

Meeting Summary of Tribal & USFWS Regional Leadership Roundtable
Rapid City, South Dakota
August 28, 2013

Noreen Walsh, Regional Director, 303-236-7920, [website](#)
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The Mountain-Prairie Region of the U.S. Fish and Wildlife Service is a Federal agency within the U.S. Department of Interior. The Mountain-Prairie Region encompasses the states of Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming. The regional headquarters office is located at 134 Union Blvd., Lakewood, Colorado.

MOUNTAIN–PRAIRIE REGION SERVICE PROGRAM AREAS, LEADERSHIP CONTACTS & PORTFOLIOS

External & Tribal Affairs

Marla Trollan, Assistant Regional Director, marla_trollan@fws.gov, 303-236-4510, [website](#)

- *External Affairs staff provides support to the regional office and field stations to communicate and facilitate information about the Service's programs to the public, media, Congress, Tribes, partners, and other stakeholders in the 8-state region. This office also administers the Tribal Wildlife Grant program and has a Tribal Communications and outreach Specialist.*

Fish and Aquatic Conservation

Sharon Rose, Assistant Regional Director, sharon_r_rose@fws.gov, 303-236-4580, [website](#)

- *The Fisheries Program helps conserve, protect, and enhance aquatic resources and provides economically valuable recreational fishing to anglers across the country. The program comprises 12 National Fish Hatcheries; a National Fish Technology Center and a National Fish Health Center; and **6 Fish and Wildlife Conservation Offices** serving Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming.*

Science Applications

Steve Torbit, Assistant Regional Director, stephen_torbit@fws.gov, 303-236-4602, [website](#)

- *The Science Applications Office oversees both the Great Northern and Southern Rockies Landscape Conservation Cooperatives driven by partnerships to conserve large landscapes capable of supporting self-sustaining populations of fish, wildlife and plants. In addition, this office is a primary contact for science projects concentrating on climate change, surrogate species and strategic habitat conservation.*

Ecological Services & Endangered Species

Michael Thabault, Assistant Regional Director, michael_thabault@fws.gov, 303-236-4252, [website](#)

- *The Office of Ecological Services (ES) works to protect populations of fish, wildlife, plants and the environments which they depend on ES personnel work with federal, state, tribal, local, and non-profit stakeholders, as well as private land owners, to avoid, minimize, and mitigate threats to natural resources. Among the many tools ES employees use to achieve these goals is the administration of numerous laws, including the Endangered Species Act, Fish and Wildlife Coordination Act, National Environmental Policy Act, Clean Water Act, Federal Power Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and Sikes Act.*

Law Enforcement & National Eagle Repository

Steve Oberholtzer, Special Agent in Charge, steve_oberholtzer@fws.gov, 303-236-7893, [website](#)

- *Law enforcement is essential to virtually every aspect of wildlife conservation. Service law enforcement today focuses on potentially devastating threats to wildlife resources -- illegal trade, unlawful commercial exploitation, habitat destruction, and environmental contaminants. The Office of Law Enforcement investigates wildlife crimes, regulates wildlife trade, helps Americans understand and obey wildlife protections*

laws, and works in partnership with international, state, and tribal counterparts to conserve wildlife resources. The [National Eagle Repository](#) is located at Rocky Mountain Arsenal northeast of Denver, Colorado. Its purpose is to provide a central location for the receipt, storage, and distribution of bald and golden eagles that are found dead, and their parts. The eagles, and their parts, are shipped to qualified Native Americans for use in religious Indian ceremonies.

