

Perspectives on and Voluntary Guidance for Improving Tribal Engagement in State Wildlife Action Plans (April 2023)

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Key Findings

Meaningful engagement of Tribes in State Wildlife Action Plans (SWAPs) has been challenging for many states. Tribes should be sovereign conservation partners in SWAP revisions and implementation, particularly for any decision-making that affects their interests. Meaningful engagement with Tribes requires demonstrated respect of their individual Tribal sovereignty, as well as their history, culture, and governmental structure. Proactive engagement of Tribes includes:

- Building relationships with Tribes at least one year before the SWAP revision process begins;
- Engaging all Tribes, not just federally recognized Tribes, including those whose ancestral homelands occur in your state;
- Identifying the decision-making space, including how Tribal priorities will be addressed, if and how Indigenous Knowledge will inform your SWAP, and how Tribes will influence decision-making.

Background

State Wildlife Action Plans (SWAPs) guide States' conservation of fish and wildlife and efforts to prevent more threatened and endangered species listings. In 2005, each state, territory and the District of Columbia submitted their plans for approval to the U.S. Fish and Wildlife Service as a condition for funding through the State and Tribal Wildlife Grants program. The Plans must be revised at least once every 10 years. Most states will begin revision of their plans in the coming months ahead of the October 2025 deadline. Each plan must address 8 required elements. This guidance is intended to help states address Element 7:

Plans for coordinating the development, implementation, review, and revision of the plan with Federal, State, and local agencies and Indian Tribes that manage significant land and water areas within the State or administer programs that significantly affect the conservation of identified species and habitats.

Meaningful engagement of Tribes has been challenging for many states because of a lack of, or strained, relationships with Tribes. Passage of the Recovering America's Wildlife Act (RAWA) would increase funding for states to implement SWAPs by twenty-fold and will provide Tribes with \$97 million to conserve species of greatest conservation need and culturally important species.

In anticipation of RAWA passage, inclusion of Tribal conservation priorities into SWAPs could benefit states, Tribes, and their respective trust resources. We surveyed SWAP coordinators and staff from Tribal resource departments to understand their experiences with the development and implementation of existing SWAPs, to identify barriers or opportunities for inclusion of Tribal priorities in upcoming SWAP revisions, and understand their view of how best to engage with Tribes and Tribal priorities. We present key findings from these surveys, voluntary recommendations, and potential resources and training opportunities. This document is intended to serve as a guide for states and start a meaningful dialogue between the Association of Fish and Wildlife Agencies (AFWA), SWAP coordinators, and Tribal resource departments. It should be considered a living document and should be revised as additional input is received and new or updated guidance is made available. As such, this document should not be considered comprehensive or applicable to every Tribe or situation.

Key Findings from Survey of Tribes

Tribal representatives were emailed a survey in June 2022 via a listserv maintained by the Native American Fish and Wildlife Society. Responses were anonymous so we cannot attribute the number of Tribes represented. Twenty-two individuals responded. Nineteen (89%) respondents did not feel their Tribe was adequately engaged in SWAP development or implementation.

The survey revealed that there is general lack of communication from states to staff at Tribal resource departments in the development and implementation of SWAPs. Many respondents said they had zero contact from their state, were not sure if their Tribal council was contacted or involved and did not know if their state counterparts knew who to contact.

The survey also revealed there is a perceived lack of understanding, appreciation, and respect for Tribes. Several respondents indicated states view them as another stakeholder group rather than a fellow sovereign. Some states do not engage in co-management, may not view Tribes as important or beneficial to SWAPs, and may lack an understanding of the importance of ancestral homelands to Tribes.

Tribal respondents would like to be brought into the SWAP planning process earlier so that their opinions and reviews are substantive and can be better included. One respondent commented that "Sharing of information needs to be much more open and clear" and "improve on the govt-to-govt relationship during ... SWAP updates by meeting specifically with Tribal

officials (i.e., not in public meetings), and focusing specifically on wildlife resources of shared management interest between Tribe and State.”

A few respondents indicated that they were involved in early SWAP development but not recently, while one reported that they are a member of the Core Planning Team.

