

# **PONCA TRIBE OF NEBRASKA**

## **COMMUNITY ENVIRONMENTAL PROFILE**

### **PONCA TRIBAL GOVERNMENT:**

The United States Government as defined by the United States Constitution has governmental relationships with International, Tribal, and State entities. The Tribal nations have a government-to-government relationship with the United States. The Ponca Tribe signed treaties with the United States which are the legal documents that established the Tribal homeland boundaries and recognized our rights as a sovereign government.

The Ponca Tribe lived near the Missouri River in present day Nebraska in the days prior to diplomatic relations with the United States government. The Ponca Tribe signed several treaties in 1817, 1825, 1858 and was originally designated reservation lands along the Missouri River recognized in a treaty with the United States signed in 1865.

The Ponca Tribe operates under a constitution consistent with the Indian Reorganization Act of June 18, 1934. The Tribal Council governs the Ponca Tribe. The Tribal Council consists of a Chairman, Vice-Chairman, Secretary, Treasurer and five additional Council members all of whom are elected by the tribal membership.

The Tribal Council Chairman serves as the administrative head of the Tribe. The Tribal Chairman, Officers and Council serve a term of four years.

Tribal/Agency Headquarters:	Niobrara, Nebraska 68760 Knox, Holt, Boyd, Douglas, Burt, Sarpy, Lancaster, Hall, Madison, Stanton, Wayne and Platte in Nebraska, Charles Mix in South Dakota and Woodbury and Pottawatomie in Iowa
Counties:	
Number of enrolled members:	2,651
Website:	<a href="http://www.poncatribene.org">www.poncatribene.org</a>
Reservation Population: (Service Areas)	1,090
Labor Force:	Not available
Unemployment percentage rate:	Not available
Language:	Ponca and English

Land Status:

Total Area:	647.22 acres
Tribal Owned/Use:	647.22 acres
Individual Allotted:	Not available
Total Tribal/Allotted:	Not available
Non-Indian Owned:	Not available

**LAND:**

The Ponca Tribal homelands are located in portions of three noncontiguous counties located in the eastern third of the state of Nebraska. The counties are Knox and Madison, situated in the northeastern section of the state, Douglas and Lancaster, located in southeastern Nebraska and Charles Mix in south central South Dakota. The service area covers approximately 1,800 square miles. The Tribal Headquarters is located in Niobrara, Nebraska. There are five field offices located within the service area. in Lincoln, Norfolk, Omaha, Carter Lake and Sioux City, Iowa.

While the Ponca Tribe of Nebraska does not have a Reservation, the Ponca Tribe maintains the right and responsibility to provide environmental authority in compliance with Tribal and Federal law for protection of the land and resources within the boundaries of the Service Areas counties through code development and regulatory mechanisms. This includes all rights-of-way, waterways, watercourses and streams running through any part of the Service Areas counties and to such others lands as may hereafter be added to the land base within any of the Service Areas counties under the laws of the United States. The maintenance and protection of the land is very important to the Ponca Tribe. and our future generations.

**HISTORY:**

On their journey westward in 1804, Lewis and Clark came upon the Ponca Tribe. The Ponca were a small tribe, numbering approximately 700 during the 1800's. Lewis and Clark reported that the tribe, once a part of the Omaha Tribe, separated and lived along a branch of the Red River near- Lake Winnipeg. However, the Sioux forced the Ponca, as well as many of the smaller plains cultures, to relocate to the west bank of the Missouri River in the early 1700's.

Because of the Ponca's limited population, they were subject to both the Sioux and the advancing wave of white settlers. The Ponca's did not engage in any wars or other armed conflict after 1825. Nor do records exist showing that any member of the Ponca Tribe ever killed white settlers or soldiers.

The Ponca Tribe entered into four treaties with the government of the United States. The Treaty of 1817 was a treaty of "peace and friendship" between the two nations. In the Treaty of 1825 the Ponca's acknowledged that they lived within the "territorial limits of the United States" thereby recognizing the supremacy of the government. The Ponca's also authorized the government to regulate all trade and commerce.

The third treaty, signed in 1858, nullified the Ponca's' title to all their lands occupied and claimed by them "except for a small portion on which to colonize or domesticate them." The fourth and final treaty signed in 1865 ceded an additional 30,000 acres of their reserved land. This final treaty provided for a reservation of 96,000 acres in the present day Nebraska counties of Knox and Boyd.

