

2015

Tribal Environmental Plan



The Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians

Mission Statement

“As a sovereign nation, we honor and look to our ancestors’ thousands of years of experience on the land, as we guide the Tribes forward for the next seven generations; promoting healthy, successful families; affirming and nurturing our culture, acknowledging our responsibility to the land and the Tribal community.”

Tribal History

The Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians (Tribes) have lived along the estuaries and banks of the Coos, Umpqua, and Siuslaw Rivers since Time Immemorial. Our Ancestral Territory, which reaches west twelve miles past the continental shelf out in the Pacific Ocean and carries inland to the Coastal Mountain Range of Oregon, from North at Tenmile creek in Lincoln County, Oregon to the South near Whiskey Creek in Coos County, Oregon, *Figure 1.*, was abundant in natural resources and supported by a healthy and resilient environment that sustained the Tribes and our unique cultures for hundreds of generations. Our people sustainably managed and harvested these natural resources and ensured their abundance for future generations to utilize. In 1855, in all good faith, we signed a treaty with the United States that would have ceded most of our 1.6 million acre Ancestral Territory, which includes 80 miles of shoreline, in exchange for “some promises”. To our dismay, the treaty was never ratified by the United States; however, we still lost our land and the promises that were made to our people were never honored. We petitioned the United States for justice, only to hear the Supreme Court say, in 1938, that the testimony of our elders was self-interested hearsay. In 1954, the United States enacted a law terminating federal recognition of our Tribes as well as many other Tribes throughout Oregon. Over the next thirty years, we spent countless amounts of time, sweat, and money seeking to regain our federal recognition, and were successful in 1984. With our seven-member elected Tribal Council, we have established a court system and an executive administrative branch including: Finance, Police, Health, Education, Culture, and Natural Resource Departments which serve the 1120 enrolled Tribal Members.

Today, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians possess a small reservation of 6.12 acres near Empire. We currently hold approximately 547 acres of land, 153 acres of which are held in trust and 388 acres of which are in the process of being transferred into trust status, *Figure 2.* Our Tribes continually strive to increase our land base in hopes of acquiring a significant amount of our ancestral lands to establish a Tribal forest, where we can invoke our ancestor’s traditions of sustainable harvest. In doing so, we hope to preserve, protect, and enhance our environment, community, and culture.

