

Whose Land is Our Land?

Spatial exclusion, racial segregation, and the history of the lands of western Multnomah County

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**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

Introduction

The state of Oregon, the city of Portland, and Multnomah County are celebrated as hubs of progressivism, tolerance, and environmental consciousness. We're a great place to live, with green transportation options, outdoor recreation, and farmers markets as far as the eye can see. We're also home to one of the country's largest urban forests,¹ the confluence of two major regional rivers, and a statewide urban growth boundary policy that protects our agricultural and natural lands from the sprawl that has overtaken landscapes across the country.² At the same time, we are the whitest major city in the country (by percentage of the population) and while we're growing more diverse as a city and county, the most desirable neighborhoods are only becoming whiter; census data indicates that Portland's city center lost 10,000 residents of color between 2000 and 2010.³ Why?

Over the last several years, many Oregonians have been confronted by some jarring answers to this question thanks to the work of scholars and activists like Walidah Imarisha, whose speaking series "Why Aren't There More Black People in Oregon? A Hidden History" was my own first exposure to the subject. Oregon was an explicitly white supremacist state from its inception; even before it gained statehood, the territorial legislature passed the Organic Law of 1844, giving black men two years to leave the state from the time they were freed or turned 18. If they failed, they would be subjected to public whipping every six months. Black women were afforded an additional year to leave before the lashes began.⁴ In 1857, Oregon voters approved a constitution that banned any new black residents and outlawed property ownership, suffrage, and use of the legal system for any black people already living here. In 1866, 7 years after gaining statehood, Oregon ratified the 14th Amendment, nullifying the exclusion clause in our state constitution—but just one year later, our state legislature repealed the ratification, preserving the exclusion clause until 1926. Racist language in the state constitution was not fully removed until 2002.⁵ Our state capital in Salem also played host to the largest chapter of the Ku Klux Klan in the West, attacking black residents and expelling the Chinese community entirely. In 1923, Oregon City's only black resident was the victim of an attempted lynching.⁶

As shocking as this history is—as it should be—it stops, for many of us, in the 1920s and in the policies implemented by the state of Oregon during this period. As individuals who call this place home, and as public servants who are tasked with caring for land, water, wildlife, and the people who depend on them, we have a responsibility to dig deeper than this. Without a more complex understanding of how we got here, it is inevitable that we will miscalculate as we set our course forward. The West Multnomah Soil & Water Conservation District has committed itself to integrating diversity, equity, inclusion, and accountability into the work that we do and the ways in which we do it. As an organization centered on the stewardship of land and other natural resources, particularly private lands and properties, we must ask this question: what has been happening to the land in our District and the people who live here, and how does the weight of these past and present systems impact our work? This report constitutes an attempt to answer this question by examining how race and ethnicity have

¹ (Conservancy, 2019)

² (Christensen, 2018)

³ (Hannah-Jones, In Portland's heart, 2010 Census shows diversity dwindling, 2011)

⁴ (Oregon Historical Society, 2018)

⁵ (Nokes, 2018)

⁶ (Oregon Historical Society, 2018)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

determined people's relationships to the lands of western Multnomah County, and how public and private institutions have shaped these relationships through law, policy, and practice. The report will go on to explore how these systems are playing out in the present day and how the District may be able to respond. This discussion will center on race for two reasons: first, while many systems of oppression and marginalization have impacted people's experiences in our District, racism has been one of the most institutionalized and long-enduring factors creating the disparities in access to land, housing, and civil rights examined here. Second, by centering race in our work towards diversity, equity, and inclusion, we will create solutions that uplift many other marginalized groups.

Native Land Loss and the Colonization of the Portland Basin

The Portland Basin, sometimes called the Wapato Valley, and the surrounding area of our District was home to at least 20 distinct communities of indigenous Americans when the Lewis and Clark expedition arrived here in 1805, with most of the population concentrated in the fertile lowlands around the Columbia and Willamette Rivers.⁷ Pre-contact artifacts found on Sauvie Island indicate that the Portland Basin was occupied for thousands of years prior to the arrival of European Americans.⁸ Some of the largest and most well-documented sites are also of significance to the District today: Multnomah village, located just south of the Dairy Creek channel on Sauvie Island, and Scappoose village, north of the District in Columbia County, were major population centers until the early 19th century.⁹ The indigenous people who originally lived here spoke dialects of the Chinookan language that extended from the mouth of the Columbia to the Cascade Rapids, as well as the Chinook Jargon that emerged to facilitate trade between different tribes and foreigners throughout the Lower Columbia Region.¹⁰

Food was plentiful on the Middle Columbia at the turn of the 19th century. The people of the Portland Basin fished spring and fall Chinook salmon runs, caught winter smelt in nets and on rakes, and spearfished for sturgeon, all of which could be dried and stored for winter or trade. Starchy wapato bulbs provided a stable food source year-round. When the spring freshet pushed people up from the floodplain, they began gathering camas from the prairies, a harvest that extended well into the summer. In the later summer and early fall, the Multnomah people gathered berries, crabapple, and Indian plum to eat at their freshest. At the same time, they gathered hazelnuts and acorns to cure and put up for the winter. In the winter, migratory waterfowl, deer, and elk made their way to the Columbia floodplain and lowlands, providing excellent hunting for locals and visiting groups from elsewhere on the river. While many of the Columbian indigenous people travelled significant distances between summer and winter homes in order to sustain a supply of food, scholarship indicates that the Multnomah people were able to remain much closer to home thanks to stable supplies of food year-round. While they also rotated from summer to winter lodges, these were usually located just a few hundred meters away, and the move is thought to have more to do with sanitation than with subsistence.¹¹ A caveat must be included here: many of our descriptions of the traditional population, lifeways, and land-use patterns in the Portland Basin come from the notes of the Lewis & Clark expedition and their contemporaries. However,

⁷ (Boyd & Zenk, Portland Basin Chinookan Villages in the early 1800s, 2019)

⁸ (Unknown)

⁹ (Boyd & Zenk, Portland Basin Chinookan Villages in the early 1800s, 2019)

¹⁰ (Zenk, 2018)

¹¹ (Ellis, 1986)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

George Vancouver's expedition to map the coastline of the Pacific Northwest made contact with the people of the Lower Columbia in 1792;¹² and the sources we've been able to access for this paper have little documentation of precisely what, if anything, may have changed for the people of the area in the intervening 13 years. We cannot say for sure that when Lewis and Clark came down the Columbia into what they named the Wapato Valley, the people they met and the activities they observed were representative of what had been present before 1792. The desire to reach out to local tribes and specialized historians to both review and add to this section is acknowledged and noted for future drafts.

Sauvie Island, positioned at the confluence of the Willamette and Columbia rivers, prospered as a center of trade and culture for the entire region at the beginning of the 19th century.¹³ The island played host to its usual assortment of traders and hunters from elsewhere in the region, but also to European American fur trappers, missionaries, and explorers.¹⁴ In 1825, the British government helped the Hudson's Bay Company consolidate its control of regional trade in a takeover of its competitors, the Astorian Pacific Fur Company and Montreal's North West Fur Company.¹⁵ The Hudson's Bay Company then shifted operations upriver from its Columbia-region headquarters in Astoria to Fort Vancouver, just across the river from Sauvie Island, in order to take advantage of greater access to the growing region of the Willamette Valley. As a result, the people of Sauvie Island and Scappoose Bay gained even greater wealth and power from their trade relationships with the Company.¹⁶ At the height of this prosperous period, many of the villages in the Portland Basin were coordinated under the leadership of a powerful Multnomah-Wakanasisi chief named Keasno based out of Cathlacumup, close to what is now St. Helens.¹⁷ Keasno, a strong political leader and diplomat with family connections to villages throughout the Lower Columbia and Willamette, grew wealthy by participating in and facilitating Columbian trade, and by 1830 he was the most powerful Native leader between the Pacific Ocean and the Cascades.¹⁸ That year, malaria, then called "ague" or "intermittent fever",¹⁹ appeared at Fort Vancouver in both the white and native population. Over the next several years, it wiped out 75%-90% of the native population of the Portland Basin and displaced many of those who survived,²⁰ leaving the area open to virtually unopposed resettlement by European Americans and tribes from north of the Columbia. When the Hudson's Bay Company returned to Multnomah village in 1839, they found it occupied only by the dead, and ordered the site burned.²¹ Those who survived were scattered, and after Keasno's death in 1848, the native residents of the Wapato Valley joined with the confederation of Kalapuyan bands of the Willamette Valley in a bid for survival.²²

As disease ripped through the Chinookan people, "Oregon fever" approached critical mass in the Midwest. Ever since the Lewis and Clark expedition returned from the Northwest, everyone from

¹² (Hajda, Boyd, & Zenk, 2019)

¹³ (Ellis, 1986)

¹⁴ (Hajda, Boyd, & Zenk, 2019)

¹⁵ (Robbins W. G., *The Astorians and the Hudson's Bay Company*, 2002)

¹⁶ (Ellis, 1986)

¹⁷ (Lewis D. , Kiesno (Chief Cassino) (1779?-1848), 2019)

¹⁸ (Lewis D. , Kiesno (Chief Cassino) (1779?-1848), 2019)

¹⁹ (Boyd, *Disease Epidemics among Indians, 1770s-1850s* , n.d.)

