**Save Rassawek Backgrounder**

***Embargoed Until March 16, 2022, at 2:30 PM EDT***

Key resources:

* Invitation-only Press Conference on March 16, 2 PM, Zoom link:

<https://us02web.zoom.us/j/88989591744>

* Video – The PBS travel show, The Good Road, filmed an episode about the Monacan Indian Nation's battle to save Rassawek that is now available to more than 90 million people with public TV and on Delta Airlines flights worldwide. The Good Road and Monacan Indian Nation grant permission to link to the footage, extract stills, and extract quotes from interview participants:

<https://philanthropyjournal.com/monacan-video/>

* All prior public filings and press coverage:

<https://www.culturalheritagepartners.com/saverassawek/>

Contact

Legal counsel to the Monacan Indian Nation:

Greg Werkheiser (703) 408-2002 ([greg@culturalheritagepartners.com](mailto:greg@culturalheritagepartners.com))

Founding Partner, Attorneys at Law

[Cultural Heritage Partners, PLLC](https://www.culturalheritagepartners.com/)

Richmond, VA; Washington, DC; NYC, NY

On Wednesday, March 16, the James River Water Authority is expected to vote to move its proposed water supply project away from – and thus avoid destroying – the Monacan historic capital of Rassawek. This rare victory for the preservation of tribal sacred places comes after years of public advocacy from the Monacan Indian Nation and its allies across the country.

* Rassawek, located on Point of Fork in Fluvanna County, at the confluence of the James and Rivanna Rivers, is the historic capital of the Monacan Indian Nation. It was identified on John Smith’s 1612 Map of Virginia and described as the “chiefest” town to which all other Monacan towns paid tribute. Carbon dating and archaeological investigations show Monacans living at Rassawek for 200 generations beginning 4,730 years ago. (By comparison, the colonial capital at Jamestown hosted ~3 generations and has been carefully preserved and excavated over the past 80 years.)
* The Smithsonian Institution documented Rassawek in the 1880s, including dozens of burials of Monacan ancestors. Researchers again verified the location of Rassawek in the 1930s and the 1980s.

In 2014, the James River Water Authority (JRWA) initiated plans to build a water pump station and pipeline on top of Rassawek, despite the Commonwealth’s Department of Historic Resources, Preservation Virginia, and many prominent archaeologists cautioning them about the extreme historic sensitivity of the area. Undeterred, JRWA proceeded to purchase land at Rassawek in 2016 and built a water treatment plant nearby, without having permitting approvals for the water intake.

JRWA waited until May 2017 to inform the Monacans about its plans to destroy Rassawek and contacted the Nation only after required to do so by the Army Corps of Engineers’ permitting process. JRWA told the Monacans that there were no feasible alternatives for the project, and their historic capital would have to be destroyed. The Monacans doubted that Rassawek was the only possible location for the project and hired legal counsel in September 2018. Not long after, documents obtained by counsel revealed that there were *multiple* feasible alternatives for the project, but they were more expensive.

In 2020, JRWA applied for an individual permit from the Army Corps of Engineers. (An earlier, simpler permit application was shelved after a brave whistleblower came forward in 2019 with shocking revelations that JRWA’s initial archaeological consultant employed untrained and qualified staff, lied to state officials, misrepresented archaeological findings, and did not follow accepted archaeological standards. The consultant was then disqualified by the Commonwealth of Virginia.) The Army Corps solicited public comments on the application in June 2020.

In a massive show of opposition to JRWA’s plans, more than 12,000 individuals and dozens of organizations representing tens of thousands of other private citizens made their voices heard. Among those in opposition: entities representing most of the 574 federally recognized tribes in the U.S., including the National Congress of American Indians, United South and Eastern Tribes, and the Alliance of Colonial Era Tribes. The premier voices for historic preservation filed comments to oppose the project, including the National Trust for Historic Preservation and Preservation Virginia. Leading environmental advocacy groups also weighed in, including the Southern Environmental Law Center and the Sierra Club, as did faith communities such as divisions of the Episcopal church and the Society of Friends. Municipal and political leadership filed letters of opposition, including the City of Richmond and Congressman Donald McEachin (D-VA). In contrast, only one individual expressed support for the project.

In September 2020, the National Trust for Historic Preservation recognized the critical significance of Rassawek and named it to their annual list of America's 11 Most Endangered Historic Places. <https://vimeo.com/461193500>.

Following this public outpouring of opposition to the project, JRWA asked the Corps to pause consideration of the permit application. The Monacan Indian Nation then worked with JRWA to identify an alternative location for the pump station that would not disturb Monacan burials. JRWA agreed to hire a reputable archaeological consultant chosen by the Nation and to conduct investigations of the alternative route. Those investigations have revealed little likelihood of burials on the alternate route and fewer impacts to historic and cultural resources.

JRWA now plans to vote to move the project to this alternative. The Nation has agreed to support JRWA’s permit application for the alternative, and JRWA has agreed to work with the Nation to transfer ownership of JRWA’s property at Rassawek to the Nation. The Nation will then consider whether and how to help manage the site to the benefit of all people who love history and seek to learn from other cultures.

This positive resolution is important for at least four reasons.

First, Virginia’s history of maltreatment of Native people, including erasing their history and identities is among the most egregious of all the states. It is the reason that the seven federally recognized tribal nations headquartered in Virginia are among the last to be federally recognized—six of them were recognized only in 2018. The fight to save Rassawek is the first instance in which a Virginia tribe has drawn a hard line in the sand to leverage its federally recognized status to defend its culture. Prior practices of governments and developers ignoring pleas to protect what remains of the tribal nations’ history are coming to an end.

Second, because such victories are so rare, the Rassawek story reveals that federal agencies too frequently fall short in their trust duties to consult with and look out for the interests of tribal nations when projects threaten their cultural heritage, a failing that the federal government itself has documented (<https://www.gao.gov/products/gao-19-22>).

Third, the victory provides a model to Tribal Nations and historic preservation groups nationwide for effective advocacy. It was not legal arguments, political lobbying, grassroots advocacy, public and media messaging, or coalition-building alone that resulted in success; it was an all-of-the-above strategy relentlessly knitting these tactics together. In this case, the Nation’s legal team provided its services *pro bono*, and citizen volunteers proved indispensable. But how many irreplaceable sites are lost because historically oppressed peoples cannot afford the millions of dollars it can take to secure representation for multi-year controversies like this one?

Fourth, the resolution reveals the false choice between preservation and development. Rassawek will be preserved, *and* the residents of the surrounding counties will have water access. *Early* and *honest* dialogue with Tribal Nations and other potentially impacted communities can identify concerns early, speed development, and avoid unnecessary project costs and delays.

The Monacan Indian Nation is a federally recognized sovereign tribe and a state-recognized tribe in the Commonwealth of Virginia, headquartered in Amherst County. With approximately 2,600 citizens, the Monacan Indian Nation is the largest federally recognized tribe in Virginia, and the Monacans once occupied half of the land that currently makes up the Commonwealth. The Monacans had hundreds of villages, but their historic capital, the community to which all other villages paid tribute, was Rassawek. Its archaeological remains are on a point of land where the James and Rivanna Rivers meet, called Point of Fork.