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Revitalizing Stewardship: Amah Mutsun Tribal Band Land Access through Collaborative Caretaking

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By

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Committee in charge:

Professor Lynn Huntsinger, Chair
Professor Louise Fortmann
Professor Kent Lightfoot
Professor Peter Nelson

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Abstract

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This dissertation utilizes an interdisciplinary approach that integrates Indigenous environmental studies, political ecology, and cultural heritage studies to examine how the Amah Mutsun Tribal Band (AMTB) is reclaiming access to culturally significant landscapes as a non-federally recognized and landless nation. Despite the limited literature on the challenges faced by non-federally recognized Tribes in regaining access to cultural landscapes, this study provides an empirically rich case analysis. Using ethnographic methods, this research highlights how, for Tribal nations that have been denied access to land and political rights for generations, collaborative partnerships with state agencies and NGOs offer opportunities to revitalize connections to their landscapes and enhance their capacity for environmental stewardship.

I argue for a decentering of property rights to understand the effects of colonial land dispossession and the contemporary counter-dispossession measures aimed at regaining access to ancestral places. These measures include mechanisms such as tribal land trusts, formalized access agreements, and cultural heritage preservation law. I propose a concept of environmental recognition, where non-federally recognized Tribes achieve recognition by conservation organizations as desirable collaborators, despite their lack of formal federal recognition as a sovereign nation. Through such avenues, Tribal nations can engage in eco-cultural revitalization through place-based caretaking practices. While scholars caution against expending resources to achieve external forms of recognition, landless Tribes may find such collaborations fruitful. However, the unique challenges encountered by AMTB continue to hinder the enactment of culturally informed environmental caretaking within the context of settler colonial regulatory processes, agency mandates, and the disparities in legitimacy between Western scientific knowledge and Indigenous knowledge systems.

In memory of Dominic Lopez-Toney

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Acknowledgements

My first connection to Ohlone lands and waters was from my grandfather, Art Lopez, who would take me to the coast to fish. The slow nature of fishing (coupled with my ineptitude and constant entanglement in the seaweed) meant that this experience was also about connecting with family and our surrounding environment. While I was raised in a predominantly Western cultural context, I appreciated seeing nature as something more than a place for recreation from a young age. I came to understand our Tribe better through my uncle, Valentin Lopez, who further nurtured my understanding of reciprocity with place. Thank you, uncle, for your tireless work that has created so many opportunities for future generations of Amah Mutsun people.

I come from a family of matriarchs, and was raised knowing who and where I come from because of my great-grandmother Mariquita Sablan Locsin, a proud CHamoru woman who showed her descendants how to be strong. This dissertation has been a personal journey in many ways, and the seeds of this desire to learn about my ancestors were sown in my adolescence by my Locsin family. The people closest to me consistently remind me of who I am and what I stand for. To my mother, Lynelle, thank you for instilling in me the ability to dream of a better future. To my father, Robbie, you consistently demonstrate how to walk in the world with humility and care. The love and support from friends and family—shout out to my brother Neiko, aunts Nora and Leanne, uncle Chico and crew, Rich, Eric, Kai, Matt, and Toren, and grandmothers Susie and Sandy—are never taken for granted. Hu Guiaya hao! *Pila,* Raven Marshall, for your support and belief in me during this journey.

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Chapter 1: An Introduction to the Amah Mutsun Tribal Band Eco-Cultural Revitalization

Background and Context

The Amah Mutsun Tribal Band (AMTB) of central coastal California has endured three waves of colonization and nearly a century of their status as a sovereign Tribal nation being terminated and no longer acknowledged by the United States (Hart, 2018). Their pursuit to restore federal acknowledgment of Tribal status involved submitting a 1991 petition, but also spurred a broader cultural revitalization in the Tribal community. This dissertation traces the emergence of AMTB's eco-cultural revitalization in the 21st century. It begins by contextualizing these contemporary revitalization efforts by describing land dispossession and its effects at one AMTB sacred ceremonial site. Next, it provides an analysis of the different perspectives of key ecological concepts from Western and Indigenous perspectives. Finally, an overview of how one policy tool has been used by AMTB and its potential for supporting Tribal land access opportunities. I first provide a history of the Amah Mutsun and then give a brief chronology of the cultural revitalization efforts of the AMTB.

The complex colonial history of California is reflected in the contemporary terrain of California Native American politics. Regions of what is now known as California were the most populous areas north of Tenochtitlan (Mexico City). Today, California has the highest number of federally recognized and non-federally recognized Tribes[1] among all states in the U.S. Salient issues in California Indian Country (broadly speaking) today include issues of recognition, rematriation, and Tribal co-stewardship and land return. The culpability of the U.S. and California in the genocide and colonialism of Native Americans has been the subject of much discussion in recent years, as evidenced by Governor Gavin Newsom's apology for the genocide and the establishment of the Truth and Healing Commission (see Executive Order N-15-19, 2019). Issues of biodiversity management and land stewardship have dovetailed with these Indigenous justice conversations, and the environmental landscape has engaged tribal nations due to the ever-increasing evidence of the contributions of Indigenous knowledge to the health of the environment, as well as the injustices that have severed Indigenous peoples from their ancestral homelands.

The experiences of the AMTB represent the product of this varied and complex history. The specific instances of colonial dispossession and contemporary issues regarding asserting tribal sovereignty are unique to each tribal nation, but common themes around widespread land loss, cultural genocide, and socioeconomic disparity are prevalent across the state. A more detailed overview of the Amah Mutsun experience of early Euro-American colonialism is covered in the following chapter. The following section begins in the cultural revitalization era of the AMTB. It traces their entrance into the realm of land management and stewardship of natural and cultural resources on protected lands.

Honoring Caretaking Obligations

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[1] I capitalize "Tribe" and "Tribal" throughout the dissertation, in accordance with the Terminology Style Guide from the Native Governance Center found at https://nativegov.org/resources/terminology-style-guide/

Early in his tenure as Tribal Chairman, that began in 2004, Valentin Lopez received guidance from Elders to embrace and assert the Tribe's responsibilities as caretakers of their ancestral lands. This directive became relevant after Lopez was approached by Eric Brunneman, the superintendent of Pinnacles National Monument at the time, who sought a relationship with AMTB. With Tribal Council approval, AMTB became engaged in community environmental management activities at the Park, located in Monterey and San Benito Counties. The partnership brought Tribal volunteers to the Park to care for culturally significant plants. It would soon expand to include collaborative research, such as the experimental management of white root sedge and deergrass beds through prescribed fire, and serve as a launching pad for greater AMTB stewardship of culturally significant places along the central California coast.

In 2007, an opportunity arose to be involved in the stewardship of protected lands in coastal San Mateo County. It was initiated by AMTB Tribe member and researcher Chuck Striplen, who sought to conduct historical ecological research at a Tribal village site on the Northern Santa Cruz coast, in the homelands of the historic Quiroste Tribe (see Striplen, 2014). AMTB leadership approved the project, and a partnership between UC Berkeley researchers, AMTB, and California State Parks got underway (Lightfoot & Lopez, 2013). AMTB's interests were in understanding the history of the Quiroste Tribe, their diets and settlement patterns, and in participating in collaborative research. The stewardship applications of this research collaboration is discussed in greater detail in Chapter 2.

As AMTB collaborated with various partners, they became connected with other private and public conservation organizations. One such group was the Santa Cruz Mountain Stewardship Network, a regional coalition of environmental organizations dedicated to stewardship in the Santa Cruz Mountains.[2] The Network allowed AMTB to connect with other organizations, and learn of regional priorities, such as the need for increased land stewardship capacity on the large amount of lands already protected. One organization that was part of SCMSN was the Sempervirens Fund, who met with Striplen and Lopez to discuss their organization’s model as a land trust. AMTB recognized the potential of a non-profit tribal organization to provide a mechanism for restoring access to homelands, holding property rights, and fostering governance over environmental and cultural resources, and established the Amah Mutsun Land Trust in 2014. Their emphasis on Tribal stewardship aligned with cultural obligations of environmental caretaking and the need in the area.

Tribal Land Trusts

Tribal land trusts serve as a mechanism for restoring access to ancestral homelands, securing property rights, and enhancing Indigenous governance over environmental and cultural resources (Middleton, 2011). They vary in scope and can represent one tribal community or a consortium of several Indigenous communities or individuals (see Middleton-Manning et al., 2023). Tribal land trusts have been used for housing, cultural heritage preservation, and land stewardship. For non-federally recognized communities, the 501(c)3

[2] see https://www.scmsn.net

nonprofit eligibility can be especially useful for employing staff and receiving grant funding in addition to being a mechanism to hold and own land.

The Amah Mutsun Land Trust (AMLT) was established in 2014 as a response to the Amah Mutsun Tribe's commitment to cultural stewardship and resource management. With support from the Sempervirens Fund and various researchers, AMLT emerged as part of a growing movement of Tribal land trusts, which aim to restore access to ancestral homelands and provide a governance framework that aligns with Tribal values (Middleton, 2011). Focused on cultural revitalization, AMLT has developed programs like the Native Stewardship Corps (NSC), which offers Tribal members opportunities to engage with their heritage while working on stewardship projects. It has functioned much like a natural resources department. This initiative not only addresses the challenges faced by the Tribe, primarily composed of members living outside their traditional territory, but also fosters a deeper connection to their ancestral lands. As such, AMLT has become a vital mechanism for both environmental and cultural resource management, reflecting the resilience of the Amah Mutsun Tribe in reclaiming their heritage and refusing narratives of their extinction.

The rupture between people and place can create challenges in reconnecting to culture. For the AMTB, the indication of archaeological knowledge as well as findings from ethnographic field notes, is what Chairman Lopez understands as being the starting point of getting back to the path of their ancestors. This starting point is an attempt to undo the harms and colonial influences from the past several generations. For a Tribal community seeking to have their identity validated while operating with Federal recognition politics, which assesses indigeneity by degree of cultural purity, necessitates Tribal leadership to seek the unvarnished past of a native person.

For the majority of Tribal nations in California, collaborations with ecologists and biodiversity managers have significant overlap because most Tribal California communities did not practice any form of field agriculture or plant and animal domestication. Instead, Indigenous people of California initiated various stewardship practices for managing semi-wild landscapes. Some have referred to this as being a form of proto-agriculture, where California Native people were supposedly following a narrative of societal evolution that leads to the development of agricultural cultivation of domesticated crops in societies. However, scholars have argued that this myopic perspective does not give agency to Tribal nations. Furthermore, this perspective assumes all people involved in sophisticated landscape stewardship activities will eventually practice such agriculture. However, in California, a region with a high density of Native peoples, reliance on non-domesticated plants and animals may have been a choice, a preference, or an opportunity.

Research Overview

This dissertation serves as a roadmap of the Contemporary cultural revitalization efforts of the AMTB, and consequently, it explores how Tribal interests can be leveraged to meet community needs. AMLT is not the only nonprofit for the Tribe, with the Humuya Foundation preceding AMLT and serving as a support for Mutsun language revitalization, and general social services for AMTB members. However, the AMLT has effectively operated as both a Tribal natural resources department and a cultural resources department. AML has experienced rapid growth since its inception. Programs have included cultural resource advocacy, monitoring plant propagation; ocean water quality and coastal erosion monitoring; programs for land acquisition; an intern program; and the summer youth camp. AMLT has partnered closely with many researchers and land managers. There have been 20 full-time staff since its inception. The Tribe's approach has been to lead with Tribal voices while still including and leaning on non-Tribal experts with relevant expertise. The board of directors maintains a Tribal majority, which is both a reflection of the interest in Tribal governance and a strategic move to ensure grant and philanthropic funding eligibility.

A goal of this work is to inform policymakers, Tribal practitioners, and land managers who are seeking Indigenous collaborations about options and barriers to land access for cultural purposes. Some specifics in my case study may be particular to this context, such as the mutual values shared by AMTB and land managers to steward landscapes for biodiverse native plant habitat that provides Tribal food, craft, and medicinal materials. AMTB has a relatively high number of land access opportunities on protected public and private lands held by partner land trusts, but the conditions of land access on some protected lands may not always suit the interests or allow for the activities valued by AMTB. At the same time AMTB faces barriers to land ownership due to the high value of land in the area and ongoing land conversion and development.

California Native American interests in accessing ancestral lands and undertaking stewardship, either through collaborative agreements or outright ownership, has seen a surge of external support in recent years. For Tribes with limited economic resources and staff capacity, co-stewardship offers a practical and expeditious solution for returning Indigenous caretakers to their ancestral places. While non-Native land managers have different perspectives grounded in fundamentally distinct ontological and epistemological viewpoints, they can offer insights generated from observations made through regular caretaking of places. Tribes may also be tasked with navigating colonial structures of property management, and settler land managers may be ideal connections for supporting these endeavors. My dissertation asks: In what ways have the Amah Mutsun Tribal Band sought to access and restore relationships with ancestral lands? What barriers exist, and what mechanisms have been used to restore community stewardship obligations?

Positionality

As a Tribal member, my internship with the Native Stewardship Core (NSC) in the summers of 2018 and 2019 allowed me to engage with my community and learn about ecological and cultural stewardship. This experience inspired me to pursue a graduate degree focusing on how Tribal Nations can revive their presence on ancestral lands while fostering relationships with non-human relatives. Although my journey to reconnect with my culture was facilitated by living near my homeland in San Mateo County, many in the Amah Mutsun community live much farther away from the coastal areas I cherish. My dissertation aims to explore Tribal land access for landless Tribes and how the NSC embodies community obligations of environmental caretaking. Through my interactions, I came to acknowledge the deep connection between identity and land.

I utilize community-engaged approaches to establish a research relationship with AMTB with reciprocity as a core value. I am an Amah Mutsun Tribe member who became active in Tribal matters in 2017. I have been involved in the Amah Mutsun Land Trust internship, plant propagation, and land acquisition programs. I have been an organizer for the Protect Juristac campaign since 2018, which is a broad coalition of environmental advocates, human rights groups, and faith-based groups.[3]

I have been a co-leader of the Amah Mutsun Youth Group, a group of young adult Tribe members interested in connecting with culture through campouts and visits to important places in Amah Mutsun territory. These experiences emanate from my motivation to connect AMTB members to culture through building relationships with culturally significant landscapes and with one another. Due to the majority of Tribe members living outside of ancestral territory, I believe there to be considerable potential for broad eco-cultural revitalization that is hindered by a lack of exposure.

Collaborative Research Methodology

My positionality has been helpful in formulating research topics and methodologies. I have a situated bias, and I'm accountable to my own community (Haraway, 2013). To ensure research would meet the needs of community members and their interests, I collaborated with Annalise Taylor, a fellow PhD student in environmental science policy and management, to conduct interviews with Tribal elders and culture bearers regarding what they feel is important for community interest relating to supporting and informing Tribal land stewardship (see Steen et al., 2024). In total, we conducted twelve interviews with knowledge holders and cultural practitioners, as well as making regular field visits to the NSC. Their guidance and insight informed my research into Coast stewardship, land access, and environmental advocacy, using the Amah Mutsun as a case study. It also informed the brilliant work of Annie Taylor in bringing together ethnographic and geospatial methods in their research (Taylor, 2024; Taylor et al., 2024).

My relationship-building process with the AMTB community also involved a research interview project, *UC Santa Cruz Humanities Lab: Fourth Grade Critical Mission Studies,* where I served as a collaborator and interviewed ten AMTB members about their thoughts on the impacts of the California Mission System (UCSC IRB Protocol # 2020-01-12905). For seven of these interviews, I documented the interviews using high-quality video and audio recordings, and obtained permission from interview participants to share clips from the interviews for educational purposes. These interviews will also be housed in the Amah Mutsun Land Trust Indigenous Traditional Knowledge database and be accessible to all AMTB members. Three interview participants and elders passed away within two years of the interviews occurring, making it especially important to handle the preservation of their stories with sensitivity and in coordination with surviving family members.

Through this interview project, I was able to meet AMTB elder Nathan Olivas. Nathan, an elder born in the 1940s, has been interested in family history since the 1960s and has amassed a large collection of family records that help tell the story of the AMTB community. As part of

[3] see http://protectjuristac.org/

my responsibility to understand the history of the AMTB, particularly the lesser-documented period of the early 20th century, I collaborated with Nathan to sort and digitize his archival collection. Through weekly visits to his home in Salinas over several months, I established a strong relationship with Nathan and scanned and digitized thousands of pages of cultural and genealogical history, as well as hundreds of family photos. This information will be housed in the AMLT Indigenous Traditional Knowledge database and accessible to AMTB members. Nathan also took me on tours of the local area to show me the places where he used to fish and hunt with his father, as well as the homes where he and his relatives once lived. As an octogenarian, Nathan maintains his involvement in AMTB events and has attended Tribal acorn processing workshops, Protect Juristac Rallies, and other community gatherings.

Ethnographic Methods

In the Summer of 2022, I sought to conduct participant observation alongside the NSC program at Quiroste Valley Cultural Preserve and other areas where NSC stewardship was occurring. However, after two weeks in the field, the NSC program was suspended indefinitely, and all NSC staff were laid off. For many NSC members, this decision came unexpectedly and left individuals grappling with the need to find a new career. The decision sparked broader community discussions about the role of AMLT and its relationship with AMTB community. During the first few months following this pivotal and crushing decision, I suspended my research observations and sought to support Tribal members affected by these changes. In the coming months, I pivoted from participant observation to semi-structured interviews, conducting place-based walking interviews at QVCP beginning in Spring 2023. The interviews were in part continuing to cultivate relationships between people and places they stewarded, as they had not returned in the months since the termination of the NSC program. Though many were still processing their emotions, they expressed pride in their roles as environmental caretakers. At the time of writing in summer 2025, the NSC is set to begin again in Fall 2025. Due to the sensitive nature of these discussions, some insights gathered will not be included in the dissertation to honor the healing process of those involved.

Dissertation Overview

Environmental spaces are inherently political for Tribal nations (Carroll, 2015) and are a forum for recognition for AMTB. In my dissertation, I will contribute to the existing literature by highlighting the crucial circumstances surrounding non-federally recognized tribes, particularly the Amah Mutsun Tribal Band. Unlike federally recognized tribes, these communities do not benefit from formal acknowledgment of their sovereignty, which complicates their efforts in advocating for the protection of their ancestral lands. The AMTB strategically engages in stewardship responsibilities, leveraging regulatory opportunities while maintaining traditional governance structures rooted in land-based relationships. For landless Tribes, this means forming essential partnerships with government agencies or settler nations.

I understand the external acknowledgment and engagement of Tribal nations in managing their ancestral areas through collaborations with landowners as being environmental recognition. This is characterized by external actors affirming the benefits of past, present, and potential future contributions of Indigenous peoples to environmental caretaking. Through models such as Tribal land trusts, this capacity and demonstrated interest in environmental caretaking is signaled. In instances where Tribes are brought in based on their perceived value as environmental caretakers or meeting other goals and expectations from landowners, it may not be an acknowledgement of their sovereignty directly, but can still affirm the existence and legitimacy of Tribal nations. Environmental recognition can help explain the sharp rise in Indigenous peoples involved in tending their natural lands in recent decades. This acknowledgment is related to how Chairman Valentin Lopez consistently refers to academic research that quantifies and demonstrates the abilities of Native Americans, and utilizes land management as a form of validation. This same validation drives collaborations between groups and supports Tribal interests and sovereignty. Academic research enables agency and federal bureaucrats to justify their collaborations by citing something that is understood as a valid form of knowledge.

My analysis will center on the notion that collaborations with various stakeholders are not merely driven by legal recognition but are rooted in a shared understanding of the Amah Mutsun's role in mitigating harmful development on environmentally and culturally significant sites. I will introduce the concept of environmental recognition, which is closely tied to the idea of recognition justice as discussed in environmental justice literature. Environmental recognition emphasizes how Tribal politics and the quest for acknowledgment manifest at a local level, where specific actions and decisions by individuals and organizations play a significant role in recognizing the Amah Mutsun (Johnson & Sigona, 2022). I argue that this focus on recognition has gained prominence, especially in the aftermath of the devastating wildfires that have impacted California. These events have heightened awareness of the vital contributions that Tribal nations can make to effective environmental stewardship. By showcasing these dynamics, I intend to illuminate how the Amah Mutsun Tribal Band has navigated their unique challenges and leveraged their historical knowledge in the context of land preservation and restoration efforts. This perspective not only sheds light on the plight of landless tribes but also explores innovative frameworks—like the land trust model—that facilitate access to their homelands while promoting sustainable practices.

This work comprises three chapters, each making original research contributions, following this introduction and concluding chapter. The first chapter examines the early colonial experiences of the AMTB with a specific focus on land dispossession. It frames this dispossession as being a loss of access, and uses a case study of Juristac, a Tribal sacred site in Santa Clara County. It would become highly coveted by Spanish, Mexican, and American settlers in the 19th century due to its natural resources. More recently, the site has also become the subject of a dispute between landowners seeking to develop a sand and gravel mine at Juristac and Tribal and environmental advocates who have formed the Protect Juristac campaign in opposition to the proposed development. This chapter frames the land loss and the continual efforts by settler landowners to extract resources on the property for profit as comprising a loss of land access for the Amah Mutsun. It argues that not only does the Tribe experience harm from not possessing the property, but that the land uses and the invalidation of AMTB authority constitute another process of severing the connection between AMTB and a sacred ceremonial place.

The second chapter looks at a different way in which the AMTB carries out its environmental caretaking, through a collaborative stewardship project with the California Department of Parks and Recreation in coastal San Mateo County. Here, AMLT uses partnerships to support land access and eco-cultural revitalization at Quiroste Valley Cultural Preserve. I examine the conflict over the meaning of restoration in the context of the Quiroste Valley Cultural Preserve, where tensions arise between parties sharing an interest in environmental caretaking but holding starkly different ideas of what it entails. The chapter focuses on how dominant environmental narratives can inform and shape our understanding of environmental caretaking and can perpetuate the exclusion of Indigenous peoples and knowledge systems from land stewardship.

The third chapter examines how the Amah Mutsun Land Trust has established formal land access and co-stewardship agreements through the use of Memoranda of Understanding. We (Sigona and Johnson) look at five of these non-binding formalized agreements initiated by Tribal leadership and discuss the motivations to create these agreements for both parties, as well as the impacts these agreements have on co-stewardship arrangements. We argue that while non-binding agreements such as MOUs do not transform unequal power relations between tribes and landowning organizations, they provide an expeditious way for Tribal nations to become more engaged in the stewardship of culturally important lands as collaborators and may have tangible benefits for Tribal communities. These agreements are especially important for non-federally recognized or other tribes who are landless or severely lacking access to ancestral areas.

This research presents three cases that illustrate how the AMTB navigates the colonial institutions that control, acquisition, and access through environmental regulations and policy tools. Being non-recognized complicates the assertion of rights and sovereignty. It highlights the unique challenges faced by non-federally recognized Tribal Nations, particularly in accessing their ancestral lands and affirming their identity. It shows how Tribal land trusts can help circumvent barriers to enacting environmental governance and place-based stewardship.

Broader Implications and Conclusion

Environmental recognition has several pitfalls. It can perpetuate the harmful stereotype of the "ecological Indian" (see Krech III, 1999) and limit Tribal expressions of continuity and self-determination. AMTB leadership has sought to engage in eco-cultural revitalization activities by examining traditional foodways and environmental caretaking practices that diverge from agricultural practices, allowing for a significant overlap in interests with ecologists seeking to care for native ecosystems. However, Tribal nations may seek to enact food sovereignty efforts that meet community interests in non-traditional foods, and in California, may deviate from traditional land stewardship practices. Furthermore, epistemological differences may limit the potential of environmental recognition to fully acknowledge how Indigenous peoples engage in land stewardship. This may limit certain ceremonial practices, including the establishment of facilities to accommodate ceremony or hunting practices. Consequently, the effects of environmental recognition by landowners may only extend as far as recognizing and supporting Tribal land access and co-stewardship in the ways that are deemed appropriate by them, and fail to acknowledge and affirm other ways of engaging with place. In other ways, it upends the continual displacement of Tribal members and allows for place-based relationships to be revitalized.

The eco-cultural revitalization of the AMTB has involved a considerable and concerted effort to establish a strong reputation in the environmental world. Chairman Lopez frequently emphasizes the importance of trust in partnerships with non-Tribal entities. While he highlights how the U.S. and California state governments provide no precedent to justify why AMTB should trust them, he makes an exception for those involved in the care of Mother Earth, such as land and natural resource management agencies. Environmental recognition for the AMTB contributes to the building of reciprocal trust. In contexts such as with the AMTB, the micro-level Tribal acknowledgement from local, state, and federal agencies partially fulfills the gap in federal Tribal acknowledgement. Traps of environmental recognition may include settler colonial assimilation as Tribe members work within colonial institutions. However, it may be the most expeditious way to access land and rebuild relationships important for governance systems, Tribal identity, and community wellbeing.

The creation of a renewed Indigenous governance system requires a place-based engagement that transcends Western relational approaches. Tribes cannot inhabit the landscapes they restore, and while there has been progress in Tribal inclusion and environmental governance, tensions persist over the differences between Tribal and settler land use. Currently, the AMTB relies on existing conservation tools such as land trusts, MOUs, and models for land stewardship. These may have baked-in limitations to accommodation of alternative perspectives. The emancipatory potential of Indigenous peoples returning to land is not about having the greatest amount of rights in the settler colonial system over this place, but is about the revitalization of Indigenous governance systems that are grounded in place-based and everyday interactions. This is not about trying to shoehorn Tribal epistemologies into Western structures. This is about understanding how new systems emerge. This calls for continued place-based interactions to rebuild dormant Tribal governance systems. For AMTB, eco-cultural revitalization has involved using Western tools to their advantage, and prioritizing the revitalization of place-based interactions to undo the generations of land dispossession and dormant knowledge. While the tools may be inept in many ways, they have allowed Tribal members to occupy and be in relationships with places that have been without Indigenous caretakers for many generations.

Chapter 2: A history of Mechanisms of Dispossession: The Case of Juristac

Introduction

On a Sunday in September 2019, approximately 400 people arrived at midday in the quiet town of San Juan Bautista in central coastal California. The town's main attraction, an 18th-century Spanish mission, adjacent to the central plaza, draws students and tourists year round. On this day, the main attraction was a prayer walk hosted by the Amah Mutsun Tribal Band (AMTB). With hundreds of people congregating on the outdoor grassy plaza adjacent to the Mission, Tribal members and environmental advocates spoke of the significance of protecting Juristac, a Tribal sacred site and ecologically significant landscape, from a proposed sand and gravel mine. The convening consisted of a 5-mile walk to the Juristac area. The route was symbolic, starting at Mission San Juan Bautista, a place where the Amah Mutsun people experienced violent colonization and religious conversion, and ending at Juristac, a place of traditional cultural and ceremonial significance. The walk for Juristac reflected the AMTB's desire to return to their culturally significant landscape. They had been dispossessed from this land at the start of Euro-American colonization in the late 18th century, and it is part of a broader cultural revitalization effort centered on Amah Mutsun environmental caretaking.

This chapter centers on the history of dispossession of a sacred landscape known as Juristac, which in the Mutsun language translates to "place of the Bighead" in reference to the Tribal Bighead ceremonial dances. I discuss AMTB's relationship with and advocacy for this sacred landscape that has been privately owned for nearly two centuries. I outline the history of the political regimes that have affected Amah Mutsun territory with emphasis on the mechanisms of dispossession, starting with the Spanish Mission Period in the late 18th century. I follow with a description of the Tribe's connection to Juristac using archival records, anthropological field research, and oral history. Finally, I analyze contemporary land-use conflicts between landowners seeking to develop areas of Juristac, and their attempts to invalidate the opposing claims made by AMTB regarding the deleterious effects of these projects on Tribal cultural heritage. The purpose of this chapter is to provide background for how AMTB land dispossession took place through violent mechanisms and continues in the present-day and the conditions created to necessitate a Tribal cultural resurgence in the 21st century.

Dispossession and Its Mechanisms

Understanding dispossession requires attention to two characteristics. First, while dispossession tends to be viewed as a historical event, in fact it is often an ongoing process as demonstrated below. Second, dispossession is usually talked about in terms of land and the material objects on it. Land loss may also involve the loss of identity, the means of livelihood, and sacred spaces and spiritual practices.

The Relationship Between Dispossession and Losing Access

In their path-breaking article, “A Theory of Access”, Ribot and Peluso (2003) differentiate access from property rights. Their article went beyond legal property rights to examine other processes of gaining and maintaining access to natural resources, analyzing broader factors instrumental in determining how users can benefit. With a focus on access to natural resources, they define access as the ability to benefit from things. They conceptualize access as comprising a bundle of powers (in contrast to the bundle of rights invoked in relation to property). Ribot and Peluso (Ibid) describe the mechanisms (means, processes, and relations) by which access is gained, maintained, and controlled. These mechanisms include rights-based access as well as structural and relational mechanisms, including technology, capital, markets, labor, knowledge, authority, identities, and social relations.

While gaining access and excluding the access of others may be related, they may involve distinctive mechanisms and processes. I consider Indigenous dispossession to be a loss of access. In contrast to Ribot and Peluso’s view from the bottom up, I start from the "top down", analyzing how settlers used a combination of powers and rights over time to dispossess marginalized Indigenous people, a characteristic aspect of settler colonialism. I examine the bundle of powers at play in Indigenous land dispossession by settlers.[4] The extensive body of literature about dispossession is beyond the scope of this chapter. Instead, I engage with access theory to provide a new perspective on Indigenous loss of access. Access theory examines access to natural resources as tangible things actors seek to benefit from, particularly for creating livelihoods. In my case study, I focus on access to Indigenous cultural resources, which may be both tangible and intangible. They serve a spiritual purpose rather than creating livelihoods. Tribal Cultural resources, also referred to as cultural heritage, are sites, features, places, and things of value for Tribes. They can encompass natural resources, such as sacred waterways or mountains, and encompass both the tangible and intangible aspects. I turn to a discussion of cultural heritage and sacred places as context for the benefits that Tribal communities derive from cultural heritage and access to sacred places.