Migratory Birds

Clint Riley, Assistant Regional Director, clint_riley@fws.gov, 303-236-5231, [website](#)

- *The Service has the primary responsibility for administration of the Migratory Bird Treaty Act (1918), its amendments, and subsequent acts. All migratory birds are listed as trust species and require Service to manage these species. More information on MBTA and the Bald and Golden Eagle Protection Act can be found [online](#). **Permits** are managed and issued by the migratory bird program to provide a means for balanced use and conservation of protected species. **Wildlife and Sport Fish Restoration Program (WSFR)** works with states and tribes to conserve, protect, and enhance fish, wildlife, their habitats, and the hunting, sport fishing and recreational boating opportunities they provide. This program administers the financial side of Tribal Wildlife Grants (TWG). **Joint Ventures** are partnerships for conservation where participation is voluntary and programs are non-regulatory to work on public and private lands to protect, restore and enhance critical habitats for waterfowl, shorebirds, water birds and land birds. They build a scientific foundation thorough improvement of data bases, scientific technologies and monitoring to help partners target conservation efforts to where they will do the most good and make the best use of resources.*

Refuges

Will Meeks, Assistant Regional Director, will_meeks@fws.gov, 303-236-4303, [website](#)

- *The **National Wildlife Refuge System** is a Service program and is the only network of Federal lands devoted specifically to wildlife conservation. In the Mountain–Prairie Region Refuge lands are more than **5 million acres** within **125 national wildlife refuges** and **24 wetland management districts**. The **Partners Program** offers improvement for fish and wildlife habitat on private lands, contributes to the land's health and rural quality of life while using efficient state, federal, tribal or private partnerships. The program emphasizes landowner options and decision-making. The program provides technical assistance, advice and funding for habitat projects on private lands.*

List of Tribal Participants during the Leadership Roundtable

Name	Tribe	Title
Donna Ray Peterson	Cheyenne River Sioux Tribe	Tribal Historic Preservation Officer
Mark Azure	Fort Belknap Tribes	Tribal Fish and Game Director
Charlie Headdress	Fort Peck Assiniboine and Sioux Tribes	Councilman
Jeanne Spaur	Fort Peck Assiniboine and Sioux Tribes	Wetlands Coordinator and Wildlife Biologist
Curtis "Bill" Simon	Kickapoo Tribe in Kansas	Tribal Council Member
Adolph Cadue, Jr.	Kickapoo Tribe in Kansas	Tribal Council Secretary
Michael Jandreau	Lower Brule Sioux Tribe	Chairman
Shaun Grassel	Lower Brule Sioux Tribe	Wildlife Biologist
Mark Roundstone	Northern Cheyenne Tribe	Coordinator for Fish and Wildlife
Robyn Spang	Northern Cheyenne Tribe	Admin Assistant

Lloydell "Suzy" Mesteth	Oglala Sioux of SD	Environmental Protection Program Director
Raymond Lasley	Osage Nation	Executive Advisor of Programs
Scott BigHorse	Osage Nation	Assistant Chief
Brent Martin	Ponca Tribe of Nebraska	Grant Writer
Christine Legband	Ponca Tribe of Nebraska	Executive Director of Tribal Affairs
Stephanie Slobotski	Ponca Tribe of Nebraska	Tribal Council Member
Felix Kitto	Santee Sioux Nation of NE	Environment Director
Jerome Renville	Sisseton Wahpeton Oyate	Tribal Council Rep
Charlene Miller	Sisseton Wahpeton Oyate of The Lake Traverse Reservation	Natural Resources Dept
Steve Whiteman	Southern Ute Indian Tribe	Division Head Wildlife Resource Management
Carson Hood	Three Affiliated Tribes	MHA energy administrator
Fred Poitra	Three Affiliated Tribes: Mandan, Hidatsa and Arikara Tribes	TAT Game and Fish Director
Trudy Ecoffey	Oglala Sioux	Biologist Oglala Sioux Parks and Recreation Authority
Gay Kingman	Great Plains Tribal Chairman's Association	Executive Director

Facilitator: Betsy Daniels, Triangle Associates, Inc.

Recorder/facilitator: Saman Hussain, DOI CADR

Blessing: Mark Brownstone, Northern Cheyenne Tribe, offered an opening prayer for the group.