²⁰ (Ellis, 1986)

²¹ (Hajda, Boyd, & Zenk, 2019)

²² (Lewis D. , Kiesno (Chief Cassino) (1779?-1848), 2019)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

missionaries to journalists to congressmen had been singing the praises of the Oregon Country as a “new Eden”.²³ Facing a depressed economy, a deteriorating agricultural sector, flooding, and disease elsewhere in the country, many white Americans in the late 1830s found the prospect of a 2,000-mile journey less daunting than the prospect of staying put. While the Oregon Trail, directly connecting the East to the Oregon Country, had been established nearly a decade prior, the 1840s saw a major upswing of migration along the route, with the white population ballooning from 1,500 in 1843 to 13,294 by 1850.²⁴ As the settlers to Oregon increased in number, so too did their clashes with the Native people who already claimed the land: in Southern Oregon, where gold miners stood to make a fortune off of the minerals underneath tribal lands, Umpqua and Rogue River tribes were hunted like animals by prospectors and farmers on their own unceded homelands.²⁵ In the Willamette Valley and the Portland Basin, the tribes were considered inconvenient pests who had wasted the rich soils of the river valley; after forcing them off, the settlers set to work draining the wetlands, plowing up the wapato and camas, planting grain and potatoes, ranching sheep and cattle.²⁶ These settlers not only set out to evict the indigenous people from their ancestral land, but to eliminate the indigenous land use practices and lifeways that had been in place for generations. The war for Oregon land rose to a crescendo when Congress passed the Oregon Donation Land Act in 1850, codifying the territorial practice of gifting 640-acre parcels of “vacant land” to settlers.²⁷ However, the Oregon Territorial Act was already on the books, guaranteeing Native Americans the rights to their lands in the absence of a treaty to the contrary; in theory, Congress would need to strike a deal with the Native residents before they had the right to give it away.²⁸ They chose instead to begin land donations right away, and to send negotiators to secure the right to do so after the fact. In the absence of any agreements, violence reigned.

Anson Dart, the superintendent of Indian Affairs for the territory of Oregon, was charged with conducting these negotiations with the tribes of Western Oregon.²⁹ While the indigenous people of the Willamette Valley and Oregon Coast had been decimated by disease and faced continued violence from settlers trying to stake their claims, they were not readily convinced to cede their homelands. Dart promised the tribes cash payments, sawmills, weapons, teachers, farming implements and more in compensation for the loss of millions of acres and the tribes’ relocation to reservations east of the Cascades.³⁰ This was insufficient, the tribes argued. They held firm that any reservation land must be located on their ancestral lands. In a letter relaying the results of initial negotiations with the Kalapuyan tribes at Champoege in 1851, Anson Dart himself wrote:

“They urged... that their fathers had lived and were buried in this country; that it was their native land, and that they wished to be buried by the graves of their ancestors; that they were unacquainted with the country east of the Cascade mountains, and were ignorant of the means of procuring a livelihood in any other than the one in which they now live; and that it would be

²³ (Robbins W. , 2002)

²⁴ (Robbins W. , 2002)

²⁵ (Robbins W. G., A New Legal Landscape, 2002)

²⁶ (Lewis D. G., 2014)

²⁷ (Cain & Rosman, 2017)

²⁸ (Robbins W. G., A New Legal Landscape, 2002)

²⁹ (Boxberger, 2018)

³⁰ (Cain & Rosman, 2017)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

more humane and merciful for the whites to exterminate them at once, than to drive them from this to the country east of the Cascade mountains.”³¹

Dart conceded the point and returned to Congress with 19 treaties containing promises to reserve portions of Native homelands for their perpetual residence and use; in return for his failure to deliver the tribes to lands east of the Cascades, the U.S. government stripped him of his treaty-making power and replaced him with a new superintendent, Joel Palmer.³² Palmer picked up where Dart had left off, insisting that the surrender of some Western Oregon lands to their original owners would be the only way to prevent all-out war with the tribes of Oregon. After months of deliberation, word came from Washington: his plan to create the Coast and Grand Ronde reservations was approved.³³ Beginning in the winter of 1857, twenty-seven tribes from across Western Oregon were marched hundreds of miles from their homes and into the Coast Siletz and Grand Ronde reservations.³⁴ The Grand Ronde, located in the Coast Range of Oregon, would play host to not only the Kalapuya of the Willamette Valley, but also to the Molala, the Chasta, the Umpqua, and the Rogue River tribes whose reservations were eliminated due to sustained incursions from violent miners and settlers in the South.³⁵ David Harrelson, a Historic Preservation officer for the Confederated Tribes of the Grand Ronde, describes the journey that is known today as Oregon’s Trail of Tears like this:

“It was in February. Imagine walking ... the rough path ran about where I-5 is today then out; once you get to Eugene, to where (Highway) 99 is. The whole way, people followed the Indians and essentially, if they were to break ranks and leave that line, they would be killed.”³⁶

The Grande Ronde Reservation, located just 60 miles southwest of Portland along the Yamhill River, consisted of just over 60,000 acres that had been bought back from settlers’ donation land claims when it was officially established in 1857.³⁷ While the now-Confederated Tribes had won the right to remain west of the Cascades, they now held the equivalent of less than 1% of their ancestral territories, with no right of return to the lands upon which generations on generations had lived and died.

Just 30 years later, the relative stability established by the treaty system began to crumble. The Dawes Act (also known as the General Allotment Act) of 1887 disintegrated the Grand Ronde’s tribal commons and the community that depended on them. The Dawes Act empowered the President to break up reservations, at the time the common property of the tribe as a whole, and redistribute the pieces as small allotments to individual members of the tribe. Land that the federal government determined to be “surplus” to the tribe would be sold to non-Native buyers. Responsibility for one’s own farm, it was thought, would gradually assimilate Native Americans into the settlers’ culture and economy, freeing them from the paternalistic federal support of the Bureau of Indian Affairs (BIA) and its parent agency, the Department of the Interior.³⁸ The legislators who passed the Dawes Act claimed only the best intentions towards Native Americans and their land; it would provide economic

³¹ (Lewis D. G., 2014)

³² (Kentta, n.d.)

³³ (Kentta, n.d.)

³⁴ (Confederated Tribes of Grand Ronde, n.d.)

³⁵ (Kentta, n.d.)

³⁶ (Cain & Rosman, 2017)

³⁷ (Lewis D. , Confederated Tribes of Grand Ronde, 2019)

³⁸ (An Act to Provide for the Allotment of Lands in Severalty to Indians on the Various Reservations (General Allotment Act or Dawes Act), 1887)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

opportunity to allottees and, by holding the allotments in trust for 25 years before officially handing them over, would protect Native land from falling into the wrong hands.³⁹ Unsurprisingly, implementation proved more complicated.

