

**State Wildlife Action Plan
Virtual Learning Series #1
Engaging Tribes and Indigenous People in State Wildlife Action Plans
November 16, 2022**

Session Recording

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Welcome and Introductions

Mark Humpert, Association of Fish and Wildlife Agencies

- Thanks to everyone for joining today! This is the first in a series. We'll keep doing them as long as you find them helpful.
- Thanks to Jason for his assistance in helping to plan these.

Presentation of State & Tribal Survey Results

Paige Schmidt, Indigenous Knowledge and Co-Stewardship Coordinator, USFWS

- Mark sent out survey results earlier.
- We're here because this work comes from Element 7.
- Most respondents indicated that Tribal engagement was insufficient and that Tribes were treated the same as other stakeholders. Some limited engagement, lack of trust as a barrier.
- We also surveyed Tribes. Tribes indicated that they felt their Tribe was not adequately engaged, general lack of communication, and a feeling that they were treated like any other stakeholder. Wanted to be included earlier in the process so their opinion and reviews could be substantive.
- Guidance and Recommended Practices include those such as:
 - Define decision-making space.
 - Identifying Tribal contacts
 - Honor Tribes as sovereign and not stakeholders. Invite Tribal representatives to participate in your process.
 - Engage with Tribes before you begin revision of your SWAP. Trust, relationship, and time are needed, starting at least 1 year ahead of revision. Meet with Tribes at a place at their convenience – phone calls are less preferred.
 - Ask Tribes how they would like to communicate.
 - Provide funding or staffing support if you can to help compensate Tribes for their time.
 - Be flexibility in scheduling meetings and formats, to help ensure you get input, being mindful of cultural events and elections.
 - Be sincere about including priorities. Explore options to help address concerns.
 - I.* Element 1, for example, allows for species of cultural interest to be included that aren't necessarily at conservation risk.
 - Be respectful when seeking indigenous knowledge, and be willing to reciprocate.
 - Don't be constrained by Element 7.
 - Hire professional help and a Tribal liaison to assist.

- Don't promise what you can't deliver. Relationship building is key. Research history between the State and Tribe you are reaching out to, understand their cultural issues.

Tribal Engagement Case Study

Mike LaVoie, Natural Resources Director, Eastern Band of Cherokee Indians

- Also serves on Board of Directors for NAFWS.
- Disclaimer – Speaking on behalf of our experience, but there are over 500 Tribes in the U.S., each with its own history and challenges.
- Original territory covered over 100,000 square miles in the Southern Appalachians. Very agrarian society supplemented by fish and wildlife.
- SE biodiversity is intricately tied to Cherokee identity. For example, water beetle is center of creation story. These species are essential to the Cherokee economy. Maintaining ecological integrity and the cultural identity of Cherokee identity remains a challenge today.
- Development opportunities are often in sensitive habitats, so meeting various needs can be a challenge.
- In early 20th Century, we did not have resources to properly manage our lands. Around 1960s, Tribes and USFWS began engaging on more western-based initiatives surround trout, which started us down path of a fisheries governance structure. Mainly stocking compared to other management. In 1970s, other laws such as Tribal self-governance came online and led to stronger support for the work. 1996 – we began direct implementation of Federal programming. 2007 – First biologist hired through a Tribal Wildlife Grant Program. But there was still a lack of base funding and capacity continues to be an issue.
- Started working with the State around 2007. Indiana bat was roosting in NC, so we were working on understanding roosting and life history information. Important for us to build internal capacity to address this issue. It was an important step when the state reached out to us.
- Another success surrounded the Sicklefin redhorse (Junigihltla). “Discovered” by science in 1992, but the Cherokee had known about for centuries. Began a partnership on research, propagation, restoration.
- 2015 NC Wildlife Action Plan
 - NC reached out to us in 2013/ We were invited to meet with other stakeholders at the time, but lack of capacity and knowledge about the WAP process was limiting.
- Work continues to evolve. We have underwent some planning processes. One influential plan for us was our Legacy Plan, which identified zone of influence outside our current jurisdiction – it empowered us to seek broader conservation partnerships. We developed our own WAP around culturally important species and Federally listed species.
- We also continued to establish stronger relationship with the State, such as on elk management and mussel restoration.
- Continuing to do inventory work and share information.
- Also doing traditional research on harvesting techniques for species like ramps.
- 2025 Wildlife Action Plan revision
 - Moving in a great direction based on discussions with Cindy and others in the State. We're working on initiatives such as data sharing.
 - We recently received an AtB grant to support partnerships.
 - NC has committed to crosswalking objectives between the two plans.
- Lessons Learned include

- Recognizing intergenerational trauma.
- Building on-the-ground relationships.
- Finding where we can meet in the middle.
- Tribal resource professionals are jack-of-all-trades, seeking to identify new ways to connect.
- Patience with Tribes is important. Staff are often limited in their time.
- We're continuing to push for stronger relations, which will translate to more effective conservation on the ground.