Introductions and welcoming remarks: Matt Hogan, Region 6 Deputy Regional Director of the US Fish & Wildlife Service (USFWS), welcomed the Tribal and federal participants to the meeting. He emphasized that the meeting was an opportunity to build relationships and to get to know one another. He also noted that the USFWS staff present is here today to listen and discuss Tribal priorities and explore the linkages with USFWS priorities. Matt explained that in a time of reduced resources and staffing he hoped that the Tribes and USFWS could work together in partnership to accomplish shared goals while respecting Tribal Sovereignty, the government-to-government relationship and the trust responsibility. The facilitator then led the group through introductions in which they shared their expectations for the day.

Expectations: Some of the recurring expectations highlighted by the group included:

- Exploring ways to increase communication and enhance consultation;
- Developing relationships with those present; and
- Balancing habitat conservation with energy growth;
- To explore overlapping priorities between the Tribes and the USFWS.

Brainstorm to build better communications: The facilitator then asked each participant to write down their thoughts to describe successful communications – if the communications between Tribes and the Region were working really well what would be happening? Then each person wrote down what actions and strategies could be implemented to get to these outcomes. The group then broke into small groups and brainstormed their ideas. The discussion fell broadly under the topics of communication, training and funding. These topics were discussed in more detail in the afternoon session and the summary of each of these discussions is captured below under the headings of training, technical assistance, capacity building, funding, consultation, communication and leadership.

Afternoon group discussions by topic areas: During the afternoon session, the participants again broke into small groups made up of Tribal members and at least one USFWS Assistant Regional Director (ARD). The afternoon topics were chosen based on priority interests noted by participants through the morning discussions. The afternoon workgroups included:

1. **Training, Technical Assistance & Capacity Building**
2. **Eagles and Law Enforcement**
3. **Funding**
4. **Consultation, Communication & Leadership**
5. **Permits**

Each small group answered the following four questions for their topics:

- What is the worst possible outcome if nothing else happens, if things stayed the same?
- What is the best possible outcome?
- What are the strategies and actions to achieve this best outcome?
- Of these, what can you identify as next steps?

1. **Training, Technical Assistance & Capacity Building**

A range of training and technical assistance activities were identified by the group to enhance the federal-Tribal relationship including:

- Training for biologists at the ground level
- Internships – one group member suggested that the USFWS sponsor and train Tribal staff through internships
- Technical assistance on wildlife management – One Tribal member gave an example of accomplishing this by having USFWS fisheries' staff assist the fisheries program on a reservation, while another member mentioned that technical assistance was also needed on bison.

This small group noted that if no further training or capacity building occurred, there would be a loss of support for Tribal game and fish departments and resources and ultimately technical stagnation for the Tribes. The group discussed a potential mix of small and large scale training opportunities that could improve the current situation.

Next steps identified:

- Native American Fish & Wildlife Society (NAFWS) training opportunities – Steve Torbit, ARD for Science, will explore trainings that can be facilitated by NAFWS on priority area topics for Tribes at the regional level.
- Law Enforcement Training – This was previously hosted by USFWS and was well received by the Tribes. As a next step, USFWS Special agent in Charge for Law, Steve Oberholtzer, will try to secure funding to host this training again and will tailor it to the Tribal needs specific to the area.
- Colorado State University's week long short course on Wildlife Management - Steve will work with the course organizer to put the announcement for the course on NAFWS website and will also get the training organizer Tribal email addresses so that the training announcement can be sent to more Tribes in order to increase Tribal enrollment in the training.

- National Training Conservation Center (NCTC) – Steve will work to have Tribes added to the mailing list for NCTC so that they are aware of NCTC trainings and if they have resources available they can attend these as well. Another possibility to explore is having NCTC staff deliver training in a Tribal area if there is enough Tribal participation.
- Wetlands and migratory bird protection concerns –will discuss overlaps with USFWS refuge and wetlands staff to identify whether they are addressing some of the same topics so that they can share that information with the Tribes.
- Oregon State University may have distance learning opportunities resources available to Tribes.
- Internship possibilities – ARD Sharon Rose or Steve will follow up with Professor Jeremy Guinn from United Tribes Technical Colleges (UTTC), North Dakota regarding a 4 week internship in which he visited refuges and USFWS offices. If this internship still exists, it may be an opportunity to share with interested Tribal members.
- DOI National Tribal Committee – The group discussed this as a far reaching, larger next step. Secretary Jewell will be meeting with this committee to improve work with Tribes and conservation outcomes.
- The group also discussed whether Tribal colleges have wildlife or conservation curriculum that could be shared with other Tribes. In general, few Tribal colleges have existing programs.

