

Tribal Engagement Plan

Climate Resilient Riparian Systems Lead

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Program Overview

The Environmental Protection Agency has awarded the Washington State Department of Ecology (Ecology) funds to develop a grant program and facilitate subawards of these funds toward improving the climate resiliency of riparian systems in Puget Sound. The funding is directed at riparian systems recovery focused projects. Ecology has partnered with the Washington State Conservation Commission (WSCC) and the Bonneville Environmental Foundation (BEF) to serve as a foundation for collaboration on riparian systems. Restoration of damaged riparian systems takes partnering across jurisdictional boundaries, working with both private and public landowners, and coordinating across state, federal, and tribal governments. Partnering on this award is a commitment to working together to solve some of the biggest challenges in Washington's waterways.

Program Teams

The Climate Resilient Riparian Systems Lead (CR2SL) is advised by these program teams. A Lead Team, comprised of representatives from each of the partner organizations, a Tribal Liaison, and other key stakeholders, is guiding the development process. An advisory Core Team, comprised of high-level thinkers and outside partners in WA state natural resources restoration and protection, is convening to provide input and support decision making for program development and design. Together, these two teams are applying their collective knowledgebase to build the CR2SL funding program to meet the current needs of Puget Sound riparian practitioners.

Engagement Process

The CR2SL program aims to effectively and efficiently improve riparian restoration and protection outcomes in Puget Sound watersheds by directing funds to support riparian practitioners how and where they need it most. Extensive feedback was solicited and received from a broad range of partners and stakeholders, shining light on the challenges, barriers and funding gaps commonly faced by riparian restoration practitioners. Tribal recommendations received from this engagement are included in this Tribal Engagement Plan in the Summary of Tribal Recommendations section. The complete overview of engagement findings and a review of engagement activities completed can be found in the [Summary Report of Input from Puget Sound Riparian Professionals](http://ecyapfaff/Biblio2/SummaryPages/2406013.html)¹.

¹ <http://ecyapfaff/Biblio2/SummaryPages/2406013.html>

While the CR2SL public engagement process is robust and may substantively serve many of the interests of Puget Sound Tribes, we also maintain a Government-to-Government relationship with Tribal governments. Tribal engagement is important to guide the development and implementation of the CR2SL program because of the potential direct and indirect impacts and benefits to Tribal interests. Given Tribes' time immemorial connection to the land, Tribal interest in the program may arise from many different factors. In recognition that Tribal interests in the program may change over time, ongoing communication is built into this Tribal Engagement Plan (Plan).

Funding Timeline

The first round of requests for proposals (RFP) seeking funding will be available in November 2024. Additional information on the timeline and structure of the funding opportunity can be found in the [Investment Plan](#) (*in draft*). The grant program will promote innovative, sustainable, reach-scale approaches to riparian management. Subaward projects will result in a greater area of riparian acreage protected, restored, or maintained for climate resiliency.

Potential Impacts

CR2SL potential impacts to Tribes

Federally recognized Tribes are eligible recipients for CR2SL funding; therefore, it is possible that the program will have positive impacts to Tribal rights and interests on their Tribal lands, however it is unknown if and which Tribes will apply for funding and where projects will be implemented. Potential impacts could include:

- Improved salmon and other fish habitat
- Improved critical habitat conditions for downstream Puget Sound orca and other aquatic life
- Improved wildlife habitat
- Improvements to existing riparian buffers
- Increased streamside shade
- Reduction of invasive weeds on rivers/streams
- Reduced erosion
- Climate resilience through creation of microclimates, moderation of air temps

Intersection with climate change impacts to Tribes

Indigenous peoples are the original stewards of the lands and waters that comprise the Puget Sound region, and Tribal Nations and indigenous people have maintained deep relationships with the lands and waters that provide subsistence foods, cultural resources, cultural

connection and traditional natural resource uses. Indigenous peoples are at the forefront of recognizing and experiencing the impacts of climate change, which has numerous impacts to tribal rights and resources with linkages to riparian systems, including but not limited to the following impacts outlined by the Northwest Indian Fisheries Commission (NWIFC):

