

# INCORPORATING TRIBAL PERSPECTIVES, TREATY RIGHTS, AND KNOWLEDGE IN ECOSYSTEM RESTORATION

## NCER2024

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USACE Tribal Nations Technical Center of  
Expertise (TNTCX)

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of Engineers®





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# AGENDA



- What is the TNTCX?
- Tribal Consultation – It's not just about impacts!
- Considering indigenous perspectives.
- Indigenous Traditional Ecological Knowledge (ITEK) or Engineering With Nature® (EWN)?
- Don't forget Treaty Rights
- Final thoughts





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# TNTCX INTRODUCTION



## TNTCX Purpose

As part of the Federal government's trust responsibility to Tribal Nations, USACE has a legal and moral obligation to ensure we are good stewards of Tribal trust resources. As such, the USACE Tribal Nations Technical Center of Expertise (TNTCX) was created to support USACE work with federally recognized Tribes across the enterprise to address some of the toughest water resource, cultural, Treaty Trust resources, and environmental challenges in the Nation.

*Our Expertise is Building Relationships*





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# TNTCX KEY TECHNICAL SKILLS



Engineering  
With Nature



Tribal  
Consultation  
and  
Collaboration



Indigenous  
Knowledge  
Research



Environmental  
Restoration



Water  
Resource  
Management



Environmental  
Science and  
Biology



Tribal Law  
and Trust  
Resources





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# TNTCX SOCIAL MEDIA



The screenshot shows the top navigation bar with links for About, Business With Us, Missions, Locations, Careers, Media, Library, Contact, and Coronavirus. Below the navigation is the main header for the Tribal Nations Technical Center of Expertise (TNTCX) with the tagline "Our Expertise is Building Relationships". The "About Us" section describes the center's mission to improve USACE's quality and effectiveness in delivering missions to Federally recognized tribes. A "Links" section provides quick access to various resources like "Meet the Team", "Services and Technical Capabilities", "New Stories", "Traditional Ecological Knowledge", "Tribal Liaison Toolbox", "Partnerships", "Publications", and "Training Calendar".

This section of the website provides contact information for the TNTCX, including the email address TNTCX@usace.army.mil and the physical address at 4101 Jefferson Plaza, NE. It also features a "TNTCX Newsletters" section, highlighting the "May Spring 2020 Issue No. 9" with a welcome message to readers.

<https://www.spa.usace.army.mil/Missions/TNTCX/>

The LinkedIn page for the USACE Tribal Nations Technical Center of Expertise (TNTCX) shows the company profile, including a group photo of staff, the company name, and a brief description of its mission. It also displays the number of employees (6) and provides navigation options for the company page.

<https://www.linkedin.com/company/u-s-army-corps-of-engineers-tribal-nations-technical-center-of-expertise-tntcx/about/>

The Facebook page for the USACE Tribal Nations Technical Center of Expertise features a large group photo of the staff, the center's name, and a "Send Email" button. It also shows the number of followers (183) and following (34).

<https://www.facebook.com/USACETNTCX>





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# NOT JUST ABOUT IMPACTS

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Photo: Christopher Parrish/TNTCX

- Compliance is the minimum – not the target!
- If Tribal engagement is only driven by whether there are artifacts in the project area – you are doing it wrong!
- Communicate with Tribal partners early and identify opportunities to incorporate:
  - Cultural Keystone Species
  - Traditional Ecological Knowledge
  - Ethnobotanical Knowledge
  - Tribal small business
  - Treaty Rights
- Collaborate on education/recreation opportunities and access for cultural keystone species harvest.





