Rebecca Miles and her daughter at the spring gathering.

SARAH KLEINHANZL

A BLESSING ON BOTH SIDES

THE TRANSFORMATIVE POWER OF PARTNERSHIPS BETWEEN LAND TRUSTS AND TRIBAL MEMBERS

By **MARINA SCHAUFFLER**

On a snowy weekend this spring, Rebecca Miles traveled with her mother and toddler daughter 100 miles from her home on the Nez Perce reservation in Lapwai, Idaho, to Wallowa Valley in Oregon, ancestral homeland of the Nimiipuu people. "We have to be able to get out and gather, no matter what the weather," she says.

Hosted by Wallowa Land Trust (WLT) on a Nature Conservancy-owned preserve, tribal members gathered to dig spring roots and reunite with other Nez Perce. Miles and her family enjoyed the fellowship and harvesting rituals, but also walked in solitude "imagining our people walking those steps before us … it was medicinal to be out there." There was time for "reconnecting with the land that our ancestors were on. It was such a spiritual moment for all of us who came."

The weekend concluded with a community potluck where local ranchers and farmers joined the Nez Perce for shared food and moving words, Miles says, adding that the gathering was "such a blessing on both sides."

"LAUGHTER IS MEDICINE"

From its formation in 2004, WLT has collaborated on land protection with the Nez Perce. Miles got to know land trust staff while working as the tribe's executive director and serving on its land acquisition committee. From the start, she recalls, WLT "kept us in the loop about various properties and opportunities. They actively sought us out and understood they were residing in the homeland of the Nez Perce. They didn't see us just as a stakeholder or interest group."

"The land trust has a very big role in listening to the tribe and going out and protecting properties of mutual interest," Miles adds, citing the decade-long "uphill climb" that conservation

groups undertook to protect the 1,800-acre East Moraine of Wallowa Lake from trophy-home development. According to Miles, that land holds significance for the tribe and will help in "restoring history and stories that would have been lost. It brings a recognition back to our people."

WLT staff are able to "communicate well the intentions of the land trust," Miles notes, even to tribal members who may be distrustful. "They make sure they are listening, and are constantly asking for permission and guidance." Interactions typically involve "lots of laughter," Miles adds. "Laughter is medicine." The result has been "creating relationships where they couldn't possibly exist without the effort."

The May gathering "speaks volumes" about that commitment, in Miles' opinion, particularly since a large turnout and bad camping weather left WLT scrambling to raise extra funds and find sufficient lodgings, food and travel expenses (getting help, in part, from the Land Trust Alliance). Miles credits WLT's hardworking staff with having a "let's do it" attitude, modeled by Executive Director Kathleen Ackley. "She made it happen; she's not one of those people who would turn anyone away."

LOSING THEIR ANCESTRAL HOME

For millennia, the Nez Perce enjoyed a peaceable way of life that relied on seasons spent in Wallowa Valley gathering foods and medicines, fishing and hunting. After settlers arrived in the 1800s, the tribe initially ceded land to the federal government in an 1855 treaty to keep peace and retain its right to self-governance. But then gold was discovered on the tribe's remaining lands and miners began trespassing.

A subsequent treaty in 1863, one widely viewed as fraudulent, cut tribal land holdings by nearly 90%. In 1873, President Ulysses S. Grant affirmed that Wallowa Valley was a Nez Perce reservation, but two years later he rescinded that executive order—putting all of the land in public domain. In 1877, the U.S. military came to forcibly evict Chief Joseph's band of Nez Perce, launching a war that spanned 1,500 miles before the band surrendered. The Nez Perce who survived were scattered to sites throughout North America, with many residing today on three reservations between 75 and 275 miles from Wallowa Valley: Nez Perce Reservation in Lapwai, Idaho; Confederated Tribes of the Colville Reservation in Nespelem, Washington; and Confederated Tribes of the Umatilla Indian Reservation in Mission, Oregon.

WLT staff are mindful of "that terrible history to overcome," Ackley says. In 2018, two board members and two staff members traveled to all three reservations for listening sessions, hearing Nez Perce perspectives on conservation and engaging in what she calls "deep, thoughtful and sometimes difficult conversations."

