



FY 2006 CULTURAL RESOURCES TEAM AWARD NAVY REGION NORTHWEST

INTRODUCTION

Puget Sound is the U.S. Navy's third largest fleet concentration area and is home to approximately 26,000 active duty members, 16,000 civilian employees, 6,000 drilling reservists, 80,000 family members, and 45,000 Navy retirees. Region installations and facilities occupy more than 28,000 acres of land. As the Navy's Regional Environmental Coordinator in the ten-state area of Washington, Oregon, Idaho, Alaska, North and South Dakota, Montana, Colorado, Utah, and Wyoming, Navy Region Northwest (NRNW) provides coordination of environmental support for operating forces throughout the region.



TEAM COMPOSITION

The NRNW Cultural Resources Team (the Team) consists of a core group of civilian and military environmental and operations personnel from facilities located in the NRNW area of responsibility (AOR). Team members include: NRNW; Naval Base Kitsap; Naval Magazine Indian Island, Naval Station Everett; Naval Air Station Whidbey Island and Naval Undersea Warfare Center, Keyport.

BACKGROUND

The Team has established a reputation for comprehensive cultural resources management. This award nomination highlights one of the most significant success stories of the Team: the creation of a Northwest Navy-Tribal Council which provides a forum for effective collaboration on matters of mutual concern between NRNW and the twenty-six federally recognized tribes in Washington. The Navy-Tribal Council was established in 2003 to develop mutual trust and improve knowledge, sensitivity and communications between the Navy and member Tribes. The Navy-Tribal Council members drafted a charter whose authority and basis are contained in the Presidential Memorandum entitled "Government-to-Government Relations with Native American Tribal Governments" of 29 April 1994 59 Federal Register 22951. The council meets semi-annually and has established five working groups to meet as needed to address specific issues and concerns. The current groups include waterborne restricted areas, marine mammal issues, cultural resources, shellfish/sediment/water quality, and derelict fishing gear removal. The Northwest Navy-Tribal Council consistently demonstrated success in improving consultation and collaboration during FY 2005 and FY 2006 to fulfill federal trust responsibilities.

ACCOMPLISHMENTS

1. PROGRAM MANAGEMENT

Since its establishment in 2003, the Navy-Tribal Council has enabled the Regional Commander to “speak with one voice” for all the naval operations and installations in the northwest. This forum has been successful in ensuring that Navy policy with regard to tribal issues and concerns remains consistent throughout the region. Prior to the Navy-Tribal Council there were frequent inconsistencies between installation commanding officers and tribal representatives. Additionally, many tribes felt that their concerns were dismissed or denied without due consideration by senior level management in the region. Through the Navy-Tribal Council, the tribes now have a means of communicating with the NRNW senior management which has resulted in numerous resolutions to issues that had been neglected or overlooked for many years. Also, the council has provided Navy and tribal representatives a mechanism to facilitate and improve tribal consultations on proposed actions or activities to fulfill federal trust responsibilities. Another significant feature of the council has been to educate and improve Navy knowledge, sensitivities, and communications on local customs, protocols, and organizational structure. This knowledge has vastly improved the overall communication and awareness between Navy and tribal leaders and has developed into a proactive approach to doing business and operating within the northwest. This effective communication and mutual trust has strengthened the Navy’s working relationship with the western Washington tribes and promotes a spirit of cooperation to identify regional solutions in support of the Navy’s mission.



Navy Tribal Council Group Photo with Admiral French, November 2005

2. TECHNICAL MERIT

- In 2004, the Navy-Tribal Council established a working group to focus on issues related to Cultural Resources and Inadvertent Discovery of human remains. Over the past two years this working group has collaborated with tribal cultural resources managers to identify “problem areas” and outline corrective actions for archaeological resources located on Navy lands. Proposals that have been recommended by tribal members to assist the Navy in conducting Section 106 reviews and consultations include collaborating with tribal experts to identify historical “home territories” and adopting language from tribal documents to make Navy procedures consistent with northwest tribal ethnographies and geographical areas. Additionally, through the council the proper tribal points of contact have been identified for submitting the NRNW draft inadvertent discovery procedures and

policies. This has served to improve the consultation process between the tribes and the Navy cultural resources management staff in the Pacific Northwest.