Land dispossession may be one component of losing access, specifically the loss of land possession. Its focus on the loss of a right does not accommodate for the many variables comprising loss of access. Moreover, it is also possible to be dispossessed of land but not access, such as through informal agreements that fulfill the desired benefits. In many instances, dispossession is associated with a set of benefits that are lost, but are not encapsulated in the narrow definition of dispossession. Therefore, the loss of access is useful in its ability to capture the many ways access is lost, which may or may not involve the loss of land rights. For Indigenous land dispossession, the high significance of land and its cultural value contribute to losing more than a place, but also an identity.

Violence as a Mechanism of Dispossession

Land dispossession can involve several different kinds of violence. Some of these are forms of violence that are used as mechanisms to dispossess, including physical and legal

[4] I use settler to refer to the dominant mindset informing the policies and institutions imposed by colonial governments in California, but acknowledge the nuance of different cultures and epistemologies in early colonial California. An analysis of settler colonialism and its relevance to the different colonial influences in California is an important topic but beyond the scope of this dissertation.

violence. Physical violence can involve the forced removal of people from a place with acts or threats of violence, including murder and genocide. Legal violence involves lawsuits, eminent domain, and fraudulent land claims, discriminatory legislation and others. In addition to the violence to spur dispossession, there are violent effects of dispossession. Violent effects include violence on culture, economy, psychology, and the environment. These effects compound and reinforce dispossession. I cover these forms of violence in greater detail below. Dorries and Daigle (2025) see dispossession as a violence on Indigenous lands as well as bodies, meaning that both the mechanisms invoked violence and effects of dispossession are violent. For the purposes of this paper, I use violence to refer to the practices by colonizers to limit Tribal access to Indigenous cultural heritage for their own benefit.

Property Law as a Mechanism of Dispossession

Indigenous peoples in what is now known as California had diverse experiences with Euro-American colonialism (Akins & Bauer, 2021; Lightfoot, 2004). This period began at the end of the 18th century, spanning several decades, involving Spain, Russia, Mexico, and the United States. Tribal nations continue to experience colonialism in the present day, as the U.S. is a settler colonial nation imposed on Indigenous lands. I highlight colonial land law as a key component of colonial efforts. I focus on the experiences of Indigenous communities in Central Coastal California, where Spain, Mexico, and the U.S. had a presence. Successive colonial governments of California, beginning in the late 18th century, had differing understandings of property rights. The Spanish government, which first invaded central coastal California in 1769, adhered to the Laws of the Indies, stipulating that the sale or appropriation of Indian lands was prohibited (Wood, 2008). Wood (2008, p.322) describes the property arrangement at the 21 Spanish Franciscan Missions of Alta California:

> The missions were “royal-governmental institutions, erected on land belonging (according to the Spanish viewpoint) ultimately to the Crown although reserved to the natives with the missionaries as trustees.” Thus the missions never had formal titles or grants for the lands they encompassed; the lands were “held in trust for the Indians.”

However, the Spanish crown’s reign over Alta California was short-lived, as Mexico gained independence from Spain in 1821.

Mexico’s independence from Spain in 1821 did not drastically alter mission life in Alta California until several years after it was achieved. Spain was never interested in populating Alta California during several decades of occupation, and only allowed the military and catholic missionaries to join California Natives in the region. At the time of Mexican independence, Alta California was sparsely populated by non-Natives. Mexican land grant decrees in 1824 and 1828 facilitated the influx of settlers, while reserving mission lands for the Indigenous population. Native peoples remained under the control of the missions and were unable to receive land grants. The Mexican government was not invested in the Spanish mission project. In 1833, it created the Mexican Secularization Act to nationalize the missions.

The Act opened up mission lands to Mexican settlers, some of whom had moved to Alta California in preparation for Mission lands becoming available. One stipulation of these land grants was that Native people retained usufructuary rights to use the lands they already occupied and had been using.

Less than two decades later, the Treaty of Guadalupe Hidalgo was signed between the U.S. and Mexico in 1848. During negotiations, the US sought to abolish existing private land claims from past Mexican grants, but eventually agreed to honor them. Through the 1848 Treaty, the U.S. acquired 525,000 square miles of land from Mexico, including present-day U.S. states of California, Nevada, Utah, New Mexico, Arizona, and portions of Colorado, Wyoming, Texas, and Kansas (Gates, 1991) In 1850, California, a part of the land covered by the treaty, was admitted into the Union and became a state (*ibid*.). Despite being former Mexican citizens, Native property rights were not honored due to racism and greed for Native land (Wood, 2008).

Native California Indians who survived the missions were citizens of Mexico as *Gente de Razon* (people of reason), upon their religious conversion. However, they were not citizens of the United States in the American period (Rizzo-Martinez, 2022). Even formerly powerful Californio families faced challenges in the American period. Claims to their land were central to the struggle. The Land Act of 1851 required Spanish and Mexican grantees to document that they held a valid grant within the U.S. legal system (Gates, 1991). Grantees were responsible for paying all associated expenses and, upon a favorable ruling, were required to pay for a mandatory survey of their parcel. With the onus placed on the grant holders, Mexican grantees were often forced to sell all or a portion of their lands to pay legal fees (ibid). The Lands Committee, a group sent from the United States capital, was unfamiliar with the laws and norms of previous Mexican and Spanish land tenure systems. Nonetheless, it presided over hundreds of cases determining the validity of former land grants. Tribal people faced especially difficult challenges with the U.S. In 1852 and 1853, the federal government signed 18 treaties with California Natives, which were never ratified by the US Senate. The lack of ratification was kept secret for 50 years, while state-sponsored genocide against California Native Americans (an example of dispossession by violence) took place.[5]

Indigenous Land Dispossession

Indigenous societies recognize deep relationships with lands and waters as core components of pedagogy, governance, and practicing cultural identity (Coulthard, 2014; Simpson, 2014; Simpson, 2017). Relationships are grounded in reciprocity and care for the non-human world, allowing for sustainable coexistence that lasts millennia (Kimmerer, 2011; Pasternak, 2017). In regions such as North America, these deep place-based relationships experienced violent attempts by colonial forces to sever Indigenous peoples from their homelands. Colonization involved the violent removal of Indigenous peoples from their lands through genocide, removal, and assimilative tactics, and introduced new political economies focused on resource extraction (Liboiron, 2021). The influence of a racist legal doctrine, *terra nullius,* and the implementation of the American system of property rights resulted in the

[5] In the 20th century, California Native leaders advocated for justice due to the U.S.'s failure to honor the agreement to cede over 7 million acres of land to California Tribes, as per the treaty agreement, but this is beyond the scope of this chapter (see Whitely, 2025).

dispossession of Indigenous nations from much of their lands (Nichols, 2020; Moreton-Robinson, 2015).

Over centuries, Euro-American colonization of North America occurred unevenly, initially involving several European nations, and later the settler nations of the United States and Canada. These endeavors involved dispossessing Indigenous peoples of their lands and buying or appropriating the colonized lands of other nations, such as France and Mexico. The origins of property rights in the U.S. are rooted in racial domination, including slavery (Harris, 1993). Native Americans' rights to the lands they inhabited were not acknowledged by Europeans, who claimed the land as their own possession. Colonial powers imposed a racist interpretation of possessing land that embodied white privilege and excluded non-European means of land tenure (ibid). Carol Rose examines the nuances of possession and notes that the form of communication necessary to articulate possession is socially constructed and can exclude others from qualifying for possession. Rose (1985, p.87) states:

> The doctrine of first possession… reflects the attitude that human beings are outsiders to nature. It gives the earth and its creatures over to those who mark them so clearly as to transform them, so that no one else will mistake them for unsubdued nature.

This doctrine, affirmed in U.S. case law (see *Pierson v. Post,* 1805), contrasts with Indigenous perspectives of kinship with non-human relatives.

Pasternak (2017) understands dispossession as a necessary process of settler colonialism, the form of colonialism in which Indigenous land is appropriated to establish a settler society (Wolfe, 2006). While less violent than outright genocide, it is a slow violence affecting Indigenous social, economic, and legal orders (Norgaard, 2019). Using ethnographic fieldwork with the Algonquins of Barriere Lake, a First Nation in Quebec, Pasternak (2017) demonstrated how settler dispossession of First Nations and claims to sovereignty did not acknowledge Indigenous jurisdiction. Jurisdiction, the authority to have authority, is a legal concept that helps understand the specificity of settler colonialism as a legal-historical phenomenon. It is also a mechanism by which governments govern across scales and issues, often overlapping and simultaneous (ibid). Indigenous nations may reject the jurisdictional claims of settler nations on Indigenous lands as being invalid.

Indigenous nations are frequently confronted with the challenging decision of whether to seek their rights in a Western settler colonial legal system that starkly contrasts with Indigenous legal orders and epistemologies (Williams, 1993), or to reject engaging with the settler state (Coulthard, 2014; Simpson, 2017). Political theorist Robert Nichols (2020) argues that in the U.S., the dispossession of Tribal land involved land being simultaneously made into possessable property and possessed by colonial powers. Under U.S. law, for Tribes to claim they experienced land dispossession, they need to demonstrate that they possessed the land in the first place. However, many Tribal land relations do not accept the concept of possessing land. Their environmental governance systems acknowledge relational and non-hierarchical approaches with place. Nichols understands a distinct form of Indigenous stewardship to be emerging within contemporary struggles for land (2020, p.150). He argues that care and responsibility articulated by Indigenous peoples are not only struggles over land, but also struggles over its meaning. Invoking the Latin term *res nullius*[6], meaning nobody's land, Nichols seeks to recategorize land as a thing that is not considered legally possessable, and have it "entirely removed from the sphere of ownership" (2020, p.156). Nichols finds this apt for Indigenous perspectives on place that are not rooted in a hierarchical sense of ownership, but instead in responsibility and kinship relations.

Struggles over land between Indigenous and settler nations include ontological, epistemological, and jurisdictional debates. Nichols (2020) and Pasternak (2017) demonstrate that centering Indigenous knowledge systems in analyses of contemporary Indigenous resistance to settler colonialism undermines many terms of rights-based discourse in the settler colonial process, which purports to advance Indigenous justice (McGregor, 2018). One example of an Indigenous-led effort to counter land dispossession is the Land Back movement. Literature on this movement (discussed in greater detail below) highlights the significance of land for Indigenous societies and underscores the profound impact of land dispossession on the well-being of Indigenous nations.

Cultural Heritage Management as Dispossession

Cultural Heritage Management (CHM) refers to the practice of managing cultural materials. It consists of a well-established yet continually evolving set of laws, guidelines, and regulations (Harrison, 2015). In the U.S., it is commonly referred to as cultural resource management. For Indigenous nations, the way in which the US manages and interprets the past is highly politicized. A legacy of non-Tribal professionals, recognized as experts in CHM, such as archaeologists, is highly problematic. Since the mid-twentieth century, archaeology has predominantly been characterized by logical positivism, as espoused through the theory of processualism (Parsons, 2017). Using rigorous scientific methodology to claim validity, archaeology has garnered authority within CHM, as a removed scientific or intellectual discipline not directly entangled in the political and cultural issues of CHM (Smith 2004). The implication of archaeological authority includes their greater access to cultural heritage materials relative to Tribal Nations. Their perceived expertise is often viewed by non-Indigenous people as superior to that of Tribal voices when dealing with materials belonging to Tribal communities (Ibid). The prioritization of archaeological resources as the totality of Tribal cultural heritage can reinforce conceptions of Indigenous cultures as stagnant and unchanging. CHM has not heeded Indigenous epistemologies, as articulated through oral traditions or traditional knowledge systems.

In the U.S., Native American sacred places are abundant, but Tribes experience difficulty in protecting these areas. Cultural heritage management law places a significant burden of proof on Tribes to claim the historical significance of sacred places, but does not grant rights to more recently identified sacred sites. Deloria states the irony of these laws: "Thus, courts will protect a religion that shows every symptom of being dead but will create formidable barriers if it appears to be alive" (Deloria, 2003, pp.281-282).

Standing Rock Sioux writer and intellectual Vine Deloria Jr. understands that there are many kinds of sacred sites, including places of historical significance, locations where higher

[6] Terra nullius and res nullius are often conflated but distinct since with terra nullius, land is possessible

powers have interacted with humans, places of overwhelming holiness, and those that have yet to be revealed (Deloria, 2003). He describes sacred places as representing the presence of the sacred, and how they remind us of our responsibilities to the natural world (ibid). As Winnemem-Wintu Chief Caleen Sisk remarks, ceremonial sacred sites are chosen by the Creator, and unlike a church or other constructed place of worship, ceremonies cannot be simply relocated (Dallman et al., 2013). Native American sacred sites hold intangible power. Often the place itself plays a role in ceremony. Deloria (2003, p.280) describes the power of Native ceremonies:

> ...the ceremonies have very little to do with individual or tribal prosperity. Their underlying theme is one of gratitude expressed by human beings on behalf of all forms of life. They act to complete and renew the entire cycle of life, ultimately including the whole cosmos present in its specific realizations, so that in the last analysis one might describe ceremonials as the cosmos becoming thankfully aware of itself.

Native sacred sites and their associated ceremonies benefit not only practitioners but also the broader community. Deloria remarks that a site sacred to a Tribe may have protocols for select individuals to do ceremony at these places. Nevertheless, these practices are important for the community at large. Many Tribes hold world renewal ceremonies that are intended for the well-being of all life (ibid).

Land Back: Resisting Dispossession

The Land Back movement addresses the return of colonized land to Indigenous peoples (Dorries & Daigle 2025). The movement has broader goals beyond changing who possesses the land. Dorries and Daigle (2025, p.1) describe the encompassing vision of this movement:

> [W]e aren't asking for just the ground, or for a piece of paper that allows us to tear up and pollute the earth. We want the system that is land to be alive so that it can perpetuate itself, and perpetuate us as an extension of itself. That's what we want back: our place in keeping land alive and spiritually connected.

The authors call for a "reimagining of the world beyond private property regimes and colonial capitalist extractivism" (2025, p.2). The calls for Land Back embody a desire for the holistic revitalization of Indigenous kinship relations with more than human beings. Indigenous land dispossession not only altered land tenure systems but also ruptured the relationship between Indigenous peoples and place, with impacts to worldviews, politics, and identity. Daigle and Dorries (ibid) describe how, given the relationality of land and body for Indigenous life, land dispossession results in violence on Indigenous bodies. They argue, "Colonial dispossession destroys the relations with land that are at the core of Indigenous governance structures, knowledges, and languages. Human and nonhuman relations are altered through the violent impacts of environmental contamination, pollution, and culminating impacts of climate change" (Dorries & Daigle, 2025, p.7).

Indigenous peoples fighting for land return are not only articulating their right to land as defined within settler property law, but also articulating the significance of land as critical for informing governance, practicing ceremony, and exercising responsibility to land as caretakers (Bowers & Carpenter, 2022; Huntsinger & McCaffrey, 1995). Dorries and Daigle (Ibid) note the complexity of land back, being "shaped by issues relating to Indigenous law and political authority, land and colonial property making, state surveillance, bodily and sexual sovereignty, the restoration of ecological relations, Black and Indigenous solidarites, and the (re)building of Indigenous kinship and internationalism" (Dorries & Daigle, 2025, p.4). The effects of land dispossession on Indigenous peoples cannot be encapsulated using a property rights-based approach that assumes social benefits and harms are delineated by an assessment of who possesses the land according to colonial law. Thus, discourse about land dispossession and subsequent land return must engage Indigenous epistemologies to move beyond notions of land bound in private property relations and colonial capitalist extraction (Corntassel, 2021).

The Case of Juristac

Amah Mutsun Tribal Band

The Amah Mutsun Tribal Band (AMTB) are an Indigenous community from central coastal California, located around present-day Monterey Bay and are part of the regional Ohlone cultural group. At the time of this writing, the many pre-colonial, politically distinct Ohlone Tribes are represented regionally, due to political reorganization and a sharp population decline since colonization. The Amah Mutsun family lineages survived the missions of Santa Cruz and San Juan Bautista. At the time of this writing, the Tribe is revitalizing cultural practices and affirming its identity as a Tribal nation despite not being acknowledged by the U.S. as one of the 574 federally recognized Tribal governments.

The AMTB have no land base, which is characteristic of the settler colonial interest in freeing up land for settler populations. The influx of successive settlers, the resulting land-use disputes, and capitalist extraction at Juristac illustrate how dispossession has unfolded over centuries. All the while, Juristac has remained a critical sacred landscape for the AMTB. To understand the scope of the Tribe's efforts to return to Juristac, I sketch out pre-colonial Indigenous life, and then address the colonial era and the subsequent land disputes at Juristac.

The central coastal region of California is characterized by a mild climate with cool dry summers and temperate, wet winters. At the southern end of the Santa Cruz Mountains, twenty miles inland from the coast, lies the San Juan Valley. Juristac is a Tribal cultural landscape in the northern San Juan Valley, adjacent to the Santa Cruz Mountains and the Pajaro River. For millennia, the valley hosted an abundance of life, with rolling prairie-covered hills, oak savannahs, and wetlands home to countless migratory birds, tule elk, and many other life forms (Grossinger et al., 2007). Indigenous peoples lived sustainably within this ecosystem for thousands of years. They depended on the landscape for subsistence and tended plant communities using practices such as weeding, pruning, and culturally prescribed burning.
For untold generations, thousands of Indigenous peoples lived in the Valley (Grossinger et al., 2007). They had names for the hills, settlements, and sacred places that encompassed the richness of local biodiversity and habitats. Places such as Amah Irek (rock people), Juristac

(place of the Big Head), Ippihtak (place of the rattlesnake), KooTehtak (place of the gopher snake), Kkululuulistak (place of the elbow), and WweleeliSmo (place of the salamanders) were animated with ancient stories about the relationships between people and places. These places honored the non-human relatives who were abundant there. The Valley and the surrounding areas were also historically rich, shaped by the cultures of Indigenous peoples.

The Valley was stewarded by several politically distinct Indigenous Tribes, including the Mutsun, Unijaima, Pagsin, Ausimas, and others. These Tribes are believed to have spoken the Mutsun language and were part of the regional Ohlone cultural group, which spanned from Monterey Bay to the San Francisco Bay. Diverse cultures developed as Tribes occupied their homelands over time. They participated in communal, place-based ceremonies and understood that certain places held spiritual power. The region was enlivened by cultural diversity, forming one of the most populous regions of Turtle Island[7] north of Tenochtitlan.[8] Food production did not depend on plant or animal domestication or on agricultural practices, but rather on tending naturally occurring local plants through burning and coppicing, to support healthy habitats for native flora and fauna. Within the region, there are many sacred sites, including Juristac.

Juristac as a Sacred Place

Juristac is at the heart of the AMTB ancestral territory and means "place of the Big Head dance," home to the spiritual leader Kuksui. The specific bounds of Juristac are unclear, but it became the name of a historic Spanish Rancho nearly 8,000 acres in size. Today, the Tribe understands the historic rancho to comprise the core of Juristac and views the region as a sacred landscape. Ascension Solorsano de Cervantes, known as “Ascension”, was a Mutsun Indian and spiritual leader whose family survived Mission San Juan Bautista. In the later years of her life, Ascension provided testimony to ethnographer J.P. Harrington. Harrington recorded thousands of pages of notes of her stories, mostly concerning the Mutsun language, but also including stories of important people and places. The stories Ascension passed on to Harrington are understood by the Amah Mutsun today as being sacrosanct knowledge.

Ascension told stories of La Brea, a former Indian village site within the Juristac parcel. She said the ranches of both of her grandfathers were there, and that she lived there as a young girl in the late 19th century (Harringon, R58:0284b). Ascension spoke of the spiritual leaders living in the nearby hills and medicine men who performed supernatural feats. As a young girl, she remembered visiting a medicine man in the hills with her parents (Harrington, R58.2 F364.1- 365.1). The Kuksu religion was an important practice for many Native peoples throughout California. Ascension Solarsano identifies the Cucusuy ceremony as occurring at Juristac:

> The Cucusuy used to come at midnight dressed in nothing but feathers, all his flesh, when the man was making his speech. The Cucusuy used to attend that hill flying, not treading the ground from the time that he started to go up the hill, and zigzagging. There was a spring on top of that hill which they called the Water of Life. That Cucusuy went to

[7] An Indigenous name for North America
[8] Present-day Mexico City

> four places between midnight and daybreak, and one of those places was Mission Peak over there at San Jose Mission, and when he would come back he brought a little basket full of water and he delivered that little quantity of water to the captain[9], and while the speechmaker was talking to the sick person (Harrington, R58.2 Frame 359.1).

Ascension described how Cucusuy used to sleep "hung by the mere nails of his toes on any old limb of a tree, head down" and how her mother attended a ceremony involving Kuksu (Harrington, R58.2 Frame 359.1). Ed Ketchum, Amah Mutsun Tribal Historian, understands Kuksu to reside in the trees of the hills at Juristac, in what is known as the Sargent Hills (E. Ketchum, personal communication, July 18, 2025).

The Kuksui practice was observed amongst neighboring Tribes in the Central California region. Anthropologist George Mason describes its prominence in his *Ethnology of the Salinan Indians*:

> The Kuksui dance...is an example of a mythological character of notably wide range...Kuksui was a prominent mythical character among the Pomo Wintun, Maidu, either the Costanoan or Miwok, and possibly other families of Indians, and dances in his impersonation are held by these groups. (Mason, 1912, p.188)

Alfred Kroeber, an early American anthropologist who worked with many California Tribes, details this "cult" in his "Handbook of California Indians." He refers to it as an "esoteric society" (1925, p.656) and describes how the religion spans many Native groups, mentioning one particular Kuksui dance that occurs at Mission San Jose, just north of Mutsun territory (Ibid). Ed Ketchum, a descendant of Solorsano and current AMTB Vice Chair, has heard a story about when Kroeber visited his family in the early 20th century and declined an invitation to go into the hills above La Brea (Ed Ketchum personal communication, July 18 2025). Some family members speculate he was too afraid. By the 20th century, anthropologists were documenting a culture that had been under attack for over a century, and Kuksui practices were likely more abundant than what was recorded at that time. The fear that Kroeber may have held of the La Brea Hills was not relegated to non-Natives. A story from a Native man, Noyola, demonstrates the power of the La Brea Hills at Juristac. He recounts being tempted to give his soul to the Evil Spirit in order to become a better horseman:

> I went to a place where I thought I could find the devil. It was a spot between La Brea and Los Bancos (the banks) where the witchmen were in the habit of talking to the owls. ...I whistled for the devil and he appeared as a very stylish cavalier, richly dressed and riding a perfectly-groomed black horse. He told me to be a good rider I must pass three tests. (Martin, 1932, p.48)

Noyola describes how he passed the first two tests, and the devil informed him that a serpent would appear before him for the final test: The serpent raised its head and uncoiling, elevated himself until he was opposite my face. He put his lips to mine and when I opened my mouth in

[9] Captain is used to refer to Tribal leaders

amazement, he started to put his head inside. I cried out in fear and the snake and the horseman instantly disappeared. I had lost my chance to be a good rider (Martin, 1932, p.48). Noyola's story identifies the hills of La Brea as a place of power even during Spanish colonization, showing how the power of the hills continued into the colonial era. The AMTB seek to return to Juristac but continue to face barriers, including legal barriers of not possessing the land and a lack of political status as a sovereign Tribal nation. The severance of Juristac and Indigenous peoples began during the first colonial incursion into the San Juan Valley, in the late 18th century.

The Establishment of Spanish Missions: Dispossession by Violence

In 1769, a Spanish overland expedition led by Gaspar de Portola traversed through Ohlone lands for the first time. Portola's journey through much of this territory was in error, as the expedition wandered far past their intended destination of Monterey Bay and into the San Francisco Bay region. Soon after, the Spanish expanded their colonial empire north into California from present-day Mexico to establish military presidios, missions, and pueblos. The Spanish sought to claim territory in order to curb the southward expansion of Russian trapping outposts. Spanish influence in the region grew quickly, and a 1770 expedition led by Pedro Fages was the first Spanish incursion into the heartland of Mutsun language speakers.

Following the establishment of Catholic missions in Baja California, Franciscan priests founded missions along the new frontier of Alta California. In 1770, the Spanish founded Mission San Carlos Borromeo at Monterey. The mission was moved to Carmel in 1771, 28 miles southwest of the San Juan Valley. From there, priests began to spread Catholicism and the Spanish way of life to local Indigenous communities, scrupulously documenting the Tribal and residential affiliations of Native people who were baptized. According to their records, a handful of Mutsuns, Pagsins, and Ausimas from the San Juan Valley region were baptized at Mission Carmel and later at Mission Santa Cruz (founded in 1791). With the founding of Mission San Juan Bautista in the heart of the San Juan Valley in 1797, Mutsun-speaking Tribes were directly threatened by the Spanish colonial enterprise for the first time.

Mission San Juan Bautista, erected on the homelands of the Motssum people near their village of Xisca, was the fifteenth California Mission established by the Franciscan order (Milliken et al., 1993). The site where Spanish priests decided to erect the mission was referred to as "Popeloutchum" by the Motssums (*ibid*.). The Motssum were one of several Tribes who spoke Mutsun, a language closely related to other Costanoan/Ohlone languages such as Rumsen, Awaswas, Tamien, Chochenyo, and others. With the establishment of the Mission, the priests began their work of recruiting and converting Native people, as well as establishing a self-sufficient outpost through agricultural operations.

The labor needed to support the mission's agricultural work fell upon the newly baptized Indians, whom the Spanish called "neophytes." Under the stern eyes of priests, Native people built mission adobe buildings brick by brick, managed livestock, and grew crops. Native people also engaged in craft production, making leather, textiles, and other trade goods. The work tasks and other aspects of mission life were completely different from traditional ways of life for Native peoples, who had not previously lived and worked with domesticated plants and animals, pottery, or permanent architecture, and who had never been forced to live according to a Western work schedule. One example of how the imposition of foreign colonial customs onto the California landscape was unfitting, was the earthquake-prone architecture, which Yve Chavez (Gabrieleno Tongva) understands as being a "prioritization of aesthetics and monumentality over safety and practicality" (Chavez, 2025, pp.76-77). Living at the missions forced Native people to change from a seasonally mobile way of life to a completely sedentary one, preventing them from living in their homelands. Living in the missions also exposed Native people to deadly European diseases, for which they had no immunity.

From mission records, we know that 2,781 Native people were baptized at Mission San Juan Bautista between 1797 and 1840. Records show that people from three major language groups formed communities and intermarried at the mission, becoming known as the Juaneños (Milliken et al., 2009). The aggregation of peoples from many Tribal groups at the mission restructured local Indigenous political systems:

> Over twelve years, from 1797-1809, virtually all of the local people from the three tribes in Gilroy and Hollister Valleys, and from adjacent tribes in the surrounding hill country, were absorbed into Mission San Juan Bautista. Tribal villages of 40-300 inhabitants were replaced by a single mission community of over a thousand Indian inhabitants. (Milliken et al., 1993, p.11)

This was not unique to Mission San Juan Bautista. All along the California coast, missions similarly aggregated Tribes, and Native experiences in these settings were often violent.

Two epidemics in the first decade of the 19th century came through Mission San Juan Bautista. In 1802, an unidentified disease spread from southern California, reaching San Juan Bautista in March (Milliken et al., 1993). Next, in 1806, a measles epidemic is believed to have come from the east in the San Joaquin Valley. Milliken et al. (Ibid) speculate that the impact to the population killed one quarter of the San Joaquin Valley population, which was then followed by other diseases spread to these same villages. Although the outbreak severely impacted the San Joaquin Valley and the San Francisco Bay Area, it was not as deadly at San Juan Bautista as it was in the Bay Area missions to the north (Milliken et al., 2009).

According to Ascension Solarsano, an Indigenous healer and a fluent Mutsun language speaker whose stories and knowledge were recorded by American Smithsonian ethnologist John Peabody Harrington in the 1920s-30s, as noted above, the Mission period was catastrophic for Native people.

> When the first colony arrived at San Juan they seized the rancherias of the Indian populations here. The Indians at San Juan resisted and did not want anyone to enter their rancherias. San Juan was chosen because the land was higher. They began to build adobe houses. The Indians who were in the rancheria there, [the Spanish kept them] stayed there. The rest of the population of the rancherias retired to the hills. They moved thither, because they did not like the Christians, fighting with arrows and slings and whatever else they could.
>
> Little by little the Indians were brought in the soldiers would go out, get a certain bunch of Indians and bring them back to the mission where they gave them their

> houses to live in. They made the men and women work all they could at doing anything. It was just for making them tame. Many were getting sick and some running away. Those who were still wild there in the hills wanted to get even with those Indians that lived in the mission more than they did with the Spanish. If they got hold of those Indians of the mission out in the country somewhere, at once they cut a strip of skin from his back and tied it on him like a necktie and told him to go home and tell the Spanish.
>
> That is why we, not even when my mother was a girl, never knew the name of the rancherias nor heard them mentioned, for the Indians had run away from them or had destroyed them in the fights. It was very seldom when some old man was going somewhere over in the hills that he would say: "Here was where the Indians lived," or "Here was where they had their rancheria." (Harrington, R59.1 F73.1-73.2)

As described by Ascencion Solarsano, many Native people did not go willingly to the missions, but chose to resist Spanish efforts to force them into the mission system. Often, resistors would steal horses, cows, and oxen (Triana, 1917). Soldiers would then go into the hinterlands to search for the Native people and their livestock. According to an account from the diary of Spanish soldier Jose Dolores Pico from late 1815, a group of soldiers departed from Mission San Juan Bautista for the San Joaquin Valley and attacked several villages, including the rancheria of the Cheneches Tribe. Before dawn, their party ambushed the village, capturing “66 souls,” among them “Christianized Indians and Gentiles.” Soldiers continued to seek villages with horses belonging to the missions, and two days after their raid at Cheneches, they killed three Native people, one being a “Christian from the Mission of San Juan,” in another ambush (Pico, 1815). These raids show the violence with which Spanish colonial rule was enforced.