- “Declining runs of salmon and steelhead due to changes in streamflow, stream temperature, levels of dissolved oxygen, amount of sediment in streams, susceptibility to disease, ocean temperatures, ocean chemistry, timing of prey availability, prey type, and competition from warm-water species
- Migration of marine fish away from historical fishing grounds as they seek out cooler ocean temperatures
- Replacement of traditional fish runs with invasive species and new species that have migrated from the south
- Declining populations of shellfish (both mollusks and crustaceans) due to changing ocean chemistry
- Closing of shellfish harvest areas due to harmful algal blooms.
- Loss of traditional shellfish harvesting areas, forage fish spawning grounds, and important cultural sites to sea level rise or increased coastal erosion.
- Declining populations of wildlife and birds due to habitat changes, loss of food sources, disease, and competition with invasive species.
- Migration of wild game and birds out of traditional hunting grounds as they move farther north or to higher elevations.
- Decreased plant productivity and shifts in species ranges due to heat stress, drought, invasive species encroachment, or increasing pests.
- Loss of traditional hunting grounds, plant gathering areas, and sacred sites due to wildfire, landslides, or invasive species.
- Changes in timing of key life stages in a variety of species, such as the migration of salmon, fruiting of berries, or optimal time to harvest cedar bark.
- Loss of access routes to important cultural sites due to flooding, bridge damage, permanent road closures, or landslides
- Loss of water supplies for drinking and other needs due to saltwater intrusion from sea level rise, or changes to precipitation, streamflow, and/or groundwater availability.
- Negative societal outcomes from poor air quality, heat stress, spread of diseases, loss of nutrition from traditional foods, and loss of opportunities to engage in traditional cultural activities.”

[NWIFC. Climate Change and Our Natural Resources: A Report from the Treaty Tribes in Western Washington Executive Summary \(2016\)²](#)

Many of the above listed impacts of climate change to Tribal rights and resources in riparian systems intersect with the CR2SL program focus on protecting and restoring riparian areas in Puget Sound.

Potentially Impacted Tribes

The following 19 federally recognized Indian tribes are located within the Puget Sound program footprint where projects will be implemented. The watersheds historically and presently utilized by these Tribes are linked both physically and culturally, and projects implemented in one watershed will likely impact Tribal interests in others however it is unknown who will apply for funding and where projects will be implemented, and therefore direct impacts are uncertain at this point. The Tribes located in the program footprint include:

- Jamestown S'Klallam Tribe
- Lower Elwha Klallam Tribe
- Lummi Nation
- Makah Tribe
- Muckleshoot Indian Tribe
- Nisqually Indian Tribe
- Nooksack Indian Tribe
- Port Gamble S'Klallam Tribe
- Puyallup Tribe of Indians
- Samish Indian Nation
- Sauk-Suiattle Indian Tribe
- Skokomish Indian Tribe
- Snoqualmie Indian Tribe
- Squaxin Island Tribe
- Stillaguamish Tribe of Indians
- Suquamish Tribe
- Swinomish Indian Tribal Community
- Tulalip Tribes

² https://nwifc.org/w/wp-content/uploads/downloads/2017/01/CC_and_Our_NR_Report_2016-1.pdf

- Upper Skagit Indian Tribe

Goals of the Tribal Engagement Plan

The engagement activities listed in the following section are designed to advance these four goals:

Goal 1: Honor and uphold the Government-to-Government relationship with Tribal Nations.

While the CR2SL public engagement processes are robust and may substantively serve many of the interests of Puget Sound Tribes, we also maintain a Government-to-Government relationship with Tribal governments based on our unique relationship. Ecology will make regular invitations for Government-to-Government consultation. Ecology's Executive Advisor for Tribal Affairs, Tyson Oreiro, is available to support Government-to-Government consultation.

Goal 2: Increase awareness of the CR2SL program among Tribal Nations.