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# INDIGENOUS PERSPECTIVES

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- Tribal Nations have different world views and perspectives
- Natural resources are cultural resources!
- Consideration for sacred sites, TCPs, view shed, traditional gathering areas





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# CULTURAL KEYSTONE SPECIES



**Cultural Keystone Species** as a concept has been defined as a "...culturally salient species that shape in a major way the cultural identity of a people, as reflected in the fundamental roles these species have in diet, materials, medicine, and/or spiritual practices" (Garibaldi and Turner 2004)

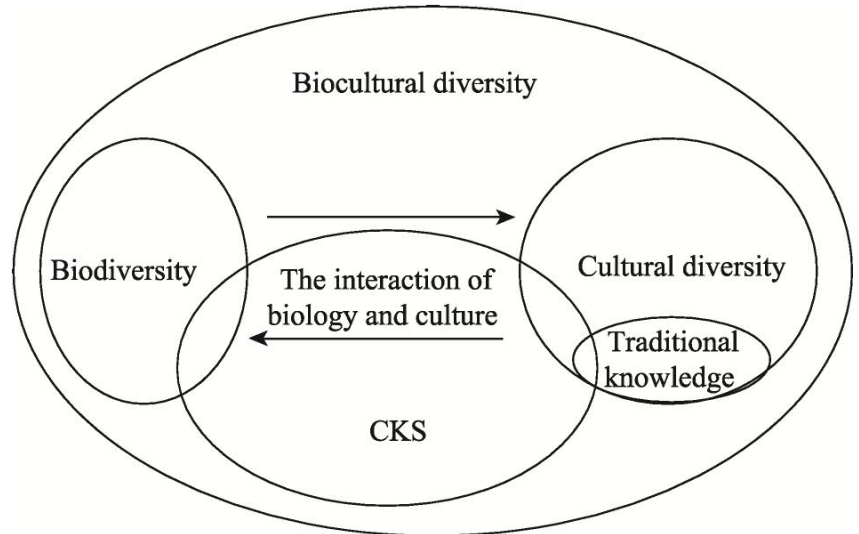
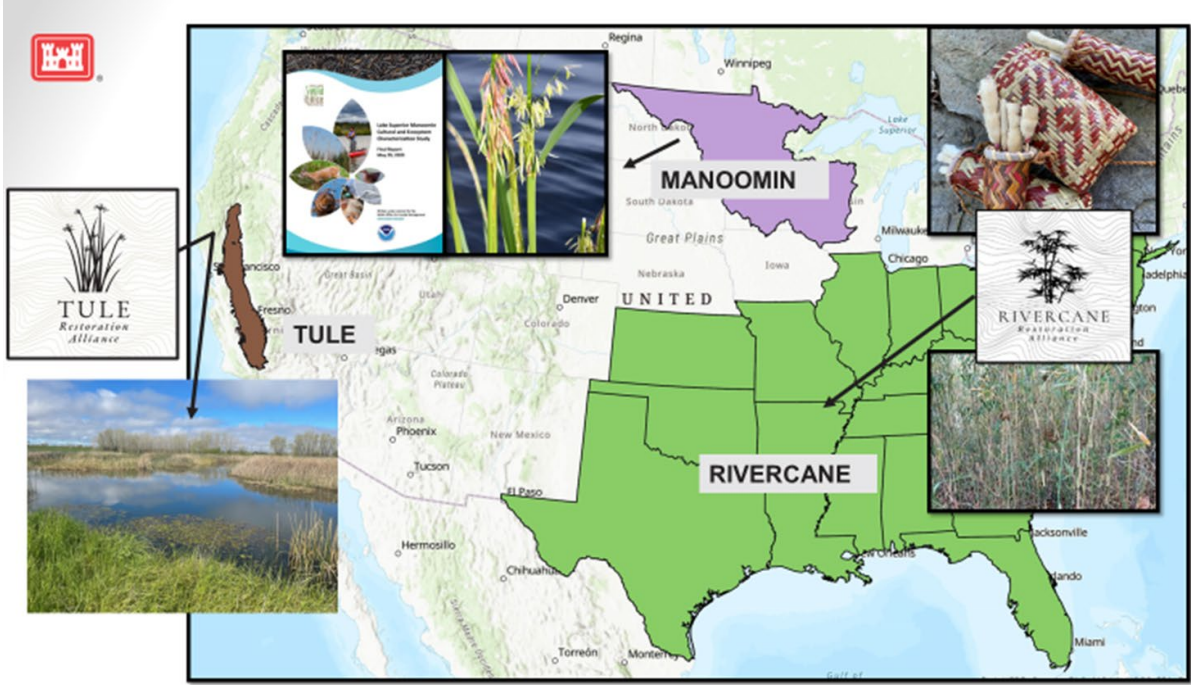