2. **Eagles and Law Enforcement**

The group began by noting that in a worst case scenario, no Tribal consultation would occur on eagles-related issues, and the eagle population would decline due to industrial energy production. The best possible outcome would be to prevent the population of eagles from collapse. The group covered a range of topics including electrocutions, poisoning, trapping, illegal shootings and wind power.

They then explored what was possible given the current circumstances of reduced resources and reduced staffing. One Tribal member noted that one of the most important actions that a Tribe could take would be to ban the use of lead on reservations or when hunting. Eagles contract lead poisoning from eating the carcasses of animals that have been shot with lead ammunition. The group also agreed, as was a theme highlighted by the group at large earlier, that increasing communication, sharing relevant information and conducting more meaningful consultation is needed to address the interests of Tribes with respect to Golden Eagles in particular.

National Eagle Repository Consultation: Steve updated the group on the status of the National Eagle Repository consultation and efforts to reduce wait times for eagle feathers and eagle parts. To date, the USFWS has sent letters to all Tribes, their fish and game director and natural resource officers offering the opportunity for consultation. They have held five in person meetings across the country. Tribes were given the opportunity to provide written comments and as well as to have telephone conversations. Thereafter, proposed changes were sent to Tribes with the opportunity to provide comment till August 30. The decision and changes will be posted on the website and will also be sent to all Tribes in December, 2013.

Joint Investigations: The group discussed the difficulty that Tribes have in pursuing cases in which wildlife is illegally taken off of Tribal lands, particularly when it concerns a non-Tribal person. The Special Agent in Charge (SAC), Steve Oberholtzer explained that USFWS can partner with Tribes and conduct joint investigations to pursue these cases under the Lacey Act. The penalty for these cases may include jail time, probation, fines and restitution. The restitution money is usually given to the affected party, in this case, the Tribe. Steve noted that if USFWS is conducting a joint investigation that is approaching trial, that the Tribe should let the USFWS agent know that they would like restitution money go back to the Tribe and to make sure that this is worked into the plea agreement with prosecution.

Wind power Consultation: Members from the Osage Nation emphasized the need for the USFWS to conduct meaningful consultation with Tribes on wind power on Tribal lands. Tribal members expressed concern for the impact of wind power on eagles and discussed the complexity of those interested in siting wind power on

Tribal lands or federal lands. Steve Oberholtzer noted that USFWS too is learning to deal with this new threat and hopes work in partnership with Tribes on these issues.

Next steps identified:

- Eagle Summit 2014 – The USFWS will begin efforts to work with Tribes in Region 1, 2, 6 and 8 to hold the Eagle Summit sometime next year if there are resources to support it. USFWS noted that the Summit will need to be conducted in partnership with Tribes to share the cost in order for it to take place. For example the USFWS may not be able to pay travel and per diem for Tribal attendees as they have in the past. The Summit may also be held in conjunction with an existing Tribal event to reduce Travel costs for attendees.
- USFWS will work with interested Tribes to distribute relevant data and information on eagles so that Tribes can make informed decisions on eagle management.

3. Funding

The group discussed the challenges around funding particularly given the current federal budget climate. The worst outcome was there was no new funding or reduced funding. The best possible outcome was funding available to support Tribal capacity in wildlife management. In general, the group discussed alternate funding source options for the Tribes.

Tribal Wildlife Grants: Tribal members emphasized the need to shift Tribal Wildlife Grant (TWG) funding from project based to program based and to provide an avenue for Tribal input into the TWG process. One Tribal member noted that the best option for funding would be to simply increase TWG funding. USFWS explained that this would take an act of Congress and it is not something the USFWS can control. Some Tribal members pointed out that when the Tribe is cooperating with USFWS or on a federal government priority, the Tribe should receive funding from a non-competitive funding source (non-TWG) and should not have to compete with other Tribes for this funding.

