

# Environmental Policy Implications of Federal Recognition

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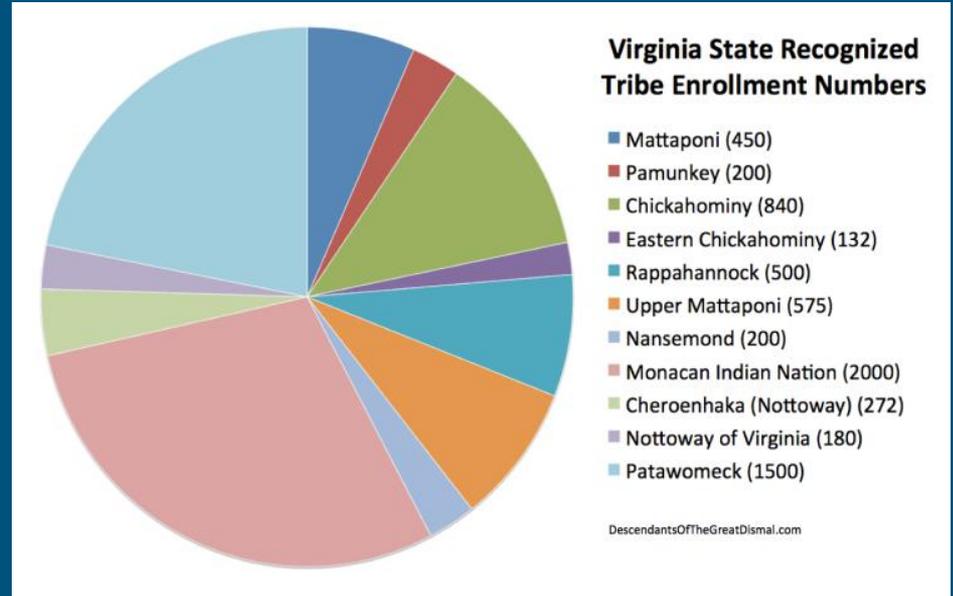
# Tribal Relations in Virginia

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- ~10,000 B.C. - first contact: tribes live throughout the state
- 1677: Treaty of Middle Plantation
- 1982: Virginia General Assembly began a process to study and identify tribal groups, with Virginia Council on Indians
- 1983: First state recognition of a tribe
- 2012: Virginia Council on Indians eliminated
- 2014: Secretary of the Commonwealth appointed as the Governor's liaison to the Virginia Indian tribes
- 2016: Secretary of the Commonwealth established the Virginia Indian advisory board

# State-Recognized Tribes (11 Tribes)

- **1677 via Treaty of Middle Plantation**
  - Mattaponi
  - \*Pamunkey
- **1983**
  - \*Chickahominy
  - \*Eastern Chickahominy
  - \*Rappahannock
  - \*Upper Mattaponi
- **1985**
  - \*Nansemond
- **1989**
  - \*Monacan Indian Nation
- **2010**
  - Cheroenhaka (Nottoway)
  - Nottoway of Virginia
  - Patawomeck



Source: <https://descendantsofthegreatdismal.com/2017/08/15/the-history-of-the-nansemond-indian-tribal-association/> (Data Collected August, 2017).

# Federally-Recognized Tribes (7 Tribes)

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- Two paths to federal recognition:
  - Act of Congress
  - Bureau of Indian Affairs
- January 2016
  - The Pamunkey are recognized by the U.S. Bureau of Indian Affairs
- January 2018
  - H.R. 984 recognizes the Chickahominy, Eastern Chickahominy, Upper Mattaponi, Rappahannock, Monacan, and Nansemond



# Environmental Policy Implications

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- **Hunting and Fishing Rights**
  - **Act of Congress:** No expansion
  - **BIA:** Tribes have exclusive rights to hunt, fish, trap, and gather within the boundaries of their reservations; the only limitation being Tribal laws and ordinances.
  
- **Land in trust**
  - **Act of Congress:** Can be explicitly designated in the Act
  - **BIA:** Need to show federal jurisdiction as of 1934 IRA to be eligible
  - Gives tribes access to a suite of services/funding, some related to natural resources; TAS under CWA

