

## Yale Environment 360



The National Bison Range in Montana, now managed by the Confederated Salish and Kootenai Tribes. DAVE FITZPATRICK / U.S.FISH AND WILDLIFE SERVICE

### How Returning Lands to Native Tribes Is Helping Protect Nature

*From California to Maine, land is being given back to Native American tribes who are committing to managing it for conservation. Some tribes are using traditional knowledge, from how to support wildlife to the use of prescribed fires, to protect their ancestral grounds.*

BY JIM ROBBINS • JUNE 3, 2021

**I**n 1908 the U.S. government seized some 18,000 acres of land from the Confederated Salish and Kootenai Tribes to create the National Bison Range in the heart of their reservation in the mountain-ringed Mission Valley of western Montana.

While the goal of protecting the remnants of America's once-plentiful bison was worthy, for the last century the federal facility has been a symbol to the tribes here of the injustices forced upon them by the government, and they have long fought to get the bison range returned.

Last December their patience paid off: President Donald Trump signed legislation that began the process of returning the range to the Salish and Kootenai.

Now the tribes are managing the range's bison and are also helping, through co-management, to manage bison that leave Yellowstone National Park to graze on U.S. Forest Service land. Their Native American management approach is steeped in the

close, almost familial, relationship with the animal that once provided food, clothes, shelter – virtually everything their people needed.

“We treat the buffalo with less stress, and handle them with more respect,” said Tom McDonald, Fish and Wildlife Division Manager for the tribes and a tribal member. The tribes, he noted, recognize the importance of bison family groups and have allowed them to stay together. “That was a paradigm shift from what we call the ranching rodeo type mentality here, where they were storming the buffalo and stampeding animals. It was really kind of a violent, stressful affair.”

## In California, a land trust recently transferred 1,199 acres of redwood forest and prairie to the Esselen tribe.

There is a burgeoning movement these days to repatriate some culturally and ecologically important lands back to their former owners, the Indigenous people and local communities who once lived there, and to otherwise accommodate their perspective and participation in the management of the land and its wildlife and plants.

Throughout the United States, land has been or is being transferred to tribes or is being co-managed with their help.

In California, a land trust recently transferred 1,199 acres of redwood forest and prairie to the Esselen tribe, and in Maine, the Five Tribes of the Wabanaki Confederacy recently reacquired a 150-acre island with the help of land trusts. Other recent land transfers to tribes with the goal of conservation have taken place in Oregon, New York and other states.

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The use of Indigenous management styles that evolved over many centuries of cultures immersed in nature – formally called Traditional Ecological Knowledge (TEK) – is increasingly seen by conservationists as synergistic with the global campaign to protect biodiversity and to manage nature in a way that hedges against climate change.

The Nature Conservancy, for example, one of the world’s largest conservation organizations, has institutionalized the transfer of ecologically important land with its Indigenous Peoples and Local Communities Program in both the U.S. and globally.



Yurok Tribe vice-chair Frankie Joe Myers on land purchased with the help of conservation groups. PAUL ROBERT WOLF WILSON, COURTESY OF THE TRUST FOR PUBLIC LAND

“If you look at it from a land justice perspective, we need to support a strengthening and healing of that relationship,” said Erin Myers Madeira, director of Indigenous Peoples and Local Communities program for the Nature Conservancy. “If you look at it practically, Indigenous people are the original stewards of all the lands and waters in North America, and there’s an extensive knowledge and management practices that date back millennia.”

One of the largest completed land transfers began eight years ago in Australia when the federal and state governments bought 19 separate farm properties and the associated water rights for \$180 million in the Lower Murrumbidgee Valley in New South Wales. The goal was to restore the vast and fertile wetlands – rich with birds, fish and other species – that had been damaged by wholesale water diversion for agriculture.

Interested parties were invited to submit proposals for the management of what was then called the Nimmie-Caira wetlands. A consortium that included the Nature Conservancy and the tribal council of the Nari Nari, the Indigenous people who have inhabited the region for 50,000 years, won the right to manage the property.

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Indigenous cultures perceive the landscape and wild  
creatures.

The old irrigation infrastructure was removed and altered to return to a more natural and traditional water regime. In 2018, the first water using the wilder approach began

flowing, and species such as golden perch and southern bell frogs, along with spoonbills, egrets, black swans and other birds, grew more abundant. The Nari Nari found and protected ancestral burial grounds, ancient clay ovens and other cultural sites, and hunted out thousands of invasive species, including feral pigs, deer, foxes and cats.

In 2019 the Nature Conservancy transferred the more than 200,000 acres of the Nimmie-Caira property to the sole ownership of the Nari Nari, who now manage it. The Nari Nari have renamed it Gayini, which means 'water' in their language.

"This is a significant event for the Nari Nari people, who have been using traditional knowledge to sustain our country for thousands of years," said Nari Nari Tribal Chairman Ian Woods. "We can continue to protect the environment, preserve the Aboriginal heritage of the land and enable the intergenerational transfer of knowledge of caring for country."