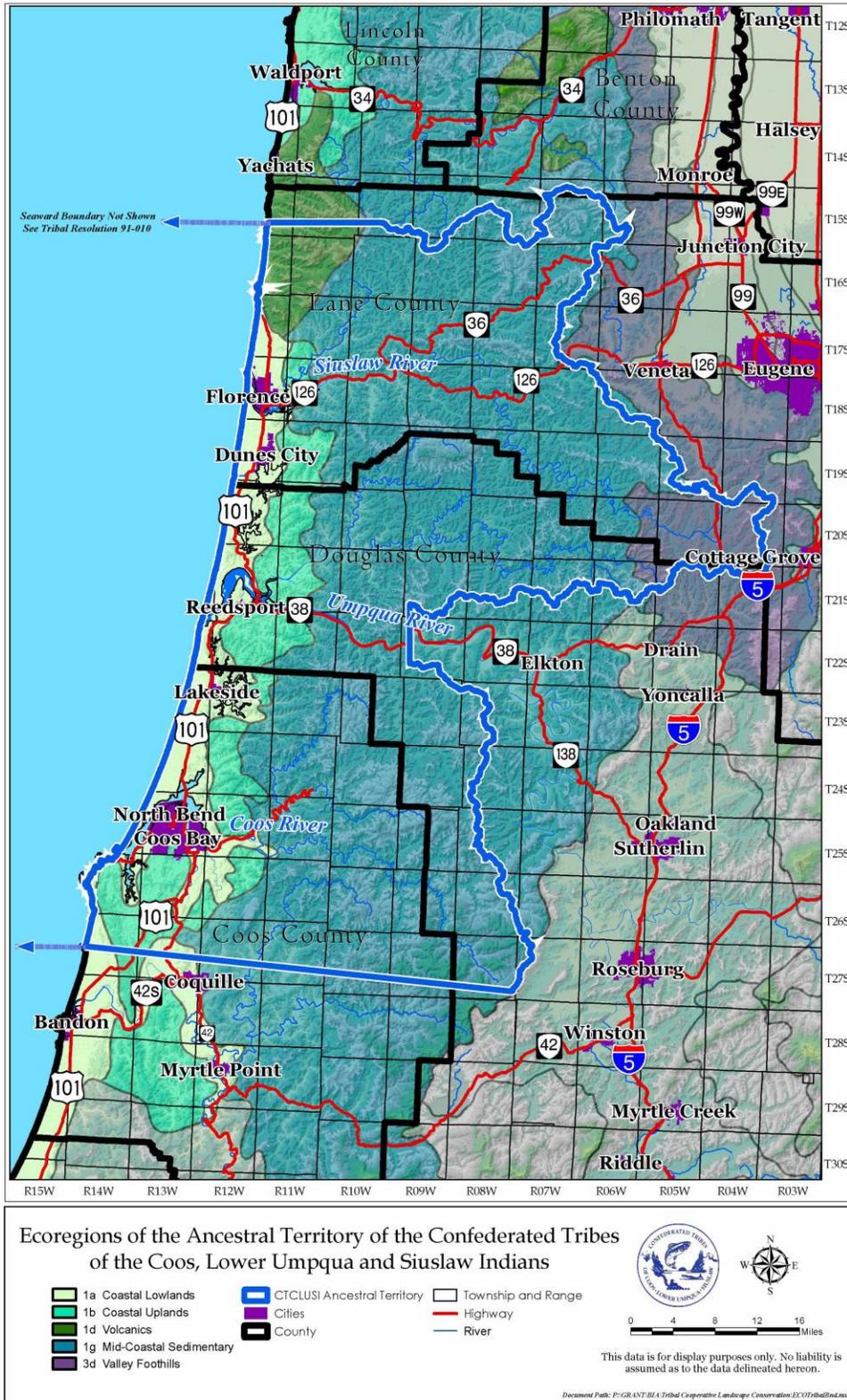


Figure 1. Confederated Tribes Ancestral Territories

The Department of Natural Resources

In order to properly manage our growing land base, the Tribes of the Coos, Lower Umpqua, and Siuslaw Indians have established a Natural Resources (NR) Department. The mission of our NR Department is to:

“Research, monitor, assess, manage, conserve, protect, restore, enhance, and utilize the natural resources of the Confederated Tribes’ Ancestral Territory for cultural as well as economic benefit while maintaining and improving Tribal environmental quality, and to protect Tribal archaeological and cultural resources.”

The Natural Resources (NR) Department currently strives to conserve and manage resources on Tribally-held lands consistent with Tribal values, while working cooperatively and collaboratively with other tribes, government agencies, watershed councils, and other stakeholders to influence conservation and thoughtful management of natural resources throughout the 1.6 million acre Ancestral Territory of our peoples. NR operates within the Tribal Administration and consists of an Environmental Protection Division, Cultural Protection Division, and newly developing Forestry Division; together these three divisions work apart from as well as collaboratively and provide technical support as requested to the Tribal Planning, Realty, and Culture Departments. **Figure 3.**