Figure credit Quingwen et al. 2022



Photo by Michael Fedoroff, USACE







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# ITEK

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Indigenous Traditional Ecological Knowledge (ITEK) is a body of observations, oral and written knowledge, practices, and beliefs that promote environmental sustainability and the responsible stewardship of natural resources through relationships between humans and environmental systems. It is applied to phenomena across biological, physical, cultural and spiritual systems. IK/ITEK has evolved over millennia, continues to evolve, and includes insights based on evidence acquired through direct contact with the environment and long-term experiences, as well as extensive observations, lessons, and skills passed from generation to generation.

U.S. Fish & Wildlife Service, (Feb. 2011), Traditional Ecological Knowledge for Application by Service Scientists, <https://www.fws.gov/sites/default/files/documents/TEK-Fact-Sheet.pdf>

ITEK is a valid form of evidence. It doesn't need further validation. Indigenous Knowledge and western scientific methodologies share many common features:

- (1) Systematically understand and explain ways of knowing;
- (2) Use of systematic observation, innovation, and verification through repetition;
- (3) Derived from direct contact with the environment and evolve over time in response to new inputs;
- (4) Seek to make sense of the world and desire to conduct practical and curiosity-driven investigations; and
- (5) Use of empirical approaches.

OSTP and CEQ, (Nov. 2022), Guidance for Federal Departments and Agencies on Indigenous Knowledge, <https://www.whitehouse.gov/wp-content/uploads/2022/12/OSTP-CEQ-IK-Guidance.pdf>





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# EWN

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Engineering With Nature® (EWN): The intentional alignment of natural and engineering processes to efficiently and sustainably deliver economic, environmental, and social benefits through collaboration.

It utilizes natural infrastructure: Natural infrastructure performs engineering functions and services; such as preventing erosion, reducing damage to property from storms, supporting thriving ecosystems.

It includes natural systems (whether conserved, created, enhanced or restored) such as wetlands, floodplains, reefs, living shorelines, dunes, and barrier islands, among others and it produces a broad array of social, environmental and economic benefits. Such as flood protection, providing recreation opportunities, supporting economically valuable species and absorbing pollution and carbon dioxide.





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# ITEK OR EWN??



## ITEK Rock Wall/Clam Garden

## EWN Living Shoreline



KUOW Photo/John Ryan

Photo: North Carolina Coastal Federation



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# ITEK OR EWN??

