



**US Army Corps  
of Engineers®**

# **USACE Tribal Co-Management and Co-Stewardship Partnership Opportunities**

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## EXECUTIVE SUMMARY

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Since 2021, the Biden-Harris Administration has hosted an annual White House Tribal Nations Summit to help foster Nation-to-Nation relationships and provide Tribal leaders with an opportunity to engage directly with senior Administration officials. The goals are to prioritize relationships with Tribal Nations that are built on respect for Tribal sovereignty and self-governance, honoring federal trust and treaty responsibilities, protecting Tribal homelands, and conducting regular, meaningful, and robust consultation.

In September 2023, the Office of the Assistant Secretary of the Army for Civil Works developed a Tribal Nations Summit Deliverables and Progress document which tasked the U.S. Army Corps of Engineers (USACE) with developing a uniform approach for co-land management and co-stewardship opportunities between USACE and Tribal partners.

This report examines USACE partnering authorities, provides definitions and explains the differences between cooperative management, cooperative stewardship, and cooperative agreements, includes examples of current partnerships and collaboration with Tribes, identifies challenges, additional needs, opportunities, best practices, and recommendations for increasing Tribal co-stewardship and co-management.

A range of recommendations to help increase the potential for co-stewardship and co-management opportunities as well as improve relations between USACE and Tribes were identified. These include:

- Program Management
  - Use the Tribal Nations Technical Center of Expertise (TNTCX) to support field staff in further building relationships between Operations, the District Tribal Liaison, and Tribes with ties to Civil Works project sites, and provide technical expertise in developing agreements.
  - House District Tribal Nations program management as direct reports to the Commander in the Executive Office.
  - Convert Tribal Liaison positions, where appropriate, depending on the scope and scale of the tribal program, into full time positions rather than a collateral duty.
  - Prioritize meetings with tribal leadership for incoming and outgoing commanders.
  - Conduct regular, periodic tribal engagement review board meetings across all business lines with tribal interaction including Planning, Real Estate, Office of Counsel, Regulatory, Operations, and Environmental Justice coordinators to review positive outcomes, identify issues and concerns, and identify upcoming coordination and consultations.
  - Stand up working groups across business lines and across District boundaries for consistent tribal coordination and to identify opportunities for cooperative management and cooperative agreements with Tribes at Civil Works projects.

- Increase outreach efforts to Tribes by Operations Project Managers and Tribal Liaisons to identify opportunities for and implement co-stewardship and co-management at Civil Works projects.
- Develop a comprehensive national index/directory of Tribes with a potential interest or affiliation (where currently located in the vicinity or historically occupied the area) with USACE Civil Works projects for use by Planning, Operations, Emergency Operations, and Regulatory field staff.
- Revise the 2016 DCW implementation guidance for entering into MOAs and cooperative agreements with Tribes under Sec 1031(b) of WRRDA 2014, to incorporate changes in Federal cooperative agreement regulations, and to direct use of this authority to the maximum extent possible for co-management of USACE operated Civil Works projects. Delegate authority from the DCW to Districts to execute these agreements.
- Develop clear guidance for compensating Tribes for sharing tribal knowledge, conducting archaeological monitoring or surveys on USACE lands and other activities to support the protection of cultural resources.
- Set aside funds annually to pay for invitational travel orders for Tribes to meet with USACE to discuss co-stewardship opportunities.
- Hire tribal members as USACE employees under direct hiring authorities, particularly for positions such as Tribal Liaisons.
- Target internships and job opportunities for tribal youth.
- Invite OPMs and field staff to participate in Tribal Liaison meetings, trainings and to the Tribal Nations Community of Practice.
- Increase ability of Civil Works projects and Tribes to partner on Archaeological Resources Protection Act (ARPA) monitoring, damage assessments, and enforcement.
- Develop guidance or a model agreement for the conveyance of USACE land to Tribes for the purpose of a cemetery.
- Training/Resources
  - Develop and implement required tribal training: Content should be developed by the TNTCX and Tribal Nations CoP with input from Cultural Resources, Planning, Regulatory and Operations CoPs for enterprise-wide consistency. Specific training needs include:
    - Overview of federal government and tribal nations relationships in federal law
    - Communication and cultural sensitivity best practices
    - Understanding of the consultation requirements of individual federal laws and the USACE Civil Works Tribal Consultation Policy
  - Add tribal training to Executive Governance meetings, pre-command course for all District and MSC commanders, OPM and Operations & Maintenance (O&M) Contracting Prospect courses, and other annual meetings.
  - Use town hall/brown bag presentations provided by Tribal liaisons to deliver updates on tribal engagement activities as well as periodic sessions to promote awareness of tribal engagement guidance, procedures, tools, and 'refresher' training for employees.

- Encourage field staff to visit each tribal website to learn about their project's related Tribes.
- Add or update content to existing PROSPECT training regarding tribal engagement, consultation, co-management/stewardship opportunities, etc. (such as 72-Interpretive Services, 101-Environmental Stewardship, 245 – Operations Project Management, 328-Partnerships in NRM).
- Database/Tracking Systems
  - Develop coordinated data tracking/management systems or update existing systems such as the Tribal Application to document tribal partnerships for consolidated annual reporting.
  - Develop a central portal, with the TNTCX, that will be accessible to all USACE employees sharing examples of successful partnerships, lessons learned, best management practices, completed agreements, etc.

## **1 INTRODUCTION**

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The Biden-Harris Administration is championing innovative ways of partnering with tribal nations by signing agreements to co-steward or co-manage federal lands and waters. Co-management of federal lands adds the expertise and traditional knowledge of tribal communities in the stewardship of public lands and cultural and natural resources as well as upholds the federal government's tribal trust responsibility. This report will examine U.S. Army Corps of Engineers (USACE) partnering authorities, current cooperative management or cooperative stewardship examples, challenges, additional needs, opportunities, and recommendations.

USACE is the steward of approximately 12 million acres of public lands and waters nationwide, managing more than 400 Civil Works lakes and river projects in 43 states. USACE is exploring how to expand opportunities for cooperative stewardship and cooperative management with federally recognized Tribes at USACE projects through a review of its authorities, guidance, and regulations. This will help enable diverse partnerships to deliver projects, manage, and/or co-manage activities on USACE owned lands.

USACE has identified challenges and/or limitations to developing partnerships or the co-management of activities on USACE owned lands. It is, however, committed to identifying solutions to remove barriers and develop training opportunities for Operations Divisions and tribal partners to deliver these efforts consistently across USACE. This may include a variety of processes, related efficiencies, and suggested actions to address implementation concerns, to inform consistent practices and documentation for USACE Headquarters (HQUSACE) and the Assistant Secretary of the Army for Civil Works (ASA (CW)).

## **2 DEFINITIONS**

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### **2.1 Cooperative Management/Co-Management**

Cooperative management or co-management refers to the sharing of management power and responsibility between USACE and nonfederal entities, typically through a formal agreement. This requires a specific legal authority that allows for a collaborative and/or joint roles and responsibilities at a Civil Works project (i.e., Section 1155 of Water Resource Development Act (WRDA) 2016 Challenge Cost Sharing Cooperative Management Agreements). Specifically, tribal cooperative management/co-management involves including tribal input in federal decision-making, tribal implementation of activities on federal lands, and involvement of Tribes as long-term partners in federal land management decisions.

## 2.2 Cooperative Agreement

Cooperative agreements are legal non-procurement assistance instruments as described by 31 U.S.C. 6305, (Section 6 of the Federal Grant and Cooperative Agreement Act), where funds are transferred to a partner and substantial involvement is expected between USACE and the partner when carrying out the activities specified within the agreement. Cooperative agreements must be executed by a certified Grants Officer (Appendix A). Procedures for administering these agreements must comply with Department of Defense Directive 3210.06 (Defense Grant and Agreement Regulations (DGARS)). The HQUSACE April 2020 Directorate of Contracting Standard Operating Procedures document provides internal guidance to USACE program officials and Grants Officers for awarding and administering cooperative agreements. The Grants Officer approves payments for cooperative agreements, which typically span between one year to five years.

## 2.3 Co-Stewardship

This is a generic term used for collaborating with Tribes under a variety of authorities that allow USACE to accept services, funds, supplies, and materials from Tribes. It consists of a broad umbrella of working relationships. Forms of co-stewardship may include sharing of technical expertise; combining tribal and agency capabilities to improve resource management and advance the responsibilities and interests of each; or making tribal and Alaska Native knowledge, experience, and perspectives integral to the public's experience of USACE lands.

## 3 EXISTING AUTHORITIES

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There are a variety of existing authorities which can be utilized more widely by USACE to partner and engage with Tribes. Table 1 provides a summary of authorities, with expanded definitions and explanations following in this section.

Table 1. Summary of Existing Authorities

Authority	Agreement Type	Purpose
33 USC § 569c	Volunteer Program	Accept services of volunteers and provide for their incidental expenses to carry out any activity except policymaking or law or regulatory enforcement.
33 USC § 2325	Contributions	Allows USACE to accept contributions from groups and individuals, including Tribes, to provide for operations and maintenance (O&M) of recreation facilities and protection and restoration of natural resource at Civil Works water resource projects.
33 USC § 2328	Challenge Partnerships	Provides opportunities for non-federal public and private groups and individuals, including Tribes, to contribute to the O&M of recreation facilities and natural resources at water resource development projects.
10 USC § 2358	Cooperative Ecosystems	Allows USACE to engage in basic research, applied research, advanced research, and development projects.



	Studies Units (CESU)	
33 USC § 2339 a	Cooperative Agreements for Education and Training	Allows USACE to enter into cooperative agreements with non-federal public entities, nonprofit entities, and Tribes to further training and educational opportunities for services relating to natural resources conservation or recreation management.
16 USC 460d-3	Special Use Permits	Allows USACE to issue Special Use Activity or Event Permits for the use of project resources that may be recurring in nature or may occur frequently or for a limited duration beyond what is normally engaged in by individuals or groups on a day-to-day basis
Various Treaties	Treaty Rights	Provisions of these treaties may have reserved rights (e.g., fishing, hunting, gathering) which overlap USACE managed lands and projects. USACE is directed to support partnership opportunities, which could include proactively engaging Tribes to best support the exercise of treaty rights on USACE lands.
16 USC 460d	Real Estate Leases	Allows USACE to grant leases (outgrants) of land without monetary consideration for park or recreational purposes at water resource development projects, with preference given to federally recognized Indian Tribes. The outgranted lands may also be used for conservation of fish and wildlife, forests, and other natural resources.
Sec 1031(b) of WRDA 2014	Cooperative Agreements with Indian Tribes	Allows USACE to enter into a cooperative agreement with an Indian Tribe (or a designated representative of an Indian Tribe) to carry out authorized activities of USACE to protect fish, wildlife, water quality, and cultural resources.
Sec 3117 of WRDA 2007	Cooperative Agreements, New Mexico	Authorizes cooperative agreements for operation and maintenance activities on flood control projects in New Mexico.
Sec 1155 of WRDA 2016	Challenge Cost Sharing Cooperative Management Agreements	Allows USACE to enter into agreements with non-federal public entities and Tribes to collect and retain up to 100% of user fees for the use of developed recreation sites and facilities and reinvest collected fees at the site at which the fees are collected.
Sec 208 of WRDA 2000	Reburial and Conveyance	Allows USACE to rebury Native American remains that were discovered on Civil Works project land and that have been rightfully claimed by a lineal descendant or Indian Tribes.
Flood Control Acts of 1946, 1948 and 1954; Rivers and Harbors Act of 1960, 1962, 1968; WRDA 1986, 1992 and 1996	Continuing Authorities Program	Consists of a group of nine legislative authorities under which USACE can plan, design, and implement certain types of water resources projects without additional project specific congressional authorization for work off USACE fee-owned land.
Sec 203 of WRDA 2000	Tribal Partnership Program	Provides procedures for the preparation and coordination of study, design, and construction of water resources development projects including projects for flood and coastal storm risk management such as erosion control, environmental restoration and protection, navigation, preservation of natural and cultural resources, watershed assessments and planning activities, and technical assistance on projects located within Indian Country or in proximity to an Alaskan Native Village.