In theory, the Dawes Act allowed for the possibility that reservation allotments could be selected by their Native recipients;⁴⁰ frequently, however, the BIA superintendent was responsible for assigning out plots. When he did, it was common for the richest agricultural tracts to be marked for surplus, while those allotted to Native Americans were unsuitable for farming. In the case of the Grand Ronde, much of the land was hilly and forested, desirable for timber companies but not for small farmers.⁴¹ Moreover, though the purpose of the Dawes Act was ostensibly to encourage Native people to farm, many could not afford the equipment, seeds, and supplies they'd need to have a chance at success.⁴² As a result, many sold their farms as soon as they were able to do so.⁴³ As allotment recipients passed away and the BIA distributed inheritances, passing land from parent to child became challenging. In the 1870s and 1880s, the BIA had forcibly removed the majority of Native children to assimilationist boarding schools far from their homes and communities, many of which were funded with proceeds from the sale of surplus reservation land.⁴⁴ If such a child inherited an allotment, they would be unable to farm it or return to it. For these communities in which elders relied on the support of young people to care for their farms and their homes, the loss of their children impacted every generation.⁴⁵ In Oregon, many allotments were divided between ten or more heirs, leaving the beneficiaries with parcels unable to support subsistence farming, let alone turn a profit. Much more frequently, the BIA in Oregon sold the allotment it had held in trust for 25 years and distributed the proceeds to the heirs- the exact removal of Native lands from Native hands that the government in Washington, D.C. had promised that it would prevent.⁴⁶ In the case of the Grand Ronde, 270 allotments and more than 33,000 acres of reservation land were allocated to Native individuals,⁴⁷ and by 1901, another 25,791-acre section (most of the remainder of the reservation) was declared "surplus" and sold by the U.S. government for \$1.10 an acre.⁴⁸

The investigations into tribe members' eligibility for allotment by the Dawes Commission and the BIA also facilitated the entry of the notion of blood quantum into the national imagination. Blood quantum is the concept that the degree to which one is Native or a tribal member is determined by the amount of "Indian blood" one has inherited from one's ancestors, and from what tribes.⁴⁹ The Dawes Act was implemented such that those with less than one-half "Indian blood" or those who married outside their race were ineligible to receive an allotment,⁵⁰ increasing the amount of land that fell into

³⁹ (Lewis D. G., 2009)

⁴⁰ (An Act to Provide for the Allotment of Lands in Severalty to Indians on the Various Reservations (General Allotment Act or Dawes Act), 1887)

⁴¹ (Lewis D. G., 2009)

⁴² (The National Archives, 2019)

⁴³ (Indian Land Tenure Foundation, 2019)

⁴⁴ (Haag, 2007)

⁴⁵ (Lewis D. G., 2009)

⁴⁶ (Lewis D. G., 2009)

⁴⁷ (Ronde, 2014)

⁴⁸ (Lewis D. G., 2009)

⁴⁹ (Blubaugh, 2017)

⁵⁰ (Lewis D. G., 2009)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

surplus to be sold off. When the Burke Act passed in 1906, the BIA was given the power to determine whether Native owners of allotments were “competent” to manage their own land, or whether it should remain held in the trust of the government.⁵¹ The more white ancestry one had, the greater one’s competency in the eyes of the federal government; “white Indians” were thought to be taking advantage of the allotments and benefits that ought to be reserved for full-blooded Native Americans, who were too “primitive and uneducated” to manage their own land and affairs.⁵² If a Native person who had received or inherited an allotment was deemed competent, their parcel of land could be removed from the public trust. This helped funnel more Native lands into homesteaders’ hands in two ways. First, many who had struggled to farm and subsist off their subpar allotments took the opportunity to sell their only valuable asset. Second, when allotment land passed out of the public trust, it became taxable, and the Department of the Interior could remove trust status without consulting or informing the Native owner. Many “competent” Native Americans foreclosed on their lands, which were auctioned off, after unknowingly accumulating years of unpaid tax debt.⁵³ Not only did the blood quantum standard help to usher more Native land into the hands of white settlers, it was pivotal in shaping the next century’s federal and tribal determinations of who, and how many, would be counted as Native American.

The scale of degradation that allotment intentionally inflicted on the Native American lands, lifeways, and people of our District can be staggering to consider. In 1854, the tribes and bands that now form the Confederated Tribes of Grand Ronde held about 14 million acres of Western Oregon between them; in 1950, a 600-acre reservation was all that remained.⁵⁴ In the place of this contiguous common land, two new patterns of land use emerged, both of which persist to the present day. The first is checkerboarding, in which small tracts of Native-owned private land, non-Native-owned private land, federal trust lands, and tribal holdings are scrambled together. As a result, beneficial uses like larger-scale farming, ranching, or development by tribes or individuals as well as access to traditional land use and sites are severely impaired.⁵⁵ The second is fractionated ownership, which has been discussed briefly above; if, in the case of an allottee’s passing, the BIA chose to distribute the rights to their land rather than the proceeds from its sale, the equal subdivision of the land would continue for generations. The exponential growth of the number of owners per plot results in exponentially reduced earnings for each individual owner, not to mention the challenges of gaining majority support from hundreds or thousands of people to use the land at all.⁵⁶ Native scholars and leaders have also highlighted the cultural destruction the practice of allotment represented; by breaking down the reservation the community held together in common, the BIA fragmented the community itself.⁵⁷ Roberta “Bobbie” Conner, the director of the Tamastlikt Cultural Institute and a member of the Confederated Tribes of the Umatilla, puts it this way:

“The allotment era was not just a land grab. It was also a way to break down our communal structure and teach us to think: This is mine. That’s yours.”⁵⁸

⁵¹ (Indian Land Tenure Foundation, 2018)

⁵² (Blubaugh, 2017)

⁵³ (Indian Land Tenure Foundation, 2019)

⁵⁴ (Lewis D. G., 2014)

⁵⁵ (Indian Land Tenure Foundation, 2019)

⁵⁶ (Indian Land Tenure Foundation, 2019)

⁵⁷ (Lewis D. G., 2009)

⁵⁸ (Cain & Rosman, 2017)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

By 1931, only a few hundred people lived on the shrinking Grand Ronde reservation; many spent the better part of the year (if not longer) as migrant farm workers in the Willamette Valley or travelling throughout the West with logging operations. More still had made their way to Portland and its booming industrial sector or joined the military during World War I.⁵⁹ While many of these workers were able to send money home, the BIA and local farmers often practiced wage discrimination that set Native wages at half the level of a white worker in the same job,⁶⁰ severely curtailing the ability of tribal communities on or off the reservation to truly earn a living. Urban Native Americans were still officially banned from living within Portland city limits until the 1920s and were not offered citizenship until 1924.⁶¹ Despite these barriers, the early 20th century saw Native people in Oregon and across the country adapting to and overcoming the challenges of the post-allotment era. The Indian Reorganization Act of 1936, which offered federal subsidies to tribes willing to “reorganize” to self-govern under a constitution and elected leadership, may have had assimilationist roots, but helped many tribes in Oregon parlay their remaining natural resource holdings into sustainable economic ventures.⁶² When World War II broke out, more than 1 in 10 Native Americans volunteered to serve, and many more contributed to the war effort at home by working in Portland’s factories and shipyards.⁶³ However, as the war wound down, the BIA took steps to ensure that the hard-won advancements of Oregon’s tribes would come back to bite them.

A series of hearings and committee meetings held through the mid-1940s solidified two ideas in the minds of federal policymakers: first, that the marginal gains Native Americans had made in the war were an indicator that many were finally capable of self-sufficiency, and second, that the federal government should therefore withdraw support for many tribes as quickly as possible.⁶⁴ While research commissioned by the BIA in fact indicated that the assimilation of tribes and the supposed attending benefits were inconsistent between tribes, the allure of a slashed budget and the opportunity to put millions of acres of resource-rich reservation lands to profitable use won out.⁶⁵ It’s important to note that, while the surface-level justifications for what was about to occur had to do with freeing tribes from federal paternalism, this deeper argument that Native people had let their land and resources go to waste and had therefore surrendered their sovereignty was precisely the same as the justification used to remove them to reservations in the first place. In 1954, Congress passed Public Laws 587 and 588, which removed federal recognition from the tribes of Western Oregon, as well as the Klamaths; this meant the dissolution of the reservations, the repossession of tribal land holdings by the federal government, the loss of fishing and hunting rights, and the removal of virtually all entitlements and supports for tribes and their members.⁶⁶ Termination, as this practice is commonly known, was not common outside of Western Oregon; more than a third of the tribes terminated nationwide were Oregonian, thanks in part to the advocacy of Douglas McKay, a former Oregon governor and

⁵⁹ (Lewis D. G., 2009)

⁶⁰ (Lewis D. G., 2009)

⁶¹ (Curry-Stevens, Cross-Hemmer, & Coalition of Communities of Color, 2011)

⁶² (Lewis D. G., 2009)

⁶³ (Curry-Stevens, Cross-Hemmer, & Coalition of Communities of Color, 2011)

⁶⁴ (Lewis D. G., 2009)

⁶⁵ (Lewis D. G., 2009)

⁶⁶ (Cain & Rosman, 2017)

Whose Land is Our Land?
West Multnomah Soil & Water Conservation District

Eisenhower’s Secretary of the Interior.⁶⁷ While Native Americans were making gains in many other places in the country, communities here were scattered and setback for decades, denied the health, education, and housing programs that were concurrently developed for those tribes that remained federally recognized.⁶⁸