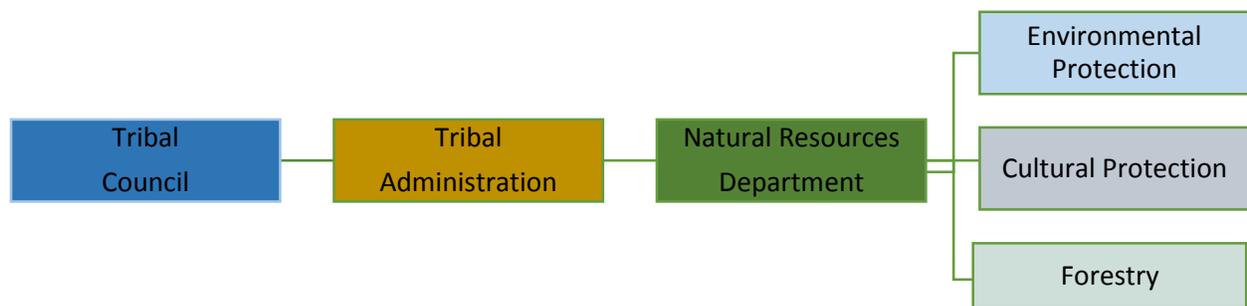


Figure 3. Department of Natural Resources Organizational Chart

The Environmental Protection Division within the Natural Resources (NR) department researches, monitors, assesses, manages, conserves, protects, restores, enhances, and utilizes the natural resources of the Confederated Tribes’ lands, consistent with Tribal values, and also participates in camps and other youth events to promote environmental awareness and encourage environmental stewardship. The Environmental Protection Division has been delegated to develop this Tribal Environmental Plan.

Environmental Protection

Water Quality Monitoring and Protection – Water quality monitoring (dissolved oxygen, pH, temperature, salinity, turbidity, bacteria and nutrients) in the Coos and Siuslaw estuaries as well as the Sixes River (temperature, bacteria, and nutrients) and Tenmile Lake (temperature, pH, dissolved oxygen, bacteria, and toxic algae)

Air Quality Monitoring and Protection—Air quality monitoring (meteorological conditions and particulate matter (PM2.5) on Tribal lands near Coos Bay, Ore., Title V permit review, and indoor air protection program development

Tribal Response Program—Assessment of brownfields on Tribal lands, site remediation, and inventory of environmental site conditions for Tribal land holdings

Environmental Capacity Building—Building the basic infrastructure of a Tribal environmental program, which may include planning, developing, and establishing the administrative, technical, legal, enforcement, communications, Tribal land-use assessment, and environmental education/outreach infrastructure.

-**Collaboration and Technical Assistance**—Work with Cultural Protection and Forestry departments to build interdepartmental resiliency and collaborate with regional stakeholders and establish stewardships to build community resiliency.

Non-Point Source (NPS) Water Pollution Management – Management of NPS pollution strategizes to increase levels of coordination and cooperation with other stakeholders within the Confederated Tribes Ancestral Watersheds to help meet management goals for diffuse pollutants

-**Tribal Integrated Waste Management**—Planning and outreach materials to promote recycling, waste reduction, and proper, safe and environmentally conscience disposal of waste



Figure 4. Environmental Programs Organizational Chart

Long Term Goals

- Building Environmental Protection Program Capacity
- Increase Tribal Natural Resource staffing and technical expertise
- Environmental Stewardship and Protection of Natural Resources
- Strong Relationships with Stakeholders
- Climate Change Vulnerability Assessment and Planning
- Tribal Resource Restoration Plan
- Invasive Species Monitoring and Management
- Air and Water Toxics Monitoring, Mitigation, and Management
- Emergency Preparedness Planning- Environmental Hazard Planning
- Land Uses and Access Strategy Development
- Staffing needs for Marine Protection and Restoration work
- Staffing needs for development of Management and Restoration Plans

Five Year Priorities (*not in order of importance*):

Environmental Priorities

1. Continue to protect environmental quality and manage natural resources for their cultural and/or economic benefit
2. Continue to build environmental and natural resource protection, and management capacity
3. Promote environmental stewardship and Tribal resource protection on Traditional Lands and build relationships with stakeholders
4. Clean-up Coos Head (Brownfield) for future Tribal use and development
5. Expand Tribal Sovereignty, Self-Determination, and Governmental Capacity
6. Continue to Advocate for the Return of Traditional Lands
7. Provide technical and scientific support to Tribal Council and strengthen Tribal member involvement in natural resource protection

Priority 1: Continue to protect environmental quality and manage natural resources for their cultural and/or economic benefit



Image 1. Root Gathering and Processing 2015

Strategy

Continue to Monitor, Assess, Protect, and Manage Tribal Ambient Air and Water on Tribal lands that are consistent with Tribal values to ensure that these resources remain healthy and functioning for the future generations.

