Indigenous Leadership and Partnerships in Estuary Stewardship





National Estuarine Research Reserve System Science Collaborative





National Estuarine Research Reserve A S S O C I A T I O N

Mahalo, miigwech, k'ele, hiisa, luuwii, thank you, to the organizations that supported this project.

Introductory Context of Coastal Tribal Sovereignty Bree Turner

Tribal Nations - Nations within a Nation



There are 574 ethnically, culturally, and linguistically diverse federally recognized Tribal Nations in the United States. Each is a distinct political entity whose inherent sovereignty predates the United States and is reflected in their government-to-government relationship with the U.S. government.

Source: US Government Accountability Office

Tribal Sovereignty

- A legal word for an ordinary concept the authority to self-govern
- Hundreds of treaties, along with the Supreme Court, the President, and Congress, have repeatedly affirmed that Tribal Nations retain their inherent powers of self-government.
- Sovereignty can also apply to state relationships where government to government relationships exist through compacts or other agreements.



"Tribal Nations & the United States: An Introduction" developed by the National Congress of American Indians

Treaties

- 370 Treaties were signed between 1778 -1871 and have no expiration date, at least 45 additional treaties were never ratified
- Treaties vary widely in their terms and provisions. It is common to include hunting, fishing and foraging rights (often on lands outside the reservation boundary)
- Treaty making ending in 1871, since then relations are formalized through Congressional actions, Executive Orders and other agreements.

POINT NO POINT TREATY MEMBER TRIBES USUAL & ACCUSTOMED GROUND & STATIONS



This may is for illustrative purposes only and should not be relied on for any purpose other than to ascertain the general area where the PNPT comehor Tribse currently authorize fishing activities under the Boltk decision and the Treaty of Point No Point. Authorized areas of fishing can be subject to change and in no way should be considered to limit the treaty rights of the member Tribses.

Indigenous Peoples

Indigenous Peoples and Local Communities - Groups who are descended from and identify with the original inhabitants of a given region, in contrast to groups that have settled, occupied or colonized the area more recently.

Source: Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services



Indigenous Peoples - includes state-recognized tribes; indigenous and tribal community-based organizations; individual members of federally recognized tribes, including those living on a different reservation or living outside Indian country; individual members of state-recognized tribes; Native Hawaiians; Native Pacific Islanders; and individual Native Americans.

Source: US Environmental Protection Agency

Environmental Justice

"The fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies."



Source: US Environmental Protection Agency

*California Coastal Commission - Environmental Justice Policy

Co-Management Structures within the Restoration and Protection of Puget Sound Lea Anne Burke



WWW.PSP.WA.GOV

Co-Management Structures within the Restoration and Protection of Puget Sound

Lea Anne Burke (Lumbee) Tribal Affairs Manager, Puget Sound Partnership

Puget Sound Partnership

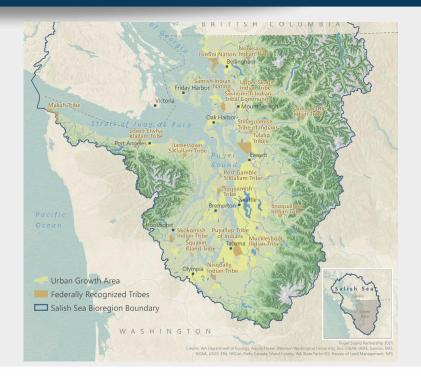
- Washington State agency
- Non-Regulatory
- Puget Sound National Estuary Program





Nineteen Nations







Government to Government

Consultation must be independent of any public participation process required by state law, or by a state agency, and regardless of whether the agency receives a request for consultation from an Indian tribe





Agency Requirements



- Develop a consultation process
- Make reasonable efforts to collaborate
- Designate a Tribal Liaison
 PUGET SOUND
 PARTNERSHIP

- Submit an annual report
- Identify significant agency actions that affect federally recognized Indian tribes' rights and interests in their tribal lands