With claims to land, homes, and basic services erased, and with a federal relocation policy encouraging migration to cities, thousands of Native Americans from Grand Ronde and across the state streamed into Portland after termination. Despite low wages, institutional and social discrimination, and cultural alienation, within a decade the Native migrant community in Portland had established several culturally-specific organizations providing community, human services, and advocacy, some of whom the District works with today.⁶⁹ Throughout the 1960s and 1970s, these organizations and their members fought to improve the condition of urban Native communities and to restore federal recognition to those who had lost it. Seven Oregon tribes secured restoration of their federal status in the late 1970s and early 1980s, including Grand Ronde, which recovered just over 9,000 acres of the original reservation in 1983.⁷⁰

Grand Ronde and many of the other tribes of Western Oregon, have existed in their current form for barely a generation; the project of decolonizing and regaining self-governance, self-sufficiency, and cultural identity is still very much in progress for the Native diaspora here. Oregon’s first land managers and stewards survived roughly two centuries of a government and society intent on their eradication and the erasure of the traditional lifeways and land use they practiced for millennia on the land we are now attempting to restore. So much of the District’s work to build up the health of our soils, protect and restore native plant communities, and shield the last of our prairies and oak savannahs from redevelopment are efforts to recover what was razed in the colonization of the Portland Basin. As beneficiaries of that colonial project ourselves, we have a responsibility to include the voices, concerns, and interests of the people who started this work, to ally our efforts to restore the traditional functions of western Multnomah ecosystems with the ongoing efforts to restore the traditional cultural knowledge of the first people of this land. David Lewis, an anthropologist and historian for the Confederated Tribes of the Grand Ronde, puts it this way:

“You’ve been — [for] ten thousand years — in one place and your culture and your genealogy is a part of that place. You have a better understanding of that place than anybody else. We have learned to live with it — we’re a part of it. The forest, the rivers, the coastline, the mountains — we are a part of all that. Our people are from there. And so everything we do in our culture resonates with that, and that’s important to say. I mean, not a lot of people except for us has that.”⁷¹

⁶⁷ (Curry-Stevens, Cross-Hemmer, & Coalition of Communities of Color, 2011)

⁶⁸ (Cain & Rosman, 2017)

⁶⁹ (Curry-Stevens, Cross-Hemmer, & Coalition of Communities of Color, 2011)

⁷⁰ (Lewis D. G., 2009)

⁷¹ (Cain & Rosman, 2017)

Alien Land Laws and the Elimination of Asian-American Agriculture

During the early 1900s, Multnomah County and the Portland Basin played host to a thriving community of Asian-American agriculturalists. Japanese-American farming communities sprung up in Montavilla, Troutdale, Gresham, and Hood River around 1900, and by 1920 Japanese farms were responsible for 90 percent of strawberries, 50 percent of raspberries, and 60 percent of vegetables grown in the region.⁷² Guild's Lake, which once lay at the foot of where Montgomery Park stands today, was also home to a small community of Chinese-Americans who gardened and raised hogs in the marshy soils of the lake shore.⁷³ In the footprint of what is now Providence Park, small-scale Chinese vegetable gardens and markets on Tanner Creek covered 20 acres around the turn of the 20th century. Since Chinese Exclusion laws were still in effect at the time, many of these vegetable farmers lived in structures they built on the lands they were farming.⁷⁴

Walter Pierce, Oregon's 17th governor and a card-carrying member of the Ku Klux Klan (KKK), signed the first Alien Land Law in 1923, which forbade any immigrants from owning land in their own names, targeting the growing community of Japanese and Chinese farmers and ranchers.⁷⁵ After his term as governor, Pierce would later advocate for the deportation of all Americans of Japanese descent and a ban on their residency after World War II (WWII).⁷⁶ Portland's longest serving mayor, George Baker, has also been noted for his ties to the KKK⁷⁷. Many Japanese farmers skirted the law by listing their American-born children as the property owners, only to be forced to sell or abandon their properties as the Japanese internment policies of WWII were implemented in 1941. While some Japanese farmers were able to find neighbors and friends to care for their land while they were interned, more than 85% of Japanese-owned land was leased or sold by the Farm Security Administration, a federal agency tasked with preserving agricultural productivity on Japanese-owned farms during the war.⁷⁸ In 1945, anticipating the return of interned Japanese agriculturalists and seeking to retain the profitable land they had been forced to give up, the Oregon legislature passed an even stricter Alien Land Law, prohibiting Japanese people not only from purchasing agricultural land, but from leasing, working on, or simply living in a home on such a property. Grange associations around Portland, most notably in Hood River, served as hubs for organizing in favor of alien land laws and the protection of white farmers.⁷⁹

After the war, the Japanese American Citizens League brought a case before the Oregon Supreme Court alleging that the alien land laws violated the 14th Amendment. In 1949, they won their case and the legislature repealed the laws shortly afterwards.⁸⁰ Despite the fact that Japanese-Americans won back many of their rights and legal entitlements after the war, they were largely unable to buy back their farms. Land that was sold at a fraction of the value built by interned Japanese-American families had skyrocketed in value by the time they were freed. Families returning from

⁷² (Azuma, 1993)

⁷³ (Tucker, 2005)

⁷⁴ (Reang, 2016)

⁷⁵ (Streckert, 2017)

⁷⁶ (Buck, 1999)

⁷⁷ (Streckert, 2017)

⁷⁸ (Buck, 1999)

⁷⁹ (Buck, 1999)

⁸⁰ (Buck, 1999)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

internment camps were encouraged to leave the Western states entirely, and those that stayed were largely unable to return to their lands.⁸¹ Japanese-American communities were able to win many civil rights victories following World War II; however, Oregon's state government was successful in virtually eliminating the competition white farmers faced from Asian-American agriculturalists, while ensuring that the region's most valuable farmland returned to white ownership.

Redlining, Urban Renewal, and Racial Exclusion in 20th Century Multnomah County

The Public Works Administration (PWA), the Federal Housing Administration (FHA), and the Home Owner's Loan Corporation (HOLC), New Deal agencies tasked with creating housing opportunities and raising homeownership rates, were instrumental in creating the patterns of spatial segregation that persist into the present day. As the PWA built public housing projects, the FHA provided funding to builders and developers for subdivisions and other large housing projects, and HOLC insured mortgages lenders made to prospective homeowners, they operated what scholar Richard Rothstein calls a "state-sponsored system of segregation".⁸² The PWA created racially segregated public housing in neighborhoods that, in many cases, had been integrated prior to their intervention. The FHA worked with banks across the country to make low-interest loans to housing developers, provided that homes in their suburbs not be sold to black families.⁸³ HOLC collaborated with the FHA to map and define the riskiness of lending to builders and homeowners in residential neighborhoods; if one black household lived within a neighborhood's borders, or if restrictions on black movement into the neighborhood were on the verge of expiration, HOLC would downgrade the neighborhood's rating and choke off lending to the area.⁸⁴ The maps these agencies created color-coded neighborhoods by their ratings, and thanks to these mechanisms, households of people of color could only secure housing in the lowest grade of "redlined" neighborhoods.⁸⁵ The FHA justified its actions by claiming that home values in these communities, and therefore the integrity of its loans, would be threatened with decline if black residents bought homes in and around these neighborhoods. It's important to note that this claim was not based in any study, data, or factual evidence of any kind; in fact, black homebuyers ended up raising property values in their neighborhoods because, with limited choices, they were simply willing to pay more for the same home.⁸⁶ Similar forces have acted on rural black farmers across the country; the United States Department of Agriculture implemented discriminatory lending through the 20th century, deteriorating black-owned and managed farmland from over 40 million acres in 1920⁸⁷ to 4.2 million in 2017⁸⁸. Today in Oregon, only 8,450 acres of farmland are managed by a black principal producer⁸⁹.

