

SCIENCE

Land Management and Partnerships

ESSENTIAL UNDERSTANDINGS

- Since Time Immemorial
- Tribal Government
- Sovereignty
- Treaties with the United States
- History
- Lifeways
- Genocide, Federal Policy and Laws

LEARNING OUTCOMES

By the end of this lesson, students will be able to:

- Describe the trust relationship between tribal nations in Oregon and the U.S. government.
- Describe how tribal nations in Oregon are responsibly and sustainably managing their natural resources, as decided by the citizens of each nation.
- Describe how the relationships tribal nations in Oregon have to their ancestral lands inform their current natural resource management and ecosystem restoration efforts.

ESSENTIAL QUESTIONS

- What is Indigenous knowledge and how does it shape the way Oregon's Indigenous people manage their land and natural resources?

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Overview

The oral traditions of Native American tribes in Oregon tell the story of continuous existence of Indigenous people on this land. From the coast to the inland valleys, the Columbia Plateau to the Great Basin, tribal people have maintained continuous and balanced relationships with Oregon's natural environment since time immemorial.

This connection between Indigenous people and place has always informed their approach to what is now called land management. Indigenous people had a thorough understanding of seasonal ecosystems and ecoregions, and this knowledge of soil, water, plants, and animals helped them survive. Contemporary Native people in Oregon continue to draw on traditional Indigenous knowledge, also known as traditional ecological knowledge, to guide how they manage the land.

In this lesson, students will explore the components and processes of traditional ecological knowledge through the lens of contemporary tribal projects being conducted across the state. Students will consider how tribes are stewards of their lands and natural resources and how they leverage their resources by collaborating with nonprofit and government agencies.



ESSENTIAL QUESTIONS

- What impact has the federal trust relationship had on Oregon’s Indigenous peoples’ stewardship of their lands and partnerships with governmental agencies?
- How are Oregon’s nine federally recognized tribes managing their tribal natural resources?

LOGISTICS

- Where does the activity take place?
Classroom
- How are the students organized?
 - Whole class Teams: 2 – 4
 - Pairs Individually

TIME REQUIRED

Two to three hours

More than a century of federal Native American policy denied tribes the rights to control and manage the lands from which they were forcibly removed and the natural resources within those lands. These lands are owned¹ by tribes but are held in trust by the federal government. Students will review the federal trust responsibility they explored in lesson two to contextualize the case studies in the lesson. In taking millions of acres

¹ Ownership of land is a European concept that is foreign to Indigenous people. In the context presented here, “ownership” refers to the kinship between the people and the living earth. Indigenous people do not typically speak of ownership, but rather of their right to inhabit and care for their ancestral territory, as they have done since time immemorial.

STANDARDS

Oregon Science Standards

HS-ESS3-1 – Construct an explanation based on evidence for how the availability of natural resources, occurrence of natural hazards, and changes in climate have influenced human activity.

HS-ESS3-2 – Evaluate competing design solutions for developing, managing, and utilizing energy and mineral resources based on cost-benefit ratios.

HS-LS2-6 – Evaluate the claims, evidence, and reasoning that the complex interactions in ecosystems maintain relatively consistent numbers and types of organisms in stable conditions, but changing conditions may result in a new ecosystem.

HS-LS2-8 – Evaluate the evidence for the role of group behavior on individual and species’ chances to survive and reproduce.

Oregon English Language Arts Standards

RST.11-11.7 – Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., quantitative data, video, multimedia) in order to address a question or solve a problem.

WHST.9-12.2 – Write informative/explanatory texts, including the narration of historical events, scientific procedures/ experiments, or technical processes.

Oregon Social Sciences Standards

HS.5 – Evaluate the relationships among governments at the local, state, tribal, national and global levels.



of land from tribes in Oregon, the federal government, in partnership with tribes, is obligated by treaty to protect and care for those remaining lands and natural resources. While the previous lesson focused on the trust responsibility between tribes and the federal government, this lesson highlights ongoing partnerships that reflect core values rooted in a deep connection to the land.

