

Case Profile

RETURNING TO THE RIVER

How the Rappahannock Tribe, in Partnership with Government, Nonprofit, and Community Partners, is Rematriating Ancient Homelands and Revitalizing the Future of Land Conservation in Virginia and Beyond



View of a section of Fones Cliffs, Credit: Jeff Allenby

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Land Acknowledgement

The paper focuses on the ancestral homelands of the Rappahannock Tribe in what is now the Commonwealth of Virginia. The authors of this paper wish to pay respect to the people of the Rappahannock Tribe, past, present, and future, and honor the land itself which remains sacred to the Rappahannock People.



View of the Rappahannock River from Fones Cliffs, Credit: Lisa Hull

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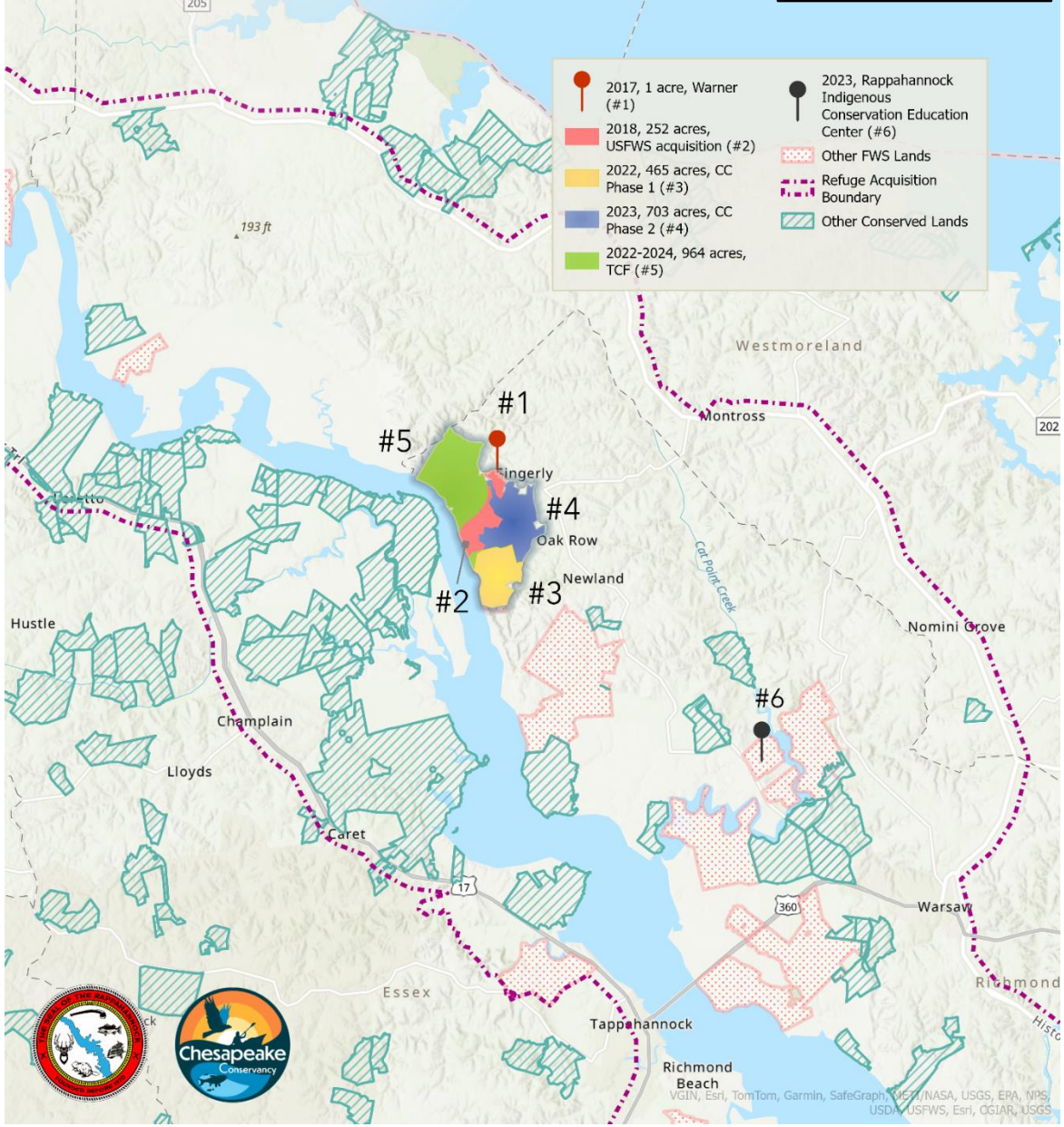
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RAPPAHANNOCK TRIBE RETURN TO THE RIVER AT FONES CLIFFS



	2017, 1 acre, Warner (#1)		2023, Rappahannock Indigenous Conservation Education Center (#6)
	2018, 252 acres, USFWS acquisition (#2)		Other FWS Lands
	2022, 465 acres, CC Phase 1 (#3)		Refuge Acquisition Boundary
	2023, 703 acres, CC Phase 2 (#4)		Other Conserved Lands
	2022-2024, 964 acres, TCF (#5)		



VGIN, Esri, TomTom, Garmin, SafeGraph, NOAA/NASA, USGS, EPA, NPS, USDA, USFWS, Esri, OGIAR, USGS

Introduction

On June 17, 2017, a group gathered on a plot of land above the Rappahannock River in what is now known as the Commonwealth of Virginia. Maskapow drummers from the Rappahannock Tribe sang a song of forgiveness, and Chief Anne Richardson received the gift of a stone from Fones Cliffs, representing reclamation of the land that was stolen from her ancestors.¹

After more than 350 years of being excluded from access to their ancestral river homelands, this single acre of land began a journey back home and, truly, a return to the river for the Rappahannock Tribe. The Tribe and its allies were celebrating a moment its people had strived toward for generations: reunification with the land they were forcibly separated from in the 1600s that is integral to the tradition, culture, and identity of this sovereign nation.² “The meaning of the place name *Rappahannock* is at the core of their community identity.” Wrote Edward DuBois Ragan in a dissertation on the history of the Rappahannock culture. “The root *Rappahanna* signifies the place of the alternating—ebb and flow—stream, or the place ‘where it flows back again’ (referring to the ebb and flow of the tide in the long estuary of the river).”³

On that day in 2017, Chief Richardson stood before members of her Tribe; members of the management team of the Chesapeake Conservancy, the organization that facilitated the gift; National Park Service (NPS) representatives; and others who had come to bear witness as Ms. Virginia Warner and her father, retired United States Senator John Warner, presented to the Rappahannock Tribe an acre of land near Carter’s Wharf Road in Warsaw, Virginia. A powerful reconciliation ceremony took place, with apologies and forgiveness exchanged by both parties. Sage was burnt and smudged, and a prayer was offered to cleanse the land of trauma from the violence of the past. At the day’s end, tribal youth gathered, throwing a football in the warm June afternoon on the land that now belonged to their Tribe.

The parcel, though small, symbolized something much greater. “This was never just an acre to us,” said Chief Richardson. This acre was the first in the Fones Cliffs region that the Rappahannock Tribe re-acquired. The site is part of the ancestral landscape that once included fourteen of the Tribe’s towns and villages. It was a strategic place for the Rappahannock people to live, as the cliffs gave the Tribe a view of the river that allowed them to see approaching people, whether guests or enemies.

“You would see the fires of other villages, you could hear the drums of other villages along the water because the acoustics are so wonderful on water,” explained Chief Richardson in an interview for the podcast *Tribal Truths*.⁴ “And they would have communicated in the way that they were drumming to let other tribes know, ‘hey, it’s an enemy coming,’ or ‘friends are coming,’ or ‘bad storm coming.’”⁵

The land itself would become the one-acre launching pad for the Tribe’s Return to the River program, an initiative to reconnect tribal youth to the river and the Tribe’s cultural traditions there. As of 2024, the land base directly accessible to the Rappahannock Tribe amounts to almost 2,400 acres (about 971

¹ “Rappahannock Native American Dancers and Maskapow Drum Group at Heritage Day,” *Rappahannock Tribe*, June 26, 2017. [Rappahannock Native American Dancers and Maskapow Drum Group at Heritage Day – Rappahannock Indian Tribe \(rappahannocktribe.org\)](https://www.rappahannocktribe.org/).