- Prior to the attacks of 9/11 the Upper Skagit Tribe was able to access NAS Whidbey Island beaches to harvest shellfish as the installation is located within the tribe's Usual & Accustomed treaty harvest territory. Following 9/11, the Navy's force protection security measures closed these beaches and the Tribe was not able to exercise their treaty harvest rights. In the Fall of 2004 the Upper Skagit Tribe representatives at the Navy-Tribal Council meeting inquired as to whether the Navy would restore their harvest rights under the new security restrictions. This prompted a meeting of the council's Waterfront Restricted Area working group in March 2005 and enabled the NRNW Security Manager and tribal representatives to discuss the beach access issues in greater detail. Following the working group meeting the NRNW Security Manager contacted the NAS Whidbey Security, Environmental, and Legal Office personnel to determine if the access for the tribe could be restored. Several meetings between the NAS Whidbey installation personnel and Upper Skagit Tribe resulted in the drafting of a preliminary Memorandum of Agreement (MOA) to coordinate tribal access under strict security requirements. It is anticipated that the tribal shellfish harvest will be restored in 2007 for at least a portion of the former beach area that had been closed.

- In the spring of 2006 the Point No Point Treaty Council representing the Jamestown S'Klallam Tribe, Suquamish Tribe, and Port Gamble S'Klallam Tribe made a request through the Navy-Tribal Council to enhance the manila clam populations on the six tribal managed beaches located at NAVMAG Indian Island. These beaches had undergone significant levels of shellfish mortality due to heavy algae blooms during the two preceding summers. Although there is an annual shellfish harvest agreement in place between the Navy and the Point No Point Treaty Council tribes it does not include provisions for enhancing the native shellfish stock. Through the efforts of the NRNW Tribal Liaison, Region Office of General Council, and NAVMAG Indian Island Environmental approval was granted to the tribes to proceed with the seeding program to restore historical manila clam numbers on these beaches for subsistence harvest by the tribes with U&A treaty rights at Indian Island. These six beaches represent a substantial source of economic revenue for the tribes and the permission granted to enhance these beaches has strengthened the Navy's working relationship with Native American tribes located on the Olympic Peninsula.



**Native American Elder
Harvesting Shellfish at Indian
Island**

- In September 2004, the Samish Tribal representative at the Navy-Tribal Council meeting gave a presentation on the Olympia oyster habitat restoration studies and brood stock development projects undertaken by the tribe's natural resources department. This presentation led to informal discussions between the Navy and the tribe regarding potential genetic sampling on Navy owned lands (e.g. Indian Island, Toandos Buffer) in Puget Sound and Hood Canal that could expand on the data from the north sound "genetic fingerprinting" conducted earlier by tribal biologists. During the spring of 2006 the project lead for the Samish Tribe's Olympia oyster restoration effort visited NAVMAG Indian

Island and discussed proposals for sample collections throughout Navy-owned lands in Puget Sound and toured the beach area where a native Olympia oyster bed still exists on Indian Island. This genetic research complements the ongoing partnership between the Navy, Puget Sound Restoration Fund, and Suquamish Tribe which has been rearing Olympia oyster brood stock at the Naval Fuel Depot Manchester in central Puget Sound. In 2005 the Naval Undersea Warfare Center Keyport small craft pier facility was used by the Puget Sound Restoration Fund staff to load Olympia oyster shell spat onto a barge provided by the Suquamish Tribe to transport and reestablish oyster populations in tideland areas of Puget Sound where they had historically existed.