Background for teachers

To understand tribal land management practices, teachers must also understand the trust relationship between the U.S. government and the nine federally recognized tribal nations in Oregon. In signing treaties with tribes in the mid-1800s, the U.S. government assumed a trust responsibility to those people.

The trust responsibility is a legal principle that the U.S. Supreme Court described in *United States v. Mitchell* (1983): “The undisputed existence of a general trust relationship between the United States and the Indian people.” This relationship is one of the most significant and motivating concepts in federal Native American law. The Supreme Court first recognized the existence of a trust relationship between the U.S. government and Native Americans in its early cases that dealt with treaties. Between 1787 and 1871, the United States entered into nearly 400 treaties with Native American tribes. Generally, in these treaties, the U.S. government obtained the land it wanted from the tribes and in return set aside other reservation lands for those tribes and

MATERIALS

What materials are needed for students to engage in this activity?

- Handouts
- Laptop/Projector

VOCABULARY

Land stewardship – The recognition of our collective responsibility to maintain the quality and abundance of our land, air, water, and biodiversity and to manage this natural capital in a way that conserves all its values, be they environmental, economic, social, or cultural.

Ecosystem – A community of living (biotic) organisms in conjunction with the nonliving (abiotic) components of their environment, interacting as a system. These biotic and abiotic components are linked together through nutrient cycles and energy flows.

Sustainability – Avoiding the depletion of natural resources in order to maintain an ecological balance.



guaranteed that the federal government would respect the sovereignty of the tribes, protect them from further violence and intrusion, and provide for basic aspects of their well-being.

The Supreme Court has held that these treaties created a special relationship between tribes and the federal government—one which obliges the government to uphold the terms of the treaties, given that tribes negotiated those treaties in good faith and have abided by the terms. This principle—that the government has a duty to keep its word and fulfill its treaty commitments—is known as the doctrine of trust responsibility. See, for example, *Seminole Nation v. U.S.* (1942), *U.S. v. Mason* (1973), and *Morton v. Mancari* (1974).

The trust doctrine outlines the federal responsibility to Native Americans, which requires the U.S. government to support tribal self-government and economic prosperity. These duties stem from the government’s treaty guarantees to protect Native American tribes and respect their sovereignty. In 1977, the U.S. Senate report of the American Indian Policy Review Commission expressed the trust obligation as follows:

The purpose behind the trust doctrine is and always has been to ensure the survival and welfare of Native American tribes and people. This includes an obligation to provide those services required to protect and enhance tribal lands, resources, and self-government. It also includes those economic and social programs that are necessary to raise the standard of living and social well-being of Native American people to a level comparable to the non-Native people (AIAN-HHS. (2018).

VOCABULARY Continued

Federal trust relationship – A legal obligation under which the United States, “has charged itself with moral obligations of the highest responsibility and trust” toward Native American tribes (*Seminole Nation v. United States*, 1942). Chief Justice John Marshall in *Cherokee Nation v. Georgia* (1831) first discussed this obligation. Over the years, the trust doctrine has been at the center of numerous other Supreme Court cases, thus making it one of the most important principles in federal Indian law. The federal Indian trust responsibility is also a legally enforceable fiduciary obligation on the part of the United States to protect tribal treaty rights, lands, assets, and resources, as well as a duty to carry out the mandates of federal law with respect to Native American and Alaska Native tribes and villages. In several cases that discussed the trust responsibility, the Supreme Court has used language suggesting that it entails legal duties, moral obligations, and the fulfillment of understandings and expectations that have arisen over the entire course of the relationship between the United States and the federally recognized tribes.

Natural resources – Materials or substances such as minerals, forests, water, and fertile land that occur in nature and can be used for economic gain.

Domestic dependent nation – For the federal government, tribal sovereignty means that Native American tribes are “domestic dependent nations” that exist within the boundaries of the United States and are wards of the U.S. government, even though they may operate and manage some internal tribal affairs.