Continue Implementing, and Updating Programs for the Tribal Environment (water quality, air quality, nonpoint source pollution, and waste reduction). Annual review and updating as necessary of surface water, ground water, air, invasive species, waste, and toxics programs / assessments / strategies / management plans / guidance documents and quality assurance project plans.

Develop and Implement Environmental Quality Improvement Projects, completing two water quality, non-point source pollution, habitat diversity and/or invasive species management projects annually.

Provide Technical Consulting Review of Proposed Actions within the Tribes' Ancestral Territory.

Work with Tribal government department projects, and Tribal businesses to incorporate and consider appropriate Tribal ordinances and policies. Regular review (and internal tracking) of permits, proposed actions, and ongoing activities that relate to natural and cultural resource protection and environmental quality, in a manner that fully protects our Tribes' sovereign rights.

Benchmarks

- I. Water Quality equipment will be maintained and Water Quality data will be analyzed and summarized in the Water Quality Assessment Report annually.
- II. Air Quality equipment will be maintained and Air Quality Data will be reviewed and publically available.
- III. Regular participation in meetings, trainings, and conferences with watershed council meetings and other agencies addressing non-point source pollution, water quality, air quality and/or Tribal resource protection.
- IV. Reporting as required for quality, protection, and management of environmental and natural resources will be submitted as required by EPA or funding source.
- V. Planning and management documents that support tribal environmental priorities and current workplans are reviewed internally, followed by a 30 day public input period, updated and then posted on the Tribal website.
- VI. Research priorities will be outlined and updated in the EPA- Tribal Environmental Plan and Management Strategy.
- VII. Plan two water quality, non-point source pollution, habitat diversity and/or invasive species management projects
- VIII. Continuing EPA programmatic funding for media specific plans (water, air, non-point source pollution, etc.)
- IX. Provide technical review of permits, proposed actions, and ongoing activities that may have potential impacts to Tribal resources (water, air, non-point source pollution, etc.)

Indicators of Success

- I. Water Quality Assessment report is posted on the Tribal website
- II. Updated Planning and management documents are posted annually (30-day comment period)
- III. Non-point source pollution projects are developed each year
- IV. Environmental Outreach curricula is developed for various age groups and environmental topics
- V. Air Quality, Water quality, non-point source pollution, habitat diversity and/or invasive species management projects are successfully implemented and completed annually
- VI. Advocate protection of natural resources of cultural importance and environmental quality for the benefit of Tribal members

- VII. Track technical review provided for permits, proposed actions, and ongoing activities that may have potential impacts to Tribal resources

Priority 2: Continue to build Tribal environmental and natural resource protection and management capacity

Strategy

Complete Current Environmental Protection Capacity Building Projects and pursue other opportunities offered through the Environmental Protection Agency (EPA) Indian General Assistance Program, and other grant sources using the Tribal Environmental Priorities document

Seek funding to develop a Habitat Monitoring and Restoration Plan that emphasizes the protection, restoration, enhancement, and management of culturally significant terrestrial species through non-native invasive species mitigation and toxic soils and sediments management of our Tribally-held lands as well as Ancestral Lands.



Image 2. Monitoring Site in South Slough Estuary

Seek funding to develop a Marine Protection Plan that integrates spatial use areas and emphasizes the protection, restoration, enhancement, and management of culturally significant aquatic species, especially lamprey, salmon, shellfish, and marine mammals and addresses non-native invasive species mitigation, non-point source pollution management, and toxics and hazardous wastes/refuse mitigation and management of estuaries and waterways located within Tribally-held lands as well as Ancestral Lands.

