

Climate Change and Indian Tribes

Why a Separate Dialogue
is Necessary

James L. Grant[©] 85

History's Lessons



- There is a long history of suffrage, eviction from homelands, and expropriation of resources where others have coveted.
- Resources on Indian lands could become very important considerations as climate change and energy security strategies are crafted.
- The experiential history of Indian people creates a genuine “cautiousness” regarding Departmental initiatives.

Geography Lesson



Tribes are Sovereign Nations

Indian Lands are not Public Lands

Lands Held in Trust by Fed for Indian Beneficiaries



Some Indian Land Facts

- **565** federally recognized tribes.
- **55 million** acres of trust land.
- **95 million** total acres of ownership or mgmt.
- **Nearly a million** acres of lakes and impoundments.
- **13 thousand** miles of rivers and streams.
- **18 million** acres of forest.
- **114** fish hatcheries.
- Treaty rights beyond their ownership for fish, wildlife and plants on their historic territories and usual and accustomed areas.

As Sovereigns...



- Tribes have the right to self-determination.
 - Self-determination contracts & self-governance compacts.
 - Without diminishment of the federal trust responsibility.
- Tribes will defend sovereignty and territorial rights.
- Tribes must be consulted, government-to-government, during formulation of policy changes that have tribal implications.
- Tribes must be participants in the formulation & implementation of climate change policies.
 - Tribes, many being place-oriented, are sensitive to & uniquely impacted by climate change.

The Trust Fiduciary Obligations



Because Indian Lands are Held in Trust...

- Fiduciary standards serve best interests of Indian beneficiaries.
- Public policy objectives are subordinate to the protection of the interests of Indian beneficiaries.
- The Department cannot impose restrictions/regulations that diminish potential value of the trust corpus without liability.
 - Cannot take Indian property for public purposes.

Climate Change and Social Justice



- Tribal communities are among the most vulnerable to effects.
- Many place-oriented Tribes limited by reservation boundaries and resource availability at specific times and places.
- Some proposed adaptation solutions involving relocation threaten their way of life and may not be acceptable by certain Tribes with ancestral homelands and/or adjudicated rights to very specific resources (e.g. salmon runs).
- Indian Tribes will be wary of carbon trading systems that would place environmental costs to them without informed consent.

Indian Tribes Managers and Potential Partners

- Tribal experience with resource stewardship and their adaptation spans millennia.
- Tribes have an accumulation of traditional ecological knowledge and acute sensitivities to their environment.
- Tribal peoples could be among the first to notice changes to ecological processes caused by climate change.
- Many Tribes have sophisticated resource mgmt. programs.
- Some Tribes have already adopted laws, resolutions, and policies to address impacts of climate change.



Traditional Ecological Knowledge



- Knowledge of relationships among humans, non-humans, and the physical environment, held by peoples in relatively non-technological societies who are directly dependent upon the land.
- Tends to be qualitative in nature consists of observations within a single locale over a long period of time.
- The observers are the resource users themselves – the hunters, fishers, and gatherers whose harvesting success is linked to their ecological observations.
- Represents place-based multigenerational community observations that policy-makers and scholars would be well-served to recognize.

Tribal Experience In Carbon Sales

- Project Development & Carbon calculations
- Working with Carbon Aggregators & Brokers
- Carbon Sales Contracts
- Unique Issues associated with Tribes – BIA
- 3rd Party Certification of Sustainable Management
- Easements, etc.
- Carbon Accounting Auditing & Verification (3rd Party)

**Agricultural
Conversion**



C-Sequestration Projects on Indian Lands (Mitigation)

Converting CO₂ into Biomass

- Forestry
 - Afforestation (farmland; old wildfires)
 - Reforestation (harvested wood products store C; replant to sequester more)
 - Sustainable forestry to enhance carbon stocks
- Agro-Forestry
 - Fast-growing, irrigated hybrid stocks, e.g.
- Agriculture – No Till / Direct Seed



Indian Tribes

What They Need



- Government-to-government consultation and substantial participation in the development of Departmental policy, objectives, and initiatives regarding climate change.
- Increased access to expertise and scientific research of the Department.
- Increased monitoring of climate change indicators at the tribal level.
- Direct tribal participation in the development and operation of emissions taxation/trading schemes that may be developed.