The CR2SL program partners, Ecology, WSCC, and BEF, will increase awareness of CR2SL resources by attending and presenting to tribes at meetings hosted by the NWIFC, and at Tribal environmental and climate conferences, workshops, and webinars. These events provide opportunities to share about the ongoing work of the CR2SL program, network with Tribal natural resources staff, and learn about how Tribes in the region are incorporating climate adaptation and resilience and riparian area conservation and restoration into their programs. Additionally, the CR2SL is creating outreach materials that outline the grant program and consultation timeline and may provide examples of projects that focus on Tribal riparian conservation and restoration needs and priorities. BEF also supports an agreement with a Tribal liaison, Bobby Whitener of The Whitener Group and member of the Squaxin Island Tribe, who is available to share information and promote discussion and participation.

Goal 3: Learn more about Tribal needs and priorities in order to honor Tribal sovereignty and incorporate Tribal interests into our decision-making.

The program leads have and will continue to request time at meetings hosted by the NWIFC to share information and learn about priorities and needs and provide at least annual tribal listening sessions. A representative from the NWIFC has been invited to and agreed to participate as available in Core Team meetings to provide input. Key grant investment priorities and related documents will be shared with Tribes with minimum 30-day comment periods. The CR2SL program leads will also track and consider input provided by Tribes and the NWIFC to related processes such as the Riparian Roundtable.

Goal 4: Fund Tribal capacity and implementation of beneficial riparian conservation and stewardship activities that align with Tribal priorities.

Federally recognized Tribes and Tribal organizations are eligible recipients for CR2SL funding; therefore, it is possible that the grant program will fund Tribal proposals to support capacity and implementation projects and projects that serve or meaningfully engage Tribes and actions that benefit priority locations and needs. This may include several opportunities for potentially funding Tribal staff capacity on proposed projects, as well as in the decision-making space of the Core Team and Lead Teams, and an invitation to participate on the request for proposal Evaluation Team.

Tribal Engagement Activities

Activities to inform program development

The following Tribal engagement activities have been completed and were carried out to gather Tribal input during program development:

- Notifying Federally recognized Tribes within the Puget Sound program footprint of CR2SL program initiation and inviting Government to Government consultation.
- Presenting to Tribes at meetings coordinated by the NWIFC early in program development and soliciting input to guide development.
- Engaging a Tribal Liaison to participate on the Lead Team to provide advisory support regarding inclusion of Tribal concerns and interests at decision making points throughout all stages of program development and implementation.
- Inviting a NWIFC representative to participate on the advisory Core Team to provide high-level thinking input at all stages of program development.
- Hosting virtual listening sessions for Tribal members and staff to describe the funding opportunity and solicit input from Tribes and their technical staff on program development.
- Distributing a Tribal listening session follow-up worksheet to solicit additional details on Tribal concerns and program development.

Table 1 - List of completed Tribal engagement activities and when they were completed

Description	Date
Program initiation notification letter sent via email	01/2024
Presentation of program and input solicitation at NWIFC hosted meeting	03/2024
Invitation extended to Tribal liaison to participate in Lead Team	03/2024
Invitation extended to NWIFC representative to participate in the Core Team	04/2024
Invitations to attend virtual Tribal listening session sent via email	04/2024
Hosted two Tribal virtual listening sessions	05/2024
Follow-up Tribal listening session worksheet sent via email	06/2024

Ongoing Tribal engagement opportunities

Some of the activities listed above will be ongoing activities that reflect the intentions of the CR2SL program to adapt the focus of solicitations throughout the EPA funding cycle based on changing needs and feedback received, as well as provide continued coordination amongst Puget Sound riparian professionals to build local momentum and agreement on best practices. The CR2SL program will invite Tribal participation and input throughout the life cycle of the grant program, including through these structured forums:

- Notifying Federally recognized Tribes within the Puget Sound program footprint of CR2SL program proposed updates and inviting input as well as Government to Government consultation.
- Presenting to Tribes at meetings hosted by the NWIFC on proposed program updates and inviting input.
- Inviting Tribal participation in technical workshops focused on various riparian restoration topics, with the goal of building local momentum and agreement on best practices.

