide future Management Plan review and further guide the agency.
2. CAL FIRE’s Native American Tribal Communities Relations Policy should be updated to reflect the latest Executive Orders and Administration Policy, specifically in respect to access and co-management.
3. In consultation with Native American Tribes, the JDSF Management Plan should be updated to include reference to the protection of Native American cultural values in addition to other values currently listed in the Management Plan and statute (recreation, watershed, wildlife, etc.)⁶. Critically, protection of *cultural values* may be more expansive than existing protections for *cultural resources* and may include tribal traditions, practices, and lifeways, activities that may include management of resources on the forest. An example critical to this discussion could be traditional land management activities such as the use of cultural fire, pruning or coppicing, activities which may require a co-management or easement agreement between CAL FIRE and a Tribe.
4. The Board should contemplate updating Board policy to consider Native American cultural values in addition to other values already listed in the JDSF Management Plan and statute (recreation, watershed, wildlife, etc.)⁷
5. The existing JDSF Management Plan features nine goals and objectives that should be revisited and updated in partnership with interested tribes.⁸ Tribes may wish to include their goals and objectives in existing goals or create additional goals and objectives. These changes may or may not need to be bound by a co-management or other type of agreement.
6. Chapter three of the Management Plan discusses the desired forest conditions for JDSF that evolve out of the nine goals and objectives noted above and provide direction to staff. It is impossible for the Tribal Relations Subgroup’s to predict what priorities tribes may have for

⁵ As described in Governor Newsom’s Statement of Administration Policy (2020)

⁶ See PRC § 4639

⁷ See PRC § 4639

⁸ JDSF Management Plan 2016 Update P.18-22

future forest conditions, or what potential co-management or other agreements may include. As a result, we can only recommend that revisions to this section may be necessary pending consultation, government-to-government negotiations, and agreements.

7. The section entitled “Public Concerns Regarding the Management of JDSF” (p. 26) should include a sub-section that conveys Native American perspectives on forest management. JDSF staff should make every effort to engage directly with Native Americans in addition to tribal governments, recognizing that tribal governments may lack the resources or capacity to engage in formal consultation.
8. If preferred by local Native Americans, and in consultation with them, the “Setting” section in chapter 2 should be redrafted to include more information on traditional use, and management of the land JDSF now occupies.
9. The Heritage Resources sections (p.52 and 89) of the Management Plan should be reassessed in consultation with tribes to develop a satisfactory process for managing heritage resources of interest to tribes.
10. As a component of the management of heritage resources, JDSF should maintain an on-site staff person with experience and/or training in working with Native American communities who will serve as the point of contact for Native Americans and Native American Tribes⁹. This person should work to proactively develop relationships with the Native American community and seek opportunities to facilitate access and co-management of JDSF above and beyond the required consultation and communication policies in the CAL FIRE Native American Tribal Communities Relations Policy. This staff position is recommended in the existing Management Plan but is not currently filled.
11. If tribes so choose, a section in chapter two could be added that addresses the cultural importance of the JDSF property to Native Americans.
12. Special Concern Areas¹⁰ should include cultural resource sites.
13. The Recreation Management Plan¹¹ should be updated with input from tribes. Changes to the Recreation Management Plan may impact other sections of the JDSF Management Plan.
14. As part of the Recreation Management Plan, CAL FIRE should provide resources to support Native American led interpretation and education programming in JDSF. Native American culture and history is currently listed as a theme.
15. The Research Plan¹² and research priorities section of the Management Plan¹³ should be updated with input from tribes to include their research and demonstration priorities. Changes to research priorities may impact other sections of the Management Plan. Input should include local and regional perspectives.
16. The JDSF Management Plan should remove references to past interim management conditions and instead include these as an addendum to clarify the policies that are currently in place.