Indian Tribes

What They Need



- A seat at the table in policy decisions and dialogue about climate change.
- Open communication, education, respect, and friendliness.
- Improved communication and alliances between agencies, scientists, and tribes can overcome prejudices and bridge knowledge gaps.
- Financial resources for tribal participation.
 - Neither the BIA nor Tribes have Climate Change funding to support travel, staff time , & related costs.

In Conclusion...



- Department of Interior Climate Change initiatives are moving forward.
- Deliberate effort to communicate with all 565 tribes and Alaska Natives either individually or through intertribal groups.
- BIA has a voice on the steering committee with the Bureau heads and has a member on each of the 5 National Fish, Wildlife and Plant Climate Adaptation Strategy committees.
- At least two tribes have representation on the NFWPAS committees

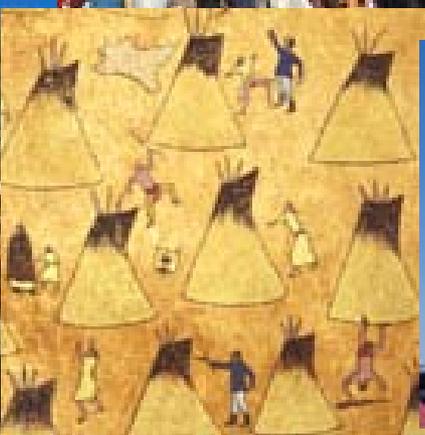
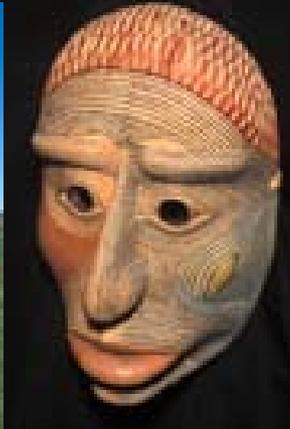
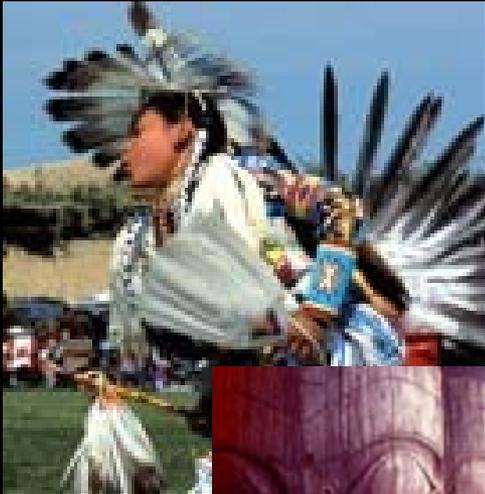


In Closing

“Native Americans have unique vulnerabilities. Native Americans who live on established reservations are restricted to reservation boundaries and therefore have limited relocation options.”

“...Native Alaskans...face losing their current livelihoods, their communities, and in some cases, their culture, which depends on traditional ways of collecting and sharing food.”

U.S. Global Change Research Program





Tribal Carbon Projects

- Nez Perce Tribe – Afforestation, Reforestation & Fire Rehab.
- Confederated Tribes of Colville - Reforestation
- Confederated Salish & Kootenai Tribe – Fire Rehab.
- Navajo Nation – Proposed Hybrid Poplar Plantation
- Fort Belknap Tribe – Fire Rehab.
- Lummi Tribe – Land Purchase / Fee Land Easement
- Assiniboine Souix & Fort Peck Landowner Assoc.-Range
- N. Cheyenne – Reforestation Projects
- Arapaho – Sustainable Range Project
- Others just beginning