² Staff. “Virginia Warner donates acre of land at Fones Cliffs to Rappahannock Tribe.” *News on the Neck*. June 21, 2017. [Virginia Warner donates acre of land at Fones Cliffs to Rappahannock Tribe | Local Entertainment | newsontheneck.com](https://www.newsontheneck.com/news/virginia-warner-donates-acre-of-land-at-fones-cliffs-to-rappahannock-tribe/)

³ Edward DuBois Ragan, PhD, “Where the Water Ebbs and Flows: Place and Self Among the Rappahannock People,” 2005. Syracuse University thesis. https://surface.syr.edu/hst_etd/13/

⁴ Pamela D’Angelo. “Ancient cliffs are revealing lost tribal histories.” *Tribal Truths*, January 21, 2022. Podcast, transcript, 31:51. [Ancient cliffs are revealing lost tribal histories | WVTF](https://www.tribaltruths.com/ancient-cliffs-are-revealing-lost-tribal-histories/).

⁵ *Tribal Truths*, 2022.

hectares). Protecting that much land within the space of about eight years is a remarkable accomplishment. And all of that land is within the boundaries of the Rappahannock River Basin National Wildlife Reserve, an area within which some 10,000 acres (about 4,047 hectares) have been protected.

This symbolic acre protected with the Warner gift caught national attention and illuminated a potential new pathway forward for Indigenous People across Virginia.⁶ It was also a pivotal moment in a powerfully heartbreaking and hopeful journey of cultural erasure, disenfranchisement, reconciliation, and a rejuvenated outlook for the future of American land.

Historic Background

The forced removal of the Rappahannock Tribe from Fones Cliffs began in the mid-1600s. In 1607, English explorer John Smith met the Rappahannock People while imprisoned by another tribe. After his release, he returned to the Rappahannock homeland in 1608 and mapped out the region and its extensive network of Rappahannock villages and towns, including three situated on the cliffs. A few decades later, pressures from English colonists mounted and Indian removal swept across Virginia, violating treaties and agreements established between the Rappahannock Tribe and the British Crown.

The ensuing decades were full of trial and bloodshed for the Tribe, and, year by year, they were pushed further into the outskirts of their land until, under threat of annihilation, they were forced to leave their homelands. Today the Rappahannock Tribe Cultural Center is located in Indian Neck, Virginia, more than 10 miles from the most convenient access to the Rappahannock River in the town of Tappahannock.

Although in the 18th, 19th and 20th centuries the land on Fones Cliffs was no longer united with the Rappahannock People, the area dodged heavy development. As described by neighboring landowner Hill Wellford, its brackish waters were rich with sturgeon, bass, alewife, herring, and shad; eagles and osprey circled the skies and nested in trees along the striking white clay cliffs rising from the shores; its wetlands were earthy chalices of sequestered carbon harboring healthy duck and fish populations that kept the eagles and osprey sated.⁷

In 1921 the Rappahannock Tribe, under the leadership of Chief George Nelson (Chief Anne Richardson's great-uncle), incorporated as a non-profit organization, and petitioned the federal government for recognition and sovereignty.⁸ While that initial effort did not succeed, it began a nearly century-long effort to gain recognition from both the Commonwealth of Virginia and the Federal Government. The work was carried on by Chief Anne Richardson's grandfather, Chief Otho Nelson, and then by her father Chief Captain Nelson, who in 1983 led the successful effort to gain State recognition.

Then, as reported by the office of the Virginia Department of Education, "In 1998, the Rappahannock elected the first woman Chief, G. Anne [Nelson] Richardson, to lead a Tribe in Virginia since the 1700s. As a fourth-generation chief in her family, she brings to her position a long legacy of community leadership and service among her people."⁹

⁶ "The Difference an Acre Makes," *Saving Land*, Fall 2017, [SavingLandMagazineFall2017.pdf](#).

⁷ Wellford, Hill. "Fones Cliffs: A conservation dream realized." *Essexca.com*. December 9, 2022.

⁸ Secretary of the Commonwealth of Virginia. "History of the Rappahannock." Available at: <https://www.commonwealth.virginia.gov/virginia-indians/state-recognized-tribes/rappahannock-tribe/>.

⁹ Virginia's First People: Past and Present <https://www.doe.virginia.gov/teaching-learning-assessment/k-12-standards-instruction/history-and-social-science/virginia-s-first-people-past-and-present/today/rappahannock>

Chief Richardson (or Chief Anne, as her friends and family call her) persisted in the quest for federal recognition. She finally achieved the Tribe’s long-standing goal in 2018 when the United States Senate approved federal recognition for the Rappahannock Tribe and six other historic Tribes in Virginia.



Chief Anne Richardson leading at an intertribal ceremony at Werowocomoco, celebrating the federal recognition of 7 Virginia Tribes in October 2018. ¹⁰ Credit: Rappahannock Tribe.

Chief Richardson worked closely with Virginia Governor Tim Kaine—who later in his career became a United States Senator—to complete the federal recognition process. In a recent interview, Kaine offered warm praise for Chief Richardson’s work: “she is a great diplomat, and she can work across the aisle, with politicians, with the representatives of other Virginia tribes, and with local communities, to get things done. When I thanked her and the other Chiefs for staying in the process to get federal recognition over the course of decades, she joined with another Chief to say: ‘We are patient people.’ That is an understatement.”¹¹

As the 21st century dawned on the Rappahannock region, its natural beauty caught the eye of real estate speculators and developers whose plans did not center on ecological or cultural conservation. The first serious development proposal to advance began in 2007, when a landowner first sought to subdivide a parcel along Fones Cliffs spanning over 250 acres. Thus began a series of battles to determine the fate of Fones Cliffs that would stretch over the next 17 years.

The effort to protect the land on Fones Cliffs was shaped, in part, by the fact that the area is within the boundaries of the Rappahannock River Valley National Wildlife Reserve. Within those boundaries, which

¹⁰ Photo posted by the Rappahannock Tribe at https://www.facebook.com/rappahannocktribe/photos/a.237770072938000/1838549356193389/?type=3&_rdr .
¹¹ Author Interview with Tim Kaine, Washington, D.C., March 21, 2024

stretch across parts of five Virginia counties, the United States Fish and Wildlife Service (FWS) is authorized to acquire fee titles or easements on appropriate parcels to protect conservation lands. The Reserve, established in 1996, was created to protect the habitat of wildlife along the Rappahannock, including the habitat of federally endangered and threatened species such as the bald eagles that nest in the area in remarkably large numbers.

The Rappahannock Indigenous Cultural Landscape

In 2007, as the effort to protect Fones Cliffs gained steam, Chief Richardson and the Rappahannock Tribe collaborated with conservation organizations and local residents, hoping to keep developers at bay. At that time, no one knew exactly where the Rappahannock villages mapped by John Smith in 1608 were located. Chief Richardson said, “we knew the names of the towns, but we had no idea of where they were located on the landscape.”¹²

In 2016, a study team from St. Mary’s College of Maryland launched a study to identify and detail both Indigenous and non-Indigenous knowledge regarding what became known as the Rappahannock Indigenous Cultural Landscape. This study was done in conjunction with the National Park Service planning effort for the Captain John Smith Chesapeake Historic Trail. Chief Richardson and a team of advisors are cited as principal contributors to that work, as reported in the preface to the study:

The Rappahannock shared with us information on contemporary and historic landscapes, graciously piled into vans for driving tours, put us in contact with individuals with collections and properties of significance to the tribe, and hosted meetings at their tribal center. We hope that the results of this study are useful to the Rappahannock Tribe for any number of purposes and thank them for their participation in this project.¹³

The report’s findings, presented by Dr. Julia King of St. Mary’s College in December 2016, revealed a long history of Tribal residence on the land as well as rich ecological knowledge that guided Indigenous peoples’ use of the land.¹⁴ Included in that information is the approximate location of three Rappahannock town sites: Wecuppom, Matchopick, and Pissacoack.¹⁵

Land protection efforts in the area also benefitted from the work of non-profit land conservation organizations that recognize the ecological and historic importance of the Rappahannock River basin. One non-profit that demonstrated a particular interest in the Indigenous cultural resources is the Chesapeake Conservancy (Conservancy). In 2017, due in part to her enthusiastic participation in the Rappahannock Indigenous Cultural Landscape study, Chief Richardson was invited to serve on the Conservancy’s Board of Directors. Having a board member in tribal leadership was relatively novel at that time and not widely recognized for its significance.