Additionally:

1. CAL FIRE and the Board may wish to consider supporting legislative changes that could strengthen future co-management agreements. State law and Board policy provide direction for how JDSF is managed; however, the existing statute does not include any reference to tribal or

⁹ JDSF Management Plan 2016 Update P.89 (2)

¹⁰ JDSF Management Plan 2016 Update P. 83

¹¹ JDSF Management Plan 2016 Update Appendix XI

¹² JDSF Management Plan 2016 Update Appendix X

¹³ JDSF Management Plan 2016 Update P. 139

cultural values. This is reflected throughout Board policy and the JDSF Management Plan where statute and Board policy are referenced (as noted in above in #4).

2. The Board should recommend, and the Governor should consider, the appointment of tribal representatives on the Board of Forestry.
3. JAG Tribal Relations Subgroup Members request additional information on the status of CAL FIRE's Native American Advisory Council. We will follow up with JDSF staff on this request.

Finally, the JAG Tribal Relations Subgroup acknowledges the above recommended changes and the development of potential co-management or other stewardship agreements with tribes may be a lengthy process given their novelty. For JDSF to continue its mission while negotiations take place, CAL FIRE may consider, in partnership with interested tribes, the public, and the JAG, the implementation of an interim Management Plan and short-term harvest schedule as demonstrated during the 2008 Management Plan update.

The JAG Tribal Relations Subgroup will bring the above recommendations to JDSF staff and the full JAG for discussion at a future meeting.

JAG Tribal Relations Subgroup Members,

Charlie Schneider
Amy Wynn



OFFICE OF THE GOVERNOR

September 25, 2020

STATEMENT OF ADMINISTRATION POLICY

Native American Ancestral Lands

On June 18, 2019, Governor Gavin Newsom issued [Executive Order N-15-19](#), which acknowledges and apologizes on behalf of the State for the historical “violence, exploitation, dispossession and the attempted destruction of tribal communities” which dislocated California Native Americans from their ancestral land and sacred practices. The destructive impacts of this forceful separation persist today, and meaningful, reparative action from the State of California (State) can begin to address these wrongs in an effort to heal its relationship with California Native Americans.

In addition, Executive Order N-15-19 reaffirms and incorporates by reference the principles of government-to-government engagement established by [Executive Order B-10-11](#) (“it is the policy of the administration that every state agency and department subject to executive control is to encourage communication and consultation with California Native American tribes”). The State continues to work with California tribes on a government-to-government basis to address issues concerning Native American tribal self-government and tribal trust resources.

Consistent with the goals of such Executive Orders, and in the spirit of truth and healing in recognition of past harms done to California Native American communities, it is the policy of this administration to encourage every State agency, department, board and commission (collectively, “entities”) subject to my executive control to seek opportunities to support California tribes’ co-management of and access to natural lands¹ that are within a California tribe’s ancestral land and under the ownership or control of the State of California, and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs.

¹ As defined in Section 9001.5(d)(2) Public Resources Code.

Any action taken in accordance with this Policy shall: (i) comply with all applicable laws and regulations, including those governing surplus and excess lands; (ii) occur in consultation with California tribes pursuant to Executive Orders N-15-19 and B-10-11; and (iii) not conflict with the Governor's stated policy priorities, such as housing and homelessness and climate action.

I. PURPOSE

The purpose of this Policy is to partner with California tribes to facilitate tribal access, use, and co-management of State-owned or controlled natural lands and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs in order to, among other things:

- Support tribal self-determination and self-government;
- Facilitate the access of California Native Americans to sacred sites and cultural resources;
- Improve the ability of California Native Americans to engage in traditional and sustenance gathering, hunting and fishing;
- Partner with California tribes on land management and stewardship utilizing Traditional Ecological Knowledges;
- Reduce fractionation of tribal lands; and
- Provide opportunities for education, community development, economic diversification, and investment in public health, information technology and infrastructure, renewable energy, water conservation, and cultural preservation or awareness.