Key Findings from Survey of SWAP coordinators

State Wildlife Diversity Program Managers were emailed a survey in April 2022. Twenty-eight individuals responded. Seventy four percent (74%) of respondents felt their state’s engagement of Tribes in development or implementation of their SWAP was insufficient.

Most respondents indicated their state treated Tribes the same as other stakeholders, and many indicated they wanted to do more to engage Tribes in upcoming SWAP revisions. Despite many respondents wanting to improve their relationship with Tribes and increase their involvement in upcoming SWAP revisions, many indicated they didn’t know how to proceed. One state invited Tribes to serve on their SWAP Core Planning Team, although no Tribes accepted the offer, then held a public meeting focused on the Tribes prior to the draft plan being submitted for review. This state is also engaging Tribes in their 2025 revision and working through their department’s Tribal liaison. This state identified a “bare minimum [goal] that the conservation actions in the SWAP will be revisited and revised in the context of better incorporating language that is more inclusive of Tribes, including references to Traditional Ecological Knowledge and cultural burning practices.” The state added, “We would definitely like to have a document that Tribal entities can ‘see’[,] themselves in in the event they wish to partner with the Department on a TSWG [sic; State and Tribal Wildlife Grants Program]-funded project.”

Several states limited their engagement only to federally recognized Tribes and excluded State-recognized, non-Federally recognized Tribes, and Tribes that no longer have a physical presence but whose ancestral homelands are within their state. One state was told by legal counsel not to consider other non-federally recognized Tribes but are seeking the opinion of their archeology department on the Tribal authenticity of these other Tribal entities.

Some respondents recognized barriers to improving Tribal engagement (e.g., lack of capacity both for the State and Tribes, lack of trust) with one respondent commenting that the barrier is “probably that our SWAP has very little influence or benefit to Tribal conservation actions. It is more likely that they can inform our SWAP with their knowledge than the other way around.”

One SWAP coordinator recommends “Relationship building is needed, including a strong effort to reach out and meet the Tribes on their ground; listen to their concerns/distrust of state and federal programs, and provide a platform for engaging their ecological knowledge as data to inform outcomes. To repeat, we should start communicating with the Tribes now in

preparation for the 2025 revision, explicitly requesting their input, then listening and incorporating conservation issues of importance to their communities.”

Guidance and Recommended Practices

The following guidance and practices are recommended to improve engagement with Tribes on SWAPs. Because each Tribe is unique, these recommendations must be tailored to each Tribe to ensure their effectiveness.

Define the Decision-Making Space

Before you engage with Tribes, define their role in the SWAP process including how Tribal priorities will be addressed, if and how Indigenous Knowledge will inform your SWAP, and how they will influence decision-making. Work through the following practices to inform this important exercise to ensure Tribal engagement is as broad as possible and to ensure you don't engage with Tribes if you can't act upon their input. Before contacting Tribes, get permission from your Department Head or other appropriate entity to endorse Tribal engagement and their role in your SWAP process. You can also refer to [Appendix 1](#) as an example used by the U.S. Fish and Wildlife Service.

Identify Tribal Contacts in your State

It's important to understand how many Tribes are located in your state and who the contacts are for those Tribes. It may take due diligence to determine the contacts for your state as there may not be public lists of individuals who are responsible for natural resources.

There are several resources you can use to identify Tribes in your state. [The National Council of State Legislatures provides lists of federal and state recognized Tribes.](#) [The Library of Congress has a map showing early Indian Tribes, culture areas and linguistic stocks](#) [The Bureau of Indian Affairs maintains a Tribal Leaders Directory for federally recognized Tribes.](#) If you do not have a local tribe with land, reservation, or jurisdiction within your state, identify which Tribes were removed from your state and contact them. [You can identify the ancestral homelands within your state using this website.](#) If you do have a local tribe with land, reservation, or jurisdiction within your state, please recognize that their homelands were most likely greatly reduced, and that other Tribes may also have a cultural connection to lands within your state. For example, Oklahoma has 39 Tribes, but the vast majority were forcibly removed to

Oklahoma and have an interest in their current jurisdiction AND their ancestral homelands.