Now knowing the actual location of Rappahannock towns active more than four centuries ago, Chief Richardson was highly motivated to have the Tribe establish a physical presence in the vicinity of this homeland, and to teach both Rappahannock youth and youth from other backgrounds how her people lived on and cared for the land. She and Joel Dunn, the Conservancy’s president and CEO, agreed to look

¹² Richardson, “Fones Cliffs and the Rappahannock Tribe.”

¹³ “Indigenous Cultural Landscapes,” *National Park Service*, updated May 5, 2023, page v. [Indigenous Cultural Landscapes - Captain John Smith Chesapeake National Historic Trail \(U.S. National Park Service\) \(nps.gov\)](#).

¹⁴ Strickland, Scott M, Julia A. King, G. Anne Richardson, Martha McCartney, and Virginia R. Busby. *Defining the Rappahannock Indigenous Cultural Landscape*. St. Mary’s City, MD: St Mary’s College of Maryland, 2016. [ICL-Defining the Rappahannock Indigenous Cul.pdf \(rappahannocktribe.org\)](#).

¹⁵ Chesapeake Conservancy. “The Rappahannock Tribe’s Return to the River.” 2024. See: [T https://www.chesapeakeconservancy.org/fonescliffs](https://www.chesapeakeconservancy.org/fonescliffs)

for funding that would allow the Tribe to do so. From the beginning, the work that went into the collaboration was invaluable in establishing trust and relationships between the Rappahannock Tribe and the Conservancy. However, many of their early applications were turned down.

“Nobody would listen to a word we were saying in the beginning,” said Dunn. Requests for funding to transfer the land back to the Tribe were met with confusion. At the time, there was little precedent for tribal collaborations within the land conservation community. “It was so hard, ... it was like pushing a rock up a hill.”¹⁶

The One-Acre Warner Tract that Launched the Return to the River

Patience and persistence, however, finally paid off. Virginia S. Warner, the daughter of former U.S. Senator John Warner, stepped forward to fund the purchase of a one-acre parcel of land near Carter’s Wharf Road that could be used as a staging ground for the Return to the River educational programs that Chief Richardson and others had envisioned. This acre, surrounded on three sides by a 69-acre property purchased by FWS in 2003, signaled that the conservation community, including private philanthropists, were ready to engage with the Tribe in a meaningful way to help reclaim their land.

As it happens, acquiring one acre of land can be as complicated as acquiring 100 or 1,000 acres. While the private philanthropy that provided the means to buy the land was heaven-sent, the details were reminiscent of a different place. They involved the required retrieval of a death certificate in Washington D.C., demolition and removal of a windowless two-story house, and site preparation for the June 2017 celebration. This was in addition to the typical due diligence of doing a title search, securing title insurance, ensuring the property was free of contaminants, and deed preparation. A land survey was not required because US Fish and Wildlife Service ownership surrounds the one acre on three sides, adding to its conservation value. This property was the first land in the Fones Cliffs vicinity to be returned to its original owners. It was also the first in a line of purchases that came in quick succession.

At the 2017 celebration of the actual “Return to the River” with the acquisition of this one-acre parcel, described above, profound appreciation was expressed by Virginia Warner and her father, as well as by the Tribe. Chief Richardson spoke of the significance of the day, offering the following prayer of gratitude.

Father, we just thank you today, for I know the angels are celebrating in heaven... After 350 years our Tribe has been returned to the river... We can walk the lands of our ancestors and feel the spirit of the people that lived here, that worked here, and that worshipped you here.¹⁷

Once the acquisition of the one-acre tract was complete, a larger grant-seeking partnership emerged. It came to include many non-profit organizations, including the Chesapeake Conservancy, The Conservation Fund (TCF), The Wilderness Society, the National Fish and Wildlife Foundation, Walmart’s Acres for America program, and others. Pairing the Rappahannock Tribe, which, in 2018, finally gained Federal Recognition, with a variety of nonprofits with local, regional, and national reach, made for a powerful coalition. Each organization brought its own appeal and eligibility for particular funding sources to the table, which led to the rapid completion of several important land conservation initiatives.

¹⁶ Author conversation with Joel Dunn, May 2023.

¹⁷ Chesapeake Conservancy. Video: “Return to the Rappahannock River.” June 17, 2017. <https://www.youtube.com/watch?v=tTy27aa27Sg&t=9s>

A Long-Term Effort to Protect a Privately-Owned, 252-Acre Parcel

In 2018, the owner of a 252-acre Fones Cliffs property was in what turned out to be the final stages of his 12-year quest to develop the property into a resort-style community. On September 10, the landowner was scheduled to go before the Richmond County Planning Commission and ask permission to construct four 10-story buildings that would house 200 condominium units. For years, the fate of this property had been in jeopardy. Initially, the landowner offered to consider conveying a conservation easement on a portion of the property while building a family compound near the bluff. He approached the FWS and The Nature Conservancy (TNC) with his plan, but since it would have compromised sensitive and well-documented bald eagle habitat at Fones Cliffs, the refuge manager declined the offer.

While the property owner's efforts to entice the refuge into acquiring an easement on the property were not successful, he nevertheless continued to pursue the idea with other potential easement holders until 2006, when Richmond County amended its zoning ordinance in response to the rapid waterfront land speculation that the county was experiencing. The landowner then abandoned plans for a family compound and easement and focused on rezoning and developing the property.

His first rezoning request to county planners and leaders in February 2007 called for 55 lots, 15 of which were located directly on the bluffs. That request was denied by the county. Two years later, a subsequent request was approved. The second plan was labeled as a "conservation subdivision," showing 21 riverfront lots but with a buffer of "parkland" between the lots and the edge of the bluff. When the subdivision was approved later by the county, the parkland vanished from the plan, and all 21 lots extended to the river. In March 2014, the landowner's request to construct a 47-slip pier that would have extended over 200 feet into the Rappahannock River and run parallel to the shoreline for 500 feet, was unanimously rejected by the Virginia Marine Resources Commission in a resounding victory for opponents of the subdivision.

Undeterred, the landowner kept revising and advancing development plans. FWS and other partners, including The Nature Conservancy and Trust for Public Land, made offers to purchase the land, but were all rejected by the landowner.

Faced with continuous opposition from the conservation community, and empathetic to the Tribe's spiritual interest in the site after a deep conversation with Chief Richardson, the landowner finally relented and accepted a purchase offer made by TCF. The sale, at nearly \$4 million, closed in December 2018. TCF held the property until it could be resold to FWS in 2019 and made part of the refuge.¹⁸ Around the time the purchase went through, archeologists studying the land began to uncover additional artifacts that prove the area's rich history as a site belonging to Indigenous People from the Rappahannock Tribe in the late 1600s. Today, the land is closed except by advance permission while the refuge staff and Rappahannock Tribe plan and coordinate future visitor opportunities.

A Privately-Owned 1,168-Acre Parcel is Protected in Two Phases

Phase I: Protecting an Initial 465 Acres

During the fight to save the 252-acre parcel on the Cliffs from development, the Tribe was approached by a private donor seeking to support the efforts. The Tribe had always been interested in regaining

¹⁸ Pipkin, Whitney. "Fones Cliffs property to be preserved." *Bay Journal*. Updated June 4, 2019. [Fones Cliffs property to be preserved | Growth & Conservation | bayjournal.com](#).

access to the land, but its 2018 federal recognition provided its people with an even greater voice and standing to help save the cliffs.