It's hard for outsiders to fathom how differently many Indigenous cultures perceive the landscape and wild creatures, and their relationship to it, but it is clear their lives have been deeply intertwined with the natural world in a very different way than non-Indigenous cultures.



Black-winged stilts on protected wetlands managed by the Nari Nari tribal council in New South Wales, Australia  
ANNETTE RUZICKA

In a recent report, two U.S. Forest Service researchers, David Flores and Gregory Russell, offered an explanation of the difference between European and Indigenous concepts of nature. Indigenous holistic knowledge "regards animals and features of the landscape as possessing characteristics that Western minds typically ascribe only to humans, e.g. having points of view, exhibiting agency, and engaging in reciprocal communication."

That fits with a description of the Salish Kootenai perspective on bison. “Buffalo power, being considered supernatural, was appealed to for the healing of the sick, for protection from enemies, and for prophecies regarding the welfare of the individual petitioner and the destiny of the tribal group...” wrote Henry Burland in 1941, as part of the Montana Writer’s Project. “Their myths reveal a close intimacy between Indian and buffalo.”

Because of this relationship and kinship with other species, as well as the land itself, new management policies and major changes among the Salish and Kootenai require that resource managers consult with tribal elders to maintain a close cultural connection with the bison.

## President Biden has pledged to work with Native tribes as he moves to protect more public land.

That includes the traditional use of fire to manage the buffalo and the landscape. “The green-up after a burn is a huge attraction to buffalo,” said McDonald. “They can smell that succulent one inch of green that comes up in the black ground after a fire. Burning maintained hunting grounds and strong game populations like a farmer or rancher would do.”

The traditional use of fire may be the most talked-about topic involving traditional ecological knowledge these days, because of the catastrophic fires that have swept the American West. In addition to using “fire as medicine” to manage wildlife habitat and forests to increase ecological resilience or to grow certain useful species for such things as basket making or food, traditional planned burning has important applications to reduce the intensity of conflagrations. A [recent study](#) found that the Indigenous fire regime in the forest around the Jemez Pueblo in New Mexico – primarily perennial small fires and wood gathering in settled areas – “made the landscape resistant to extreme fire behavior.”

The model has implications for managing fires in the wildlands-urban interface across the Western United States, where homes and forests are intermingled.

The trend of increasing aboriginal management is not just about providing title to new land. The Obama Administration envisioned that Bear’s Ears National Monument in Utah, filled with sacred and other Native cultural sites, would be co-managed by the Department of Interior and a five-tribe coalition. And last fall, a [report](#) was published by Martin Nie and Monte Mills, professors of natural resource policy and Indian law respectively at the University of Montana – though acting as private individuals – on the steps needed to overcome barriers and increase co-management of America’s public lands with tribes, especially changes in federal law that would require agencies to work with tribes on a co-management basis.

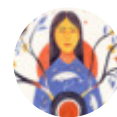




For the first time since 1770, members of the Esselen tribe hold a ceremony on ancestral land returned to them in California's Big Sur region. MATTHEW PENDERGAST

Now, with Native American Deb Haaland at the helm of the Interior Department, the movement toward co-management of public lands with the tribes, if not outright transfer, is expected to gain steam. President Biden has pledged to listen to and work with Native tribes in the West as he moves to protect more public land and, especially, as he moves to fulfill his promise to protect 30 percent of the U.S. by 2030, the [30x30 plan](#).

Other countries have adopted similar projects. In Canada for example, the federal government partnered with the Qikiqtani Inuit Association to co-manage the Tallurutiup Imanga National Marine Conservation Area & Tuvaijuittuq Marine Protected Area in the Nunavut Territory, which encompasses much of Canada's northern region. The native name "Tuvaijuittuq" means "the last ice area," and it is the place where the ice that now remains in the Arctic is the thickest and is likely to last the longest in the face of climate change. It could well become the last refuge for polar bears, seals, narwhal, walrus and beluga, as well as the algae beneath the ice that is the bottom of the Arctic food chain. It could be the last refuge, too, for subsistence hunters as the climate warms.



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Local land trusts are also moving toward the return of land. In addition to the Nature Conservancy, which has perhaps a dozen projects in the U.S., some local efforts are seeking this kind of redress. First Light is an effort by dozens of land trusts and five tribes of the Wabanaki Confederacy tribes, to have access to ancestral lands throughout Maine for hunting, gathering and ceremonial purposes. It includes a 150-acre island that the Passamaquoddy called Pine Island, which was taken from them by European settlers. And last month, the New York-based Open Space Institute transferred 156 acres along the Hudson River to the Mohican Nation Stockbridge-Munsee Band, which will manage it as a nature preserve.

## Much of the campaign to return Indian land is part of the racial justice movement that is sweeping the globe.

The Esselen Tribe of California, which had inhabited the Big Sur region for thousands of years, was stripped of its culture and lands by the Spanish, who built missions in the region. The Western Rivers Conservancy, with funding from the California Natural Resources Agency, arranged the purchase of a 1,199-acre ranch with redwood forest and a crystalline stream, the Little Sur, where steelhead spawn, to protect it and planned to donate it to the U.S. Forest Service. Locals objected, and so last year they instead transferred the property, valued at \$4.5 million, to the Esselen – 250 years after it was taken. The tribe says it will protect natural values, including spawning steelhead, the California spotted owl, the endangered California condor and habitat that connects the ocean to the Santa Lucia Mountains, as well as use the land for traditional ceremonies and plant gathering.

