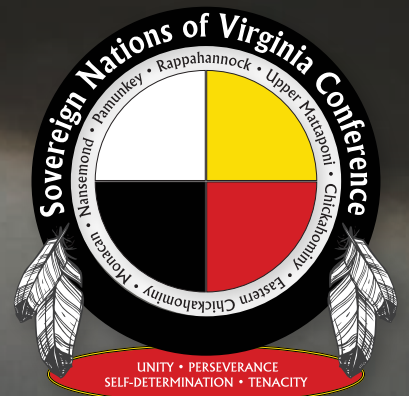


# Pathways to Partnership:

*Enhancing Trust through Tribal Consultation*



September 19, 2024 | Virginia Crossings Hotel & Conference Center





## **RUNNING STRONG** for American Indian Youth®



Running Strong is strengthening Native American communities in a holistic way by meeting critical needs, supporting language and culture revitalization, and jumpstarting the dreams of Native youth!

Billy Mills (Oglala Lakota) is Running Strong's co-founder and National Spokesperson. Billy won an Olympic Gold Medal

in the 1964 Olympic Games in Tokyo, Japan and has since dedicated his life to serving Native communities and inspiring Native youth to follow their dream.



### **DREAMSTARTER**

We believe in the dreams of Native American youth to strengthen their communities, overcome economic challenges and poverty, and develop deeper cultural identities. Through our Dreamstarter, Dreamstarter Teacher, Dreamstarter Creative, Dreamstarter Scholarship, and Dreamstarter GOLD grants, we invest in Native youth as they bring their dreams to life and create positive change in their communities.



### **CLEAN WATER**

Access to clean water remains a challenge for many Native families on reservations nationwide. For 30 years we have been providing clean water to families on the Pine Ridge Indian Reservation by connecting households to the tribe's main water line.



### **YOUTH & CULTURE**

Through development of cultural centers and construction of youth centers we are working with communities to help build a new generation of young people who develop healthy lifestyles and pride in their cultural ways and traditions.



### **FOOD SECURITY & SOVEREIGNTY**

We support community organic gardens, food assistance programs and food sovereignty initiatives that provide families with healthy, fresh vegetables, gardening education, and traditional food system knowledge.

### **OUR APPROACH**

#### **We Put Youth First**

Our focus on youth fosters change across age groups and entire communities.

#### **Native-Led**

Our leadership is committed to preserving the traditions, languages and sovereignty of American Indian communities.

#### **We Help Where It's Needed Most**

All of our programs are developed from the feedback we get from Native communities. We prioritize the voices of Native communities and work with them to run and operate our programs based on the needs they identify.



8301 Richmond Highway, Suite 200 Alexandria, VA  
22309 Phone: (703) 317-9881 | Fax: (703) 659-6231  
[www.IndianYouth.org](http://www.IndianYouth.org)



# Pathways to Partnership:

## Enhancing Trust through Tribal Consultation

September 19, 2024 | Virginia Crossings Hotel & Conference Center



## Conference Agenda

- 8:00 AM | **Registration at Henrico Ballroom**  
Snacks and beverages available in Henrico Ballroom Lobby
- 9:00 AM | **Welcome by Conference MC**
- Melissa Ehrenreich  
*Executive Director, Indigenous Conservation Council for the Chesapeake Bay*
- Prayer**
- Chief Frank Adams  
*Upper Mattaponi Tribe*
- Drum Song**
- Maskapow Drum Group
- Opening Remarks and Introduction of Chiefs**
- Chief Anne Richardson  
*Rappahannock Tribe*
- 9:15 AM | **Tribal Consultation as a Diplomatic Tool**
- Kitcki A. Carroll  
*Executive Director, United South and Eastern Tribes  
Sovereignty Protection Fund (USET SPF)*
  - Liz Malerba  
*Policy & Legislative Affairs Director, United South and  
Eastern Tribes Sovereignty Protection Fund (USET SPF)*
  - Katie Klass  
*General Counsel, United South and Eastern Tribes  
Sovereignty Protection Fund (USET SPF)*
- 10:15AM | **Distinguishing Tribal Consultation from Tribal Engagement**
- Starlyn Miller  
*Native Lands Partnership Director, The Wilderness Society*
- 10:45 AM | **Tribal Panel: How Tribal Consultations Affect Sacred Sites**
- Starlyn Miller, Facilitator  
*The Wilderness Society*
  - Brandon G. Thundercloud Custalow, MBA  
*Mattaponi Indian Tribe and Tribal Council Member*
  - Todd Custalow  
*Mattaponi Indian Tribe and Tribal Council Member*
  - Rufus Elliott  
*Monacan Tribe and Tribal Council Member*