3. ORIENTATION TO MISSION

- In March 2006 the NRNW Tribal Liaison coordinated a meeting between the Suquamish Tribe and the Navy Region Northwest Security Manager to negotiate a mutually agreeable arrangement for increasing the marine restricted area along the NBK-Bremerton waterfront as part of the Pier D expansion project. A request to increase the waterfront restricted area was submitted by NBK-Bremerton to the U.S. Army Corps of Engineers. Approval by the USACE was contingent upon successful completion of consultation with the Suquamish Tribe which has Usual & Accustomed treaty rights to harvest chinook salmon in Sinclair Inlet. These negotiations resulted in a “work around” for seasonal movement of the port security barriers during the chinook fishery. The Suquamish Tribe has sent a letter to USACE confirming that the government-to-government tribal consultation has been completed. At present the USACE is in the process of developing an approval letter to proceed with the project.
- Prior to the Navy-Tribal Council the Naval Undersea Warfare Center (NUWC) Keyport ranges in Hood Canal for unmanned underwater vehicle testing and torpedo test firing were operated without prior coordination with the Skokomish Tribe, Lower Elwha Klallam Tribe, and Jamestown S’Klallam Tribes which have U&A treaty harvest rights in these areas. The tribal fisheries that take place within these range areas include harvesting of salmon, shrimp, geoduck, oysters, clams, sea urchins, and crab. These fisheries represent a significant economic resource for the tribes and the lack of coordination between the Navy and tribes often resulted in confrontations between tribal fishermen and security craft personnel. Through the Navy-Tribal Council the NUWC Keyport Operations staff is able to submit future range schedules to the tribal fisheries managers who are able to incorporate these dates within their fishery regulations and advisories. At times when range operations coincide with tribal fisheries the Navy-Tribal Liaison is able to serve as an intermediary between the range operations communication center and tribal fishery office to enable fisherman to retrieve their gear and avoid loss of catch or season closures. By establishing this process of information exchange between the Navy and the tribes the Hood Canal ranges have been able to carry out their mission with minimal impact on tribal fishery events.



Traditional Skokomish canoe journey required coordination of Navy waterfront security and range operations for safe passage.

4. INFORMATION DISSEMINATION/TRANSFERABILITY

A key objective of the Navy-Tribal Council is the sharing of scientific information that can be used for environmental and operational planning purposes. In the summer of 2006 the Navy completed a Marine Resources Assessment (MRA) for the Pacific Northwest Operations Area consisting primarily of training ranges on the Washington coast and Puget Sound. The MRA compiled data from comprehensive literature surveys, research conducted by resource agencies, Geographic Information System (GIS) database searches, and consultations with regional scientific researchers and subject matter experts. The MRA sections include habitats of concern, federally protected species, physical oceanography, marine geology, commercial fishery areas, marine protected areas, maritime boundaries, and commercial shipping lanes. This document was given to interested tribes of western Washington through the Navy-Tribal Council in 2006. The MRA will be used by the Navy and tribes to facilitate operations in the Northwest by minimizing impacts to tribal fisheries and marine resources that are co-managed by both parties. Additionally, it will provide the tribes with one cohesive information source of marine resources and conditions consistent with the data used by the Navy to produce environmental documentation and enter into government-to-government consultations with local Native American nations.



Puget Sound Chinook Salmon are a Listed Species included in the MRA

5. STAKEHOLDER INTERACTION

- In June 2006 the Navy-Tribal Council expanded to include the Naval Undersea Museum's educational outreach program known as the Science Education Alliance (SEA). This program seeks to provide opportunities for students in public schools to learn about the marine sciences and underwater technologies with the assistance of Navy resources and personnel. This program serves to strengthen the Navy's relationship with local communities and foster awareness among today's youth of the Navy's career opportunities as a "soft sell" for recruiting individuals interested in pursuing a military career. Through the Navy-Tribal Council the SEA program coordinators were able to network with several western Washington tribes and further develop outreach strategies for the various tribal school districts to encourage participation in the program by Native American students. Prompted by the success of this initial outreach initiative, plans are being developed to build further upon the recruitment of tribal youth by presenting regular updates and success stories at future Navy-Tribal Council meetings.
- Over the past two years the U.S. Coast Guard Sector Seattle has joined the Navy-Tribal Council and is now a core member of this forum. The council has enabled the Coast Guard to communicate with the federally recognized tribes of western Washington regarding issues related to tribal fisheries, maritime safety & security, and protection of natural resources. This Coast Guard representation at the council meetings has allowed the Navy and tribes alike to coordinate planning events such as the Sea Fair celebration involving naval ships in Elliot Bay which coincides with the tribal Chinook fishery. Additionally, past attempts by the Coast Guard to engage the tribes on new regulations and policies have

been unsuccessful due to the lack of tribal participation. Through the Navy-Tribal Council's core membership Coast Guard representatives have been able to solicit input and feedback from tribal subject matter experts to satisfy their government-to-government consultation requirements.