Alternative funding sources: the group brainstormed options for alternate funding for Tribes. One member suggested that the USFWS work cooperatively with EPA to leverage resources for Tribes in the region. Other ideas included exploring non-profits and academia for alternate funding. One suggestion was for Tribes to access redistribution or to influence other forms of federal funding that is not categorized as Tribal funding. The USFWS ARD for Migratory Birds noted that Tribes may be able to look into North American Wetlands Conservation Act (NAWCA) grants. In order for Tribes to access these grants, the Tribes would have to join with partners. There was also some discussion about using State Wildlife Grants. Some Tribal members asked if PRDJ funding can go to Tribes and the USFWS responded that it cannot.

Next steps identified:

- USFWS will consider advocating with states to increase coordination with Tribes so that Tribal conservation priorities may be incorporated in state grant applications. For example, coordination with Tribes might be a factor when state access to Tribal lands is beneficial to a project funded through a state grant program.
- Explore increased Tribal participation in migratory bird Joint Ventures, to increase Tribes' involvement in these partnerships for habitat restoration and protection.

4. Consultation, Communication & Leadership

In the morning session, Tribal members voiced the need to improve the channels of communication between Tribes and the USFWS so that Tribes are aware of what resources are available to them, what actions are being taken by the USFW and why. The group in the afternoon took the long list of ideas generated in the morning and developed a more refined strategy for improved communications. In general, the main areas for improving communication as discussed by the group included:

Communication Protocol: It was recommended by a Tribal Chair that USFWS consider developing a National Communication Protocol for communicating with the Tribes to provide a structure for Regions to follow and have consistent interact with all the Tribes.

Two way communication & information sharing: One Tribal member noted that it is important to disseminate information appropriately within the Tribes. For example, often letters go to the Tribal Chairs but these do not necessarily get shared with the Tribal council or wildlife agency. Several participants suggested that communications from USFWS be sent to several contacts within a Tribe. USFWS also encouraged Tribes to reach out to them on priority issues and not wait for the USFWS to initiate contact. Both USFWS and Tribal members discussed the need to raise awareness of all programs that are relevant to Tribes and those that Tribes can influence, including interagency programs in which USFWS is playing a coordinating role, for example the Landscape Conservation Cooperatives (LCC). In addition to communication and information sharing, some Tribal members present reminded the group that any policy shift or change that impacts the Tribes triggers meaningful consultation and should be done with leadership face to face.

Meetings: Several Tribal members pointed out the need for additional meetings, roundtables, trainings, Tribal dedicated workshops and conference calls with USFWS. USFWS explained that in-person meetings are the best approach however it would not be possible to meet with all 40 Tribes every year. In person meetings with multiple Tribes should ideally take place at a Tribal facility and should be strategically planned to allow for maximum Tribal attendance. The type of meeting would depend on the level of engagement needed from both the Tribal and USFWS. The ideas that were discussed fell broadly under the following categories of recommendations:

- Regional level - Annual face to face meetings similar to the August 28 Rapid City forum to update on opportunities and hear about Tribal concerns. One Tribal member suggested that the USFWS use the EPA model in which the RD meets with Tribes on a regional level and the group holds conference calls otherwise. Another way to maximize on existing agency structures would be for USFWS to hold regional meetings supported by and partnering with other federal agencies who are already hosting such meetings, such as EPA. One suggestion was to develop Tribal Advisory Group or Board potentially in both the eastern and western parts of the region that would meet with USFWS regularly. Another suggestion was for USFWS ARDs to attend or have an agenda item at inter-regional Tribal meetings, such as NAFWS.
- Government to government level - Can require occasional in person meetings with Tribal councils with ARD level attendance when there is a major decision pending which involves joint conservation concerns.
- Administrative/management level – Phone meeting and email exchanges to discuss joint priorities.
- Operational level meetings – Frequent phone meetings to create a relationship in which the Tribes are able to pick up the phone and ask for help.
 - Identifying and sharing POCs within the service so that the Tribes have the list of service officials including ARD, project leaders

