



**YACHAY WASI Sacred Sites Event - Submission 17 – USA -
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**The Santa Clara River—Cultural and Ecologically Rich Waterway Threatened by Unheeded
Development**

Wishtoyo is the Chumash word for *rainbow*, and like the legend telling of the arrival of the first Chumash to the mainland on a rainbow bridge from Santa Cruz Island, Wishtoyo serves as a bridge to link the people of today to their environment – the land, air and water that support and sustain us. Founded in 1997 by Mati Waiya, Chumash member of the Santa Clara River Valley Turtle Clan, Wishtoyo utilizes traditional Chumash beliefs, practices, songs, stories and dances to create a greater awareness of our connection with, and dependence upon, the natural Environment. We understand the importance of renewing and continuing ceremonial practices on traditional tribal lands and support the efforts of Native communities to protect their traditional lands and resources.

We are writing to share the story of our struggle to protect one of the last remaining free flowing wild rivers in California. The Santa Clara River is one of the most important river systems in the state, providing clean water to communities, a habitat for nearly a dozen threatened and endangered species, including amphibians, reptiles, fish, insects, plants and birds, and a rare glimpse of what all our rivers looked like before bad planning, concrete and greed destroyed them. The Santa Clara River is southern California's last truly dynamic big river. It boasts one of the largest watersheds in the South Coast region at nearly 1,600 square miles, it is the longest free-flowing river in Southern California, and it is the only river to extend from the desert to the coast. The River traverses through the ancestral lands of the Tataviam, Chumash and Serrano peoples and is rich with the cultural, oral and archaeological histories of these communities. The entire watershed is facing severe and immediate threat from development projects being approved without due consideration to the ecological and cultural cumulative impacts that are an inevitable result of rapid, piecemeal development.

Santa Clara River as a Cultural Natural Resource

Within the River's watershed, tribal members from these nations continue to harvest natural resources including grasses for basket materials, ceremonial plants and stones, willow plants, sage, tule (cattail) plants, soapstone for making beads, bowls, and ceremonial pipes. The tribes have traditionally used the deer and steelhead as sources of food and trade among the villages that once spanned the length of the

watershed. The Santa Clara River is also the crossroads of the Chumash Nation, which extends from Malibu to Morro Bay, and from Kern County to the Pacific coast.

The River watershed is home to a condor population released by the Chumash Nation fourteen years ago. The condor symbolizes a sacred bond, a lifting of the spirits of the Chumash ancestors. Development that threatens the continued existence of the condor also threatens the sacred relationship between the Chumash and the condor that has existed for thousands of years. Natural open lands, not yet influenced by the impending development, along the River continue to play an important role in the ceremonial and religious practices of tribal members.

Reburials and naming and healing ceremonies are still conducted along the river and pictographs and rock paintings close by illustrate the historical and cultural importance of the waterway to indigenous peoples. Three traditional cultural sites listed on the state of California's Sacred Lands Inventory maintained by the Native American Heritage Commission are located within one or two miles of the river and the watershed is home to over four hundred known archaeological sites. Tragically, at least sixteen Ancestors have already been disturbed during the course of development projects along the River.

"This river is a network of villages, gathering areas and ceremonial places. It has been a life source of survival for Native people for thousands of years. When the Corps [Army Corps of Engineers] allows these developments they are chipping away at our culture and our ability to maintain our traditions one project at a time," says Executive Director of the Wishtoyo Foundation and Chumash ceremonial leader Mati Waiya.

The Santa Clara River as an Integral Wildlife Corridor

The River may be the single most important wildlife movement corridor and habitat linkage zone within the southern portion of the state. The Santa Clara River serves three of the important movement systems for wildlife: wildlife corridors, movement pathways and linkages, as well as essential habitat for resident species. It is a major east-west corridor linking the mountains and valleys surrounding the high desert with the coast ranges and coastal plain and contains hundreds of movement pathways to, from and along the freshwater channel. It provides linkage values to migratory songbirds and waterfowl, and to species such as the arroyo toad, which require both hydrological and upland habitat features for survival and reproduction. Continued development along the River area will therefore result in habitat loss and fragmentation causing the disturbance, and possibly even decimation, of numerous species of wildlife.

