

RESOLUTION NO. 2020-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEVADA CITY PLEDGING SUPPORT TO THE NISENAN TRIBAL COMMUNITY OF THE NEVADA CITY RANCHERIA TO PRESERVE AND PROTECT THEIR NATIVE CULTURE AND ACKNOWLEDGING THE ANCESTRAL NISENAN LANDS

WHEREAS, the City of Nevada City lay within Nisenan territory on top of the Nisenan town of 'ustomah; and

WHEREAS, before the creation of Nevada County and before the creation of the State of California itself, the Nisenan Indians made these foothills their home for millennia; and

WHEREAS, California Indian Tribes had flourished for thousands of years before their near annihilation under the mission system, the Gold Rush, the early anti-Indian rule of the state, environmental devastation, and the forced assimilation practices of the Indian Boarding School system; and

WHEREAS, the Nisenan people from this place were autonomous and self-governing people with their own territory, language and cultural customs, who lived in an ancient, symbiotic relationship with the land and animals, and honored their dead, who are buried throughout the Yuba River and Bear River watershed; and

WHEREAS, in 1848, gold was discovered here, in Nisenan territory, and tens of thousands of emigrant and immigrant gold seekers descended into the homelands of the Nisenan people, devastating the environment and enslaving their people; and

WHEREAS, in 1850, the United States sent Indian Agents to make treaties with California Indian Tribes. At conclusion, eighteen treaties were made to protect the Indians, to outline the cession of lands, and to relocate the Indians onto lands specifically identified as Indian Reserves; and

WHEREAS, accordingly, on July 18, 1851, the Camp Union Treaty F was signed and concluded in Nisenan Territory near the Yuba River; and

WHEREAS, the Camp Union Treaty promised payment and resources for the ceding of Nisenan controlled Tribal lands, in exchange for safety and reservation land (Royce 287) located between Penn Valley and Rough and Ready, California, as-well-as farming equipment, money, a school house, teacher, cattle, and cloth; and

WHEREAS, because of strong anti-Indian lobbying in both the U.S. legislature and California, the eighteen treaties, including the Camp Union Treaty, were not ratified by the U.S. Senate leaving California Indians without land and without protection; and

WHEREAS, completely landless, the surviving California Indians, including the Nisenan, found ways to exist on the fringes of society, sometimes resisting capture and starvation by surviving in remote lands as far from civilization as possible. Some surviving families intermarried with immigrant whites which provided protection and some semblance stability; and

WHEREAS, next came the Indian Boarding Schools and the mantra of forced assimilation. "Kill the Indian save the man". Thousands of California Indian children were forcibly taken from their families and sent to church run, Federally funded schools far from the children's Tribal lands and communities; and

WHEREAS, in the late 1800's, several non-native Nevada County settlers stood up as champions for the Nisenan people, including the Native Sons and Daughters of the Golden West and Nevada County pioneer suffragette Bell Rolfe Douglas; and

WHEREAS, as a direct result of this relentless advocacy on behalf of the Nisenan people, President Woodrow Wilson signed an Executive Order on May 6, 1913, establishing a 76 acre reservation in Nevada County for the Nisenan people near Nevada City, California; and

WHEREAS, the Federal reservation land became known as the Nevada City Rancheria and was the only Indian reservation to exist in Nevada County; and

WHEREAS, following a unanimous vote among the remaining Nisenan people on the Reservation, the eligible voting Tribal members of Nevada City Rancheria reorganized themselves under the 1934 Indian Reorganization Act, creating a Tribal Council, Constitution and Election Board; and

WHEREAS, on August 18, 1958 Congress established a process for terminating the Federal trust relationship with forty-one California Indian Rancherias, severing the Federal trust relationship with individual tribal members and distributing the communal lands of forty-one California Indian Tribes, including the Nevada City Rancheria under the 1958 Rancheria Act (Public Law 85-671; 72 Stat. 619); and

WHEREAS, in 1964, the Nevada City Rancheria was "terminated" and the reservation land was sold at auction to the highest bidder; and

WHEREAS, in 1970, President Richard M. Nixon called for an end to termination policies allowing Indian governments to have the right of self-determination in a special message to the U.S. Congress; and

WHEREAS, the Nevada City Rancheria Nisenan burning ground and cemetery was donated by Erikson Lumber Company and taken under stewardship by the Nevada County Cemetery District and where the Tribe continues to bury its dead even today; and

WHEREAS, in 1988, the U.S. Congress repudiated "any policy of unilateral termination of Federal relations with any Indian nation" (Public Law 100-297; 25 U.S.C. 5301(f)); and

WHEREAS, while most of the forty-one California Indian Rancherias terminated under the Act of August 18, 1958 have been restored to Federal status, three Congressionally terminated Rancherias, including the Nevada City Rancheria, continue to wait for restoration as federally recognized Indian tribes; and

WHEREAS, today the direct descendants of the same Nisenan families remain here in their ancestral homelands and seek restoration of their Federal Recognition from the government of

the United States and regain their place on the list of Federally Recognized Tribes; and

WHEREAS, the City of Nevada City recognizes the importance of Nisenan contribution to this land, both future and past, and stands with the remaining Nisenan people as they fight to save their endangered culture; and

NOW, THEREFORE, BE IT RESOLVED by the Council City of Nevada City that:

1. We acknowledge the continued existence of our oldest Nevada County residents and citizens, the Nisenan Indian people; and
2. We support the Nevada City Rancheria Nisenan Tribe in their effort to restore their Federal Recognition; and
3. We support the restoration of the Tribe's Federal status and all rights that come with it; and
4. We support the Tribe's request to have lands within Nevada County taken into trust; and
5. We support the Tribe's inherent rights to self-governance; and
6. We recommend that the U.S. Congress enact legislation to restore Federal Recognition to the Nevada City Rancheria; and
7. We recommend that the State of California adopt a Joint State Resolution in support of the restoration of Federal Recognition to the Nevada City Rancheria; and
8. We recommend our local Nevada County Board of Supervisors adopt a resolution in support of the restoration of the Federal Recognition of the Nevada City Rancheria.

PASSED AND ADOPTED at a regularly scheduled meeting of the Nevada City City Council held on this 23rd day of September, 2020 by the following vote:

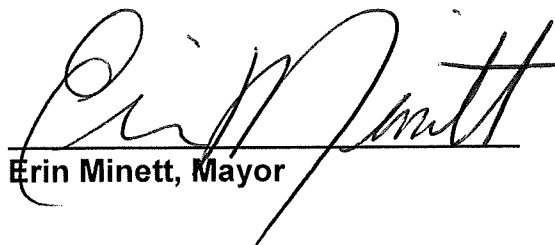
AYES: MINETT, STRAWSER, FLEMING, FERNÁNDEZ

NOES:

ABSENT:

ABSTAIN:

ATTEST:


Erin Minett, Mayor


Niel Locke, City Clerk