Ascension Solarsano heard similar stories told by Natives of Spanish soldiers capturing of Natives from the San Joaquin Valley:

> I used to hear many stories of how they used to bring in the Tulareños to the Mission, after all the Indians that lived around here in the hills had already been captured, but there was only one woman who used to tell me that she herself had seen, for they captured her in the Tular and brought her to the mission. I knew that old woman at Gilroy. She was named Maria Castro, she had been captured and the Castros kept her. …It was a very sad thing when they were capturing the Indians. They brought Maria and her daughter in along with other Indians. There were two or three babies in each saddle bag, the saddles used to have a bag at each side, and they made the mothers go along behind their babies, with their thumbs tied together, well tied together with hemp string that they sewed and made at the Mission. And they were tied at their arms and bodies with lariats and whenever a stop was made their babies were taken and given to their mothers so that would give them to suck. Some of the babies died in the saddle bags (Harrington, R58.2 F99.2-100.2).

Not all Native people taken to Mission San Juan Bautista were forced to live in the residences near the mission church. Some communities lived at mission-owned ranchos several miles away for the purpose of livestock production. Father Triana, writing in 1918 and informed by missions records and conversations with fellow Mission San Juan Bautista priests from earlier times, described the main Native labor at Mission San Juan Bautista as being “Sheep shearing, branding cattle, cattle slaughtering, sowing, and harvest gathering” (Triana, 1917). Sheep shearing took place at many of the ranchos surrounding the mission, including “San Matias, Carneros, Brea, Natividad, Santiago, Aromas, Santana and San Felipe.” In 1825, there were 15,226 sheep under the care of Native shepherds in ranches belonging to Mission San Juan Bautista (Ibid). With this general sense of Mission San Juan Bautista, I turn to Rancho Juristac.

Rancho Juristac in the Spanish and Mexican Periods: Dispossession by law, secularization, and violence

The main rancho for Mission San Juan Bautista was known as Rancho Juristac, also referred to as Rancho La Brea (denoting its significant tar seeps). It quickly became the center of a land dispute between mission priests and Mariano Castro, a Spanish soldier who was retiring and interested in receiving Rancho La Brea as a reward for his military service. In 1802, Castro wrote to Spanish authorities requesting a viceregal grant for La Brea, one of the two livestock grazing sites for the Mission at San Juan Bautista at that time. The mission priests were quick to protest this claim, and in 1803, they built a residence for their Spanish foreman and the converted Native workhands at La Brea to support their claim that they were already using the Rancho. It was documented as a Mission outpost in 1803 (Milliken et al., 1993), six years after the founding of the Mission. Juristac, or La Brea, was recorded as the site of baptisms of Unijaima peoples in the winter of 1802 to 1803 (Ibid).

Milliken et al. (Ibid) understand that the priest’s primary motive for establishing dwellings was to prevent Castro or others from claiming La Brea. In 1804, a letter written by Father Jose Martiarena of Mission San Juan Bautista claimed that the land in question was crucial to the mission's success, and a permanent village had been established at the rancho there (Ibid). In the following year of 1805, Governor Arriliaga wrote to Castro and urged him to choose another rancho. Castro acquiesced and chose Rancho Las Animas, adjacent to Juristac, as his settlement. The mission continued its livestock operation at La Brea for several years, supporting the production of leather hides and wool. However, Spain’s authority would soon become contested, and a new government would oversee the missions and all of Alta California.

In 1829, Manuel Larios and his family, Mexican immigrants moving north, moved to Rancho Juristac. Milliken believes they were possibly there to serve as protection from horse-stealing eastern Tribal groups, and also to prepare for mission secularization (Milliken et al., 1993). The German brothers, Antonio and Faustin, joined the Larios family shortly thereafter, prompting Fr. Felipe Arroyo of Mission San Juan Bautista to write to the Señor Alcalde about how he loaned the Juristac property and adobe to Faustino German, but had worries that they would build upon the land and subsequently claim it as their own (Milliken, n.d.). He asked Señor Alcalde, in a letter dated 1832, to prevent the Germans from building on the land, in order to restrict their ability to claim it by alleging that they had made improvements to the property, a common method of land claims (ibid). In the following month, Fr. Jose Anto De Anzars weighed in, informing the Alcalde in a letter, “The place Juristac which is sought in this petition is one of the best tracts of land this Mission has where there are Rancho’s of sheep belonging to the same, by which reason what is sought cannot be granted" (Milliken, n.d., p.1323).

Just as feared by the priests, the German family wrote to the governmental authority, the Alcalde, to ask for the Juristac parcel. But Jose Figueora, the local Alcalde, informed the brothers that the land was out of his possession:

> As the loan of the said land was provisionally made to the parties interested by the Rev. F. Fray Felipe Arroyo it is not in the power of the government to dispose of that land, in consequence they shall withdraw their petition let it be made known to the parties that they may solicit some other vacant place. (Milliken, n.d., p.1399)

The German brothers remained on the Rancho, biding their time to try their claim two years later when the secularization process was initiated and many Mission landholdings could be claimed by Mexican citizens.

In June of 1835, the German brothers appealed to the political chief, imploring that their labor and improvements to the property supported the validity of their request, the method feared by the priests. Jose Tiburcio Castro, newly appointed administrator of secularized Mission San Juan Bautista, supported the Germans' claim with one stipulation, writing " The tract which is solicited can be conceded without injury to this village, subjecting to the parties interested, a quarter of a league from the Arroyo de Pajaro to the main road toward La Brea" (Milliken, n.d., 1401). The stipulation to allow the Indian village to be unharmed affirmed Indigenous usufructuary rights to the Indians already living at Rancho Juristac, which was a common practice in all Mexican land grants. The German brothers initially objected to this stipulation but ultimately acquiesced and were granted the rancho on October 22, 1835 (Land Case 396 SD, n.d.). It is unclear whether the German brothers harmed the villagers, but we learn from future testimonies by Antonio German that the Indians left the area the following year, and the brothers claimed the parcel as their own (Land Case 396 SD, n.d.). However, the control of Alta California by the newly formed Mexican government would be short-lived, and a new government, complete with its own property system, would emerge, jeopardizing the land claims of the German family.

The Spanish Mission period introduced a violent change in Indigenous life, where Tribal autonomy was violently restricted. The efforts to convert Native people to the Spanish lifestyle involved concerted efforts to suppress Indigenous cultural practices, including language, religious practices, and diet. It created a system where Indigenous peoples were laborers for the Mission. This would evolve into Native peoples working for higher caste landowners during the Mexican period.

Juristac in the American Period: Dispossession by Violence

Alta California was not formally acquired by the United States from Mexico until the 1848 Treaty of Guadalupe Hidalgo, but American General Fremont's invasion and military occupation of California in 1846 marked a shift in the political climate. The following years involved negotiations for the Treaty of Peace and Friendship, or Treaty of Guadalupe Hidalgo between the United States (U.S.) and Mexico. During negotiations, the U.S. did not want to honor the private land claims from past Mexican grants, but eventually acquiesced. The U.S. acquired 525,000 square miles of land from Mexico (Gates, 1991).

Tribal people faced especially difficult challenges with the arrival of the United States. As noted above, between 1850 and 1851, California Native communities and the federal government signed 18 treaties, reserving approximately 7.5 million acres of land (Akins & Bauer, 2021, p.146; Whitely, 2025). In 1852, the U.S. Senate rejected the treaties, and the decision was kept secret for 50 years (Akins & Bauer, 2021). Historian Benjamin Madley estimates there to have been a precipitous population decline of California Native Americans from as many as 150,000 in 1846 to 30,000 in 1870, with an estimated state-sponsored murder of between 9,000 and 16,000 Native people (Madley, 2016; see also Lindsay, 2012). At least 5 Indians were killed in Santa Clara County between 1852 and 1863 ("Timeline of Genocide Events," 2020). The genocidal events in other regions of California were much more horrific, but Native people in this region continued to face persecution and slavery.

From the onset of Euro-American colonization, property rights law shifted several times and severed connections between Native people and place. First, Juristac changed from an Unijaima village to the mission outpost Rancho La Brea. The mission outpost consisted of many different Native families under a non-native foreman. They were coerced to labor under mission rule. After mission secularization, the German brothers became rancho grantees, and the Native people stayed at the rancho and continued to work as laborers. Mexican Rancho grants provided usufructuary rights to Native people living in the areas granted. At Rancho Juristac, Native people were allowed to occupy a portion of the grant, and the Mexican government stipulated that one quarter of a league from the Pajaro River on the west bank was reserved for Indians (Land Case 396 SD, n.d.).

It is unclear whether Native people continued to live at Juristac in the American period after the German brothers sold Rancho Juristac. In the early American period, Native servants were commonplace in the San Juan Bautista region, and many neighbors kept Indian servants or slaves (see Milliken et al., 1993). Native people in California were often not counted as citizens during the American period, making land ownership legally impossible for them (Rizzo-Martinez, 2022). Ascension Solarsano describes the political climate for Indians during that period:

> "When the Americans came, the native people did not leave their lands because they did not know how to manage them, do not think that. They left them because they had much fear of the Americans and because they were told to get out. Nearly all of them lost their lands." (Harrington, R58.1 F354.1)

The story of land loss and displacement began at the onset of colonization and has continued to shape Native relationships to place for the descendants of the San Juan Indigenous community.

Extractive Violence

Landowners of Juristac have over time benefited from the natural resources at the property. The petroleum deposits at Sargent Ranch were plentiful, and described as coming to the surface from several hundred places (Shortridge, 1896). A Santa Clara County report describes the oil deposits at Sargent Ranch in detail:

> Around the turn of the twentieth century, the Watsonville Oil Company began operating on 3,269 acres of James P. Sargent's land. By 1948, when the Sargent oil fields were abandoned, the fields had produced a cumulative total of 780,000 barrels of oil. This was the largest amount of oil produced by any oil field in the San Francisco Bay Area (Maggi et al., 2003, pp. 19-20).

Today, Sargent oil field is the only site in the county where oil operations are active.

The Sargent Quarry project seeks to establish a new mode of natural resource extraction. The project seeks to create a 30 year sand and gravel mining operation that would affect 403 acres of intact grasslands. The Sargent Ranch is owned by the Debt Acquisition Company of America, a corporation based in San Diego California that buys distressed debt as an investment strategy.[10] They seek to create a sand and gravel mine as an economic opportunity to benefit from their decision to acquire the Sargent Ranch in 2013. For project representatives, establishing a new source for local materials represents a "farm-to-table" approach (Duggan, 2022).

The American period brought capitalism to the Juristac landscape, including the cattle of Henry Miller, the largest landowner in California, and known as the "Cattle King of California." From livestock to oil production and novel mining proposals, the landscape Juristac experienced an abrupt shift in the kinds of human land use as a result of ongoing Euro-American colonization. As a place of power and ceremonial use, Tribal people utilized the land as a place of residence and ceremony. Later, settler landowners valued Juristac for the extant economically valuable natural resources. Extractive practices at Juristac can be understood as a form of violence on the non-human world, and also have negative impacts on AMTB members. The violence of extraction is enabled by legal property rights that affirm the ability to undertake extractive practices. In the case of the Sargent Quarry, a low-level permit is required. Extractive violence relies on the mechanism of the law.

Amah Mutsun Federal Acknowledgement

AMTB not only have been displaced from Rancho Juristac, but are a landless community displaced from the entirely of their ancestral lands and lacking political status as a sovereign Tribal nation from the U.S. government. Panich (2013) understands that the reason many of the Ohlone Tribal communities, such as the Amah Mutsun have lost federal acknowledgement is due to the perceived absence of Tribal cultural practices in the colonial era, which settler state authorities deemed them no longer a Tribal community (Hart, 2018). Consequently, generations of land dispossession and the

[10] See https://www.bbb.org/us/ca/san-diego/profile/estate-planning-and-management/debt-acquisition-company-of-america-1126-17000442

AMTB's loss of federal acknowledgement in the 1920s following a report by U.S. Indian Agent Lafayette Dorrington. Following this decision, few government resources were provided to AMTB, and the Tribal community largely became agricultural laborers and did not have a home base such as a rancheria. The lack of acknowledged political status, complemented with limited opportunities to exercise place-based cultural practices were part of assimilation pressures. Indeed, AMTB extinction narratives increased with a lack of political status or rancheria for the community.

Rancho Juristac was frequented somewhat regularly into the early 20th century, by Ascension Solarsano, who took her children and grandchildren there to gather medicine. AMTB Vice-Chair and Tribal Historian Ed Ketchum's grandmother, who was raised by her grandmother, Ascension, recalls only two sites where Ascension collected medicinal plants, one being the riparian area along the Pajaro River at Juristac. Ketchum was taught that the medicine embodies the power of the place where it grows, and only certain sites provide plants with important healing properties (E. Ketchum, personal communication, July 18, 2025). Tribal peoples have not been able to access Juristac for several generations, but stories tying the Tribe to the place are strong. The sacred qualities of this place continue to benefit Tribal members, even without their ability to legally access it. The restriction of property and access rights came in waves, beginning with Spanish colonization in the 18th century. In later years, the Juristac Ranch, also known as Sargent Ranch, would experience a decline in Tribal presence. In the 1940s, Amah Mutsun elder Nathan Olivas recalls going with his father to different Juristac areas to hunt rabbits and harvest mushrooms for subsistence purposes (N. Olivas, personal communication, November 23, 2021).

Counter-dispossession Mechanisms

AMTB efforts to counter their dispossession of and lack of access to cultural heritage, has involved the use of state legal mechanisms. In 2016, the Sargent Quarry Project environmental review process was initiated, a necessary step to attain the needed permit from Santa Clara County. The environmental review process is mandated by the California Environmental Quality Act (CEQA). CEQA calls for a review of the implications of the project on the environment, and incorporates public comment and testimony on the Draft Environmental Impact Report (DEIR). CEQA is procedural and is a factor taken into consideration when the appropriate agency deliberates a land-use proposal such as the mining permit. However, even if the EIR concludes there to be several significant and unavoidable impacts from the project, government officials can choose to put forth a statement of overriding consideration and make a decision in contention with EIR findings.

The 2014 California Assembly Bill 52 (AB 52) modified the CEQA environmental review process. AB 52 pertains to Tribal Cultural Resources, and mandates that EIRs consider impacts to Tribal cultural resources. While cultural resources have long been a consideration under state and federal environmental review, AB 52 specifically stipulated that California Tribal communities who are Most Likely Descendant Communities on the state Native American Heritage Commission Tribal Contact List are the experts of Tribal cultural resources. This important modification of the EIR affirms a government-to-government relationship between agencies and Tribal nations, prioritizes Tribal perspectives instead of archaeologists regarding defining cultural resources, and intends to mitigate project harms to Tribal cultural resources.

The legal mandates for Tribal involvement in the CEQA Environmental review process has been the mechanism used by the AMTB to counter the continual dispossession of their heritage at Juristac. I understand CEQA and similar laws dedicated to protecting the environment as being property rights, where the public is able to ensure that private landowners do not infringe on the rights of the public regarding the wellbeing of natural and cultural resources. Tribes are able to use their rights of delineating and enforcing the protection of Tribal cultural resources.

Both the Sargent Quarry mining proponents and Protect Juristac Campaign have sought to influence public opinion. Since public input is considered for the decision making process, these endeavors are attempts to use the mechanism of the law to their advantage. Here, I provide an example of how the Sargent Quarry mining proponents sought to invalidate some claims made by AMTB, through an informational webpage.

The Sargent Quarry website was launched in 2017 to delineate the benefits and necessity of the mine. In 2022, the site was removed and has not been replaced to date. Notably, the site included a page dedicated to addressing “claims” made by AMTB related to the Sargent Quarry project and its connection with Juristac. Sargent Quarry included a response to these claims, in a corresponding “Facts” column. The following table shows the statements made by the project applicants on their website http://sargentquarry.net. The materials were accessed through the Wayback Machine and features information from the website as it appeared in 2022.

Figure 2.1

Table from Sargent Quarry webpage[11]

Amah Mutsun Claim	**Facts**
Sargent Ranch was home to Juristac, their most sacred village, a place where sacred ceremonies were held and home to Kuksui, a famous and powerful spirit.	The village of Juristic was first referenced in the Spanish explorer Pedro Fages’ journals. Fages lead an expedition from Monterey Bay up the Pajaro River into Mutsun-speaking areas in 1770 and again in 1772. The villagers living in the San Benito and Pajaro River drainage saw Europeans for the first time during these expeditions, as they went past villages of the Ausaima and Unijaima. The explorers described seeing villages at the mouth of the Pescadero Creek, which may have been the Juristac village (Milliken R. T., 1993, p. 49). Various maps place the Juristac village at different locations. Hart stated that Rancho La Brea was the location of a Mutsun village and provided a map titled Diseno del Rancho Juristac from the United States District Court case for the recognition of the German brothers’ land grant which placed Rancho La Brea east of Tar Creek, north of where it empties into the Pajaro River (Hart, Winter/Spring 2003, p. 54). Kroeber placed Juristac south of the Pajaro River and east of the San Benito River, right near the present day Betabel RV Park. Kroeber did not know if the villages listed on his map were permanent towns, suburbs or summer camps and stated that they could only be “vaguely located” (Kroeber, Handbook of Indians in California, 1925, p. 465). Levy placed Juristac north of the Pajaro River on the eastern side of Pescadero Creek (Levy, 1978, p. Map 3). Millikan put the village at two different locations at different times. He

[11] accessed through https://web.archive.org/web/20220810132749/https://www.sargentquarry.net/amah-mutsun/

	identified the village near the mouth of Pescadero in 1776 (Milliken R. T., 1993, pp. 49, 64-68) and on the land near the tar seeps located on what is now Tar Creek during the Mission period (Milliken R. T., 1993, p. 77). Two of these four locations are outside the boarders of the current day Sargent Ranch and all four locations are outside the Sargent Quarry project area. What little is known is that the current-day Sargent Ranch was the territory of the Unijaima people. The Unijaima were one of the forty groups that make up the Ohlone and almost certainly lived on the Ranch at one time or another. Little of their history was passed down from generation to generation, as these peoples did not have a written language and believed that discussing the lives or activities of anyone that had died would invite evil spirits. (Margolin, 1978, p. 148) There is no historical record of the specific ceremonies or dances of the Unijaima. (Jones, Fall 2015, p. 56) They left no artifacts, burial grounds or anything that would tell us about their lives. The claims made by the Amah Mutsun are from what little is known about the Ohlone people of the larger region. Nothing specific can be placed on the Sargent Ranch lands other than the existence of the tar seep.
Juristac hosted the Big Head dances associated with Kuksui and other healing and renewal ceremonies.	There is nothing in the historical record that discusses anything that occurred at Juristac or how it was more or less sacred than any other site. The Ohlone people lived a life where all things that surrounded them had meaning and were sacred. The meadow where seeds were gathered had sacred qualities and proper names as did the path to the meadow, the bushes next to the path, the trees behind the bushes, the rocks amongst the trees, the birds that flew from the trees, the deer that ran through the meadow and so on. Every object—the sun, a trail, a spring, even the common pestle—was believed to have a life and a force of its own (Margolin, 1978, p. 134).The Ohlone people were forever concerned with not properly addressing, and thereby insulting, the spirits. Insulting spirits might result in a person being caused to trip and fall, have a poor night of gambling, not be able to kill a deer on a hunt, and an endless list of problems. (Margolin, 1978, pp. 46-47).Everything was tied into religion. The dogma that western religions rely upon meant nothing to the Ohlone. According to Margolin, “It did not matter whether one believed the Eagle flew east or west after the creation of the world: some groups believed one thing, other groups believed something else and for still other groups it was a matter of doubt or complete disinterest. What did matter was that one knew how to get along with Eagle, acquire Eagle’s power, and display that power in one’s relationship with others. Thus Ohlone religion was one without dogma, churches, or priests: it was a religion so pervasive (like the air) that the missionaries who first visited the areas missed seeing it entirely…” (Margolin, 1978, p. 143)The “religion” was conducted through dances and ceremonies. Very little is known about the specific dances or ceremonies that were conducted by each tribelet. The historical literature only listed two dances and labeled the origin of those dances as being “problematic or provisional” due to cultural intermingling during the Mission period (Jones, Fall 2015, p. 56). The idea that Juristic is the home of Kuksui is also in conflict with the historical record. Early archeologists have attributed the belief in the spirit of Kuksui to the peoples that lived in the northern Sacramento Valley. It is one of only two dances that were attributable to the Ohlone, but were never directly associated with the Mutsun peoples of the San Juan Bautista Mission. To attribute the Kuksui solely to the areas of Sargent Ranch and to state that Juristic was their most sacred site is a fabrication made without historical basis.
There will be no way to rehabilitate the cultural and spiritual aspects of the landscape	There is nothing in the historical record that suggests mining or disturbing the landscape was objectionable to the Ohlone people or their god/spirits. To the contrary, the Ohlone and the other California Indians treated their mines and quarries and the products they produced as sacred. (Hodgson S. F., 2005, p. 8) Across California, Indians mined obsidian, chert, salt and other materials for their everyday consumption, to trade with other tribes, for decorative, healing and religious purposes. (Heizer, Vol 40, No. 3, July, 1944, p. 298) Tribes that did not have access to these resources sent tribesman to trade for them. The excursions were also treated as

once disturbed by mining.	sacred. The Ohlone that lived on or near Sargent Ranch mined the asphaltum seeps found on the Ranch. Their neighbors twenty miles to the north at the New Almaden mines used open pit mining techniques to mine cinnabar. Further to the north, the tribelets living in current Napa and Sonoma Counties mined obsidian that was thought to contain magical powers and was traded to tribes as far away as to present day Washington State. (Heizer, Vol 40, No. 3, July, 1944, p. 295) The Ohlone and other California Indians did not see any conflict between the sacredness and power of the landscape and the use of mining to harvest valuable minerals. Mining provided the products, bowls, arrowheads, paints and sealing agents that they used to improve their lives, just as mining provides essential resources today. Mining and its products were an integral part of Ohlone life. Different groups mined for various materials. The Wintu of McCloud River in northern California used obsidian from Glass Mountain. In the summer, two or three men would make a two to three day trip northeast to the quarry. The men fasted throughout the journey, as the act of obtaining obsidian was a semi-religious quest (Heizer, Vol 40, No. 3, July, 1944, p. 303). The asphaltum that was mined from Sargent Ranch was used for a wide variety of symbolic, decorative, and practical purposes. California Indians used asphaltum to fasten stone knives and spear points to wooden handles with an asphaltum adhesive, which also waterproofed the sinew wrappings securing the blades (Hodgson S. F., 2004, p. 7). Baskets and water bottles were waterproofed inside and out with asphaltum by the Yokuts and Chumas Indians (Hodgson S. F., 2004, p. 8).

The Sargent Quarry website attempts to discredit and sow doubt about the AMTB claims regarding the impacts the mine will have on Tribal cultural resources. It provides an alternative interpretation of considerations about the impacts on Tribal cultural resources from the proposed mine. The page cites non-Tribal anthropologists to substantiate their "facts" and counter AMTB points. It presents Tribal culture as in the past and static, (e.g. "Sargent Ranch *was* home to Juristac"), and does not cite any materials from Native people past or present.

The evidence presented in the "facts" column conveys that documentation of Tribal culture does not exist. Given the existence of documentation, any lack of evidence for particular practices or beliefs would be evidence that they did not occur. This is an example of a reliance on Western positivist frameworks, which is often used to counter Tribal epistemologies and has a legacy of being used to discredit Indigenous peoples and make them bear the burden of proof (Parsons, 2017).

In the first row of "facts," the Sargent Quarry website asserts that the exact location of the Juristac village is unknown. They mention a broader Ohlone practice of not speaking about the dead as evidence for why there was not much history passed down generationally. They say the Unijaima "left no artifacts, burial grounds, or anything that would tell us about their lives" and fail to contextualize the violent genocide and assimilate contributing to the suppression and attempted erasure of Tribal people.

The reliance on specific cultural artifacts, burial grounds, and Tribal villages as indicators of the land being Juristac fails to consider how the Amah Mutsun identify and know cultural resources. Indeed, Howard Justus, the representative of the investors who own Sargent Ranch, affirms this position in a newspaper article, "There's no artifacts, no burial grounds. There's nothing tangible about this particular space that's unusual or unique" (Duggan, 2022). These characterizations perpetuate an over-reliance on archaeological and anthropological materials as the sole means of identifying Tribal cultural resources. For the Amah Mutsun, Juristac is a cultural landscape with boundaries beyond specific village areas. Bighead ceremonies involved the greater landscape. For example, Kuksui resided in the hills within the Juristac Ranch and flew down to the village for ceremonies. The area where Kuksui resided and the route he traveled have intangible value. Furthermore, state and federal cultural heritage law affirms considerations for intangible cultural resources.

In the second claim regarding Juristac's association with Bighead ceremonies and Kuksui, the Sargent Quarry webpage authors describe how, in Ohlone culture, everything is sacred. Their claim seeks to undermine the particular importance of Juristac as sacred, and describe how the Kuksui religion is from another place in California, and consequently, AMTB's claim of Juristac being home to Kuksui "conflicts with the historical record." However, it is widely understood by AMTB, that Kuksui lives in multiple places and in different Tribal territories.

In the final row of the "facts" column, Sargent Quarry authors describe how local Tribal people extracted natural resources and therefore should not be opposed to the notion of a quarry. Their attempt to invalidate AMTB opposition to the quarry through a logical maneuver shows their assumption of Tribal culture as being static, and fails to acknowledge Tribal sovereignty. While the Sargent Quarry partners could make the argument that pre-colonial Tribal people were not documented as supporting critical wildlife linkages, it would be wrong to refute the continual changes in Tribal perspectives and factor in past, present, and future considerations for land stewardship. Furthermore, the argument that traditional Tribal values favor mining rejects AMTB sovereignty over their own lands. It misrepresents important cultural practices and knowledge systems that were centered on caring for the land and non-human relatives. The difference in scales of mining is enormous given the extractive capitalist motivations of the Sargent Quarry. The environmental impact of harvesting mineral resources compared to a sand and gravel mine is far different, with the former having far less impacts on the local environment. The landowners proposing the Sargent Quarry benefit from the violent dispossession of the AMTB at Juristac, and perpetuate harm to the AMTB community through their continued displacement, invalidation of AMTB expertise, and their extractive capitalist relationality with the Juristac landscape.

Development at Betabel and Counterdispossession

While Sargent Ranch comprises the majority of the historic Juristac Ranch, there are other properties within the historic Rancho and sacred site area of Juristac. One is the Betabel Property, located adjacent to the Sargent Ranch along the Pajaro River. A development proposal at the Betabel property seeks to create a commercial space spanning 26 acres and creating a farmstand, a restaurant, a gas station, and other entertainment, lodging, and dining facilities ("Draft Environmental Impact Report," 2022). While the project received a conditional use permit from San Benito County in 2022, the project is embroiled in a lawsuit filed by the Amah Mutsun Tribal Band. AMTB claimed that the County violated the California Environmental Quality Act by not fulfilling the requirement for Tribal consultation and considering harms to Tribal cultural resources. The California Attorney General has intervened in the lawsuit, supporting AMTB's position that San Benito County failed to follow CEQA obligations ("Office of the Attorney General," 2025).

In May 2025, attorneys representing the Betabel property landowners proposing the development project wrote to the California Office of the Attorney General. The attorneys, Briscoe Ivester & Bazel LLP, state that they now also represent the California Indian Nation, a Native American community with Mutsun heritage but distinct from AMTB. The letter reports that the California Indian Nation seeks to petition the California Native American Heritage Commission to remove the AMTB from the San Benito County list of most likely descendant communities. The letter states how this would "moot AMTB's claims against the Betabel project and be a significant embarrassment to your office" (Briscoe Ivester & Bazel LLP, 2025, p.231).

In response to publishing this article on local news site BenitoLink, Chairman Lopez notes in a Commentary on BenitoLink that California Indian Nation is working with the lawyers for the Betabel development project, and "represents an underhanded effort to sway public opinion, intimidate opponents of the development plan, and divide our community." Lopez directs the letter to the developer in the final paragraph: "We call on the Betabel developer to abandon these offensive and ineffective tactics and to instead seek an honest and productive resolution of the legal matters at hand" (Lopez, 2025).

The disputes at Betabel represent another instance of AMTB seeking to enforce the California Environmental Quality Act to protect against the development of Juristac. While AMTB is qualified to engage in Tribal consultation in San Benito County, the attorneys of the developer have strategically leveraged the representation of another local Tribal community to undermine AMTB's claims and contest the legitimacy of AMTB. These tactics represent how both AMTB and the attorneys representing the developers and the California Indian Nation seek to apply the law to their benefit. Dispossession and access are determined by the mechanism of California state law. Allegations of AMTB not being a legitimate local Tribal community represent an undermining of Tribal authority.

Conclusion

The foreign invasion of Popelouchom, Amah Mutsun homelands, brought colonizers and their legal systems, which they imposed on Native peoples. The colonizers' imposition of foreign legal orders justified the dispossession of Indigenous lands while failing to acknowledge their land tenure systems. This chapter shows how the mechanisms used to dispossess the AMTB are grounded in violence. Violence, including genocide and rejection of Tribal sovereignty, was exercised using legal mechanisms via the imposition of settler colonial laws. The violence of natural resource extraction, including oil drilling, grazing, and the proposed sand and gravel mine, highlights the legal rights afforded to landowners regarding the use of their property. Genocide, forced assimilation, and rejection of Indigenous identity have contributed to the contestation of the Amah Mutsun over their Tribal cultural heritage being contested. Active erasure and the continued elevation of anthropology as the venue for expertise on matters pertaining to Tribal cultural heritage. These examples show how the laws of settlers have been shaped to dispossess Indigenous peoples of their land and their jurisdictional authority. Subjugating a people to genocide, forced removal, and other violent assimilative practices fails to accommodate diverse knowledge systems and weaponizes settler legal systems to invisibilize

Indigenous peoples. It creates unequal power relations where benefits are distributed to those who create or are adept at using these laws for their own benefit at the expense of those whom the law fails to represent. In the case of Tribes, not only do they not benefit from colonial legal systems, but Tribal legal systems are not acknowledged as law. Tribes such as AMTB are often forced to utilize the legal mechanisms available to them in settler colonial law, as traditional laws are not enforceable and less effective for contemporary access considerations on impending desecration.

