

Cultural Services Provided by Natural Resources

Rick Dawson
Asst. Office Director
DOI-ORDA

What are Natural Resources?

- CERCLA 101(16) & OPA 1001(20) defines them as: “land, fish, wildlife, biota, air, water, groundwater, drinking water supplies, and other such resources...”
- Natural resources must be public property: “belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States..., any State, local government, any foreign government, any Indian tribe...” (CERCLA 101(16) & OPA 1001(20)).

Typical Natural Resource Service

- Habitat
- Landscape/Viewshed



Typical Cultural Services

- Site
- Object
- Structure



Puerto Rico

- El Morro castle construction begins in 1634 to protect city & port
- Garita =sentry box whose silhouette is typically shown as the symbol of P.R.



Valley Forge



- Best known name place associated with the Revolutionary War
- Site of the 1777-78 winter encampment of the Continental Army
- 2,000 of the 12,000 that entered camp died

Antietam

- Bloodiest day of the Civil war occurred during this engagement on 9/17/1862 when combined casualties totaled over 23,000
- Results of battle :Great Britain did not come in on the side of the Confederacy & Emancipation Proclamation was issued on 1/1/1863



Gettysburg



- Occurred July 1-3, 1863
- Bloodiest battle of the Civil War = 51,000 combined casualties
- Turning point of the conflict
- Site of Lincoln's famous speech

USS ARIZONA/PEARL HARBOR



- Memorial established May 30, 1962
- 1171 sailors remain entombed in USS ARIZONA
- A unit of the National Park Service

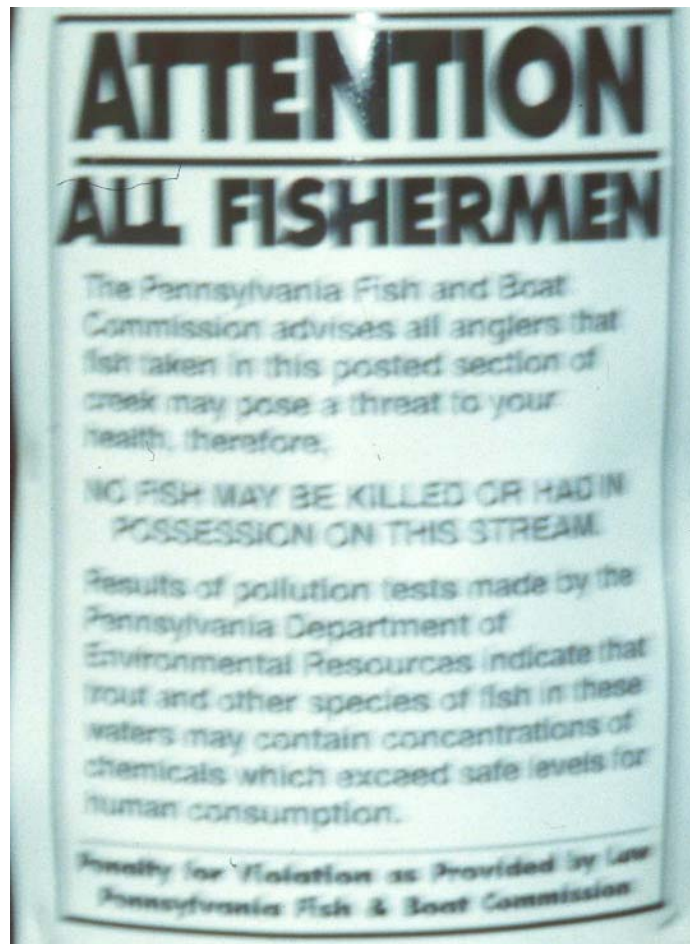


Gettysburg NHP-Monument 74th Pennsylvania

Tort Law-Common Law Claim

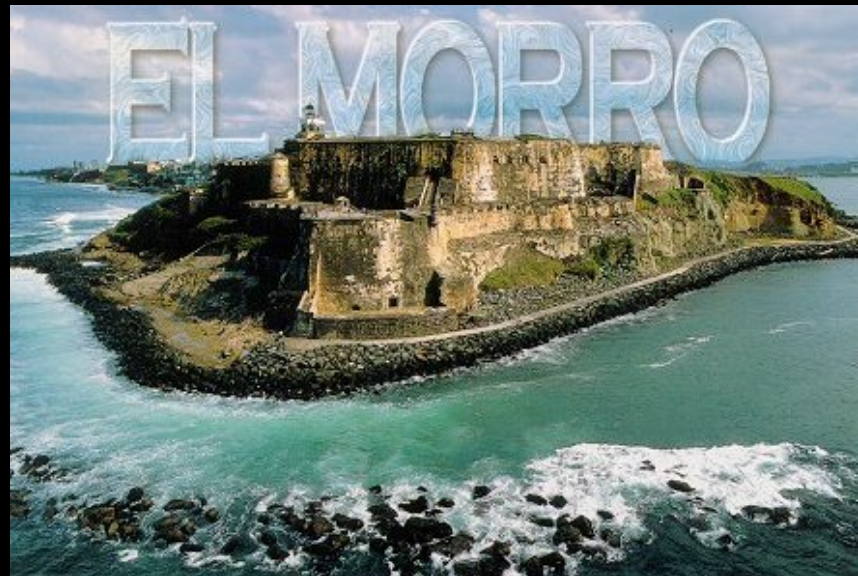


Valley Forge NHP (PA)
Paoli Railyards NPL Site
PCB contamination=rec.fishing closure