Inter-Tribal & interagency coordination: The group discussed the importance of tapping into existing structures to improve communication and coordination:

- Inter-Tribal Organizations (ITO): At various points in the day, ideas emerged regarding USFWS working with ITOs. USFWS could map out ITOs in the region and reach out to them to discuss how they can coordinate together. Another suggestion was for USFWS to attend ITO events.
- Central Tribal Website: Tribal participants also discussed the need to remain coordinated with each other instead of always going to federal agencies for information. One suggestion was for Tribes to develop a central Tribal website that lists all Tribal projects, including how the Tribes have administered the project and information about technical assistance.
- The group also highlighted a way to creatively leverage interagency resources. One suggestion was to fund an interagency Tribal point of contact (POC) position on each reservation. This position would not just be a central POC but would also one who understands the conservation issues that impact each reservation, would advocate for the Tribe and help Tribes find financial resources within the federal government.

Tribal Liaison position: The importance of providing strong support to the USFWS liaison position was emphasized throughout the day. The Tribes emphasized that these liaisons need to be able to visit in person with Tribes and to hear their concerns in order to share back with their regional leadership. One Tribal member suggested that the liaisons should also be designated at the program levels.

5. **Permits**

The full group of meeting participants spent a few minutes sharing thoughts and concerns around the ability of Tribes to conduct surveys on their lands without acquiring a USFWS recovery permit. There is disagreement between Tribes and the USFWS on the applicability of ESA on Tribal lands as the Tribes believe that they have to compromise on Tribal sovereignty once they enter into a permit agreement. Tribal members emphasized that the USFWS needs to work creatively to respect Tribal sovereignty in these cases. Some Tribal members noted that they feel as though ESA is being implemented inconsistently in different parts of the country. One Tribal member highlighted that Tribes are interested in maintaining good relationships with USFWS and that they are willing to work with USFWS on everything but they do not agree to sign the permits.

Closing comments:

Each of the participants had the opportunity to describe how they felt about the meeting, what they learned and what advice they have for the group moving forward. Most participants felt that the meeting was beneficial and in some cases, it even exceeded their expectations. A few participants noted that the meeting needed to be longer and one participant noted that a more targeted, rather than broad discussion, would have been a more useful structure. Everyone present echoed that this sort of meeting needs to happen more often to support an ongoing dialogue and conversation. Many noted that they look forward to seeing the follow up after this meeting. Several expressed that the meeting had been an opportunity to learn from each other, to hear Tribal concerns and to build relationships. USFWS invited the Tribes to visit them in their Denver Regional Offices during the Denver Powwow. Some noted that they wished more Tribal leadership had been present. The Tribal leaders from the Osage Nation thanked the USFWS for the opportunity to participate from a different region. Many Tribal members present noted that they had been heartened and encouraged to see the ongoing conservation efforts of the Tribes. Matt Hogan thanked everyone for their participation and explained that he had learned a great deal about how the USFWS and Tribes can work together on shared goals. Matt reiterated the funding challenges faced by the federal government and indicated he appreciated all the ideas shared throughout the day. Matt also shared with the group that the USFWS is wrestling with pending funding cuts for the National Fish Hatchery System. He noted that no final decisions have been made but that there will be changes and reduced funding and that he did not want the group to be surprised when these changes take place in the near future.

Next steps

- A meeting summary will be sent out to all participants and Tribes in the Region. It will include the name, contacts, and brief overview of what's in the portfolio of each senior leader from USFWS.
- USFWS will host a follow up conference call with those present in 3 months to check in on any progress that was made on the items discussed during the August 28 meeting. *The call is scheduled for Nov, 19.*
- USFWS will schedule some type of meeting around the Denver Powwow and is seeking Tribal input on what the best meeting venue would be. Adjacent (on the Thursday before or Monday after) to the Denver Powwow, which runs from March 21-23, 2014 we will offer a 2 part Tribal Meeting. One part could be a TWG or tribal funding opportunities workshop and one part a follow-up discussion from the August roundtable?