In many cases, tribes are buying land that is important to them. In Northern California, the Yurok Tribe, the largest tribe in California, owns 44 miles of land along the Klamath River. They have been piecing back their aboriginal lands, with the help of land conservation groups such as the Trust for Public Land and Western Rivers Conservancy, to protect the habitat of their primary food source, salmon, and to assure access to ceremonial grounds and other cultural landscapes. The Yurok have purchased more than 80,000 acres to add to their holdings, including 50,000 acres that had been been owned by a timber company and surround four salmon spawning streams that the tribe now plans to restore.



Ke'pel Creek runs through land recently purchased by the Yurok Tribe in Northern California. PAUL ROBERT WOLF WILSON, COURTESY OF THE TRUST FOR PUBLIC LAND

Much of the campaign to return Indian land or at least allow co-management is part of the racial justice movement that is sweeping the globe. In the American Indian community, it's called #Landback – and some in that movement see a more radical form of reconciliation.

In a recent article in the *Atlantic*, David Treuer, a Native American, citing the litany of forced removal and broken treaties that enabled the creation of U.S. national parks, advocated for giving a consortium of Native American tribes the ownership and management responsibility – with binding covenants to protect natural values – for all 85 million acres of the national park system, as reparations in kind for land that was stolen from them.

“The total acreage would not quite make up for the General Allotment Act, which robbed us of 90 million acres, but it would ensure that we have unfettered access to our tribal homelands,” he wrote. “And it would restore dignity that was rightfully ours. To be entrusted with the stewardship of America’s most precious landscape would be a deeply meaningful form of restitution.”

Still, there are some concerns about possible downsides to tribal management. Will tribes allow hunting in places where it hasn’t been allowed because of tradition? Or will a change in tribal administrations alter policies toward ecologically important lands that no longer favor protection?

## One three-nation study found Indigenous-managed lands were richer in vertebrate species than existing protected areas.

The Confederated Salish and Kootenai tribal management of natural resources has been highly praised. They created the nation’s first tribal wilderness area, the Mission Mountain Wilderness Area, and annually close off 10,000 acres of it to humans to allow grizzly bears – a spirit animal – to feed on a summer bonanza of lady bugs and army cutworm moths high in the mountains.

But there are numerous examples of natural resource exploitation by tribes as well, and some critics say problems could arise from Indigenous management.

After a decades-long fight to get oil and gas leases voided in the Badger-Two Medicine area along Montana’s wild Rocky Mountain Front, a bill was introduced in Congress to allow the Blackfeet to co-manage the Badger-Two Medicine, part of the Helena-Lewis and Clark National Forest, as a ‘cultural heritage area.’

George Wuerthner, the Oregon director of the Western Watersheds Project and a longtime public lands watchdog, observed in a recent blog post that the Blackfeet Reservation, near the Badger-Two Medicine, is far from an example of good conservation stewardship, with widespread leasing for oil and gas fracking, livestock overgrazing along many riparian areas, and poaching, including of grizzly bears.





A bill introduced in Congress would allow the Blackfeet to co-manage The Badger-Two Medicine area in Montana. GLACIER-TWO MEDICINE ALLIANCE

“One hopes that if the tribe is given co-management of the area, they will treat these public lands better than they treat their reservation lands,” Wuerthner wrote. “However, the way to assure that this will happen is by designating the area a wilderness area. A ‘cultural heritage’ area is an untested designation and may not guarantee full protection of the landscape.”

Those who are working to get some conservation landscapes into the hands of Indigenous people say a growing number of studies have shown the efficacy of native management. For example, a [study](#) published last year by Richard Shuster and Ryan R. Germain of the University of British Columbia found that Indigenous-managed lands in Australia, Brazil and Canada were richer in vertebrate species than existing protected areas.

In some cases, proponents admit, there could be negative impacts for conservation goals if ecologically important landscapes are managed by Indigenous people. But, “when you look holistically, the benefits and the approaches Indigenous people have taken have been far and away better than many of the Western approaches,” said Brian O’Donnell, director of the Wyss Foundation’s Campaign for Nature. “Does that mean that universally every place will be conserved for biodiversity? No. But if we embrace and learn from an Indigenous world view on land and use that as a paradigm in which to set a lot of our future conservation approaches, I think we will be a whole lot better off than if we don’t.”



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**Correction, June 4, 2021:** *An earlier version of this article incorrectly identified the status of Badger-Two Medicine in Montana. It is not a federally protected Wilderness Area but is part of the Helena-Lewis and Clark National Forest.*

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**Jim Robbins** is a veteran journalist based in Helena, Montana. He has written for the *New York Times*, *Conde Nast Traveler*, and numerous other publications. His latest book is the *The Wonder of Birds: What they Tell Us about the World, Ourselves and a Better Future*. **MORE** →

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