Geo. Washington caught shad in this creek
to feed starving Continental Army in winter of 1777

Values & Protecting Historic Objects & Sites



USS ARIZONA Memorial (HI)
Waiau Pipeline Spill, May 1996



History & Emotions of December 7,
1941
4 Million Visitors a Year to Memorial

Tribal Trusteeship: CERCLA

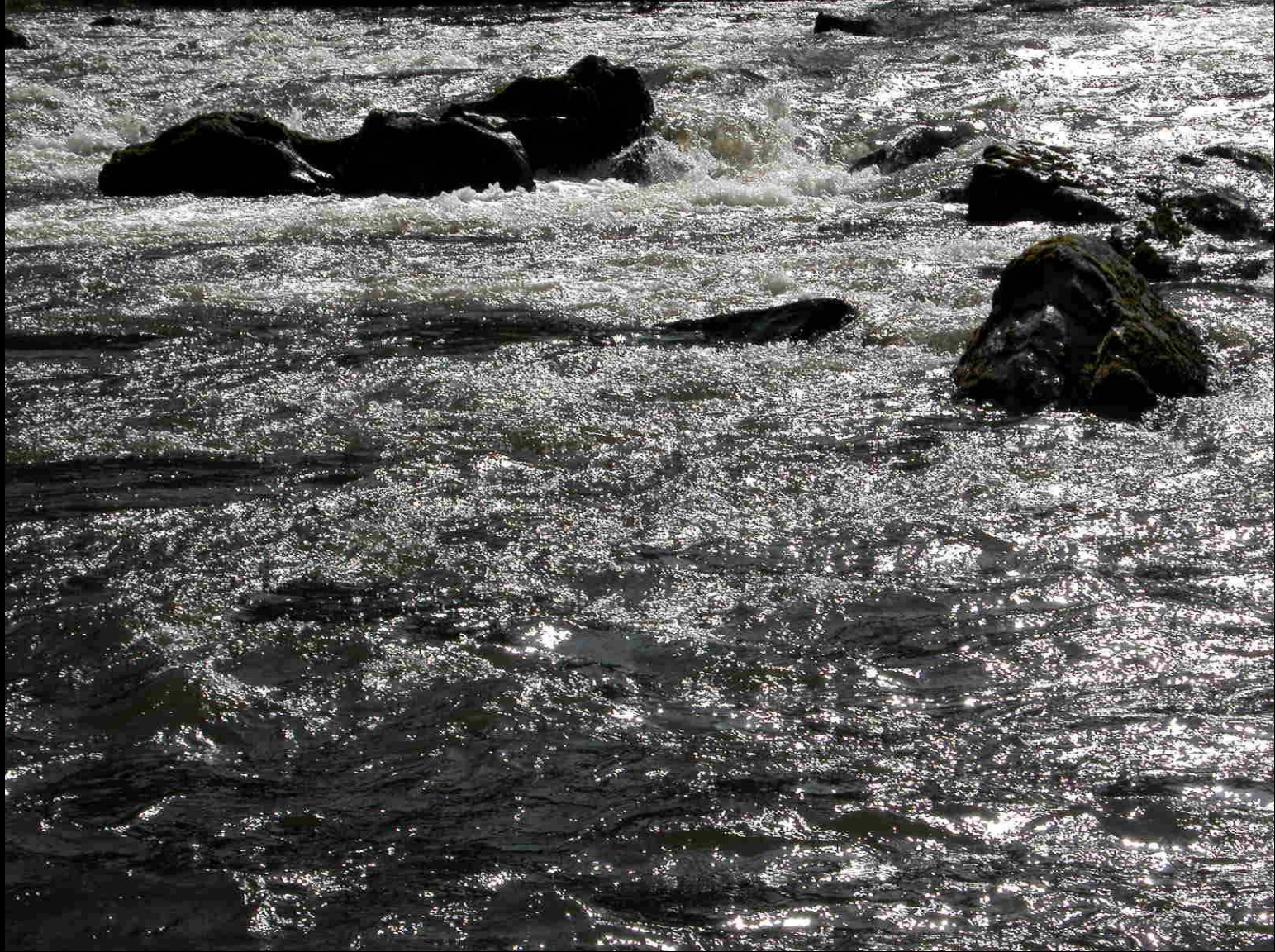
- Section 101(36) – definition of “Indian tribe” – any federally-recognized Indian tribe.
- Section 107 – over “natural resources”
“belonging to, managed by, controlled by, or appertaining to such tribe, or held in trust for the benefit of such tribe, or belonging to a member of such tribe if such resources are subject to a trust restriction on alienation....”