It was the Fort Laramie Treaty of 1868 that forever altered the course of Ponca history. Among other things, it established the boundaries of the Great Sioux Reservation which included 96,000 acres of land that was the Ponca Reservation. The Ponca became trespassers in their own aboriginal homeland, over the next eight years the Ponca repeatedly appealed to the government for assistance but received very little.

In 1876, the government formulated a policy to consolidate as many tribes as possible in Indian Territory in Oklahoma. The Ponca Tribe was approached by a government agent who offered to take the Ponca chiefs to Oklahoma to look over several alternative reservation sites. Prior to their departure, the agent promised the chiefs that if they didn't like the land they saw they could return to their Nebraska homeland. The Ponca chiefs made the journey to Indian Territory, visiting many different land reserves which were equally barren and unsuitable for agriculture.

The chiefs agreed not to exchange their land but instead return home. Upon informing the agent of their decision, the agent threatened to withdraw all money and support, including the interpreter. The chiefs stubbornly refused to relinquish their Nebraska homeland so the agent departed without the Ponca chiefs. The chiefs, some of whom were advance in years and ill, were forced to make the journey in the middle of winter without money, food, or an interpreter. Fifty days later, near starvation, the Ponca chief-, reached the Oto Reservation along the Kansas-Nebraska border. The Oto provided them with enough food and ponies to make their way back to Niobrara.

When the chiefs returned home, they found their people already preparing for the move. Federal troops were called in to enforce the removal orders. The long march took a heavy toll on the tribe, over half of which were women and children. Storms, poor road and traveling conditions greatly impeded their journey; causing much suffering and death. Standing Bear's daughter was among those who died along the way.

In the summer of 1878 the Ponca arrived in Indian Territory. The Ponca were quartered in tents they had brought with them. No other provisions had been made by the government for their accommodation. Discouraged, homesick, and homeless, the Ponca found themselves in the land of strangers, in the middle of a hot summer, with no crops nor prospects for any. Having been on the move through the summer of 1877 and 1878

the Ponca had been unable to cultivate the soil for two years. In 1878 they suffered greatly from malaria. As the Ponca had come from their northern home where such ills were little known, the disease was particularly fatal to them. Many died of it after they reached the Indian Territory. In fact since the tribe had left Nebraska, one-third had died and nearly all the survivors were sick or disabled. Talk around the campfire was continually of the "old home" in the north.

Finally, the death of Chief Standing Bear's eldest son set in motion events which were to bring a measure of justice and worldwide fame to the chief and his tribe. Unwilling to bury his child in the strange country, Standing Bear gathered a few members of his tribe and started for the Ponca burial ground in the North.

Because Indians were not allowed to leave their reservation without permission, Standing Bear and his followers were labeled as a renegade band. The Army advanced and took them into custody and was prepared to escort them back to their reservation in Indian Territory. The Omaha Daily Herald publicized the plight of the Ponca and two prominent attorneys decided that a writ of *habeas corpus* could prevent the Ponca from being forcibly returned to their reservation in Indian Territory. The government disputed the right of Standing Bear to obtain a writ of *habeas corpus* on the grounds that an Indian was not a "person" under the meaning of the law.

The case of Standing Bear vs. Crook was brought before Judge Elmer S. Dundy in U. S. District Court on April 30, 1879. On May 12, 1879, the judge filed in favor of Standing Bear. The government appealed Dundy's decision, but on June 5, 1880 the Supreme Court of the United States dismissed the case leaving Standing Bear and his followers free and clear in the eyes of the law. Although Standing Bear and his followers were free they had no home to return to. In August of 1881, 26,236 acres of Knox County, Nebraska were returned to the Ponca.

Although a portion of their Nebraska homeland was reinstated, only half of the tribe returned to their previous home. Poverty and disease would continue to take their toll over the years. In 1945 the government formulated a policy which called for termination of Indian Tribes. This policy effected some 109 tribes and bands, including 13,263 Native Americans and 1,365,801 acres of trust land. In 1962, the Congress of the United States decided that the Northern Ponca Tribe should be terminated. In 1966 the Northern Ponca were completely terminated and all of their land and tribal holdings were dissolved. This termination removed 442 Ponca from the tribal rolls and dispossessing them of 834 acres.

