United States Army Corps of Engineers
Tribal Nations Technical Center
Of Expertise (TNTCX)

TNTCX NEWSLETTER

January 2019 Issue No. 4

TNTCX Director's Message

Hello everyone! Time for the TNTCX monthly newsletter for January 2019. It has been quite a month, especially for our colleagues who were unfortunate enough to be furloughed for most of it. I urge you to please take a moment to touch base with your contacts at other agencies and particularly with your Native American partners. As is typical during these types of events, Native American communities were especially hard-hit.

In this month's issue, we are extremely pleased to have a homeland story contributed by members of the Chickasaw Nation. The TNTCX is hoping to make Tribal perspectives a regular section of our newsletter. It is essential that Native American communities tell their own stories and we are proud to present them.

This month, we also have an interesting article from Regulatory about tribal engagement. For those of us working in Indian country, opportunities for innovative partnership are constantly arising. I hope this contribution can spark your imagination.

As always, check our update on training opportunities available in the near future.

We wish you all the best and hope you're not swirling around the polar vortex! Again, please send us news of your activities so that we can amplify your successes across the enterprise. From all of us at the Tribal Nations Technical Center of Expertise, best of luck and have a great February.

Ron Kneebone, Ph.D.
Director
Tribal Nations Technical Center

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Tribal Perspectives
Chickasaw Nation

Submitted by
Ms. LaDonna Brown and Mr. Benny Wallace, Research and Cultural Interpretation
Heritage Preservation Division, Department of Culture and Humanities, Chickasaw Nation

More Than a Place

The following narrative explains why the modern day areas located in southwest Kentucky, west Tennessee, north Alabama, and north Mississippi are culturally and historically significant to the Chickasaw people. The account reveals that our ancestors of the modern day Chickasaw Nation met in council and prayed to Aba'Bini'li' (the Creator or God) to lead them to a new Homeland. Our people were given spiritual instruction and led through divine guidance to the areas mentioned.. Through various Southeastern tribal narratives, we believe we were led to the area at least 15,000 years ago.

We are grateful for the opportunity to share our history with the USACE Tribal Nations Technical Center Expertise newsletter.

Chickasaw Migration Story

Centuries ago, Chickasaw ancestors lived somewhere in the west and hostile tribes constantly warred upon them. To escape the hostility, our *hopayi*' (prophets) held a special consultation to find a solution. They sat around the council fire and deliberated for many hours, and most importantly, they sought guidance from our Creator, *Aba'Binni'li',* who created all things and sat above the clouds and directed the destiny of all.

Aba' Binni'li', the Creator, provided a sacred pole and gave specific instructions to use the tool. At the end of each day, the hallowed staff should be placed into the ground so that it stood perfectly straight. Each morning it should be carefully examined, and whatever direction the pole was leaning would be the way they would travel.

As they discussed the journey, it was decided they should split into two groups to make traveling safer and easier. One group would be led by *minko'* (chief) Chiksa', and his brother Chahta, also a *minko'* (chief), would lead the other.

Far in front of this procession ranged a large white dog, *Ofi' Tohbi Ishto'*. He darted to the right, then to the left; he was everywhere, always on the alert. The people loved him very dearly. He was their faithful guard and scout, and it was his duty to sound the alarm should enemies be encountered.

Travel was slow and laborious. Sickness was a constant companion and the tribal doctors, *alikchi*', kept busy with their medicine bags. But when *Sinti'*, the snake, struck any one of them, *Ofi' Tohbi Ishto'* was quickly summoned and only needed to lick the wound to make the victim well again.

Then, one day, just as the sun was setting, the two parties came upon a great river, the likes of which they had never seen before. For a long time, the astonished people stood on the riverbank and stared in awe at the mighty watercourse. They called the expansive river *Misha Sipokoni* (beyond all age); today, the great river is known far and wide as the Mississippi.

But at sun up the next day, the people saw that the pole still leaned toward the east, and they knew that “home” was somewhere on the other side of the wide river before them.

The people hurriedly set about constructing rafts, and soon the crossing was underway. Almost immediately, a serious mishap occurred that left our ancestors grief-stricken. The raft carrying our beloved white dog broke into pieces in the middle of the river. *Ofi' Tohbi Ishto'*, who had managed to climb onto a piece of broken timber, could not be reached. The people could only helplessly watch as he was swept downstream and out of sight. That was the last they ever saw of their faithful guard and scout.