### **3.1 Volunteer Authority**

33 USC § 569c allows USACE to accept services of volunteers and provide for their incidental expenses to carry out any activity except policymaking or law or regulatory enforcement. In FY 23, USACE worked with 42,830 volunteers at 316 Civil Works projects, who collectively served 1,715,001 hours conducting natural resource management (NRM) activities. Examples where tribal members have volunteered at USACE projects include The Confederated Tribes of the Colville Reservation and Yakama Nation at Chief Joseph Dam in the Seattle District (NWS) who assist in special events supplying salmon, storytelling, fire prevention and other educational programs; The Confederated Tribes of the Umatilla Indian Reservation at Mill Creek (NWW) who harvest willow, cottonwood, and alder for planting offsite at Endangered Species Act (ESA) fish habitat enhancement locations; the Puyallup Tribe of Indians at Mud Mountain Dam (NWS) who provide assistance with the fish stewardship program, attraction studies, and injury monitoring; and the Chickasaw Nation of Oklahoma who assist in an annual youth hunt at Lake Texoma, Tulsa District (SWT).

### **3.2 Contributions Authority**

33 USC § 2325 allows USACE to accept contributions from groups and individuals, including Tribes, to provide for operations and maintenance (O&M) of recreation facilities and protection and restoration of natural resource at Civil Works water resource projects. In FY 23, USACE accepted contributions from 707 partner organizations including private businesses, educational institutes, local and state government agencies, military organizations, nonprofits, individuals, and Tribes. Each USACE District has a formal Contributions Plan that describes the categories or types of work identified in Operational Management Plans eligible for contributions, general procedures, and methods for receiving and accounting for monetary contributions, methods of providing recognition to contributors, and designation of individuals responsible for ensuring the overall proper management and administration of the contributions program. Further guidance is provided in the 2008 USACE Contributions, Fundraising and Recognition Reference Guide.

Examples of tribal contributions include the Leech Lake Band of Ojibwe in the St. Paul District (MVP) for events held at the lake, the Crow Creek Sioux Tribe at Lake Sharpe in the Omaha District (NWO) for a powwow event held in a recreation area, and the Kalispel Tribe of Indians at Albeni Falls Dam (NWS) for fish trap operation.

### **3.3 Challenge Partnership Authority**

33 USC § 2328 provides opportunities for non-federal public and private groups and individuals, including Tribes, to contribute to the O&M of recreation facilities and natural resources at water resource development projects. This program allows USACE to accept funds, materials, personal property, equipment, and/or services following the approval of a Challenge Partnership Agreement to accomplish work; however, it does not permit USACE to reimburse for services.

HQUSACE annually sets aside funding from the Recreation Support Program remaining item to develop new challenge partnerships through the Handshake Partnership Program. The objective is to provide an incentive to USACE projects to utilize partnering initiatives to their fullest potential. In addition, this funding is intended to encourage local organizations to partner with USACE to construct, operate, and/or maintain local partnering projects that meet mutual goals and objectives. For the past 20 years, USACE has provided over \$3.7 million in “seed money” to USACE facilities for 218 partnership projects to improve recreational opportunities and benefit environmental stewardship activities on USACE managed lands and waters.

The Handshake Program is a way for USACE to demonstrate our recognition that partnerships flow in both directions (i.e., partnerships are a “handshake,” not a handout). Partners have responded by donating more than \$10.3 million in volunteer hours, professional services, materials and supplies, equipment, and funds to these efforts. Projects include trails, wildlife habitat restoration, wetland creation, interpretive panels, playgrounds, boating access improvements for motor boaters and paddlers, campground improvements, native vegetation restoration, and environmental education facilities.

For the FY 25 Handshake Partnership Program, a strong focus has been placed on building partnerships with Tribes. Projects that include Tribes will receive bonus points on their nomination packages to help incentivize and encourage seeking out tribal partners for mutually beneficial projects.

### **3.4 Cooperative Ecosystem Studies Units (CESU)**

10 USC § 2358 allows USACE to engage in basic research, applied research, advanced research, and development projects. A network of Cooperative Ecosystems Studies Units (CESUs) was established to provide research, technical assistance and education to federal land management, environmental and research agencies, and their partners. A national Memorandum of Understanding (MOU) established this consortium of federal agencies, Tribes, academic institutions, state and local governments, nongovernmental organizations, and other partners to collaborate on research, technical assistance, and education to address natural and cultural resource management issues. CESU cooperative agreements allow federal agencies to efficiently transfer funds to university partners, including tribal colleges, through cooperative agreements.

A few examples of CESU studies include genetic analysis of the federally endangered winged Mapleleaf mussel to aid proposed reintroduction efforts; economic analysis of low water levels in Hartwell lake; environmental factors influencing blooms of a neurotoxic bacterium responsible for avian vacuolar myelopathy; developing an aquatic weed risk assessment tool for Florida and the U.S.; Cape Sable Seaside Sparrow habitat monitoring and assessment; and potential effects of aquatic nuisance species on the behavior of recreational anglers, boaters, and beachgoers. A CESU research

project related to Tribes was conducted at Pomme de Terre, Smithville, Stockton, and Truman Lakes, Kansas City District (NWK), to determine cultural affiliation of Native American Graves Protection and Repatriation Act (NAGPRA) remains in accordance with the regulation. Results of the study determined the remains of 570 individuals from 104 burial sites and all associated funerary objects were from unaffiliated Native American burials.

### **3.5 Cooperative Agreements for Educational and Training Activities**

33 USC § 2339 allows USACE to enter into cooperative agreements with non-federal public entities, nonprofit entities, and Tribes to further training and educational opportunities for services relating to natural resources conservation or recreation management. This is the authority used for USACE Student Conservation Association (SCA) agreements and other youth conservation corps work. USACE has entered into a series of nationwide cooperative agreements with the SCA since 2016, administered by a grants officer in the Fort Worth District (SWF). Under this program, more than 460 interns and individuals serving in work crews have performed recreation and environmental stewardship work, gaining hands-on experience and skills for careers in natural resources management at 55 Civil Works projects over the past eight years. In addition to the national cooperative agreement, individual Civil Works projects and districts have also set up local agreements with Wisconsin Youth Conservation Corps, Upper Mississippi River Refuge Youth Conservation Corps, AmeriCorps, Northwest Youth Corps, Montana Conservation Corps, Southern California Mountains Foundation Urban Conservation Corps, and California Conservation Corps. SWT and the Tribal Nations Technical Center of Expertise (TNTCX) are currently investigating the use of tribal youth conservation corps to conduct selective harvest of rivercane in conjunction with a Sustainable Rivers Project (SRP) genetic study of rivercane. A similar SRP project is being pursued by the Sacramento District (SPK) and the TNTCX on the culturally significant tule, a native plant found in freshwater marshes, but hasn't started yet due to limited funding.

### **3.6 Special Use Permits**

16 USC 460d-3 allows USACE to issue Special Use Activity or Event Permits for the use of project resources that may be recurring in nature or may occur frequently or for a limited duration beyond what is normally engaged in by individuals or groups on a day-to-day basis. An administrative fee may be charged for the permits, but has typically been waived for tribal collection, gathering, and ceremonies.

Examples of activities or events that may be permitted under this authority could include collection/ gathering of traditional plants and animals on Civil Works projects or access for sacred ceremonies. Perry Lake and Clinton Lake (NWK) have issued special use permits free of charge since the late 2000s to Haskell Indian Nation University to gather native red elm wood on project lands for ceremonial purposes. The Garrison Dam Project (NWO) has issued special permits to the Mandan Hidatsa Arikara Nation for the gathering of medicine plants, firewood, and willows for sweat lodges. Sandy Lake

Project (MVP) hosts an annual Native American ceremony by special use with no fee, and Leech Lake Project (MVP) issued a no fee special use permit for a Tribal elder/youth event; each providing exclusive use of a portion of the projects for the day.

### **3.7 Treaty Responsibilities/Authorities**

Provisions of treaties may have reserved rights that protect the rights of Tribal citizens to fish, hunt, and gather food and other items, which overlap USACE managed lands and projects. In compliance with USACE Civil Works Tribal Consultation Policy (2023), the agency is directed to support partnership opportunities, including proactively engaging Tribes to support the exercise of treaty rights on USACE lands. The Wana Pa Koot Koot Cooperating Group, Federal Columbia River Power System (FCRPS), is a collaboration of federal agencies, including the Northwestern Division (NWD) districts, state agencies and the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Nez Perce Tribe. The purpose of the group is to ensure meaningful consultation and coordination with and the involvement of the Tribes in management decisions and protection of their treaty reserved rights related to cultural and natural resources. Leech Lake Project (MVP) has allowed exclusive Tribal access for fishing based on their usufructuary rights.

### **3.8 Real Estate**

16 USC 460d allows USACE grant leases (outgrants) of land for park or recreational purposes at water resource development projects, with preference given to federally recognized Indian Tribes. Licenses or leases may be granted without monetary considerations to such Tribes. The out granted lands may also be used for conservation of fish and wildlife, forests, and other natural resources. Potential opportunities exist for Tribes to cut timber, harvest crops, and use the proceeds of sales for the development, conservation, and maintenance of these lands. These full management leases are currently operated with State entities that have demonstrated the resources and expertise to handle all aspects of full control, including environmental surveys, forest management plans, harvest planning and restoration plans, but could be expanded to timber leases with Tribes.

The Detroit District (LRE) issued an outgrant to two Tribes to manage a burial site on USACE owned land. The outgrant allows the Tribes to maintain the site and use the site for ceremonial practices. LRE provides aid to the Tribes as necessary, such as working together to repair damage caused by foxes and taking steps to prevent future occurrences.

At Lake Sakakawea (NWO), the MHA Nation (Mandan, Hidatsa, Arikara Nation), along with an outgrant, was granted a temporary waiver to the regulations prohibiting gambling on USACE lands and waters to conduct a pilot program consisting of operating a gaming vessel. The purpose of the pilot program is to determine if gaming



activities are compatible with USACE's on-going Natural Resources Management activities. The pilot program is ongoing.

Specific provisions within various Water Resources Development Acts (WRDA) have required the sale of USACE fee title land in SWT to the Creek Nation for development of a casino adjacent to Eufaula Lake, the sale of land at Sardis Lake to the Choctaw Nation of Oklahoma for tribal recreation development, as well as outgrants to lease public parks.

### **3.9 Cooperative Agreements with Indian Tribes**

Sec 1031(b) of Water Resources Reform and Development Act (WRRDA) 2014 allows USACE to enter into a cooperative agreement with an Indian Tribe (or a designated representative of an Indian Tribe) to carry out authorized activities of USACE to protect fish, wildlife, water quality, and cultural resources. Prior to such agreements, a Memorandum of Agreement (MOA) approved by the Director or Civil Works (DCW) would be entered into with each Tribe setting out the Nation-to-Nation relationship for the USACE lands in question. Cooperative agreements must be executed by a certified Grants Officer. This authority has yet to be utilized by USACE related to funding or inability to navigate the process for the development of the MOA and the cooperative agreement. In addition, only 13 districts and two labs have grants officers, which can add to the difficulty in administering cooperative agreements. (See Appendix A)

Under Section 3117 of WRDA 2007 authorizing cooperative agreements for operation and maintenance activities on flood control projects in New Mexico, the Santa Ana Pueblo and the Pueblo de Cochiti entered into cooperative agreements with the Albuquerque District (SPA) for such activities as documenting the wildlife population affected by reservoir operation, analyzing plant community composition, species richness and cover, and analyzing fisheries and ecological data.