Tribal Engagement and Program Milestones for November 2024 Solicitation

Table 2 below includes an outline of the planned Tribal engagement activities and program milestones specific to the program’s first solicitation for proposals in November 2024.

**This list of activities is subject to change based on Tribal feedback yet to be received.*

Table 2 - Program milestones and planned Tribal engagement activities for November 2024 solicitation

Date	Program Milestones and Expectations	Notification and Consultation
August 23, 2024	Timeline, draft Investment Plan, and draft Tribal Engagement Plan Available for Comment	Ecology will send an email notice to Tribal Chair and natural resource department leads that includes the timeline, draft investment plan, and draft Tribal Engagement Plan, and invitation to participate in the RFP Evaluation Team.
August 23, 2024	Tribal consultation letters sent	Ecology will send an email notice Tribal Chair and natural resource department leads that includes a formal invitation for Government-to-Government consultation.
September 23, 2024	Tribal comments on draft Investment Plan and draft Tribal Engagement Plan due back to CR2SL team	
October 11, 2024	Presentation on draft Investment Plan and draft Tribal Engagement Plan	Tribal engagement on shared documents in a meeting coordinated through the NWIFC.
October 16, 2024	Tribal comments incorporated and final Investment Plan released	
October 28, 2024	Tribal notification of Environmental Justice Assessment letters sent	Ecology will send an email notice to Tribal Chairs of Federally recognized Tribes within the Puget Sound program footprint of the completion of the CR2SL Environmental Justice Assessment.

November 5, 2024	Application period opened through EAGL grant application at 8 a.m.	
November 13, 2024	Ecology hosts applicant webinars	
December 10, 2024; January 8, 2025	Applicant technical assistance virtual “office hours”	
January 15, 2025	<u>Application</u> period closes at 5pm	
January 15-March 5, 2025	Application review period	Tribal staff are invited to participate on the RFP Evaluation Team, provided the Conflict-of-Interest policy is met.
March 5, 2025	<u>Application</u> review results announced.	
March 5, 2025	Tribal notification of applications received	Ecology will send an email notice to Tribes about the list of applications received and post a list of applications on the website. Any affected federally recognized tribes will be invited to submit to Ecology a summary of tribal. issues, questions, concerns, or other statements regarding the project, which will become part of the contract negotiation.
March - June, 2025	Anticipated start date for funded grant agreements.	

Summary of Tribal Recommendations Received to Date

None of the Tribes or Tribal organizations that provided recommendations noted any significant potential harms from the new program. Tribal recommendations about the new program development were received from high-level Tribal government leaders, workgroups, a Tribal liaison, and natural resource staff. Recommendations provided by individuals are not attributed to them or the Tribe they represent out of respect for privacy. Recommendations provided by individuals during a meeting hosted by the NWIFC are anonymized. Tribal recommendations are sorted below under three categories:

Tribal engagement recommendations

- NWIFC Riparian Workgroup: Advised CR2SL staff to not assume that NWIFC represents Tribes and to do direct Tribal outreach as well.
- NWIFC Riparian Workgroup: Celebrated previous integrated efforts like Floodplains by Design that allowed Tribes to effectively engage with the agricultural community.

- NWIFC Riparian Workgroup: Overarching sentiment of desire for an effective model to engage Tribes on this effort. Caution against an overemphasis on process, and a desire to as rapidly as possible make tangible improvements for the benefit of salmon populations.

Tribal funding priorities

- Tribal Liaison: There is a general fatigue around riparian incentive programs not being effective, and Tribes may be worried that this program will continue the status quo instead of trying to break it. They don't want this process to be an added layer of resistance to that change.
- NWIFC Riparian Workgroup: The Tribes are aware of at least 5 riparian programs right now, 4 of which include funding. The Tribes are working to track and connect processes so they can provide consistent messaging. The question was posed if CR2SL could fund a position at NWIFC to coordinate this work.
- NWIFC Riparian Workgroup: The Tribes prioritize protection of existing quality habitat or investments to restore and protect degraded habitat.
- NWIFC Riparian Workgroup: The Workgroup provided three priorities:
 1. Plant materials availability
 2. Protection of existing quality habitat
 3. Investments in science-based buffers
- Long term protection of plantings is critical. They have to reach that mature stage. Easements, some other mechanism to guarantee committed owners that will let it grow.