The work of this chapter is in part an attempt to illuminate how contemporary land use disputes are the tip of the iceberg for Amah Mutsun's persistent struggles to care for and access Juristac. It exposes the litany of injustices and violence experienced by AMTB and demonstrates the significant barriers Tribal nations face in protecting their sacred lands today. Indeed, the rich and persistent efforts of Indigenous nations to assert their sovereignty and jurisdiction over lands take place despite centuries of injustices, which continue to sever people from place, and inhibit access to land.

Today, the AMTB are asserting their responsibility as caretakers of their ancestral lands at Juristac using the legal mechanisms afforded them in state cultural heritage preservation law. While landowners contest the AMTB's interpretation of cultural heritage regulations as applicable to Juristac, current regulations affirm that Tribes are the experts of their own cultural heritage. Generations of dispossession pose challenges for Tribes seeking to identify Tribal cultural heritage. Tribal consultation, a mandated part of the California environmental review process, has allowed AMTB to bring together strong evidence of Juristac being a significant site and that the proposed mine stands to cause significant negative effects on Tribal cultural resources. AMTB engagement in the environmental review process demonstrates how legal mechanisms of enforcing their property rights are used to regain access to Juristac.

This case study contributes to our understanding of Indigenous land dispossession by demonstrating how the idea of possession is unfitting and does not encapsulate the effects of losing access to sacred places for Tribes. As articulated in contemporary calls for Indigenous land return, undoing colonial dispossession seeks to rebuild place-based relationships essential to Indigenous governance structures, knowledge systems, and language.The ability to engage in Bighead ceremonies at Juristac has also been impeded by a brutal history of colonialism that involved genocide and removal of Indigenous peoples from their lands. This created the suspension of intergenerational knowledge transmission, resulting in the lack of medicine men, the Mutsun language becoming dormant, and many Tribal members choosing to practice Catholicism. Revitalizing Bighead ceremonies allows for AMTB expressions of environmental governance and reinvigorates important modes of relationality with place. Returning the Bighead ceremony to Juristac is how the AMTB relate with Juristac on their own terms. Undoing the legacy of dispossession and the loss of land access is an act of Indigenous resurgence and embodies values fundamental to the Land Back movement.

Adapting access theory to the process of dispossession enables a more comprehensive understanding of the mechanisms used to take away Indigenous peoples' access to land. I demonstrate how violence takes many different forms (mechanisms) in how it is operationalized to dispossess the Amah Mutsun of Juristac. This violence is ongoing. It is seen in the epistemic injustices faced by Tribes seeking to reject colonial notions of Indigenous cultural heritage, being the expertise of non-Tribal anthropologists. It is perpetuated through the existing natural resource extraction at Juristac, including the oil wells that continue to extract. Furthermore, the effects of this violent separation of people and place can be traumatic for AMTB members. Consequently, struggles to protect Juristac and regain access to Juristac are grounded in efforts to heal Tribe members, restore caretaker practices that are an expression of AMTB identity, and conduct ceremonies for balance and renewal for both the human and more-than-human world.

Landowners confronting AMTB opposition to their development proposals in the Juristac landscape at Sargent Ranch and Betabel seek to invalidate the authority of AMTB. At Betabel, the authority of AMTB is questioned by asserting that AMTB are fraudulently claiming a Tribal identity and are not qualified to speak on considerations of Tribal Cultural Resources at Betabel. Sargent Quarry proponents question the legitimacy of AMTB authority regarding the Tribal cultural resources that will be impacted by their quarry proposal. Instead, they cite anthropologists and other scholars to piece together a counterargument to AMTB that reinforces assumptions of anthropologists and other non-Tribal researchers as being the experts of AMTB heritage. For AMTB, having their authority questioned is not novel, as their identity as a Tribal community has been a contentious topic since they lost federal recognition nearly a century ago (Hart, 2018). Dispossession of Tribal identity undermines the authority of the contemporary AMTB community in delineating what they see as compromising their cultural heritage. It creates conditions where cultural heritage matters only pertain to the past, and do not account for changes in contemporary cultural values.

The AMTB used the legal mechanism of CEQA to advocate for the protection of their cultural heritage. The Sargent Quarry and Betabel Commercial Development proposals both required a CEQA review, which involved considering the project's impacts on Tribal cultural resources. When AMTB found this to not be followed for the Betabel project, they filed a lawsuit. Their mechanism for countering the continual dispossession and violence on the landscape at Juristac is the law, including engaging in CEQA-mandated Tribal consultation, filing lawsuits, and organizing political campaigns to generate public pressure and influence the decisions of local elected officials on whether to allow development at Juristac.

In addition to developers seeking to undermine the AMTB's use of these legal mechanisms, broader statewide initiatives to limit CEQA have been implemented. Recent state legislation seeking to reform housing and infrastructure has made some housing development and infrastructure projects exempt from CEQA review (Assembly Bill 130, 2025; Senate Bill 131, 2025). Furthermore, proposed legislation to severely restrict the ability of non-federally recognized Tribes to participate in CEQA-mandated consultation will jeopardize the ability for AMTB to use this legal mechanism to their benefit (Assembly Bill 52, 2025).

At present, AMTB opposition to the novel development and extraction at Juristac poses a significant barrier to landowner interests. These efforts have in part, suspended the destruction of cultural resources that would constitute a greater loss of access. In part, the mobilizing of Tribal members and supporters have generated significant resistance efforts, including prayer walks, rallies, and art builds. It has also involved Tribal site visits to places in the Juristac landscape (Glowa & Zapata, 2025). Community-led efforts have contributed to an increase in knowledge about Juristac within the AMTB and broader community, enabling a deeper cultural connection between AMTB members and this sacred landscape. While AMTB does not hold any legal rights to Juristac, they are increasing their access to the land through resistance and community organizing. These AMTB initiatives, spurred by a responsibility to place and desire to exercise cultural practices, illuminate how access and possession are distinct, and the Tribe is prepared to regain access to Juristac after centuries of their severance from the landscape, enforced by legal mechanisms rooted in violence.

Chapter 3: Restoration Narratives of Quiroste Valley: Enacting Amah Mutsun Stewardship

Introduction

Three Native American Dancers adorned in traditional regalia assume their positions, facing one another to form a small circle. Regalia of shell, leather, and elderberry whistles adorn their bare chests, with deer skins wrapping around their midsections. Unlike other times where the dancers encircle a fire and practice ceremony, the dancers are inside an art studio, posing for Ann Thiermann, who is tasked with creating a mural of pre-colonial village life of the Quiroste Tribe of coastal California. Theirmann captures photographs to help her fulfill the instructions of Tribal leaders: to depict a scene of the Quiroste local Tribe[12] having a ceremony in their ancestral homelands at a place known today as the Quiroste Valley Cultural Preserve. The dancers, two from are from the Amah Mutsun Tribal Band and one cultural knowledge holder with Mountain Maidu and Ohlone Tribal affiliations, a contemporary Tribal community seeking to honor the historic Quiroste Tribal ancestors and memorialize them with a public mural. The Quiroste, a community believed to have not survived the Spanish colonial mission system, but who the Amah Mutsun understand to be a neighboring community with kinship ties, are the focus of Amah Mutsun initiatives to revitalize Indigenous culture, advocate for the significance of Indigenous cultural lifeways, and provide space for contemporary Tribal people to heal from the traumas brought on by Euro-American colonization.

The mural, publicly displayed at UC Santa Cruz, shows how the Amah Mutsun are seeking to honor Indigenous ancestors. Creating the mural itself is a process marked by the Amah Mutsun Tribe choosing how to depict the Quiroste Tribe and demonstrating a ceremonial scene by enacting ceremonial practice, a practice that the Amah Mutsun have revitalized in recent years.

The mural represents a decision to center Indigenous perspectives and livelihoods. It depicts a different time informed by colonial Spanish diary entries, archaeological findings, and Native oral tradition. It seeks to capture the beauty of a place that is the ancestral home of the Quiroste Tribe, a community actively involved in shaping and being in relationship with this place. Despite these relationships falling dormant with colonial oppression of Indigenous peoples and their lifeways, the Amah Mutsun are confronting harmful colonial narratives of Indigenous extinction narratives dismissive of the rich cultural heritage of the Quiroste Tribe and other California Indian communities. The multi-faceted approach to revitalizing culture through research, education, and embodiment of the Indigenous caretaking role within Quiroste Valley Cultural Preserve represents how the Amah Mutsun Tribal Band is reaffirming their existence and the rich history of the Quiroste Tribe.This chapter examines the process of enacting Tribally-led habitat restoration at a California State Park in Central Coastal California. It centers the role of storytelling and narrative in landscape restoration discourse and its influence on restoration planning and implementation. The collaborative stewardship at Quiroste Valley

[12] In line with Milliken et al. (2009) and Cuthrell (2013a), I refer to this group as Quiroste local Tribe, and later simply as the Quiroste, referring to the peoples who lived in the region around what is known today as the Quiroste Valley Cultural Preserve. The Preserve is believed to be the village of Mitenne, as documented in the first colonial overland expedition to the area (Cuthrell, 2013a).

Cultural Preserve (QVCP), within Ano Nuevo State Reserve, is between California Department of Parks and Recreation (CA Parks) and the Amah Mutsun Tribal Band (AMTB). Following several years of rigorous historical, ecological, and archaeological research essential to creating and contextualizing the opportunity for landscape restoration, the permitting process highlighted a small but influential group of environmental advocates that opposed the proposed project plans. The discourse regarding the meaning of restoration is of particular interest, as it illuminates the different values stakeholders hold and believe should inform landscape restoration decisions. I ask:*How do Tribal, agency and environmental organization representativess understand restoration in the context of QVCP? What are the narratives used to assert authority in land use decisions at QVCP?*

This chapter revolves around a contentious county land-use permitting process in 2017-2018 at Quiroste Valley Cultural Preserve in coastal California. It examines how dominant conceptions of ecological restoration, informed by problematic wilderness narratives, can hinder Tribal restoration initiatives that aim to achieve both ecological and cultural benefits. The fuels reduction project was initiated by the CA Parks Santa Cruz District Natural Resources staff alongside the Amah Mutsun Tribal Band and Amah Mutsun Land Trust, and the San Mateo Resource Conservation District. In the process of securing a coastal development permit to undertake restoration efforts, concerned environmental advocates, including Green Foothills and the Sierra Club Loma Prieta Chapter felt the project did not adhere to local land use regulations and, therefore, sought to impede the permit's approval. While environmental advocates were unsuccessful in their attempts to stop or significantly modify the project, their concerns highlighted a rift in how groups perceive landscape restoration and how it should be implemented, even when goals were carefully grounded in the known ecological history of the site. . It will examine these issues by employing a case study from Quiroste Valley Cultural Reserve using data from research interviews. I argue that these dominant narratives of restoration fail to encapsulate Tribal perspectives and impede Tribal sovereignty and cultural revitalization efforts.

Literature

Social Dimensions of Ecological Restoration

Ecological restoration is "the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed'' (Clewell et al., 2004, p.3). Restoration ecology is the science informing ecological restoration, and its foundations have been a practice directed connected with past environments, where restoration identifies a past "reference ecosystem" as being the goal of restoration. Scholars have called upon restoration ecology to adapt and move away from its foundations of being a practice directly connected with past environments (Ibid), given how anthropogenic climate change and the spread of non-native species has significantly altered ecosystems and reduced or eliminated the possibility of returning to a past state. This makes setting a target for restoration more obviously a decision-making process subject to human values and desires.

Increasingly, restoration ecology has been critiqued for its lack of attention to the social aspects of ecosystem restoration (Fleischmann et al., 2020). Furthering this call, scholars have specifically highlighted the need to address social equity (Löfqvist et al., 2023), and local and other marginalized perspectives (Fleishman et al., 2022) in conservation decisions. Addressing the "ecological scars of colonization" (Rosa et al., 2024, p. 2), and engaging with decolonial theory (Ramcilovic-Suominen et al., 2024) are two examples of social analyses of ecological restoration with an equity framework. Aligned with these calls are efforts to incorporate Indigenous knowledge systems into restoration efforts (Lee et al., 2021; Robinson et al., 2021).

Karuk Tribal descendant Frank Lake understands ecocultural restoration as a holistic, place-based approach where humans are an embedded part of the natural world and cultural benefits are produced via restoration efforts, thereby pushing back against non-indigenous colonial management systems that have disrupted ecosystems and social systems (Lake et al., 2020 see also Bliska et al., 2024; Long, 2004). Robin Wall Kimmerer (Potowatomi) has developed the idea of reciprocal restoration, "the mutually reinforcing restoration of land and culture such that repair of ecosystem services contributes to cultural revitalization, and renewal of culture promotes restoration of ecological integrity" (Kimmerer 2011, p. 258). Ecocultural, biocultural, and reciprocal restoration understand how restoration practice can concurrently produce social/cultural and ecological benefits.

Efforts to further unpack the socio-political aspects of ecological restoration have included calls for centering a lens of repair and care, which removes any implicit assumptions of being able to return to an original state or ecological baseline, and positions decisions as being more social (Barra & Jessee, 2024; Greenleaf, 2024; Kanoi et al., 2024; Law & Goldstein, 2024; Pauwelussen & Vandenberg, 2024). This conceptual lens challenges a predominant conceptualization of humans and nature as separate, where restoration can be achieved without being an expression of human values. For Robin Wall Kimmerer, restoring pre-colonial landscapes without the Indigenous anthropogenic practices shaping them is impossible (Kimmerer, 2011).

Indigenous Political Ecology of Restoration

Heeding calls to account for the social aspects of ecological restoration, I undertake an Indigenous political ecology of restoration. Existing political ecology scholarship on ecological restoration analyzes land tenure arrangements, power relations, and cultural values of landscape (Bliss & Fischer, 2011). It is used to identify tensions in ecological restoration created by locals advocating for protecting an "exotic" species as an essential part of cultural heritage who are met by Federal agency conservationists who seek to discredit their perspectives. Elias and colleagues (2021) engage feminist political ecology to examine how ecological restoration can be more of an open and discursive approach that seeks more inclusivity.

Building on earlier political ecology research highlighting political conflicts in natural resource management, an Indigenous political ecology centers Indigenous knowledge systems and the role of colonialism in natural resource conflicts occurring on Indigenous lands (Carroll, 2015). It calls for particular attention to how the ongoing effects of colonialism confront Indigenous peoples' influence and power in socio-ecological contexts. It also centers Indigenous knowledge systems in analyses of power relations and departs from Western political ecology frames based on Marxism and post-structuralism (Middleton 2015). As Carroll (Cherokee) (2015) notes, for Native people, environmental matters are inherently political. Indeed, Middleton (2015) argues that Indigenous political ecology favors Indigenous intellectual traditions to understand the ecological, political, and economic factors at the heart of political ecology analyses.

Indigenous peoples have intricate kinship relations to place that are not reflected in Western ontological perspectives of natural 'resources.' Indeed, Pasternak (2019) describes how the Algonquin of Barriere Lake's concept of jurisdiction "flows from relations of respect and love for the land" and represents an ontology of care that is different from a Western extractive ontology of supply that permeates settler state approaches to land management (Pasternak 2019:27). Indigenous kinship relations position Indigenous peoples in relational and non-hierarchical relationships with more-than-human relatives (see Liboiron 2021).

Indigenous relationships to place are grounded in worldviews that understand knowledge differently from Western positivist and other scientific approaches. For example, teachings and knowledge can come from oral tradition, or be derived from dreaming or ceremony. Indigenous governance systems are often derived from essential cultural teachings, centering on people's responsibilities to their lands (Fox et al., 2017). Kinship relations position people as integral to ecosystems and do not reflect Western delineations between nature and culture. These perspectives understand cultural responsibility to place and non-human relatives as indefinite and capable of surviving the relatively short period of colonialism (Whyte, 2018a (SciFi)).

Centering Indigenous knowledge systems is important, given the attempted genocide and knowledge suppression experienced by Indigenous peoples in many contexts. In the U.S. and many other Western nations, the threat to Indigenous lands, peoples, and livelihoods is conceptualized as settler colonialism. Settler colonialism understands colonialism as a structure rather than an event, in circumstances where non-Indigenous societies claim and reside on Indigenous lands. This form of colonialism is a structural genocide (Wolfe 1999) and relies on the active erasure of Indigenous peoples and their pre-existing political and economic systems for settler societies to claim land as their own (Wolfe, 2006; Whyte, 2018). Indigenous peoples continue to endure violent disruptions of their kinship relationships with land, as settler colonialism is constantly reproduced and seeks to fulfill its goal of assimilating Indigenous peoples into settler society.

Indigenous land dispossession by European colonizers has been justified by the legal doctrine of *terra nullius*, part of the Catholic papal bulls *Inter Caetera*, published in 1493. It states that Indigenous lands are free to be claimed by Europeans because Indigenous peoples are not Christians and are incapable of possessing land (Moreton-Robinson, 2015). It has been widely understood as racist since it failed to acknowledge Indigenous land tenure relationships (Moreton-Robinson, 2015; Rose, 1995), including documented Native American agriculture cultivation (Cronon, 1999) and anthropogenic burning practices (Anderson, 2005). This legal doctrine remains the legal basis of Native American land rights being subordinate to the U.S. government, as stated in 1823 by the U.S. Supreme Court (Johnson v. McIntosh).

The notion that European settlers arrived to uninhabited lands fails to acknowledge the non-Western exercise of land tenure by the millions of Indigenous peoples who inhabited North America for millennia prior to Europeans. Kimmerer states that in the Americas, settlers ignore at least twelve thousand years of human history of land management (Kimmerer 2011). The notion of wilderness, used to describe regions that are uninhabited and devoid of anthropogenic presence, embodies the *terra nullius* doctrine, as it fails to acknowledge the contributions of Native American influence and their relationship with the land prior to forced dispossession. Wilderness is a characterization of places that were free from human influence and therefore pristine, and asserts that Indigenous lands were in a "state of nature," and without human disturbance (Kimmerer 2011).

Indigenous political ecology helps to examine the power dynamics that shape contemporary environmental decision-making. In the U.S., this includes understanding how settler state claims to sovereignty and jurisdiction have racist and erroneous origins that assume Tribes existed in a state of nature and were incapable of instituionalizing land tenure. It contextualizes how, given that settler states have no vested interest in the continuance of Indigenous nations, Indigenous epistemological and ontological perspectives are often suppressed and not accommodated in U.S. policy (see McGregor, 2014). It also helps to explain how, because of centuries of U.S. settler colonial genocide and the violent disruption of knowledge systems and land access, Tribal political, economic, and knowledge systems are severely threatened.

An Indigenous political ecology of restoration is helpful for several reasons. It brings to light the rich Indigenous knowledge systems and stewardship, which are often ignored and dismissed. Furthermore, for restoration within settler colonial contexts, Indigenous political ecology demonstrates that any restoration practice that does not include Indigenous peoples is an act of active settler colonial erasure and perpetuates the severance of Indigenous peoples and their ancestral lands. Indeed, in settler colonial contexts, Indigenous community efforts to include their knowledge systems, as highlighted by ecocultural or biocultural restoration literature, are highly politicized. Indigenous-led restoration efforts reject colonial erasure and can introduce forms of restoration grounded in Indigenous worldviews. Using an Indigenous political ecology lens, I bring the colonial dynamics of ecological restoration to the foreground while engaging Indigenous ontologies grounded in care, responsibility, and relationality. Indigenous political ecology has lacked application to the specific questions of ecosystem restoration, but can shed light on how power relations are embedded in settler colonialism and the possibilities in engaging Indigenous knowledges in considerations regarding restoration. I now turn to a discussion of narrative and its ability to facilitate an Indigenous political ecology analysis of restoration.

Narratives

Narratives are stories told, and can allow for a fuller understanding of social-ecological issues from multiple perspectives (Vigliano Relva & Jung, 2021). Ewick writes (1987), "a narrative relies on some form of selective appropriation of past events and characters." She describes how narratives have "temporal and structural ordering" to create "a statement about how and why the recounted events occurred" (Ewick, 1987). Narratives and stories are powerful tools that can influence legal theory and property claims (see Fortmann, 1995; Rose, 1994).

The analysis of narratives can provide greater clarity to social conflict. As Vigliano Relva and Jung (2021) state, "Often, we find ourselves arguing about facts, when really it is our values, narratives at multiple scales and fundamental beliefs that are contrasting"(2021, p.3). Similarly, Cronon (1991) argues that "a powerful narrative reconstructs common sense to make the contingent seem determined, and the artificial seem natural" (Cronon, 1991, p.1350). As social constructions, stories and narratives have power in their ability to be spread and become a hegemonic narrative. Scholars such as Cronon (Ibid) call for attention to what stories are being told, as well as the stories that are not told. He believes "…narratives remain our chief moral compass in the world…the stories we tell change the way we act in the world"(Cronon, 1991, p. 1375). Indeed, narratives influence environmental decision-making and, therefore, are necessary to interrogate.

Narrative scholarship has been applied to environmental conservation more broadly, but its application to environmental restoration contexts remains limited (France & Braiden, 2024). France and Braiden (2024) advocate for "restorying" places to increase landscape narratives about restoration and confront the nature-culture divide prevalent in dominant discussions of restoration. To illustrate the potential of narratives to inform restoration, I highlight two narratives Tribal nations are confronted with in endeavors to restore land access and environmental careaking practices. I first describe the concept of terminal narratives perpetuating Indigenous erasure, and the endeavors to counter such narratives. Next, I discuss a dominant narrative of wilderness underlying many U.S. land management policies and approaches to environmental conservation. I interrogate this narrative because it plays a role in how people understand landscape restoration. Furthermore, I understand it to be a harmful dominant narrative that erases Native American presence and stewardship on the landscape and creates an artificial distinction between people and nature.

Terminal Narratives

Michael Wilcox proposes the concept of terminal narratives to describe how anthropology and society have characterized Indigenous peoples as a vanishing phenomenon. Wilcox describes these as: "accounts of Indian histories which explain the absence, cultural death, or disappearance of Indigenous peoples" (Wilcox 2009:11). He argues that they have a "profoundly damaging effect on popular conceptions of contemporary Indigenous peoples" (Wilcox 2009:11) and render Native Americans invisible. These terminal narratives are related to the vanishing Native myth, which Dunbar-Ortiz and Gilio-Whitaker (2016) argue was employed to advance the seizure of Tribal lands and resources, and justify the forced assimilation of Native people. Panich (2013) affirms the role of anthropology in perpetuating terminal narratives and describes how University of California, Berkeley scholars expressed terminal narratives in the early 20th century through an essentialist focus on California Native American cultural practices that pre-dated colonial influence. Panich asserts, "This method not only presupposed the static nature of native cultures and the lack of meaningful history in precontact times; it also conflated Indian identity with the retention of precontact cultural traits." (Panich 2013:111).

Indeed, this conflation has contributed to the current California Tribal political landscape, where there are over 60 Tribal communities without federal acknowledgement (Native American Tribal Affairs 2025; Tribal-State Relations 2022). Many of these nations have sought to petition the U.S. for federal acknowledgement; however, as Field (1999) observes, the acknowledgement process is flawed as it embodies essentialist terminal narratives in its criteria for Tribal communities. In response to these problematic terminal narratives, Panich offers the concept of persistence, which frames indigenous negotiations of colonialism within the context of long-term historical Trajectories" (Panich 2013:109; see also Panich & Schneider 2014; Schneider & Panich 2022). Persistence acknowledges that Native people and their cultures have never been static, and their navigation of colonialism, including adopting cultural practices that were not present in pre-colonial culture, should not render Native identity invalid. Panich urges archaeologists to challenge terminal narratives through meaningful collaboration with Native peoples.

Collaborative archaeology is one approach to challenging terminal narratives by working alongside Native communities. Lightfoot (2008) defines collaborative archaeology as "an inclusive practice that includes people of different backgrounds, cultures, and perspectives who share a common interest (as stakeholders) in the archaeology of a particular place" (214). Collaborative archaeology must be built on mutual trust and respect (Lightfoot and Lopez, 2013), and it should shift the distribution of research benefits. Depending on the degree of Indigenous inclusion, collaborative archaeology can be characterized by Indigenous archaeology, an approach by and for Indigenous peoples (Pruecel and Cipolla, 2008). Lightfoot et al. (2021) advocate for the use of collaborative eco-archaeology, described as an approach employing multiple lines of ecological and archaeological evidence to depict human-environment interactions over time (Lightfoot et al., 2021). Involving the use of fine-grained methods, eco-archaeological collaborations with Indigenous communities often utilize low-impact methods in accordance with Indigenous interests in site preservation. Making the case for its relevance today, Lightfoot and colleagues discuss how research from eco-archaeology can provide important information for Tribes and resource agencies and help inform ecological decisions (Apodaca et al., 2024; Lightfoot et al., 2021; Sanchez et al., 2025). In this way, collaborative archaeology can be mutually beneficial for Tribes seeking to learn about past ecological relationships and for archaeologists interested in making their research relevant and useful (Lightfoot et al., 2013).

Collaborative archaeology occurring on lands under the jurisdiction of government land managers and involving Indigenous communities can help facilitate relationships between agencies and Indigenous communities, as well as support Tribal land access. Eco-archaeological research can help normalize Indigenous involvement in projects related to their cultural heritage and connect Tribal members to culturally significant places as research collaborators. Indeed, collaborative eco-archaeology at Quiroste Valley Cultural Preserve between UC Berkeley researchers and the Amah Mutsun Tribal Band resulted in findings showing that Indigenous land stewardship prior to colonial contact involved regular prescribed burning to maintain coastal prairie habitat (Cuthrell, 2013b). Such findings are useful in validating Indigenous knowledge systems in ecological debates about the role of fire in shaping and sustaining California's ecosystems (Broughton, 1994; Lightfoot et al., 2013; Vale, 2013) and can leverage the authority and legitimacy of empirically grounded archaeological research to support the contemporary authority of Tribal environmental governance.

Such findings are useful in validating Indigenous knowledge systems and can leverage the authority and legitimacy of empirically grounded archaeological research to support the contemporary authority of Tribal environmental governance.

Anthropology has a tenuous history with Indigenous peoples, including the promulgation of terminal narratives that have become ensconced in policy and public perceptions of Native people. In California, terminal narratives are especially salient for non-federally recognized Tribal communities, who continue to resist the terminal narratives that invalidate their identity. Accordingly, anthropology has a responsibility to counter terminal narratives and acknowledge the persistence of Indigenous peoples. Collaborative archaeology is one mechanism to confront these harmful narratives. It affirms Indigenous communities' expertise over their cultural heritage. Such endeavors work to decolonize archaeology by restoring Tribal land access, environmental governance, and stewardship, as I will describe in this chapter.

Inventing the Wilderness

The concept of wilderness has played a central role in the conservation movement since its inception in the late 19th century. Native American dispossession and genocide occurred alongside these early conservation efforts, and they have always played a role in shaping U.S. settler colonialism. Contemporaneous with US genocidal acts against Native Americans, the first National Parks in the U.S. were established in the late 19th century and were a source of nationalist pride (Watt, 2017). These places were compared to Europe's significant cathedrals and romanticized for their alleged wilderness qualities, characterized by uninhabited, pristine nature free from human tarnishment. As a result, these places were managed for their "wilderness" qualities, referred to as the "Yellowstone" model of natural preservation. They were also interested in preserving history and culture, in a way that separated humans and nature, resulting in acts of removing traces of prior human habitation to create what visitors may perceive to be pristine wilderness (Feldman, 2011). National Parks were conceptualized as wilderness areas and consequently spurred Native American removal from these places, as late as 1969 (Busiek, 2025).

At its establishment, the National Park Service was envisioned as providing recreational opportunities and regenerating pre-contact environments, including historical and cultural elements ("Office of Public Affairs," 1989). Native history, when it was addressed, was of people who had little impact on the environment and had long disappeared, "historical elements" for the Parks. The living culture of the people who often worked in the Parks or lived nearby was not recognized as having a role in the narratives of history and nature used in the parks, nor were the Tribes acknowledged as having a role in shaping the very "nature" the parks sought to conserve. Further, over time, the "wilderness" concept of a past that must be preserved without human influence has become a larger feature of Park and public land management and education (Feldman, 2011). Tensions have increased over non-recreational but historical and cultural uses of National Parks, including ranching, Tribal harvesting[13], and active environmental stewardship of wilderness areas[14](see Watt, 2017). Furthermore, in many instances, the

[13] The 2016 the National Park Service plant gathering regulation 36 CFR 2.6 allows for federally recognized Tribes to gather plants and plant parts for traditional purposes, however,Non-federally recognized Tribes are ineligible.
[14] See, for example, the Freedom of Information Act (FOIA) request number NPS-2012-00352 submitted by Jeff Ruch of Public Employees for Environmental Resonsbility (PEER) requsting the following: "1) environmental assessment for burn of grassland area; 2) map of wilderness area added in 2002; 3) permits allowing Tribes to collect natural resources." PEER believes the NPS "has turned its back on its wilderness" (see: https://peer.org/areas-of-work/public-lands/orphaned-park-wilderness/). The FOIA request illustrates the scrutiny

Yellowstone model of conservation has drastically altered landscapes due to the removal of Indigenous land stewards, who played critical roles in maintaining ecosystem conditions. Watt (2017) explains how, in Yosemite Valley, the “ecosystem has shifted from primarily open meadows and oak woodlands to closed coniferous forest in the years since Native Americans and their land management practices, which included frequent burning, were reduced to living museum exhibits” (Watt, 2017, p. 33). The landscape conditions of National Parks are managed to appear static and impress upon visitors ideals of what should a natural landscape looks like.

While many have highlighted the racist origins of environmental conservation, including the legacy of John Muir, the “father” of the national parks, land use policy and conservation more broadly are still steeped in ideas that are tied to wilderness. In recent years, many longstanding Tribal oral tradition stories have been bolstered by scientific evidence has emerged about Native Americans intentionally caring for the landscapes and native ecosystems (Anderson, 2005; Keeley, 2002; Lighfoot et al., 2013). These findings push back against scholars depicting Indigenous peoples simply roaming lands as hunter-gatherers. Indigenous stewardship has been shown to bolster ecosystem resilience and biodiversity in many instances (Schuster et al., 2019), illuminating how wilderness-style management has not only altered the vegetation type but also imperiled the ecological health of the landscape.