### **3.10 Challenge Cost Sharing Cooperative Management Authority**

Sec 1155 of WRDA 2016 allows USACE to enter into Challenge Cost Sharing Cooperative Management Agreements (CCSCMAs) with non-federal public entities and Tribes to collect and retain up to 100% of user fees for the use of developed recreation sites and facilities and reinvest collected fees at the site at which the fees are collected. In late 2023 and early 2024, the first CCSCMAs went into effect at two separate lakes in the Mobile District (SAM) at Lake Sidney Lanier and Allatoona Lake. USACE signed agreements with Hall County, Dawson County, and Forsyth County at Lake Lanier for nine recreation areas where the partners will provide maintenance, cleaning, fee collection. This has already resulted in USACE diverting O&M funds saved through the partnership along with Bipartisan Infrastructure Law and Disaster Relief Supplemental Appropriations Act (DRSA) funds for the replacement of a shower house roof, dump station septic system, erosion control, campsite rehabilitation, and shower house replacement, with planned work for two more dump station septic replacements, two more shower house replacements and connection to city sewer from one

campground. At Allatoona, USACE has signed an agreement with Bartow County to co-manage four campgrounds, providing fee collection, reservation services, gatehouse internet, water and electric service, trash collection, and septic pumping. This authority has yet to be utilized by Tribes, although there have been discussions in MVP with the Fon du Lac Tribe at Sandy Lake for the potential to co-manage USACE recreation sites, but their interest lies in managing the lake and natural resources. Discussions also took place in early 2024 with the Standing Rock Sioux Tribe at Oahe Lake (NWO) to consider joint management of USACE parks, but the Tribe confirmed that they are not interested in pursuing this arrangement.

### **3.11 Reburial and Conveyance Authority**

Sec 208 of WRDA 2000 allows USACE to rebury Native American remains that were discovered on Civil Works project land and that have been rightfully claimed (e.g., through NAGPRA) by a lineal descendant or Indian Tribes. USACE is further authorized to set-aside and convey Civil Works lands to an Indian Tribe for use as a cemetery. Reburial is at federal expense and USACE shall retain any necessary property interests (e.g., right-of-way, easements) deemed necessary to carry out the authorized purpose of the project.

The Mandatory Center of Expertise for the Curation and Management of Archaeological Collections (MCX CMAC) has gathered data on reburial as part of their assistance to USACE districts with NAGPRA compliance. Thirteen districts have reburial areas on USACE owned lands. Of these, ten districts, Huntington (LRH), Louisville (LRL), Nashville (LRN), St. Louis (MVS), NWK, NWO, Savannah (SAS), SPK, SPN and SWF, have one reburial area each; two districts, Portland (NWP) and NWW, have two reburial areas; and one district, SAM, has three reburial areas. These reburial areas have been utilized by 25 Tribal Nations.

To date, no USACE operating project has conveyed land to a Tribe for use as a cemetery. It is possible this has not been utilized because due to a lack of awareness at the operating projects or by the Tribes that this is available or how to work with real estate and others to accomplish such a conveyance.

### **3.12 Authorities on Tribal Lands and Off USACE Fee-Owned Lands**

#### **3.12.1 Continuing Authorities Program (CAP)**

This is a group of nine legislative authorities under which USACE can plan, design, and implement certain types of water resources projects without additional project specific congressional authorization. This is for work off USACE fee-owned land. The feasibility phase is initially Federally funded up to \$100,000. Any remaining feasibility phase costs are shared 50/50 with the non-Federal sponsor after executing a feasibility cost sharing agreement (FCSA). A cost share waiver under Section 1156 of WRDA 1986, as amended ([33 U.S.C. 2310](#)), applies to federally recognized Tribes for projects completed under CAP. This waiver is adjusted annually for inflation.

### **3.12.2 Planning Assistance to States**

The Planning Assistance to States (PAS) program is authorized by Section 22 of WRDA 1974, as amended. Under PAS, the USACE offers two types of planning assistance through PAS: technical assistance and comprehensive plans. Assistance under PAS covers all USACE mission areas to include flood risk management, ecosystem restoration, and navigation, as well as water supply and water resilience. Eligible partners under PAS includes federally recognized tribes.

The PAS program is limited to provided planning-level assistance; detailed design, specification, and construction are not included in this program. Implementation of deliverables under the PAS program is the responsibility of the non-federal partner. The typical timeframe for completing work under PAS is one to two years. Federally recognized tribes have been identified as economically disadvantaged communities and as such PAS projects for tribes are completed at full federal expense.

### **3.12.3 Tribal Partnership Program (TPP)**

Section 203 of WRDA 2000 includes procedures for the preparation and coordination of study, design, and construction of water resources development projects including projects for flood and coastal storm risk management such as erosion control, environmental restoration and protection, navigation, preservation of natural and cultural resources, watershed assessments and planning activities, and technical assistance on projects located within Indian Country or in proximity to an Alaskan Native Village. USACE fee-owned land is often within the exterior boundaries of reservations; however, the TPP construction authority may be of limited utility on such land. A TPP project involves the usual lands, easements, right of ways, relocations, and disposals (LERRDs) and O&M requirements, so the Tribe would have to lease the USACE land, assume perpetual O&M responsibilities, and the project would have to be consistent with the overall purposes of the larger USACE reservoir project. It would be much simpler for the Tribe to enter into a cooperative agreement to manage USACE property at USACE expense in accordance with project purposes under Section 1031(b) of WRRDA 2014.

In November 2022, the ASA (CW) issued a memorandum regarding non-traditional water resources development projects within the TPP, particularly for the preservation of cultural and natural resources. This memorandum allows for the recommendation of projects and/or studies that may not be considered a 'traditional' USACE water resources project, provided that it is related to water resources and aligned with USACE capabilities and Corps competency. The Confederated Salish and Kootenai Tribes (CSKT) requested USACE assistance through NWS under the TPP, as a non-traditional project, for a study on the feasibility, design, and renovation of the existing CSKT curation facility or the construction of a new facility for the archaeological collections at its facility. The CSKT facility, located on CSKT tribal land, curates archaeological collections for NWS associated with Libby Dam and associated projects.



As part of its responsibilities to support compliance with 36 CFR Part 79, Curation of Federally Owned and Administered Archaeological Collection, the MCX CMAC has identified a total of 12 Tribal Nations, including the CSKT, that operate curation repositories for archaeological collections. Five of these repositories, all located within NWD, house USACE archaeological collections. Of these five repositories, two have an interest in housing additional USACE collections, while the other three want to continue to house the collections they currently have with no additions. In general, Tribes have indicated they would welcome the opportunity to receive assistance with federal collections management compliance, including training for repository staff.

### **3.13 Potential Future Authority Expansion**

The Good Neighbor Authority, Section 8237 of WRDA 2022, requires the assessment of forest, rangeland, and watershed restoration services on USACE lands that could be provided by non-Federal interests (including Tribes). An interdisciplinary team is currently working on this assessment to prepare a report to Congress due September 2024. The report will include a description of the forest, rangeland, and watershed restoration services; assess whether such services, including efforts to reduce hazardous fuels and to restore and improve forest, rangeland, and watershed health (including the health of fish and wildlife habitats) would be enhanced by entering into a good neighbor agreement with a non-Federal interest; assess whether Congress should authorize USACE to enter into a good neighbor agreement with a non-Federal interest; and consider whether implementation of a good neighbor agreement on USACE lands would benefit State and local governments and Indian Tribes that are located in the same geographic area as such lands.

If included in future WRDA or other legislation, this would allow USACE to pay Tribes via a cooperative agreement or sole source contract for forest, rangeland, and watershed restoration services. This could potentially be another avenue to allow Tribes to conduct timber sales and generate revenue for reinvestment in mutually beneficial restoration work without the requirement for a real estate lease/license.

## **4 TRIBAL CO-MANAGEMENT AND CO-STEWARDSHIP IN USACE**

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### **4.1 Tribal Engagement and Partnership Survey**

A tribal engagement and partnership survey was conducted in February-March 2024 through the USACE Operations Community of Practice (CoP) and USACE Tribal Liaisons to identify: 1) where USACE projects have partnered or collaborated with Tribes; 2) which Tribes have been engaged; 3) types of activities, functions or events conducted or requested by Tribes; 4) what agreement types have been used; 5) where tribal interest has been stated; 6) challenges and limitations for working with Tribes; 7) impacts to tribal treaty rights; 8) guidance, tools or training needed; and 9) best practices for coordinating with Tribes. (Appendix B)

All USACE Divisions and 32 Districts were represented in the survey results, with 154 Civil Works projects providing information. Roughly 55% of respondents reported collaboration with 117 Tribes. (Appendix C)

Co-management was identified as currently taking place at:

- Red Lake (MVP), where USACE jointly operates and maintains the dam via a sole source contract with the Red Lake Nation Department of Natural Resources (DNR). Red Lake Dam is located within the Red Lake Reservation. All contractors working on the Red Lake Reservation must be approved by the Tribe to conduct work, so therefore a sole source service contract was issued to the Red Lake Nation DNR for operating the dam.
- Dworshak National Fish Hatchery, Walla Walla District (NWW) where the Nez Perce Tribe assumed hatchery operations in coordination with USACE Dworshak Dam operations. This was the result of a water rights settlement as part of the Snake River Basin Adjudication. USACE funds U.S. Fish and Wildlife Service through an Economy Act agreement and MIPR, who then provide funding to the Tribe for their role as hatchery managers/operators.
- SPA: The Pueblo de Cochiti has an Easement Grant and Agreement and a MOU which provide for the operation of a recreation program at the Cochiti Project. The Santa Ana Pueblo has a MOU to jointly manage and operate USACE facilities on Pueblo lands.

The Fond du Lac Tribe has expressed interest in jointly managing natural resources within the project that are culturally significant at Sandy Lake Project (MVP). At Lake Mendocino in the San Francisco District (SPN), the Coyote Valley Band of Pomo Indians is currently exploring opportunities for cooperative management of the currently closed Pomo Visitor Center. The Los Angeles District (SPL) has begun discussions with the Tohono O’odham Tribe to cooperatively manage significant features to the Tribe at Painted Rock Dam and Reservoir.

Many more examples exist under the general umbrella term of co-stewardship. Table 2 summarizes opportunities for common tribal interactions.

**Table 2. Summary of General Tribal Coordination**

Master Plan Updates	Internship opportunities
Cultural Resource Management Plan/ Historic Property Management Plan Updates	National Historic Preservation Act (NHPA) Section 106 consultation
NAGPRA (43 CFR 10) coordination and consultation for discoveries and excavations, repatriation, burial ceremonies, archaeological and cultural site protection, and monitoring	Archaeological Resources Protection Act (ARPA; 16 USC 470aa-470mm) enforcement investigations
Environmental coordination and restoration	Construction projects
Land management contracts	Joint cleanup of unpermitted dump sites
Technical assistance on repairs and/maintenance	Preservation of threatened and endangered species
Regulatory and permitting	Fish passage studies and facility construction
Special events and ceremonies	Site tours

Development of interpretive displays	Tribal conducted cultural resources sensitivity training
Tribal workshops	Youth education and outreach

## 4.2 Improving Tribal Co-Management Opportunities, New Horizons Program

A separate survey was conducted in 2023 by the Institute for Water Resources (IWR) New Horizons Program to seek ways to improve tribal co-management opportunities and the use of cooperative agreements for fish, wildlife, water quality, and cultural resources under the authority of Section 1031(b) of WRRDA 2014. The goal was to determine how many USACE projects were using this authority and identify ways to increase use of these agreements. Survey results showed that there had been no cooperative agreements awarded under this authority. Although 85% of the respondents identified Tribes that would benefit from this authority, more than half identified the lack of understanding of MOA/MOU and cooperative agreement process and perceived complicated legal and contract reviews as barriers to success of this program.

## 5 ADDITIONAL TRIBAL NEEDS AND OPPORTUNITIES

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Although the majority of survey respondents were unaware of specific requests from Tribes or had not received any requests from Tribes for additional needs, others provided specific examples of tribal interest. These included: co-management of recreation areas, shoreline erosion protection, water flow/release changes to water control manuals, monitoring and protection of cultural resources and historic properties, replacement of headstones at a relocated cemetery on tribal lands, requests to participate in USACE boat operator training, levee extensions to protect farmland in the Missouri River basin, prescribed burning, site stabilization, fishing access along the Columbia River, modification/enhancements to fish ladders, Good Neighbor authority, dam removal, solar panels over irrigation canals, plant collection, and periodic exclusive use of USACE recreation areas.