II. ACTIONS ALIGNED WITH THIS POLICY

Actions taken in accordance with this Policy could include, but would not be limited to:

- Entering into memoranda of understanding to allow for access to or co-management of natural lands under the ownership or control of the State with California tribes with ancestral lands located in such areas;
- Grantmaking to assist California tribes with procurement, protection or management of natural lands located within their ancestral territories, subject to available resources;

- When natural lands under the ownership or control of the State are in excess of State needs, working cooperatively within existing statutory and regulatory frameworks with the California tribes that have ancestral territory within those lands and are interested in acquiring them, including by prioritizing tribal purchase or transfer of land; and
- Adopting preferential policies and practices for California tribes to access natural lands under the ownership or control of the State that are located within a California tribe's ancestral lands, including coordinating with local governments to zone natural land in excess of State needs in a way conducive to tribal access and use.

III. ACCESS TO INFORMATION

In implementing this Policy, State entities are encouraged to facilitate California tribal government access to existing information concerning land that may be of interest to California tribes.



Gavin Newsom
Governor of California

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-15-19

WHEREAS, in the early decades of California's statehood, the relationship between the State of California and California Native Americans was fraught with violence, exploitation, dispossession and the attempted destruction of tribal communities, as summed up by California's first Governor, Peter Burnett, in his 1851 address to the Legislature: "[t]hat a war of extermination will continue to be waged between the two races until the Indian race becomes extinct must be expected"; and

WHEREAS, the State of California's laws and policies discriminating against Native Americans and denying the existence of tribal government powers persisted well into the twentieth century; and

WHEREAS, despite these wrongs, California Native Americans resisted, survived and carried on cultural and linguistic traditions defying all odds; and

WHEREAS, the State of California and California Native Americans have never jointly formally examined or documented their relationship for the express purpose of acknowledging and accounting for historical wrongs committed by the State of California toward California Native Americans; and

WHEREAS, the State of California has never formally apologized for historical wrongs tolerated, encouraged, subsidized and committed by State actors against California Native Americans; and

WHEREAS, the State of California seeks to more closely explore the historical relationship between the State of California and California Native Americans in the spirit of truth and healing through the establishment of a Truth and Healing Council; and

WHEREAS, the State of California intends that the work of the Truth and Healing Council be done respectfully and in collaboration and consultation with California Native American tribes pursuant to this Executive Order and Executive Order B-10-11.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, do hereby issue the following order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. The State of California hereby:
 - a. recognizes that the State historically sanctioned over a century of depredations and prejudicial policies against California Native Americans;
 - b. commends and honors California Native Americans for persisting, carrying on cultural and linguistic traditions, and stewarding and protecting this land that we now share;
 - c. 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; and

- d. reaffirms and incorporates by reference the principles outlined in [Executive Order B-10-11](#), which requires the Governor's Tribal Advisor and the Administration to engage in government-to-government consultation with California Native American tribes regarding policies that may affect tribal communities.
2. The Governor's Tribal Advisor shall establish the Truth and Healing Council to bear witness to, record, examine existing documentation of, and receive California Native American narratives regarding the historical relationship between the State of California and California Native Americans in order to clarify the historical record of this relationship in the spirit of truth and healing. The Truth and Healing Council shall be led and convened by the Governor's Tribal Advisor and shall include representatives or delegates from California Native American tribes, and may include relevant state and local agencies, as well other relevant non-governmental stakeholders.
3. The Truth and Healing Council shall consult with California Native American tribes to shape the overarching focus and develop the work of the Council and shall endeavor to accurately represent the diversity of experience of California Native Americans within the State of California.
4. The Truth and Healing Council shall: (i) report draft findings to the Governor's Tribal Advisor on an annual basis beginning January 1, 2020 and (ii) produce a final written report of findings regarding the historical relationship between the State of California and California Native Americans on or before January 1, 2025.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that widespread publicity and notice shall be given to this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 18th day of June 2019.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

This is historical material “frozen in time”. The website is no longer updated and links to external websites and some internal pages may not work.