One early morning as the people checked the pole, they became somewhat excited and uneasy because it was wobbling, but at last it grew very still and stood perfectly straight.

Chickasaw artist’s rendering of the Origin Story

(The illustration appears in Chickasaw Journeys Activity Book and is courtesy of White Dog Press)

At this point, the two brothers — Chiksa' and Chahta — had their first difference of opinion. Chahta was quite convinced that the perfectly upright pole was the divine sign from *Aba'Binni'li'* that they had reached their new Homeland. Chiksa', on the other hand, was not at all pleased with the way the sacred pole had wobbled around, and he felt confident their new Homeland lay farther toward the rising sun.

Seeing that talking wasn't getting them anywhere, Chiksa' pulled the sacred pole from the ground and commanded all those who believed their Homeland lay farther to the east to pick up their packs and follow him.

That was the beginning of the Chickasaw and Choctaw Nations. From that day on, the people that followed Chiksa' were referred to as Chickasaws, and those who stayed with Chahta were called Choctaws.

Eventually, the pole guided the people to a place near the present-day towns of Pontotoc and Tupelo, Mississippi, after leading them to distant areas now located in northwestern Georgia and northern Alabama. The Chickasaw people then knew with certainty that at last, they had found their new Homeland and that their long journey was at an end.

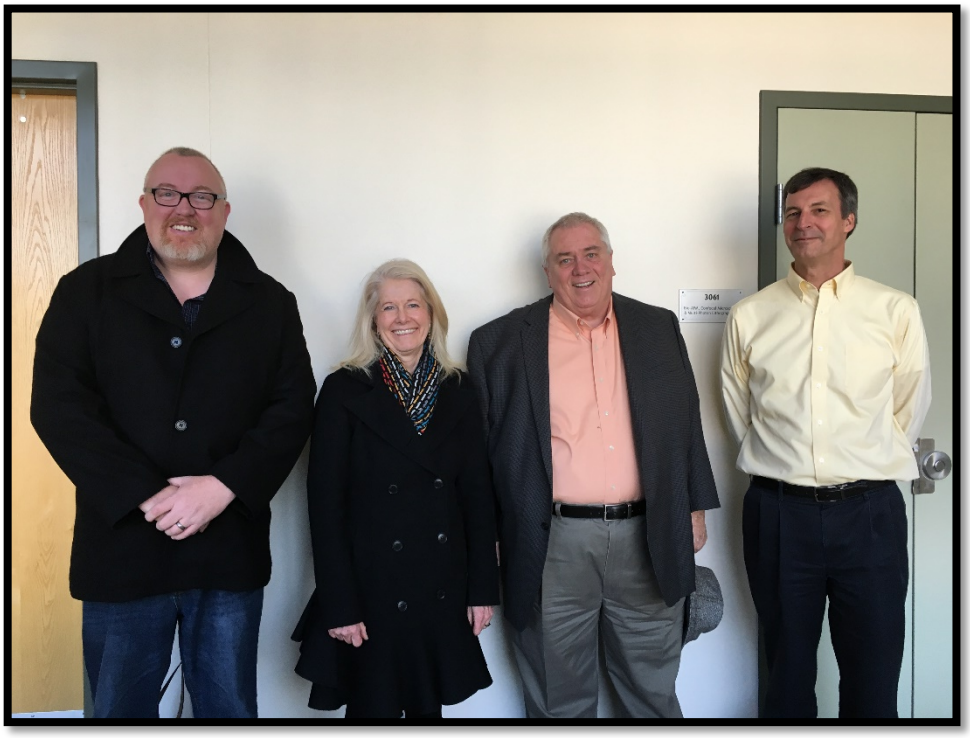
For more information on the Chickasaw Nation, please visit the website below:

https://chickasaw.net/

January TNTCX Update

Michael P. Fedoroff
TNTCX Deputy Director

On January 10-11, Dr. Ron Kneebone, Director of the TNTCX, met with TNTCX staff in Mobile, Alabama to discuss work plans and strategic engagements for the FY. The following week in Albuquerque, TNTCX staff met with Dr. Kerry Howe Director of the University of New Mexico's Center for Water and the Environment (CWE), Ms. Connie Beimer of the University of New Mexico's Government and Community Relations Office, and Dr. Ed Schamiloglu, Dean of Research at UNM.. The meeting was a continuation of discussions exploring opportunities for collaboration and partnering between the two organizations. CWE, part of the University's Department of Engineering, and the TNTCX are meeting in hopes of establishing a partnership to pursue an outreach initiative to Native American communities regarding the application of science and engineering in addressing water resources challenges. Both organizations recognize the incredible synergy that can be developed through partnership and collaboration.



