

Cynthia Gomez
Executive Secretary
Native American Heritage Commission

1550 West Harbor Boulevard, Room 100

West Sacramento, California 95691

RE: A Brief Overview of the Tejon Indian Tribe and a Map of Their Traditionally, Culturally, and Contemporaneously Affiliated Tribal Territories to Assist with the Implementation of California State Assembly Bill 52

Dear Ms. Gomez,

Per your request, the Tejon Indian Tribe ("Tejon") is submitting to the Native American Heritage Commission ("NAHC") a map of Tejon's traditionally, culturally and contemporaneously affiliated tribal territories (paper and digital copies attached) and a brief tribal overview including a justification of Tejon's Contemporary Area of Interest ("CAI") - i.e. the entirety of Kern County, California (as depicted on the attached map) - to assist the NAHC with implementing California State Assembly Bill 52 ("AB 52"). We would appreciate any efforts made by the NAHC to identify the potential lead agencies operating under the purview of the California Environmental Quality Act ("CEQA") within Kern County prior to the 1 July 2016 deadline referenced in AB 52. If possible, we would also request that the NAHC distribute the following tribal overview and attached maps to those agencies. Since AB 52 does not require this until 1 July 2016, however, Tejon will be undertaking an effort to distribute this information to as many pertinent agencies as possible in the interim.

A Brief Overview of the Tejon Indian Tribe

Tejon was formally listed as the 566th federally recognized tribe in August 2012.¹ Technically, Tejon was 'reaffirmed' by proclamation of Larry Echo Hawk (Assistant Secretary of Indian Affairs, Bureau of Indian Affairs) on January 3, 2012² via the little-known [and now obsolete] 'reaffirmation process,' which is different from the full-fledged recognition process in that it is, essentially, the correction of an historic clerical error that left Tejon off of the first official list of "Indian Entities Recognized and Eligible to Receive Services from the

¹ Federal Register. "Bureau of Indian Affairs: Indian Entities Recognized and Eligible to Receive Services from the Bureau of Indian Affairs." *Federal Register* Vol. 77, No. 155 (2012): 4,7871, available online at: https://www.gpo.gov/fdsys/pkg/FR-2012-08-10.pdf. 155 (2012): 4,7871, available online at: https://www.gpo.gov/fdsys/pkg/FR-2012-08-10.pdf.

² Hawk, Larry Echo. "Echo Hawk Issues Reaffirmation of the Tejon Indian Tribe's Government-to-Government Status." News Release, Washington, D.C., U.S. Department of the Interior, Office of the Secretary, January 3, 2012. https://www.bia.gov/cs/groups/public/documents/text/idc015898.pdf

United States Bureau of Indian Affairs" published in 1979. In other words, Tejon was reaffirmed after it was able to provide evidence that it had been, fundamentally, federally recognized since [before] the official federal annexation of California in 1850 without interruption through the present.

Tejon is governed by a Tribal General Council (all tribal members of adult- or voting-age) and a Tribal Executive Council composed of an elected Chairperson and seven other elected Councilpersons. Tejon's current Chairperson is Kathryn Montes Morgan, a lineal descendant of Chico, who was a Kitanemuk/Tejon Tribal signatory to one of the 18 treaties negotiated between the Federal Government and the indigenous peoples of California during the early 1850s after the USA acquired California from Mexico under the 1846 Treaty of Guadalupe Hidalgo. The negotiations were arranged by President Millard Fillmore, and were conducted under the auspices of his appointed "Board of Peace Commissioners". On 10 June 1851, George Barbour, a member of the Board of Peace Commissioners, negotiated one of these treaties at a camp located near modern-day Lebec, Kern County, California with 11 southern California tribes, including the Tejon; six Chiefs signed the treaty for the Tejon, including two brothers known as Vincente and Chico. None of the 18 treaties were ever ratified by the Federal Government, and the debates concerning their ratification were conducted under secret session. Therefore, neither the Native Californians nor the general public ever learned that the treaties went unratified. Consequently, the land promised to the Native Californians in these treaties was never legally secured, leaving the majority of them, including the Tejon, landless.³