Cindy Simpson, SWAP Coordinator, North Carolina Wildlife Resources Commission

- Led efforts for 2015 revision, which we started in 2012.
- The 2015 process fell short, we're taking steps to ensure greater opportunities for inclusivity in our updated SWAP.
- When we started, issues such as being naïve affected us, such as our lack of awareness of the number of Tribes who needed to be contacted. We also thought there was a one-size-fits-all for stakeholders, not considering how outreach efforts could be tailored.
- 63 State-recognized Tribes in the US, 8 state-recognized in NC. We have the 6th largest Native American population, about 1.5% of our state's population. There are thousands of years of knowledge that we didn't take advantage of to help inform conservation decisions.
- Realized we needed a much greater outreach effort to reach out to all Tribes in the state to understand their priorities and encourage greater participation in the process. Needed to understand the context and means to communicate with them. What are cultural and natural resource priorities, and how do we incorporate them into our SWAPs.
- NC Commission of Indian Affairs works with indigenous tribes in the state. Assumes that most states have something similar, or contact federal Bureau of Indian Affairs for assistance.
- Have started attending public Tribal events to meet members and start relationships. Virtual meetings is not a warm and welcoming way to start. 27th Native American Heritage Festival is being held this weekend, and I'll be there, hoping to speak to several Tribal members and find out who is interested in natural resources. I've also been studying their websites. Will be using this and other info to build out a contact list for outreach list. Treating the Tribes as a special sovereign group compared to other stakeholders.
- Have had first meeting with NC Commission on Indian Affairs, described what information is available through their agency, and making recommendations for outreach and inviting tribes to participate.
- Recommendations
 - Start early. Be very inclusive. Find out what Tribes are in your state, and who the contacts are.
 - Recognize that the Tribes may have limited resources. They may need to time to figure out how they want to be involved.
 - Schedule several listening sessions (some virtual is okay). Asking for input on how they want to be involved, what are their priorities, how can that be included in the SWAP?
- Ask: If there are states that have been successful, share your experiences with us so we can learn.

Q&A / Feedback in Chat.

- The 1 year or more recommendation caught my attention. Many SWAP Coordinators that I'm in contact (like myself) are starting the revision process in January 2023, if not have already started. I'm worried that it is already too late! What are your thoughts?
 - Mike: Start now, this will hopefully be a long-term relationship that will take time and patience to develop.
 - Cindy: I don't think it's too late. You can always explain in outreach communications that the revision process has started and they can provide feedback/input at every step. Consider using an online format to offer review and comment, this may be easier for tribes with limited resources. We did this for the 2015 revision and it was used by a small number of stakeholders but we may not have engaged with them otherwise.
- Can you elaborate on "sovereigns, not stakeholders" and what practices that might change?
 - At first contact, it was always recognized that Tribes were inherently sovereign and made their own decisions. That sovereignty has never been lost or ceded.
 - When you reach out to a Tribe as a sovereign, including them as outreach to NGOs and the public can be seen as a sign that you're not treating that sovereign authority with the respect it's due.
 - There are many examples through Federal agency policies.
- Have many tribes developed wildlife action plans similar to the one that Mike mentioned? And will tribes be required to develop plans if RAWA passes? Or is the expectation that engagement with tribes will be strong enough with the state SWAPs that separate tribal plans aren't needed to guide how RAWA funds are spent on tribal lands?
 - Tribes will not be required to develop tribal action plans. Funding will be tied to tribal species of greatest conservation need as described in section 201 of RAWA. (4) TRIBAL SPECIES OF GREATEST CONSERVATION NEED.—The term “Tribal species of greatest conservation need” means any species identified by an Indian Tribe as requiring conservation management because of declining population, habitat loss, or other threats, or because of their biological or cultural importance to such Tribe.
- As sovereign nations, how are teams incorporating SGCN and habitat lists that may be very different between the state DNR and tribal nations?
 - Cindy: NC will be adding a list of culturally important species to our SWAP. We currently include Regional SGCN designations, a separate list of knowledge gap species, and a table in an appendix with evaluation results for all species. We included an evaluation metric for culturally important species, but did not seek input specifically from our indigenous populations. I see adding culturally important species for tribes as a way of including them in conservation planning efforts and reminding us to include them in our discussions.
- For tribes that do not have biologists and therefore extremely limited capacity, what should our expectations be around involvement? I wonder if we might have higher expectations for them to be involved in any capacity but wondering how reasonable it will even be to have them involved at all. We have some relationships with some tribes, but want to expand. Just wanting to gut check myself.