## 6 CHALLENGES TO TRIBAL CO-MANAGEMENT AND CO-STEWARDSHIP IN USACE

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One of the major challenges identified is that many USACE Operations field staff do not have the knowledge or awareness of any tribal interest, particularly in locations where there is no resident, federally recognized Tribes in the area. Communication with Tribes is often conducted by District Office staff, either without field staff involvement or with field staff being instructed not to directly engage or coordinate with Tribes. While there are some locations with strong relationships between Tribal representatives and Operations field staff, this appears to be in areas encompassing multiple reservations. Field staff are often unclear about their District's policy for coordination and consultation with Tribes and have little to no training on working with Tribes. However, OPMs, field biologists and park rangers typically live, work and share communities with Tribes, providing them with multiple opportunities for regular engagement with tribal members.

This is an underutilized partnership opportunity to network and build relationships that can develop into formalized co-management and co-stewardship agreements.

In addition to challenges with intra-district communication, there are challenges with inter-district communication, especially between districts that consult and coordinate with the same Tribes. The lack of consistency due to staff turnover and the lack of consistency in how USACE districts manage tribal relations can also cause conflict and confusion when working with Tribes whose interests span multiple USACE regions.

The visiting public may not understand or support tribal rights, which can lead to user conflicts and tense relationships. Increased communication, training, interaction between District Office staff, OPMs, field staff, and Tribes to provide opportunities to educate the public on tribal history and culture, particularly in areas where there is no resident, federally recognized Tribes, may help ease any misunderstandings.

The geographic separation of Tribes from USACE Civil Works projects can also be a challenge, leading to most consultation and coordination directed towards only fulfilling obligations under NHPA, ARPA, and NAGPRA. In areas where more than one Tribe has an interest or treaty rights, USACE staff struggle to determine how to prioritize opportunities for co-stewardship or land use. Better internal communication is needed between District leadership, Planning, Operations staff, and Tribal Liaisons within Districts as well as between Districts to ensure consistent engagement. An example of internal communication is the use of a quarterly Tribal Project Review Board which includes updates from Project Management, Planning, Operations, and Regulatory.

## **6.1 Roles and Responsibilities**

### **6.1.1 Tribal Liaisons**

Per the 5 December 2023 USACE Civil Works Tribal Consultation Policy, every district is required to have a designated Tribal Liaison to make recommendations to the District Commander to improve participation in USACE programs. Tribal Liaisons are often housed in the Planning Branch but may serve under Operations or Regulatory programs. Tribal Liaisons serve as the direct line of communication between tribal communities and the District Commander and ensure consistency in government-to-government relationships. Tribal Liaisons have a role in and are responsible for improving outreach to and engagement with tribal communities regarding USACE programs and services and facilitating government-to-government consultation between Tribes and USACE (WRDA 2022 Section 8112). Tribal Liaison duties are collateral duties for most Districts within USACE.

### **6.1.2 Operations Project Managers**

OPMs serve as the single point of contact for all activities and efforts involving their operating project(s). OPMs are responsible for the routine O&M activities, repairs, and inspections at each project(s). The OPM is responsible for the budget development for

activities at the operating project(s) and supervises engineers, maintenance personnel, natural resources managers, park rangers, cultural resources personnel, and others, in the operation of the project(s).

### **6.1.3 Operating Project Staff (Natural Resources Managers and Park Rangers)**

Natural Resource Managers and Park Rangers work to manage and conserve natural and cultural resources on USACE lands. They are responsible for park management, including the O&M of roads, trails, grounds, and related project facilities. Natural Resource Managers and Park Rangers provide technical support for long-range plans for operating projects such as the operations management plans, master plans, and cultural resources management plans. They also are responsible for visitor assistance, interpretation, volunteer, and outreach activities, including the development of such items as maps, brochures, exhibits, trail guides and other items. Natural Resources Manager and Park Rangers are usually the point of contact between a USACE operating project and recreation areas and the public.

### **6.1.4 Tribal Engagement at Operating Projects**

When asked about their contact with Tribal Liaisons, respondents to the survey replied with answers from “yes, regularly” to “no contact” with their District Tribal Liaison. Thirty-one responses (33%) indicated they had no contact with the District Tribal Liaison, had only limited contact, or provided no response. This may be due in part to many Tribal Liaisons who work under the Planning Branch and that the majority of Tribal Liaisons are collateral duty (part time), causing potential for break downs in cross functional communications with Operations. As part of their role, District Tribal Liaisons help improve engagements between Tribes and USACE. Tribal Liaisons should work with OPMs and staff to enable them to support the Commander’s relationship with Tribes. As noted above, OPMs and staff not only work but live near the operating project as well as nearby tribal communities. Training and working with OPMs and staff would take advantage of this proximity to improve and/or maintain existing relationships.

## **6.2 Guidance and Training**

Nearly half of the responses indicated that training at the operating project level would greatly benefit the OPMs and staff, as well as enable the team to support the District in maintaining relationships with Tribes. Better USACE guidance and mandatory training were identified as key needs to achieve a robust and successful tribal co-management Program. Survey respondents identified a need for training:

- Tribal Consultation
  - Social etiquette and protocols with Tribes
  - Consultation and coordination communication techniques and best practices
  - Understanding and utilizing Indigenous Knowledge

- Understanding the relationships with federally recognized Tribes, removed federally recognized Tribes and non-federally recognized Tribes
- Understanding the Nation-to-Nation relationship and consultation requirements
- Understanding tribal treaty rights within the District area of responsibility; and
- Understanding tribal interest within the District area of responsibility.
- Coordination and Consultation Requirements under specific federal law:
  - Overview of the NHPA Section 106 process and tribal consultation requirements
  - Overview of ARPA consultation; and
  - Overview of NAGPRA, particularly for discoveries of human remains on federal lands and associated consultation process.
  - Overview of NEPA and tribal consultation requirements
- Authorities for partnering with Tribes, including the development of scopes of work, cooperative agreements, and approval processes.

### **6.3 Gaps in Authorizations and Appropriations**

One authority identified as being potentially beneficial would be if USACE were to acquire similar legislation to the Good Neighbor Authority (GNA) under which the U.S. Forest Service (USFS) and Bureau of Land Management (BLM) currently operate. If included in future WRDA or other law, this would allow USACE to pay Tribes via a cooperative agreement or sole source contract for services related to forest and rangeland health such as hazardous fuels reduction, wildlife monitoring, meadow enhancement, decommissioning roads to reduce sedimentation, treatment of diseased trees, invasive species management, stream restoration, cultural resources surveys, and collaboration on wildfire landscape-wide planning. This could also potentially allow Tribes to conduct timber sales and generate revenue for reinvestment in mutually beneficial restoration work. Tribal demand and interest for this program has been high with the USFS and BLM. In FY 24, the Bipartisan Infrastructure Law provided \$30 million in specific funding for GNA projects with States and Tribes. More than \$180 million in proposals were submitted, with high tribal interest.

Other opportunities for new authorities that may be explored include the ability to pay Tribes to engage with USACE on master plan development, payment for the provision of tribal/cultural resources training and sharing of Indigenous Knowledge.

## **7 BEST PRACTICE EXAMPLES**

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USACE MSCs, Districts, and Civil Works Projects are committed to increasing coordination and engagement with Tribes. A few examples that demonstrate this commitment include:



Southwestern Division (SWD) Bridging the Gap Conference: In April 2024, 30 USACE representatives from Little Rock District (SWL) and SWT Regulatory, Operations, and Public Affairs participated in a conference with 250 total attendees from the U.S. Forest Service and Caddo Nation to cultivate and strengthen relationships. Throughout the conference, tribal Leaders and their representatives had open discussions in which they voiced their concerns about current processes to state and federal partners and offered solutions on how those processes could be improved upon. The face-to-face interaction allowed USACE to gain a better understanding of the requests of the Tribal Nations and helped strengthen the relationships.

The Portland District Wana Pa Koot Koot cooperating group of the Federal Columbia River Power Systems program contracts with Tribes to identify historic properties of religious and cultural significance to Indian Tribes, including cultural landscapes. NWP also has an ongoing contract with Columbia River Inter-Tribal Fisheries Enforcement (CRITFE) to patrol the three lower Columbia River projects, consisting of 148 miles of river shoreline across two states and ten counties. As part of this contract, the CRITFE Officers provide free ARPA training to local law enforcement, park rangers, and tribal members in the area.

NWD hosted an annual Tribal Partnership Workshop at the Standing Rock Indian Reservation in March 2024. BG Geoff Van Epps, COL Robert Newbauer and multiple subject matter experts briefed more than 20 tribal members on USACE programs that could benefit them including co-stewardship, co-management, employment, and small business opportunities as well as water management plans. Multiple tribal council members had the opportunity to directly





address USACE leadership about their concerns regarding the Standing Rock Indian Reservation and mainstem waters levels affecting their daily lives. Moving forward, NWD is already making plans for future workshops on tribal lands as they intensify their outreach to tribal partners and improve their access to programs that could benefit their communities.

SWT and the Native American Indian Committee (NAIC) hosted the Cherokee Nation STEMfest in January 2024 to engage tribal nations high school students by offering job shadow days, powerhouse tours, and STEM activities to encourage careers in STEM.



As part of the Wana Pa Koot Koot cooperating group activities, the Confederated Tribes of the Grand Ronde Community of Oregon completed a Traditional Cultural Landscape study in the Willamette Valley that is being used to support NHPA and NEPA work and the update to the operating projects' Historic Preservation Management Plans. The Cowlitz Tribe has completed an ethnographic report related to Mount St. Helens. The Wana Pa Koot Koot program completes multiple contracts with Tribes each year to identify and document historic properties of religious and cultural significance to Indian Tribes on the Columbia River.

NWP's Willamette Valley Project Cultural Resources, Environmental Stewardship, and Fisheries staff hosted a field trip of several management units around the Foster and Green Peter Projects in April 2024 with staff members from Linn County Parks, Willamette Partnerships, the Confederated Tribes of Grand Ronde, and the Confederated Tribes of Siletz Indians. Discussions included tribal access to specific areas, plant gathering, ESA juvenile fish passage and the deep drawdown, opportunities for collaborative co-management of habitats, cultural resource stewardship, interpretive signs, and safe access for tribal members. The Willamette Valley Project is exploring mechanisms to partner with Tribes and is actively seeking input about tribal interests.





Cochiti Lake in SPA held a Tribal Youth Opioid Awareness Summit to raise awareness, education and empower tribal youth with life and resiliency skills. The event provided an opportunity for USACE staff to engage with members of the Pueblo communities and build relationships with other local, state, and federal partners.

SWT Operations staff met with the Tribal Historic Preservation Officer with the Osage Nation in April 2024 to discuss how USACE is compliant with NAGPRA, ARPA, and NHPA requirements to identify what and how we will coordinate with the Tribe. USACE committed to setting up a separate follow-up meeting on NAGPRA and Section 106 compliance issues, as well as further discussion on development of a Programmatic Agreement for Section 106 NHPA compliance.

Mud Mountain Dam (NWS), collaborated with the Muckleshoot Indian Tribe (MIT) forest inspectors to take over the security of 104,000 acres of tribal land in the Tomanamus Forest, coordinating with USACE and the U.S. Forest Service regarding transients that move between adjacent federal lands, the facilitation of tribal rights, and the management of natural resources. Previously, the MIT had one contracted security guard, which has now increased to seven MIT inspectors. Prior to USACE collaboration with MIT, it took months to get transients moved or vast amounts of dumped trash cleaned up on the Mud Mountain project entrance road and secondary roads. Security patrols were almost nonexistent. Since the meetings with MIT, this has greatly improved. MIT inspector presence has also reduced street drag racing, illegal vegetation cutting and vandalism. This collaboration is done through an informal partnership with no funding exchanged.

The Seattle District contracted with Tribes to provide ethnographic knowledge and context to support efforts to identify and treat traditional cultural properties at all three Federal Columbia River Power Systems reservoirs. These efforts included ethnographic interviews with elder communities, translation of historic documents from other languages (both Indigenous and European), digitization of tribal ethnographic data, and the creation of GIS projects and associated digital story maps. NWS also partnered with Tribes to closely monitor and/or interact with visitors at important cultural sites to

deter vandalism and increase the respect given to the resources by the local recreation communities at Lake Pend Oreille.