To date, Tejon does not have a land base/reservation held in trust by the Federal Government.⁴ However, Tejon's temporary tribal offices are located within its aboriginal territory in Bakersfield, Kern County, California. As the only federally recognized tribe in Kern County, Tejon is constantly striving to expand the services it provides to its tribal membership and the greater Native American/Alaskan Native/Native Hawaiian population residing in Kern County, which was documented as consisting of 13,928 individuals in the 2010 U.S. Census.⁵

The Tejon Indian Tribe's Ties to the Past

Tejon's 850+ currently enrolled tribal members are the descendants of the 81 indigenous peoples who were documented as residing on the present-day Tejon Ranch- formerly the San Sebastian Indian Reservation (aka Sebastian Military Reserve or Tejon Reservation; hereinafter "Tejon Reservation"), located near Lebec, California- during the BIA-sponsored *Census of the Indians of El Tejon Band in Kern County California* conducted in 1915 by BIA Special Indian Agent John Terrell ("1915 Terrell Census"). In order to become an enrolled Tejon Tribal Member, one must be able to trace his/her ancestral lineage to at least one of the 81 individuals listed on the 1915 Terrell Census; no blood quantum is required.

The contemporary Tejon Indians are the descendants of the ethnohistoric Kitanemuk Indians, which is confirmed by Chairperson Morgan's relation to a former Kitanemuk/Tejon Chief, Chico, and is further verified

³ Arlinda F. Locklear, H. Sibbison, L.S. Roberts, S.R. Schaeffer, and P. Boggs, "The Tejon Indian Tribe Request for Confirmation of Status", 2006, available online at: https://scvhistory.com/scvhistory/tejontribe063006.htm

⁴ For a thorough historical review of the Tejon Indian Tribe's relationship with the Federal Government and its attempts to procure trust lands for Tejon in the area known today as Tejon Ranch, *see* Ibid.

⁵ "Population of Kern County, California: Census 2010 and 2000 Interactive Map, Demographics, Statistics, Graphs, Quick Facts", *Census Viewer by Moonshadow Mobile, Inc.*, accessed April 6, 2015, http://censusviewer.com/county/CA/Kern.

in the ethnographic and genealogical research of John R. Johnson, Ph.D.⁶ According to decades of research conducted by various anthropologists, ethnologists, and linguists, the northern half of the privately-owned landholding known today as "Tejon Ranch" (depicted on the attached map) and roughly the southeastern quarter of modern-day Kern County (including portions of the Tehachapi Mountains, the Mojave Desert, Antelope Valley, and San Gabriel Mountains) was the aboriginal territory of the Kitanemuk (see "Ethnohistoric Tribal Territories" on the attached map).⁷

Thanks to the tireless research conducted by Tejon's leadership, and the dissemination of the fruits of that research to Tejon's Membership (via night classes conducted at their Tribal Offices), the contemporary Tejon Indians have begun to reconstruct and revitalize the language and culture of the Kitanemuk. The Kitanemuk language is a member of the Takic branch of the Northern Uto-Aztecan language family (see Figure 1), and is most closely related to the Serrano language (sometimes a subdivision title known as "Serran" is used to further classify the Serrano and Kitanemuk languages, which may also occasionally include the Vanyume and Tataviam languages).

Most archaeological accounts of late Great Basin (see Figure 2) prehistory suggest that there is evidence of a major migration that saw speakers of the Numic branch of the Northern Uto-Aztecan language family (i.e. Shoshoni and Paiute peoples, generally) moving north and east throughout the Great Basin from their original homelands in the southwestern Great Basin. This migration is suggested to have begun circa 1,000 years before present ("YBP"), and is usually referred to as the "Numic Expansion/Spread." Conversely, archaeologists still have not settled on exact dates for the timing of the "Takic Expansion/Spread" wherein the Takic-speaking peoples began to linguistically and culturally diverge from the Numic-speaking peoples during their southeasterly migration(s) out of the Great Basin. The timing for the Takic-speaking peoples' entry into central and southern California generally ranges from 6,000 – 1,000 YBP, but is calibrated at circa 4,000 YBP by Mark Q. Sutton, Ph.D. Moreover, Sutton posits that some of the Takic-speaking peoples had migrated as far south as the Los Angeles Basin by circa 3,500 YBP, and that by 1,500 – 1,000 YBP the majority of the Takic-speaking peoples had developed their unique cultures and languages (e.g. Kitanemuk, Cahuilla, Serrano, etc.) within the ethnohistoric tribal territories that archaeologists operationalize today (see "Ethnohistoric Tribal Territories" on the attached map). In the tritories that archaeologists operationalize today (see "Ethnohistoric Tribal Territories" on the attached map).