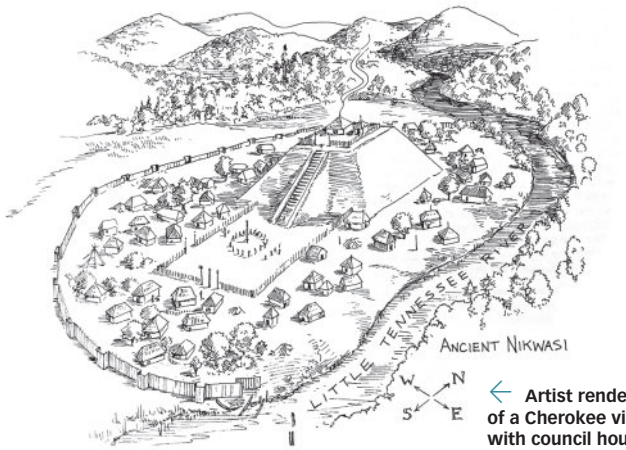
Nez Perce participants voiced a need for access to ancestral lands—to gather traditional foods and medicines and to maintain the rituals that land requires of them. "The conversations broadened our understanding of stewardship," Ackley reflects, as land trust participants realized how little they knew of "the ancient knowledge

KATHLEEN ACKLEY

↑ Carla Timentwa and her sister JoAnn Kauffman, both members of the Nez Perce Tribe, at a recent land-back blessing ceremony in Oregon. Says Timentwa: "We are truly fortunate to witness the return of our people to this land."

KATHLEEN ACKLEY/WLT

↑ A community potluck held on a local rancher's property as part of the spring gathering.



← **Artist rendering of a Cherokee village with council house, circa A.D. 1200-1500.**

ILLUSTRATED BY ELAYNE SEARS

RALPH PRESTON

↑ **The view of Cowee Mound from the Mainspring-owned property.**

PHOTO COURTESY OF MAINSPRING CONSERVATION TRUST

↑ **Jordan Smith (second from left) of Mainspring Conservation Trust and Joseph Owle (far right) of the Eastern Band of Cherokee Indians at a signing event.**

about land management practices of people who evolved with this land."

The listening sessions sparked the idea for the spring gatherings. After a small group came in 2019 (and the pandemic forced cancellation of the 2020 gathering), the number of tribal members interested in participating more than quintupled this year. The closing potluck this year also drew greater community participation.

As tribal members forge relationships directly with community members, Ackley hopes the gathering will become less of a land trust event and one more broadly hosted by the entire Wallowa community. "The idea is to foster these relationships where Wallowa Land Trust doesn't have to be the middle person," says Ackley. Miles already sees that process underway, with greater trust and learning on both sides.

No one can change that "this is the present-day reality of private ownership," Miles adds, "but we can be compassionate and empathetic to each other." Ackley reflects that "these things take time," but she has witnessed encouraging changes in just three years. "We try to open doors and then let some things happen on their own," she added. "You have to be willing to let go of the power."

"THEY MAY SEE IT DIFFERENTLY"

In the Blue Ridge Mountains of western North Carolina, Mainspring Conservation Trust has collaborated for decades with Cherokee people in their ancestral heartland. Cherokees have lived for more than 10,000 years in a territory that may have spanned 125,000 square miles. Now the Eastern Band of Cherokee Indians (EBCI) resides primarily in the Qualla Boundary, a 100-square-mile sovereign nation adjoining Great Smoky Mountains National Park.

"Every piece of land we work on is part of their ancestral lands," observes Jordan Smith, Mainspring's executive director. "Some of the most culturally significant Cherokee lands are also the most threatened by development, as they lie outside the Qualla Boundary." That recognition has informed the land trust's work to preserve cultural heritage since it formed. In 2004, Mainspring forged a cooperative agreement with Cherokee basket makers so they could harvest rivercane on conserved lands, and subsequently it planted large oak and butternut stands for Cherokee use.

When an opportunity arose to protect 912 acres in the headwaters of the Qualla Boundary's drinking water supply, Smith brought that project to Joseph Owle, the EBCI's secretary of agriculture and natural resources, to gauge the tribe's interest.

"We try not to make any assumptions," Smith says. "A project may look great to us, but they may see it differently." In this case, the land was of "high interest," Owle affirms, and, through a partnership that included the land trust, the state, The Conservation Fund and the local town, the tribe acquired the land earlier this year with the state holding a conservation easement. "Mainspring carried all the heavy weight," Owle says. "It wouldn't have happened without them."