In Portland's spring of 1948, a devastating Columbia River flood struck Vanport, the massive integrated housing project that the Kaiser Company had built for its shipyard employees, many of whom

⁸¹ (Buck, 1999)

⁸² (Rothstein, A 'Forgotten History' Of How The U.S. Government Segregated America, 2017)

⁸³ (National Public Radio, 2015)

⁸⁴ (Smith, 2018)

⁸⁵ (Robert K. Nelson, 2019)

⁸⁶ (Rothstein, A 'Forgotten History' Of How The U.S. Government Segregated America, 2017)

⁸⁷ (Penniman, 2017)

⁸⁸ (US Dept. of Agriculture, Table 62. Selected Farm Characteristics by Race of Principal Producers: 2017, 2017)

⁸⁹ (US Dept. of Agriculture, Table 51. Black or African American Producers: 2017, 2017)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

had moved with their families from across the country just a few years earlier.⁹⁰ At this time the Oregon Real Estate Board (OREB) explicitly prohibited realtors or bankers from lending to black or Asian people who sought to live in white neighborhoods;⁹¹ since only these neighborhoods were eligible for federally-insured loans in the first place, this was functionally a prohibition on lending to racial minorities at all. In 1950, OREB's code of ethics was amended (as mandated by Supreme Court decision *Shelley v. Kraemer*) to remove the explicitly racist language. However, the code still required realtors to refrain from "introducing into a neighborhood a character of property or use which will clearly be detrimental to property values in that neighborhood",⁹² dog-whistling that realtors were still expected to implement discriminatory and segregationist housing practices. When Vanport flooded then, non-white families whose homes had been washed away had next to nowhere to go: the residents of the city's most diverse and integrated community were displaced into Albina, Guild's Lake, or out of the city entirely.⁹³

At the same time, homeowners, neighborhood associations, and real estate agents were cooperating to install racially restrictive covenants that governed properties across the city. These covenants prohibited land's sale to or use by racial and ethnic minorities (with the exception of domestic servants) for several decades, and could be applied to entire neighborhoods as well as to individual plots.⁹⁴ Racial covenants have been found in property titles in several neighborhoods in our District, including Palatine Hill, the West/Sylvan Highlands, and Slavin's Addition in Hillsdale.⁹⁵ While these covenants proved difficult to enforce in the case of a serious legal challenge, they were nonetheless effective in securing commitments from neighboring landowners to maintain their all-white neighborhoods and communities in the interest of their property values.⁹⁶ In this way, the real estate community created a self-fulfilling prophecy of sorts: if the simple presence of a single non-white household in a neighborhood could downgrade the area's rating and the values of the property around it, and if already prosperous neighborhoods were assisted and encouraged to band together to protect one another's property values from these "adverse influences", then the segregation of communities of color into already sub-standard areas of the city was the inevitable result. This served to reinforce the pre-existing belief in Portland's real estate community that the homes, buildings, and properties in non-white neighborhoods were substandard and undesirable,⁹⁷ a belief that would prove to have repercussions for residents of these neighborhoods for the remainder of the century.

Redlining and predatory lending in historically black neighborhoods continued to impact these communities as the 20th century came to a close. The 1990 Oregonian expose "Blueprint for a Slum" found that major mortgage lenders continued to refuse loans to residents in historically redlined neighborhoods like Albina, forcing would-be homeowners to turn to high-risk lenders.⁹⁸ Dominion Capital, a mortgage lender focusing on North and Northeast Portland, was reprimanded by the state attorney general in 1987 for intentionally deceiving buyers and investors to arrange risky loans on homes for more than the properties were worth. However, by 1990, they'd made another 90 similar

⁹⁰ (Abbott, 2019)

⁹¹ (Hare, 2018)

⁹² (Boards, 1956)

⁹³ (Hare, 2018)

⁹⁴ (Smith, 2018)

⁹⁵ (Portland Bureau of Planning and Sustainability & Smith, 2019)

⁹⁶ (Smith, 2018)

⁹⁷ (Smith, 2018)

⁹⁸ (Hare, 2018)

Whose Land is Our Land?
West Multnomah Soil & Water Conservation District

deals and faced no further repercussions from the state.⁹⁹ While the Fair Housing Act of 1968 had ostensibly freed non-white households to buy homes in whatever neighborhood they chose, the properties were no longer affordable for families of color who'd been denied the three decades to build wealth and equity as a homeowner that their white counterparts had enjoyed.¹⁰⁰

After forcing black residents into tightly restricted segments of the city throughout the better half of the 20th century, cities across America proceeded to undertake “urban renewal” projects sited in non-white residential neighborhoods in the 1950s, 60s, and 70s, with powerful urban planners like Robert Moses at the helm. Moses, a fixture in New York City government, pioneered a new style of car-centric urban planning for the post-war era, helping to shuttle cars to and from the growing suburbs and putting returning soldiers to work on these massive infrastructure projects.¹⁰¹ By 1956, the Federal Highway Act was offering to cover 90% of expenses for cities to undertake major highway construction, and city planners found that these funds could also be put to use for “urban renewal” by locating these projects in areas of “blight”: the segregated and struggling neighborhoods into which black and immigrant families had been relegated for decades.¹⁰² Back in 1943, Multnomah County hired Moses to create a roadmap for Portland’s city development. While many of his lofty proposals, such as a \$10 million sewage system and a 24-block civic center downtown, were passed over due to a lack of funding, City and County officials were able to implement his vision for the I-5/I-405 highway system encircling downtown,¹⁰³ which eliminated 125 black-owned homes when it was constructed in 1956. The construction of the Veterans Memorial Coliseum, now the Moda Center, claimed another 476.¹⁰⁴ In 1962, the Portland Development Commission ruled that the Albina neighborhood was “a worthless slum”, and in the interest of protecting the surrounding neighborhoods, resolved to have it eliminated.¹⁰⁵ Nearby, Legacy Emanuel Hospital was hoping to expand its campus, and the Development Commission saw an opportunity to clear 55 acres of “worthless” black-owned homes and businesses.¹⁰⁶ The City planned the hospital’s expansion for 10 years before they informed homeowners their homes would be demolished. Homeowners were then given 90 days and a flat rate of \$15,000 (well below market value) to vacate the 300 homes that were destroyed.¹⁰⁷ The City held just one public meeting before approving the plans, which proceeded virtually unchanged.¹⁰⁸ The devastating economic and social impacts that these policies and programs had on Portland’s communities of color were not accidental or coincidental; they were the result of intentional decisions on the part of our officials over the course of the century to devalue, disenfranchise, and disintegrate the wealth and well-being of these communities. When asked in 1977 about the displacement of poor residents of color caused by a freeway expansion like the ones he’d encouraged across the country, Moses responded,

“Let’s be sensible. How do you visualize the area that we cleared out for the Fordham expansion downtown? They needed the space. Now I ask you, what was that neighborhood? It was a

⁹⁹ (Lane & Mayes, 1990)

¹⁰⁰ (Rothstein, A 'Forgotten History' Of How The U.S. Government Segregated America, 2017)

¹⁰¹ (Sarachan, 2013)

¹⁰² (Semuels, 2016)

¹⁰³ (Perry, 2017)

¹⁰⁴ (Hare, 2018)

¹⁰⁵ (Hare, 2018)

¹⁰⁶ (Parks, 2012)

¹⁰⁷ (Hare, 2018)

¹⁰⁸ (Parks, 2012)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

Puerto Rican slum. Do you remember it? Yeah, well I lived there for many years and it was the worst slum in New York. And you want to leave it there?”¹⁰⁹

Land, Environment, and Justice in the District Today

Perhaps unsurprisingly, the last two centuries spent removing land and homes from the hands of people of color have left an indelible mark on patterns of landownership, residence, and wealth in western Multnomah County. The black homeownership rate in the City of Portland has declined 18.5 points (46.9% to 28.4%) since 1970. Black households added in that time period overwhelmingly rent at a ratio that for every 8.24 renters there is only 1 homeowner.¹¹⁰ Only Asian households have been found to own their homes at approximately equal rates to those of white households in Portland since 2000. It’s important to recognize here that the aggregation of Asian households into a single statistic hides the disparity between East Asian households and South or Southeast Asian households; only Chinese and Vietnamese households were found to exceed the white homeownership rate in 2010, while South and Southeast Asian households were significantly more likely to rent.¹¹¹ While economic pressures have driven down the homeownership rate for everyone in recent years, black and indigenous people of color have seen the fastest decline and remain significantly suppressed.¹¹² The implications of this gap for wealth and equity outcomes now and into the future are concerning. Homeownership is the most common way that Americans build wealth, and whether or not someone’s parents owned a home remains a significant predictor of whether that person will own a home themselves.¹¹³ When this interruption of the intergenerational transfer of homeownership is exacerbated by racial income gaps and the housing market crash of the Great Recession, the result is a black homeownership rate that has not substantially changed since housing discrimination became illegal in 1968,¹¹⁴ not to mention average net worths for black and Latinx individuals that barely clear one tenth of the white average.¹¹⁵