In late 2019, the Benjamin P. Morris family of Montross, Virginia, approached the Rappahannock Tribe with a new offer. The family owned 1,168 acres of Fones Cliffs, spanning approximately 3,700 feet of Rappahannock River shoreline. The family was interested in selling the land to the Tribe at a bargain price to be conserved. Chesapeake Conservancy joined the Tribe in fundraising during 2020 and 2021 with modest success.

Then, in August 2021, fate again brought a major private philanthropic donor whose interest in protecting the eagles and other birds along the river aligned with the goals of the Tribe. The Wilderness Society introduced the Conservancy to the family of William Dodge Angle, MD. His wife, Dr. Carol Angle, was searching for a suitable site to protect in memory of her late husband, who had been a passionate birder, and she hoped any funds they might provide would have an immediate impact.

Seeing a window of opportunity, Chief Richardson and Joel Dunn took the Angle Family out on the water and up to the top of Fones Cliffs. They shared the cultural, spiritual, historical, and ecological importance of the region and explained to the family that, with their help, the area could be protected from development and returned to the Tribe.



Chief Anne Richardson and Secretary of the Interior Deb Haaland at the April 1, 2022, Return to the River celebration. Credit: Duane Berger.

The family was convinced. In memory of their late husband and father, the Angle family donated sufficient funds for the Conservancy to purchase an initial 465 acres of the 1,168-acre property. The Conservancy then donated a conservation easement on those 465 acres to FWS and subsequently donated the remaining fee title to the Rappahannock Tribe.

This was the first instance in the history of the United States where FWS has held a conservation easement on property owned by a federally recognized tribe.

An event of this magnitude called for a celebration of equal caliber. On April 1, 2022, Chief Richardson and dozens of tribal citizens were joined on the banks of the Rappahannock by United States Secretary of the Interior Deb Haaland; USFW Director Martha Williams; Dr. Carol Remmer Angle and members of

the Angle Family; FWS Chief of Refuges, Cynthia Martinez; President of the National Fish Wildlife Foundation, Jeff Trandahl; Joel Dunn of the Chesapeake Conservancy; representatives of the State of Virginia and Northern Neck County; the press; and other dignitaries and guests.¹⁹ *The Washington Post* reported on the ceremony, emphasizing the importance of the moment.

Haaland, the first Native American to serve in a presidential cabinet, was in tears as she addressed the gathering of several hundred under a white tent in a farm field. “I whispered over to Chief Anne before this all started and said, ‘I hope I can get through my remarks without crying,’” Haaland said, her voice breaking. “It’s not often that we get to attend such a meaningful celebration,” she added. “Thank you so much for sharing this day with me.”

Haaland praised the tribe for its “unbroken” commitment to the land despite centuries of setbacks. “We’re here today because we recognize the significance of preserving this sacred ground,” she said.²⁰

Phase II: Protecting the Remaining 703 Acres

The Angle family’s generosity in helping to acquire the first 465 acres of the 1,168-acre parcel had its intended impact. It caught the attention of conservationists and Indigenous rights advocates around the world. Since then, the Tribe has been awarded grants from private donors, corporations, and the Virginia state government. In addition, it is expecting federal funds to help defray the overall costs of the two-phase project. In October 2023, the Chesapeake Conservancy purchased the remaining 703 acres of the Northern Neck Lumber property using another significant donation from the Angle Family. As of the end of 2023, fundraising by the Tribe and the Conservancy continues, aimed at bringing all 1,168 acres into Tribal ownership by the end of 2024, with easements being held by the FWS. Any funds recouped from fundraising are planned to be applied to other conservation projects on the Rappahannock.

¹⁹ Wellford, Hill. “Fones Cliffs: A conservation dream realized.” *Essexca.com*. December 9, 2022.

²⁰ Gregory S. Schneider. *The Washington Post*. “Rappahannock Tribe reacquires ancestral Virginia land 350 years later.” April 1, 2022. See: <https://www.washingtonpost.com/dc-md-va/2022/04/01/rappahannock-tribe-fones-cliffs-eagles/>.

The Immense Ecological and Historical Importance of Fones Cliffs, by Hill Welford

Towering high above the Rappahannock, Fones Cliffs is the centerpiece of a rare and delicate ecosystem. It stands sentinel over a narrow four-mile stretch of brackish water bounded on the opposite side by extensive freshwater marshes, forests, and farmland protected by conservation easements held by The Nature Conservancy and the Virginia Outdoors Foundation. The marshes host such a high diversity of plant and animal life, including the existence of rare and protected species, that biologists have described them as being among Virginia's most important freshwater wetlands. The Fones Cliffs stretch of the river is a spawning area for anadromous fish, including sturgeon, striped bass, alewife, blueback herring, and American and hickory shad. It is also a migration staging and nesting area for hundreds of species of birds that migrate to Fones Cliffs each spring and summer from distances as far south as Colombia. In winter, birds that have nested as far north as the Arctic migrate south to rest and feed before returning to complete the cycle of life. Species that congregate in the freshwater marshes and open waters of the Rappahannock include Tundra swan, Canada goose, ducks (Black, Pintail, Teal, Mallard, Ruddy), and other species.

Fones Cliffs' conservation importance, however, is most often associated with the American bald eagle, a national symbol of our country, which was on the endangered species list until 2007. The Cliffs' role in helping to restore the population of bald eagles to the point that they could be delisted as endangered and reclassified as a protected species should not be understated. Today Fones Cliffs and its surrounding landscape are home to one of the largest concentrations of bald eagles in the continental United States and have been listed by Virginia's Center for Conservation Biology, which monitors eagle nesting and migration, as one of the most important sites for eagle conservation throughout the Chesapeake Bay region and eastern North America. The National Audubon Society has also recognized the immense conservation importance of this section of the Rappahannock River by designating it an Important Bird Area of Global Significance.

In addition to its ecological value, Fones Cliffs is a site of great cultural and historical importance. It is a prominent geological feature in the heart of the ancestral lands of the Rappahannock tribe and the historic site of three Rappahannock tribal towns documented in the diary of John Smith as he explored the Rappahannock river in August 1608. Fones Cliffs is also the recorded site of one of the first hostile encounters between English explorers and Native Americans. John Smith's diary describes how warriors from the Rappahannock Tribe concealed themselves on the cliffs and in the marshes on the other side of the river to unleash arrows aimed at Smith and his crew as they sailed and rowed their shallow through this narrow stretch of the Rappahannock River. Smith's violent encounter with the tribe has made Fones Cliffs a prominent feature of the Captain John Smith Chesapeake National Historic Trail. Fones Cliffs is also a featured designation on National Geographic's map of Treasured Landscapes of the Chesapeake Bay where the Tribe's ambush of Smith is described along with recognition that the Fones Cliffs stretch of the river helps shelter the mid-Atlantic's largest population of bald eagles.

Reprinted with permission of Hill Welford; first published by Essexcca.com, December 9, 2022

Diatomite and Virginia True

In 2017, the Virginia True Corporation purchased a highly desirable 964-acre property along Fones Cliffs from the Diatomite Corporation for \$12 million, adopting Diatomite's nascent development plans along with the deed.²¹ The owner of Diatomite had vacillated for years as it considered several development options, ranging from mining the diatomaceous earth on the property; selling the property outright to the FWS; donating a conservation easement; and the full-scale build out of a large resort development with an 18-hole golf course, lodge, restaurant, and hundreds of residential units.

If things had gone as planned, folks might now be golfing there and gazing out across the river over brunch or drinks at a bar. Potential homeowners might now be touring new home plots and making down payments on estate-like homes.

Not only is the property naturally gorgeous; it was also designated as part of an opportunity zone that offers attractive tax incentives for developers.²² Virginia True forecast that it would rapidly recoup its initial investment in the property. But in its eagerness to realize that dream, it cut a few corners.

The corporation found itself entangled in legal troubles. It had begun to clear the land without a permit, felling trees across the cliffside areas and clearing vegetation to bare ground. Neighbors noticed the smoke from burning brush piles and notified the Conservancy, which sent up a drone to capture footage of the illegal clearing. Stop-work orders from the county and notices of violation from the Virginia Department of Environmental Quality were issued, but the damage was done. Without the root systems in place, the cliffs began to crumble and slough into the banks below, and, along with them, cultural artifacts that were thousands of years old.