The wilderness narrative reinforces the *terra nullius* myth by creating “untouched” spaces constructed free of human contact and influence, and enforces a separation between humans and nature. It undermines the study or understanding of Native American contributions and relationships with these lands. It categorizes non-recreational use of wilderness, such as cultural subsistence practices, as being harmful to the environment. The wilderness myth overlooks the complexity and extensive continuum of human relationships to place, which are shaped by diverse knowledge systems and epistemologies. It affirms a land management style devoid of human influence and interaction. The enactment of wilderness management has meant the physical removal of Native Americans from ancestral places and onto reservations.

The dominant wilderness narrative contributes to US settler colonialism, an ongoing colonial project meant to erase Indigenous peoples through forced assimilation and imposition of settler legal systems grounded in Western epistemologies. The creation and artificial maintenance of wilderness areas effectively sever the relationships between Tribal communities and their ancestral areas, which are critical for access to food, medicine, and ceremonial practices. As such, and in line with Patrick Wolfe’s (2006) understanding of settler colonial assimilation as a form of cultural genocide, I understand the wilderness concept and the dominant associated narratives as contributing to cultural genocide by obstructing opportunities for land-based cultural practices. While organizations such as the Wilderness Society prioritize social aspects of wilderness, problematic wilderness narratives remain embedded in US society and can be found in environmental regulations carried out by land management agencies. For example, the Wilderness Act of 1964 has defined wilderness as being “untrammelled by man” and where humans are only visitors (16 U.S.C. 1131, 2025).

The artificial separation between people and place is not only harmful to Indigenous peoples, but it is also harmful to non-human relatives that benefit from humans sharing

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NPS scientists and Tribes may face when conducting active stewardship and collecting natural resources in areas under NPS management (https://www.nps.gov/features/foia/FY12_FOIA_LOG_FOR_WEB.pdf).

responsibility for their wellbeing. Note too that non-Native and settler communities experience harm through the lack of opportunity to engage with non-human relatives and open space in ways that go beyond recreation, and experience repercussions of degraded landscapes that lack Tribal stewardship.

Accordingly, scholars advocating for the inclusion of social considerations in restoration ecology confront dominant ideas that view nature and culture as separate entities. I understand the underpinnings of mainstream restoration ecology, which assume that people can be separated from place as a product of the dominant discourse of wilderness. Wilderness narratives' contribution to ecological restoration activities includes not engaging Tribal communities and consequently not acknowledging their jurisdiction over ancestral lands. Wilderness narratives may also produce the disregard Indigenous knowledge systems in land management decisions, and failing to engage important lessons accrued over generations. These knowledge systems are grounded in ontologies of care and embody relational approaches to environmental caretaking. Furthermore, dominant wilderness narratives undermine the environmental justice dimensions of Tribal land access and environmental caretaking practices.

Background

In the section below, I give a background of each of these groups, describe the methodology employed in analyzing this case and recount the stories and narratives I gathered from these groups.

California State Parks Santa Cruz District

The Santa Cruz District of California State Parks manages approximately 65,000 acres in the counties of San Mateo, Santa Cruz and Monterey. This expansive management area has headquarters in the Redwood forest of the Santa Cruz mountains and manages the oldest state park, Big Basin Redwoods State Park, founded in 1902.

Amah Mutsun Tribal Band

The Amah Mutsun Tribal Band are the direct descendants of Indigenous peoples who survived the Franciscan missions in San Juan Bautista and Santa Cruz in central coastal California. The Amah Mutsun are a non-federally recognized Tribe, formerly known as the "San Juan Band" who lost federal recognition in 1929 (Hart, 2018). In 1994, the Tribe petitioned for federal acknowledgment, and are still awaiting a decision from the Office of Federal Acknowledgement.[15]

Today, the AMTB community remains without land. The approximately 600 enrolled members live in diaspora, with many residing in the California Central Valley due to agricultural labor opportunities in the early 20th century. Many community members had to move away from their ancestral territory. In the 2000s, cultural revitalization efforts increased including relearning the Mutsun language, hosting the first ceremonial Big Time gathering in recent

[15] See https://www.bia.gov/as-ia/ofa/120-amamut

decades in San Juan Bautista, and becoming more involved in local natural and cultural resource stewardship.

The AMTB came to understand the history of the QVCP when the Tribal Council approved a research project spearheaded by Tribe member Chuck Striplen involving archaeological and historical ecological research at the Quiroste Valley beginning in 2007. Through a relationship with the former cultural resources director of the Santa Cruz District of California State Parks, Mark Hylkema, Striplen's extended search for an ideal research site led him, and the Tribe, to the Quiroste Valley. AMTB leadership had stipulations for their involvement in the collaboration, but saw an opportunity for learning about Indigenous ancestors and cultural revitalization.

The research heeded calls by Vale (2013) and others design sought to attain greater physical evidence of burning. A broad array of research methods were used including tree ring and fire scars, pollen, phytoliths, ethnohistory, ethnography, archaeological botanical and faunal materials were all used to inform the research (Cowart & Bryne, 2013; Cuthrell et al., 2013; Evett & Cuthrell, 2013; Fine et al., 2013; Gifford-Gonzalez et al., 2013). The reliance on a suite of methods allowed for less disturbance. A low-impact eco-archaeology approach that included geophysical testing, etc., lessens the amount of excavation that is needed to extract botanical and faunal materials (Lopez, 2013; see also Sanchez et al., 2021). Specific features, such as hearths, were targeted for study because they can be identified via geophysical approaches and with minimal disturbance compared to traditional archaeological methods, which involve shovel test pits and trenches to locate such features. These features have the greatest potential to yield well-preserved botanical and faunal materials in discrete contexts that could be carbon dated and used to show the maintenance of fire-dependent ecosystems in an area that does not have frequent fire return intervals (e.g. central California), and strongly indicate Indigenous peoples lighting these fires.

The collaborative research project granted AMTB decision-making authority over where to excavate for research, and called for great caution to prevent disturbance of sensitive cultural resources, prioritizing hearths. Tribe members worked alongside researchers in the field to conduct excavations. The research findings indicated that, contrary to prevailing beliefs that considered California Native peoples to be hunter-gatherers without any intent or skills to steward or shape the landscape (Lightfoot & Parrish, 2009; Nelson, 2021; Raab & Jones, 2004), the Quiroste local Tribe actively tended the land to maintain a coastal prairie using fire management. As coastal prairie requires regular disturbance factors to be maintained, the contemporary landscape at QVCP was drastically different from what evidence suggested it was in the late Holocene period prior to colonization (see Cuthrell, 2013a).

The implications of this research were manifold. First, it demonstrated how Indigenous peoples played an active role in shaping the ecology of the place and pushed back against racist depictions of Tribal people being unintelligent, poor land managers, or hunter-gatherers with no place-based connection. It also illuminated a pre-colonial landscape markedly distinct from contemporary Quiroste Valley conditions, which contained a high density of woody shrubs and tree cover (Ibid). For the researchers, Tribal leadership and State Parks, the Quiroste Valley was no longer seen as a "protected" natural area, but instead an area where eco-cultural resources declined due to irrigated agricultural practices, centuries of fire suppression, and a lack of management. Furthermore, research suggests that coastal prairie ecosystems, which provide critical ecosystem services, are being lost due to the removal of disturbance factors such as fire or grazing (Scholtz & Twidwell, 2022).

In 2008, Quiroste Valley was established as a cultural preserve, commemorating the rich history of the place as both a village site and an historic site. It was the point of first contact for the Spanish expedition led by Gaspar Portola in 1769. The Quiroste welcomed them to their land and gave them much-needed food. The establishment of a cultural preserve clearly demonstrated how, for CA Parks, cultural components and their stewardship were a top priority in this area. The ability to conduct co-stewardship was supported by the establishment of the Amah Mutsun Land Trust in 2014.

Amah Mutsun Land Trust

The Amah Mutsun Land Trust was founded by Amah Mutsun Tribal Band leadership with the support of researcher and practitioner partners, including the Sempervirens Fund, CA Parks, and UC Berkeley research collaborators. The organization has consistently prioritized stewardship over the Western capitalist notion of land ownership to support Tribal members reconnecting to culture through natural and cultural resource management. AMLT was created to address the increasing need for land stewardship as identified by the Santa Cruz Mountain Stewardship Association. AMLT has operated in partnership with landowning organizations and agencies. A central program of the AMLT is the Native Stewardship Corps, a group of adult and young-adult Tribe members who conduct on-the-ground natural and cultural resource management.

Taking advantage of an opportunity to secure CA Parks funding, a restoration project at QVCP to apply the lessons of past research was put forward. The project aimed to impede the juvenile encroaching Douglas-fir trees and other woody shrubs from taking over the open grassland area in the valley. To initiate this process, CA Parks alongside collaborators AMLT and San Mateo Resource Conservation District, applied for a Coastal Development Permit in 2017 to undertake this work. Through this process, stakeholders including local residents as well as environmental advocacy organizations voiced their concerns for the project. I now provide a brief background of the other organizations involved.

San Mateo Resource Conservation District

The San Mateo Resource Conservation District is a local government agency with headquarters in the town of Half Moon Bay, CA. They are focused on natural resource management of San Mateo County and were founded in 1939. Their key responsibilities include watershed management, landowner support, environmental education, habitat restoration and fostering collaborations between local communities and agencies. The San Mateo RCD have been involved in the collaborative restoration at QVCP as an intermediary between State Parks and AMLT. As a governmental agency, San Mateo RCD served as the sub-contractor for CA Parks and therefore avoided CA Parks needing to put the fuel reduction grant project out for bid, as mandated by their policy. San Mateo RCD, an agency without the same restrictions as CA Parks, contracted the Amah Mutsun Land Trust as a sub-contractor. San Mateo RCD, supported the financial grant administration, they sent out staff to serve as biological monitors and work alongside the AMLT group.

Green Foothills

Green Foothills, formerly known as the Committee for Green Foothills is a local non-profit with headquarters in the San Francisco Peninsula in Palo Alto, CA. Founded in 1962, they support land conservation through environmental advocacy efforts involving community engagement. Green Foothills mission is “To protect the open space, farmland, and natural resources of San Mateo and Santa Clara Counties for the benefit of all through advocacy, education, and grassroots action.” Green Foothills involvement in the land use decisions of the Quiroste Valley and greater Cascade Ranch began in the early 1980s led by longtiherefore avoided CA Parks needing to put the fuel reduction grant project out for bid, as mandated by their policy. The representative of Green Foothills in this study is a well-respected and influential environmental advocate with many decades of experience in regional environmental advocacy.

Sierra Club Loma Prieta Chapter

The Sierra Club is a national NGO organization founded in 1892 by John Muir in San Francisco. Their initial efforts to preserve the Sierra Nevada mountains and particularly Yosemite National Park quickly broadened to include other regional environmental issues. Today, the Sierra Club is involved in a wide range of initiatives, centered around principles of conservation, advocacy, and education. To support local efforts, the Sierra Club is organized into local chapters who have autonomy to address local concerns and are aligned with broader Sierra Club values.

The Sierra Club Loma Prieta chapter serves San Benito, Santa Clara and San Mateo Counties. It was founded in 1924. The Loma Prieta Chapter was instrumental in enforcing the California Coastal Act to inhibit development of the historic Cascade Ranch. After San Mateo County approval of the development project of Cascade Ranch, the Loma Prieta Chapter filed suit, alleging that San Mateo County did not adhere to Coastal Act regulations. Because of this strategy to stall the development, the developers sold the Cascade Ranch to the Trust for Public Land, a conservation group interested in protecting the land. Sierra Club Loma Prieta Chapter remains an interested party in the land use decisions of the area, including the historic Cascade Ranch. Their Chapter, under the guidance of a local coastal resident volunteer, were closely involved in the QVCP permitting process, meeting several times with State Parks, and appealing the permit approval to the Coastal Commission.

Methods

I am one of the few Amah Mutsun members who grew up in San Mateo County, and in close proximity to Quiroste Valley while many of the other Tribe members were displaced further outside of the Tribes territory to places such as Hanford, Fresno and Madera. I became involved in the Amah Mutsun Land Trust in 2018, as a Native Stewardship Corps intern through the support of my uncle AMTB Chairman Valentin Lopez[16]. The program's primary focus was on conducting the recently permitted work to remove Douglas-fir at QVCP. As someone new to natural resource management and a reconnecting Tribal member, the idea of tree felling as a part of a cultural restoration project felt perplexing. Previously, I regarded trees as beacons of the environment. I would soon come to learn that environmental advocacy groups had similar sentiments and sought to stop the restoration project at QVCP. This was the first time I observed tension between two of my identities: being an environmentalist and being Amah Mutsun. My past experience as a Native Steward and some shared sentiments with environmental advocates make me uniquely positioned to unpack the different perspectives seeking to inform land use at QVCP.

I utilized semi-structured walking interviews at QVCP as my primary research methodology, and this study was conducted following approval from the Committee for the Protection of Human Subjects as exempt, under protocol 2020-01-12905. Studies have shown walking to boost creativity (Luft et al., 2018; Oppezo & Schwarz, 2014). Ingold and Vergunst (2008) recognize that walking with interview participants can help foster a sense of connection with place, enabling researchers to discern their influence on the environment. Hitchings and Jones (2004, p.9) found that walking interviews helped trigger past experiences with the environment and provided "fodder for conversation."

Interviews were transcribed and then analyzed using MAXQDA qualitative data analysis software. Using a collaborative qualitative data analysis approach (Richards & Hemphill, 2018), four undergraduate student research assistants participated in the coding. After removing identifiers from each interview, each interview was analyzed by myself, and one research assistant in MAXQDA. In addition to research interviews, I used critical document analysis and video recordings obtained from the coastal development permitting process from 2017 to 2018 to understand different perspectives on the QVCP restoration. I combine these data with semi-structured interviews with representatives from the organizations involved. I conducted 47 semi-structured interviews between 2023 and 2024 with representatives from environmental advocacy organizations, including the Sierra Club Loma Prieta Chapter, Green Foothills, California State Parks, Amah Mutsun Land Trust, Amah Mutsun Tribal Band, San Mateo Resource Conservation District, and the University of California, Berkeley. Interview participants ranged from Tribal land stewards and resource managers and university researchers with several years of experience actively working at QVCP to interview participants who had never been to QVCP but were familiar given their organization's involvement. Prior to conducting interviews, I had previously met all interview participants except for one agency staff member and one environmental advocate.

I engaged decolonial methodologies by conducting interviews in a culturally significant area and by offering food and drink in alignment with Indigenous methodologies, as well as engaging in unstructured conversations prior to the interview (see Castleden et al., 2012; Smith, 2021). To acknowledge the labor involved in participating in these interviews, as well as the

[16] Chairman Lopez is the older brother of my maternal grandfather, Art Lopez. I owe a great deal of gratitude to my grandfather, who regularly took me fishing at a young age, and to Uncle Val, who gave me the context to understand the depth and significance of these subsistence practices as Indigenous peoples of the area. In smaller communities such as AMTB, it is very common for Tribe members to be related, and for Indigenous scholars to have relatives in Tribal government and other leadership positions.

expertise of participants and the knowledge shared, all interview participants were offered travel reimbursement, lodging, and honoraria. Walking interviews sought to support the maintenance of a relationship between people and place, especially for former stewards with experience at QVCP. For all except one Native Steward, who conducted walking interviews at QVCP, it was their first time being at QVCP outside of their employment in the Native Stewardship Corps program. AMTB stewards had strong emotional responses to returning to the QVCP landscape, but this important topic is beyond the scope of this chapter.

The AMTB is a close-knit community comprised of three family lineages that maintained close relationships during the post-mission period and lived in close proximity to each other, and also inter-married between lineages. There are currently around 600 enrolled Tribal members. I regard many interview participants as my aunties, uncles, and cousins, even if we are not directly related.

Restoration Understandings

I asked interview participants how they understood restoration broadly, as well as in the context of Quiroste Valley. I begin with a description of AMLT perspectives, followed by perspectives from environmental advocates, and then agency perspectives.

Amah Mutsun Perspectives of Restoration

Chairman Valentin Lopez is the visionary behind AMLT involvement at Quiroste Valley and has been the Tribal chair for over two decades. He is a co-founder of AMLT and serves as its Board President. For Chairman Lopez, the return of relationships to place was necessary in light of past colonial harms to the lands:

> The Quiroste, they offered a lot of prayer. They offered a lot of ceremony here on these grounds. And that's what maintained that sacredness for that whole time. But the sacredness was absent when the people from here were forcefully taken to the missions. I mean, that entailed possible violence on these grounds, the breaking of traditions, the loss of the prayer on these lands, the removal of wildlife.

For Lopez, the forced removal of the Quiroste resulted in the sacredness of the land no longer being maintained. Lopez also describes the impacts from colonial violence:

> The colonizers move in here with their history of violence or their history of domination…it's hard to imagine these lands here having their sacredness during that time.The lands were still sacred from the perspective that they were made by Creator, but the sacredness was…lost.

According to Lopez, the sacredness of the land was lost due to colonial violence and domination. These harms contrast with how he understands the Quiroste Tribe way of engaging with the land. For Lopez, the intangible process of restoring sacredness was tantamount to the Amah Mutsun stewardship of QVCP.

For the AMTB, the process of cultural revitalization involved recovering lost or dormant knowledge. The research at QVCP presented an opportunity to learn from and emulate the Quiroste Tribe, according to Lopez. He reflects on his emerging thoughts regarding restoration, based on the research findings:

> I started thinking that we need to restore the valley. We got to take it back to the way the ancestors had, not just to show people what was here, kind of for education, to educate the public, or just to give an example of what our people did.

Lopez sought to restore culturally significant landscapes and understood the benefits to include education for the public. Jay Scherf, former NSC crew leader, understood the public education element of the history of the Quiroste Tribe as an important component of the restoration project, due to the paucity of the local Indigenous history available. Lopez also noted the ecological benefits of Indigenous stewardship:

> Another big part of the restoration plan is the biodiversity…when I heard that this was one of the most biodiverse [grassland] landscapes in North America, that just kind of blew me away… that's another really important reason why we need to restore these landscapes back to what they were, to restore that biodiversity and to take care of our ancestors, all the pollinators, all the birds, all the wildlife, and even the fungi. We have a responsibility to take care of that. And so by going through that process of restoring these lands, we're fulfilling our obligation to Creator, because that's how our ancestors interpret it: taking care of Mother Earth and all living things. They learned to take care of the plants and stuff like that so it provided the most biodiversity and the most plentiful food resources and the best way to fulfill their obligation to Creator so they could please Creator.

Not only was this about restoring the physical material conditions, but also about restoring the cultural teaching of having a responsibility to care for Mother Earth. Lopez describes restoration as a spiritual practice to please Creator, and highlights the biodiversity produced through stewardship, a highly valued characteristic for open space managers and ecologists. In fact, grasslands and their associated species are among the most threatened on earth (Scholtz & Twidwell, 2022). While Lopez acknowledged that neither species nor culture can be completely restored to past conditions, it is possible to restore the grassland biome and its stewardship by the Tribe.

In addition to the motivations of restoring sacredness, educating the public, and following cultural teachings, AMLT interview participants described their long-term vision for the project. AMLT steward and AMTB member Gabriel Pineida described how he understands Indigenous caretakers as a part of the ecosystem at QVCP and how cultural burning supports the health of native plants. Pineida expressed hope that cultural burning would continue for millennia. AMLT ethnobotanist and Tribe member Josh Higuera described how stewardship activities are about maintaining and continuing caretaking practices that would have been in place had the Quiroste Tribe not been removed. For Chairman Lopez, a long-term perspective is also echoed: “Each generation does a different building block that gets us closer to fulfilling our obligation to the Creator. And no one generation is going to do it alone." The generational approach of both looking at ancestral caretaking practices and also thinking about sustaining generations of land stewardship are a critical component of the restoration at QVCP for AMTB representatives. These perspectives, particularly the vision for the future, go beyond conventional restoration approaches.

The cultural components of the environmental stewardship activities for NSC members were another critical aspect of the project, according to Chairman Lopez. He described the goal of stewardship activities for NSC members:

> To restore that relationship with the ground, with the plant, restore that relationship with their own bodies, with their own spirit, with their own mind, because they had to work hard in that physical labor and stuff like that. That restores just the connection with yourself, that you're sweating, you're using muscles, you're getting sore, you're getting tired…we talk about healing as in learning and telling the truth. And that's the thing here. A lot of the talks that we had out here and stuff like that, we're talking about the true history. And they were able to work on their identity, too, learning their lineage, learning how their ancestors lived.

Former AMLT Native Stewardship Corps supervisor, Lawrence Atencio (Ohkay Owingeh), echoed the importance of sweating during physical labor for NSC members as a cleansing practice.

AMLT representatives spoke of their efforts of restoration as being grounded in care. AMTB member and former AMLT steward, Nathaniel Verdugo, described the stewardship goal at QVCP being to "heal the land" and protect and bring back the native plants. AMLT ethnobotanist and AMTB member Josh Higuera described the need for stewarding Douglas-fir at QVCP: "because it's not actively tended to anymore, it's pushed out all other of its native friends. And so there needs to be a balance." For Lawrence Atencio, the Douglas fir is a sacred tree in his culture, but he understood the necessity of caring for the coastal prairie by removing the Douglas-fir. Tribal stewards illuminate the care and intentionality of the stewardship activities at QVCP, which represent a sense of care for the land to foster balance and healing.

Environmental Advocates' Perspectives of Restoration at QVCP

Environmental advocate narratives do not understand the value in Douglas-fir removal or human-centered restoration. An appellant letter from the Sierra Club Loma Prieta Chapter advocated for the Douglas-fir trees:

> These trees have been recolonizing their historic range after centuries of suppression - initially by indigenous people who managed the land to maintain grasslands, including by repeated burning of the grasslands…After State Parks acquired the property in 1986, cattle grazing and farming activities ceased, and the land began to revert to a more natural condition. ("Sierra Club Letter," 2017, p.5)

Similarly, a letter of concern jointly submitted by Green Foothills and Sierra Club described how "The proposed activities do not qualify as restoration of the land since the two species targeted for 'vegetation management' are in fact, native to the site and removing them will create an unnatural state"("Coastal Development Permit," 2017). The letter added how stewardship will create an "artificial" condition of open grassland, which would be challenging to maintain. Since restoration activities center the removal of native plants, environmental advocates do not see this as being a restoration project. Furthermore, the anthropogenic influence on the landscape is described as an artificial practice.

Environmental advocates do not support human influence at QVCP. In a 2024 interview, a Sierra Club Loma Prieta Chapter representative stated "we're not bought into the idea of cultural restoration as opposed to natural restoration…what point in history would you look at to do cultural restoration? 1,000, 2,000, 4,000? What's the number? And how do you know?" They continued:

> [S]o the natural world has a—I don't want to sound too tree hugger—but it has a logic of its own. And some people see it as a beautiful thing, like Walden's Pond. Others see it as something to change, to impose their will.

The Sierra Club Representative reinforces the divide between nature and cultural restoration by saying, cultural restoration *as opposed to* natural restoration, understands these two practices as distinct. This statement reaffirms the point made by Green Foothills of the dichotomy between natural and unnatural, where cultural restoration is an artificial process that creates an unnatural environment when it involves the removal of any native plants.

The distinction between people and environment is echoed by local resident and longtime environmental advocate, George Cattermole. In a letter appealing the proposed habitat restoration permit approval at QVCP, Cattermole wrote:

> The central problem with this project is that it is not sensitive species centric, but Homo Sapiens centric; Culture trumps biology: "Cultural" management's purpose is "to guide the process of biological resource –restoration of QVCP." Wrong. It should be the other way round. (Cattermole, 2017, p.34)

Cattermole expressed concerns regarding accommodating people's access to the Quiroste Valley, by claiming that humans are "the most invasive and destructive species of all" and that Quiroste Valley should be left alone for the sake of the ecosystem. Cattermole believes that human management is artificial and harmful to the ecosystem. In another instance, the Sierra Club Representative speaks positively of seeing a fern while at QVCP and comments on how the species "traces back into the dinosaur era." Through these perspectives, environmental advocates illuminate aspects of QVCP that predate human contact in a positive manner. They do not perceive any benefits resulting from Indigenous stewardship or the subsequent settler agricultural uses of QVCP.

All CA Parks staff involved in this interview project were critical of the perspectives held by environmental advocates. Senior environmental scientist Tim Hyland reflects on the perspectives held by environmental advocates:

> I think there is the desire from people like [Sierra Club Representative] to take humans out of it. It just seems like it'll be so much cleaner. But we're not going back to an age of the place to see megafauna and no humans on the planet, and so we're going to impact these landscapes and we do. This whole idea of not managing is also a fiction because we are constantly suppressing fire, which is the primary disturbance regime that influenced all these plant communities. And so humans are going to influence this landscape, choose a set of values you want to manage for.

Similarly, CA Parks Archaeologist Michael Grone, whose doctoral research involved strong community-engaged research with AMTB (Grone, 2020), states:

> If you see the natural world as separate from humans, then you're making a grave error in thinking about how to protect it or take care of it. And I think there's a lot of folks with this ethic of 'leave only footprints, take only pictures', that have their ideas about which environments are the best and matter the most and how humans are inherently going to mess things up…Humans have been doing things for a long time to remove humans.

Hyklema addes to these points regarding humans' impact on land: "people were always deciding what they wanted the land to be. It was never deciding for itself. Since the Ice Age, right? People were always agents on the land, either directly or indirectly, through knowledge or accident, always." CA Parks representatives find human interaction with the place to be inevitable and understand that Indigenous peoples have affected the landscape for millennia. These perspectives have been informed by many of these representatives, such as Grone and Hylkema, being intimately aware of local Tribal perspectives.

Claims to Authority

Amah Mutsun Authority

The Amah Mutsun Tribal Band claim authority at QVCP through cultural teachings, demonstrated commitment, and through their identity as a local Native American community. The creation story of the Amah Mutsun, as told by Chairman Lopez, takes place in the Santa Cruz mountains, at Mount Umunhum. In the story, the Amah Mutsun people are created from the clay of the land, and are instructed by their Creator to be caretakers of their ancestral land. Chairman Lopez understands this to give the AMTB the moral authority in their ancestral lands. Although he acknowledges that agencies may have legal rights to the land, he asserts the authority AMTB holds, which comes from Creator, is superior.[17]

AMTB leadership understands how the findings from the collaborative research at QVCP serve as a form of validating the knowledge of the Quiroste ancestors. Lopez described how the research evidence could be used to "restore Indigenous knowledge." He described how Amah Mutsun people and local native wildlife share a common history:

[17] Personal communication, May 7 2025

> “I never forget that our history is the same as wildlife histories here. Because we've been removed just like the wildlife and the plants and everything else. Everything native was gone, even the people…We are a keystone species. And to allow people …to kick us out is just wrong.”

Lopez links the removal of wildlife and people, as a product of colonialism, and remarked that this removal is wrong. Similarly, environmental scientist and AMLT research associate Sara French remarked on the ecological and justice dimensions of Amah Mutsun stewardship:

> I want to elevate Indigenous perspectives and indigenous methods for restoration because that happened here for a long time, and it's beneficial for native plants. And also in doing that, you get the opportunity to kind of preserve culture and support people who have a deep connection and right here, beyond any of us, who have been marginalized and pushed out. So I feel like if you're like, "Oh no. Restoring to indigenous management is not restoration”… that's just further delegitimizing and further marginalizing Indigenous people and failing to acknowledge their history and presence on the land.

For French and Lopez, Native people are a part of the landscape. Amah Mutsun claims to authority include being on the land before colonial incursion, and the ecological benefits of native people in caring for the land. Furthermore, creation narratives place Amah Mutsun people in the Santa Cruz Mountains, as they literally embody the place, according to cultural teachings.

The legacy of colonization in coastal California is complex, with some estimates citing a 0-1 percent survival in central coastal California (see Panich, 2013). Accordingly, contemporary Tribal communities often comprise lineages from multiple pre-colonial Tribes that were politically distinct, such as the Quiroste Tribe. Due to the high death rate from colonization and the subsequent dormancy of detailed genealogical information, many pre-colonial Tribes do not have any known descendant representatives. The Amah Mutsun are a product of this period and persisted through these times, despite significant changes. AMTB understood their ancestors as being Indigenous to these areas around the location of the Missions where they survived in Santa Cruz and San Juan Bautista. Since the Quiroste Tribe were under the influence of Mission Santa Cruz (as well as Mission Santa Clara and Dolores), the AMTB initiated collaborative research under the assumption of having strong cultural ties with a neighboring community in the Santa Cruz region, In 2019, the AMTB decided that they could no longer claim ancestral connections to the area around Mission Santa Cruz.

The decision by the Amah Mutsun to change the relationship to the Santa Cruz coastline was handled “gracefully and effectively” according to former AMLT Executive Director EkOngKar Singh Khalsa, and all relationships with partners were maintained. Presently, the Amah Mutsun understand there to be no Tribes descending from the Santa Cruz area, but would defer to any descendant representatives, should the situation arise. AMLT has continued their stewardship of the Santa Cruz coast to honor those ancestors, including at QVCP, using what is known about the Quiroste Tribe and the evidence of past conditions of the ecosystem.

For environmental advocates, the Amah Mutsun claims to authority are not supported. While the Sierra Club representative lamented the injustice of Spanish colonization and its impact on the Quiroste Tribe, they were not in agreement with the decisions of contemporary management related to the Tribe. They understand the Quiroste to be an "extinct Tribe" and advocates for a monument to be put up in their honor. The Sierra Club representative explains their opposition to the restoration plans centering revitalization of a traditional Indigenous landscape put forth by CA Parks and Amah Mutsun:

> Even when the Tribes were here, they were doing the same thing that Europeans did. They weren't giving much of a thought to nature...in order to build villages and have drinking water and hunt game, we had to suppress nature's natural tendency. So yeah, they probably did burn out this valley. But in today's world, I don't see a necessity to do that, to restore…The burned-out floor that must have existed when the Quiroste were here…They're gone now. And as I said, I support the remembrance aspect to come here and think about what befell them. Those kinds of things tend to improve our behavior, sensitivity. But clearing the valley floor to remember them doesn't sound right to me because it's not necessary.