Engage with Tribes Before you Begin Revision of your SWAP

Engagement with Tribes should begin before you start your SWAP revision. Meaningful engagement will require trust, relationship building, and time. If you do not have a relationship or if your relationships with Tribes in your state is strained, you may want to begin outreach and engagement with Tribes one year or more before the onset of SWAP revision. Avoid simply “ending a letter” to begin engagement. Ideally, meet your Tribal representative at a place and time of their convenience. A phone call or virtual meeting can also be used but may be less preferred by Tribal representatives and less effective in establishing a new relationship. If you do not receive an immediate response, do not take it as a lack of interest. Tribes often have small staffs that work on many issues. Your patience and empathy will be well worth it in the end.

After making initial contact via phone, email, or letter notifying local Tribes you will be revising your SWAP, visit the tribe in-person to begin developing a working relationship. Ask each tribe how they would like to participate and the best form of communication. Not all Tribes have the same level of interest, capacity, or access to technology. Convene meetings to identify common goals and opportunities. Invest time in developing this relationship and if necessary, rebuilding/repairing trust. You can refer to [Appendix 2](#) for an example of how North Carolina is working to improve tribal engagement in their 2025 SWAP revision.

Honor Tribes as a Sovereign and not a Stakeholder

Tribes are not simply another stakeholder and should not be treated as such. Treat Tribal leaders with respect and in the same way you would other government leaders. If possible, invite Tribal staff to serve as a member of the core planning team and consider defining or formalizing their involvement through a Memorandum of Understanding or in another way. Be respectful of the time you ask of Tribal representatives, value their opinions and check with them to ensure they feel heard, and the commitment of their time is serving them and you.

Provide Funding or Support Capacity to Engage with Tribes

Tribes may have a desire to participate in your SWAP but staffing or funding may be a barrier. Consider ways that you can compensate Tribal representatives for

their time and expense. You may wish to provide reimbursement such as mileage and per diem to attend meetings or offer a stipend. You may also consider hiring Tribal staff on contract to assist with your SWAP. Reciprocating an ask from the Tribe would be a way to build trust and have a better understanding of Tribal priorities and help relationship building. For example, if asking a Tribe to be a member of the SWAP team, ask how the state can support or be a member of a Tribe's planning team.

Be Flexible

Be flexible when scheduling meetings and discussions with Tribes. Many Tribal officials and staff are juggling multiple priorities and may need additional time to respond to requests. Flexibility in formats for providing and discussing Tribal priorities will help ensure Tribes are best able to provide input. Be mindful of decision-making time periods. State government comment periods are not always conducive with Tribal comment periods due to frequency of their meetings and other time constraints. It is also helpful to consider Tribal election cycles and cultural priorities that could prevent Tribal officials and staff from participating in meeting and/or meeting timeframes for providing input throughout the SWAP revision process. These should be acknowledged and built into the SWAP revision timeframe.

Be Sincere About Including Tribal Priorities

Expect that Tribes will have priorities that you do not know how to incorporate into your SWAP revision and have a plan with options for how to accommodate their priorities. For example, a Tribe may want the plan to include a culturally important species that does not meet your state's definition for a species of greatest conservation need. Determine what options are available before you begin this process and ask your Tribal partners how they think these species should be included. Element 1 for SWAP requires a state to "provide *information on the distribution and abundance of species, including low and declining populations that are indicative of the diversity and health of the state's wildlife*", allowing some latitude for a state to include culturally significant species that may not be rare or declining. Consider asking Tribes which species are important to them and discuss whether or not those species could be included in your SWAP. If a tribe identifies a species that is of significance to them that you absolutely cannot include in your SWAP, identify other opportunities that the species or the tribe's priorities can be addressed.

Seek Indigenous Knowledge to Inform your SWAP

Indigenous Knowledge, also called Traditional Knowledge, Traditional Ecological Knowledge, Tribal Ecological Knowledge, Native Science, and Indigenous Science,

includes insights based on evidence acquired through direct relationships with the environment and long-term experiences, as well as extensive observations, lessons, and skills passed from generation to generation. Indigenous Knowledge is owned by Indigenous Peoples and is often intrinsic within customary or traditional governance structures and decision-making processes. Be open to the use of Indigenous knowledge, seek guidance and be respectful in how it should be used, and gain permission before using it. Obtain [free, prior, and informed consent](#) from the appropriate Tribal government, as well as Indigenous Knowledge holders, prior to learning and including Indigenous Knowledge. Practice reciprocity when seeking Indigenous Knowledge.