USACE continues to explore opportunities with Tribal Nations through the partnership Memorandum of Understanding with the American Indian Science and Engineering Society (AISES), “Improvement of Education and Career Opportunities in Science, Mathematics, Engineering, and Technology”, signed on November 17, 2022. The Seattle District hosted the student attendees of the AISES National Conference in October 2023 at Albeni Falls Dam. This opportunity provided Indigenous STEM high school and college students a field trip and tour to discuss the future fish passage facility, natural resource management, local tribal engagement, partnership opportunities, as well as career opportunities with USACE.

NWS, NWP, and NWW collaborate with Tribes by protecting historic properties through the Federal Columbia River Power System Cultural Resources Program. Each dam project within the program (Albeni Falls, Chief Joseph and Libby Dams) maintains a cooperating group consisting of local Tribes, USACE, and Bonneville Power Administration (BPA) staff, the State Historic Preservation Office, and other land managing agencies such as Bureau of Land Management, US Forest Service and the Washington Department of Fish and Wildlife. These groups each meet at least quarterly and partner to complete the NHPA Section 106 process for undertakings associated with the operations and maintenance of the dams and associated reservoirs. This partnering includes planning and enacting the full suite of Section 106 activities from identification through treatment of adverse effects and development of project specific programmatic agreements and historic properties management plans. NWS and BPA serve as the lead federal agencies and fund the activities through BPA’s sale of the power generated at the dams and with Congressional appropriated funding support.

## 8 RECOMMENDATIONS

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The survey identified a range of broad and specific recommendations to help increase the potential for co-stewardship and co-management opportunities as well as improve relations between USACE and Tribes:

- Program Management
  - Use the TNTCX to support field staff in further building relationships between Operations, the District Tribal Liaison, and Tribes with ties to Civil Works project sites, and provide technical expertise in developing agreements.

- House USACE Tribal Nations program management as direct reports to the Commander in the Executive Office.
- Convert Tribal Liaison positions, where appropriate, depending on the scope and scale of the tribal program, into full time positions rather than a collateral duty.
- Prioritize meetings with tribal leadership for incoming and outgoing commanders.
- Conduct regular, periodic tribal engagement review board meetings across all business lines with tribal interaction including Planning, Real Estate, Office of Counsel, Regulatory, Operations, and Environmental Justice coordinators to review positive outcomes, identify issues and concerns, and identify upcoming coordination and consultations.
- Stand up working groups across business lines and across District boundaries for consistent tribal coordination and to identify opportunities for cooperative management and cooperative agreements with Tribes at Civil Works projects.
- Prioritize funding and increase outreach efforts to Tribes by OPMs and Tribal Liaisons to identify opportunities for and implement co-stewardship and co-management at Civil Works projects.
- Develop a comprehensive national index/directory of Tribes with a potential interest or affiliation (where currently located in the vicinity, or with a cultural or historic interest in the area) with USACE Civil Works projects for use by Planning, Operations, Emergency Operations, and Regulatory field staff.
- Revise the 2016 DCW implementation guidance for entering into MOAs and cooperative agreements with Tribes under Sec 1031(b) of WRRDA 2014, to incorporate changes in Federal cooperative agreement regulations, and to direct use of this authority to the maximum extent possible for co-management of USACE operated Civil Works projects. Delegate authority from the DCW to Districts to execute these agreements.
- Develop clear implementation guidance regarding the burial authority which allows USACE to convey lands designated as tribal cemeteries to Tribes.
- Develop clear guidance for compensating Tribes for sharing tribal knowledge, for conducting archeological monitoring or surveys on USACE lands, and other activities to support the protection of cultural resources.
- Set aside funds annually to pay for invitational travel orders for Tribes to meet with USACE to discuss co-stewardship opportunities.
- Hire tribal members as USACE employees under direct hiring authorities to the maximum extent legally possible, particularly for positions such as Tribal Liaisons.
- Target internships and job opportunities for tribal youth.
- Invite OPMs and field staff to participate in Tribal Liaison meetings, trainings and to the Tribal Nations Community of Practice.
- Increase ability of Civil Works projects and Tribes to partner on ARPA monitoring, damage assessments, and enforcement.
- Develop guidance or model agreement for the conveyance of USACE land to Tribes for the purpose of a cemetery.

- Training/Resources
  - Develop and implement required tribal training: Content should be developed by the TNTCX and Tribal Nations CoP, USACE Tribal Liaisons, with input from Cultural Resources, Counsel, Planning, Regulatory and Operations CoPs for enterprise-wide consistency. Specific training needs include:
    - Overview of federal government and tribal nations relationships in federal law
    - Communication and cultural sensitivity best practices
    - Understanding of the consultation requirements of individual federal laws and the USACE Civil Works Tribal Consultation Policy
    - Information on USACE authorities regarding co-management and co-stewardship with Tribes
  - Add tribal training to Executive Governance meetings, pre-command course for all District and MSC commanders, OPM and O&M Contracting Prospect courses, and other annual meetings.
  - Use town hall/brown bag presentations provided by Tribal liaisons to deliver updates on tribal engagement activities as well as periodic sessions to promote awareness of tribal engagement guidance, procedures, tools, and 'refresher' training for employees.
  - Encourage field staff to visit each tribal website to learn about their project's related Tribes and seek opportunities for field staff to visit resident Tribes with Tribal Liaisons or have open house events at their projects for Tribes to attend and meet field staff.
  - Add or update content to existing PROSPECT training regarding tribal engagement, consultation, co-management/stewardship opportunities, etc. (such as 72-Interpretive Services, 101-Environmental Stewardship, 245 – Operations Project Management, 328-Partnerships in NRM).
- Database/Tracking Systems
  - Develop coordinated data tracking/management systems or update existing systems such as the Tribal Application to consolidate and reduce costs for documenting tribal partnerships for annual reporting.
  - Develop a central portal, with the TNTCX that will be accessible to all USACE employees, sharing examples of successful partnerships, lessons learned, best management practices, completed agreements, etc.
- Next Steps
  - Memo from ASA(CW) with outcomes and recommendations on how to implement and increase co-management/co-stewardship, which includes outcomes and deliverables.
  - Provide Tribal Co-Management report to as part of ASA (CW) consultation regarding co-management and co-stewardship to Tribes to solicit input on how to increase engagement and partnerships.
  - Identify and set aside funding sources to implement increased Tribal partnerships.

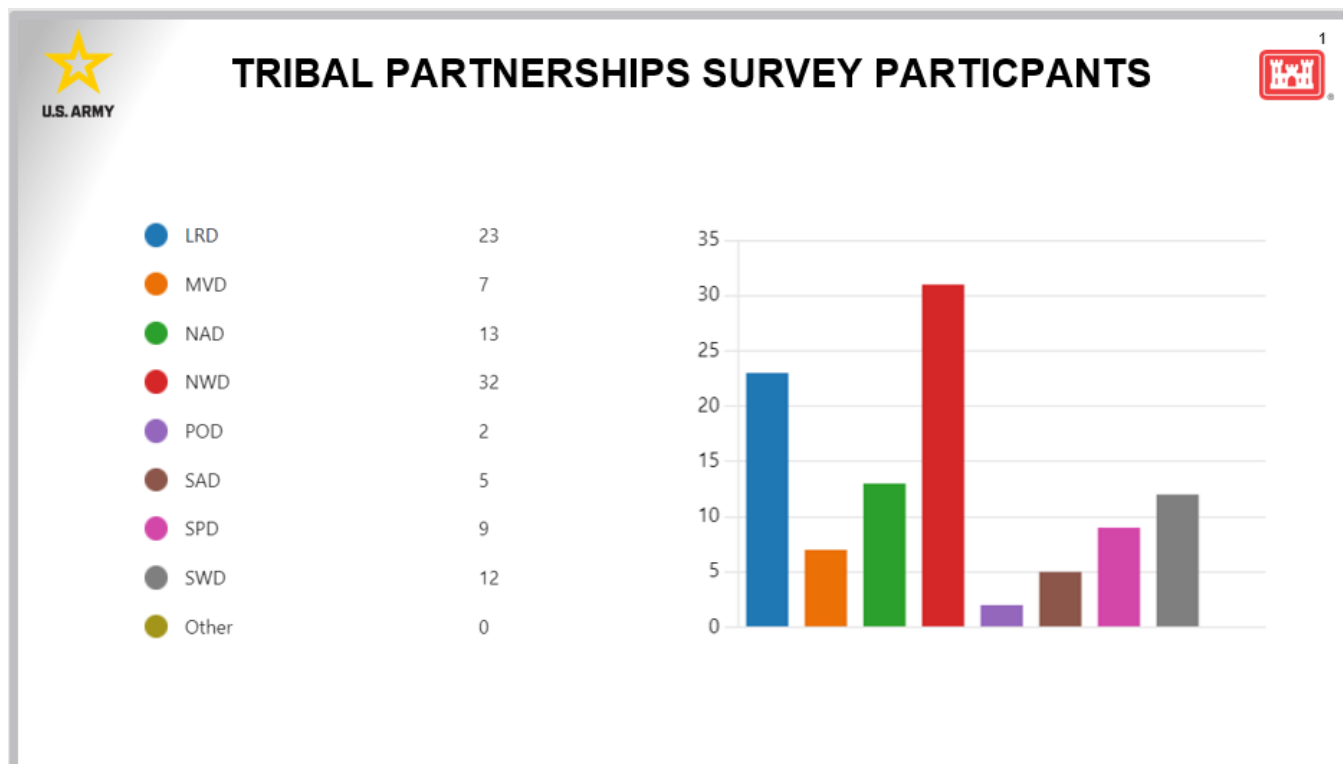
- Increase in work plan funding, project funding, prioritize national stewardship funding for Tribal partnerships to assist with USACE ARPA responsibilities and the protection of cultural resources.

**Appendix A**  
**List of Grants Officers**

LRD	LRB	Jeff	Ernest	jeffrey.g.ernest@usace.army.mil
	LRC	None		
	LRE			
	LRH			
	LRL			
	LRN			
	LRP			
MVD	MVK	Derek	Howard	Derek.A.Howard@usace.army.mil
	MVP	None		
	MVR			
	MVS			
NAD	NAB	Jeff	May	Jeffrey.B.May@usace.army.mil
	NAE	None		
	NAP	None		
NWD	NWK	Kris	Huber	Kris.a.huber@usace.army.mil
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	NWO	Lee	McCormick	lee.m.mccormick@usace.army.mil
		Stephanie	Rostermundt	stephanie.a.rostermundt@usace.army.mil
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	POH	None		
SAD	SAJ	Griselle	Gonzalez-Aquino	Griselle.Gonzalez@usace.army.mil
	SAM	None		
	SAS	None		
	SAW	Ed	Boddie	edward.a.boddie@usace.army.mil
SPD	SPA	None		
	SPK	None		
	SPL	None		
	SPN	None		

SWF	Paige	Poorman	paige.e.poorman@usace.army.mil
SWF	Robin	Prince	robin.g.prince2@usace.army.mil
SWG	Traci	Robicheaux	traci.d.robicheaux@usace.army.mil
	Maria	Rodriguez	maria.e.rodriguez@usace.army.mil
SWL	None		
SWT	None		
ERDC	Davita	Baloue	davita.s.baloue@usace.army.mil
	Tim	Black	timothy.d.black@usace.army.mil
	Andrea	Thomas	andrea.j.thomas@usace.army.mil
HNC	Katrena	Winchester	Katrena.H.Winchester@usace.army.mil
	Eric	Horcick	Eric.S.Horcick@usace.army.mil

## Appendix B Tribal Partnership Survey Results







## CIVIL WORKS PROJECTS PARTICIPATING IN SURVEY



3

LRD	LRB	BLACK ROCK LOCK
LRD	LRE	ST. MARYS RIVER
LRD	LRH	BLUESTONE LAKE
LRD	LRH	BURNSVILLE LAKE
LRD	LRH	DEWEY LAKE
LRD	LRH	FISHTRAP LAKE
LRD	LRH	GRAYSON LAKE
LRD	LRH	JOHN W FLANNAGAN DAM AND RESERVOIR
LRD	LRH	NORTH FORK OF POUND LAKE
LRD	LRH	PAINTSVILLE LAKE
LRD	LRH	R D BAILEY LAKE
LRD	LRH	SUMMERSVILLE LAKE
LRD	LRH	SUTTON LAKE
LRD	LRH	YATESVILLE LAKE
LRD	LRL	BARREN RIVER LAKE
LRD	LRL	BUCKHORN LAKE
LRD	LRL	GREEN RIVER LAKE
LRD	LRL	ROUGH RIVER LAKE
LRD	LRN	BARKLEY DAM AND LAKE BARKLEY
LRD	LRN	CENTER HILL LAKE
LRD	LRN	WOLF CREEK DAM - LAKE CUMBERLAND
MVD	MVP	CROSS LAKE - RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER
MVD	MVP	EAU GALLE RIVER LAKE
MVD	MVP	GULL LAKE - RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER
MVD	MVP	HOMME LAKE AND DAM
MVD	MVP	LAC QUI PARLE LAKES
MVD	MVP	LAKE ASHTABULA AND BALDHILL DAM
MVD	MVP	LAKE TRAVERSE AND BOIS DE SIOUX