Tribal Trusteeship: OPA

- Section 1001(15) – definition of “Indian tribe”
 - Requires “governmental authority over lands belonging to or controlled by the tribe.”
- Section 1006(a)(3) – liability if discharge causes injury to resources “belonging to, managed by, controlled by, or appertaining to such Indian tribe....”

Important Differences between Tribes and Other American Sovereigns

- PLACE: Connection from time immemorial
- CULTURE: Not European based
- SOVEREIGNTY: History, basis and structure.



PLACE

- Time immemorial
- Non-transient populations
- Permanent Homelands



CULTURE: Generational Continuum

- Cultural respect for ancestors' accomplishments and for elders
- Cultural concern for seven generations into the future



CULTURE: Religion

- *Close connection to place*
- *Reverence for natural resources and elements*
- *Related ceremonies*



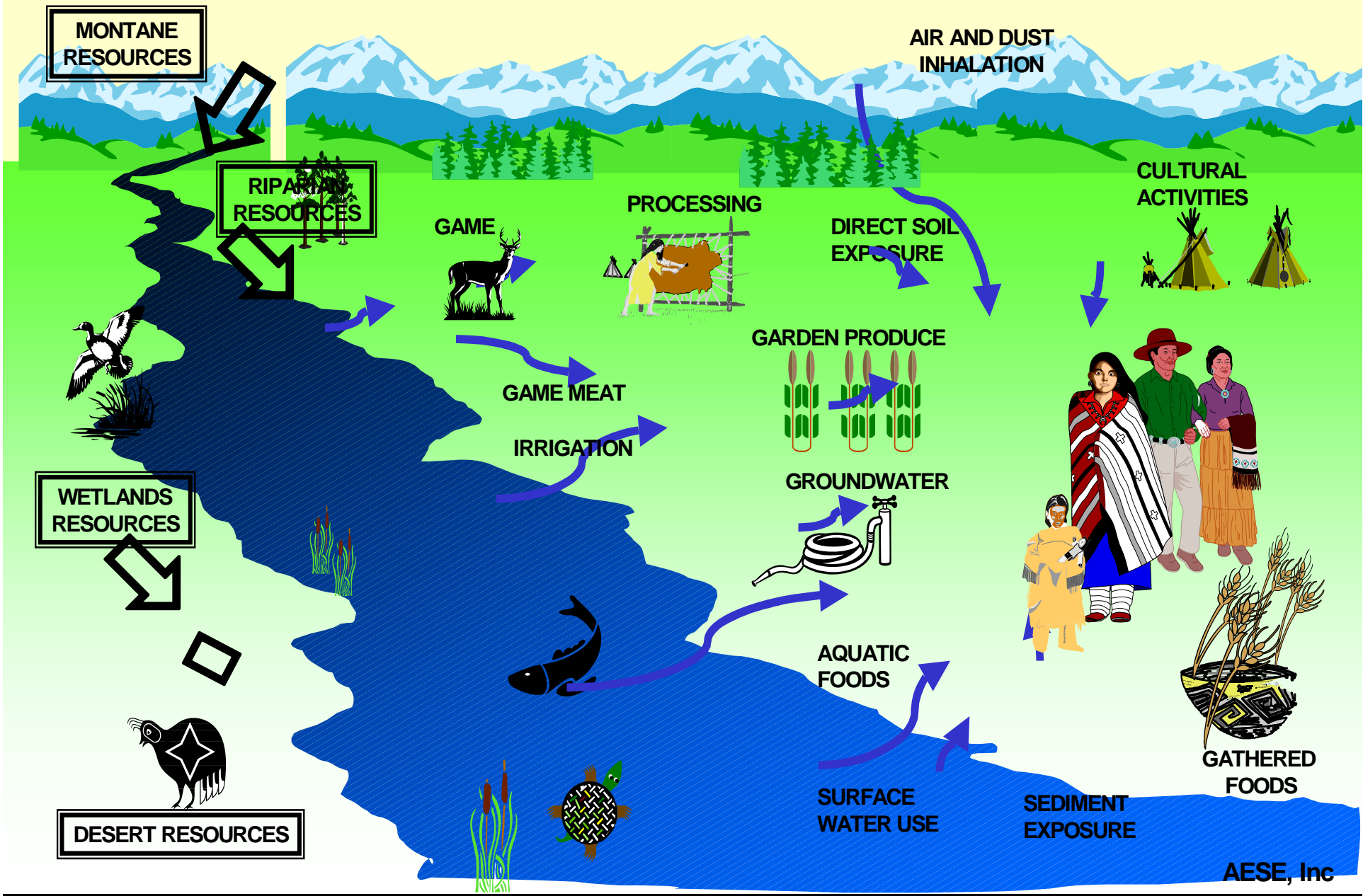
THE PATH OF LIFE

CULTURE: Subsistence

- Dependence on natural resources
- Knowledge of fish, wildlife, plants and their ecosystems



A Traditional Environmental Knowledge-based Scenario



Comparing Cultural Values

European

- Site
- Object
- Structure

Tribal

- Place
- Religion
- Subsistence