The Kitanemuk's first contact with Europeans may have occurred as early as 1772 when a Spanish Soldier, Pedro Fages, crossed through the Tejon Pass¹¹ while looking for Spanish Military deserters. Nevertheless, contact is actually documented in the diary of a famous Spanish Missionary, Father Francisco Garcés, as

⁶ John R. Johnson, "Genealogical Relationships With the Tejon Band in 1915", unpublished presentation, 2006.

⁷ Tribal boundaries adapted from Robert F. Heizer, vol. ed., *Handbook of North American Indians, 8, California* (Washington D.C.: Smithsonian Institution, 1978), similar maps available online at http://linguistics.berkeley.edu/~survey/resources/language-map.php.

⁸ Mark Q. Sutton, "The Numic Expansion in Great Basin Oral Tradition", *Journal of California and Great Basin Anthropology* 15, no. 1 (1993), https://escholarship.org/uc/item/7sb0j0t9.

⁹ Mark Q. Sutton, "People and Language: Defining the Takic Expansion into Southern California," *Pacific Coast Archaeological Society Quarterly* 41, nos. 2 & 3, http://www.pcas.org/assets/documents/Takic.pdf.

¹⁰ Ibid.

¹¹ Tejon Pass was not named until 1806, when a Spanish Lieutenant, Francisco Ruiz, discovered a dead badger at the canyon mouth; "tejón" is Spanish for "badger." Ruiz also named the "Cañada de las Uvas" for its abundance of wild-growing grapes; this area is known today as "Grapevine Canyon" from Jamie Latta & Barry Zoeller, "Hidden History: Tejon Ranch's Crucial Role in the California Gold Rush," Tejon Ranch (September 14, 2017), http://tejonranch.com/history-tejon-ranch-role-california-gold-rush/.

occurring in May 1776 when he visited one of the Kitanemuk's major village sites in Tejon Creek Canyon during his expedition to discover a suitable location to establish an inland Spanish Mission.¹² In fact, Garcés' diary actually documents that he left Tejon Creek on the specific date of May 11, 1776.¹³

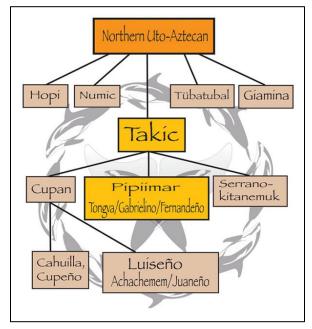




Figure 1 – A language family tree showing the organization of the Northern Uto-Aztecan language family.

Figure 2 – Map of the Great Basin and affiliated tribal culture/language areas.

The history of Tejon Reservation plays a pivotal role in understanding who the contemporary Tejon Indians are, both culturally and genealogically.¹⁴ The Tejon Reservation was the first Indian Reservation in the state of California, and was established for the "Tejon Indians"¹⁵ in 1853 by Edward F. Beale, who was appointed Superintendent of Indian Affairs for California in 1852. Beale echoed the concerns of his BIA colleagues when he testified that: "our laws and policy with respect to Indians have been neglected or violated... [The Indians] are driven from their homes and deprived of their hunting-grounds and fishing-waters at the discretion of the whites".¹⁶ Beale's testimony prompted the BIA to encourage Indian Agents to solicit the relocation of other

¹² David S. Whitley, "Sebastian Indian Reserve Discontiguous Archeological District", unpublished National Register of Historic Places registration forms, 2013.

¹³ Larry Vredenburgh, "Father Garces' Sojourn in Tehachapi, May 1776", website established September 5, 1997, http://vredenburgh.org/tehachapi/data/garces.htm.

¹⁴ For more information on the history of the Tejon Reservation and the indigenous peoples connected to that history see: (1) George Harwood Phillips, *Bringing Them Under Subjection: California's Tejon Indian Reservation and Beyond, 1852 – 1864* (Lincoln: University of Nebraska Press, 2004); and (2) Frank F. Latta, *Saga of Rancho el Tejón (Santa Cruz, CA: Bear State Books, 1976).*

¹⁵ A wide variety of ethnohistoric tribal peoples used the area known today as Tejon Ranch, including but not limited to the: Kitanemuk, Chumash, Kawaiisu, Serrano, and Tataviam; they were generally referred to as the "Tejon Indians" in federal documents and historical accounts that collectively associates these various tribal peoples with a single geographic location.

