



OFFICE OF THE GOVERNOR

September 25, 2020

STATEMENT OF ADMINISTRATION POLICY

Native American Ancestral Lands

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

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

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

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

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

I. PURPOSE

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

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

II. ACTIONS ALIGNED WITH THIS POLICY

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

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

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

III. ACCESS TO INFORMATION

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



Gavin Newsom
Governor of California