Mr. Michael Fedoroff (TNTCX Deputy Director), Ms. Connie Beimer (UNM Director, Government and Community Relations) Dr. Ronald Kneebone (TNTCX Director), Dr. Kerry Howe (UNM CWE Director) Left to Right.

January TNTCX Update continued

TNTCX Director, Dr. Ron Kneebone, Deputy Director, Mr. Michael Fedoroff, and Mr. Matthew Grunewald spent some time in January visiting our Nation's capital for meetings with the USACE vertical team and others. Additionally, the TNTCX met with the USACE Institute for Water Resources (IWR) to brief project progress. Finally, we had the opportunity to meet with Mr. Perry Riggs of the Navajo Nation at the Washington, DC office and answer questions about the TNTCX capabilities

NAVAJO NATION
WASHINGTON OFFICE

Partnering Tips

- **Become familiar with work other agencies are conducting in your area of responsibility that could potentially benefit Tribes and/or complement USACE authorities or studies.**

- **Understand, that although your District may have a relationship with a particular tribe, Tribes are free to have as many relationships as they like. Oftentimes, Federally-recognized Tribal interests and boundaries cross multiple Districts and Divisions. Understand that your relationship could be different than other Districts.**

- **No single District or Division manages their relationship in a vacuum. Working together to manage relationships with Tribal Nations is the best strategy.**

- **Understand that using the phrases like, "Commanders own Tribal relationships in the area" could be viewed as offensive by Tribes, especially as Tribes have the sovereign right to work and engage with all levels of the Federal Government and oftentimes do as noted above.**

Tribal stickball exhibition game at Moundville Festival (photo courtesy of University of Alabama, Moundville)

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News and Notes

With contributions from our Tribal Partners, USACE Tribal Liaisons, and TNTCX Staff

Upcoming Events

The United South and Eastern Tribes (USET) SPF Impact Week
March 3rd -7th 2019
Washington, DC
Tribes form the Southern and Eastern United States will be in attendance; this is primarily a policy meeting, however networking opportunties for command staff are possible
http://www.usetinc.org/

Society of American Archaeology
April 10 - 14, 2019
Albuquerque, NM
Tribes from all over the Americas will be in attendance.
http://saa.org/AbouttheSociety/AnnualMeeting/tabid/138/Default.aspx

2019 Reservation Economic Summit (RES)
March 25-28, 2019
Las Vegas, Nevada
RES is the premier economic development event in Indian Country, bringing together business experts, tribes, Native entrepreneurs, inspiring speakers, and many others in a collaborative environment.
https://res.ncaied.org/

Training Opportunities:

Advanced Historic Preservation Law & Section 106 Compliance
4/9/2019 - 4/11/2019
Norfolk, Virginia
https://www.public.navy.mil/netc/centers/csfe/cecos/coursedetail.aspx?crsid=24

ACHP Section 106 Training
Listings
https://www.achp.gov/training

National Register of Historic Places Webinars
Virtual
http://www.nps.gov/nr/publications/guidance/webinars.htm

National Preservation Institute Seminar
Listings
www.npi.org/seminars

As an Agency that conducts many partnerships, USACE is uniquely positioned to share information about programs available to Tribes. Let us know if there is a program or grant that can assist tribes in your area. It is part of our Federal Trust Responsibility to ensure that we are doing everything within our authority as a Federal Agency to support Tribal Sovereignty.

Feel free to share in the Newsletter!!!

Grant Opportunities for Tribes:

Submitted by Amanda Velasquez

Bureau of Reclamation

WaterSMART Cooperative Watershed Management Program grant application website:

https://www.grants.gov/web/grants/view-opportunity.html?oppId=309496

Reclamation's WaterSMART program has various grant programs that Tribes may be interested in. One that may also be of interest is the Drought Resilience Program… Believe it or not, a lot of these grant programs do not receive a high volume of applications and funds may be available if applied for.