## ITEK Cultural Burn



Photo: Alysha Beck/UC Davis

## EWN Prescribed Burn



Photo: TNC



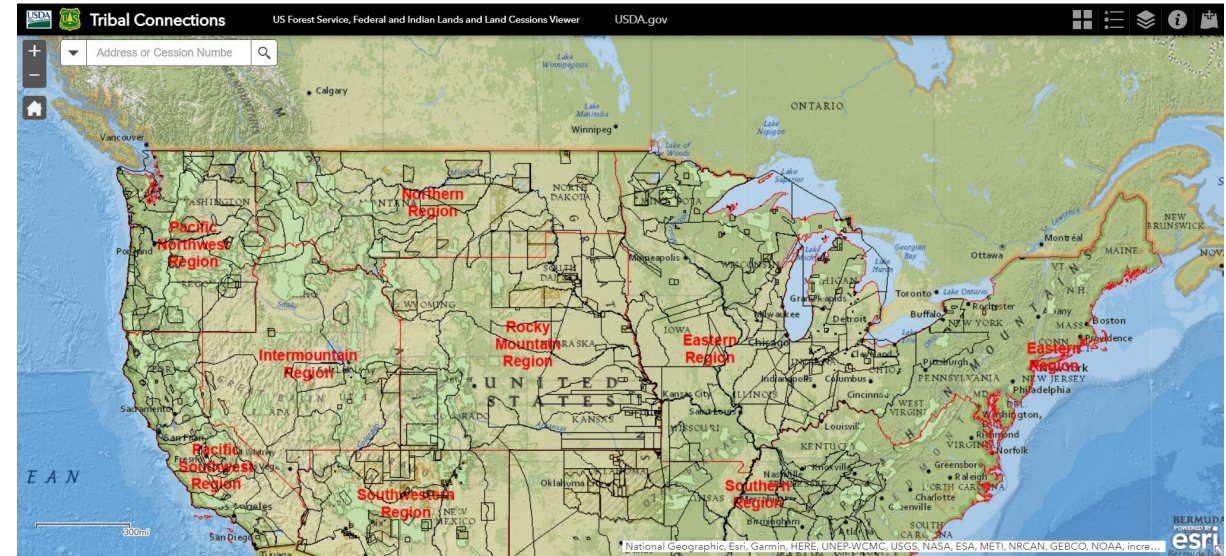


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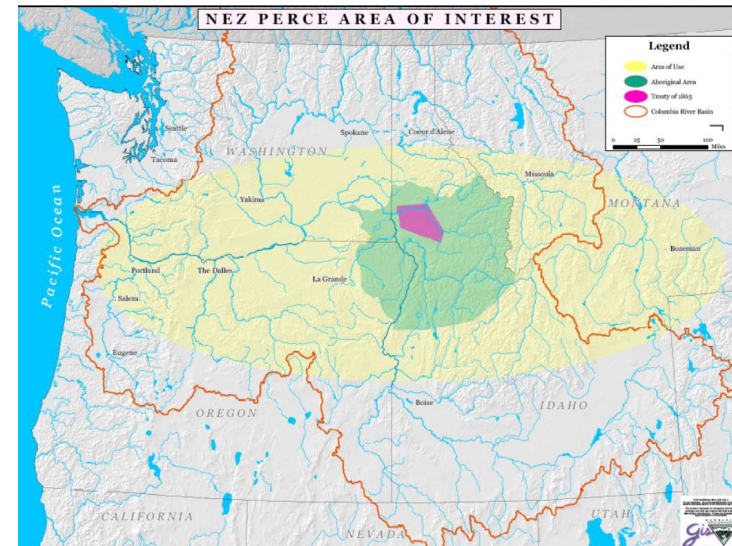


# TRIBAL TREATY RIGHTS

- Important to understand that treaty rights impose substantive restraints on Federal agency decision making.
- Early in project planning determine if a proposed undertaking might impact treaty-protected rights.
- Consider these questions:
  - Do treaties exist within the geographic area to be affected by the proposed project?
  - What treaty rights exist in, or what treaty reserved resources rely upon the specific geographic area relative to the specific geographic area?
  - How are any tribal rights potentially affected by the proposed action and subsequently, our decision?
  - Are there any tribal lands abutting or adjacent to the geographic or permit area?



<https://www.arcgis.com/apps/webappviewer/index.html?id=fe311f69cb1d43558227d73bc34f3a32>





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# FINAL THOUGHTS

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- **Compliance is the minimum – not the target!**
- **If Tribal engagement is driven by whether there are artifacts in the project area – you are doing it wrong!**
- **Communicate with Tribal partners early on opportunities to incorporate:**
  - **Cultural Keystone Species**
  - **Traditional Ecological Knowledge**
  - **Ethnobotanical Knowledge**
  - **Tribal Treaty Rights**
  - **Tribal small business**
- **Collaborate on education/recreation opportunities and access for cultural keystone species harvest.**