Tribal Liaison Responsibilities

- Assist the agency in developing and implementing state and agency policies
- Serve as a contact person with tribal governments and maintain communication
- Coordinate training of state agency employees







Partnership Tribal Co-Management Council

- Voluntary
- Standing Monthly Meetings
- Co-chaired by a Commissioner of the Northwest Indian Fisheries Commission and the Chair of the Partnership's Leadership Council





- Acknowledgement of Tribal Treaty and Sovereign Rights
- Recognition of Tribal partners and contributions
- Highlights the Partnership Tribal Co-Management Council
- Includes and Elevates Harvest, Hatchery, and Adaptive Management of Salmon Recovery strategies





Thank You

Lea Anne Burke Tribal Affairs Manager Puget Sound Partnership <u>lea-anne.burke@psp.wa.gov</u> | 360-628-7532



Chi-gami ziibi and the Lake Superior NERR: A foundational memorandum of understanding Deanna Erickson

Nagaajiwanaang

Carles and the Marker of The All the State State Const



Mesaabekong and Onigamiising (the place of giants and the little portage; Duluth, MN)

> Chi-gami ziibi (*great sea river;* St. Louis River)

Gete oodenaang (*at the old town;* Superior, WI)

Gichi-gami (*the great sea;* Lake Superior)

Lake Superior National Estuarine Research Reserve offices



Pre-designation MOA between the Fond du Lac Band of Lake Superior Ojibwe and NOAA

October 29, 2009



COOPERATING AGENCY AGREEMENT and MEMORANDUM OF AGREEMENT

THE FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA and the THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION ESTUARINE RESERVES DIVISION

This Memorandum of Agreement (MOA) is entered into by The Fond du Lac Band of Lake Superior Chippewa (Fond du Lac), a federally recognized Indian tribe, and the National Oceanic and Atmospheric Administration's (NOAA) Estuarine Reserves Division (ERD) (hereinafter the Parties). The MOA provides a framework for cooperation and coordination throughout the preparation and completion of the procedures required by the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 4321 *et seq.*, for ERD's proposed action to designate a National Estuarine Research Reserve (NERR) on the St. Louis River near Superior, Wisconsin (hereinafter the Proposed Action). The MOA is consistent with the guidance and regulations of the Council on Environmental Quality (CEQ) at 40 C.F.R. Parts 1500-1508.

Whereas, NOAA ERD is the lead agency for the Proposed Action to establish a National Estuarine Research Reserve on the St. Louis River, in and adjacent to Superior, Wisconsin;

Whereas the Fond du Lac Band of Lake Superior Chippewa is a sovereign entity that enjoys government-to-government relationship with the United States;

Whereas NOAA ERD recognizes the special expertise of the Fond du Lac Band of Chippewa in evaluating any impacts that the Proposed Action may have on the Fond du Lac's exercise of its treaty rights, treaty trust resources, and cultural and historic resources related to the Fond du Lac;

MOU establishing the Lake Superior National Estuarine Research Reserve *October 26, 2010*

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) serves to establish the contractual framework for coordination, cooperation, collaboration, and communication regarding the Lake Superior National Estuarine Research Reserve (Reserve) among the following eight parties (parties-in-interest): The University of Wisconsin-Extension (UWEX), a state institution of higher education and a component of the University of Wisconsin System serving as the state lead entity; City of Superior; Douglas County; Fond du Lac Band of Lake Superior Chippewa; University of Wisconsin Sea Grant Institute; University of Wisconsin Superior; Wisconsin Coastal Management Program; and Wisconsin Department of Natural Resources. Subject to the MOU's below-conditions, this MOU is a binding contract that is entered into by the parties-in-interest.







Photo credit: Melonee Montano







"...Exclusion of Indigenous values, perspectives, and participation in the management of coastal communities has reduced the resiliency and biodiversity of coastal ecosystems, with dire impacts on the Anishinaabeg inherently connected to these landscapes."