Do Not be Constrained by SWAP Element 7

Element 7 sets minimum criteria for your SWAP, you can go above and beyond. There is no prohibition for engaging with federally recognized Tribes, state recognized Tribes, Tribes without formal federal or state recognition, Tribes with ancestral connections to your state, or Indigenous People not affiliated with a tribe. Engaging with as many Tribes as possible would lead to a better, more holistic plan and greater buy-in and support for its implementation.

Hire Professional Help for Consulting and Training

You may choose to hire a consultant to provide advice, training, and added capacity to engage and serve Tribes. Highly trained consultants can offer guidance and facilitate engagement with Tribes. Consider hiring a Tribal liaison or see if your state has a Tribal Liaison that can assist with your SWAP. Seek out resources and training on how to effectively engage with Tribes. A few examples of each are provided below.

Don't Promise What you can't Deliver

Spend time listening and learning. Because relationship building is key, it is important to learn culture, protocol, treaty rights, and other key details before engaging with Tribes to ensure successful connections. Learn the history between your state's government and each Tribe you are engaging. Recognize that strained relationships are caused by historical racial tension from state citizens to state citizens that also are members of a Tribe and directly towards Tribal governments. This is not pleasant, but acknowledgement goes a long way toward reconciliation and sincere apologies, especially if provided directly from the State, go even further.

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Resources

Bureau of Indian Affairs (BIA) database of federally recognized Tribes - <https://www.bia.gov/service/tribal-leaders-directory>

Native American Fish and Wildlife Society (NAFWS) - <https://www.nafws.org/>

The Native American Fish & Wildlife Society is a national Native American non-profit organization that serves as an informative communication network between Tribal, federal, and state fish and wildlife management entities. NAFWS maintains a database of Tribal Natural Resource Departments staff. Please contact Sean Cross, scross@nafws.org, if you need a contact for a specific Tribe in your state.

Minnesota Indian Affairs Council - <https://mn.gov/indianaffairs/triballiaisons.html>

Established in 1963 (under the name Indian Affairs Commission), the Indian Affairs Council is the oldest council of its kind in the nation and serves as a liaison between the Indian Tribes and the state of Minnesota.

Other states might have something similar to Minnesota's Indian Affairs Council.

National Rural Transit Assist Program website on Engaging with Tribes - <https://www.nationalrtap.org/Tribal-Transit/Engaging-with-Tribes>

West Coast Ocean Tribal Caucus - [Guidance and Responsibilities for Effective Tribal Consultation, Communication, and Engagement](#)

Potential Training Sources

Falmouth Institute - <https://falmouthinstitute.com/training/calendar/#courses/LW006/>

Essentials of Indian Law: Everything you need to know to work in Indian Country

This class is for:

- Tribal council members

- Tribal employees
- Federal employees working in Indian Country
- Anyone working with or for Indian Tribes

Seventh Sovereign - <https://www.seventhsovereign.com/trainings>

TRIBAL ENGAGEMENT 101 – Transforming Relationships with Tribes

Description: Participants transform their unique relationships with Tribes they are working with or for. For all levels and professions engaging with Tribes—individually or at the organizational level, from beginner to advanced. Participants will learn and apply an adaptable formula immediately useful in their work. This half-day intensive mixes engaging lecture with hands-on exercises.

CULTURAL AWARENESS - Understanding, Insight, and Communication

Description: Participants transform their understanding of the unique cultural dimensions of the Tribes they are working with. For all levels and professions engaging with Tribes. This half-day intensive mixes lively lecture with easy hands-on exercises.

Treaty Rights, Tribal Engagement & Tribal-State Relations: Live online special course focusing on Tribal-State relations within the Federal Indian Law framework. Contact robert@seventhsovereign.com for more info.