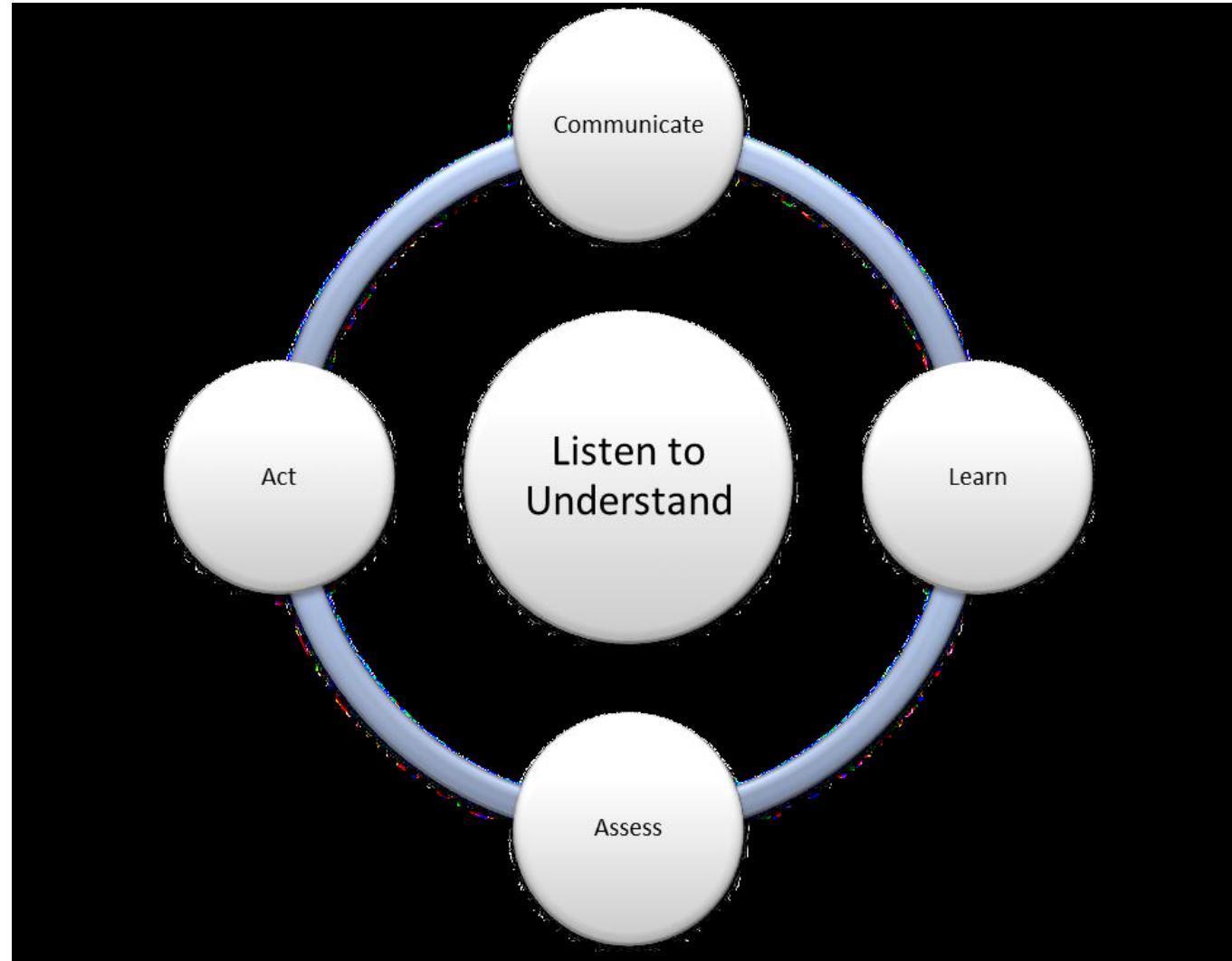




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# FINAL THOUGHTS



Graphic from “Tips, Tips, and More Tips, Chip Smith, OASA, Relationship-Building with American Indian and Alaska Native Governments and Communities, “ March 2016.





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# HOW TO ENGAGE THE TNTCX

**VISIT OUR WEBSITE**

**[HTTPS://WWW.SPA.USACE.ARMY.MIL/MISSIONS/TNTCX/](https://www.spa.usace.army.mil/missions/tntcx/)**

**TRIBAL LIAISON TOOLBOX**

**[TNTCX - TRIBAL NATIONS TECHNICAL CENTER OF EXPERTISE - TRIBAL LIAISON TOOLBOX \(ARMY.MIL\)](#)**

**OR SEND US AN EMAIL:**

**[TNTCX@USACE.ARMY.MIL](mailto:TNTCX@USACE.ARMY.MIL)**