- Dr. Evan Larson, Melonee Montano (Ojibwe), Dr. Robin Kimmerer (Potawatomi) Niimaawanji'idimin Giiwitashkodeng, *we are gathered together around the fire*



HINT

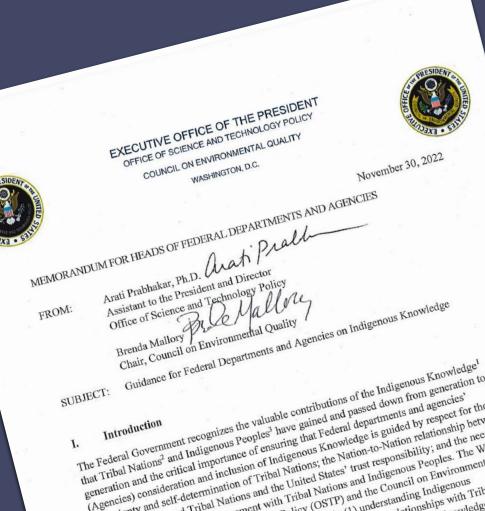
Administration Priorities The Record

DECEMBER 01, 2022 White House Releases First-of-a-Kind Indigenous Knowledge Guidance for Federal Agencies

→ CEQ → NEWS & UPDATES → PRESS RELEASES

THE R. L.

Today, the White House Council on Environmental Quality (CEQ) and the White House Office of Science and Technology Policy (OSTP) jointly released new government-wide guidance > and an accompanying implementation memorandum <a>> for Federal Agencies on recognizing and including Indigenous Knowledge in Federal research, policy, and decision making. This announcement coincides with the Biden-Harris Administration's 2022 Tribal Nations Summit and responds to a 2021 OSTP-CEQ memorandum that called for development of the guidance with Tribal consultation and Indigenous community engagement, as well as agency, expert, and public input



The Role and Importance of Culturally Significant Species in Restoration Projects Ashley Russell, Dr. Alice Yeates, Tehani Malterre

ROLE & IMPORTANCE OF CULTURALLY SIGNIFICANT SPECIES IN RESTORATION PROJECTS

Ashley Russell (miluk coos) Assistant Director Culture & Natural Resources Confederated Tribes of Coos, Lower Umpqua, & Siuslaw Indians

> Dr. Alice Yeates, Stewardship Coordinator, South Slough National Estuarine Research Reserve

Tehani Malterre, NOAA EPP/MSI Undergraduate Scholar, University of Hawaiʻi at Mānoa









t**4**'dayas (Earth)

Sha'yuushtl'a (Siuslaw)

Quuiich (Lower Umpqua)

Hanis and Miluk (Coos)

4 BANDS, 1 TRIBE

The Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians (CTCLUSI) is composed of 4 bands: miluk, hanis, quuich uł sha'yuushtł'a.

We call the Southern Coast of Oregon home and our ancestral territory encompasses 1.6 million acres.



Photo by Alex Derr

IKTAT'UU

sha'yuushtł'a uł quuich for "The Big One".

In English, it is called the Siuslaw River, which is an attempt at the indigenous name for the people that live there: sha'yuusht4'a .



IKTATUU sha'yuushti'a ui quuich for "The Big One". In English, it is called the

Umpqua River.

Photo by Alex Derr



Photo by Alex Derr

<u>KUUKWIS</u>

SHICH'DII

In English, it is called Coos Bay.

The place provides the culture... and the culture stewards the place.



Our landscape has defined us for millennia. It has influenced our language and songs, practices which are unique features of our identity.

We developed traditions, stories, and ceremonies associated with what we were provided from these lands. Traditional Ecological Knowledge (TEK)- knowledge held by indigenous peoples about their immediate environment and the cultural practices that build on that knowledge. It includes an intimate and detailed knowledge of plants, animals, and natural phenomena, the development and use of appropriate technologies for hunting, fishing, trapping, agriculture, and forestry, and a holistic knowledge, or "world view" which parallels the scientific discipline of ecology (Berkes 1993).