# Thank You to Our Conference Sponsors!



**RUNNING STRONG**  
for American Indian Youth®



**Dominion Energy**®

**VPM**



THE  
CONSERVATION FUND



12:00 PM	<p><b>Tribal Consultations and Higher Education</b></p> <ul style="list-style-type: none"> <li>● Sam Cook <i>VA Indigenous Nations in Higher Education Collective</i></li> <li>● Lenora Adkins <i>Chickahominy Tribe</i></li> <li>● Gerri Wade <i>Rappahannock Tribe</i></li> </ul>
12:30PM	<p><b>Lunch</b></p>
2:00 PM	<p><b>Special Presentation</b></p> <ul style="list-style-type: none"> <li>● Chief Anne Richardson <i>Rappahannock Tribe</i></li> </ul>
2:30 PM	<p><b>Tribal Consultation on Cultural Resources</b></p> <ul style="list-style-type: none"> <li>● Dr. Julia King <i>George B. &amp; Willma Reeves Endowed Chair in the Liberal Arts, St. Mary's College of Maryland</i></li> </ul>
3:30 PM	<p><b>Rethinking the Approach to Tribal Consultation</b></p> <ul style="list-style-type: none"> <li>● Eric Chiasson <i>Tribal Liaison &amp; Native Affairs Officer Northeast Region, National Park Service</i></li> </ul>
4:30 PM	<p><b>Closing Remarks</b></p> <ul style="list-style-type: none"> <li>● Chief Anne Richardson <i>Rappahannock Tribe</i></li> </ul>
4:45 PM	<p><b>Conference Adjourns</b></p>

## Thank You to Our Tribal Sponsors!





# Sovereign Nations of Virginia



Chickahominy Indians Eastern Division

**Chief  
Joanne Howard**

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**Chief  
Stephen Adkins**

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**Chief  
Diane Shields**

MONACANNATION.COM



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**Chief  
Robert Gray**

PAMUNKEY.ORG



**Chief  
Anne Richardson**

RAPPAHANNOCKTRIBE.ORG



**Chief  
Frank Adams**

UMITRIBE.ORG

## Conference Speakers

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**Kitcki A. Carroll** serves as the Executive Director for United South and Eastern Tribes, Inc. (USET) and the USET Sovereignty Protection Fund (USET SPF), an inter-tribal organization advocating on behalf of 33 federally recognized Tribal Nations from the Northeastern Woodlands to the Everglades and across the Gulf of Mexico. In his capacity as Executive Director, he works to protect, promote, and advance the inherent sovereign rights and authorities of the organization's member Tribal Nations and Indian Country overall. Mr. Carroll is a strong justice advocate for all Native American people and actively works to ensure that the United States fulfills its trust and treaty responsibilities and obligations to Indian Country. Mr. Carroll is a citizen of the Cheyenne and Arapaho Tribes. He has held various Executive/Senior management positions in the tribal government and not-for-profit sector over the past 20 years and has served on various workgroups, panels, task forces, boards, and advisory groups.