In advocating for a place of remembrance for Quiroste, they added, "I would just hope that the maximum amount of nature could be preserved along with that. And I don't think we should clear that hill of trees. What's the point?" And later added:

> If you're going to have remembrances or dances or whatever here, I don't think you need much space. In fact, one would expect that if it's truly a religious aspect and a feeling for that natural world out here, I think it should be a comfort actually being preserved.

The representative remarked on not being sure that the valley floor "should somehow be restored culturally to something that's unknown" and expressed his doubts that the "Quiroste were agricultural rather than hunter-gatherers."While acknowledging the local Quiroste use of fire, they remark how during the Portola expedition, "the Natives fed them some of their product from their burn agriculture, and they all got dysentery." The representative did not believe there would be an interest in foods produced through burning today, rhetorically joking, "who wants dysentery?"

The Sierra Club representative questioned the legitimacy of several claims or rationales by CA Parks and Amah Mutsun. He contended that the place known as Quiroste Valley may not be the historic place of the Spanish Portola expedition meeting the Quiroste and observing the largest dance house they come across along the Central Coast. He also does not believe that Quiroste stewardship practices benefitted the land, as understood in his value-laden description of a "burned out" valley floor. He believes a superior way to honor the Quiroste Tribe would be a small memorial and remembrance spot that would preserve what he understands to be natural processes to the maximum extent possible. Furthermore, they do not understand there to be an existing Indigenous descendant community of the Quiroste Tribe and that "cultural restoration" efforts are not desirable for contemporary people. While the representative was adamant in his sympathies for the "extinct" Native Americans, he rejects and invalidates the contemporary interests of descendant communities that stand to threaten his and Sierra Club's interests in preserving their form of nature with a convenient story.

For the Sierra Club representative and Cattermole, Indigenous occupation is no more desirable or justifiable than any human occupation and use of the QVCP. The involvement of the Amah Mutsun is questioned, with Cattermole suggesting the Amah Mutsun Land Trust lacks competency, stating, "Recent activities by members of the Amah Mutsun Land Trust have displayed a serious lack of understanding on their part of the needs of the sensitive species present in and around the valley" (Cattermole, 2017). Regarding the present-day role of the Amah Mutsun Tribal Band, the Sierra Club representative posited, "I really don't know if this is actually Amah Mutsun territory."

Environmental advocates question the merit of Amah Mutsun's involvement in the QVCP management, given that they do not see the value of past cultural stewardship practices and have doubts regarding whether AMTB can claim to be Indigenous representatives of the area. Cattermole recommends a different approach to restoration for the Amah Mutsun: "If Mutsun want to reconstruct the landscape in the image of their guess about what it was like when their ancestors were there, they should focus on removing the Pampas Grass on the Costanoa Property" (Cattermole, 2017). Cattermole references the need for the management of exotic invasive species on an adjacent private property as a more suitable approach to cultural restoration from his perspective.

The narrative presented by the Sierra Club representative of an extinct Native American Tribe seeks to effectively undermine the authority and relevance of contemporary cultural heritage management, as an extinct Tribe does not have a living culture; hence, there is no "necessity" for it. Their perspectives represent a terminal narrative, where they make assumptions regarding appropriate cultural practices for the Amah Mutsun, cast doubt on the legitimacy of the Amah Mutsun as Indigenous representatives of the region, and utilize extinction narratives when describing the Quiroste Tribe. The representative associates all human habitation and land use patterns, whether it be Indigenous or settler, with being an impediment to what is "natural." Furthermore, he does not see any implications or value in contemporary open space management that accommodates cultural values, and he understands AMLT stewardship as posing harm to natural resources —the very things that the Sierra Club seeks to preserve. However, many sensitive species such as the endangered San Francisco Garter Snake depend on grassy uplands with shrub cover habitat, and stand to benefit from practices to maintain this habitat such as removal of encroaching Douglas-fir, and maintaining grasslands through practices such as burning or grazing.

The Sierra Clib representative referred to the Quiroste Tribe on several occasions as being extinct. Efforts to put Native people in the past are an essential element of the settler colonial project of erasing Indigenous presence from the land. By putting Native peoples in the past, they are decoupled from contemporary landscapes, which allows settlers to no longer need to consider the interests and claims made by living Tribal communities. Colonists, instead of removal and genocide, are filling empty and poorly used spaces with useful activity, putting abandoned and neglected land to a higher use for society. Through remarks on the extinct Tribe and an interest in memorializing the Quiroste Tribe, the representative seeks to deny and delegitimize contemporary Tribal voices, and does not see the value in cultural land management. While AMTB members hold mixed perspectives regarding the role of AMLT at QVCP, leadership remains interested in continuing contemporary Indigenous stewardship of QVCP. The AMTB bears the burden of proving their Indigeneity at different scales. In this instance, their cultural connection to QVCP is scrutinized by Environmental Advocates seeking to substantiate their critiques of the project being coined as a restoration project.

Extinction narratives of Native American people are diverse and particularly prevalent in regions of non-federally recognized Tribal territory. In these instances, the indigenous heritage of the place is invisibilized. The Santa Cruz Coastal region lies within an area where no federally recognized Tribe exists, and where many Indigenous communities, including the Quiroste Tribe, have no known descendants. In these instances, the descendants of nearby Tribal people, who are labeled by the State of California as Most Likely Descendant (MLD) communities, are considered representatives of these communities. The challenge of contemporary claims to indigeneity is that for Amah Mutsun people, the Mission records are the key source of evidence for Tribal genealogy, but village or Tribal affiliations do not extend to the many generations before European colonization. While MLD communities do not have documented affiliation with certain nearby Tribes, it is not unlikely that their ancestors had kinship ties with the communities around them.

The QVCP also served as a refuge for neighboring Tribal people who were running from Spanish and Mexican rule. In 1793 Charqin, the Chief of the Quiroste Tribal group led a group of Quiroste and other mission refugees to Mission Santa Cruz and attempted to burn one of the structures down (Milliken, 1995; Rizzo-Martinez 2022). Later, in the 1830s, Pomponio, a local Native leader, led a group of rebels and hid in the Santa Cruz Mountains not far from Quiroste Valley (Rizzo-Martinez 2022).

Environmental advocates contest the claims to authority made by the Amah Mutsun Tribal Band by contesting the value of cultural stewardship practices, questioning the competency of AMLT as restoration practitioners, and by not acknowledging the justice dimensions of eco-cultural restoration. Furthermore, the public review process of the QVCP process fails to acknowledge Amah Mutsun sovereignty and allows for community input on such projects, including comments from non-Native environmental advocates about how and where the Amah Mutsun should conduct ceremonies and stewardship at QVCP.

Authority of Environmental Advocates

Environmental advocates emphasized their past efforts to protect the Quiroste Valley in their communication with CA Parks. The 4,088-acre Cascade Ranch was home to cattle ranching and row crop agriculture for over a century before it faced its first development threat in 1982. The development was an effort by Robert Yeaton and Associates to subdivide Cascade Ranch into three agricultural parcels, 32 residential homesites of five acres each, a private timber reserve, and a collectively owned agricultural parcel of 320 acres. After an initial denial of a subdivision request by the San Mateo County Planning Commission in December 1982, the San Mateo Board of Supervisors approved a revised proposal for the subdivision in May 1983.

Believing that the County approval did not align with the recent California Coastal Act, the Sierra Club Loma Prieta Chapter appealed this ruling to the California Coastal Commission but were unsuccessful in their attempt to overturn the verdict. Embroiled by this decision and claiming that “the county and the Coastal Commission have failed to meet the high standards imposed by these new laws” of the Coastal Act, the Sierra Club filed suit in September 1983. They alleged that the project proposal was inconsistent with the Coastal Act regulations regarding the impacts on agricultural areas and scenic qualities of the coastal area.

Lawsuits are a common strategy for environmental advocates to delay and potentially impede land use proposals they deem undesirable. For developers, lawsuits bring uncertainty to their return on investment and create an ideal opportunity for conservation groups to acquire such properties. Indeed, in April 1984, several months into the lawsuit deliberations, the Trust for Public Land (TPL) executed an option to purchase the entire 4,088-acre Cascade Ranch and protect the land for conservation. Martin Rosen, then-President of TPL, describes the Cascade Ranch development threat:

> We were invited into that transaction to buy out the developers of a gated community and golf course. Some of the developers were offshore, and California was the promised land. They were going to turn that into a money machine, like Pebble Beach or something, for wealthy people to live behind a gate and to do their golfing and keep the public out. (Rosen, 1998, p.230)

The acquisition by TPL complemented advocacy efforts by the Sierra Club and other environmental advocates. However, their common desire to save Cascade Ranch from development would later evolve into tension over land use plans put forth by TPL.

In the following year, in June 1985, TPL sold 2,511 acres of Cascade Ranch land to the CA Parks, and 694 acres for agricultural preservation and enhancement were granted to the California Coastal Conservancy. An additional 403 acres were transferred to CA Parks in 1986, which included the Quiroste Valley, but TPL retained water rights to be used in the remaining 480-acre parcel slated for development. For this final parcel, the Trust for Public Land sought applications for a private developer (Rosen, 1998, p. 234). A proposal put forth by Paul Gould for a private campground with a conference center was chosen. It was well-suited for TPL assuaging county pressure to generate tax revenue, made evident by San Mateo County elected officials (Ibid).

During the campground development controversy, Joey Jacobs and George Cattermole, a local resident couple and co-founders of the San Gregorio Environmental Resource Center, filed suit against the Trust for Public Land, the Coastal Conservancy, and the Department of Parks and Recreation regarding the approval of Gould’s project chosen by TPL. The lawsuit was settled out of court, and it is the opinion of then–TPL President Martin Rosen that Jacobs and Cattermole were disgruntled since their own proposal for development was not chosen by TPL. Cattermole’s involvement in the land-use decisions of the Cascade Ranch extends to the more recent land-use conflicts at Quiroste Valley.

While the full details of the development proposal put forth by Paul Gould are beyond the scope of this paper, note that the permitting process involved the Amah Mutsun being met with a well-organized environmental advocacy community for several years. Ultimately, environmental advocates contributed to a smaller development footprint, more aligned with outdoor recreation, known as the Costanoa Lodge & Camp. At the time of this writing, the Green Foothills representative believes Costanoa Lodge to be out of compliance with permitting requirements mandating that they manage their property for Pampas grass (*Cortaderia jubata*), a highly invasive species dispersed by wind, meaning it poses significant threats to managing Pampas grass on properties downwind of Costanoa.

The campground development utilized the water rights of the 480-acre CA Parks parcel that was reserved by TPL, by drilling a well in the floor of the Quiroste Valley, and installing a pipe through the valley to Costanoa Lodge. The Green Foothills representative describes the consternation of environmental advocates regarding the well:

> "We advocated for protection of Ohlone Valley [now Quiroste Valley] and were dismayed and outraged when the Cascade Ranch Fitness Center was given permission by San Mateo County Planning to drill their water supply well under an "agricultural well exemption" in Ohlone Valley for the Cascade Ranch proposed 338-unit Hotel, Motel, Fitness Center and RV campground The well location turned out to be within a mapped prehistoric midden. You can therefore appreciate how it was upsetting to all of us who had worked to defeat this development to be characterized as somehow opposed to efforts by the Amah Mutsun Tribe to re-establish some of their historic agrarian practices." (T. Reilly, personal communication, May 3, 2023)

The Green Foothills representative believed the water supply well drilled in the Quiroste Valley for the nearby recreational development under an "agricultural well exemption" should not have been approved, and finds CA Parks staff at the time complicit in the harm to natural and cultural resources caused by the drilling of a water supply well and installation of the pipeline. She positions herself as having a history of protecting cultural resources at Quiroste Valley.

Following the well construction, the area known today as QVCP did not experience any significant engagement with environmental advocates as it was managed as a wilderness area in the following decades. However, the 2017 Quiroste Valley fuel reduction project joined a litany of objectionable land-use proposals by landowners of the properties comprising the historic Cascade Ranch. The Green Foothills representative reminds CA Parks staff in a 2020 email:

> As I'm sure you know, Sierra Club and Green Foothills have had a very long history with various proposed development schemes of the Cascade Ranch's 4,000 acres…without the persistence environmental group advocacy on this particular property, beginning with challenging the original subdivision of the 4,000-acre property into 35 parcels 2 residential sites, this property would not be part of the State Parks system. (T. Reilly, personal communication, May 3, 2023)

The correspondence aims to highlight how environmental advocates played a crucial role in integrating the QVCP property into the parks system. It shows how environmental advocates seek to demonstrate their mutually aligned interests in open space protection. Green Foothills, Goerge Cattermole and the Sierra Club Loma Prieta Chapter, represent the continuity between the 1980s and 1990s land-use disputes and the tensions during the coastal development permitting process of 2017-8.

In addition to environmental advocacy efforts specifically related to land-use at Cascade Ranch, as described above, environmental advocacy has also influenced regional land-use policies through the creation of the San Mateo Local Coastal Program (LCP) and its enforcement. The Green Foothills Representative has played a key role in writing the LCP and consequently determined CA Parks had failed to meaningfully engage in the regulatory process and respect the LCP. For them, the CA Parks' lack of communication with environmental advocates during the QVCP permitting process was upsetting. They described how the project suddenly “popped out…in the form of a permit,” and that there should have been “a lot more outreach to the environmental organizations to kind of explain what was going on.” The Green Foothills representative further advocated for the necessity of the Coastal Act, stating: “the Coastal Act and then the Local Coastal Plans have basically integrated habitats and environmental concerns into land use planning in a way that is actually enforceable.”

While CA Parks and AMLT staff have acknowledged the efforts of environmental advocacy groups to protect the region from development, they were critical of the perspectives of environmental advocates and the local environmental regulations that they contributed to creating. The contributions of environmental advocates in protecting QVCP were not well-known to AMLT representatives. However, AMLT representatives found implications of QVCP land protection, namely the Douglas-fir and woody succession of former coastal prairie, to harm eco-cultural resources.

While the Green Foothills representative, has changed their perspective on the QVCP restoration since the 2017-18 permitting process through continued dialogue with CA Parks and AMLT. However, she maintains her position that environmental advocates are the ones protecting local open space from development, as substantiated by the protection of the historic Cascade Ranch. This narrative reinforces the importance of the regulatory process to attain a coastal development permit and counters CA Parks’ skepticism of this process, which they find onerous and not grounded in current ecological knowledge. Environmental advocates simultaneously reject the significance of Indigenous influence on the Quiroste Valley landscape while asserting their own contributions to maintaining the natural conditions of QVCP. However, while CA Parks officials do not deny environmental advocates’ contributions, they contest the idea of wilderness-style management as supporting the highest values of QVCP.

The Influence of Indigenous Stories

The narrative of the Amah Mutsun Tribal Band influenced important decision makers for the QVCP land use, including CA Parks staff and San Mateo County elected officials. During a tour of the QVCP as a part of the permitting process, a county official was moved to tears, according to CA Parks Environmental Scientist Tim Reilly. For CA Parks, the story of the AMTB was influential in motivating their support of the restoration efforts. In discussing the significance of the project, Reilly remarked, “I feel in my heart that this is the right thing.” He described an impactful conversation with his son:

> “My seven-year-old at one point… he looked at me, and he was just like, "I don't understand it, dad. Why can't they just let them go back home?" Speaking about the Native Americans just coming back…that comment from him was, yeah, really kind of captivating, and it stuck with me. I was like, "Yeah, you're right, son. It's terrible."

Reilly understood the QVCP project as being the morally just decision as well as evidence-backed, stating, “there's evidence that the Native peoples were burning for thousands of years, right? I mean, there's historical counts. There's archaeological data. I mean, it's just like, "How do you argue with that?". While Tribes often face an unfair burden in having to make legible their knowledge systems and histories using Western scientific methods, the AMTB has substantiated the need for Indigenous stewardship at QVCP through strong research partnerships and garnered support from CA Parks and other local organizations.[18]

The story of the Quiroste Tribe also influenced how CA Parks staff experienced the QVCP. Reilly described the emotional experience while working at Quiroste Valley:

> [W]ithin the first two or three years that I was really involved working here…I actually lost some people really close to me in life, and I just felt this healing power of the valley. It was weird that it was happening and I would just happen to be out here in this place while I'm dealing with that and processing it. And so I get choked up just even thinking about it because I just remember walking around and just talking and crying and just feeling that there was thousands of years where this sort of thing was happening, and I just felt this kind of healing power of it. It's kind of hard to describe. But I remember it was really powerful to me. And I mean, I like to think that it helped me process and get through some of that.

Like Reilly, CA Parks Santa Cruz District Superintendent Chris Spohrer associated past Indigenous presence as shaping his experience at QVCP:

> there's certain times on these places, even places where you've been so many times, where you experience it differently. This is definitely one of them for me here. I had similar experiences after the CZU fire and Big Basin. I'd show up at 4 o'clock on a summer afternoon. Every other time I'd been there on a summer afternoon at 4 o'clock, the campgrounds would have been full, and there was people everywhere. And after the fire, it was just super quiet. And you could sort of sense this is the type of experience people have had here for many, many, many, many years.

Spohrer compares the recent catastrophic CZU wildfire event, which severely damaged the nearby popular Big Basin State Park that abruptly ceased being a lively campground, with a place that was also abruptly changed by the forced colonial removal of the Quiroste Tribe.

Similarly, during interviews at QVCP, multiple CA Parks interview participants described a strong connection with QVCP. Standing in the floor of the Quiroste Valley, CA Parks Senior Archaeologist for the Santa Cruz District, Michael Grone described seeing “a place that has a lot of love poured into it.” For CA Parks environmental scientist Alberto Bonilla describes how when he was working in QVCP, he would “get the sense of like this place is special.”

[18] See, for example, letters of support from Swanton Pacific Ranch, Midpeninsula Regional Open Space District, University of California Santa Cruz Natural Reserves, Santa Cruz Mountain Stewardship Network, and many other organizations, regarding the restoration project at QVCP. https://documents.coastal.ca.gov/reports/2018/4/w17a/w17a-4-2018-report.pdf

For Mark Hylkema, former district archaeologist for CA Parks Santa Cruz District with decades-long experience working with local Tribal communities and a strong grounding in Tribal worldviews, his relationship with QVCP does not always have positive feelings: “I have kind of a strange relationship with it because I felt like there was an offense when we did our excavations. It had a purpose, so I'm good about that, but I felt there was an offense.” He described an experience doing archaeological excavation at QVCP and getting “viscerally sick” in the process and how “somehow, something disrespectful happened.” Hylkema elaborates on his personal relationship with the QVCP:

> I think I'm tied to the place too. That's why I feel like I have to square myself with this place somehow because some kind of offense occurred. I'm not so simple to say just because I did archaeology, that was offensive. I'm not so sure that's true. I think it has to do with my own setting here. I have to do something to make it right.

Hylkema specified that the AMLT involvement and stewardship at QVCP “feels right.”

Conclusion

Acknowledging the power of stories to influence land-use decisions, I have described competing narratives intended to inform the enactment of restoration at Quiroste Valley Cultural Preserve. It shows that what may seem to be an innocuous desire to restore ecosystems is fraught with cultural and historical tensions. While justifications for restoration choices can be grounded in scientific evidence, they are ultimately subjective. For some, restoration is a completely hands-off approach to restoring landscape characteristics prior to human influence. For others, restoration is a critical component of culture and is integral to Tribal identity as environmental caretakers. Questions emerged regarding how the goal for restoration should be determined and by whom, whether removing a native plant should constitute restoration, and whether it is appropriate for a local Tribal community to stand in as the ecological stewards when a Tribal community has no known descendants.

Today, cultural considerations are a valid factor in decisionmaking. Native peoples made ecosystems more livable for people and wildlife through the creation of disturbance regimes that met those ends. While historical conditions can inform contemporary decisions, they also face limitations. For example, restoring a landscape to a past when humans were not present on the landscape, or completely eradicating any exotic species from the landscape is infeasible. However, lessons from Indigenous peoples can be applied for the restoration of relationships integral for biodiverse landscapes.

Restoration can be an act of cultural erasure if it relies on dominant discourses including ideas of an untouched wilderness that cause harm to Tribal communities. Some points made by environmental advocates align with settler nativism, in which settlers assert their position as protectors of cultural and ecological heritage, and believe their ideas of how to care for the land to be superior to the interests of Tribal people. Cattermole’s recommendation to focus on the removal of Jubata grass, exemplifies how he believes he is qualified to speak on behalf of the interests of Tribal people, in his opposition to Tribal interests. The regulatory process to acquire a coastal development permit, creates conditions in which Tribal sovereignty is denied and where non-Tribal people can assert themselves as qualified to speak on natural and cultural heritage management, in ways that are oppositional to Tribal interests, and are a form of erasure.

In decisions about the management of public lands, agency staff are tasked with ensuring the lands are managed for their “highest and best use.” CA Park’s officials understand biodiversity and managing woody fuel loads as an ecological benefit of Tribal land stewardship, and understand that social and ecological benefits can be simultaneously produced.

While opposing viewpoints were raised during the permitting process, they ultimately did not convince elected officials at San Mateo County or the California Coastal Commission that the project did not align with local land use regulations. The regulatory process provided an opportunity for the Amah Mutsun and CA Parks to share the project's story and highlight its broader significance. The story moved one elected official to tears. The power of storytelling lies in its ability to be utilized in various circumstances and formats. Stories and their values are embedded in art— such as the AMTB commissioned mural of the Quiroste Tribe— and state grant applications. They can influence collaborations with agency staff and elected officials voting on land-use permits. All of these instances have happened at QVCP. The Amah Mutsun share narratives of their responsibility to place and interconnectedness, and the many benefits of Indigenous stewardship at QVCP.

Some opposition to active Indigenous caretaking of QVCP mirrors the dominant narratives of the early conservation movement, and underlines how Tribes seeking involvement in natural and cultural heritage caretaking are faced with barriers stemming from the origins of conservation as an exclusionary and racist practice. It is unclear whether any amount of storytelling can resolve disparate understandings of restoration, but examining the stories helps to reveal the core sources of the divide.

The AMTB have been able to connect and garner support from groups who consider social justice and Western scientific evidence in their decisions. However some environmental advocates remain skeptical of findings that go against their deeply-held perspectives. Restoration is a politically charged and divisive term that can result in the scrutinization of projects for whether or not they constitute restoration. Substantial literature has departed from restoration’s ties to the past. Contemporary land managers may find their alternative concepts more helpful in implementing environmental caretaking practices.

Chapter 4: Memoranda of Understanding (MOUs), Environmental Governance, and Co-Stewardship for Non-federally Recognized Tribes in California

Introduction

On a sunny afternoon in November 2021, Armando Quintero, director of California State Parks (CA Parks), and Valentin Lopez, Chairman of the Amah Mutsun Tribal Band (AMTB), sat facing a crowd comprised mostly of Park staff and members of Tribe to sign and commemorate a memorandum of understanding (MOU) agreement to formalize their partnership, marking the first formal agreement between CA Parks and a non-federally recognized Tribe. The two leaders took turns to stand and offer remarks before an idyllic backdrop of marine terrace covered by coastal sage scrub and chaparral, with hiking trails and Monterey Bay in the distance. Reflecting on the partnership with CA Parks, Chairman Lopez remarked how the agreement is a product of two major actions: first, the AMTB seeking to honor their Native ancestors of the area, and second, the Tribe coming to trust a government agency. Trust, as described by Lopez, is the biggest challenge to collaborative stewardship, given the lasting legacy of colonial harms experienced by California Tribes brought on by the State of California.

Indigenous people have long endured violence as a result of colonialism, oppressive state policies, and influences of extractive capital. In California, Tribal nations continue to experience processes of forced resettlement and assimilation, and entrenched crises of poverty, culture, and social identity. Many of the state's 200 Tribes endured separation from their traditional lands and more-than-human relatives as a direct result of the violent and—often lethal—conversion practices of California's mission system (Madley, 2019; Rizzo-Martinez, 2022) and state-led forced assimilation. Over 80 California Native Tribes do not have federal recognition, meaning they are not recognized as formal social and political entities by the US Bureau of Indian Affairs (BIA). Therefore, they do not qualify for governmental social services, legal protections, and land-based programs (Chilcote, 2024). This form of status has been particularly challenging for Tribes interested in rights-based conservation initiatives because non-federally recognized Tribes do not have any legal grounds to make formal claims to land or marine resources. In the face of these challenges, a small number of California Tribes have relied on voluntary, non-legally binding tools such as Memoranda of Understanding (MOUs) in partnerships with important conservation actors to strategically gain access to various resources that are key to the revitalization and maintenance of their cultural ways of life. An MOU is a written agreement between two or more parties that expresses an aligned will and outlines a plan for a common line of action, agreement, and/or relationship ("Introduction to MOUs," 2023; "Memoranda of Understanding (MOUs) and Other Agreements," n.d.). While such agreements are not limited to Tribal nations without federal recognition, we understand the impact of these agreements to be particularly useful for Tribal communities lacking formally acknowledged sovereignty. While we acknowledge MOUs to be rooted in Western understandings, we follow Liboiron's (2021) assertion that not all Western instruments are inherently colonial and that some can be used for anti-colonial purposes. In specific cases of MOUs, we argue they can be used for emancipatory outcomes. This chapter focuses on the

Amah Mutsun Tribal Band of Central California – a non-federally recognized Tribe - and its experiences entering into MOUs with various conservation actors as a key tool to gain access to cultural and ecological resources that restore AMTB connections to land, water, and plants. In this Chapter, we understand MOUs as both a device that directs and organizes social relations with tangible effects *and* as a tool signifying social qualities such as trust and relationship-building.

The chapter is guided by the following questions: *1) What factors drive the establishment of MOUs between Indigenous and non-Indigenous actors? 2) What are the benefits and limitations of MOUs for non-federally recognized Indigenous communities?* Building on Indigenous political ecology, co-stewardship of resources, and recognition politics literatures, the chapter examines the main drivers behind establishing MOUs between a non-federally recognized Tribe and conservation actors. It also evaluates the advantages and disadvantages of MOUs, particularly for Tribes. Relying on our empirical findings, we show how MOUs can be particularly useful tools for non-federally recognized Tribal nations seeking co-management and co-stewardship agreements.

Literature Review

Co-Management and Co-Stewardship in Conservation

In conservation discussions, the terms *co-management* and increasingly, *co-stewardship* are used to describe collaborative resource-sharing arrangements involving Indigenous peoples and state and non-state actors. Unfortunately, a high degree of confusion surrounds these terms as they are often conflated and used interchangeably in academic, activist, and government literature, (e.g. Ortiz & Castro, 2025; Fisk et al., 2024), resulting in a lack of precision. In these contexts, the unequal power relations that each term wields are glossed over, as it is assumed that each concept enables the same degree of environmental rights and responsibilities for involved Indigenous peoples. When some distinction is made between the terms, definitions lack sharpness and remain unconvincing (e.g., Lemke et al., 2024). Parsing out the differences between these two concepts is important in order to understand the rights and responsibilities of Indigenous communities of various legal standing and what is possible in terms of land access and environmental care-taking for Tribes, particularly those with no federal recognition (we explain this term in more detail in the next section) in the US.

Co-management often refers to “the sharing of power and responsibility between the government and local resource users, [it] is an arrangement whereby partnerships can come about” (Berkes, 2009, p.1692). Recent literature has emphasized governance *beyond* the state to include governmental agencies, but also communities, nongovernmental organizations, and others. It has emphasized a shift away from top-down governance to more horizontal arrangements that prioritize inclusion and incorporation of different knowledge systems towards ecologically-centered goals (see Ross, 2011) and is increasingly being pursued to eradicate colonial ways of managing the environment, which have often reinforced unequal power relations between the state and Indigenous peoples (Youdelis et al., 2021; Reed et al., 2021). In the context of US environmental Tribal policy, Mills and Nie (2021) observe that co-management has several core attributes including the recognition of Tribal sovereignty and the incorporation of federal trust responsibility to Tribal nations. According to Clark et al. (2024, p.17), co-management “involves the *formal* acknowledgment of Tribal authority and/or the delegation of federal management authority over federally or state administered lands” (our emphasis). According to a US Department of Interior (DOI) report: “Co-management narrowly refers to collaborative or cooperative stewardship arrangements that are undertaken pursuant to Federal authority that requires the delegation of some aspect of Federal decision-making or that make co-management otherwise legally necessary” (“First Annual Report on Tribal Co-Stewardship,” 2022, pp.8-9). In co-management, the delegation of power to Tribes (ie. power-sharing) with federal legal standing is possible because the arrangement is based on a formal government-to-government relationship.

Co-stewardship is a concept broader in scope and refers to, what Kronk Warner and Salazar (2024, p.180) explain as, “tribal interests…being involved in the management of areas of tribal significance while not necessarily taking on the management of the resource.” It “includes ‘expanding scope and scale of Tribal involvement in agency work, planning, and decision making, as well as Tribal self-determination’”(ibid). Barr (2025, p.95) notes that “co-stewardship broadly refers to collaborative or cooperative arrangements between Bureaus, Tribes, and Native Hawaiian Organizations related to shared interests in managing, conserving, and preserving Federal lands and waters.” For Moore et al. (2024, p.4), co-stewardship agreements are “cooperative and co-equal” and are “implemented through cooperative agreements, memoranda of understanding, self-governance agreements (including annual funding agreements), or less formalized mechanisms.” While many scholars understand co-management and co-stewardship to emphasize similar qualities such as respect for Indigenous sovereignty, inclusive decision-making, and adaptive management (see Armitage et al., 2009; Moore et al., 2024) in conservation, a key distinguishing factor between them is that in co-stewardship arrangements, “Tribes are left subordinate to the federal government” (Clark et al., 2024, p.18). In other words, despite integrating Tribal knowledge systems into governing agendas and collaborating with Tribes in environmental management projects, federal agencies retain ultimate decision-making authority.