DOI University - <https://doiu.doi.gov/catalog.html?submit=tribal>

CONSULTING WITH TRIBAL NATIONS

National Indian Programs Training Center

Description: This interactive course provides participants with an overview of Consulting with Tribal Nations through instructor led lectures, discussions and case studies. The culminating activity is a mock consultation where participants play the various roles. The training will enable participants to acquire the basic knowledge of the Tribal consultation process, cultural awareness and the importance of engaging with Tribal nations on matters that affect them. This course was created to support the Department of the Interior's (DOI) Policy on Consultation with Indian Tribes and the directive for training on Tribal consultation.

*This course was recommended by a USFWS Native American Liaison. They took this course and offered this perspective “So the course coordinators have really great instructors on contract. I took the training here in Minneapolis, MN and the local instructors really knew their legal background, great examples and comfortable with taking on heavy questions and giving

examples. Both were Native American, experts in Federal Indian Law and involved with the community ... beyond just culture”.

Appendix 1. Example Tribal Engagement Worksheet developed for application by U.S. Fish and Wildlife Service staff by Alejandro Morales, Public Affairs Specialist. This worksheet could be adapted and used as a guide to define the role of Tribes in the SWAP process including how Tribal priorities will be addressed, if and how Indigenous Knowledge will inform your SWAP, and how Tribes will influence decision-making. This process should be completed before engaging Tribes in your state.

Tribal Engagement Worksheet

PROJECT NAME:	
Identify Tribes and ancestral homelands in your state. Will you engage with federally recognized Tribes, state recognized Tribes, all Tribes, etc?	
Identify how the SWAP effects Tribes and areas being sought.	
Identify decisions that the Tribes can influence with input.	
Time frame for overall SWAP revision?	
Time frame for Tribal engagement - beyond comment period	
Identify any legal requirements	
Budget: Travel/per diem for Tribal participants Stipend Consultant Contracts	
Technical constraints for Tribal engagement	
Employees responsible for Tribal Engagement	

Need for Memorandum of Understanding? If yes, what is the process to develop?	
Audiences affected by the SWAP	
Are there State or Federal actions that will affect a Tribe's ability to respond and engage (e.g., natural disasters, local issues, Tribal elections, etc)?	
Identify the time frame(s) for follow- up actions after initial request for Tribal engagement.	

Appendix 2.

Tribal Engagement in North Carolina SWAP Case Study

Introduction

A State Wildlife Action Plan (SWAP) is a guiding document for a state to manage their individual species and habitat conservation goals. In 2005, each state submitted a plan to the U.S. Fish and Wildlife Service (USFWS) in order to receive funding through the State and Tribal Wildlife Grants program. Many states released an update to their SWAPs in 2015 to determine the species of greatest conservation need in collaboration with scientists, conservationists, private landowners, and tribes. There are eight elements that the U.S. Congress has required to be included in SWAPs. Element seven states that these plans must coordinate “...*the development, implementation, review, and revision of the plan with Federal, State, and local agencies and Indian tribes that manage significant land and water areas within the State or administer programs that significantly affect the conservation of identified species and habitats.*”¹

According to a survey conducted by the Association of Fish and Wildlife Agencies, 75% of SWAP coordinators that responded indicated that tribal engagement has been insufficient, identified barriers such as a lack of trust and capacity, and expressed a desire learn how to more effectively engage with tribes (unpublished data). Additionally, a similar survey conducted with anonymous volunteers from the Native American Fish and Wildlife Society (NAFWS) determined that 89% of those who responded felt their tribe had not been included enough throughout the SWAP development and implementation process. The responses indicate a lack of communication and respect towards the tribes. This case study uses the information obtained by the 2015 North Carolina Wildlife Action Plan as a guide to addressing the aforementioned barriers and increasing tribal engagement for the 2025 revisions.

Background

The Bureau of Indian Affairs reported that the United States has 574 federally recognized and 63 state recognized tribes². North Carolina is home to 1 federally recognized Tribe, the Eastern Band of Cherokee Indians (EBCI), and 8 state recognized Tribes: the Coharie, Haliwa-Saponi, Lumbee, Meherrin, Sapony, Waccamaw-Siouan, Nansemond of the Algonquian, and the

¹ *The Eight Requires Elements to include in Comprehensive Wildlife Action Plans (State Wildlife Action Plans)*. Association of Fish and Wildlife Agencies.

https://www.fishwildlife.org/application/files/5815/7125/4229/SWAP_Eight_Required_Elements.pdf.