Office of Governor
Edmund G. Brown Jr.

EXECUTIVE ORDER B-10-11

Published: Sep 19, 2011

WHEREAS California is home to many Native American Tribes with whom the State of California has an important relationship, as set forth and affirmed in state and federal law; and

WHEREAS the State of California recognizes and reaffirms the inherent right of these Tribes to exercise sovereign authority over their members and territory; and

WHEREAS the State and the Tribes are better able to adopt and implement mutually-beneficial policies when they cooperate and engage in meaningful consultation; and

WHEREAS the State is committed to strengthening and sustaining effective government-to-government relationships between the State and the Tribes by identifying areas of mutual concern and working to develop partnerships and consensus; and

WHEREAS tribal people, as both citizens of California and their respective sovereign nations, have a shared interest in creating increased opportunities for all California citizens.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, by virtue of the power vested in me by the Constitution and the statutes of the State of California, do hereby issue the following orders to become effective immediately:

IT IS ORDERED that the position of Governor’s Tribal Advisor shall exist within the Office of the Governor;

IT IS FURTHER ORDERED that the Governor’s Tribal Advisor shall oversee and implement effective government-to-government consultation between my Administration and Tribes on policies that affect California tribal communities, and shall:

- Serve as a direct link between the Tribes and the Governor of the State of California.
- Facilitate communication and consultations between the Tribes, the Office of the Governor, state agencies, and agency tribal liaisons.

- Review state legislation and regulations affecting Tribes and make recommendations on these proposals.

IT IS FURTHER ORDERED that the Office of the Governor shall meet regularly with the elected officials of California Indian Tribes to discuss state policies that may affect tribal communities.

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.

This Executive Order is not intended to create, and does not create, any rights or benefits, whether substantive or procedural, or enforceable at law or in equity, against the State of California or its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order shall be filed with the Office of the Secretary of State and that it be given widespread publicity and notice.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 19th day of September 2011.

EDMUND G. BROWN JR.
Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State

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Latest News

[Governor Brown Announces Appointments](#)

Assembly Bill No. 1284

CHAPTER 657

An act to add Sections 6502.3 and 11019.82 to the Government Code, relating to Native American tribes.

[Approved by Governor September 27, 2024. Filed with
Secretary of State September 27, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1284, Ramos. Tribal ancestral lands and waters: cogovernance and comanagement agreements.

(1) Existing law governs various interactions between the state and federally recognized Native American tribes within the state. Existing law encourages and authorizes all state agencies, as defined, to cooperate with federally recognized California Indian tribes on matters of economic development and improvement for the tribes.

Existing law provides that the Legislature encourages the State of California and its agencies to consult on a government-to-government basis with federally recognized tribes and to consult with nonfederally recognized tribes and tribal organizations, as appropriate, in order to allow tribal officials the opportunity to provide meaningful and timely input in the development of policies, processes, programs, and projects that have tribal implications. Existing law provides that the Legislature encourages the state and its agencies to consult with a federally recognized tribe, at the tribe's request for a government-to-government consultation on a specified agency action, within 60 days of the request.

This bill would provide that the Legislature encourages the Natural Resources Agency, and its departments, boards, conservancies, and commissions, to enter into cogovernance and comanagement agreements with federally recognized tribes. The bill would authorize the Secretary of the Natural Resources Agency or a delegate to enter into cogovernance and comanagement agreements with federally recognized tribes for the purposes of shared responsibility, decisionmaking, and partnership in resource management and conservation within a tribe's ancestral lands and waters, and would require the secretary or a delegate to be the signatory for these agreements. The bill would authorize the secretary or a delegate, as provided, and within 90 days of a federally recognized tribe's request, to begin government-to-government negotiations on cogovernance and comanagement agreements with the tribe.

(2) Existing law provides that 2 or more public agencies, by agreement, may form a joint powers authority to exercise any power common to the contracting parties, as specified.