Regulatory Program Spotlight

Submitted by: Mr. Chris Parrish
Albuquerque District Regulator

Engaging with Tribes in the Regulatory Program

The mission of the Regulatory Program is to protect the Nation's aquatic resources and navigable capacity while allowing for reasonable development through fair and balanced decisions. The goal of the Program is that these decisions are also timely and transparent, rooted in sound science, and compliant with applicable laws and USACE policy, which includes Section 106 of the National Historic Preservation Act (Section 106) and the Tribal Consultation Policy Memorandum (01 November 2012). In the context of the Regulatory Program, Tribes may be an applicant for a permit, a consulting party under Section 106, or in a government-to-government consultation as a result of the determination that activities requiring authorization have the potential to significantly affect tribal resources, tribal rights (including treaty rights), or tribal land. As such, the relationship between Tribes and the Regulatory Program can be complex and challenging. But with challenges……come opportunities.

In 2016, USACE Headquarters produced and distributed a Memorandum for Commanders, Major Subordinate Commands, and District Commanders on the subject of tribal consultation responsibilities in the Regulatory Program (2016 Memo). In addition to clarifying those responsibilities in relation to the USACE Tribal Consultation Policy Memorandum, this document states that "all districts should have guidance and practices in place for identifying and evaluating potential impacts to tribal resources, tribal rights, tribal lands, and historic properties, and ensuring that meaningful consultation with Tribes occurs for Regulatory actions." It goes on to note that "district commanders have found it helpful to have archaeologists in the Regulatory Program office that can conduct Section 106 reviews while also having other project management responsibilities." In many cases these other responsibilities involve "ensuring that meaningful consultation with Tribes occurs for Regulatory actions."

In light of current events across the country regarding tribal issues and consultation for Regulatory actions, and in response to the aforementioned 2016 Memo, it is not surprising that there has been a growing trend across USACE of districts hiring archaeologists in the Regulatory Program. For one thing, a large portion of tribal engagement in Regulatory is driven by compliance with Section 106, which involves the identification and evaluation of historic properties and, when applicable, mitigation of adverse effects; and archaeologists are well-suited to conducting these analyses/processes. Section 106 also requires that federal agencies consult with Tribes when an undertaking will result in adverse effects to historic properties. Additionally, it is worth noting that archaeologists are also anthropologists, and as a result of their academic and professional experience and interest oftentimes have developed an understanding and appreciation of the tribal perspective. And effective communication requires a respectful exchange of knowledge, ideas, and perspective.

Regulatory Program Spotlight

In some districts the Regulatory Archaeologist also functions as a Project Manager (PM). For these situations, and if applicable to the district, assigning tribal lands to this PM's area of responsibility provides the opportunity for building stronger relationships. For one thing, the decision to assign an individual with the training and experience of an anthropologist as the Regulatory PM for tribal lands indicates our desire to establish and/or maintain effective communication and a mutual understanding of the issues (see paragraph above). For another, the number and variety of Regulatory actions dictates regular contact and meetings, which should generate familiarity and consistency. It is also noteworthy that Tribes often request a single point-of-contact for Regulatory actions, or even a lead district in cases where there is overlap (e.g. Navajo Nation). Granting these types of requests shows a willingness on our part to take steps to improve communication and work collaboratively.

Photo: Field Visit with the Pueblo of Zuni to discuss Clean Water Act permitting requirements

Conducting workshops and trainings for Tribes is another resultant vehicle for relationship building in the Regulatory Program. Several districts have sponsored stream restoration and wetland delineation workshops exclusively for tribal members. Regulatory PMs also provide presentations to Tribal Councils regarding permitting requirements, current projects and pending actions, and other issues. These types of engagements are opportunities to exchange knowledge, discuss issues of mutual concern, and develop a rapport.

In sum, executing the mission and goals of the Regulatory Program can result in challenging engagements with Tribes, particularly in regard to our process for allowing reasonable development through fair and balanced decisions. As we all know, what is seen as a "fair and balanced" decision by one group or individual can be viewed as arbitrary and capricious by others. Working through these types of challenges requires effective communication, which in turn relies upon the ability to consider and respect other points-of-view. It also requires the establishment of a relationship that can withstand disagreements regarding agency decisions. As such, it is necessary that steps are taken to build those relationships.

HOW TO REACH US

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