MVD	MVP	LEECH LAKE - RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER
MVD	MVP	MISSISSIPPI RIVER BETWEEN MISSOURI RIVER AND MINNEAPOLIS
MVD	MVP	ORWELL LAKE
MVD	MVP	POKEGEMA LAKE-RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER
MVD	MVP	SANDY LAKE - RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER
MVD	MVP	WINNIBIGOSH LAKE - RESERVOIRS AT HEADWATERS OF MISS RVR
MVD	MVS	CLARENCE CANNON DAM & MARK TWAIN LAKE
NAD	NAE	BALL MOUNTAIN LAKE
NAD	NAE	BARRE FALLS DAM
NAD	NAE	BIRCH HILL DAM
NAD	NAE	BLACKWATER DAM
NAD	NAE	BUFFUMVILLE LAKE
NAD	NAE	CAPE COD CANAL
NAD	NAE	EAST BRIMFIELD LAKE
NAD	NAE	EDWARD MACDOWELL LAKE
NAD	NAE	FRANKLIN FALLS DAM
NAD	NAE	HANCOCK BROOK LAKE
NAD	NAE	HODGES VILLAGE DAM
NAD	NAE	HOPKINTON-EVERETT LAKES
NAD	NAE	KNIGHTVILLE DAM
NAD	NAE	LITTLEVILLE LAKE
NAD	NAE	MANSFIELD HOLLOW LAKE
NAD	NAE	NORTH HARTLAND LAKE
NAD	NAE	NORTH SPRINGFIELD LAKE
NAD	NAE	OTTER BROOK LAKE
NAD	NAE	SURRY MOUNTAIN LAKE
NAD	NAE	TOWNSHEND LAKE



## CIVIL WORKS PROJECTS PARTICIPATING IN SURVEY



4

NAD	NAE	TULLY LAKE
NAD	NAE	UNION VILLAGE DAM
NAD	NAE	WEST THOMPSON LAKE
NAD	NAE	WESTVILLE LAKE
NAD	NAO	JAMES RIVER FEDERAL NAVIGATION PROJECT
NAD	NAP	BLUE MARSH LAKE
NAD	NAP	PROMPTON LAKE
NWD	NWK	CLINTON LAKE
NWD	NWK	HARLAN COUNTY LAKE
NWD	NWK	HILLSDALE LAKE
NWD	NWK	KANOPOLIS LAKE
NWD	NWK	PERRY LAKE
NWD	NWK	POMME DE TERRE LAKE
NWD	NWK	POMONA LAKE
NWD	NWK	RATHBUN LAKE
NWD	NWK	STOCKTON LAKE
NWD	NWK	TUTTLE CREEK LAKE
NWD	NWO	BIG BEND DAM, LAKE SHARPE
NWD	NWO	FT PECK DAM AND LAKE
NWD	NWO	FT RANDALL DAM, LAKE FRANCIS CASE
NWD	NWO	GARRISON DAM, LAKE SAKAKAWEA
NWD	NWO	GAVINS POINT DAM, LEWIS AND CLARK LAKE
NWD	NWP	BLUE RIVER LAKE
NWD	NWP	BONNEVILLE LOCK AND DAM-LAKE BONNEVILLE
NWD	NWP	COTTAGE GROVE LAKE
NWD	NWP	COUGAR LAKE
NWD	NWP	DEXTER LAKE
NWD	NWP	DORENA LAKE
NWD	NWP	FALL CREEK LAKE
NWD	NWP	FERN RIDGE LAKE

NWD	NWP	FOSTER LAKE
NWD	NWP	GREEN PETER LAKE
NWD	NWP	HILLS CREEK LAKE
NWD	NWP	JOHN DAY LOCK AND DAM - LAKE UMATILLA
NWD	NWP	LOOKOUT POINT LAKE
NWD	NWP	LOST CREEK LAKE
NWD	NWP	THE DALLES LOCK AND DAM - LAKE CELILO
NWD	NWP	WILLOW CREEK LAKE
NWD	NWS	ALBENI FALLS DAM
NWD	NWS	CHIEF JOSEPH DAM
NWD	NWS	LAKE WASHINGTON SHIP CANAL
NWD	NWS	MUD MOUNTAIN DAM
NWD	NWW	DWORSHAK DAM AND RESERVOIR
NWD	NWW	LUCKY PEAK LAKE
NWD	NWW	MILL CREEK
POD	POA	CHENA RIVER LAKES
SAD	SAC	COOPER RIVER DIVERSION PROJECT
SAD	SAJ	CENTRAL AND SOUTHERN FLORIDA
SAD	SAJ	OKEECHOBEE WATERWAY
SAD	SAM	BUFORD DAM - LAKE SIDNEY LANIER
SAD	SAS	HARTWELL DAM AND LAKE
SAD	SAS	J STROM THURMOND DAM AND LAKE
SAD	SAS	RICHARD B RUSSELL DAM AND LAKE
SAD	SAW	B EVERETT JORDAN DAM AND LAKE
SAD	SAW	CAPE FEAR RIVER ABOVE SAW
SAD	SAW	FALLS LAKE
SAD	SAW	JOHN H KERR DAM AND RESERVOIR
SAD	SAW	PHILPOTT LAKE
SAD	SAW	W KERR SCOTT DAM AND RESERVOIR
SPD	SPA	COCHITI LAKE
SPD	SPA	CONCHAS LAKE



## CIVIL WORKS PROJECTS PARTICIPATING IN SURVEY



SPD	SPK	BLACK BUTTE LAKE
SPD	SPK	BUCHANAN DAM H.V. EASTMAN LAKE
SPD	SPK	HIDDEN DAM HENSLEY LAKE
SPD	SPK	SUCCESS LAKE
SPD	SPK	TERMINUS DAM LAKE KAWEAH
SPD	SPL	ALAMO LAKE DAM
SPD	SPL	PAINTED ROCK DAM
SPD	SPL	PINE-MATHEWS CANYONS DAMS
SPD	SPL	WHITLOW RANCH
SWD	SWF	COOPER DAM AND JIM CHAPMAN LAKE
SWD	SWF	FERRELLS BRIDGE DAM - LAKE O' THE PINES
SWD	SWF	SAM RAYBURN DAM AND RESERVOIR
SWD	SWF	TOWN BLUFF DAM AND BA STEINHAGEN LAKE
SWD	SWF	WRIGHT PATMAN DAM AND LAKE
SWD	SWG	LRB BAYOU AND TRIBUTARIES
SWD	SWG	WALLISVILLE LAKE - TRINITY RIVER AND TRIBUTARIES
SWD	SWL	CLEARWATER LAKE
SWD	SWL	DARDANELLE LOCK AND DAM (DARDANELLE LAKE)
SWD	SWL	DAVID D. TERRY LK (POOL 6) - MCCLELLAN-KERR ARK RVR NAV SYS
SWD	SWL	EMMETT SANDERS LOCK (POOL 4) - MCCLELLAN-KERR ARK RVR NAV SYS
SWD	SWL	GREERS FERRY LAKE
SWD	SWL	JAMES W. TRIMBLE LK (J.P. HAMMERSCHMIDT) - MCC-KERR ARK RVR
SWD	SWL	JOE HARDIN LOCK (POOL 3) - MCCLELLAN-KERR ARK RVR NAV SYS
SWD	SWL	LOCK #2 (POOL 2) - MCCLELLAN-KERR ARK RVR NAV SYS

SWD	SWL	LOCK AND DAM #5 (POOL 5) - MCCLELLAN-KERR ARK RVR NAV SYS
SWD	SWL	MURRAY LOCK (POOL 7) - MCCLELLAN-KERR ARK RVR NAV SYS
SWD	SWL	NORRELL LOCK (POOL 1) - MCCLELLAN-KERR ARK RVR NAV SYS
SWD	SWL	OZARK JETA-TAYLOR L&D & PWRHSE-MCCLELLAN-KERR ARK R NAV SYS
SWD	SWL	TABLE ROCK LAKE
SWD	SWL	TOAD SUCK FERRY LOCK (POOL 8) - MCCLELLAN-KERR ARK RVR NAV
SWD	SWT	COUNCIL GROVE LAKE
SWD	SWT	EL DORADO LAKE
SWD	SWT	ELK CITY LAKE
SWD	SWT	FALL RIVER LAKE
SWD	SWT	JOHN REDMOND DAM AND RESERVOIR
SWD	SWT	MARION RESERVOIR
SWD	SWT	PEARSON-SKUBITZ BIG HILL LAKE
SWD	SWT	TORONTO LAKE



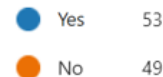
## TRIBES ENGAGED



- Absentee-Shawnee Tribe of Indians of OK
- Apache Tribe of OK
- Assiniboine and Sioux Tribes of Fort Peck
- Bad River Band of Lake Superior Chippewa
- Bay Mills Indian Community
- Bois Forte Band of Chippewa
- Burns Paiute
- Caddo
- Catawba Indian Nation
- Cayuga Nation
- Cherokee Nation
- Cheyenne and Arapaho Tribes of OK
- Cheyenne River Sioux tribe
- Chickahominy Indian Tribe
- Chickasaw Nation
- Chukchansi
- Coeur d'Alene Tribe
- Comanche Nation
- Confederated Salish and Kootenai Tribes of the Flathead Reservation

Has your Project ever partnered with or collaborated with Tribes, either by USACE reaching out to Tribes, or Tribes approaching USACE with a request?

- Confederated Tribes and Bands of the Yakama Nation
- Confederated Tribes of the Colville Reservation
- Confederated Tribes of the Umatilla Indian Reservation
- Crow Creek Sioux Tribe
- Delaware Nation of OK
- Confederated Tribes of the Warm Springs Reservation of OR
- Delaware Tribe Historic Preservation
- Eastern Shawnee Tribe of OK
- Flandreau Santee Sioux Tribe
- Fond du Lac Band of Lake Superior Chippewa
- Fort McDermitt Paiute-Shoshone Tribe
- Fort Peck Assiniboine and Sioux
- Fort Sill Apache Tribe
- Grand Portage Band
- Great Lakes Indian Fish and Wildlife Commission MN, WI, MI



- Herring Pond Wampanoag
- Tribelowa Tribe of KS and NE
- Jicarilla Apache Nation
- Kalispel Indian Tribe
- Kaw Nation
- Keweenaw Bay Indian Community
- Kialegee Tribal Town
- Kootenai Tribe of ID
- Lac Courte Oreilles Band of Lake Superior Chippewa
- Lac Vieux Desert Band
- Lac du Flambeau Band of Lake Superior Chippewa
- Leech Land Band of Ojibwe
- Little Shell Chippewa Tribe
- Lower Brule Sioux Tribe