With pressure from citizen conservation advocates, along with Friends of the Rappahannock, the Rappahannock Wildlife Refuge Friends, Chesapeake Bay Foundation, Preservation Virginia, Scenic Virginia, and the Conservancy, the Virginia Attorney General's office became involved, eventually levying a \$200,000 judgment against the corporation. Many believe this setback, along with complaints from Diatomite and several Virginia True investors claiming the company was not meeting its financial commitments, led Virginia True to file for bankruptcy in May 2019.

At the bankruptcy auction in November 2022, TCF had the winning bid of \$8.1 million, earning it ownership of the much sought-after plot. TCF is working closely with the Rappahannock Tribe to create a fundraising strategy for the purchase price and place the land into Tribal ownership. The initial disaster became an opportunity to restore the cliffs to their natural grandeur and return land rights to Traditional owners.

The land's new prospects are as a reservoir of cultural, historical, and environmental richness.²³ In 2024, TCF will place the property under an FWS easement and transfer the fee title to the Rappahannock Tribe. It will become part of the Tribe's map of newly rematriated lands, nearly doubling its holdings and bolstering connectivity and ecosystem functioning across the region. Wetlands, inlets, and upland areas will be protected as habitat for native and migratory birds and river access points will further enable the Tribe's ongoing Return to the River initiative.

²¹ Wellford, Hill. "Fones Cliffs: A conservation dream realized." *Essexcca.com*. December 9, 2022.

²² Olshin, Joshua. "Controversial Fones Cliffs to finally hit bankruptcy auction block in Northern Neck." *PRWeb*. September 20, 2022. <https://www.prweb.com/releases/2022/9/prweb18898914.htm> (accessed August 8, 2023).

²³ Visconti, 2022.

These accomplishments illustrate cross-sector collaboration, led by a Tribal Nation and championed by nonprofits, businesses, private landowners, philanthropists, and government agencies. The success of these efforts is, in turn, helping to catalyze environmental progress across the nation and globe.

Cat Point Creek Lodge

On November 1, 2023, FWS, in conjunction with the U.S. Bureau of Indian Affairs, issued a press release describing a new chapter in collaboration with the Rappahannock Tribe:

The U.S. Fish and Wildlife Service and Bureau of Indian Affairs have announced the donation and transfer of Cat Point Creek Lodge, located on the [Rappahannock River Valley National Wildlife Refuge](#) in Warsaw, Va., to the federally recognized Rappahannock Tribe.

The successful donation now allows the Rappahannock Tribe to renovate the Cat Point Creek Lodge to serve as an Indigenous Environmental and Conservation Education Center. Tribal citizens and the public will learn about Indigenous knowledge practices for stewarding the land through a program of exhibits, classes and outdoor activities.

Today's announcement furthers the Interior Department's ongoing work to strengthen Tribal co-stewardship of public lands and waters. Over the last two years, the Department has celebrated several significant and innovative co-stewardship arrangements providing Tribes a greater role in the management of federal lands and waters that have cultural and natural resources of significance and value to their respective communities.²⁴

The Center is in the planning stages today. According to Marcie Kapsch, project leader at the refuge, "We are stewarding the land as the eagle flies, not as the boundaries lie." Cat Point is the site of the Tribe's ancestral capitol town and seat of government, making the partnership with the refuge and education center location highly meaningful.

An Enduring Presence

At the end of 2023, the Rappahannock Tribe owns 465 acres overlooking the Rappahannock River at Fones Cliffs. The land is sacred to the Tribe partly because of the thriving eagle populations it supports. The birds are seen as prayer messengers and are a symbol of natural, cultural, and spiritual importance. The Conservancy and TCF, respectively, own 703 and 964 acres of surrounding land, and each has plans to convey the parcels to the Tribe in late 2024 when adequate funds are raised by the Tribe to purchase fee title. Fundraising is underway to facilitate this process.

Once this 2,400-acre region is protected, it will be a quilt of several parcels, each acquired under unique circumstances and collaboratively owned and managed. The land will largely be under permanent conservation easements held by the FWS with the fee title held by the Rappahannock. The FWS and Rappahannock Tribe work together to steward the areas and are supported by a strong alliance with

²⁴ Rappahannock River Valley National Wildlife Refuge's Cat Point Creek Lodge transferred to the Rappahannock Tribe of Virginia: Lodge to serve as Indigenous Environmental and Conservation Education Center, November 2023. See: <https://www.fws.gov/press-release/2023-11/rappahannock-river-valley-national-wildlife-refuges-cat-point-creek-lodge>.

Conservancy and other partners, including Friends of the Rappahannock, who are helping plant trees on the properties. Plans are being developed by the Tribe to make the land publicly accessible and to support cultural and spiritual activities for the Tribe. Ownership has also allowed the Tribe to reestablish the areas of Pissacoack, Matchopick, and Wecuppom under their original Rappahannock names.

Who is Engaged

The road that led to these groundbreaking conservation outcomes was laborious. It traversed several decades of advocacy, relationship building, patience, and strategy. Returning Fones Cliffs to the Rappahannock Tribe and protecting its natural and cultural value took the strength of a diverse cross-sector team. Native People, non-profit organizations, private philanthropists, United States government agencies, and neighboring landowners all had to coalesce to recognize shared goals, establish trust, and move quickly to take advantage of critical opportunity windows. Together, the Rappahannock Tribe, FWS, and non-profit partners, with support from countless community members, have achieved what none could have alone and now aspire to continue building momentum for this innovative model of cultural and environmental stewardship.

Tribal Government

The Rappahannock Tribe occupies and owns land in the Rappahannock River Valley. The river stretches 212 miles from the Blue Ridge Mountains in the north to the Chesapeake Bay in the south.²⁵ The Tribe's work to protect its land began in the mid-1600s, when English colonists began mapping out and settling in Rappahannock territory and continues today as developers and landowners continually clamor to build on the riverfront property.

The Rappahannock Tribe has been a federally recognized sovereign nation since 2018.²⁶ In 2024, the Tribe is led by Chief Richardson and staffs 10 departments, including the new River Programs Department that works to establish cultural and educational programs.²⁷

The Tribe holds the fee title for much of the newly acquired Fones Cliffs land that is protected.²⁸ The Rappahannock's history, traditions, and culture -- which the Tribe has fought to keep intact for centuries -- have also inspired much of the private philanthropy that passed land back into the Tribe's care.

²⁵ The Editors of Encyclopedia Britannica. "Rappahannock River." Britannica. June 1, 2018. <https://www.britannica.com/place/Rappahannock-River/additional-info#history>.

²⁶ McCauley, Joseph. "The Rappahannock Tribe's Return to the River." Chesapeake Conservancy. <https://www.chesapeakeconservancy.org/what-we-do/conservation/advancing-goals/fones-cliffs-conservation/the-rappahannock-tribes-return-to-the-river/>.

²⁷ Rappahannock Tribe, *Using the Wisdom of our Ancestors to Lead Us into the Future* (Indian Neck: Rappahannock Tribe).

²⁸ "Fones Cliffs Conservation." Chesapeake Conservancy. <https://www.chesapeakeconservancy.org/fonescliffs>.

The Land-Back Lady: Forging a More Equitable Future for All Tribes

Chief Anne Richardson’s advocacy extends far past the individual interests of her own Tribe, reverberating on a state and national scale in the form of new policies, organizations, and conservation methods.

For years, her speech, writing, and ambassadorship have fueled the return of hundreds of acres to the Rappahannock Tribe. When she stood before the crowd that gathered to celebrate the first acre of land returned to the Rappahannock Tribe, she called out the Virginia True Corporation for its misconduct. She included her Tribe in a letter to the attorney general about the thirteen acres that the corporation cleared illegally. She wrote an op-ed, published in *The Free Lance-Star* titled “Tribe wants all of Fones Cliffs to be Conserved.”^(a)

Chief Richardson’s work has helped develop innovative solutions to the barriers that stand between her Tribe and the formal reacquisition of its land that can be used as a model for others. She worked closely with TCF and its attorney to devise a plan for TCF to purchase the Virginia True Corporation’s land at bankruptcy auction and transfer it to the Tribe under an agreement that the Tribe would repay TCF.