During the 1970's members of the Ponca Tribe, unwilling to accept their status as a terminated tribe, initiated the process of restoration to federal recognition. In 1986 representatives from the Native American Community Development Corporation of Omaha, Inc., Lincoln Indian Center, Sequoyah Inc., National Indian Lutheran Board and Ponca Tribe met to discuss what they needed to do to once again to become a federally recognized tribe. In the spring of 1987, the Northern Ponca Restoration Committee Inc. was incorporated as a non-profit organization in Nebraska and was the base for the federal recognition effort.

In April of 1988 the Nebraska Unicameral passed Legislative Resolution #128 giving state recognition to the Ponca Tribe and their members. This was an important step in the restoration efforts. The Ponca Restoration Bill was introduced in the United States Senate on October 11, 1989 by Senators James J. Exon and J. Robert Kerry. The Senate passed the Ponca Restoration Act by unanimous consent on July 18, 1990. The bill was signed into law on October 31, 1990 by President Bush.

Today the Ponca Tribe of Nebraska headquarters is located in Niobrara Nebraska. The Ponca Tribe, which was dissolved by an act of Congress over 30 years ago, is once again rebuilding its traditional culture. The Ponca are now rebuilding their land base, on their aboriginal homeland.

### **CULTURE:**

The Ponca Tribe of Nebraska was terminated in 1962 by an act of Congress. Since that time, many of the cultural aspects of the Ponca people have disappeared. In October 1990, the Ponca Restoration Act was signed and the Ponca have once again become a federally recognized Tribe. The Department of Cultural Affairs organizes programs to reintroduce and strengthen the culture and language of the Ponca People to Tribal members.

The Department of Cultural Affairs is in place to help tribal members research their families and tribal history, provide language restoration, and help tribal members become involved in the Ponca culture.

The Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 will enable the Ponca Tribe to once again have in their possession artifacts that are now housed in museums across the country. The return of these artifacts will add a wealth of information to the history and culture of the Tribe.

Information on tribal history is contained in books that have been purchased for the tribal library as well as copies of articles that have been written and published about the Ponca are being collected and organized for the tribal archives. This historical information is available for tribal members to utilize.

Regaining the Ponca language is a responsibility of the Department of Cultural Affairs. The reintroduction of the language to Ponca members will be a major step towards the Ponca people regaining their culture.

The Department of Cultural Affairs assists in planning the annual Pow-Wow which includes the reintroduction of Ponca songs, Ponca drum groups, and Ponca dancers.

Oral histories of the Elders and history as it unfolds today are being recorded.

The Homeland of the Ponca Tribe of Nebraska is located around Niobrara, Nebraska and has sites that are of significant importance to the history of the Tribe. The Department of

Cultural Affairs is documenting these sites and is in the process of locating related research materials from various universities and governmental departments. This information is being added to the tribal library.

The Department of Cultural Affairs is responsible for working with all cultural-related committees including the Cultural Committee, Pow-Wow Committee, and Cemetery Committee; has restored the Old Ponca Community Building and gained its designation on the National Register of Historical Places; obtaining grants for the enhancement of Ponca culture; administering the tribal museum and working with other museums in the area to create exhibits relating to the Ponca people.

### **DEMOGRAPHICS:**

Based on the records kept by the Enrollment Department for the Ponca Tribe of Nebraska total enrollment is 2,651 as of January 20, 2007. Major cities within the service areas are Omaha population 390,007, Lincoln 225,581, Norfolk with 23,516 and Sioux City with 85,013 based on the 2000 U.S. Census.

### **CLIMATE:**

[Ponca Service Area Offices are comprised of 4 noncontiguous counties in Nebraska, and 2 noncontiguous counties in Iowa each having unique topographical and climatic features. Service Area 1 offices; is the location of the Tribal Headquarters and is the location of the Traditional Homelands of the Ponca Nation, Niobrara is located at the mouth of the Niobrara River and on the south banks on the Missouri River situated in Knox County. The Northern Ponca Tribe has now purchased back five hundred thirty eight acres. The terrain is rolling hills with highly erodible lands. The areas precipitation is moderate and the temperatures can change very rapidly which the interchanging of warm south to southwest winds with cold air from the north to northwest. Of the land that the Northern Ponca Tribe has purchased five hundred thirty two acres is currently being use for their buffalo herd. Sioux City, Iowa situated in Woodbury County Is situated between Service Area 1 and 2 so the climate on average is closer to that of Service Area 2.](#)

Service Area 2 offices; Omaha, NE, situated in Douglas County, is on the west bank of the Missouri River. The climate is typically continental with relatively warm summers and cold, dry winters. It is situated midway between two distinctive climatic zones, the humid east and the dry west. Rapid weather changes, especially during the winter months, can be contributed to low pressure systems that cross the country. Carter Lake, Iowa situated in Pottawatomie County has the same type of climate as the other areas within this Service Area.