Even when renting in our District, western Multnomah residents of color still face substantial (and illegal) racial discrimination in their search for housing to this day. A 2010 audit conducted by the Fair Housing Council and the Portland Housing Bureau (PHB) found that, in 64% of cases they tested, landlords and leasing agents discriminated against potential black and/or Latinx tenants, asking for higher rent, deposits, and additional fees, and denying access to applications, special offers, or desirable units. Cases in which the PHB identified discrimination were concentrated on the West side, in our District, meaning the rates are most likely even higher here.¹¹⁶

Neighborhoods we frequently work in and whose residents access our services, such as Dunthorpe, Hewett, and Skyline, appear as white-only neighborhoods on redlining maps from 1935-1940. In fact, if you walked just one block west or south of the District’s office in Montgomery Park,

¹⁰⁹ (Sarachan, 2013)

¹¹⁰ (Cusack, 2019)

¹¹¹ (Asian Americans Advancing Justice, 2015)

¹¹² (Jaquiss, 2019)

¹¹³ (Choi, Zhu, & Goodman, 2018)

¹¹⁴ (Singletary, 2018)

¹¹⁵ (Jan, 2017)

¹¹⁶ (Hannah-Jones, Portland housing audit finds discrimination in 64 percent of tests; city has yet to act against landlords, 2011)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

you'd be standing on land that members of "subversive races", as HOLC put it, would not have been permitted to own or reside on.¹¹⁷ According to our own Annual Report for 2018, the District completed just one project on a property where a non-white family could have lived or owned land prior to 1950. Knowing what we know now about how wealth, and therefore the capacity to own property, are transferred within families from generation to generation, it shouldn't be a shock that these patterns in our own work with landowners mirror the patterns of racial segregation that have persisted in this city for the last century. As an organization that has decided to prioritize equity and environmental justice in its work, however, we must consider this as a call to action and start to break this cycle.

This conversation about equity outcomes would be incomplete without a discussion of environmental justice. While equity is the condition in which one's identity cannot predict one's outcomes, environmental justice is achieved when one's identity does not predict one's degree of protection from environmental hazards or one's ability to participate in the decisions that determine whether the places they live, work, and play will be safe and healthy.¹¹⁸ The displacement of communities of color from properties and neighborhoods with good access to green space has tangible and inequitable impacts. Exposure to natural spaces has been shown to improve both mental health and physical well-being; surgery patients whose windows overlook green space have even been shown to recover more quickly. Moreover, these benefits increase as green spaces achieve greater biodiversity.¹¹⁹ Access to agriculture and food gardens is limited in more urban areas of our District; we have just one community garden in which plots are available to the public between Cornell Road and Stadium Freeway.¹²⁰ Community gardens and urban agriculture have the potential to provide not only an opportunity to reap the benefits of contact with natural spaces, but improved access to nutritious food, fruits and vegetables in particular. When these spaces are distributed inequitably, communities in the urban center have impaired access to these benefits. As an example, let's consider Forest Park, one of the country's largest urban forests: while one can safely walk into the park via multiple trailheads in the upscale neighborhood west of the District's office, most other park entrances either require a car or heavily favor those who drive. Transit access is nonexistent on Cornell Road and Skyline Boulevard, and Highway 30 separates transit stops from the park entrances extending north along the river.¹²¹ While Forest Park is public to anyone who can get there, our city could be doing more to turn that "anyone" into "everyone".

Throughout the Portland Metro area, but particularly in our District, the place a person lives also determines their exposure to environmental hazards and degradation. Air quality, water quality, and proximity to industrial sites all vary widely from neighborhood to neighborhood. The industrial sanctuaries that replaced homes from Guild's Lake to Linnton and from Albina to St. John's are also home to many of the Potentially Responsible Parties (PRPs) for pollution so severe that our 10-mile stretch of the Willamette River earned a Superfund site designation in 2000.¹²² These PRPs released a range of toxic pollutants into the Willamette River throughout the 20th century, pollutants that sank into the sediment on the river bottom. Any creature that subsists on resident (non-migratory) fish, from

¹¹⁷ (Robert K. Nelson, 2019)

¹¹⁸ (EPA, 2019)

¹¹⁹ (Dearborn & Kark, 2009)

¹²⁰ (Multnomah County, 2019)

¹²¹ (Conservancy, 2019)

¹²² (Profita, 2015)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

osprey to otters to humans, faces severe health impacts, including a significant increase in the risk of cancer for humans.¹²³ While fish advisories are posted at sites like Cathedral Park warning against eating resident fish, community members who work closely with houseless residents remain concerned that word hasn't reached people on the margins who rely on the fish for food security.¹²⁴

These riverfront neighborhoods are also the most exposed to the rapidly growing hazards associated with Portland's fossil fuel industry. While there are many fossil fuel companies currently operating in the Guild's Lake Industrial Sanctuary, most are just receiving and storing fuels like crude oil; only one, Zenith Energy, is exporting it.¹²⁵ Zenith Energy purchased the existing terminal and its associated permits from an asphalt and diesel facility in 2017, but quickly pivoted to exporting more profitable Canadian bituminous crude oil.¹²⁶ In doing so, they created the export market for this crude oil (also known as diluted bitumen, or "dilbit") virtually out of thin air. In 2017, Oregon exported only \$2,523 of dilbit, but in 2018 that figure rose to over \$71 million.¹²⁷ Zenith Energy has plans to expand their capacity even further, with construction underway on new rail platforms that will effectively quadruple the number of tank cars their facility can receive at a time, dodging a City of Portland ban on new development of fossil fuel terminals by calling it a "modernization" project.¹²⁸ While Zenith Energy denies that its dilbit, which contains other hazardous chemicals like benzene and hydrogen sulfide, poses any significant threat to public health in the neighborhoods through which it travels, the dilbit's manufacturer agrees with regulators that the substance is exceptionally hazardous due to its flammability and the toxicity of its fumes.¹²⁹

Strong federal protections for interstate commerce by rail make it difficult for city and state officials to regulate oil-by-rail or even gather information about precisely what is coming in and out of facilities like Zenith Energy.¹³⁰ At the state level, security concerns around disclosing the precise movements of hazardous materials have kept records on oil transport through the state heavily shrouded from the public eye.¹³¹ Zenith Energy has also worked unusually hard to keep the details of their activities to themselves; in the summer of 2019, Zenith Energy knowingly passed false information to the Mayor's office, claiming that they had halted export activities entirely and that no crude oil was being passed through the facility. During an earlier spill response training, they successfully pressured state regulators to allow them to practice with diesel rather than tar sand crude.¹³² As a result, regulators and the public have no way to know what the company's response would be in a real bituminous crude spill. Zenith Energy's secrecy around what fuels and chemical solvents they are handling prevents regulators and first responders from being prepared for an emergency situation like a spill or train derailment.¹³³ The same people and communities that were displaced to make way for

¹²³ (Willamette Riverkeeper, 2017)

¹²⁴ (Taylor S. , 2019)

¹²⁵ (Friedman G. , 2019)

¹²⁶ (Friedman G. , 2019)

¹²⁷ (Friedman G. R., Crude oil trains increasingly travel through Portland, alarming regulators, 2019)

¹²⁸ (Schick, Petroleum Terminal Expands To Allow More Oil Trains Into Portland, 2019)

¹²⁹ (Friedman G. R., Crude oil trains increasingly travel through Portland, alarming regulators, 2019)

¹³⁰ (Schick, How Industry Specs And A Federal Loophole Allow Railroads to Avoid Response Planning Oversight, 2014)

¹³¹ (Segerstrom, 2019)

¹³² (Friedman G. R., Portland oil terminal execs gave mayor's staff false information, aide's notes indicate, 2019)

¹³³ (Friedman G. R., Crude oil trains increasingly travel through Portland, alarming regulators, 2019)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

industrial sanctuaries and riverfront development in the first place, in Guild's Lake, Linnton, and St. Johns, are also the most exposed to the hazards of a spill or explosion. Moreover, as Zenith Energy is the first major fossil fuel exporter out of Portland, and the first to export bituminous crude on the West Coast,¹³⁴ our waterways and riverside communities are now exposed to the new hazard of a bituminous oil spill into our river system. As Zenith Energy expands its capacity, we can expect a similar expansion of risk and exposure for our natural areas and communities throughout the region.

Zenith Energy and its neighboring facilities were built on the dredge that filled in Guild's Lake, Kittredge Lake, and surrounding marshes beneath Forest Park.¹³⁵ The crude oil that passes through their gates every day has to travel into the city through some of the neighborhoods that provided homes to the displaced: St. John's, Albina, and Linnton. On their way in and out of Portland, the fuels travel through some of our most critical and vulnerable ecosystems in the Gorge, the Columbia Slough, and the Willamette Valley.¹³⁶ The very same human and ecological communities that were displaced and disturbed by the industrial sanctuary's "tank farms" are now experiencing the greatest exposure to the associated hazards. These communities were excluded from the decision-making process around fossil fuel transport and storage, and it's difficult for residents to even access information on the hazardous materials they're exposed to every day.