Mainspring negotiated with the state to ensure that the easement addressed the EBCI's needs—to practice artisanal resource harvesting, have six primitive campsites and build mountain bike trails without harming the forest ecosystem. Getting accommodations for tribal uses, Smith says, led to "an interesting conversation" with state officials. Conservationists think about protecting high-value settings, but "it's all special to the Cherokee," Smith notes. "Who are we to tell them [about land stewardship]? They took better care of these lands than we ever will."

Mainspring "considers things from a tribal perspective," notes Thomas Cabe, the EBCI's forest resource specialist, and demonstrates "more of a respect to the land and to what that land means to people who have occupied it for millennia." That has helped forge a partnership that Owle calls "unique and very fulfilling," one that is "mutually advantageous."

DIFFERENT LANDSCAPES, SIMILAR STORY

Members of the EBCI are descended from roughly 1,000 Cherokees who managed to remain in their homeland through the brutal decade following the 1830 Indian Removal Act.

Like the Nez Perce, the Cherokee people had lived peaceably with settlers. Discovery of gold on their lands in 1835 brought an influx of miners and pressure from Georgia state leaders to remove Cherokee residents, despite an 1832 Supreme Court decision upholding their independence.

In 1838, President Andrew Jackson authorized the capture at bayonet point of more than 15,000 Cherokees who were held in forts before being forced to march west to "Indian Territory." More than a quarter of those made to walk the Trail of Tears died.

In the Blue Ridge, the Trail of Tears follows the Little Tennessee River, where the Cowee, Nikwasi and Watauga mounds still denote the location of Cherokee towns, each of which had a council house perched atop a high earthen mound. Siting towns by running water was not simply a practical consideration of arable farmland, notes Ben Steere, a Mainspring board member and archaeologist at Western Carolina University. It grew from a millennia-old practice of "going to water," taking ritual baths before significant occasions—and doing so in waters where your ancestors bathed.

The riverside mound sites hold great significance for Cherokee people today, and Mainspring has helped get three of them back into tribal control. When a conflict arose in 2015 over town management of the Nikwasi Mound, Mainspring organized community members to begin a reconciliation process. That dialogue led to formation of a nonprofit, the Nikwasi Initiative, with representatives of the land trust, EBCI, the town and the county. The initiative eventually took ownership of Nikwasi Mound and is working on a regional cultural corridor with interpretive signage highlighting Cherokee history.

Seven miles downstream is Cowee Mound, what Cabe describes as a "stock exchange and diplomatic site, where cultures intersected and people could reach a meeting of minds." Mainspring helped the EBCI acquire Cowee Mound in 2007, but the view to nearby Hall's Mountain—important to Cherokees and considered part of their sacred ancestral ground—remained threatened by development.

Following an eight-year process, in which the tribe drew support from Mainspring, The Wilderness Society and the U.S. Forest Service, the EBCI now holds 150 acres on Hall's Mountain, and has plans for an "Immersion School" there, offering young students natural resource and cultural resource teaching (in Cherokee language) so they can gain what Cabe calls "a more definitive sense of what it means to be Cherokee in this place."

Mainspring stepped in at critical junctures, including putting a payment down while the tribe awaited federal grant funds. "It would not have been possible" without them, Cabe says. They were a "bird dog catching these opportunities."

In the relationship that the EBCI has with Mainspring, Cabe notes, we have "absolute deference to each other; the purpose for which we're working is understood." Both entities, he adds, have a multi-generational perspective; the work of partnership is "for the now but also for the future."

NAVIGATING NEW TERRAIN

Land trusts are increasingly playing a role in helping Indigenous people regain access to lands and natural resources. Yet conservation groups can inadvertently limit Indigenous participation when public access provisions prevent group gatherings or when conservation restrictions prevent traditional gathering of plants or minerals, whether for food, medicine or artisanal uses. Land conservation groups are beginning to consider using different tools to assure access for these traditional Indigenous uses. While land trusts typically have experience interacting with various government processes, it is very different to navigate the processes of tribal governments, the intricacies of tribal land ownership, and the widely varied relations between tribal and state or local governments.

To learn more, review "Tools to expand Indigenous land access" at: firstlightlearningjourney.net/resources.

BY CIONA ULBRICH, co-founder of First Light and senior project manager at Maine Coast Heritage Trust