**Liz Malerba**, a citizen of the Mohegan Tribe, is the Director of Policy and Legislative Affairs for United South and Eastern Tribes Sovereignty Protection Fund, a 501(c)4 non-profit, inter-tribal organization advocating on behalf of 33 federally recognized Tribal Nations from the Northeastern Woodlands to the Everglades and across the Gulf of Mexico. Located in Washington, DC, she works with Congress and the Administration to advance a comprehensive legislative and regulatory agenda on behalf of member Tribal Nations. Her current work includes advocacy related to Tribal Nation rebuilding, modernizing the federal-Tribal trust relationship, government reform, the restoration of Tribal land bases, health care delivery, and the federal budget. She also assists in directing the organization's engagement in strategic litigation, with the goals of preserving foundational Indian law and advancing the recognition of inherent Tribal sovereignty. She has over 15 years of federal policy and advocacy experience, having previously served as Legislative Assistant for the National Indian Health Board, as well as in a variety of staff positions in the U.S. House of Representatives. Liz is a graduate of Allegheny College in Meadville, PA.



**Katie Klass** serves as General Counsel for the United South and Eastern Tribes and the USET Sovereignty Protection Fund. Katie is also an enrolled citizen of and represents the Wyandotte Nation.

Katie fights to protect the inherent sovereign rights and authorities of Tribal Nations and hold the United States accountable for its trust, treaty, and statutory obligations. Before joining USET, Katie was a partner at Hobbs, Straus, Dean, and Walker, LLP and participated in the U.S. Department of the Interior, Office of the Solicitor's Honors Attorney Program. Katie received her Juris Doctor from the University of Arizona, where she participated in the Indigenous Peoples Law and Policy Program.

Katie has specialized in protection of Tribal cultural heritage and sacred landscapes. She helped Tribal Nations stop international and domestic auctions and bring items back home. Her work led to enactment of the Safeguard Tribal Objects of Patrimony Act, aimed at preventing the export and facilitating the international repatriation of cultural heritage. Her work also helped secure an administrative withdrawal of federal lands from new oil and gas development in the sacred landscape in Chaco Canyon. She also secured congressional funding for prosecution of trafficking and for tribally led cultural resource studies.





**Starlyn Miller** is the Native Lands Partnership Director. She is an experienced professional skilled in building partnerships centered on diplomacy, tribal consultation, and interests of Native and Indigenous peoples. Starlyn works to catalyze collaborations, alliances, and partnerships and lead a team to develop policy priorities and positions that advance protection of cultural and sacred sites, co-management on public lands, and large landscape protection which center Native and Indigenous peoples' history, sovereignty, and interests. Prior to joining TWS, Starlyn was the Assistant Tribal Attorney for the Menominee Indian Tribe of Wisconsin. In that role, she advised her client on a broad range of complex legal and strategic issues to assist the Nation in exercising and protecting tribal sovereignty and furthering tribal self-determination to the fullest. Starlyn also has many years of experience in collaborative work among tribal departments, tribal executive leadership, outside counsel, non-profit partners, media consultants, community groups, tribal, federal, and state agencies on cultural, environmental, and sacred sites. She is a member of the State Bar of Wisconsin, holds a J.D. (2008) from the University of Wisconsin-Madison Law School along with a B.S. in Education from the University of Wisconsin-Madison and certificate in American Indian Studies and Creative Writing (2005). Starlyn is an enrolled member of the Little Shell Chippewa Tribe of Montana and a direct descendant of Menominee and Stockbridge-Munsee center.

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**Brandon G. Thundercloud Custalow** is an enrolled citizen of the Mattaponi Indian Tribe and a resident of the Mattaponi Indian Reservation. He actively serves on the Mattaponi Indian Tribal Council and chairs the Virginia Indian Advisory Board on State Recognition for the Governor of Virginia. Brandon holds a master's in business administration from Virginia Commonwealth University and is a strong proponent of tribal sovereignty and tribal self-determination. With over 20 years of experience in healthcare and as a Native American small business owner, he works collaboratively to advance tribal communities and support their growth and well-being.

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**Todd A. Big Eagle Custalow** resides on the Mattaponi Indian Reservation in King William County, Virginia and is an enrolled citizen of the Mattaponi Indian Tribe. He serves on the Mattaponi Indian Tribal Council to which he was elected in June of 2023. He holds a degree in Business Management from James Madison University and in Network Information Systems from Virginia Commonwealth University. He worked alongside the Tribe and his late father, then Chief Carl Lone Eagle Custalow, in helping to defeat the King William Reservoir project which would have had devastating effects on the Tribe, the Reservation, and the environment.