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## TRIBES ENGAGED



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- Mandan Hidatsa Arikara Nation
- Mescalero Apache Tribe
- Miccosukee Tribe
- Mille Lacs Band of Ojibwe
- Monacan Nation
- Muckleshoot Indian Tribe
- Muscogee (Creek) Nation
- Nansemond Indian Nation
- Nez Perce Tribe
- Northern Arapaho Tribe
- Northern Cheyenne Tribe
- Oglala Sioux Tribe
- Oklahoma Poarch Band of Creek Indians
- Omaha Tribe
- Oneida Nation
- Osage Nation
- Otoe-Missouria Tribe
- Pamunkey Indian Tribe
- Paskenta
- Paskenta Band of Nomlaki Indians
- Pawnee Nation
- Prairie Band Potawatomi Nation
- Prairie Island Indian Community
- Pueblo de Cochiti
- Puyallup Tribe of Indians
- Red Cliff Band of Lake Superior Chippewa
- Red Lake Nation
- Rosebud Sioux Tribe
- Sac and Fox Nation
- Sac and Fox Tribe of the Mississippi in Iowa
- Sandy Lake Band of Ojibwe
- Santa Ana Pueblo
- Santa Rosa Rancheria Tachi Tribe
- Santee Sioux Nation
- Santo Domingo Pueblo
- Sault Ste Marie Tribe of Chippewa Indians
- Seminole Nation of Oklahoma
- Seminole Tribe of Florida
- Seneca Nation of Indians
- Seneca-Cayuga Nation
- Shawnee Tribe
- Shoshone Bannock Tribes of Fort Hall
- Shoshone Paiute Tribes of Duck Valley
- Sokagom Chippewa Community of WI
- Spirit Lake Sioux Tribe
- St. Croix Band of Chippewa Indians
- St. Regis Mohawk Tribe
- Standing Rock Sioux Tribe
- Stockbridge-Munsee Community
- Suquamish Indian Tribe
- Tachi
- Thlopthlocco Tribal Town
- Tonawanda Band of Seneca
- Tule River Indian Tribe
- Turtle Mountain Band of Chippewa
- Tuscarora Nation of New York
- United Keetoowah Band of Cherokee Indians
- United South and Eastern Tribes
- Upper Mattaponi Indian Tribe
- Washoe
- Wichita and affiliated Tribes (Wichita, Keechi, Waco, Tawakonie)
- Winnebago Tribe
- Yankton Sioux Tribe
- Yokut



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## PROJECT IMPACTS ON TRIBES



8

Does your Project impact (or have the potential to impact) Tribal treaty rights, reserved rights, usufructuary rights, or off-reservation rights? NOTE: Usufructuary rights are the rights of the Tribal members to hunt, fish, and gather products off of the land. In some cases, Tribal Nations sold their lands to the United States, but they reserved their usufructuary rights, at off reservation locations (ceded lands).

- Yes 15
- No 36
- I am uncertain/Unaware of existi... 51





## ACTIVITIES CONDUCTED WITH TRIBES



9

- NHPA Sec 106, NAGPRA, ARPA coordination/consultation/enforcement
- Environmental/ ecosystem restoration projects
- Community engagements, site tours
- Special events and ceremonies
- Burials/repatriation
- Hunting, fishing, gathering activities
- Archeological and cultural site protection and monitoring
- Construction projects
- Employment of Tribal members, internships and youth education/outreach
- Real Estate: recreation leases, consent to easements
- Regulatory/permitting
- Fish passage studies and fish hatchery operations
- Training
- Master plan review and input
- Technical assistance on repairs/maintenance
- T&E species preservation



## ACTIVITIES REQUESTED BY TRIBES



10

- Coordination of water control operations
- Removal of object from burial site
- Outgrant for parking area
- Designated location on USACE recreation area to spend quiet time and reflect on a past war
- Co-management of recreation area
- Potential to partner to conduct cultural burning/indigenous fire suppression activities



## CHALLENGES/LIMITATIONS IDENTIFIED



- No federally recognized Tribes in the area.
- Not aware of any Tribal interest.
- Opportunities haven't been available.
- Lack of staff and no interested partners.
- Communication with Tribes does not come directly from the project. Strictly performed by District Office staff. *Some districts have strict instructions to field projects that they should not correspond directly with Tribes.*
- Unclear what the district's policy is for coordination.
- Do not have contacts with local Tribes.
- Cannot get the Tribe to sign formal agreements.
- Limited amount of information and/or resources available on Tribal partnership opportunities that has reached the project for pursuing.
- Only interested in consulting on projects that require SHPO consultation.
- Geographic separation of most of our tribal partners from Operations.



## GUIDANCE/TRAINING NEEDED



- Social etiquette with Tribes, protocols, communication, understanding of Indigenous Knowledge
- Tribal engagement training. OPMs are not encouraged to be a tribal engagement POC at the projects. Any contact with tribes requires notification to the liaison and Commander.
- Overview of the 106 processes as well as what tribal consultation looks like.
- Index or directory of Tribal affiliations associated with USACE lands.
- Help from TNTCX for the field further build relationships between Ops and Tribes with ties to our project sites.
- Legal advice for co-management
- Recommend District Tribal Liaisons conduct periodic sessions each year to promote awareness to Tribal engagement guidance, procedures, tools, or training for our newest employees.
- There should be a clear procedure that is passed down through the chain and follow up training.
- Need an understanding of what Tribes might have interest within our geographic responsibility.
- How to follow government consultation requirements.
- Cultural resources sensitivity training
- Training about available authorities, how to develop SOWs, cooperative agreements, competition requirements, USACE approval processes.

### Appendix C Tribal Partnership Survey Examples

MSC	District	Project	Names of Tribe(s)	Description of activity /partnership
LRD	LRC		Oneida Nation	Planning Assistance to States and Tribes (PAS) Flood Risk Study
LRD	LRE	St. Marys Fall Canal-Soo Locks	The Sault Tribe of Chippewa Indians, Bay Mills Indian Community	Section 106 coordination, community engagements, environmental coordination activities, site tours, burial ceremonies. Request for removal of obelisk from burial site. Outgrant for burial site.
LRD	LRH	Bluestone Lake	Absentee Shawnee Tribe, Catawba Indian Nation, Cayuga Nation, Cherokee Nation, Chickahominy Indian Tribe, Delaware Nation Oklahoma, Eastern Band of Cherokee Indians, Eastern Chickahominy, Eastern Shawnee Tribe of Oklahoma, Monacan Nation, Nansemond Indian Nation, Osage Nation, Pamunkey Indian Tribe, Seneca Nation of Indians, Seneca-Cayuga Nation, Shawnee Tribe, Saint Regis Mohawk Tribe, Tonawanda Band of Seneca, Tuscarora Nation of New York, United Keetoowah Band of Cherokee Indians, Upper Mattaponi Indian Tribe	Section 106 consultations, NAGPRA consultations, providing updates to tribes on Historic Properties & Cultural Resources findings.
LRD	LRN	District office	United South and Eastern Tribes (USET)	Want an outgrant for a parking lot to serve the office building, a cultural center, museum, interpretive trails, and other features on public lands which was previously leased to USET.
LRD	LRN	Lake Barkley	Eastern Band of Cherokee Indians, Cherokee Nation, United Keetoowah Band of Cherokee, Chickasaw Nation, Eastern Shawnee Tribe of Oklahoma, Kialegee Tribal Town, Muscogee (Creek) Nation, Oklahoma Poarch Band of Creek Indians, Seminole Nation of Oklahoma, Seminole Tribe of Florida, Shawnee Tribe, Thlopthlocco Tribal Town, Osage Nation of Oklahoma, United Keetoowah Band of Cherokee Indians of Oklahoma, Miccosukee Tribe	Work with Tribes on the repatriation of 187 ancestors on USACE Lake Barkley property. Also worked with Tribes after discovery of Native American human remains.
LRD	LRN	Wolf Creek		Collaborative YouTube video for public view



<b>MSC</b>	<b>District</b>	<b>Project</b>	<b>Names of Tribe(s)</b>	<b>Description of activity /partnership</b>
MVD	MVP	Miss. River and Eau Galle Project		Interested in a designated location within Corps recreation area to spend quiet time and reflecting on past regarding Blackhawk War.
MVD	MVP	Operations Division	Fond du Lac Band of Lake Superior Chippewa, Grand Portage Band, Leech Lake Band of Ojibwe, Mille Lacs Band of Ojibwe, Prairie Island Indian Community, Red Lake Nation, Bad River Band of Lake Superior Chippewa, Lac Courte Oreilles Band of Lake Superior Chippewa, Lac du Flambeau Band of Lake Superior Chippewa, Red Cliff Band of Lake Superior Chippewa, St. Croix Band of Chippewa Indians, Sokagon Chippewa Community of Wisconsin, Keweenaw Bay Indian Community, Lac Vieux Desert Band	Mikwendaagoziwag Ceremony, special access for fishing, coordination of river operations, special events, Prairie Island Indian Community, water control operations, co-management of rec area, request by Red Lake Band for more influence over Red Lake water control operations
MVD	MVP	Reservoirs of the Mississippi Headwaters	Great Lakes Indian Fish and Wildlife Commission (GLIFWC) MN, WI & MI, Red Lake Nation, Leech Lake Band of Ojibwe, Mille Lacs Band of Ojibwe, Fond du Lac Band of Lake Superior Chippewa, Bois Forte Band of Chippewa	Special events, ceremonies, law enforcement, hunting fishing and gathering activities, Outgrant - Mikwendaagoziwag Monument Sandy Lake Memorial
MVD	MVS	Clarence Cannon Dam and Mark Twain Lake	Sac and Fox Nation, Osage Nation	NAGPRA repatriations resulting from discoveries. Approximately 6 completed.
MVD	MVS	Operations Division	Osage, Fox	Burial (Inadvertent Discovery), Ceremony
NAD	NAB	Regulatory Branch	Delaware Nation, Delaware Tribe	Select staff attended a conference entitled To Bridge A Gap (TBAG).
NAD	NAE	Cape Cod Canal	Herring Pond Wampanoag Tribe	Coordination on developing interpretive displays regarding hunting/fishing/gathering activities at Canal herring run
NAD	NAO	James River Federal Navigation Project	Nansemond Indian Tribe	Tribal Workshop, invitation to accompany site visits

<b>MSC</b>	<b>District</b>	<b>Project</b>	<b>Names of Tribe(s)</b>	<b>Description of activity /partnership</b>
NAD	NAP	District office	Delaware Nation, Delaware Tribe, Eastern Shawnee Tribe of Oklahoma, Oneida Indian Nation, Stockbridge-Munsee Community, St. Regis Mohawk, Seneca Nation	Tribes review our Civil Works, Operations, and Regulatory permit actions with project discussions during a USACE hosted monthly meetings with the Tribal Reviewers.
NAD	NAP	Prompton Dam and Blue Marsh	Absentee-Shawnee Tribe of Indians of Oklahoma, Delaware Nation of Oklahoma, Delaware Tribe Historic Preservation, Eastern Shawnee Tribe of Oklahoma, Oneida Indian Nation, Pamunkey Indian Tribe, Shawnee Tribe, St. Regis Mohawk Tribe, Seneca Nation of Indians	Consulted extensively with Native American Tribes on the Blue Marsh Lake & Prompton Dam Master Plans. Consulted with Tribes on developing ESA's and ensuring areas of Tribal concern were addressed.
NWD	NWK	Clinton Lake Project	Haskell Indian Nations University	Special use permit to Haskell Indian Nations University POCs to gather Red Elm wood from project lands for ceremonial purposes.
NWD	NWK	Harlan County Lake	Apache Tribe of Oklahoma, Cheyenne and Arapaho Tribes of Oklahoma, Comanche Nation, Fort Sill Apache Tribe, Iowa Tribe of Kansas and Nebraska, Jicarilla Apache Nation, Mescalero Apache Tribe, Northern Arapaho Tribe, Northern Cheyenne Tribe, Omaha Tribe, Pawnee Nation, Santee Sioux Tribe, Wichita and Affiliated Tribes, and Winnebago Tribe	Repatriation, coordination on shoreline stabilization projects related to cultural site protection, and coordination of inadvertent discoveries.
NWD	NWK	Kansas City District Office	Osage, Pawnee, etc. There are numerous tribes in our AOR	Tribal meetings, coordination on historic property assessments
NWD	NWK	Perry Lake Project	Haskell Indian Nations University	Special use permit to Haskell Indian Nations University POCs to gather Red Elm wood from project lands for ceremonial purposes.
NWD	NWK	Rathbun Project & Long Branch Project	Iowa Tribe of Kansas and Nebraska, Oglala Sioux Tribe, Sac and Fox Tribe of the Mississippi in Iowa, Otoe-Missouria Tribe	Dealing with vandalism of sites
NWD	NWO	Big Bend Project	Crow Creek Sioux Tribe, Lower Brule Sioux Tribe	Land Management Contracts, Powwow Events, Softball Tournaments, Sec 203 Construction Project
NWD	NWO	Fort Peck Project	Fort Peck (Assiniboine and Sioux) and Little Shell Tribe of Chippewa	Special events and programs at Fort Peck Interpretive Center on native American history and culture. Operation of Hell Creek Rec Area.