- During 2005 – 2006 the Navy partnered with Coastal America, U.S. Army, U.S. Coast Guard, NOAA Fisheries, WA Dept of Natural Resources, and the Northwest Straits Commission to remove derelict fishing nets throughout Puget Sound. These derelict nets (through entanglement) have resulted in the loss of critical finfish stocks and protected marine mammals throughout the marine waters of the Pacific Northwest for decades. As the loss of these species was of great concern to the tribes of western Washington the Navy-Tribal Council established a working group in 2004 to focus on the derelict net issue. This working group helped coordinate and plan the project as tribal experts assisted the Northwest Straits Commission to locate and map areas of heavy derelict nets concentrations within the Puget Sound and the Straits of Juan de Fuca. The ongoing discussion between the tribes and the Navy regarding available equipment and personnel to support this project contributed to the success of this marine habitat enhancement effort and demonstrates the Navy's commitment to environmental stewardship. Two of the local area tribes (Lummi and Suquamish) have begun a derelict net removal training program for their tribal divers based on the Navy's success in training the first group of divers under the pilot program developed by WA DNR instructors. The Northwest Straits Commission now seeks to expand the program to include additional participation from the other Puget Sound tribes. To date over 89,000 square feet of derelict net material has been removed from three high-relief rocky substrate areas (Point Roberts, Lummi Island, Lake Washington) which serve as salmonid outmigration corridors and/or critical habitat for demersal rockfish.



**Coast Guard Vessel Patrolling Elliot Bay
During Sea Fair Event, August 2006**



**Navy Divers Removing Derelict Fishing Net
From Lummi Island, Summer 2006**

SUMMARY

The Navy Region Northwest Cultural Resources Team has demonstrated a commitment to protecting cultural resources by working closely with federal, state and tribal agencies/organizations to meet all regulatory compliance requirements in support of the Navy's mission. This award nomination highlights one of the most significant success stories of the Team: the creation of a Northwest Navy-Tribal Council. The Council has a proven track record of providing a forum for effective communication and collaboration on issues of mutual concern between the Navy and the federally recognized tribes of western Washington. This council meets semi-annually and has established five working groups to address specific topics and localized issues. Significant achievements accomplished by the Northwest Navy-Tribal Council during FY 2005 and FY 2006 are:

- Enabled the Regional Commander to communicate directly with the tribal leaders to ensure that Navy policy remains consistent throughout the region.
- Provided a mechanism for effective communication to “proactively” resolve issues and fulfill federal trust responsibilities.
- Educated both Navy and Tribal leaders with regard to knowledge and sensitivities associated with local customs, traditions, protocols, organizational structure, and operational requirements.
- Developed a working group to focus on issues related to inadvertent discovery of human remains and other cultural resources related to tribal interests on Navy-owned lands.
- Initiated discussions to restore tribal access at Naval Air Station Whidbey Island for treaty harvest rights to shellfish tidelands.
- Facilitated shellfish stock enhancement efforts at Naval Magazine Indian Island.
- Promulgated Olympia oyster restoration studies and brood stock development projects.
- Significantly expedited negotiations between the Navy and Suquamish tribe on the Naval Base Kitsap – Bremerton waterfront restricted area expansion.
- Coordinated Naval Undersea Warfare Center Keyport range operations schedules with tribal fishery managers for the areas within Hood Canal.
- Shared scientific data on marine resource studies in the Pacific Northwest with interested tribes.
- Conducted educational outreach to tribal youth through the Naval Undersea Museum's Science Education Alliance program.
- Included the U.S. Coast Guard as a core member of the council to facilitate discussions on marine waterway security regulations and event coordination.
- Partnered with federal and state agencies and local area tribes to remove derelict fishing nets from the waters of Puget Sound and Lake Washington.