She told a class at the University of Virginia School of Law that this work had earned her the colloquial title of “Land-Back Lady.”^(b) She has also poured herself into justice work on a broader scale. In 2023, she was appointed to the National Fish and Wildlife Foundation (NFWF) Board of Directors and to the U.S. Department of the Interior Secretary’s Tribal Advisory Committee, where she is one of two representatives for the Eastern United States region. The committee was created in 2021 to give Tribal leaders consistent direct contact with the Department.^(c) She was also one of 20 Indigenous leaders who shared their insight for a 2023 report on inequitable access to grants from The Land and Water Conservation Fund (LWCF), submitted to the National Association of Tribal Historic Preservation Officers and The Wilderness Society.^(d)

Proportionate to the amount of land tribes hold across the United States, Sovereign Nations receive only a small fraction of awards from the LWCF. Despite their sovereignty, tribes are required to access funding through their state governments. When they do receive an award, it is often restricted to projects that preclude Traditional activities. Chief Richardson spoke about these injustices, explaining the unique ways her Tribe approaches conservation and how that makes it difficult to obtain federal monies under current systems.

The report resulted in a resolution advocating for better tribal access to federal funding for Indigenous-led land and water conservation and return of ancestral lands, which was sponsored by Chief Richardson. The resolution was advanced with the support of all the Virginia tribes as one of the first formal actions of the Indigenous Conservation Council and adopted by the National Congress of American Indians in November 2023.^(e) That an intertribal group could mutually advocate for shared conservation goals is a major accomplishment.

(a) Richardson, Chief Anne. “Tribe wants all of Fones Cliffs to be conserved.” *The Freelance Star*. October 13, 2018.

(b) Wyatt, Melissa Castro. “How Chief Richardson Got Her Land Back.” University of Virginia, UVA Law (Blog), March 30, 2023.

(c) U.S. Department of Interior. “Secretary’s Tribal Advisory Committee.” Accessed December 13, 2023.

(d) Spears, Michael C., Sean O’Meara, and Barry Price Steinbrecher. Tribal Access to the Land and Water Conservation Fund. Tucson, AZ: Anthropological Research, LLC, 2023.

(e) The National Congress of American Indians. *Supporting Advocacy to Establish a Native American Land and Water Conservation Fund*. No 23-003. Adopted November 2023.

Nonprofit Partners

For decades, non-profit organizations have advocated for protection of the beautiful and well-documented natural and cultural resources of the Rappahannock River. Their work was instrumental in establishing the Rappahannock River Valley National Wildlife Refuge in 1996. Since then, united under the Rappahannock Land Protection Partnership, these organizations have been actively pursuing and completing land conservation transactions within and near the refuge boundary. Included among the past and present members are Chesapeake Conservancy, Chesapeake Bay Foundation, TCF Department of Defense, Ducks Unlimited, Friends of the Rappahannock, The Nature Conservancy, Northern Neck Land Conservancy, Rappahannock Tribe, Trust for Public Land, and Virginia Outdoors Foundation. In 2010, the partnership received the Secretary of the Interior's Partners in Conservation Award in recognition of their collective work and accomplishments.

Chesapeake Conservancy and TCF, in particular, have made important contributions, assisting the Tribe in reclaiming ancestral lands. Chesapeake Conservancy purchased and donated 465 acres to the Tribe in 2022 and plans to convey an additional 703 acres in 2024. In December 2022, TCF purchased 964 acres of Fones Cliffs, which it plans to transfer to the Tribe in 2024, nearly doubling the area the Rappahannock formally owns.

Private Philanthropists

In 2017, Ms. Virginia Warner donated funds that the Conservancy used to purchase an acre of land near Fones Cliffs with significant cultural value for the Tribe. The funds also helped the Conservancy demolish an old house that stood on the property and facilitate a celebratory event to mark the historic reunification. Warner worked with the Conservancy to return the land to the Tribe, which now uses it as a staging area for its Return to the River Program. The program helps train and educate tribal youth in traditional knowledge and practice and supports public awareness for surrounding communities.

In 2021, the Angle family indicated their hopes of donating to conserve land on the Rappahannock River. The family knew that it often takes years for parcels to be conserved and were looking for a project that was ready to go. They wanted their donation to start making an impact right away. Together, Chief Richardson and the Conservancy were able to solidify the family's awe for the area's natural assets and inspire their trust in the Tribe and the Conservancy to put their dollars to work.

The Rappahannock Tribe attracted another large donation from Walmart's Acres for America Program. Since 2005, Walmart has been collaborating with the National Fish and Wildlife Foundation to support one of the largest public-private land conservation partnerships in the country.²⁹ The Acres for America Program began with the aim to permanently conserve one acre of land for each acre that Walmart developed by making grants to land trusts and conservation organizations across the U.S. In 2022, one of these grants went to the Rappahannock Tribe. Combined, the grant and the donation from the family were enough to purchase 465 acres of Fones Cliffs land, known as Pissacoack. In 2023, the Tribe received a second grant from Acres for America to support the acquisition of an additional 964 acres, which is expected to close in late 2024.

²⁹ "Acres for America: Places to Visit." National Fish and Wildlife Foundation. [https://www.cbf.org/about-the-bay/bay-facts.html#:~:text=The%20Chesapeake%20Bay%20Watershed,-The%20Bay%20and&text=includes%20parts%20of%20six%20states,of%20the%20United%20States\)%3B](https://www.cbf.org/about-the-bay/bay-facts.html#:~:text=The%20Chesapeake%20Bay%20Watershed,-The%20Bay%20and&text=includes%20parts%20of%20six%20states,of%20the%20United%20States)%3B).

Federal Partners

The Rappahannock River Valley National Wildlife Refuge (Refuge) was established in 1996, and its acquisition boundary encompasses over 260,000 acres, including Fones Cliffs FWS identifies Fones Cliffs as a high-priority conservation area and has been integral to its protection.³⁰ The FWS owns 252 acres on the cliffs that it incorporated in the Rappahannock River Valley National Wildlife Refuge and holds the easement on another 465 acres. In 2024, FWS plans to purchase conservation easements on both the 703-acre “Phase 2” acquisition of property, as well as on the 964-acre parcel acquired by TCF in 2022.

Refuge and tribal lands are adjacent to each other on Fones Cliffs. At the end of 2023, the Refuge protects, within its boundaries, a total 10,000 acres—about 4,047 hectares—(including the properties on Fones Cliffs) in fee title and easement lands across five Virginia counties flanking both sides of the Rappahannock River,¹ and aims to bring that total to up to 20,000 acres (8,094 hectares) in coming years. This larger project has facilitated cohesion between the Rappahannock Tribe, FWS, U.S. National Park Service (NPS), and other nonprofit partners with shared values and each partner playing a role in the context of a larger landscape.¹

The mission of the National Wildlife Refuge system is to administer a national network of lands and waters for the conservation, management, and, where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans. Among other directives, Director’s Order #226 (issued 9/8/2022) states that the U.S. Fish and Wildlife Service will “engage in co-stewardship, consistent with applicable laws, where Federal lands and waters are located within or adjacent to federally recognized Tribal lands...” Pursuant to that directive, the FWS and the Tribe are co-stewarding several properties and project on Fones Cliffs and in adjacent area, including ongoing planning for the Cat Point Creek environmental education center.

Local Landowners and the Power of Community

Across landscapes of all types, connectivity is key to the health integrity of habitats, species, and the provision of ecosystem services. The land that is protected by the Rappahannock Tribe derives additional value from surrounding tracts that are well.

