



WISHTOYO
CHUMASH FOUNDATION

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Lawsuit Challenges California Development's Threat to Condors, Tribal Religious Practices

LOS ANGELES— Conservation and tribal groups sued the U.S. Fish and Wildlife Service today for authorizing a Tejon Ranch Company plan to build luxury housing, golf courses and resort hotels on thousands of acres of critical habitat for California condors in Kern County.

Today’s lawsuit, brought by the Center for Biological Diversity, Wishtoyo Foundation and Delia Dominguez, a Kitanemuk and Yowlumne Tejon tribal chairwoman, was filed in U.S. District Court. It challenges the Service’s failure to adequately consult native people on the threats posed to condors by Tejon Mountain Village.

Consultation is required under the National Historic Preservation Act because the critically endangered birds are key to cultural and religious practices of tribes, including the Kitanemuk and Yowlumne Tejon and Chumash.

“The absence of the condor from the cultural landscape in the project area due to the devastating impacts from the Tejon Mountain Village development will diminish the Chumash peoples’ connection with our ancestors, and irreparably harm our cultural, ceremonial and religious practices,” said Mati Waiya, a Chumash ceremonial elder and executive director of the Wishtoyo Foundation. “The condor and its habitat in the project area are traditional historic cultural properties under federal law, and the Fish and Wildlife Service must treat and protect them as such.”

Construction of Tejon Mountain Village may be imminent. Developers have permission to harm condors after the Fish and Wildlife Service issued an “incidental take permit” — the first ever issued for the birds, which are protected by the Endangered Species Act and “fully protected” birds under state law. The project is anticipated to harm condors through habituation to human activity and will destroy or modify thousands of acres of habitat the Service itself designated as critical for condors.

“The federal government shrugged off tribal concerns and gave Tejon permission to build its sprawling

resort development in the habitat of these sacred, endangered birds,” said Peter Galvin, the Center’s co-founder. “That was a terrible environmental decision and a shocking insult to native cultural practices that go back thousands of years.”

“Condors and the Native people born in and around Tejon Ranch have always lived together with dignity and respect from time immemorial,” said plaintiff Delia “Dee” Dominguez. “This includes condors being a part of our ceremonial life. To continue to disrupt this is devastating to the living and future generations.”

The California condor is one of the most imperiled animals on the planet. Both the Chumash and the Kitanemuk and Yowlumne Tejon Indians honor the condor through religious and cultural practices. Because of the birds’ decline, tribal practitioners have had difficulty collecting feathers for condor dances and other sacred rites.

The Chumash people resided in villages, conducted ceremonies and cultural practices at sacred sites, and buried their dead in and around the present Tejon Ranch area for more than 10,000 years. The Kitanemuk and Yowlumne Tejon Indians were also early residents of the Tehachapi Mountains and the Antelope Valley.

Tejon Mountain Village’s anticipated buildout would include up to 3,450 residences, 160,000 square feet of commercial development, 750 hotel rooms, and 350,000 square feet of support uses, as well as two golf courses and an equestrian center. Kern County approved a specific plan for Tejon Mountain Village in 2009, but construction has not yet started.

Founded in 1997, Wishtoyo Foundation is a 501(c)(3) nonprofit grassroots organization that enhances the well being of communities by preserving and protecting Chumash Native American culture, the culture and lifeways of Indigenous Peoples, and the natural resources all people depend upon. To learn more about Wishtoyo visit us at www.wishtoyo.org.

The Center for Biological Diversity is a national, nonprofit conservation organization with more than 1.4 million members and online activists dedicated to the protection of endangered species and wild places.