- Cindy: There is value in tribal legacy knowledge about natural resources that would be important to capture. Perhaps asking for that type of input would encourage active participation?
- For recently recognized tribes or smaller tribes, what is the best way to reach out? We have contact information but we aren't getting any response. Our VA tribes are getting swamped with consultation requests.
 - Mike is engaged with NAFWS.
 - Mike (to Jeff Trollinger) - I have some contacts with VA tribes if you'd like some help connecting.
- Has anyone worked with/hired (or does anyone intend to work with or hire) private consultants who have a relationship with or are themselves part of a particular Tribe when updating their respective SWAPs? We've done this for other efforts/projects and I'm just curious if others have experience/insight?
 - Cindy: we have not used outside consultants. We have a diversity, equity, and inclusion specialist agency staff person and I have asked for his help with outreach efforts. I also recently found a resource should we decide we want to engage a consultant, though I don't have any knowledge or experience working with them: <https://www.biwa-emergentequity.com/>
- Comment: NAFWS is a great resource, their Executive Director, Julie Thorstenson is very helpful. I highly recommend joining as an individual member.
- Hi @Mike LaVoie - I'm in your NAFWS region! :-) May I ask for an introduction to member Tribes natural resource managers? I'm new in this position, but it looks like we haven't connected before re the SWAP. I would love to learn more about what Tribes have been doing, and what they'd like to be doing in the future (of course, and how we might engage together) - Kelly.simon@tpwd.texas.gov (Texas Parks and Wildlife Department)

Breakout Groups

- Instructions
 - Participants will be split into virtual groups of ~8-10 individuals each.
 - Small groups will spend ~3 minutes silently reflecting. Please discuss:
 1. What are your observations and experiences about engaging tribes and indigenous people;
 2. Using a round robin, what practices can be used to effectively engage tribes and indigenous people?
 - One or several people from the breakout group should be prepared to provide highlights from the breakout session.
 - Please self-organize and capture highlights. Jason will float.
 - Notes, observations, and practices should be placed in the chat or emailed to jason_goldberg@fws.gov

Top Practices from Breakout Groups (Five Breakout Rooms)

- 1
 - Annual meetings to build relationships. Keeping channels open may even be more important than the work itself.
 - E-mails probably won't work.

- Value of one-on-one relationships at the staff level can't be underestimated.
- Sometimes it helps to pick one project to succeed – build that success.
- 2
 - Building relationships at the field level to start.
 - Some Tribes may not have capacity to build their own plan. Incorporating their priorities into your Plan may be helpful, if you can offer that opportunity.
 - Benefit of agency hiring Tribal liaison.
- 3
 - Utilizing meetings that are already underway where Tribal Council members are already present.
 - If meeting in person, pick a convenient place such as a central location for the Tribes.
 - A few people are new to SWAPs, they're part of a learning process. Was pleased to hear some states have Tribal liaisons.
- 4
 - Engaging at the outset of a process, don't do it post-hoc.
 - Educate yourself before you go into the meetings.
 - Invite Tribal members to do something – work on a river that crosses on traditional lands.
 - Be cognizant of bandwidth. Newly recognized Tribes may not have capacity / resources to engage.
 - If you don't know the people you're trying to work with, find someone who can help you make the introduction.
- 5
 - Initial stages of building relationships. Inviting participation without necessarily expecting too much. Tribes may not be familiar with the SWAPs process.
 - Involve other state agencies that may have contacts / relationships with Tribes such as cultural resource departments.s

Adjourn

- (Please send any updates / reports to Jason_Goldberg@fws.gov.)
- We will send an update on the next Learning Series soon, currently scheduled for December 14 at 2-3:30 pm ET.

Breakout Room Group Notes

Breakout Group 1

- In SD, Mark shared that they meet with each tribe annually to check-in even if there are not tasks or decisions to be made, followed by a meal, that is for building trust and relationships.
- Gordon from NY suggested starting with one project that could be done collaboratively with a tribe, to establish a relationship with shared goals, that can open up the relationship for future work.
- Make sure that you are minimizing their needs to travel and providing stipends to enable travel as needed.
- Both Mark and Gordon encouraged folks to join the NAFWS and said that had been helpful in their work, particularly attending the in-person regional meetings, where they could meet people and spend some informal time together.

- Try to find things in the revision that will benefit the tribe; why should they participate, invest their time?