Tribal restoration implementation needs and challenges

- There is a lot of riparian funding available right now, funding is needed to support capacity building.
- Funds to support maintenance on existing sites, including at 10-15 yr. stewardship point.
- WCC program challenges with staff turnover, loss of historic knowledge, but also a good model with built in infrastructure support.
- Soil sterilization equipment for native plant nursery to adapt to new climate change pests.
- Bigger equipment for bigger scale projects such as forestry style machinery and vehicles, to increase efficiency of existing workforce.
- New landowner incentive programs that fully fund all of the work, maintenance, and pay a reasonable rental fee that is higher than currently offered options.
- More support of local coordination on landowner engagement, recruitment and messaging.
- Flexibility into the funding to support the needs of different watersheds, because the challenges are different in different areas.
- Challenges with the availability of archeologists to perform required cultural resource analysis and tracking those processes. Supportive of a conversation around those requirements for low-impact projects, the costs and delays they can cause.

- Funding to support a subcommittee developing best practices for forest migration.
- Funding to support coordination with nurseries to grow plants for assisted migration.
- Infrastructure investments to support growing our own native plants, including plant material specific to the region, and culturally significant plants that are not traditional restoration species.
- Funding for plantings that think beyond shrubs and conifers, for weed suppression and pollinator support.

Incorporation of Tribal Recommendations

**Tribal input will be solicited and incorporated in an adaptive and ongoing manner. The CR2SL program gathered specific input during the design and development phases. The list below was shared with Puget Sound Tribes for further comment and feedback.*

Tribal input was considered during all stages of development and sometimes received alongside non-Tribal input during local engagement efforts. For this reason, it is difficult to call out all of the ways that Tribal engagement informed the program, however, the following list summarizes specific points where program design and development reflects Tribal recommendations and comments:

- Tribal consultation was offered to individual Tribes throughout program development, and recommendations received during meetings hosted by the NWIFC were not presumed to represent all Puget Sound Tribes.
- Flexibility has been built into the funding wherever possible to support proposals that will meet the unique needs of each watershed.
- Funding opportunities will be provided for innovative pilot incentive programs proposed by local riparian restoration partners.
- The program is supporting completion of an economic analysis to inform incentive amounts and move away from ineffective models.
- Funding opportunities will be provided to support increased riparian workforce development and will consider proposals to build capacity through investments in small machinery.
- Maintenance and monitoring activities on existing sites will be eligible proposal activities.
- Regional coordination and planning efforts will be eligible elements of proposals including coordination on prioritization, landowner outreach, nursery orders, and best practices.
- Eligible proposal activities will include riparian property acquisitions in the form of fee-simple purchases and conservation easements, as well as projects that restore degraded riparian habitat to the program's minimum width and beyond.
- The program will provide opportunities for proposals that invest in native plant nursery infrastructure and staff to increase local capacity and support the propagation of native plants, including plant material specific to the region, and culturally significant plants that are not traditional restoration species.

- Eligible costs may include capacity funding for Tribes to participate in local coordination efforts on specific proposals.
- The program will require applicants to notify any Tribes to participate in local coordination efforts on specific proposals.
- The program may provide direct investments to support the Washington Conservation Corps' Environmental Justice crew program, which would provide no-cost crew time to Tribes and other eligible applicants to perform riparian restoration activities.
- Application evaluation criteria may prioritize projects that include participation of Tribes and/or Community Based Organizations (CBOs).
- During contract negotiations, the CR2SL program may contact the Tribes that were identified by recipients during the application process to invite inclusion and compensation for their incorporation into the proposal.