Water as a Sacred Resource

Waterways are sacred places, places of social gathering, travel and information exchange, ceremony, physical, spiritual and cultural nourishment. Oceans and freshwaters form part of the landscape that Indigenous peoples are bound to protect as caretakers of the earth. We honor this sacred relationship to water by voicing our objection to the polluting, concreting, and otherwise destroying the Santa Clara River. We support the Indigenous Peoples' Kyoto Water Declaration from the Third World Water Forum in Kyoto, Japan March 2003 and would like to quote the following from the declaration as it relates to our efforts to protect the Santa Clara River watershed:

We, the Indigenous Peoples from all parts of the world assembled here, reaffirm our relationship to Mother Earth and responsibility to future generations to raise our voices in solidarity to speak for the protection of water. We were placed in a sacred manner on this earth, each in our own sacred and traditional lands and territories to care for all of creation and to care for water. We recognize honor and respect water as sacred and sustains all life. Our traditional knowledge, laws and ways of life teach us to be responsible in caring for this sacred gift that connects all life.

Our relationship with our lands, territories and water is the fundamental physical cultural and spiritual basis for our existence. This relationship to our Mother Earth requires us to conserve our freshwaters and oceans for the survival of present and future generations. We assert our role as caretakers with rights and responsibilities to defend and ensure the protection, availability and purity of water. We stand united to follow and implement our knowledge and traditional laws and exercise our right of self-determination to preserve water, and to preserve life.

Threats to the Santa Clara River—Unheeded, Piecemeal Development and Failure to Consult with Local Tribes

“In the last few years the U.S. Army Corps of Engineers have rubber stamped hundreds of permits on the Santa Clara River and its tributaries without looking at the cumulative effects”, said Ileene Anderson of the Center for Biological Diversity. “This piecemeal approach is quickly concreting the Santa Clara River to death”.

The Santa Clara River was listed on the American Rivers list of Most Endangered Rivers of 2005 due to significant ongoing and proposed development within the watershed. Projects permitted by local governments and the Army Corps of Engineers have already affected well over 5,000 acres of land, at least 20 acres of water and nearly three acres of wetlands. At least seven projects are pending approval by the Army Corps of Engineers, including a 12,000 acre residential development project known as the Newhall Ranch project. On February 14th, 2006 a coalition of Indigenous and environmental conservation groups filed a lawsuit against the U.S. Army Corps of Engineers for failure to protect the critically endangered river. The River and its tributaries are facing devastating impacts to biological, hydrological and cultural resources due to the ACOE’s repeated disregard for the long-term consequences of its actions. The ACOE has failed to address the cumulative impacts of its permits on the river’s resources.

The ACOE is not the only organization to shirk its environmental and cultural preservation duties regarding development along the river. Local governments have failed to abide by state laws that mandate respectful, government-to-government consultation with tribes whose traditional lands might be impacted by projects over which the city has jurisdiction. Both the Corps and local governments have failed to honor the spirit of the laws that encourage and/or mandate consultation with potentially impacted tribes.

Recommendations

- We encourage the local and federal governmental agencies to recognize the cultural and spiritual attachment to the Santa Clara River and surrounding lands.
- We ask local and federal permitting agencies to thoroughly consider the long-term, cumulative environmental and cultural impacts likely to occur as a result of proposed development along the river.
- We insist that more thorough cultural and environmental studies be conducted prior to any further project approval along the river. We further insist that these studies abide by the respectful government-to-government consultation guidelines established at the state, federal and international level.
- We respectfully ask the international indigenous community to support our efforts to protect traditional waterways, and thank this body for the opportunity to submit this report on our struggle.