Seek funding to lead and implement habitat, riparian, or marine restoration projects

Seek funding to develop a Climate Change Vulnerability Assessment and Plan that integrates current climate trends through data analysis, risk projection, coastal vulnerability assessments for common resources, and management strategies for the future

Develop Tribal Codes to assist with enforcing environmental and natural resource protection and management strategies

Build relationships that can assist with developing environmental protection capacity.

Benchmarks

- I. Develop a Tribal Environmental Priorities document (public comment and Tribal Council approval)
- II. Identify marine and climate change capacity building strategies
- III. Hire staff to develop Marine Protection Plan
- IV. Hire staff to develop and implement a tribal resource restoration plans/projects
- V. Hire staff to develop climate change vulnerability assessment and plan
- VI. Research and apply for additional funding opportunities that are identified in the Tribal Environmental Priorities document and/or annual work plan.
- VII. Hire staff to develop habitat, riparian, or marine restoration projects
- VIII. Key stakeholders are identified

Indicators of Success

- I. Develop a marine protection and spatial plan that can be used to further develop restoration and research proposals.
- II. Develop a climate change vulnerability assessment and plan that can be used to protect Tribal members, Tribal resources and land.
- III. Implement habitat, riparian, or marine restoration projects
- IV. Preparation and development of the habitat monitoring and restoration plan for our traditional lands is completed and stakeholders identified/stewardships established.
- V. Work with stakeholders to develop collaborative projects for protection of resources.

Priority 3: Promote environmental stewardship and Tribal resource protection on Traditional Lands and build relationships with stakeholders



Image 3. Yoakam Point

Strategy

Use Data (scientific and traditional knowledge) to understand the Tribal environment and consider factors that protect the long term interests of the Tribes and the sustainability of the environment.

Integrate Tribal Ambient Air and Water data to identify threats to Tribal resources and advocate for adequate protection and management of those resources.

Continue to Collaborate with Stakeholders and Other Organizations in order to monitor, assess, and protect Tribal ambient air and water on our Ancestral lands.

Identify Stakeholders that are willing to aid in the development and implementation of a water, air, invasive species, Tribal resources, and/or habitat monitoring or restoration planning.

Promote planning within out Ancestral Watersheds that emphasizes the protection, restoration, enhancement, and management of culturally significant species through non-native invasive

species mitigation, toxics and waste removal/disposal, and toxic soils and sediments management of our traditional lands that is consistent with tribal values.

Develop and Implement Environmental Quality Improvement Projects with the help of stakeholders/stewardships, completing two water quality, non-point source pollution, habitat diversity and/or invasive species management projects annually.

Benchmarks

- I. Historical and scientific considerations for the long term environmental interests of the Tribes are outlined and approved.
- II. Build strong relationships with Natural Resource stakeholders (tribal, federal, state and other)
- III. Projects are successfully implemented and completed annually.
- IV. General Council is informed annually of these environmental quality improvement projects and the results of these DNR efforts relating to protecting our environment.

Indicators of Success

- I. Tribal short and long-term environmental interests are outlined and used to promote Tribal environmental and natural resource priorities
- II. Assessment and monitoring affirms the effectiveness of planned research as well as the professional capacity of DNR to complete the intended research.
- III. Advocate protection of natural resources of cultural importance and environmental quality for the benefit of Tribal members
- IV. Advocate for recognition of Tribal natural resource interests in stakeholder planning and management activities

Priority 4: Oversee remediation at Coos Head (Brownfield) for future Tribal use and development.
Develop other conservation, management and restoration plans for Tribally held lands.



Image 4. Coos Head Property

Strategy

Develop, Implement, and Update Resource Conservation, Management, and Restoration Plans and oversee Coos Head Environmental Remediation work to ensure remediation for contaminants of concern meets needs of the Tribes' for use and development.

Benchmarks

- I. Inventory of environmental issues (brownfield sites) on Tribal lands is updated.
- II. No further action required for identifying contaminants within Coos Head.
- III. Work with Realty, Planning department, Tribal Administrator and Tribal Council to develop and implement plans for conservation, management and restoration on Tribally Held lands.