A local family owns about 2,200 acres across the river from Fones Cliffs. The family has developed a reputation as allies of the Tribe and have been staunch conservationists and advocates for Fones Cliffs for decades. Much of the family’s property is a rich wetland habitat that is integral to landscape health and supports healthy populations of fish and waterfowl that, in turn, help sustain the region’s flourishing eagle populations. The family placed their land under voluntary conservation easement to ensure it continues to serve the community, naturally, culturally, and aesthetically in perpetuity. Chief Richardson recognized that saving the unspoiled eagle and migratory bird habitat, which is a shared commitment to conservation between the Tribe and local landowners, is more important than the historical division. She offered thanks to the family for caring for the land that is sacred to the Tribe. The family and the Tribe continue to maintain close personal relationships.

³⁰ McCauley, Joseph.

Chief Richardson spoke about the healing power for the land and people of this type of community collaboration in an online seminar hosted by the Conservancy in June 2023. “It brings us together, and it takes down the walls of separation that have been there for a very long time, and it creates friendships and families, and it brings us back together around the love for the land.” She said it repairs not only human-to-human relationships but also connections between people, plants, animals, and natural resources. “From an emotional and mental standpoint, it is therapeutic in so many different ways. It is a model that has been created by us—this team—and all of those who have supported it.”

“It’s unique, but I think it’s the future,” added Dunn. “We now realize that no one entity can do it by themselves. Even if you have the national power of the U.S. Fish and Wildlife Service and the U.S. Government, you cannot do it on your own ... It takes partnerships, and we need to collectively leverage each other’s strengths, knowledge, networks, and resources.”³¹



American Eagle in Flight. Credit: Bill Portlock photo.

A United Indigenous Voice

A newer collaboration now furthers similar objectives to those championed by the Fones Cliffs team, but on a broader scale, bringing together Indigenous leaders from across the Commonwealth to ensure Tribal needs and values are reflected in conservation initiatives.

Chief Richardson conceived and hosted an annual sovereignty conference to educate state government and the public on the meaning of tribal sovereignty and building government-to-government relationships.³² Understanding the challenges facing the seven federally recognized tribes in Virginia as they stand up their governments, Chief Richardson selects conference themes that she believes will benefit all the tribes and the agencies and elected officials who interact with them. The first conference in 2021 featured a team of research scholars who presented the history of treaties between the colonists and the Tribes.³³

In 2022, the conference topic was Indigenous-led conservation. Tribal Chiefs from the seven federally recognized tribes sat down together following the conference to hear Chief Richardson’s proposal to form a new way to strengthen Indigenous-led conservation across the Commonwealth.³⁴ That day, they agreed to form the Indigenous Conservation Council (ICC) for the Chesapeake Bay, an organization meant to increase the capacity of Tribal Nation to re-acquire and steward their ancestral lands. Today, leadership from all seven federally recognized tribes, including Chief Richardson, serve on the ICC Board of Directors, with Chief Richardson serving as the Chair.

³¹ Richardson *et al*, “Fones Cliffs and the Rappahannock Tribe.”

³² www.sovereignnationsva.org

³³ [Sovereign Nations of Virginia Conference - Part 1 \(youtube.com\), www.youtube.com/watch?v=gYhrOicNyyw](https://www.youtube.com/watch?v=gYhrOicNyyw)

³⁴ *Indigenous Conservation Council, ICC.pdf*

The ICC's goals are to: establish a watershed-wide council of federally recognized tribes and state affiliate membership system for state-recognized tribes; fund land acquisition and conservation to increase tribal land ownership and connection to historical and cultural landscapes; facilitate resource sharing; and elevate Indigenous leadership for land conservation and restoration.

Cultural Heritage Partners—a law, policy advocacy, and business strategy firm focused on history and cultural heritage issues—supported the group's incorporation as a nonprofit, donating more than 45 hours to drafting by-laws and other organizational documents.

These developments reflect a slowly changing legal landscape for Indigenous-led conservation in Virginia.³⁵ The year 2022 also marks the establishment of the Virginia Black, Indigenous, and People of Color Historic Preservation Fund, meant to help the titular communities access state funding for culturally important conservation projects. The Code of Virginia was amended the same year to allow Virginia Tribes to apply for state conservation funds previously off-limits to the sovereign nations.

The ICC is a formal representation of Tribal relationships that have been established over centuries. The collaborative working relationship of the seven tribes is a part of their traditional strategies used for hundreds of years to protect and accomplish shared goals. For 20 years, Virginia Tribes worked together to gain federal recognition.³⁶ It was a process that called on them to join hands, pool resources, and come together over shared histories, family ties, and mutual respect. From here, the grounds were fertile for an organization like the ICC that harnesses this collective strength to advocate for further Indigenous rights.

The idea of having the FWS own an interest in land that would be owned in fee by a federally recognized tribe had never been proposed, so navigating it to the finish line required a new level of understanding and effort.

Where the Work is Headed

The Rappahannock Tribe intends to put the lands they acquire at Fones Cliffs in trust with the federal government, Bureau of Indian Affairs (BIA). The BIA defines the federal trust's responsibility as "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 American Indian and Alaska Native Tribes and villages."³⁷

Having lands placed in trust would open new economic opportunities for the Tribe. Accordingly, the Tribe did not want any roadblocks to these plans. Working cooperatively with BIA, the Tribe confirmed that the easement would not preclude the lands from going into trust.

Another hurdle is a requirement from some state grant programs that requires the state to hold an interest in land that is purchased in whole or in part with state funds. This would, in turn, cause the Tribe to cede a level of sovereignty to the state. Legal experts from the state and the Tribe are working to resolve this issue.

³⁵ Richardson, Anne and Dunn, Joel. "Opinion: Virginia recognizes the promise of Indigenous-led conservation." *The Washington Post*. August 19, 2022. [Opinion | Virginia recognizes the promise of Indigenous-led conservation - The Washington Post](#).

³⁶ "Trump signs bill giving recognition to 6 Virginia tribes". *Associated Press*. January 30, 2018. [Trump signs bill giving recognition to 6 Virginia tribes | AP News](#).

³⁷ Allen, Christopher. "What is the federal Indian trust responsibility?" *U.S. Department of the Interior*, November 8, 2017. [What is the federal Indian trust responsibility? | Indian Affairs \(bia.gov\)](#).

Most of the Rappahannock ancestral land that has been protected has yet to be transferred to the Tribe. The Conservancy holds 703 acres, and TCF owns another 964 acres. Both organizations are collaborating with the Tribe to transfer their parcels to the Rappahannock, but the process requires the Tribe to purchase the land. Despite the strides the partnership has made in accessing funding, there are still unique challenges for Indigenous-led initiatives, especially when it comes to federal funds, such as those offered through the Land and Water Conservation Fund (LWCF).

In 2023, Chief Richardson worked closely with several research groups studying disparities in LWCF awards to Tribes. She shared with these groups the challenges and discrimination her Tribe has faced trying to access the fund. She also explained the difficulty in using LWCF grants to protect land without precluding cultural activities.

She worked with the ICC to develop a resolution that was advanced with the support of all the Virginia tribes as one of the first formal actions of the ICC and presented to the National Congress of American Indians to support advocacy to establish a Native American Land and Water Conservation Fund. The resolution was adopted by the General Assembly at the 2023 Annual Convention of the National Congress of American Indians, held November 12-17, 2023, in New Orleans, Louisiana.

As noted above, Chief Richardson was recently appointed by Secretary Haaland to the board of the National Fish and Wildlife Foundation and the U.S. Department of the Interior Secretary's Tribal Advisory Committee. This work gives her direct access to policymakers at the highest levels in the U.S. Government at a time when the nation is making critical changes to its systems for managing, protecting, and conserving land and water resources, both domestically and on a global scale.

The Rappahannock Tribe is planning carefully how to use the land it now owns to promote culture and education for and about the Tribe. "Because we have been kept off of the river for so many generations, we [want] to open our property up to the public. We [want] people to be able to come in and experience what we experience there," said Chief Richardson. "We're using it as an opportunity to tell the history of the Tribe, which has been largely hidden all these years."³⁸

One way in which Chief Richardson hopes to share the Tribe's heritage with the public is to make canoes available at the planned Indigenous Conservation Education Center. From the boats, paddlers can learn about the 15 Rappahannock villages that stood along the north bank of the river. "People can canoe, go to those places, and see them for themselves so that those landmarks never get lost again," said Chief Richardson.