For purposes of cogovernance and comanagement agreements entered into pursuant to the provisions described in paragraph (1), this bill would deem powers exercisable by any public agency that is not a federally recognized tribe to be common to a contracting federally recognized tribe.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) California's Native Americans have always been the stewards of California's land and waters.

(b) California's Native Americans have distinct cultural, spiritual, environmental, economic, and public health interests, and hold indigenous traditional knowledge relating to natural systems in California.

(c) Federally recognized tribes in California have the sovereign governance authority to enter into agreements with other sovereigns.

(d) Executive Order No. N-15-19 acknowledges and apologizes on behalf of the State of California for the historical "violence, exploitation, dispossession and attempted destruction of tribal communities" and the subsequent removal of California Native Americans from their ancestral lands.

(e) Executive Order No. N-15-19 reaffirms and incorporates by reference the principle of government-to-government engagement established by Executive Order No. B-10-11 and the state's commitment to strengthening effective government-to-government relationships with tribes.

(f) Executive Order No. B-10-11 recognizes and reaffirms the inherent right of California's Native American tribes to exercise sovereign authority over their members and territory.

(g) Governor Newsom's Statement of Administration Policy on Native American Ancestral Lands seeks "opportunities to support California tribe's co-management of and access to" lands that are within tribal ancestral territories and under the ownership or control of the state.

(h) The purpose of the Statement of Administration Policy on Native American Ancestral Lands is to partner with tribes to, among other things, facilitate comanagement and support tribal self-determination and self-governance.

(i) California's 30x30 Initiative is committed to strengthening tribal partnerships, including the development of opportunities for "meaningful and mutually beneficial tribal management and tribal co-management within new and existing state lands, marine waters, and private lands, through formal agreements and other means."

SEC. 2. Section 6502.3 is added to the Government Code, to read:

6502.3. For purposes of cogovernance and comanagement agreements entered into pursuant to Section 11019.82, powers exercisable by any public agency that is not a federally recognized tribe shall be deemed common to a contracting federally recognized tribe.

SEC. 3. Section 11019.82 is added to the Government Code, to read:

11019.82. (a) This section shall be known, and may be cited, as the Tribal Cogovernance and Comanagement of Ancestral Lands and Waters Act.

(b) For purposes of this section, the following definitions apply:

(1) “Ancestral lands and waters” means lands, resources, and waters within a federally recognized tribe’s ancestral territory.

(2) “Cogovernance” is governance that emphasizes collaboration and shared decisionmaking on a government-to-government level.

(3) “Comanagement” means a collaborative effort established through an agreement in which two or more sovereigns mutually negotiate, define, and allocate amongst themselves the sharing of management functions and responsibilities for a given territory, area, or set of natural resources.

(4) “Federally recognized tribe” means a tribe located in the state and acknowledged by the federal government pursuant to the annual list published under the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. Sec. 5131) in the Federal Register.

(5) “Natural Resources Agency” means the Natural Resources Agency and each of its departments, boards, conservancies, and commissions identified in Section 12805.

(c) The Legislature encourages the Natural Resources Agency to enter into cogovernance and comanagement agreements with federally recognized tribes.

(1) The Secretary of the Natural Resources Agency or a delegate shall be the signatory, and may enter into cogovernance and comanagement agreements with federally recognized tribes for the purposes of shared responsibility, decisionmaking, and partnership in resource management and conservation within a tribe’s ancestral lands and waters.

(2) The scope of cogovernance and comanagement agreements shall be limited to those areas under the jurisdiction of the Natural Resources Agency. The Natural Resources Agency may enter into a cogovernance or comanagement agreement with a federally recognized tribe without further specific legislative authorization.

(d) At the request of a federally recognized tribe, the Secretary of the Natural Resources Agency or a delegate at the appropriate department, board, conservancy, or commission may, to the extent feasible within existing staffing and budget, within 90 days of the request, begin government-to-government negotiations on cogovernance and comanagement agreements with the tribe.