² *Indian Entities Recognized by and Eligible to Receive Services from the United States Bureau of Indian Affairs*. Bureau of Indian Affairs. (2021, Jan 29). <https://www.federalregister.gov/documents/2021/01/29/2021-01606/indian-entities-recognized-by-and-eligible-to-receive-services-from-the-united-states-bureau-of>.

Occaneechie Band of the Saponi Nation³. In 2022, the North Carolina Commission of Indian Affairs recorded a population of approximately 10.6 million. Of those people, it is estimated that nearly 184,000 (about 1.5%) are Native American, making North Carolina the state with the 6th largest Native American population in the United States⁴. There are thousands of years of Native American heritage represented in North Carolina. Historically, the Tribes have been overlooked and underrepresented when they should be at the forefront of our conservation decisions.

Eastern Band of Cherokee Indian Perspectives

The Eastern Band of Cherokee Indians (EBCI) is in western North Carolina on land spanning through nearly 56,000 acres known as the Qualla Boundary. This land has diverse natural resources that support the people with rich culture and an advanced government and agricultural system. The biodiversity in this region is intricately tied to the identity of the Cherokee people. The area's natural resources and recreational opportunities are essential to the economy. Funds generated from tourism, fishing, and wildlife observation generates revenue for the tribe. Additionally, the EBCI generates funds through the operation of their trout fishing program, which has also benefitted the water quality and stream habitats, and by working with the state to jointly manage a small elk population. Maintaining the ecological integrity of the resources and the relationship the Cherokee people have with these resources can be challenging because a balance of needs such as economic development, housing, and healthcare must be met. For this reason, it is very important to the Tribe that their resource management and conservation goals be considered in the SWAP. Mike LaVoie, the EBCI Natural Resources Director, spoke on the experience of the EBCI regarding the 2015 North Carolina Wildlife Action Plan during an event hosted by the Association of Fish and Wildlife Agencies on November 16, 2022.

The EBCI was first contacted by the state about the SWAP in 2013. They were invited and participated in a stakeholder planning workshop. Unfortunately, the biggest obstacles that prevented the EBCI from having a larger contribution in the SWAP were lack of tribal capacity and knowledge of the SWAP development. When this was introduced to them, they did not have the staff to collaborate as much as they would have liked. The time constraint and lack of communication regarding the development process limited what they were able to contribute. Another issue that the EBCI was facing at the time was that they did not have a strong relationship with the Wildlife Resources Commission (WRC). A better relationship between the

³ State statute allows the NCCIA to give tribes state recognition. <https://www.ncsl.org/quad-caucus/state-recognition-of-american-indian-tribes#:~:text=State%20Action,South%20Carolina%2C%20Vermont%20and%20Virginia>.

⁴ *Division of Indian Affairs: Statistics*. North Carolina Commission of Indian Affairs. <https://ncadmin.nc.gov/about-doa/doa-division-indian-affairs>

organizations, at a government-to-government level, would have supported stronger engagement throughout the planning process.

In 2015, the EBCI Tribal Council approved their own Integrated Resource Management Plan, known as the Legacy Plan. This tool identified a zone of influence for the Tribe to engage outside their current jurisdiction which empowered them to seek broader conservation objectives and partnerships. The Legacy Plan was established to reflect the voice of the community and undergoes a yearly adaptive review process to check on the progress of projects, gauge necessary changes to be made, and include additional goals. The EBCI also developed their own Wildlife Action Plan as a subset of the Legacy Plan that focused on culturally significant, locally rare, and federally listed species. Tribal capacity was increased through the hiring of two full time biologists and two technicians to support this project. Lastly, during this time the EBCI was able to build a stronger relationship with the Executive Director's office at the WRC which has helped broaden communication and engagement at a higher level. In 2015, the tribal leadership expressed an interest in restoring the white tail deer population and worked with the WRC to develop a project focused on translocating the deer from an overpopulated state park to the Cherokee land. The Executive Director, Gordon Meyers, maintained communication and a positive relationship with Principal Chief Mitchell Hicks.