Emissions of air toxins from industrial facilities and unfiltered diesel vehicles into the air also pose risks that weigh disproportionately heavily on West Multnomah's communities of color. While smog and soot are monitored by Oregon Department of Environmental Quality, which will release an advisory to the public should parts per million cross a certain threshold, other air toxins are not regulated in the same way. Diesel pollution alone is thought to be responsible for as many as 460 premature deaths every year in our state,¹³⁷ and as our neighboring states have beat us to regulation of diesel motors, their most hazardous vehicles have been put to work in Multnomah County, leaving us with the dirtiest air in the state.¹³⁸ The Oregon legislature voted in the 2019 session to phase out older and more hazardous engines for all medium and heavy-duty diesel vehicles in Washington, Multnomah, and Clackamas counties, as well as to set a minimum of 80% clean equipment for any large state-funded construction projects going forward.¹³⁹ While this is a step in the right direction, the phase-out will not be complete until 2029,¹⁴⁰ and today, our rates of emission are still climbing. A national study recently showed that air pollution is largely generated by white communities and breathed in by people of color¹⁴¹, and it's not hard to imagine why; we've already seen the ways in which communities of color are pushed out of safer and more desirable neighborhoods and onto the margins of industrial areas, and the ways in which pollution sources like freeways are installed in the neighborhoods in which people of color already live. Trees and houseplants can be helpful in filtering air to make it safer for people to breathe, yet another avenue by which access to green space determines health outcomes. Most people would agree that one's street address should not determine one's life expectancy, but for many people

¹³⁴ (Friedman G. R., Crude oil trains increasingly travel through Portland, alarming regulators, 2019)

¹³⁵ (Schick, How We Mapped NW Portland's 'Tank Farms', 2015)

¹³⁶ (Lynch, 2016)

¹³⁷ (Snell, 2019)

¹³⁸ (Multnomah County, 2019)

¹³⁹ (Snell, 2019)

¹⁴⁰ (Snell, 2019)

¹⁴¹ (Snell, 2019)

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

in Multnomah County, it still does. Furthermore, communities are hard-pressed to advocate for themselves when so little information is circulated about the hazards they face.

West Multnomah Soil & Water Conservation District has resolved to work towards diversity, equity, and inclusion as an integral part of our conservation mission. We face significant barriers of our own in this pursuit: as an organization that primarily works with landowners, we are missing large segments of already underserved communities thanks to centuries of exclusionary policy. As an organization that is overseen by a board primarily composed of people who own land in our District, we are drawing our leadership from a pool that does not represent the diversity of communities in our District. Finally, as a government agency, we have a great deal of trust and accountability to rebuild with communities of color, who have experienced these injustices at the hands of our counterparts in government.

Similar challenges exist across the environmental sector. In a foundational 2014 study of diversity in the environmental movement, Dr. Dorceta E. Taylor found that while people of color made up 36% of the U.S. population and 29% of the science and engineering workforce, the environmental sector has a “green ceiling”: of the 293 environmental non-profits, government agencies, or foundations surveyed nationwide, not a single one employed people of color at a rate exceeding 16% of their staff.¹⁴² Other researchers have been trying to get to the root of the environmental sector’s whiteness for decades, but many studies have focused on participation in outdoor activities like camping, hiking, and visiting national parks. These activities skew heavily towards white participants, and these results have repeatedly been interpreted as a sign that racial and ethnic minorities lack the interest and experience in environmental issues that would lead them to seek out and prepare for a profession in this sector. In actuality, Dr. Taylor’s study indicated that people of color support environmental protection at a higher rate than white people.¹⁴³ There’s an alternative explanation for this data: that predominantly white environmental organizations and agencies have framed and approached their work in ways that do not effectively address the concerns, experiences, and cultural context that many communities of color have around environmental issues. For example, not only are non-white visitors of many national parks exposed to exhibits and interpreters that primarily showcase the history and heritage of white Americans at the expense of more diverse stories, but they also report widespread hostility and discrimination from white visitors and park staff alike.¹⁴⁴ We’ve seen the degree to which race and geography determine one’s access and relationship to green space, environmental hazards, and decision-making power. Given this, is it more likely that people of color aren’t invested in the effect that environmental issues have on their lives, or that some of the most pressing environmental concerns for these communities are different than those prioritized by white environmentalists, and that tackling those issues looks different?

The District now has the opportunity to step up and be a leader in our network for diversity, equity, inclusion, and justice. We are already taking meaningful steps towards these ideals by building racial equity principles into our policies, partner funding, and collaborations with other organizations. However, as we move forward in planning and envisioning the future of this organization, we have the opportunity to expand the scope of these efforts further towards restoring the access, participation, and

¹⁴² (Taylor D. E., 2014)

¹⁴³ (Taylor D. E., 2014)

¹⁴⁴ (Scott & Lee, 2018)

Whose Land is Our Land?
West Multnomah Soil & Water Conservation District

power of communities of color in relationship to the lands of western Multnomah County. By recruiting and retaining a diverse community of conservationists, advocates, and environmental leaders, we can help to build a sector that recognizes that social, racial, and environmental justice are intertwined and works more effectively to achieve these goals. By creating space in our coalitions and partnerships for communities experiencing environmental injustice, we can use our position of relative power to open doors for people and priorities that have historically been underserved by organizations like ours. By amplifying the voices of communities of color in our programs, our staff, and our leadership, we will not only be helping to restore some of what has been taken from these communities, but we will be ensuring that our conservation and restoration work is better informed, more resilient, and addresses a wider range of needs for the human and ecological interests that have always co-existed on this land. For a very long time, the decisions about how land, water, wildlife, and people will be treated have been made without this District's communities of color at the table; an essential step in our equity work must be inviting these communities to have a seat at ours.

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

Works Cited

- Abbott, C. (2019, June 6). *Vanport*. Retrieved from The Oregon Encyclopedia.
- An Act to Provide for the Allotment of Lands in Severalty to Indians on the Various Reservations (General Allotment Act or Dawes Act). (1887, February 8). *Statutes at Large 24, 388-91, NADP Document A1887*. The National Archives.
- Asian Americans Advancing Justice. (2015). *A Community of Contrasts: Asian Americans, Native Hawaiians and Pacific Islanders in the West*. Washington, D.C.: Asian Americans Advancing Justice.
- Azuma, E. (1993). Development of Japanese Farming Communities. In A. K. Lawson Fusao Inada, *In This Great Land of Freedom: The Japanese Pioneers of Oregon*. Los Angeles: Japanese American National Museum.
- Blubaugh, H. (2017, December). No law can change our blood. *Origins: Current Events in Historical Perspective*. Ohio State University.
- Boards, N. A. (1956, February). *NAREB Code of Ethics*. Retrieved from Oregon History Project.
- Boxberger, D. (2018, March 17). *Willamette Valley Treaty Commission*. Retrieved from The Oregon Encyclopedia.
- Boyd, R. (n.d.). *Disease Epidemics among Indians, 1770s-1850s*. Retrieved from The Oregon Encyclopedia.
- Boyd, R., & Zenk, H. (2019, March 8). *Portland Basin Chinookan Villages in the early 1800s*. Retrieved from The Oregon Encyclopedia.
- Buck, A. K. (1999). Alien Land Laws: The Curtailing of Japanese Agricultural Pursuits in Oregon. *Dissertations and Theses, PSU*, 1-109.
- Cain, E., & Rosman, J. (2017, March 22). Broken Treaties: An Oral History Tracing Oregon's Native Population. *Oregon Public Broadcasting*. Portland, OR, USA.
- Choi, J., Zhu, J., & Goodman, L. (2018). *Intergenerational Homeownership*. Washington, DC: Urban Institute.
- Christensen, N. (2018, January 19). UGB 101: Everything you wanted to know about the urban growth boundary, but were afraid to ask. Portland, OR: Metro.
- Confederated Tribes of Grand Ronde. (n.d.). *Trail of Tears*. Retrieved from Confederated Tribes of Grand Ronde.
- Conservancy, F. P. (2019). *Experience Forest Park*. Portland, OR.
- Curry-Stevens, A., Cross-Hemmer, A., & Coalition of Communities of Color. (2011). *The Native American Community in Multnomah County: An*. Portland, OR: Portland State University.
- Cusack, T. (2019, January 23). *1970-2017: The Depressing Decline in Black Home Ownership Rates in Oregon and City of Portland*. Retrieved from Oregon Housing Blog.