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Retrieved from: <https://www.acf.hhs.gov/ana/resource-library/search?type%5B2968%5D=2968>)

The U.S. Congress, primarily through legislation, has placed most tribal land and other property under the control of federal agencies. As a result, the federal government must approve nearly everything a tribe may wish to do with its land. Courts have recognized that when Congress delegates to federal officials the power to control or manage tribal land, their actions with respect to those resources must be “judged by the most exacting fiduciary standards.” *Seminole Nation v. U.S.* (1942).

Links to useful websites that add more detail or context

<https://www.fs.fed.us/r6/fire/success/camas-prairie-restoration/>

<https://www.klcc.org/post/native-american-tribes-gaining-recognition-timber-and-forestry-practices>

<https://www.grandronde.org/departments/natural-resources/silviculture-and-protection/>

https://www.fs.fed.us/wildflowers/Rare_Plants/conservation/success/camas_prairie_restoration.shtml

Key ideas to be aware of:

Sovereignty

Land stewardship

Trust relationship

VOCABULARY Continued

Sovereignty – The inherent authority of Indigenous tribes to govern themselves within the borders of the United States.

Indigenous land rights – The rights of Indigenous peoples to land, either individually or collectively. Land and resource-related rights are of fundamental importance to Indigenous peoples for many reasons, including the spiritual and religious significance of the land, self-determination, identity, and



What teachers should do or review prior to delivering the lesson

Review the above information regarding the trust relationship between the federal government and federally recognized tribes in Oregon. This trust responsibility is rooted in treaty obligations.

Review the video clips and read the case studies prior to teaching the lesson. Many of the video clips are from the Tribal Legacy Project website and you must enable Adobe Flash to watch them.

Considerations for teachers

Assessment

- Students will engage in a substantial amount of discussion with partners and groups. The teacher should actively monitor student discussion for correct understanding and should intervene when there are misconceptions or bias.
- Students should be assessed both formatively and summatively. The formative assessment will be teacher observation of student participation in class and group discussions. Summative assessment will be teacher review of each student's graphic organizer to confirm understanding of important concepts.

Practices

- The teacher should be comfortable with teaching the concepts of treaty rights, should understand the legal basis of the trust responsibility relationship between federally recognized tribes in Oregon and the U.S. government, and should be able to lead a large-group discussion.
- The teacher should read the individual natural resource project case studies from the Burns Paiute Tribe, the Confederated Tribes of Grand Ronde, and the Columbia River Inter-Tribal Fish Commission prior to the lesson, should help students answer discussion questions, and should be able to lead the share-out after the activity.

Learning targets

- I can provide examples of how Native American tribes in Oregon manage their natural resources in partnership with nonprofit and federal agencies.
- I can evaluate the strengths of the given design solutions, based on associated economic, environmental, and geopolitical costs, risks, and benefits as it relates to tribal natural resource management.
- I can construct an explanation of specific cause and effect relationships between environmental factors (natural hazards, changes in climate, and the availability of natural resources) and features of human societies including the nine federally recognized tribes in Oregon and the U.S. government.

Options/extensions

<https://ecotrust.org/rebuilding-home/>

With students, open the web page above. Read aloud to students the news story about the restoration of the Sek-Wet-Se forest, which is part of the traditional lands of the Coquille Indian Tribe. Revisit the trust responsibility relationship between tribes and the U.S. government and ask students to share their thoughts about how this restoration project illustrates this relationship.

Reflection/closure

Say:

The future well-being of tribes in Oregon lies with the sustainable management of their natural resources, which includes those under direct tribal control and sovereignty, those to which they have legally protected rights, and those with which they share common interests with other stakeholders. As part of this vision, there is a recognition that tribal management of natural resources will not only enhance the well-being of Native people but of all people.