**Rufus Elliott** is a citizen of the Monacan Indian Nation and was elected to serve on the Nation's Council in 2023. He is recognized as the first Monacan to graduate from Virginia Tech, where Rufus graduated with a degree in history, and went back to Amherst County to serve as the first tribal administrator for the Monacan people, during which time he was the primary point of contact during the fight save Rassawek. Rufus now serves as the Housing Director for the Chickahominy Indian Tribe, Tribal Fellow at the University of Virginia and serves on the Indigenous Studies Advisory Board for Virginia Tech.



**Dr. Sam Cook** is an associate professor of history at Virginia Tech, where he served as Director of American Indian Studies for 24 years, and as Presidential Advisor on American Indian Initiatives from 2020-24. His current research focuses on the incorporation of colonial treaties into contemporary federal Indian law, on historical efforts of courts and executive agencies to limit the sovereign status of specific tribes, and on post-coal community viability in Appalachia.



**Lenora Adkins** has served as Director of Program Management & Compliance Office for the Chickahominy Indian Tribe for 4 years. She has also served on boards of various organizations including the former Virginia Council on Indians (gubernatorial appointee) and John Tyler Community College Board (now Brightpoint). Lenora travelled to France on two occasions as part of an intertribal delegation and she is an Ambassador with Americans for Indian Opportunity (AIO). She also serves in her Church on the Welcome Team. Lenora holds a Bachelor of Arts degree in Sociology from the University of Virginia and Master of Legal Studies Indigenous Peoples Law from University of Oklahoma College of Law. Prior to joining the Tribal Staff in 2020 in the capacity of Grant Project Director (Administration for Native Americans Social and Economic Development Strategies Grant), Lenora worked in the private sector as a self-employed contractor in the consumer-packaged goods industry. She also served in roles of increasing responsibility for General Electric (Lighting Business, NBC Universal), Hanesbrands, and California Accessories.



**Gerri Wade**, a Rappahannock citizen, has more than 30 years' experience in education as a teacher and principal. In addition, she was Vice President of HopeTree Family Services' Developmental Disabilities Ministry for 18 years. She has held fellowships with Harvard University's Principal Center, William & Mary's Leadership Institute, Towson State University's IDEA Academy of Fellows, and Magnet Schools of America. Wade was honored with Outstanding Young Educator and Distinguished Educator Awards. She was elected president of the Board for Fellowship of Developmental Disabilities Ministry, serving the southeastern states. Currently she is President of the Board for the VATC Homeowners Association, and the Rappahannock tribal representative to VINHE, serving on the Tribal Consultation Policy and Events Planning subcommittees.

Wade received a Bachelor of Science degree in Elementary Education & Music, from Averett University, Magna Cum Laude, and a Master of Education in Curriculum & Instruction and Administration from The University of Virginia, Magna Cum Laude. She has extensive coursework and training in Special Education Law; Advocacy, Diversity & Equity; Gifted & Talented Techniques for Diverse Learners; Behavior Management & Conflict Resolution; and Personnel Policies.

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**Dr. Julia A. King** has 30 years' experience studying, writing, and teaching about historical archaeology and Chesapeake history and culture. She serves as Professor of Anthropology at St. Mary's College of Maryland. She has held fellowships with Harvard University's Dumbarton Oaks, the Virginia Historical Society, and Winterthur Museum, and has received six major grants from the National Endowment for the Humanities. From 2003 until 2011, King served as an Expert Member on the Advisory Council on Historic Preservation, a federal agency that advises the president and Congress on matters of national historic preservation policy. Her book, *Archaeology, Narrative, and the Politics of the Past: The View from Southern Maryland*, received a Book Award from the American Association of State and Local History in 2013. In 2018, the Society for Historical Archaeology presented King with the J.C. Harrington Award in recognition of her scholarly contributions to the discipline. King is one of the youngest members to have received the Harrington. She has also received awards from the Register for Professional Archaeologists and the Archaeological Society of Virginia. Her current research focus includes Indigenous history and colonialism in the Chesapeake region.