Resources Stewardship- an ethic that embodies the responsible protection, use, and enhancement of natural resources through sustainable practices and thoughtful management.



Biocultural Restoration: "Biocultural restoration focuses on restoring relationships between Indigenous people and their places, as well as between them and the biodiversity that shaped the language and identities of their ancestors. Biocultural restoration is built on the notion that everything in the system is interconnected, as are the problems we perceive and the solutions to them." - Dr. Kawika Winter, "The Fight Against Extinction Requires Biocultural Restoration", October 2021 in The Revelator



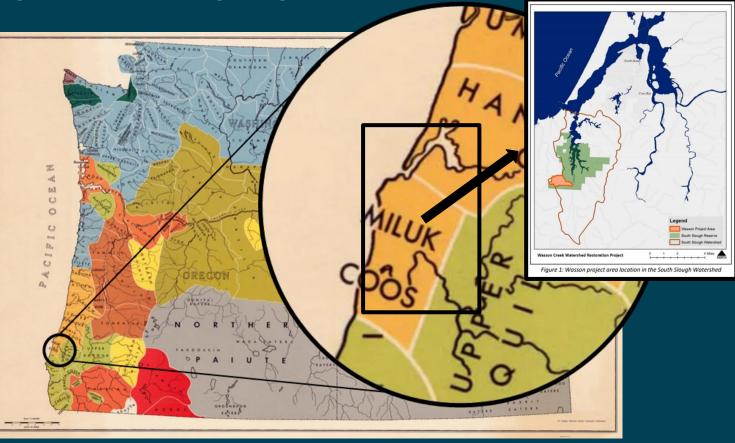
How do we do this, you ask?



THROUGH MEANINGFUL ENGAGEMENT &

Indigenous Language Map of Oregon

SOUTH SLOUGH NATIONAL ESTUARINE RESERVE



Co-stewardship with South Slough Reserve



WASSON CREEK RIDGETOP-TO-ESTUARY RESTORATION PROJECT

Aims to improve:

- Hydrologic connectivity
- Structural complexity
- Species and habitat diversity
- Habitat quality
- Watershed health
- Tidal forested swamp
- Cultural resources & bio-cultural restoration



Restoring culturally important plants in all habitat zones



Riparian



nəq'æixæl Oceanspray (*Holodiscus discolor*)

Freshwater Wetland



ləlæm Cattail (*Typha latifolia*)

Tidal Forested Swamp



mich'elwəs Pacific Crab Apple (*Malus fusca*)

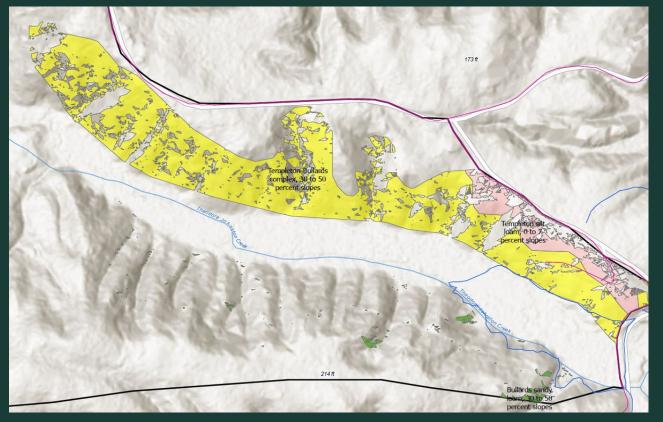
Uplands



Giant chain fern (*Woodwardia fimbriata*)

tsuust Beaked hazel (*Corylus cornuta*)

Student Internship to Support Collaborative Restoration Goals





tsuust Beaked hazel (*Corylus cornuta*)



HIISA



Questions and Discussion



Q&A

Q: Are you aware of Tribal Liaisons being part of Federal agencies? or is it only with State?