<b>MSC</b>	<b>District</b>	<b>Project</b>	<b>Names of Tribe(s)</b>	<b>Description of activity /partnership</b>
NWD	NWO	Fort Randall	Yankton Sioux Tribe, Rosebud Sioux Tribe, Crow Creek Sioux Tribe, and Lower Brule Sioux Tribes. We also consult other tribes listed within our PA process.	Section 106 consultations, ceremonies, cultural resource monitoring, repatriation of human remains and NAGPRA items, interpretive displays, employment of tribal members. Working with the Yankton Sioux and Standing Rock Sioux to identify and memorialize the Sitting Bull camp sites in conjunction with historical Fort Randall. Programmatic Agreements that include cultural resource protection bank stabilization projects, road and bridge construction projects, cultural monitoring contracts, traditional cultural property surveys (TCPS)
NWD	NWO	Garrison Dam Project	Mandan Hidatsa Arikara Nation, Assiniboine and Sioux Tribes of Fort Peck, Rosebud Sioux Tribe, Cheyenne River Sioux tribe, Crow Creek Sioux Tribe, Flandreau Santee Sioux Tribe, Little Shell Chippewa Tribe, Northern Arapaho Tribe, Northern Cheyenne Tribe, Spirit Lake Sioux Tribe, Standing Rock Sioux Tribe, Turtle Mountain Band of Chippewa, Yankton Sioux Tribe	Collaboration on Class III cultural resource surveys, ARPA enforcement investigations, site monitoring efforts, TCS involvement during construction phases of projects that are near cultural sites. Special events. Gathering of medicine plants, firewood, willows for sweat lodges. Recreation area leases, grazing leases, mapping (GIS) cooperative efforts, invasive aquatic nuisance species (ANS) cooperative prevention and monitoring program, and a Cultural Resource monitoring and Cultural Resource co-management stewardship partnership.
NWD	NWO	Gavins Point Dam	Santee Sioux Nation	Joint cleanup of unpermitted dump sites. The Corps has acted as a mediator for proposed highway road project with impacts to and mitigation that would occur on Santee Sioux Nation. Recreation Lease with Santee Sioux Nation. Consent to Easement for placement of well

<b>MSC</b>	<b>District</b>	<b>Project</b>	<b>Names of Tribe(s)</b>	<b>Description of activity /partnership</b>
NWD	NWO	Missouri River Project Office	Winnebago Tribe, Omaha Tribe	Provided technical assistance to the Omaha tribe as a Sponsor in addressing inspections and deficiencies on their Macy Levee via the PL 84-99 Program. Partnered with the Winnebago Tribe on mitigation/ recreation projects (Hole in rock, Glovers Point) along the Missouri River as well as providing technical assistance on repair efforts as part of their maintenance to landside access at Glovers Point. Temporary construction easements
NWD	NWP	Bonneville, The Dalles, John Day (FCRPS)	Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of the Warm Springs Reservation of Oregon, Nez Perce Tribe	Historic property stabilization, access to historic properties of religious and cultural significance to Indian Tribes, return of petroglyphs to the Columbia River, relocation of culturally significant rocks to federal lands, looting prevention signage, invasive species removal and management, fencing to prevent cattle from damaging historic properties, internship and youth education/outreach programs, elders' tours. Contracts related to cultural resource management including oral history collection, digitization, and analysis; curation of federal collections; historic property monitoring; construction monitoring;
NWD	NWP	Willamette Valley Project	Confederated Tribes of the Warm Springs, Confederated Tribes of Grand Ronde Community of Oregon, Confederated Tribe of Siletz Indians	Partnered with tribal staff for archaeological research. Contracted with the Warm Springs and the Grand Ronde separately for Traditional Cultural Property studies. Working closely with Grand Ronde on our Master Plan documents.
NWD	NWS	Lake Washington Ship Canal	Muckleshoot Indian Tribe, Suquamish Indian tribe	Gate valve operations, spilling, the use of seal bombs, the use of our lock chamber for fish counting and fishing out of our fish ladder

MSC	District	Project	Names of Tribe(s)	Description of activity /partnership
NWD	NWS	Albeni Falls Dam	Kalispel Indian Tribe, Kootenai Tribe of Idaho, Confederated Salish, and Kootenai Tribes of the Flathead Reservation (Montana), Coeur d'Alene Tribe	MOA signed in 2012 by Kalispel Tribe and NWS/NWD, Bonneville Power and BOR. Tribal consultation/ cooperation to develop management strategies to better protect tribal interest public education/outreach and stewardship. Preservation of the region's threatened and endangered natural resources (i.e., salmon, bull trout, etc.). Archaeological and cultural resource preservation, restoration, and protection. Columbia Basin Fish Accords (FCRPS BiOp), Columbia River Treaty Civil Works Projects, including the Fish Passage Project at AFD. Regulatory permitting. Annual pow-pow, MOA for fish survivability study with Kalispel Tribe, Contracts for cultural site monitoring with the Confederated Salish Kootenai Tribe and a Cultural Resource Management Contract with the Kalispel Tribe.
NWD	NWS	Chief Joseph Dam	Confederated Tribes of the Colville Reservation (CTCR)	FCRPS Cultural Resource Cooperative Working Group participating member. Section 106 of NHPA Consultation. Formal invitations to First Salmon Ceremony, Elders Luncheon. Chief Joseph Hatchery is operated by CTCR on Corps' fee lands (outgrant). Special events and tours. Facilitate Tribal Member fisheries from the dam structure (off limits to non-Tribal anglers) through an MOU. Work closely with Tribal enforcement officers for enforcement on the reservation. Contract with CCT to conserve artifacts collected from CJD Affected Area, cultural resource site monitoring and documentation.
NWD	NWS	Mud Mountain Dam	Puyallup Tribe of Indians, Muckleshoot Indian Tribe	Sampling and transport of salmon annually, First Salmon Ceremonies when invited, Ribbon Cuttings, G2G/N2N Meetings, Firewood gathering, Cedar Bark Gathering, Design and Construction of fish passage facilities, Fish attraction and survival studies,
NWD	NWW	Dworshak	Nez Perce Tribe	MOU for management rights of Dworshak Fish Hatchery; Cultural Resources identification and bank stabilization on our reservoir. Law enforcement coordination meeting
NWD	NWW	Lucky Peak	Shoshone-Bannock	Coordination with Tribe on interpretive panels and displays
NWD	NWW	Mill Creek Project	Confederated Tribes of the Umatilla Indian Reservation (CTUIR)	Special event permits for CTUIR Return to the River event, collection of willow cuttings on USACE land for use in habitat projects, real estate agreement for operation of a screw trap on USACE property to capture and tag juvenile, Bull Trout, Steelhead, and Salmon

MSC	District	Project	Names of Tribe(s)	Description of activity /partnership
NWD	NWW	District office	Primarily - Confederated Tribes and Bands of the Yakama Nation, Confederated Tribes of the Umatilla Indian Reservation, Nez Perce Tribe, Secondly - Shoshone Bannock Tribes of Fort Hall, Shoshone Paiute Tribes of Duck Valley, Confederated Tribes of the Colville Reservation, Kootenai Tribe of Idaho, Kalispel Tribe, Conf. Salish and Kootenai Tribes of Flathead Reservation, Burns Paiute Tribe, Ft. Mcdermitt Paiute Shoshone Tribe.	Nez Perce Tribe (TPP Project to restore Sweetwater Creek ecosystem functions), Conf. Tribes and Bands of the Yakama Nation (Planning Assistance to States/Tribes for three ecosystem restoration projects on Yakama River Delta and Columbia River), Shoshone Bannock Tribes of Fort Hall (livestock study for riparian areas on tribal lands), Shoshone Paiute Tribes of Duck Valley (feasibility study for rehabilitating Owyhee River on tribal lands), Conf. Tribes of Umatilla Indian Reservation (partnering with tribal schools for volunteer opportunities and conversations with NWW Commander). IDIQ contracts for cultural heritage work with the Nez Perce Tribe, Conf Tribes of Umatilla Indian Reservation, Conf Tribes of the Yakama Nation, Conf Tribes of the Colville Reservation.
SAD	SAJ	Central and South Florida	Seminole, Miccosukee Tribe	Regular Operations and Maintenance. Cooperative agreement for invasive species management
SPD	SPA	Cochiti Dam Project	Pueblo de Cochiti, Santa Ana Pueblo, Santo Domingo Pueblo	Regular partnership meetings, environmental stewardship programs, drug awareness programs, water safety programs
SPD	SPK	Black Butte Lake	Paskenta Band of Nomlaki Indians	Section 106 consultation, possibility of partnering to conduct cultural burning/indigenous fire suppression activities. NAGPRA coordination for potential reburial location in anticipation of collections' repatriation
SPD	SPK	Eastman Lake	Chukchansi	Section 106 Consultation - legal requirement, Unpaid cultural resource sensitivity training provided by the Tribe.
SPD	SPK	Sacramento District Office	Washoe, Paskenta Band of Nomlaki Indians, Yokut, Tule River Indian Tribe, Tachi	Tribal consultation and input for mitigation; Paskenta-NAGPRA repatriation effort and construction project; special use permit for Yokut-gathering activities; Tule & Tachi- burial recovery and repatriation

MSC	District	Project	Names of Tribe(s)	Description of activity /partnership
SPD	SPK	Success Lake		Section 106 Consultation - legal requirement
SPD	SPK	Terminus Dam / Lake Kaweah	Santa Rosa Rancheria Tachi Tribe, Tule River Indian Tribe	Gathering of native vegetation, ceremonies. Treatment of Human Remains Eroding out of Site P-54-0008 (CA-TUL-08)
SPD	SPL	Gila River	Gila River Indian Community	Project Partnership Agreement for photovoltaic panels over one of the tribe's irrigation canals
SWD	SWF	Piney Woods Region	Caddo, Wichita	Consultations concerning cultural site protection, looting, enforcement actions, management plans, Master Plan reviews, lake pool management
SWD	SWL	Clearwater Project Office	Cherokee Nation, Delaware Nation, and Delaware Tribe	Tribe Consultation for areas that were previously disturbed but require rebuilding.
SWD	SWT	Kansas Area Office	Osage Nation, Kaw Nation, and Prairie Band Potawatomi Nation	Construction Work Packages and Cultural Immersion Program/Class.
SWD	SWT	SWT-Kansas Area	Osage Nation, Kaw Nation, Cherokee Nation, Shawnee Tribe, Wichita, and affiliated Tribes (Wichita, Keechi, Waco, Tawakonie)	Civil Works - Project Master Plan Review, Cultural Site and Resource Review(s)

## Appendix D

### USACE Division and District Acronyms

LRD	Great Lakes and Ohio River Division
MVD	Mississippi Valley Division
NAD	North Atlantic Division
NWD	Northwestern Division
POD	Pacific Ocean Division
SAD	South Atlantic Division
SPD	South Pacific Division
SWD	Southwestern Division
LRB	Buffalo District
LRC	Chicago District
LRE	Detroit District
LRH	Huntington District
LRL	Louisville District
LRN	Nashville District
LRP	Pittsburgh District
MVM	Memphis District
MVN	New Orleans District
MVR	Rock Island District
MVS	St. Louis District
MVP	St. Paul District
MVK	Vicksburg District
NAB	Baltimore District
NAE	New England District
NAN	New York District
NAO	Norfolk District
NAP	Philadelphia District
NWK	Kansas City District
NWO	Omaha District
NWP	Portland District
NWS	Seattle District
NWW	Walla Walla District
POA	Alaska District
POH	Honolulu District
SAC	Charleston District
SAJ	Jacksonville District
SAM	Mobile District
SAS	Savannah District

SAW	Wilmington District
SPA	Albuquerque District
SPL	Los Angeles District
SPK	Sacramento District
SPN	San Francisco District
SWF	Fort Worth District
SWG	Galveston District
SWL	Little Rock District
SWT	Tulsa District