¹⁶ Dwight Dutschke, Five Views: An Ethnic Historic Site Survey for California - A History of American Indians in California: Historic Sites – Tejon Indian Reservation, Kern County (National Park Service, California Office of Historic Preservation, and The Santa Barbara Indian Center, last modified November 17, 2004),

http://www.nps.gov/parkhistory/online books/5views/5views1h92.htm.

indigenous peoples to then-existing reservations. Since the Tejon Reservation was the first in California, many other indigenous peoples living in central and southern California found themselves living there for some period of time, for a variety of reasons. The primary reason, however, was to seek protection from unscrupulous missionaries and violent Euro-American miners and ranchers who started flocking to the area during the Gold Rush Era (which lasted from circa 1848 – 1855).¹⁷

Subsequently, there are many extant southern and central California tribes that maintain some sort of traditional connection to the Tejon Reservation and its original inhabitants (i.e. the Kitanemuk/Tejon Indians) - either via cultural diffusion, intermarriage, or historical accounts concerning their temporary residence at Tejon Reservation. For example, tribal members of the federally recognized Tule River Indian Tribe maintain that they are the blood relatives of the Kitanemuk/Tejon Indians, but are enrolled in a different tribe because they moved to the Tule River Indian Reservation when the Tejon Reservation was decommissioned in 1864, which is verified in historical reports¹⁸ and contemporary interviews.¹⁹ Additionally, the tribal members of the San Fernando Band of Mission Indians (identified today as the Fernandeño Tataviam Band of Mission Indians) are known to be descended from the Kitanemuk/Tejon Indians, and their ancestors were documented as living on Tejon Reservation in the past.²⁰ Conversely, the contemporary Tejon Indians, then, are the descendants of those indigenous peoples who decided to stay in the area known today as Tejon Ranch (as documented in the 1915 Terrell Census) after the Tejon Reservation became defunct. In fact, "of the current living [Tejon Tribal] membership, over 20% were either born on or resided on the Tejon Ranch at some point in their lives."

Furthermore, there is an exhibit of Native American artifacts – a rain-making bundle (i.e. the tools of a weather shaman) - at the Kern Valley Museum (in Kernville, Kern County, California) that provides an example of the Tejon's connections to the ethnohistoric Tübatulabal and Chumash tribes. According to the exhibit's narrative description recently compiled by Samantha Riding-Red-Horse (an enrolled Tübatulabal Tribal Member), the "rain-making bundle is half Chumash and half Tübatulabal [because] the stone pipes and bowls that were used to make rain and snow came from Francisco Sasterray", a full-blooded Ventureño Chumash Indian who practiced weather shamanism on Tejon Reservation along with other Chumash shamans. ²² Sasterray married a widowed Tübatulabal woman named Jennie/Catalina/Catarina Pablo who fled to Tejon Reservation with her (five to nine) children after her husband was killed during the Whiskey Flats Indian Massacre (which is a registered Traditional Cultural Property with a commemorative plaque in Keysville, Kern County, California). Sasterray raised Pablo's children as his own, and taught his stepson, Steban Miranda, how to make rain and snow. Miranda eventually inherited Sasterray's rain-making bundle and used it to make rain and snow for the indigenous peoples living throughout modern-day Kern County. Although Miranda returned to the ancestral territory of the Tübatulabal in the Kern River Valley, other Tübatulabal weather shamans continued to assist the

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Courtney Edelhart, "Tejon Tribe Fought for Recognition Throughout History", *The Bakersfield Californian* (March 5, 2012), http://www.bakersfield.com/news/2012/03/05/tejon-tribe-fought-for-recognition-throughout-history.html.

²⁰ Larry Vredenburgh, "Indians of Mission San Fernando, Who Later Lived at Rancho El Tejón", website established September 5, 1997, http://vredenburgh.org/tehachapi/data/tejon01.htm.