Appendix

Materials included in the electronic folder that support this lesson are:

- PowerPoint
- Case Study Handouts
- Discussion Protocol
- Teaching Cases Handout

Activity 1

Tribal Legacy Project Video Clips

Overview:

Slide 2

Students will watch short video clips from the Tribal Legacy project and answer questions in a large-group format. Students will use the graphic organizer to take notes on the videos.

Instructions: Have the videos cued on the computer before beginning the lesson. Show the manifest destiny video first. This short clip is a map that animates the shrinking land base of Indigenous people in the United States from the 1700s to the present.

Say:

Pay particular attention to the Northwest region of the United States and notice the timeframe when most Oregon land was taken from Indigenous people.

This video will provide context for the next clip, which discusses how manifest destiny shaped the way natural resources were extracted from the land by Euro-American settlers.

Say:

Next, we're going to watch a short clip about how the Confederated Tribes of the Umatilla people view their relationship to their traditional homelands. This is Antone Minthorn, a Umatilla elder, talking about the responsibility Native people feel to care for their lands.

Take notes, and try to answer this question: What are some ways that Indigenous people view their relationship to the land?

The next short clip is also of Antone Minthorn, talking about the tribe's work to restore land that—because of manifest destiny—has been devastated ecologically.

Activity 1 (Continued)

Say:

This next video is also of Antone Minthorn, who talks about the tribes' obligations to restore ecological systems that were devastated by resource extraction. I want you to answer these questions: What kind of relationship to the land does he describe? How does that relationship drive the restoration project? What was the restoration project?

The next slide shows the principles of traditional ecological knowledge, also known as traditional Indigenous knowledge. Read the slide with students.

Say:

The next video describes a project on the Sandy River, near Portland. As you watch the video, think about the principles of traditional ecological knowledge and write down examples of how these principles are illustrated in the video.

Review with students using the following questions:

Say:

What was the timeframe when most Oregon land was taken from Indigenous people? What kind of relationship to the land does this describe? How does the relationship to the land drive the tribal restoration project? How is traditional ecological knowledge illustrated in the videos you've watched today?

In the next activity, we're going to work in small groups to look more closely at several tribal partnership projects that focus on ecosystem restoration.

Activity 2

Oregon Tribal Ecosystem Restoration Project Case Study

Say:

Relationships to the land shape the lifeways of Native Americans in Oregon. The videos you saw reflect these relationships. In this activity we're going to look at several examples—or case studies—of how tribes in Oregon continue to manage their lands in a respectful way. Each group will read about one case study, take notes using a graphic organizer, and then share your main takeaways with the class.

In groups of five or six, students will each present a case study of a natural resource management or restoration project that illustrates the principles of traditional ecological knowledge.

Instructions: Split the class into four or five groups of five or six students each, depending on your class size. Pass out an individual case study to each group. Give the class time to read the tribally specific handouts, which include a case study and the principles of traditional ecological knowledge. Each student should have a copy of the tribal case study worksheet to record their answers to the questions on the PowerPoint slide, which you should leave projected on the screen while students work.

Questions for discussion

1. What tribes in Oregon are involved in the project?
2. What kind of ecosystem is the project working to restore?
3. What are the impacts on the tribe?
4. What outside partners are helping with the project?
5. Look at the traditional ecological knowledge (TEK) diagram and describe how the project you read about reflects these principles.
6. What are the success and challenges of tribal restoration efforts in Oregon?

Activity 2 (Continued)

Have each group present its findings to the class. After each presentation, ask the groups that are not presenting to ask at least one question each.

Say:

Think back to the trust responsibility of the U.S. government, which we learned about earlier. This was described as the “the undisputed existence of a general trust relationship between the United States and the Indian people.” This relationship is one of the most significant concepts in federal Native American law, and we see this in practice in the partnerships tribes have with nongovernmental and governmental partners in these projects.

Optional: Allow students an opportunity to conduct their own research in finding natural resource management or restoration projects by visiting the tribal websites in Oregon at:

<https://www.oregon.gov/ode/students-and-family/equity/NativeAmerican-Education/Pages/default.aspx>