Although capacity may have prevented engagement during the last revision, recent planning efforts indicate that the EBCI and WRC are working together to address past shortcomings to better the 2025 SWAP revision. Some of the most effective contributors to successful collaboration have included early communication throughout the process, opportunities for reviewing and commenting on plan components, potential participation on technical review committees, improved data sharing, access to analysis tools, and improved collaboration on determining Conservation Opportunity Areas. Most importantly, the WRC has fully committed to integrating the joint priorities of the EBCI into the next update of the North Carolina SWAP. There have been discussions to highlight the common objectives throughout the plan and include the EBCI Wildlife Action Plan as an appendix in the completed revision.

Review of 2015 North Carolina State Wildlife Action Plan

Cindy Simpson, the Wildlife Action Plan Coordinator through the North Carolina WRC, led the efforts to review and revise the 2015 SWAP. In November of 2022, Simpson presented at the Association of Fish and Wildlife Agencies' (AFWA) first SWAP Virtual Learning Series the ways in which the latest revision cycle could have further integrated the priorities of the EBCI, and other state recognized Tribes and steps they are taking to promote inclusivity and opportunities for engagement in the 2025 revision cycle.

One of the first steps to effective collaboration with Tribes is to be well informed. There were a few misconceptions regarding the collaboration that prevented Tribal inclusion in prior SWAP versions. First, Simpson had assumed that the State and Tribal Wildlife Action programs were

funded similarly, but they are separate programs. Since the EBCI are a sovereign Nation, the second assumption was that they would have their own Wildlife Action Plan to address their priorities on the Qualla Boundary. Lastly, the third assumption was that there already was frequent communication between the WRC staff and the EBCI so that shared priorities would be automatically incorporated into all conservation planning and implementation efforts. These assumptions and misconceptions occurred because Simpson did not have updated and relevant information about the efforts of the Tribes within the state. It was believed that Tribes' priorities would either be included directly through information given from the Tribes, or indirectly from information shared by WRC staff incorporating shared priorities. The information was available but this issue occurred due to a lack of knowledge on where to find credible information about the Tribes in the state.

Apart from these misconceptions, there was also misunderstanding regarding the Native American population located in North Carolina. Simpson believed that there were only two tribes in the State: the EBCI and the Lumbee Tribe. The EBCI biologists attended an early regional meeting organized by the WRC but their participation in the revision was limited due to the lack of communication. Simpson assumed that the WRC biologists were already working in collaboration with the EBCI biologists which would imply that the EBCI already knew how they could play a role in the preparation and implementation of the plan. Unfortunately, this was not the case at that time. The EBCI were contacted during the revision outreach efforts, but the other eight Tribes were not because the WRC did not have their contact information. It was never the WRC's intent to exclude anyone. Some tribes did not get the opportunity to participate because the appropriate contacts were not obtained beforehand, or the WRC did not know the best method of communicating with the tribe. Without the proper information, it was challenging to effectively engage with the tribes.

Another key component to successful collaboration is intentional communication. In this instance, a "one size fits all" approach was used for outreach and communication with all Tribes, partners, and stakeholders in North Carolina. Simpson did not tailor outreach efforts to acknowledge tribal sovereignty, their valued cultural resources, or their individual conservation priorities. It is imperative to recognize that tribes are not stakeholders. They need to be recognized as sovereign in all practices including communication and outreach. This can be accomplished through individual and direct communication.

As the 2025 SWAP revision approaches, Simpson has stated that she will be taking steps to proactively improve the WRC's tribal engagement efforts. This will start by making a greater effort to include all the Native American tribes in North Carolina, their conservation and cultural priorities, and encourage greater participation throughout the revision process. The state has improved its awareness of which Native American populations exist in North Carolina and how to find information and contacts for each tribe. A state agency, the North Carolina Commission of Indian Affairs, is working with Native American tribes in the state to ensure that they will have an open line of communication moving forward. The Commission has

recommended attending public tribal events to meet members and begin forming relationships as soon as possible. Additionally, the WRC has added a Diversity and Inclusion Program Coordinator, Luis Suau, to their administrative staff in 2022 to work with underrepresented communities and increase community outreach.