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

- Dearborn, D. C., & Kark, S. (2009). Motivations for Conserving Urban Biodiversity. *Conservation Biology*, 432-440.
- Ellis, D. V. (1986). *Cultural resources of the proposed Sturgeon Lake restoration project and Sauvie Island, Oregon*. Portland: Willamette Associates.
- EPA. (2019). *Environmental Justice*. Retrieved from Environmental Protection Agency.
- Friedman, G. (2019, April 19). Environmentalists urge City Hall to halt crude oil exports through Portland. *The Oregonian*.
- Friedman, G. R. (2019, April 6). Crude oil trains increasingly travel through Portland, alarming regulators. *The Oregonian*.
- Friedman, G. R. (2019, August 6). Portland oil terminal execs gave mayor's staff false information, aide's notes indicate. *The Oregonian*.
- Haag, A. M. (2007). The Indian Boarding School Era and Its Continuing. *Tulsa Law Review*, 149-168.
- Hajda, Y., Boyd, R., & Zenk, H. (2019, March 8). *Multnomah (Sauvie Island Indian Village)*. Retrieved from The Oregon Encyclopedia.
- Hannah-Jones, N. (2011, May 1). In Portland's heart, 2010 Census shows diversity dwindling. *The Oregonian*.
- Hannah-Jones, N. (2011, May 10). Portland housing audit finds discrimination in 64 percent of tests; city has yet to act against landlords. *The Oregonian*.
- Hare, W. (2018, May 28). Portland's gentrification has its roots in racism. *High Country News*.
- Indian Land Tenure Foundation. (2018). American Indian History Timeline.
- Indian Land Tenure Foundation. (2019). Land Tenure History. Little Canada, Minnesota.
- Indian Land Tenure Foundation. (2019). Land Tenure Issues. Little Canada, Minnesota.
- Jan, T. (2017, September 28). White families have nearly 10 times the net worth of black families. And the gap is growing. *The Washington Post*.
- Jaquiss, N. (2019, January 27). Home Ownership Rate for Black Portlanders and Black Oregonians Has Plummeted. *Willamette Week*.
- Kentta, R. (n.d.). *A Siletz History*. Retrieved from The Confederated Tribes of Siletz Indians.
- Lane, D., & Mayes, S. (1990, September 9). Blueprint for a Slum: Consumers and state misled. *The Oregonian*.
- Lewis, D. (2019, July 10). *Confederated Tribes of Grand Ronde*. Retrieved from The Oregon Encyclopedia.
- Lewis, D. (2019, January 15). *Kiesno (Chief Cassino) (1779?-1848)*. Retrieved from The Oregon Encyclopedia.

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

- Lewis, D. G. (2009). *Termination of the Confederated Tribes of the Grand Ronde Community of Oregon: Politics, Community, Identity*. Eugene: University of Oregon.
- Lewis, D. G. (2014). Four Deaths: The Near Destruction of Western Oregon Tribes and Native Lifeways,. *Oregon Historical Quarterly*, 414-437.
- Lynch, T. (2016). *Briefing: Oil-by-Rail Cargo Movement in Multnomah County*. Portland: Multnomah County Office of Sustainability.
- Multnomah County. (2019, April 18). *County air low on heavy metals, high on toxic diesel pollution, research finds*. Retrieved from Multnomah County.
- Multnomah County. (2019). Multnomah County Food Access-related Resources. Portland, OR.
- National Public Radio. (2015, May 14). Historian Says Don't 'Sanitize' How Our Government Created Ghettos. *Fresh Air*.
- Nokes, G. (2018, March). *Black Exclusion Laws in Oregon*. Retrieved from The Oregon Encyclopedia.
- Oregon Department of Agriculture. (2016). Oregon Soil and Water Conservation District Guidebook.
- Oregon Historical Society. (2018, May). Civil Rights and Anti-Black Violence in America and Oregon. Portland, OR, United States of America.
- Parks, C. (2012, September 22). Fifty years later, Legacy Emanuel Medical Center attempts to make amends for razing neighborhood. *The Oregonian*.
- Penniman, L. (2017, April 27). 4 Not-So-Easy Ways to Dismantle Racism in the Food System. *YES! Magazine*.
- Perry, D. (2017, May 3). How Robert Moses' car-centric vision shaped modern Portland, and then reshaped it in reverse. *The Oregonian*.
- Portland Bureau of Planning and Sustainability, & Smith, G. (2019). A historic map of racially exclusive covenants in Portland, Oregon. Portland, OR, USA.
- Profita, C. (2015, November 17). A guide to the Portland Harbor Superfund site. *OPB*.
- Reang, P. (2016, August 11). The Farmers of Tanner Creek. *Oregon Humanities*.
- Robbins, W. (2002). *A Changing Landscape and the Beginnings of White Settlement*. Retrieved from The Oregon History Project.
- Robbins, W. G. (2002). *A New Legal Landscape*. Retrieved from The Oregon History Project.
- Robbins, W. G. (2002). *The Astorians and the Hudson's Bay Company*. Retrieved from The Oregon History Project.
- Robert K. Nelson, L. W. (2019). *Mapping Inequality*. Retrieved from American Panorama.
- Ronde, C. T. (2014). Our Story. Grand Ronde, OR.

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

- Rothstein, R. (2017, May 03). A 'Forgotten History' Of How The U.S. Government Segregated America. (T. Gross, Interviewer) National Public Radio.
- Rothstein, R. (2017). *The Color of Law*. New York: Liveright.
- Sarachan, S. (2013, January 17). *The legacy of Robert Moses*. Retrieved from Oregon Public Broadcasting.
- Schick, T. (2014, March 17). How Industry Specs And A Federal Loophole Allow Railroads to Avoid Response Planning Oversight. *Oregon Public Broadcasting*.
- Schick, T. (2015, September 29). How We Mapped NW Portland's 'Tank Farms'. *Oregon Public Broadcasting*.
- Schick, T. (2019, February 7). Petroleum Terminal Expands To Allow More Oil Trains Into Portland. *Oregon Public Broadcasting*.
- Scott, D., & Lee, K. J. (2018). People of Color and Their Constraints to National Parks Visitation. *The George Wright Forum*, 73-82.
- Segerstrom, C. (2019, March 13). As oil trains roll into Portland, city residents keep watch. *High Country News*.
- Samuels, A. (2016, March 18). The Role of Highways in American Poverty. *The Atlantic*.
- Singletery, M. (2018, April 5). Black homeownership is as low as it was when housing discrimination was legal. *The Washington Post*.
- Smith, G. (2018). "Congenial Neighbors": Restrictive Covenants and Residential Segregation in Portland. *Oregon Historical Quarterly*, 358-364.
- Snell, K. (2019, June 30). *Oregon Legislature Passes Bill to Curb Toxic Diesel Exhaust*. Retrieved from Oregon Environmental Council.
- Streckert, J. (2017, November 15). Echoes of the Klan. *Portland Mercury*, p. n.p.
- Taylor, D. E. (2014). *The State of Diversity in Environmental Organizations*. Green 2.0.
- Taylor, S. (2019, August 8). The Story of Portland's Sacrifice Zone. *Environmental Justice Tours*. Portland.
- The National Archives. (2019). Dawes Act (1887). Washington, DC.
- Tucker, K. D. (2005). "We want smokestacks and not swamps" : filling in Portland's Guild's Lake, 1906-1925. *Portland State University Dissertations and Theses*.
- Unknown. (n.d.). Owl Sculpture. *The Oregon History Project*. Oregon Historical Society, Sauvie Island.
- US Dept. of Agriculture. (2017). Table 51. Black or African American Producers: 2017. *Census of Agriculture*.
- US Dept. of Agriculture. (2017). Table 62. Selected Farm Characteristics by Race of Principal Producers: 2017. *Census of Agriculture*.

**Whose Land is Our Land?
West Multnomah Soil & Water Conservation District**

Werner-Winslow, A. (2016). *Ten Days After: Harassment and Intimidation in the Aftermath of the Election*. Montgomery, AL: Southern Poverty Law Center.

Willamette Riverkeeper. (2017). *Our Work: Superfund*. Retrieved from Willamette Riverkeeper.

Zenk, H. (2018, March 17). *Chinook Jargon (Chinuk Wawa)*. Retrieved from The Oregon Encyclopedia.