In addition, the Tribe, in partnership with the FWS, is planning to create a replica 16th-century village at Pissacoack. At the village, visitors will be immersed in the traditional activities of Rappahannock Tribal People and have the opportunity to learn from Traditional Ecological Knowledge resources. Space will also be set aside there for Tribal ceremonies.

All these projects will be planned, managed, and overseen collaboratively by the Rappahannock Tribe and the FWS, strengthening a unique partnership that blends knowledge systems to create a more robust approach to conservation. Chief Richardson explained the power of this alliance. "We have our Traditional Cultural and Ecological Knowledge, but we have not had science behind it. We just know it is the way we think, it is how we work, how we live on the land." Now, that will be paired with the FWS's scientific knowledge and taught comprehensively to youth. "That partnership is going to be so exciting,

³⁸ Richardson *et al*, "Fones Cliffs and the Rappahannock Tribe."

not only for the education of future generations, but the way that we manage land, love land, nurture it as our mother, and care for it.”³⁹

Conclusion

The story that is unfolding at Fones Cliffs is unique and innovative. The team behind it believes that similar projects will one day be standard across the United States, in part because of what happened at Fones Cliffs. The Rappahannock Tribe, the Refuge, the Rappahannock Land Protection Partnership, private funders, other non-profit partners, and citizen advocates all recognize that their goals were applicable not only to the Rappahannock Tribe but also at the state and national levels. They leveraged shared values to build a strong, cross-sector team. They told powerful stories and brought people out onto land to impart the importance of conserving a landscape. They are working through historical conflicts to establish new relationships between people, governments, and land. They are beginning to reshape the systems that enable us to protect land in a complex and fast-paced society.

Their involvement in this project has helped groups like Chesapeake Conservancy grow and mature in their understanding of how best to support the Rappahannock and other Indigenous tribes. “We developed a model that we think is transferable to other tribes, other refuges, other parks, potentially. And we have created something that is enduring, that will last forever,” said Dunn.⁴⁰

Chief Richardson has been asked to speak about her work on behalf of the Tribe at conventions and on panels across the country. Americans want to hear the story of the cliffs that were saved and how people came together across boundaries to make it happen. They want to know how they can do the same for the land that they love. “It’s been one of the highlights of my career as a chief because it really reaches out beyond the Tribe, which is what my Tribe has always had a vision to do,” said Chief Richardson. “It brings in the entirety of humanity because we are all one big Tribe, actually; we just do not know it. We have been separated for a long time, and it is now like coming home again.”⁴¹

Chief Richardson’s personal vision of reuniting the Tribe with its ancestral homeland began with her father, Captain Nelson, who was Chief of the tribe before her. His dream was for the Tribe to have access to land that had once been their home for centuries. He and his father, Chief Otho Nelson, taught her the significance of the land, how to sustainably manage it, and how to learn critical life lessons by observing nature and wildlife. Neither one lived to see this day come when Rappahannock drums echo from the cliffs, but Chief Richardson knows they hear the heartbeat of the Tribe in its rightful place once again.

³⁹Richardson et al, “Fones Cliffs and the Rappahannock Tribe.”

⁴⁰ Joel Dunn speaking in Richardson *et al*, “Fones Cliffs and the Rappahannock Tribe.”

⁴¹ Richardson et al, “Fones Cliffs and the Rappahannock Tribe.”



Fones Cliffs on the Rappahannock River, FWS Photo Credit: Paul Welch.

Appendix 1. Timeline⁴²

1607/1608

- First encounters of the Rappahannock People and Captain John Smith.

1640s/1700s

- Rappahannock People repeatedly relocated away from their ancestral homelands on Fones Cliffs.

1921

- Rappahannock Tribe [incorporates](#) to begin fighting the Commonwealth of Virginia for formal recognition.

1981

- Rappahannock Tribe, Inc. is recognized by the Internal Revenue Service as a nonprofit 501(c)(3) organization and begins fundraising to support tribal programs.

1983

- Rappahannock Tribe [recognized](#) as historic tribe of the Commonwealth of Virginia by an act of the General Assembly, March 25.

1998

- Chief Anne Richardson elected to serve as Chief of the Rappahannock Tribe.
- Rappahannock Tribe [reactivates](#) the work it began in 1921, this time to earn federal acknowledgment.
- USFWS establishes the Rappahannock River Valley National Wildlife Refuge.

2003

- TCF and USFWS meet with the landowner of 252-acre parcel and begin the process of appraising and making offers on the property (four offers over the next 10 years are declined). The 69-acre Peter Tract (which now surrounds Warner Tract) is acquired in fee by FWS using LWCF dollars.

2006

- President George W. Bush [signs](#) legislation to establish the Captain John Smith Chesapeake National Historic Trail, which was initiated by TCF and the Chesapeake Bay Commission. The project preserves the memory of the first contact between the Rappahannock Tribe and Smith, which was a turning point in relations between Indigenous People and European explorers.

⁴² Based on the timeline compiled by the Chesapeake Conservancy at <https://www.chesapeakeconservancy.org/fonescliffs>.

2007 – 2018

- Two major resort development proposals [threaten](#) Fones Cliffs; 250 acres approved for subdivision and development, followed by rezoning of 964 acres. FWS and non-profits make offers to purchase the lands but are rejected. Private conservation-minded landowners and community members begin their long fight to protect the cliffs from development.

2017

- Virginia and John Warner make financial donations to Chesapeake Conservancy, which the Conservancy uses to purchase an acre of land surrounded by the Peter Tract and donates it in fee to the Rappahannock Tribe. This marks the Tribe's return to the river after 350 years of separation.
- Virginia True purchases 965 acres of Fones Cliffs for \$12 million.
- Virginia True becomes entangled in legal battles for clearing without a permit; land later goes to a bankruptcy auction.
- Republican State Representative Robert J. Whittman introduces a proposal for six Virginia Tribes to be granted federal recognition as sovereign nations. (H.R.984 – Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017).

2018

- Rappahannock Tribe federally recognized as a sovereign nation through the Indian Tribes of Virginia Federal Recognition Act, passed January 29. A legislative priority of U.S. Senators Tim Kaine and Mark Warner.
- TCF negotiates for the purchase of, and closes on, the 252- acre property.

2019

- TCF sale of 252-acre property to the FWS takes place using LWCF funds.

2021

- The donor family introduced by The Wilderness Society approaches Chesapeake Conservancy to donate/conserve land on the river.

2022

- Chesapeake Conservancy acquires in fee 465 acres formerly owned by Northern Neck Lumber and then donates an easement to FWS and donates the fee title to the Rappahannock Tribe. This was made possible by a generous family donation.
- Walmart's Acres for America grant goes to Rappahannock and is combined with donor funds to purchase 465-acre Pissacoack parcel.
- 964 acres acquired at auction by TCF for \$8.1 million (USD). TCF plans to sell an easement to FWS, with the value to be determined by appraisal. The Tribe and TCF are fundraising to help TCF

recover its costs and to secure fee title to the property for the Tribe. It hopes to close in the Spring of 2024.

- The Code of Virginia is amended to allow state tribes to apply for state funding from the Virginia Land Conservation Fund.
- Virginia establishes the Virginia Black, Indigenous, and People of Color Historic Preservation Fund to increase access to state funding for projects that preserve culturally important land for BIPOC communities.

2023

- 703 acres adjacent to the 465-acre plot are purchased by Chesapeake Conservancy. Funds to acquire the property were again provided by the same donor family. The Conservancy plans to sell an easement to FWS pending appraisal. The Tribe has received funding from National Fish and Wildlife Foundation Walmart Acres for America, Virginia Land Conservation Foundation, and FWS (Chesapeake WILD) and is still fundraising to close the gap and purchase the property.
- Cat Point Creek Lodge transferred from FWS to the Tribe.

2024

- By the end of the year, the 703 acres owned by Chesapeake Conservancy and the 964 acres owned by TCF are slated to be placed under USFWS easement, and fee title transferred to Tribe.