The WRC wants to be inclusive and collaborate with all Tribes in North Carolina. At a minimum, they will incorporate the Tribal Wildlife Action Plans into the SWAP with references to their cultural priorities and Indigenous Knowledge. The North Carolina Commission of Indian Affairs was able to provide the missing contact information for the 8 state recognized Tribes and the tribal leaders have been emailed introductions that explain what the SWAP is, why it is being revised, and why their involvement throughout the process would be greatly appreciated.

Recommendations on Best Practices

Conducting Research

The 2015 North Carolina State Wildlife Action Plan revision highlights the need for research, strong relationships, communication, and understanding of best practices for effective tribal engagement. First, it is important to know which tribes are in the state. Identify any state or federal agency, organization, or regional associate that could be a source of information on the tribes within the state. This information will serve as resource for improving collaboration by building a strong foundation and understanding the of the tribes. Once this has been determined, it is essential to develop relationships and begin building trust. States hoping to improve tribal engagement in their SWAP can support stronger relationships between tribes and states through AFWA and the NAFWS. Given the complicated history between states and tribes, it is important to recognize and acknowledge that the history is the primary reason to begin building a relationship based on open communication, understanding, and patience. This improves collaboration with tribes because it can help increase confidence moving forward. It demonstrates a genuine desire to receive guidance from the tribes on the land they have maintained for generations with their knowledge and wisdom at the forefront of achieving SWAP conservation goals.

Establishing Open Communication

Open communication throughout the revision process is also essential. Express a desire to work with the tribes, ask each tribe how they would like to participate, and determine the best form of communication. Ask the tribes if they would like to engage in any or all the steps of the process. There should be open communication to ensure that they have the ability and capacity to participate. This is accomplished through the implementation of clear communication and the establishment of transparent boundaries. Actively seek common objectives within lists of

Species of Greatest Conservation Need (SGCN) lists and highlight tribal priorities in SWAPs to make the SWAPs more representative of the goals found throughout the entire state.

Patience

Lastly, patience is a part of effective tribal engagement. Staffing is often extremely limited and those who are available may be taking on many different roles and projects at once. It may take time to receive responses but that does not mean that the tribes are not interested in partnerships. Building state capacity to better engage with tribes can be beneficial as well. Ensure that employees and staff of the state are given resources to understand how to appropriately and respectfully contact and collaborate with tribes. States could advocate for stronger relationships with tribes in official policy, support the establishment of a tribal liaison, and require staff training regarding tribal culture, governance, history, sovereignty, and natural resource priorities. The WRC has exemplified the importance of consistently working to partner with the tribes to ensure that shared priorities are incorporated into the SWAP. Simpson has built strong long-standing relationships with people by seeking opportunities to meet one on one, asking to attend public events, and prioritizing face to face interactions, when possible, over virtual communications. In addition to communicating with tribes directly, Simpson has stated that she also contacts organizations that partner with the WRC to discuss shared priorities and how they are engaging with the tribes. The WRC has taken these steps so that the 2025 SWAP revision captures the conservation goals of the state and the tribes.

Conclusion

The information that has been gathered by AFWA's survey of SWAP coordinators and through contacts acquired through the NAFWS clearly indicate a general need to improve and increase engagement between tribes and states. The feedback highlighted the lack of communication and trust, acknowledgement of Tribal sovereignty, capacity barriers that could be present in both tribes and states, and an overall perceived lack of respect and appreciation that historically occurs throughout collaboration attempts. This case study aimed to evaluate the successes and shortcomings of the tribal engagement strategies used by the WRC in the 2015 North Carolina SWAP. The experience served as a learning opportunity that allowed the team at the WRC to discover best practices that they plan to implement in their 2025 SWAP revision. The work that they are doing to build relationships, improve communication, and remedy past misconceptions reflects their desire to develop a SWAP that is representative of the conservation goals of the entire state. Their experience serves as a guide for others to evaluate their tribal engagement practices for the upcoming SWAP revisions.