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**Eric Chiasson** is the Tribal Liaison and Native Affairs Officer for the Northeast Region of the National Park Service (NPS), a position he has held since 2021. In this role, Eric advises the Regional Director's leadership team, 83 parks across 13 states, various assistance programs and external partners on tribal relations matters involving 47 federally recognized tribal nations and numerous traditionally associated communities.

Before joining the NPS as the Northeast Region's first Regional Liaison, Eric served as a non-commissioned officer and paralegal in the U.S. Army's JAG Corps, where he supported attorneys in military justice and administrative law. Eric holds a master's degree in public policy management from the University of Maine and a law degree from the University of Massachusetts-Dartmouth. He is of Mi'kmaq descent and is enrolled with the Eskasoni Mi'kmaq Nation on Cape Breton, Nova Scotia. In his personal time, Eric enjoys exploring parks, public lands, and cultural institutions, and spending quality time with his family.



# New Milestone for Virginia's Tribal Nations: State Tribal Consultation Requirement Enacted

After years of advocacy by Tribal Nations, Del. Paul Krizek, Sen. Dave Marsden, Cultural Heritage Partners, and non-profit partner organizations, Virginia law now mandates that state agencies consult with Tribes before granting various permits. The new law codifies Governor Northam's Executive Order 82.

The new law took effect on July 1st. It directs state agencies to consult with Tribal Nations before granting state permits for projects that may impact tribal cultural, historical, and environmental interests. Tribes will be invited to consult on environmental reports on major state projects, designation of historic districts, large groundwater withdrawals, collection of material from caves, and removal of underwater historic property.

The law also directs the Secretary of the Commonwealth to appoint a Tribal Ombudsman who will work with the Tribal Nations and state agencies responsible for implementing the law to ensure that the Commonwealth develops clear and meaningful policies for consulting with Virginia's federally recognized Tribes.

Because the new process for state tribal consultation mirrors the existing federal process for tribal consultation, project developers will find compliance familiar and efficient and may use the same process for projects seeking both federal and state permits.

In the original version of the legislation, there were stronger provisions protecting the sacred burial grounds of Tribes. The bill required that Tribal Nations consent to state permits granting developers the ability to remove or destroy the graves of their ancestors. Governor Youngkin refused to sign it without an amendment that watered down the language. In the governor's version, the Commonwealth must consult with Tribes and try to reach consensus before issuing a permit.

Despite the word change, this law is a giant step forward in improving Tribal relations with the Commonwealth. In future years, Tribal Nations will work to strengthen the provisions of the law related to burial grounds.

Marion Werkheiserz  
Founding Partner, Cultural Heritage Partners

**This victory makes Virginia the first state in the southeast to enact a tribal consultation requirement.**

**Only 14 other American states require consultation with tribes.**

HB 1157 was enacted as Chapter 830 on April 17, 2024. The bill that passed the General Assembly was amended by the Governor to remove consent in favor of consultation only. The new legislation went into effect on July 1, 2024 and a Tribal Ombudsman will be hired to provide dedicated capacity to support consultation processes between Tribal Nations and the Commonwealth.

Del. Paul Krizek championed the bill in the House while Sen. David Marsden led efforts in the Senate. Both chambers lent the legislation bipartisan support. The bill codifies key elements of former Governor Ralph Northam's Executive Order 82 (2021) and is consistent with commitments Virginia made in the 1677 Treaty of Middle Plantation.

A summary of the bill can be found here: [VA HB1157 | BillTrack50](#)

## Thank you for attending today's Sovereignty Conference

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The Rappahannock Tribe hosts this conference to educate the public on topics of importance to the federally and state recognized tribes in Virginia.

The conference is being recorded and all in-person and virtual registrants will receive an email when the recordings are posted on the website: [sovereignnationsva.org](https://sovereignnationsva.org).

If you have general questions, you may contact us at: [info@sovereignnationsva.org](mailto:info@sovereignnationsva.org)