In California, state-level environmental policy has contributed to the ambiguity of co-management and co-stewardship by inconsistently applying these concepts to Tribes with and without federal recognition. In 2020, Governor Gavin Newsom released a Statement of Administration Policy regarding Native American Ancestral Lands through which he encouraged “co-management of State-owned and controlled lands” with California Tribes alongside state agencies, regardless of if they had federal recognition or not. Unfortunately, California Assembly Bill 1284 was approved in 2024, which ultimately barred Tribes without federal recognition from entering into any co-management arrangements with state agencies. In the case of the AMTB, the Tribe is not able to have co-management arrangements as defined by federal or state policy. The Tribe’s leadership has critiqued the term “management” for its hierarchical implications and representation of Western ontologies placing humans above non-human relatives (see Pasternak, 2017 for a similar critique) and prefers to use ‘stewardship’ instead. Therefore, in this chaper use co-stewardship to more accurately describe the conservation collaborations from agency and Tribal perspectives.

Departing from commonly examined co-stewardship tools of consultation or easements, our focus of this chapter is on the utility of MOUs in conservation contexts, in order to understand the limits and possibilities they may offer. While several authors have discussed the challenges of MOUs in state-Indigenous relations such as their non-binding character which may override Treaty rights (Reed et al., 2020; see also Coulthard, 2014), others argue that MOUs are important tools, particularly at the beginning of cooperative arrangements because they set out intention and signify first steps towards possibly larger, more permanent efforts to co-steward a resource[19] after years of bumpy relations (Mills & Nie, 2021). Overall, existing research on MOUs – which is scant – has mainly examined cases involving Indigenous nations with formal legal standing. Our work makes innovative contributions in its focus on MOUs in conservation discussions and how they can function as key tools for non-federally recognized Tribes in the US, thus illuminating their different and perhaps more complex challenges in terms of achieving resource access.

Tribal Recognition in Context: US and California

The 574 US federally recognized Native American and Alaska Native sovereign nations have acknowledged rights of self-governance, and the ability to make decisions about Tribal land use, resources, and regulatory matters because of treaty-bound obligations between Tribes and the US government (see Tribal Leaders Directory, n.d.; Wilkins & Stark., 2018). While a pathway for petitioning for federal acknowledgment exists, the process is burdensome and slow-moving. As noted by Luiseño scholar Chilcote (2024), because the US government remains the arbiter of federal acknowledgement, an “artificial hierarchy” has emerged among Tribal nations whereby some Tribes’ inherent Tribal sovereignty is recognized or acknowledged by the government over others. Recognition (or lack thereof) can significantly impact community members of non-recognized Tribes, particularly psychologically. According to Choctaw scholar Klopotek (2011, p.249), members of non-recognized Tribes may feel like “second-class Indians” and their historical trauma associated with being Indigenous may be invalidated.

Non-recognized Tribal nations, however, exert agency in claiming their identity. Even the process of petitioning for federal acknowledgment can catalyze cultural revitalization efforts while gathering evidence and information on Indigenous identity (Klopotek, 2011). Bruyneel (2007) writes similarly about the agency available to Tribal nations when dealing with the settler colonial state and uses the term, “third space of sovereignty,” to denote Tribal nations who choose to actively engage in settler-state relations while remaining unassimilable to the state.This concept is relevant to non-federally recognized Tribes because they hold inherent sovereignty and actively engage in activities to have this sovereignty acknowledged externally.

California has the highest number of non-federally recognized Tribes in the US. These Tribal nations survived three waves of colonial conquest (Sepulvelda, 2024). During the first period of colonization from 1769 to 1833, California Tribal people were forced into the 21

[19]We understand the term, ‘resources’ as emphasizing values of ‘utility’ and ‘use’ which represents ontologies not completely aligned with the AMTB’s understandings of the world. ‘Resources’ is commonly used by agency practitioners in conservation planning. We highlight the complexity and problems associated with this term while also acknowledging the lack of a suitable alternative. We use ‘resource’ in this chapter with caution.

Spanish Franciscan missions established along the coastal areas of California (see Madley, 2019; Miranda, 2013; Rizzo-Martinez, 2022). The mission period, which was the second wave, as well as the subsequent colonial Mexican and American periods, involved forced religious conversion, indentured servitude, and genocide (see Akins & Bauer, 2021; Madley, 2016). The complex colonial history, coupled with the rich diversity and high number of politically distinct California Tribal communities, has contributed to the concentrated number of Tribal nations in the state. For many non-federally recognized Tribes, their lack of recognition can be attributed to the long-lasting impacts of the Mission system compounded by the US government's failure to ratify numerous treaties and policies of Tribal termination (Johnston-Dodds, 2002; Lightfoot, 2006; Panich, 2013).

Methodologies

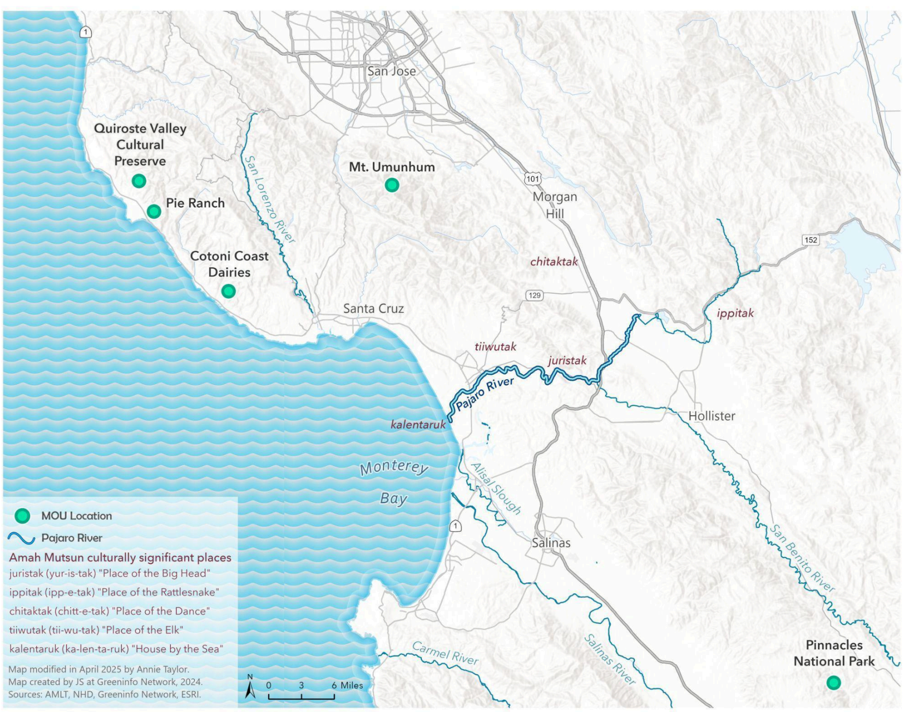
Our research findings emerge from a research project ongoing since 2019, which seeks to examine the histories, environmental stewardship activities, and place-based strategies of the AMTB of California in their experiences of reconnection to relatives, both human and non (see Kenney-Lazar et al., 2023) . We conducted semi-structured interviews (n=16) between 2021 and 2023 with various actors working at multiple levels of conservation governance in California and the US. Respondents included: employees from the Bureau of Land Management (BLM), National Park Service (NPS), CA Parks, and the Midpeninsula Regional Open Space District (hereafter, called 'Midpen'). Founders of the community nonprofit organization, Pie Ranch (which controls lands presently used by the AMTB and who have entered into MOUs with the Tribe), were also interviewed.

Overall, interviewees from formal organizations were selected because of their central roles within the agencies and because they had direct, first-hand experience working with the AMTB to establish the MOUs at the center of the research. Interview questions aimed to understand the relationships different interviewees had with the AMTB and how they came about. Tribal members (such as Chairman Valentin Lopez and regular members) as well as non-Native research associates and employees working closely for the Tribe and its land trust organization were spoken to as well. These respondents were selected because of their first-hand experience forging the MOUs or due to their knowledge regarding the importance of MOUs to the future of the Tribe. Questions were asked about the exact definition of an MOU and the role it plays in conservation and earth stewardship activities for the Tribe and organizations. Institutional Review Board protocol #1253 was approved by the University of San Francisco. Interviews were conducted over Zoom, telephone, and in person. At the beginning of each interview, permission to record was requested. Participants were also asked if they would like their names to be used in our research. In cases where permission was granted, we use real names. In cases where permission was not granted, we refer to participants in the abstract.

In addition to interviews, we conducted field visits to sites relevant to conservation efforts in Central California and stewardship work by both authors was carried out alongside the Tribe, however, in two different capacities. Author A is a Tribal member of the AMTB and a frequent employee of the Amah Mutsun Land Trust. They have worked on behalf of the Tribe in various collaborative arrangements and activities with agencies and organizations mentioned in this chapter. They are also a PhD candidate writing a dissertation about the AMTB and its earth stewardship practices. Author B is an ally of the Tribe who has participated in various activities such as marches, rallies, cultural events, and planting projects to raise awareness about environmental and social issues affecting the AMTB. This chapter aims not to overly critique MOUs but to identify what has worked and what can be improved upon to enhance the experience of Tribes like AMTB in actualizing their stewardship duties with conservation actors in the face of non-federal recognition.

We examine five MOUs the Tribe signed with public and private entities, including: 1) NPS regarding Pinnacles National Monument and Park 2) BLM regarding Cotoni-Coast Dairies, California Coastal National Monument 3) CA Parks regarding Quiroste Valley 4) Midpen regarding Mount Umunhum 5) Pie Ranch regarding Cascade Ranch (see Figure 1 for exact locations). These MOUs were selected because they represent the most recent agreements entered into by the Tribe with external actors with the goal of accessing ancestral land. Each MOU was coded using NVivo 3 according to themes such as language, definitions, stated goals, length of implementation, terms of engagement, and obligations of both parties. We then compared this information with contextual details derived from interviews which provided more background insights as well as anecdotal information about motivations behind the MOUs and tensions that may have emerged between parties. Other sources of information examined included newspaper articles and bulletins, websites (e.g. Tribal and agencies/organizations) and reports. The next section provides a background of the AMTB and then gives a brief explanation of each MOU and how it emerged.

Figure 4.1. Locations of Amah Mutsun MOUs. By GreenInfo Network and Annalise Taylor



Background

Amah Mutsun Tribal Band (AMTB)

The AMTB, formerly known as the San Juan Band, is made up of Indigenous descendents who were forced into the Spanish Franciscan missions of Santa Cruz and San Juan Bautista in central coastal California beginning in 1791 and lasting until 1833 (Hart, 2018). Amah Mutsun people endured further phases of colonization including the Mexican colonial period up until 1848, and the assimilationist period of the US, which is ongoing (Ibid). The Tribe has been without federal recognition since 1929, when agent L. A. Dorrington, from the Indian Field Services (the precursor to the US BIA), submitted a highly flawed report to the US government, which ultimately cost the Tribe its recognition (Field, 2003). The report, meant to assess the needs of Tribes in the region with the goal of purchasing land for them, relied on incomplete census data and unrealized field visits to communities. Dorrington's report concluded that the Amah Mutsun "… have been well cared for by Catholic priests and no land [is] required" ("Dorrington Report," n.d.). The submission of Dorrington's report had cascading effects for the AMTB; no land was purchased for the Tribe, and their federal status was immediately terminated (Hart, 2018).

Despite their lack of federal recognition, the AMTB has maintained community cohesion while igniting a cultural resurgence in recent years, mainly due to two recent efforts. First, in 1991, the AMTB submitted a petition for federal recognition in response to a 1978 regulatory process created by the BIA to recognize Tribes on a federal level.[20] Second, the Amah Mutsun Land Trust (AMLT) was established in 2014 to support conservation capacity as a Tribally-led environmental non-profit. AMLT prioritizes the AMTB cultural import on stewardship of ancestral areas, and has prioritized resource access and environmental stewardship more than land acquisition, in contrast to the traditional land trust model. Several MOUs involve both AMTB and AMLT.

Pinnacles National Monument and Park

Pinnacles National Monument is managed by the NPS and is located in San Benito and Monterey counties in central coastal California. In 2013, it was designated as a National Park, but much of the AMTB collaboration with NPS at Pinnacles preceded this designation. According to Chairman Lopez, the MOU between the AMTB and NPS emerged in 2006 when then-recently appointed Pinnacles National Monument superintendent Eric Brunneman reached out to the Tribe to initiate a relationship. For AMTB, the partnership with Pinnacles marked the first time the Tribe entered into a formal relationship with a conservation agency and was formally acknowledged as a steward of natural lands based on their identity as Indigenous representatives of the area. The relationship centered around a grassland restoration project at McCabe Canyon, an area newly incorporated into Pinnacles at the time. The collaboration sought to "restore and protect these unique natural and cultural resources using traditional

[20] At the time of writing, a decision has not been made by the Office of Federal Acknowledgment at the BIA see https://www.bia.gov/as-ia/ofa/120-amamut

tending techniques while also emphasizing the role of California's first inhabitants in shaping the natural landscape over centuries of time" (R. Flores, personal communication, January 24, 2023). The MOU agreement, AMTB's first with an external agency or organization, was signed in April, 2013.

Cotoni-Coast Dairies, California Coastal National Monument

The Cotoni-Coast Dairies Property is located in Santa Cruz County and is administered by the BLM Central Coast Field Office. In 2016, Chairman Lopez initiated conversations with BLM regarding an MOU at the Cotoni Coast Dairies Property, and an MOU was signed in that same year. The public signing event involved Chairman Lopez offering song and prayer. The agreement centers on the partnership at the Cotoni-Coast Dairies Property, lays out specifications around cultural resource management, and delineates how traditional cultural practitioners can use the land. It affirms BLM's commitment to working with Native American traditional practitioners from both federally and non-federally recognized Tribes and refers to the Amah Mutsun Tribal Band as a Native American California Indian Tribe who are recognized by the State of California.

Quiroste Valley Cultural Preserve

CA Parks is divided into regional districts, and CA Parks Santa Cruz District initiated a partnership with AMTB in 2007 as part of a larger collaborative historical ecology and archaeology research project at Quiroste Valley in San Mateo County. Through efforts led by AMTB leadership and member, Chuck Striplen, Chairman Lopez worked with CA Parks Cultural Resources Program Supervisor, Mark Hylkema, to establish Quiroste Valley as a cultural preserve (QVCP) in 2008 (see Striplen, 2014). In 2019, the AMLT was awarded a grant for plant propagation at QVCP by the California Natural Resources Agency ("Press Release: CCRN Grant," 2019). Since the project involved grantees operating on lands held by a different organization, the grantors required an agreement between AMLT and CA Parks. An MOU was agreed upon as the best vehicle for such an agreement. In December 2021, the MOU was signed by CA Parks Director Armando Quintero and Chairmen Lopez at a gathering at Año Nuevo State Park. The agreement is between CA Parks Santa Cruz District, AMTB and AMLT, and pertains to three parks in the District, and has a five-year duration that automatically renews upon its expiration. It describes how AMTB delegates its sovereign authority to engage with State Parks.

Mount Umunhum and Midpen

Following the acquisition of Mount Umunhum Summit – a sacred place for the Amah Mutsun as the location of a creation story (see "How Hummingbird Got Fire," 2011) – in 2015, Midpen General Manager Steve Abbors invited Chairman Lopez to visit the property. The site, located in the Santa Cruz Mountains, hosted a defunct radar tower atop the 3,486-foot peak. A collaboration ensued which allowed Tribal access to Mount Umunhum property by creating a ceremonial dance circle, interpretive displays of Indigenous history, and a cultural conservation easement, which secured legal access in perpetuity for the Tribe for approximately 36 acres (See "Cultural Conservation Easement," n.d.). The easement, along with a Memoranda of Agreement

(MOA), were signed at a public ceremonial event commencing the opening of the Mountain in December 2017 (Ibid). The MOA is effectively an MOU in that it is a formal non-binding agreement with similar formatting, content, and a five-year duration as the MOUs in this case study. For the purposes of this article, we interpret the MOA agreement as an MOU, given their similar qualities and function. The MOA agreement describes the AMTB as a non-federally recognized California Native American Tribe on the Native American Heritage Commission contact list.

Pie Ranch

A relationship between Pie Ranch and AMTB was first established in 2012 with both parties formalizing an MOU in July 2014. The MOU facilitates Tribal oversight of Pie Ranch educational programming regarding the Indigenous history of the area. It also allows the Tribe access to land to establish and run a Native Plant garden with plants selected by Tribal members. In May 2022, the MOU agreement was renewed with the addition of AMLT. New language was included to affirm the position of AMTB and Pie Ranch in acknowledging the Rights of Nature as well as voicing opposition to the Doctrine of Discovery.[21] The 2022 agreement describes the AMTB as a Native American Tribal Nation who have government-to-government relationships with CA Parks, NPS, BLM, MROSD, and others.

Motivations towards MOUs

Below, we identify the major motivations that drive the establishment of MOU agreements between the AMTB and non-Indigenous landowners or managers. Following them, we recognize the benefits and limitations of the MOUs. First, we establish what an MOU is. As Rob Cuthrell, research associate for the AMTB explained:

> [MOUs are] agreements to work together to raise public awareness about Indigenous history and Indigenous culture in these areas, working together to develop outreach materials to the public, providing Tribal members with access to properties, to engage in multiple different types of activities that can be traditional [such as] resource collection or a ceremony.

For Tribal members, MOUs enable access to traditional territory where they can engage in culturally grounded caretaking practices on the lands of their ancestors. Through MOUs, Tribal members can revitalize dormant practices meant to show appreciation and connection to the non-human world. By accessing lands for the purposes of native plant collection and honoring the living and burial grounds of their ancestors, the Tribe is able to reclaim and relearn forgotten knowledges linked to descendants and their ways of life. These acts align with the Tribe's goals to revitalize dormant practices that were almost entirely erased by colonial forces.

[21] The Doctrine of Discovery is a racist legal doctrine created by Pope Alexander VI in 1493 that was used to justify European colonial conquest and Indigenous land dispossession and subjugation. Despite widespread criticism, the Doctrine has been used in US court rulings to justify European claims to Native lands despite their prior occupation by Tribes.

AMTB Motivations

To many Tribal members, MOUs are symbols of a *formalized partnership* and are understood to acknowledge the existence of the Amah Mutsun community. For Chairman Lopez, having an MOU at Pinnacles National Park with NPS was, at first, "unimaginable" given his understanding of the federal government being unable to engage with non-federally recognized Tribes. In a local news publication detailing the 2013 MOU signing, Lopez remarked that the AMTB had a strong desire to be recognized "as a partner with Pinnacles" and that the MOU formalized their efforts (Flores, 2013). Building on this, AMTB Council Member Denise Espinosa stated that the various MOUs the Tribe has entered into signify the formalization of several commitments from partners, including Tribal acknowledgment, a willingness to work with AMTB, and an affirmation that AMTB "can do the work."

Another motivation relates to recognition. Several AMTB members spoke about MOUs eliciting both *internal and external recognition* for the Tribe. For Chairman Lopez, MOUs contribute to internal recognition, which boosts a person's understanding of who they are. Explaining the value of MOUs to personal identity, he explained, "I wanted our members to have to know their identity and to know where they belong and [to develop] self-esteem of being Mutsun." In a similar vein, AMTB member Trina Higuera-Coates commented that MOUs affirm and validate Tribal members' histories, emotions, truths, and personal experiences which form the basis of an internalized personal identity, so members "know where they came from."

MOUs are also key to facilitating external recognition. For example, Chairman Lopez emphasized how MOUs "give legitimacy" to an unrecognized Tribe. He stated that "being seen as an unrecognized Tribe is kind of like you're a phony Tribe, a pseudo Tribe, a Tribe in training, just a wannabe." For him, MOUs lend the Tribe formal standing, which is a key ingredient in the building of partnerships with external actors. AMTB member Higuera-Coates conveyed how relationship-building involves "networking and making your presence known" and that MOUs facilitate such processes so that "people know who you are." For AMTB member Espinosa, an MOU is evidence of being considered a trustworthy group by external actors and strengthens the reputation of AMTB, which may lead to a positive federal recognition application outcome. As she elaborated, "it…shows the federal recognition process people that, 'Hey, we're a Tribe, and we have a standing.'" These perspectives illuminate how, in the absence of formal federal status, MOUs affirm Tribal existence, history, and experience, and lend the AMTB a form of legitimacy which is important for the formation of Tribal identity while possibly aiding formal recognition processes.

Tribes may also be motivated to enter into MOUs because they support *durable physical access* to land that goes beyond recreational use or general public access. All MOU documents examined in this project explicitly guarantee long-term physical access to land for Tribal members engaging in activities such as plant harvesting, community gatherings, and ceremonies. Furthermore, they outline the protocols for land access, including notifying the appropriate personnel and specifying allowable ceremonial use. We found that interview participants from both the AMTB and AMLT identified land access as a major driver of MOU agreements. For example, the Pinnacles MOU agreement in 2013 marked a significant moment for the AMTB. As Chairman Lopez explained, the agreement gave the Tribe durable access to environmental resources which was important because…[previously] we [could] put effort in[to the park] and then [NPS could] change their mind and say, 'well, we can't continue this relationship, we're out.' And so we wanted something that gave us a little bit of stability and MOUs accomplish that."

Long-term access to landscapes and their ecological features enables the Tribe to re-form connections with cultural history, ancestral knowledge systems, and ways of life. As NPS representative Brent Johnson stated, consistent access to Pinnacles allows Tribal members to "relearn and reconnect" with their ancestral lands by engaging in cultural revitalization practices and sacred ceremonies at the park. Reconnection was a similar outcome to the 2017 MOA and Cultural Conservation Easement involving AMLT, AMTB, and Midpen, as well as the Mount Umunhum site. This agreement guaranteed Tribal access to and protection at the site, which is a culturally significant place. According to Chairman Lopez, the agreement was important because, "[it] guarantees our people the opportunity to return to Mount Umunhum and to restore our cultural relationship with the place of our creation story."

In addition to physical access, Tribal interviewees mentioned other factors motivating the establishment of MOUs. For example, AMTB member Denise Espinosa understands MOUs as *validating and affirming Tribal members' use of land for cultural purposes.* She suggested that MOUs can prove helpful if non-Tribal individuals ever question AMTB activities, for example, in cases where Tribal members are accused of illegal plant harvesting in state or national parks. Additionally, *MOUs release Tribes from financial obligations linked to land maintenance and caretaking.* According to CA Parks Archaeologist Mark Hyklema, MOUs provide land access for Tribes without them needing to pay taxes because partner agencies or organizations remain owners of the land. For him, MOUs can be an "inoffensive way for non-federally recognized people to gain access to the resources they need." Durable access to land by way of MOUs provides a sense of security to non-federally recognized Tribes and a way for them to reconnect with culturally significant places and care-taking practices while lessening financial burdens often associated with land ownership.

Agency and organization motivations

Several representatives from organizations and agencies commented that by engaging in MOUs with the AMTB, they were *addressing institutional "blind spots" of outreach and engagement with non-federally recognized Tribes.* Many interviewees stated difficulties of engaging in collaborations and outreach with non-federally recognized Tribes due to the 'ambiguous' status they inhabit in state and federal conservation planning contexts. Several interviewees laid blame on California's legacy of missionization and other colonial mechanisms for the 'many broken connections' between Indigenous peoples and their lands. For example, Ben Blom of BLM described non-federally recognized Tribes as a "blind spot for the agency," since BLM directives delineate how to engage with federally recognized Tribes, but not Tribes without legal standing. The BLM follows the authority of Executive Order 13175 (2001), *Consultation and Coordination With Indian Tribal Governments*, which defines *Indian Tribes* as communities acknowledged by the federal government, and therefore excluding non-federally recognized communities from federal conservation planning. AMLT representative Rob Cuthrell mentioned another factor adding to the ambiguity of working with Tribes like the AMTB. He stated that for agencies, identifying legitimate stakeholders is more ‘ambiguous’ when working with non-federally recognized Tribal communities because there is less documentation and societal awareness of non-federal communities. These perspectives highlight how a formalized agreement with the AMTB/AMLT, such as an MOU, can address the ambiguity or “blind spots” of local Tribal engagement for agencies lacking clear guidance or directives for working with non-federally recognized nations. Because of their flexible nature, MOUs are more inclusive and enable agency engagement with Tribal communities whether they are federally-recognized or not.

Another motivation that drives MOU initiation is how MOUs *fulfill organizational social and environmental objectives and mandates* relating to public education programs. In this way, MOUs help organizations fulfill their public knowledge dissemination goals relating to the environment. As noted in a Midpen press release quoting Steve Abbors about the conservation easement with the AMTB:

> We are in a small way helping to reestablish that [environmental, cultural] connection [of the AMTB] and the permanence of the conservation easement makes that connection truly meaningful. At the same time, it supports Midpen’s mission by enhancing our ability to restore and preserve the natural environment at Mt. Umunhum for the public and provide a new and richer experience for the preserve visitors by directly sharing traditional culture and ecological knowledge with the original inhabitants of the mountain. (“Press Release: Mt. Um Conservation Agreement,” n.d.)

The press release also states obligations the Tribe must carry out as part of the easement, “In exchange for the benefits to the Tribe under the easement, the Tribe will provide significant volunteer educational, cultural and natural resource advising services to the District and the public, as well as the more general public benefits of deepening the region’s understanding of this aspect of human history on Mount Umunhum and surrounding areas” (“Midpen Approves Agreement,” n.d.). Our analysis found that the public education obligations were also common in MOUs with other entities such as Pie Ranch.

All agencies and organizations included in this study have mission statements delineating their priorities and objectives. We found that all MOUs contained language stating that a partnership with the AMTB would not only benefit the Tribe but also serve the organization or agency’s overall mission and various interests. For example, the CA Parks MOU enables the Tribe’s access to land while CA Parks benefits from work carried out by AMLT Native Stewardship Corps. As Mark Hyklema explained:

> The Tribe created the Native Stewards [Corps] and that's when our natural resource [division] began to realize there was an opportunity to cross pollinate interests between [them]…and…the Tribe and their interests, and of course the Tribe was expressing interest on enhancing native plants specifically. So we can see a mutual relationship there, and so our natural resources people began to solicit grants from within parks [to start this work].

Similarly, Erik Zaborsky of BLM spoke about how MOUs are a way to acknowledge Tribes and their expertise or increased capacity for things. This expertise is particularly helpful when the BLM does not have the knowledge nor the capacity to carry out certain environmental tasks, such as Tribal cultural resource identification and stewardship.

Lastly, we found that MOUs served to address what we term, *settler objectives,* or personal beliefs or dilemmas experienced by various agency or organizational representatives involved in MOUs with the Tribe. For example, the former head of Midpen explained how his organization gave the AMTB legal rights to Mount Umunhum through the establishment of a conservation easement to settle an ongoing dispute Midpen had with a local military advocacy group, *and* uplift local Tribal rights. Briefly, a military organization wanted to highlight the mountain's history as a key air force station by converting an existing tower and the surrounding area into a military public education site. By moving forward with the MOA and cultural conservation easement, the leader of Midpen rejected the military proposal and instead created a designated place of ceremony for the AMTB.

In the case of Pie Ranch, the MOU and the broader partnership the organization has with the Tribe is driven by the owners' desire to address planetary healing and privilege inequity. One of the co-founders, Nancy Vail, said:

> When Jared [other Pie Ranch co-founder] and I met and got together, we quickly knew that we wanted to do something together that was land-based and engaged…I think at the heart of it was a feeling of the concept of healing—healing our relationships with others, our own being, and the Earth. And recognizing the privilege that we have as white people. And how do we shift that power and share power?

In addition to being key tools to Indigenous communities, MOUs can also be used as devices to address key objectives from settler actors involved in conservation issues. MOUs can be used to settle disputes with other actors in addition to actualizing personal commitments to addressing environmental inequality and historical violence by settler partners.

Benefits and Limitations of MOUs

Here, we examine how the structure of various MOUs and their broader prevalence within agency and organizational spaces have benefited but also limited partnerships the AMTB has with conservation actors. We bring together perspectives stemming from all MOU cases and highlight themes relevant to all parties involved in these collaborative agreements.

MOU Benefits

A key benefit associated with the various MOUs is their *vagueness of language* to be meet evolving needs of parties. For example, as part of its approval process, the CA Parks' MOU had to be legally reviewed with particular attention paid to language. Accordingly, in drafting the agreement, CA Parks personnel strategically inserted 'open' and 'flexible' language so as to allow the relationship between this agency and the AMTB to evolve in the future. In drafting the MOU, Hylkema sought to insert language "as accurately vague as possible." He described how key points within the MOU were "philosophical, such that they're irrefutable," and he sought to avoid very specific language, stating, "otherwise, you're locked into these kinds of approaches, and you might need to change." Ben Blom reflected on how the initial steps to renew the MOU with BLM involved changing the language to make the agreement more flexible, allowing, for example, AMLT to harvest vegetation such as live cuttings for regional restoration projects.

Our research finds that another beneficial aspect of MOUs lies in the *relational* connections some of the agreements have with one another. What is meant here is that several newer MOUs involving the Tribe and agencies or organizations have built upon the language and structure of older MOUs, thus drawing inspiration going forward. This has led to stronger and more precise agreements. Therefore, we understand the relationality of MOUs to support both the breadth and depth of Tribal land access opportunities for AMTB.

To illustrate the relational linkages between the MOUs in our study, we chronologically map out the agreements. AMTB's first MOU was with Pinnacles, and it utilized an existing MOU agreement between Yosemite National Park and the Mariposa Miwok Tribe as a template. NPS ecologist Brent Johnson was involved in both agreements involving the AMTB and the Mariposa Miwok, respectively, and he was specifically recruited to lead the MOU process in Pinnacles because of his previous experience working with Indigenous partners. After its establishment, the AMTB and Pinnacles National Park MOU served as a template for the respective agreements with the BLM and Pie Ranch. The direct linkages between the MOUs, including some shared language within the agreements, demonstrate the utility of a well-known tool used by reputable agencies and organizations. In the case of CA Parks, an existing MOU with the Koi Indian Nation and CA Parks was used as a model and template for the CA Parks MOU with AMTB and AMLT. The relational connections of these agreements and their ability to support AMTB regaining land access demonstrate not only the precedent and evolution of language but also credibility, which creates favorable conditions for establishing future MOUs with new partners. Chairman Lopez regularly references existing MOUs in public presentations and often suggests they are strong tools for building relationships when in conversation with potential new partners, such as landowning agencies and land trusts.