²¹ Arlinda F. Locklear, H. Sibbison, L.S. Roberts, S.R. Schaeffer, and P. Boggs, "The Tejon Indian Tribe Request for Confirmation of Status", 2006, available online at: https://scvhistory.com/scvhistory/tejontribe063006.htm, p. 35.

²² Samantha Riding-Red-Horse, "Tübatulabal and Chumash Rain-Making Bundle" (museum exhibit, Kern Valley Museum, Kernville, California, March 20, 2015).

Tejon Indians with making rain and snow throughout the historic era. The Tejon Indians typically bartered for these weather shamans' services with gifts and grand feasts. ²³

Moreover, there are known prehistoric and ethnohistoric archaeological sites, including prominent village sites, associated with the Emigdiano (i.e. "Interior/Inland Chumash") that abut the ethnohistoric territory of the Kitanemuk; some sites/villages are even located inside the territory of the ethnohistoric Kitanemuk, within the modern-day boundary of Tejon Ranch. Ethnographic accounts further confirm the Emigdiano's and Kawaiisu's connections to the Kitanemuk. According to the ethnographic research conducted by Mirro, McDougall and Earle, the Kitanemuk and the Kawaiisu were known to hunt, gather, and trade together; they also intermarried. A Kawaiisu informant told the aforementioned authors that the Chumash used to steal the Kitanemuk's and Kawaiisu's shared salt caches that were stored in caves throughout the Antelope Valley, Mojave Desert, and Tehachapi Mountains.²⁴ Generally, however, the Kitanemuk and Kawaiisu were known to have peaceful and prosperous relationships with the Chumash.

Additionally, the Kitanemuk were known to intermarry and share cultural traits (e.g. origin myths, subsistence strategies, dwelling construction, etc.) with the various Southern Valley Yokuts Tribelets inhabiting present-day Kern County- i.e. the Hometwoli, Tulamni, and Yowlumne Yokuts. Nevertheless, the Kitanemuk were also known to have sporadic violent conflicts with the Yokuts (possibly due to territorial and/or organized marriage disputes).²⁵

While it may be impossible to verify *all* of the ethnohistoric tribes that either lived on Tejon Reservation or were connected to its original inhabitants (i.e. the Kitanemuk/Tejon Indians) in one way or another, ²⁶ by examining the "Ethnohistoric Tribal Territories" layer on the attached map²⁷, one can appreciate how central Kern County (and especially the area of Tejon Reservation/Ranch) represented a prominent sphere of cultural interaction/diffusion among (at least) eight different ethnohistoric tribes. Interestingly, David S. Whitley, Ph.D., asserts that the cultural and genetic diffusion that occurred on Tejon Reservation is, in fact, responsible for the ethnogenesis of a new tribal organization: the Tejon Indian Tribe.^{28,29}

²³ Ibid.

²⁴ Vanessa Mirro, Denniss McDougall, and David Earle, "Class III Cultural Resources Survey for the Horizon Wind Energy Rising Tree Wind Farm, Kern County, California", available online at http://www.co.kern.ca.us/planning/pdfs/eirs/rising tree/rising tree deir vol2.pdf.

²⁵ Ibid.

²⁶ There are some [unverified] oral history accounts which suggest that there were as many as 21 different ethnohistoric tribes cohabitating on Tejon Reservation at the peak of its existence, including but not limited to the: Kitanemuk, Kawaiisu, Serrano, Tataviam, Tübatulabal, Chumash, Salinan, Paiute, Shoshone, and various Southern Valley Yokuts Tribelets (primarily the Hometwoli, Tulamni, and Yowlumne and Yokuts).

²⁷ Tribal boundaries adapted from Robert F. Heizer, vol. ed., *Handbook of North American Indians, 8, California* (Washington D.C.: Smithsonian Institution, 1978), similar maps available online at http://linguistics.berkeley.edu/~survey/resources/language-map.php.

²⁸ David S. Whitley, "Sebastian Indian Reserve Discontiguous Archeological District", unpublished National Register of Historic Places registration forms, 2013.

²⁹ California Office of Historic Preservation, "2014 Actions Taken – Properties being nominated to the National Register of Historic Places: Sebastian Indian Reserve", November 7, 2014, synopsis available online at http://www.ohp.parks.ca.gov/?page_id=28053 or http://www.ohp.parks.ca.gov/pages/1067/files/sebastian%20indian%20reserve%20.pdf.