Breakout Group 3

- SWAP for MN – first round of revision. They have a tribal liaison for their agency which has been great to learn from and ask questions. He is a tribal member and works for MN DNR – role is more than a liaison and expect him to be important in the SWAP revision process and engaging Tribal information and collaboration. Question in other SWAP meetings – how can we find out the extent of planning for Tribal equivalent plans?
- Do plan to engage Tribal members for input on their revision but this is new and they haven't done it before so will be paving the way as they go.
- NC thought all Tribes were required to do a plan and didn't know EBCI had just done a plan recently and that they didn't have one when their 2015 plan assumed they were going through the same process. Incorporating the Tribes' priorities into NC plan would be beneficial as the other tribes don't have staff to develop their own plans.
- LA DNR her first revision. Didn't engage last time but plan to do that this time. Just sent out a SWAP survey to see how people are using SWAPs. Now after hearing presentation realizes that isn't enough.
- MN DNR just started in May and was 25 years in NM doing lots of tribal work. Some things they used in NM was making an effort during watershed scale projects they would have 2-3 pueblos and got to know people on a personal level. Higher level work, such as their soil program, held listening sessions specifically for Tribes/Pueblos, and incorporated their ideas into planning for that and other programs. Recognize they are sovereign nation and approach them with respect and recognize their stature or tell them what to do. Ask them how you can help them or what they want to do and build relationships which takes time.
- brand new Diversity Program Manager in Nebraska – Nebraska's interactions with Tribes has been limited and seems to be from lack of Tribal capacity. Have a staff member doing face to face and one on one listening sessions with Tribes. Don't tell them what to do on their lands and also interesting to see where their priorities are and what issues they face that differ from the state agency.
- new to TPWD as the SWAP coordinator – doesn't know they have engaged Tribes and look forward and is nervous about that.
- defining what you want from Tribal engagement in SWAP process struck her.
- Kelly brings up SGCN and culturally relevant species and how to solve this puzzle. Kristin thought it would be low-hanging fruit but found it to be more complicated and integrated Indigenous Knowledge and survey knowledge. Like the action part of the action plan and wants to see things are actionable and hasn't gotten their yet.
- Asked how we can incorporate culturally significant species. NC recommended adding category for culturally significant so wouldn't be specific for the ECBI so could add a species only for cultural significance then provide a scale for that category. Asked for ECBI plan to be added as an addendum to their revision and then incorporated into follow-up revision.

Breakout Group 4

- Find key informant/staff who have trusted rapport with Tribes before reaching out.

- These staff members can connect you with the Tribes which would illustrate genuine interest/desire.
- Go to Tribes and ask them how to educate yourself by asking specifically, what you can read/review to become more knowledgeable. Doing so will provide important context (historical, political, etc.)
- When reaching out, make sure the sideboards are clear and that the "ask" itself is clear and not based on assumptions that Tribal support WILL be beneficial to them.
- Do not assume that Tribes will want to be involved
- Before a project/process is started, reach out to Tribes in trusted ways that resonate with their preferences. Do not engage post-hoc or after the fact. It's not as meaningful and will feel like a "check box"
- Be cognizant of Tribal bandwidth - they may not have the time, resources, or staff to assist or be involved. They may also not be able to work within your timelines so be flexible
- Have staff invite Tribes to see the work that staff are doing especially if it may impact them (e.g., River biologist who is measuring species populations that pass through Traditional lands).
- Ask Tribes if including a land acknowledgement or other information about the Tribe in the SWAP would be beneficial to them.

A few ideas from one of the participants, shared afterward:

1. Have staff take Tribal engagement training
2. Create a list of projects that the agency has engaged Tribes about for two reasons: (1) the agency can see how often it is requesting insight/collaboration from/with Tribes and (2) it may be something to use to justify the need for a Tribal liaison position. Related to #2...
3. Be cognizant of the # of projects/efforts that the Tribal liaison will need to lead b/c it could easily become overwhelming.

Breakout Group 5

- Approach any tribal community with humility. Ask where can the state fit into a tribe's conservation goals?
- Manage expectations. Not all tribes have staff, not all tribes have members with professional natural resources backgrounds, so it is really important to not ask for something that can't be provided. Allow tribes to offer what they wish to share, if anything.
- Important to illustrate the potential opportunities for involvement in the SWAP revision process to yield benefit to tribes' culturally significant species. It is pretty important to have some kind of understanding of what these are.
- Meg from South Carolina is an archaeologist who was brought in to the South Carolina SWAP revision specifically because of the connections she and her team have forged with many of the tribes in the state. Engaging people within your agency or a sister agency who already have these connections can expedite relationship building.
- Again, manage expectations. Maybe the outcome for the 2025 SWAP revision is that tribes gain awareness, small projects or some input gets incorporated into the SWAP. This builds good faith and relationships. May be really working for a path to deeper involvement in the 2035 SWAP, not this one.