While we have articulated the utility of MOUs for increasing the breadth of agreements and land access opportunities, there is also a relational aspect of MOUs bolstering existing partnerships. For the AMTB, several MOUs have led to continued partnerships and even legally binding arrangements. For example, AMLT and Pie Ranch are in the process of finalizing a cultural conservation easement agreement, where AMLT will hold legal property rights to Pie Ranch. At Pinnacles, NPS staff have enacted a cooperative agreement with AMLT to financially support AMLT stewardship of cultural resources at PNP. In both cases, the agreements provide benefits to AMLT not available in an MOU: legal rights and funding, respectively.

MOU Limits

As non-legally binding *"handshake agreements,"* MOU agreements do not involve the transfer of property rights or represent a contractual agreement. In instances where MOUs are used for collaborative land stewardship involving one legal landowner and another entity without property rights, an unequal power dynamic cannot be absolved via an MOU. Furthermore, cultural conservation easements involve the granting of legal property rights. For example, either party can abrogate an agreement at any time. For Steve Abbors, the motivation to grant AMTB a cultural conservation easement and MOU acknowledged how in regard to Amah Mutsun, "in a very real way, it was their mountain." However, his agency was still the "legal stewards." AMTB council member Denise Espinosa understood that a drawback to MOU agreements is that the AMTB may have different land-use values and cannot contest agency decisions.

Similarly, while the agreements examined in this study may grant certain privileges to the AMTB, such as harvesting plant materials, informing governance decisions, and holding educational or ceremonial activities, *no funding* mechanisms are attached to the MOUs. The lack of funding was identified by several interview participants, including representatives from the agency and AMLT. Chairman Lopez remarked on how, at Pinnacles, many AMTB volunteers paid for their own travel expenses and personal equipment, and how this arrangement was not sustainable and was a "hardship" for Tribal members. Lopez emphasized the importance of fundraising to support Tribal stewardship.

The MOU agreements with public agencies utilize language that emphasizes the public benefits of a partnership with AMTB and AMLT, aligning with the agency's mission. While they grant AMTB and AMLT privileges, MOUs also contain *public service obligations* and language obligating AMTB and AMLT to provide "significant volunteer, educational, cultural and natural resource advising services" and, in one case, host Tribal ceremonies "open to non-tribal public participants" (R. Holderman, personal communication, August 27, 2021). These obligations highlight the nature of MOU agreements, which aim to fulfill agency objectives and may involve creating transactional arrangements to ensure mutual benefits.

We found that interview participants understood the *time limits* of MOUs as being both a benefit and a limitation. BLM staff Erik Zaborksy found that the five-year duration "compels both parties to stay engaged" and could accommodate staff turnover or other organizational changes. Denise Louie (NPS) believed the five-year duration to be "standard" and within the realm of possibility for NPS agreements. For Chairman Lopez, the MOU with Pinnacles allowed AMTB to demonstrate their capacity "to follow the conditions that were in the MOU." Representatives from AMTB, AMLT, and Pie Ranch understood the benefits of shorter five-year agreements, as they allow for opportunities to strengthen MOUs upon renewal.

The AMTB and AMLT MOU agreements with BLM and NPS have expired after five years and have not been renewed to date. While the cultural conservation easement between Midpen and AMTB grants the Tribe perpetual land access to Mt. Umunhum, the associated MOA agreement expired after five years and has not been renewed. Interview participants highlighted organizational turnover and limited capacity as key issues affecting the continuation of these agreements. With CA Parks, any concerns regarding expiration following the five-year duration of the MOU were addressed by including a clause for the automatic renewal of the agreement, provided both parties wish to remain in the agreement. For Chairman Lopez, MOU agreements that last for more than five years are preferred.

In some situations, an MOU agreement may be considered *an undesired action*. Rob Cuthrell, a former AMLT representative, highlighted a failed MOU process, where AMLT sought to create a cultural watershed area but could not get support from local landowners within the proposed watershed. AMLT Research Associate and University of California, Santa Cruz (UCSC) Arboretum staff Rick Flores remarked how initial assessments about whether the UCSC Arboretum could establish an MOU with AMTB made it clear that it would be a burdensome bureaucratic process with too much university oversight, and both parties found a verbal agreement preferable. During initial conversations with a local government agency, AMLT representatives requested an MOU agreement but were denied due to agency concerns about being in the overlapping ancestral territory of multiple Tribes.

Discussion and Conclusion

The topic of MOUs as a tool strategically used by non-federally recognized Tribes in the governance of land and earth stewardship is understudied. In this chapter, we argue that MOUs are useful, albeit complex tools that may serve Indigenous communities' needs along with addressing broader objectives of other environmental groups. The use of MOUs by Tribes like the AMTB reveals several implications for conservation-focused relationships Indigenous peoples may have with public and private entities going forward. We list them below.

MOUs and Tangible/Intangible Effects

An MOU is a significant step in establishing a cooperative agreement between two or more parties. MOUs outline the non-legally binding responsibilities and intentions, as well as the roles and objectives of each party. Our research shows that although MOUs have material effects such as getting access to land and specifying tasks and responsibilities of various actors, they also facilitate the emergence of less tangible dimensions such as trusting and reciprocity. Trust relations emerge as the Tribe and other parties begin to work closely together in a positive way. As collaborations develop and parties carry out tasks outlined in the MOU in a consistent and transparent manner, actors have become more comfortable working with one another. For the Tribe, collaborations with other actors, especially government ones, mark a different approach than in previous years. Some Tribal members were hesitant and even suspicious of the goals or intentions of government personnel, given the government's long history of ill treatment of Indigenous peoples. Over time, the various MOUs have ushered in formal partnerships which have led to several long-lasting conservation arrangements that would not have been possible without the MOU.

MOUs as Recognition

As detailed above, the significance of MOU agreements for AMTB members is not limited to the delineated opportunities within the agreements, but also bolsters Tribal reputation and affirms Tribal member identity in the absence of federal acknowledgment. Effectively, this complicates extinction narratives of Tribal people and perceptions of Native peoples not contributing to ecosystem stewardship. MOU agreements with esteemed agencies and organizations utilize their reputation to affirm Tribal existence, as they formalize government-to-government relationships, and highlight the expertise Native people bring to open space management. As such, AMTB benefits from the recognition of Tribal identity, existence, and contribution to land stewardship. Scholars have detailed psychological consequences of belonging to a non-federally recognized nation (see Chilcote, 2024; Klopotek, 2011), and MOUs may ameliorate personal feelings of an invalidated identity.

MOU Alternatives

Interview participants brought up a series of alternatives to MOUs, none of which are mutually exclusive from an MOU agreement and can be enacted in conjunction. For Brent Johnson, using research permits in NPS parks was preferable to MOUs, as they enable co-stewardship by allowing the harvesting of plant materials. Fellow NPS staff member Denise Louie initially found a volunteer agreement to be a fitting tool for the AMTB collaboration at Pinnacles National Park. For Ben Blom of BLM, an alternative that contains a funding mechanism, such as a cooperative agreement, can "provide a fiscal tie between entities." Rob Cuthrell and Chairman Lopez found cultural conservation easements to be preferable to MOUs since they are legally binding and often in perpetuity. This stands in contrast to critical thoughts shared by Dr. Britanni Orona, a Hoopa Tribal member and University of California, Davis Professor of Native American Studies and former CA Parks cultural resources staff, who shared that a relationship with state entities may not be desirable as they "continue to disenfranchise [California Tribal nations]." Orona added how MOUs are "doing everything to not give the land back," and maintain inequities between Tribes and the state. Furthermore, Orona highlighted an alternative way for Tribal citizens to access land, which is to access publicly-held traditional lands without seeking permission or agreements.

AMLT has utilized additional mechanisms for collaborative agreements with government agencies and conservation organizations. Through a Master Cooperative Agreement at Pinnacles National Park, AMLT is contracted to assist with NPS activities, which importantly has funding for AMLT co-stewardship (J. Sackin, personal communication, February 6, 2025). Another collaboration, with the Trust for Public Land, has been formalized as a Partnership Agreement, with both organizations affirming a "shared commitment to safeguarding ancestral lands, preserving natural resources, and reviving traditional Indigenous land stewardship in Mutsun and Awaswas territories" ("Historic Partnership Agreement," 2023).

MOUs as Policy Tools

MOUs and MOAs continue to be used by Tribal nations across the US as sovereign-to-sovereign agreements for co-management and co-stewardship (see "Sovereign-to-Sovereign Cooperative Agreements," n.d.). In California, the CA Parks Tribal MOU program continues to enter new MOU agreements with non-federally recognized Tribes, including the San Luis Band of Mission Indians, the Fernandeño Tataviam Band of Mission

Indians, and the Esselen Tribe ("California State Parks Tribal MOU Program," n.d.; San Luis Rey Band of Mission Indians MOU, n.d.; "Fernandeño Tataviam Tribe Signs Historic Agreement," 2023; "Esselen Tribe Sign Memorandum of Understanding," 2025). The AMTB and AMLT are in the early processes of entering an MOU agreement with the Diablo District of CA Parks, in addition to the existing MOU with CA Parks Santa Cruz District. As statewide initiatives such as the Pathways to 30x30 conservation effort advocate for meaningful Tribal engagement in natural resource conservation, MOUs may offer flexibility and utility for co-stewardship agreements that fulfill the calls for Tribal collaboration ("Pathways to 30x30," 2022).

As Tribal nations continue to seek innovative approaches to reconnecting with and stewarding ancestral places while confronting settler colonialism, MOUs can serve as strategic and expeditious mechanisms to secure access and stewardship agreements with settler-government agencies and private landowning NGOs. While in many cases, the full transfer of property rights may be preferable for Tribal nations, there are many instances where land return can be a lengthy, costly, and challenging process, and, in some cases, very unlikely. For Amah Mutsun, there is a high overlap of culturally significant landscapes and places protected for biodiversity, meaning that stewardship of Tribal cultural heritage places often involves collaboration with land management agencies and organizations. We find that MOUs can support and formalize mutually beneficial collaborative partnerships between Tribal nations and organizations with the ability and motivation to support Tribal access and stewardship, and may be applicable in a wide range of contexts. Despite their inability to legally redistribute authority over ancestral areas, the benefits of MOUs, as a non-binding agreement, should not be overlooked. MOU agreements and signing events can allow for the expression of Indigenous knowledges, such as offering traditional song and prayer, which occurred at the signing of all of the agreements in our case study, according to Chairman Lopez. Additionally, their flexible nature enables the integration of principles that affirm Tribal perspectives of inherent rights of nature while denouncing ongoing racist legal structures. Furthermore, MOUs may be used in tandem with other agreements that address funding for Tribal involvement or convey property rights, such as a cultural conservation and access easement. We believe that increased scholarship on the role of MOUs in co-stewardship agreements with Tribal organizations can illuminate the many ways in which these agreements can be made amenable to the interests of the Tribal nation while maintaining a comfortable familiarity with agencies, as MOUs are commonly used documents. We also call for increased attention to the mechanisms available to non-federally recognized Tribal nations for engaging with state and federal agencies and the ways in which they can ameliorate injustices caused by a lack of formal recognition that cause harm to Tribal community members.

AMTB has made significant strides in land access and stewardship initiatives through co-stewardship agreements, given barriers posed by a lack of federal recognition and many environmental knowledges needing to be revitalized. But these accomplishments are not guaranteed forever; there are recent moves at the state level seeking to diminish the rights of non-federally recognized Tribes (see "Native American Resources," 2025). Furthermore, the recent U.S. co-management and co-stewardship initiatives were in many ways a product of Deb Haaland being the first Native American Secretary of the Interior. Haaland's tenure ended in 2025, and policy may change with current and future US presidential administrations. The jeopardization of cooperative and collaborative agreements facing Tribal nations in the US underscores the need for the continuation of research that examines the nuances of Tribal co-stewardship agreements, including the available mechanisms conducive to accommodating the needs of Tribal communities.

Chapter 5: Conclusion

Re-Orienting Place-Based Relations

On a hot summer day in July 2025, representatives from the Chalon Indian Council of Bakersfield, the Salinan Tribe of San Luis Obispo and Monterey Counties, and the Salinan T'rowt'raahl joined the Amah Mutsun Land Trust (AMLT) Intern program, which was conducting a cultural resources survey at Pinnacles National Park ("Chalon Tribe," n.d.; "Salinan Tribe," n.d.). The AMLT Intern program, in conjunction with a University of Oregon Indigenous Archaeology field school, was conducting an Integrative cultural resource survey at McCabe Canyon. In the same place, contemporary AMTB eco-cultural revitalization efforts began.

On this day, the visit was intended to facilitate an educational and cultural exchange, with the Chalon Tribe providing the formal welcome as the host Nation. Following the opening remarks from Chalon Tribal representatives, AMTB Chairman Valentin Lopez discussed how, at the start of the Pinnacles and AMTB collaboration in 2006, they were not aware of the Chalon Tribe's presence, as the core of the community had relocated to Bakersfield in pursuit of agricultural labor opportunities.

While AMTB and AMLT involvement at Pinnacles has waned from the earlier, rich collaborative research and stewardship of culturally significant white root sedge and deergrass beds at McCabe Canyon, the Chalon Tribe has formed a strong partnership with Pinnacles and regularly conducts seasonal ceremonies, as well as public educational events, at the Park. In 2010, AMTB leadership recognized that the Chalon Tribe remained an active Tribal community seeking to reconnect with their ancestral homelands in San Benito and Monterey counties. Today, both the Chalon Tribe and the AMTB partner with Pinnacles National Park. The Chalon Tribe is recognized as the descendants of the people who lived in Pinnacles, and the AMTB is a closely related Tribal community whose ancestors had connections to the region.

The story of eco-cultural revitalization at Pinnacles and the shift in AMTB's relationship to the landscape to one of deference for the Chalon Tribe illuminates how the landscape of non-federally recognized Tribes and their path to eco-cultural revitalization is constantly evolving. Coincidentally, another location essential to AMTB's eco-cultural revitalization is now understood to be outside of AMTB's traditional territory, despite having been previously considered part of it. The story of AMTB's involvement at the Quiroste Valley Cultural Preserve (QVCP), as discussed in Chapter 2, spans many years.

The AMTB defines itself as comprising the survivors of Mission San Juan Bautista and Mission Santa Cruz. One ancestor who survived Mission Santa Cruz, Josefa Velasquez, was documented to be one of the last speakers of the Awaswas language, spoken in the Santa Cruz region (Rizzo-Martinez, 2022). Given that some Tribal members formerly identified as "Santa Cruz Indian," and with documentation of ancestors who were fluent in the local language, the AMTB believed the Awaswas language area of the Santa Cruz coast to be part of their traditional territory. However, in 2019, AMTB made a decision that they could not claim the Awaswas language area as part of their traditional territory because they could not find documented evidence of ancestors originating from pre-colonial villages in the Awaswas-speaking area. This also included AMTB reaching out to the Muwekma Tribe to extend an invitation to collaborate in the stewardship of the Santa Cruz coast. This decision was challenging, as it jeopardized many AMLT partnerships along the Santa Cruz coastline, including at QVCP. The partnerships have continued, despite the absence of Awaswas Tribal communities, as AMLT understands their projects as honoring the Awaswas ancestors. A tension remains about whether to stay involved in Awaswas territory or shift priorities to focus on new stewardship opportunities in the heart of Mutsun territory. AMTB has established durable partnerships at Pinnacles and QVCP over the course of nearly two decades. Emerging opportunities in culturally significant places within Mutsun territory have created uncertainty about how AMTB will prioritize stewardship opportunities.

Regionally, interest in Tribal partnerships has increased dramatically in recent years. This has enabled AMTB and AMLT to be more selective in which stewardship areas to focus on, rather than adopting an opportunistic approach. At QVCP and Pinnacles, Tribe members stewarded the landscape over several years, building deep relationships with these areas. While they may not be in Mutsun territory, their significance to contemporary Amah Mutsun people is incontrovertible. However, AMLT involvement in these places may be constrained by the increasing opportunities for participation in core areas of AMTB territory, centered around the town of San Juan Bautista.

Land Access for Eco-Cultural Revitalization

What should a “preserved” or “protected” landscape look like? What is the human role on such a landscape? These questions are becoming increasingly important as the role of parks and preserves shifts over time with societal needs, and the protection of agricultural and other types of directly managed lands increases with the emergence of new protected land designations, including that of land trusts, seeking to meet a diversity of goals, including habitat creation, agricultural conservation, fire hazard reduction, and carbon sequestration. Managing protected lands for eco-cultural revitalization is challenged by these fundamental and increasingly ubiquitous questions.

This dissertation contributes to the knowledge of the strategies employed by a Tribal land trust seeking to restore land access for cultural revitalization that occurred before the popularization of Tribal land return. It reveals the many factors that shape the outcomes of such efforts. I explored several aspects of the Amah Musun Tribal Band’s (AMTB) cultural resurgence, focusing on mechanisms used by others to restrict AMTB access, as well as mechanisms used by AMTB to counter their historic and ongoing land dispossession. My three research chapters illuminate instances of the AMTB regaining a role in the stewardship of culturally significant lands. It highlights collaborations in stewardship and advocacy, as well as the mechanisms for enacting this work. Tensions between AMTB interests and those opposed to them were discussed, illustrating how stakeholders on both sides of the spectrum of viewpoints about the acceptable degree of anthropogenic impacts on a “natural” landscape may be opposed to AMTB exercising its environmental caretaking responsibilities.

Non-federally recognized Tribes face unique challenges related to a loss of land access and of externally acknowledged Tribal sovereignty. Mechanisms such as formal co-management with U.S. agencies or holding Tribal trust land are not feasible for these communities. Collaborations with outside organizations are crucial for supporting environmental stewardship interests. Tribal land trusts can signal to external partners their capacity and commitment to conservation. Voluntary collaborations where landowning organizations and environmental advocacy groups work with Tribal land trusts signify their perception as a desirable partner. For Tribal communities without federal acknowledgement, these partnerships help establish legitimacy.[22]

In my first case study, I provide a historical analysis of AMTB land dispossession at Juristac, a sacred site, and explore how contemporary cultural resurgence articulated through AMTB's *Protect Juristac* campaign confronts the effects of losing access to Juristac over generations. Opposition to the development of a sand and gravel mine and commercial development at Juristac caused landowners to react by casting doubt on the authority of AMTB. I demonstrate that violence has been the predominant mechanism to sever AMTB from Juristac and has led to a loss of their ability to benefit from the land. In my second case study, I explored the co-stewardship and restoration of Quiroste Valley Cultural Preserve (QVCP). I emphasized the narratives invoked by stakeholders and AMTB representatives that informed their idea of what restoration meant to them, in the context of QVCP. While AMTB has made significant strides in countering damaging narratives that dismiss the past ecological contributions of Indigenous stewardship, a chasm remains between the perspectives held by some environmental advocates and AMTB regarding the ways to care for protected spaces. For my third case study, Adrienne Johnson and I explored the use of Memoranda of Understanding agreements to support AMTB co-stewardship. We found that these agreements are an expeditious way to formalize partnerships, provide a form of Tribal acknowledgement, and can serve as a stepping stone to increase land access within each partnership and facilitate new access agreements in other places.

Based on these case studies, which switch from mechanisms used against to mechanisms used for AMTB land access, I demonstrate that landless Tribal nations that lack political status may increase their opportunities to engage in eco-cultural revitalization.

Future Directions: Tribal Land Trusts

Tribal land trusts are another means of achieving eco-cultural revitalization and reflect the desire of Tribal communities to increase capacity for their participation in land conservation. They have increased dramatically in recent years, alongside broader conversations and support for Indigenous co-stewardship, co-management, and land return. In some ways, conversations in California have shifted from considering non-binding agreements to discussions of Tribal land return or other legal agreements that support Tribal land access. However, Tribal sovereignty remains unacknowledged in many instances, especially when Tribal participation in conservation is enacted through a non-profit land trust organization, and non-Tribal conservation groups may have conditions for their support.

For the AMTB, local conservation organizations have supported their foray into the conservation world, including past support from the Sempervirens Fund as a fiscal sponsor, as well as a partnership agreement with the Trust for Public Land, established in 2023 ("Historic

[22] See, for example, Chairman Lopez affirming the legitimacy of Amah Mutsun Tribal Band in part by referencing partnerships with conservation partners and being recognized leader in environmental stewardship https://benitolink.com/commentary-amah-mutsun-responds-to-misleading-statements/

Partnership Agreement," 2024). The Protect Juristac campaign, a Tribally led campaign supported by AMLT, involves a close partnership between AMTB and Green Foothills, as well as other local environmental advocacy organizations.[23] Notably, AMTB is aligned with Green Foothills and the Sierra Club Loma Prieta Chapter in their opposition to the Sargent Quarry at Juristac, despite a history of contention over the restoration of the Quiroste Valley Cultural Preserve, reflecting the difference in complexity between opposing the loss of a natural area and deciding how to steward one.

In many ways, the mechanisms for AMTB and AMLT land access have evolved and been strengthened since their involvement in land stewardship in 2006. Initial land access agreements were informal or formalized through non-binding Memoranda of Understanding (MOUs). More recently, cultural conservation easements have granted legal property rights to AMLT and AMTB, with the most recent easement at the Nyland Property in San Benito County allowing Tribal access and the protection of the property's cultural heritage (Trust for Public Land 2023). More research is needed to adequately define what access means to AMTB (and other Tribes) and to determine the most appropriate mechanisms for providing benefits to Tribe members. AMTB and AMLT are involved in several coalitions of Tribes and Tribal non-profits, including the Indigenous Stewardship Network and the Tribal Marine Stewardship Network. They regularly attend the Indigenous Land Conservation Summit, hosted by the Land Trust Alliance. Such convenings support knowledge sharing and may enable AMTB and AMLT to be exposed to novel mechanisms for enacting land access.

In the case of AMTB and AMLT, many partners and collaborators understand their interconnectedness. This allows for AMLT to benefit from being seen as representing the AMTB, and not merely another stakeholder organization in the conservation world. However, the close connection between AMTB and AMLT can also create concern by external partners, who are wary to the possibility of AMTB receiving federal acknowledgement, and being interested in the economic development of AMLT lands. Future scholarship considering the optimal degree of separation between Tribal nations and Tribal land trusts would help inform pathways to success for Tribal eco-cultural revitalization efforts.

Over the past several years, land conservation organizations have focused their attention on San Benito County, the heart of AMTB territory. Organizations such as Green Foothills[24] and Save Mount Diablo[25] have expanded their area of work from the San Francisco Bay Area southward to this rural county, acknowledging the connectivity between these landscapes and the critical need to protect wildlife linkages between coastal and interior mountain ranges in central coastal California. San Benito County is also seen by developers as having the potential to expand Silicon Valley southward, as evidenced by proposals such as the Strada Verde Innovation Park that seeks to develop land for autonomous vehicle testing.[26] Further research on the new conservation frontier of San Benito County, as well as the collaborations between conservation and environmental advocacy organizations and AMTB, would be an essential contribution to understanding how spaces without prior established conservation involvement

[23] See https://www.protectjuristac.org/
[24] See https://www.greenfoothills.org/campaigns/upper-pajaro
[25] See https://savemountdiablo.org/what-we-do/defending-the-land/land-use-campaigns/san-benito-county/
[26] See https://strada-verde.com/

can shape Tribal access opportunities. These arrangements differ from AMTB's participation in the stewardship of the Santa Cruz Mountains, which spans over a century of conservation,[27] and and residents are more supportive of AMTB's interests.[28]

For AMTB, one crucial factor in their path to establishing credibility in conservation spaces has been the use of research collaborations to help revitalize dormant knowledge systems and validate the benefits of Tribal stewardship practices. The use of eco-archaeology has provided tremendous fine-grained information about the long-term ecological and Tribal history of culturally significant places. However, scaling up this work to all areas of interest for Tribal stewardship is not feasible, nor should it be a condition for Tribal groups to be seen as having authority over the stewardship of their ancestral lands. Furthermore, while knowledge of past Indigenous environmental caretaking practices is important, it is essential to consider how all Tribal cultures have changed since colonization. While Chairman Lopez understands the importance of eco-archaeology in providing a baseline to allow AMTB to return to the path of their ancestors, external partners may perceive Tribal culture as static, which could create tensions should Tribal leadership choose to incorporate the stewardship of exotic food and fiber plants. These pitfalls illuminate how partnerships with Tribal nations when Tribal sovereignty is not a core consideration, may face limitations when Tribal interests are not perceived as aligning with conservation goals held by settler organizations. Acknowledging the persistence of Indigenous nations as they have navigated colonialism, while also centering Tribal epistemologies, is integral to supporting eco-cultural revitalization and resurgence.

Engaging networks to disperse the colonial monsters

In keeping with the customs of Indigenous people, I end this dissertation with a story.

In September 2024, Amah Mutsun Vice Chairman Ed Ketchum traveled to Santa Cruz, California, to give a presentation about Amah Mutsun culturally significant places to a local land trust seeking to support Tribal interests. In his concluding remarks, Vice Chairman Ketchum shared a traditional story to illustrate the importance of collaboration. The following is the story as told by Ketchum:

> *There was once this monster of a man, Ukmi Wakkoro, or "One-leg," who moved by jumping around on one leg or slithering around on his belly. He had eyes that would glow in the dark like a cat's eyes, and out of his fingers he could shoot electricity and stun people.*
>
> *He would go from village to village, and he'd listen and learn to mimic parents or grandparents in the village. When he saw that the parents had gone and the children were still inside of a house, he'd call to the children, saying, "grandchildren, grandchildren, I have meat for you." Now, the children, they weren't supposed to go out,*

[27] See https://sempervirens.org/about/story/

[28] See, for example, local support of AMTB efforts to remove Mission bells in the city of Santa Cruz https://removethebells.org/

but some would go outside and he'd hook the children's heads and throw them in a basket that he had on his back. He would then escape, and villagers would try to catch him, but he would jump from rock to rock and then into caves and hide. And for years, he was tormenting the people from all the way down around Paso Robles all the way up to this area, and he would be in these caves, including at Pinnacles, and the hills west of King City.

One time, this One-leg devil was escaping a village with a child in his basket, and as he was escaping, the boy reached up and grabbed the limb of a white oak tree and he pulled himself out of the basket. One leg jumped into a nearby cave to escape, but slithered back to the boy when he realized that he had escaped. The boy was so afraid that he started urinating. Well, it hit the back of One-leg and he started sparking, because he couldn't have water on him. And so One-leg jumped back into the cave to hide. Now, the boy's parents and all the village people were yelling for him and he shouted for them to come and find him. When they asked him what happened, the boy told them that the monster was in a nearby cave. The people got wormwood and sage and smoked the cave. One-leg could be heard laughing and told the villagers they couldn't harm him and that he was invincible.

The villagers smoked out the cave for a whole day, and when they finally heard nothing from one-leg, they went inside, and it appeared that he was dead. They pulled him from the cave and identified him as the monster they had been trying to capture, and they celebrated his demise.

But, as soon as night came again, One-leg came back to life. And so a number of times he was captured and killed, and they tried different things to get rid of him, and he would always come back to life when the next night came.

So, a great council was called, and all the people in the area came to this great council, somewhere down near Soledad. And they said, "What can we do?" The shamans got together and came up with a plan. They said, the next time we catch One-leg, we're going to take him and we're going to grind him up, with mortars. Then, we're going to get all these little globs of meat, and we're going to take them all across the territory, and we're going to feed them to these ants that never defecate. So, near Soledad, they captured One-leg in a cave, they smoked him out, and he died. All the villages sent runners to this area, so they could get their glob of meat, and take it out to feed the ants that never defecate. When the people arrived, they killed One-leg, and in the early morning, they took him and they ran to feed him to all these ants. And the ants ate One-leg, and he never came back again. If you squish one of those ants, you'll smell death. And if you get bitten by one of them, you'll feel the pain of One-leg.

This story was often told to kids, and people said, "Oh that's just a child's story to get them to stay inside and not get into trouble." But really, the story is about how if you work together and if you come up with a plan, you can accomplish anything.

Ketchum emphasizes the importance of collaboration in protecting places significant to AMTB. He notes that Tribal cultural values also include biodiversity and habitat, and that often AMTB cultural areas are also of biological importance. I also understand the story of One-Leg to be relevant to AMTB efforts in cultural lands preservation, access, and eco-cultural revitalization. I understand One-Leg as a symbol of colonialism, as something that has consistently persisted and assumed new life throughout the different ways of colonialism in California. As One-leg stole children, so too did colonialism sever intergenerational knowledge sharing and sought to assimilate Tribal people through Spanish missions, U.S. boarding schools, and other means. Colonialism is a monster that has done significant damage to Tribal communities, and the work to end its ongoing impacts on Tribal peoples requires great effort and consideration.

The strategy for defeating One-leg involved dispersing his physical self and relying on the more-than-human to hold and contain his evil. The strategy employed by the AMTB can be seen to reflect attempts to mitigate colonial harm by engaging a broader network of collaborators and utilizing a variety of mechanisms, all with the goal of resolving a problem that can be traced back to Euro-American colonization. In the case of One-leg, the mechanism to defeat him involved many ants. Similarly, the AMTB has employed a range of strategies, including Tribal land trusts, cultural heritage law, Memoranda of Understanding agreements, academic research partnerships, and other approaches, to confront the ongoing colonial harms of dispossession and loss of access to land. They use traditional stories to help build relationships and convey AMTB ontologies of relationality and collaboration. AMTB knowledges are used in ever-changing political and ecological conditions. As Chairman Lopez often reminds collaborators, AMTB will be stewarding their lands until the last sunrise.

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