Summarized Justifications for the Tejon Indian Tribe's Contemporary Area of Interest

Although the contemporary Tejon Indians *primarily* identify themselves as the descendants of the Kitanemuk, they are also strongly affiliated with the Kawaiisu and Yowlumne Yokuts peoples/cultures (as listed on the NAHC's Native American Contacts List for Kern County). However, Tejon's listing of these three *primary* ethnohistoric tribal/cultural affiliations with the NAHC should not preclude Tejon from claiming the entirety of Kern County as its CAI for the purposes of AB 52 for the following reasons:

- 1. The *vast* majority of Tejon's CAI (i.e. Kern County) includes large portions of the ethnohistoric tribal territories to which the contemporary Tejon Indians consider themselves to be traditionally and culturally affiliated- i.e. Kitanemuk, Kawaiisu, and Yowlumne (a Southern Valley Yokuts Tribelet), as listed on the NAHC's Native American Contacts List for Kern County.
- 2. There is a plethora of archaeological and ethnographic evidence that connects the Kitanemuk/Tejon Indians to the Kawaiisu, Chumash, Southern Valley Yokuts Tribelets, Serrano, Tataviam, and Tübatulabal (i.e. the primary ethnohistoric tribal territories comprising the entirety of Kern County).
- 3. Archaeological evidence suggests that the contemporary Tejon Indians, who are revitalizing the Kitanemuk language, are linguistically and culturally related to the prehistoric Northern Uto-Aztecan-speaking peoples (and specifically the Takic-speaking peoples) who migrated and settled throughout modern-day Kern County; especially the Serrano peoples (with whom the Kitanemuk share the closest linguistic connections). The Kitanemuk also shared a very fluid territorial boundary with the Serrano in the Antelope Valley and San Gabriel Mountains.
- 4. Modern-day Kern County (and especially modern-day Tejon Ranch) was known to be a highly active sphere of cultural interaction/diffusion amongst various indigenous peoples from the prehistoric era through the historic era.
- 5. The history of Tejon Reservation connects the Kitanemuk/Tejon Indians to numerous ethnohistoric tribes.
- 6. Historically, the Federal Government collectively referred to the various ethnohistoric Kitanemuk, Kawaiisu, Yokuts, Chumash, Tataviam, et al. peoples living in the area known today as Tejon Ranch as the: "Tejon Indians". The contemporary Tejon Indians are, however, the descendants of the 81 indigenous peoples who continued to reside on Tejon Ranch, as documented in the 1915 Terrell Census, after the Tejon Reservation was decommissioned in 1864.
- 7. Presently, Tejon is the only federally recognized tribe in Kern County, and is the only tribe in the county with a Tribal Historic Preservation Department that works full-time to preserve Tribal Cultural Resources ("TCRs"). Moreover, Tejon already receives TCR consultation letters from federal and state agencies, local governments, and private cultural resource consultants about federally- and state-regulated development projects occurring throughout the entirety of Kern County (and beyond).
- 8. Tejon's Tribal Historic Preservation Department works very closely with the neighboring Kern Valley Indian Council, Tübatulabals of Kern Valley, Tule River Indian Tribe, Santa Rosa Rancheria Tachi Yokuts Tribe, and San Manuel Band of Mission Indians to preserve TCRs throughout Kern County.
- 9. Since Tejon's federal recognition in January 2012, various federal agencies (e.g. the Federal Communications Commission, the U.S. Environmental Protection Agency, and the Department of Health and Human Services, Indian Health Services) have confirmed that Tejon's "Service Delivery Area" and/or "Area of Interest" is the entirety of Kern County. Tejon expects that the BIA will confirm the entirety of Kern County as its "Near Reservation Service Area" ("NRSA") in the near future.

Additionally, in light of the above information, Tejon reserves the right to expand its CAI on a project-by-project basis for special circumstances, such as a request from a lead agency, project proponent or another tribe to participate in the tribal consultation related to a specific project.

Should the NAHC have any questions, comments or concerns about this letter report or the attached map, please contact Tejon's Tribal Historic Preservation Technician, Colin Rambo.

Sincerely,

Kathryn Montes Morgan

Tribal Chairperson Tejon Indian Tribe William Gollnick

Tribal Administrator Tejon Indian Tribe

Colin Rambo

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