Service Area 3 office; Lincoln is near the center of Lancaster County in southeastern Nebraska. The western edge of the city is in the flat valley of Salt Creek, which receives a number of tributaries in or near the city and flows northeast to the Lower Platte. The chinook effect often produces rapid rises in temperature during the winter, although the

temperature has remained below zero degrees for more than 8 consecutive days. Annual snowfall is about 25 inches and has exceeded 59 inches. The maximum temperature has exceeded 110 degrees. Hot winds, combined with unusual wind force occasionally causes serious injury to crops. Normally the crop season, April through September, receives over three-fourths of the annual precipitation.

Service Area 4; Norfolk, situated in Madison County, is located in northeastern Nebraska in the valley of the Elkhorn River. The surrounding country is moderately rolling hills. The terrain becomes more level to the south and southwest. Norfolk is situated near the western limit of the Corn Belt. To the east, the climate and soils are favorable for diversified farming and dairying. To the west, precipitation becomes lighter and the farming country gives way to the grazing lands of the Great Plains. The rainfall is moderate, summers are hot and winters cold, with great variations in temperature and precipitation. The rapid changes in temperature are caused by the interchange of warm air from the south and southwest with cold air from the north. The rapid day to day changes in weather conditions produce an invigorating and healthful climate in northeast Nebraska. Norfolk is subject to the strong and persistent winds which prevail over the Great Plains states. Winds of 40 to 50 mph are not uncommon in this area, and gusts up to 100 mph have been recorded at Norfolk.

#### **TRANSPORTATION:**

Interstates include Interstate 29 which runs north and south; Interstate 80 which runs east and west; and major highways include Highway 81, north and south. Most highway systems are well maintained; however, driving conditions often become hazardous during winter snowstorms which produce blowing, drifting snow and icy road conditions.

Bus service, passenger and air freight services are available in the four service areas. City bus services are available in the larger cities; including Omaha, Lincoln, Norfolk, Sioux City, within the service areas as well as taxi services in all four service areas. However, with the large metropolitan areas involved, city bus and taxi services are not accessible to all of our clientele. Consequently, transportation is a barrier to accessing health care in the service area.

#### **PUBLIC UTILITIES:**

The Tribe is serviced by four utility companies. Niobrara is serviced by the North Central Public Power District and Niobrara Valley Electric and Sioux City is serviced by Mid American Energy; Norfolk by Nebraska Public Power District; Lincoln by Lincoln Electric Service; and Omaha and Carter Lake by Omaha Public Power District Metropolitan Utilities District.

#### **COMMUNITY SERVICES:**

Since the tribe was only reinstated (1990), community facilities are continually being developed and expanded. Currently, the community facilities for the Tribe include a

health and wellness clinic in Omaha, administrative offices in Lincoln, Niobrara, Norfolk and the Ponca Agency Building and grounds in Niobrara (which includes a community center building, pow wow grounds, cemetery, and bison reserve). The Tribe does have an administrative office in Sioux City that is a leased facility, not tribally owned. Most public facilities and amenities are available within this community of 21,000 people.

## **HOUSING:**

Most of the Tribal members own their own homes or rent privately. The Ponca Tribe's Housing activities are managed by the Northern Ponca Housing Authority, located in Norfolk, Nebraska. The Northern Ponca Housing Authority is governed by nine Board of Commissioners. The Board of Commissioners consists of a Chairman, Vice-Chairman, Secretary, Treasurer and five additional commissioners all of whom are appointed by the tribal council.

Currently, there are housing development activities occurring in Lincoln, Omaha, Niobrara, Sioux City and Norfolk. Housing activities include rental housing, home ownership programs, credit/finance counseling, rehabilitation and maintenance. The Northern Ponca Housing Authority may be contacted at (402) 379-8224, or at [www.poncahousing.org](http://www.poncahousing.org).

As of 2006, tribal environmental staff identified **groundwater and surface water at Ponca Agency and the East Pen may be impacted by agricultural runoff from croplands surrounding Tribal lands** as the major environmental problem on the Trust Lands of the Tribe.