• A: Yes! Many Federal agencies have tribal liaisons. The difference is that I don't believe that federal legislation exists that require them, as Washington State does.

Q: What do the colors represent on the last slide for hazelnut habitat?

• A: The colors on the map were areas designated as suitable habitat for beaked hazel. Different colors indicated soils that have good drainage for beaked hazel but slightly different composition.

Q: Are you aware of a similar agency like the Puget Sound Partnership and a similar forum like the Co-Management Council for forests and forest management? Or does the Puget Sound Partnership do any collaboration with other agencies/orgs/Tribal Nations regarding the overlap between estuarine ecosystems and forest ecosystems and uses?

A: Great question! The regional scope of the • Partnership starts at the headwaters of the multiple watersheds that feed into it, along the crest of the Cascade and Olympic ranges. Right now there is a great deal of attention being paid to upstream riparian environments, both through proposed legislation and focused restoration efforts. There isn't a State agency dedicated to forest and forest management similar to the Partnership. However there is some coordination between some of our State natural resource agencies. Many of our tribal partners who work with us are also deeply involved in forestry councils and priorities, so there is some consistency in info sharing and priority setting. Also, the Partnership hosts the Puget Sound Ecosystem Monitoring Program (PSEMP) is a collaborative network of subject matter experts from many monitoring organizations and different parts of the region.

https://www.psp.wa.gov/PSEMP-overview.php



Q: What is one short piece of advice you would give to a non-Indigenous land manager to help them support co-management and tribal sovereignty?

- Lea Anne: The goals of building successful relationships and co-managing with tribes are based on trust and long-term relationships. I would advise not going into anything expecting quick fixes, or turnarounds, or relationships. Being prepared to invest your time and your vulnerability in this work is really important to success.
- **Ashley**: Being relatable and being willing to build that relationship because we want almost the same things; we both want what's best for the land and how it's going to benefit the community. There are different views on how that can happen, but co-stewarding and co-managing are key to including views and reaching consensus.
- Alice: Recognize that we're people with similar goals and sometimes interests. Don't lose sight of that person-to-person idea and that we're in it for all the good reasons.
- **Tehani**: Listen and make and hold space for community priorities.
- **Bree**: Do the research about the history of the place and the communities you're working with. It's so critical to what he landscape looks like today. People sharing the history of their place is such a gift; it's really important that you do the work and not expect your partners to educate you.
- **Deanna**: Change your time frame. I was in a discussion recently where we talked about a 30-year plan and people were like "that's such a long time!" but the reality is that's not how our relationship with land really is. When you start to change your time frame you slow down a bit and pay more attention and you cease to expect an end point, because that's not what it's like to be in a relationship with land.

Links shared during presentation

- "Tribal Nations & the United States: An Introduction" developed by the National Congress of American Indians: <u>https://www.ncai.org/about-tribes</u>
- California Coastal Commission Environmental Justice Policy <u>https://www.coastal.ca.gov/env-justice</u>
- Washington State Governor's Office of Indians Affairs: <u>https://goia.wa.gov/</u>
- Indigenous Communities in the Coastal Realm 2023 (shared by participant):
 <u>https://noaa.maps.arcgis.com/home/item.html?id=80f0b7c385f94ae7b19dd5dca2bd71e5</u>
- Puget Sound 2022-2026 Action Agenda: <u>https://www.psp.wa.gov/2022AAupdate.php</u>
- White House Memorandum on Uniform Standards for Tribal Consultation: <u>https://www.whitehouse.gov/briefing-room/presidential-actions/2022/11/30/memorandum-on-uniform-standards-for-tribal-consultation/</u>
- Guidance for Federal Departments and Agencies on Indigenous Knowledge: <u>https://www.whitehouse.gov/wp-content/uploads/2022/12/OSTP-CEQ-IK-Guidance.pdf</u>