Indicators of Success

- I. Technical review of Remediation Reports provided by Air National Guard contractor are completed. Contracts and task orders are developed for remediation technical assistance.
- II. Comments and information regarding Coos Head remediation are shared with Tribal Council as needed or requested. Seek input from Council regarding remediation and development plans.

- III. Tribal outreach, newsletter article and council meeting presentation of final status of Coos Head remediation.

Priority 5: Expand Tribal sovereignty, self-determination, and governmental capacity with emphasis on land and natural resources issues and policies, and, with the support of tribal land use planning, use the Tribe's sovereign authority whenever and wherever possible to protect the Tribes rights and interests.



Strategy

Develop, Implement, and Update Environmental Quality Protection, Resource Conservation, and Resource Management Ordinances and Policies relating to surface water quality standards and protection, ground water quality standards and protection, marine standards and protection, soil quality standards and protection, habitat standards and protection, air quality standards and protection, waste reduction and hazardous waste disposal polices, etc. for the benefit of Tribal health and resources.

Benchmarks

- I. Tribal ordinances and policies are drafted and posted for public comment in Tribal administration and outreach offices. Final ordinances and policies are approved by Tribal Council-by resolution if appropriate.
- II. Approved ordinances and policies are distributed to all department and program heads, as well as all Tribal business lines. Informational copies are provided to other governments and agencies in the 5-county service area as appropriate.
- III. Tribal administrative departments seek and use Natural Resource department expertise.

Indicators of Success

- I. Current EPA funding (Capacity Building) is maintained and funding is sought out to be utilized for developing standards, policies and ordinances for natural resource use and protection.
- II. Ordinances and policies are developed into Tribal Code (as appropriate) and distributed to Tribal membership and appropriate local governments.
- III. Improved communication flow and protocols to engage discussion and improve Natural Resource technical expertise to Tribal administration and other government agencies as appropriate.
- IV. Tribal permitting as needed and other natural resources reviews and considerations emphasize the Tribes inherent sovereign cultural rights and interests, affirm that the Tribes possess and will exercise these rights whenever and where ever the Tribes choose, affirming

that the Tribes possess and do not intend to abrogate these rights and interests to local or any other government.

Priority 6: Continue to emphasize the importance of the return of Traditional lands that consist of culturally significant species and sacred ceremonial places based on the long standing Tribal perspective that complete restoration of our Tribes requires the restoration of lands in which we hunted, fished, foraged, harvested, gathered, and practiced. *(Also a Forestry priority)*



Image 5. Spring Break Camp, Clam Dig 2015

Strategy

Dedicated Natural Resource staff for developing Tribal Land Management and Acquisition or Restoration Plans.

Assist with development of Tribal Land Restoration Plan with Tribal Council and Forestry department, including traditional and historic considerations, tribal sovereignty issues, policy and other protocols, economic and cultural and/or social considerations, and other related factors that sets out the intent and plan for continued emphasis on land restoration by the Tribes.

Review the Existing Management Plans for Tribal lands and develop Management Plans for newly acquired lands and recommend revisions for General Council review and Tribal Council approval

Continue to Support Congressional Approval for the Return of a CTCLUSI Forest, supporting Tribal Council, Tribal Forestry department and related organizations in appropriate outreach and technical support.

Assist with a Strategy to Secure the Return of Umpqua Eden, providing all scientific and natural resource documentation. Work with Cultural Resource Protection, Culture, Forestry departments to cull supportive written and image documentation to affirm the Tribes case and position in support of the return of this critical land resource and its role in affirming the heritage of our people.

Investigate potential Tribal Land Acquisitions under advisement of Tribal Council, providing Tribal Council with the technical and other scientific assessments helpful in identifying and evaluating lands that are being considered for acquisition or legal transfer back to the Tribes.

Benchmarks

- I. Work with Tribal Administration and Tribal Council to determine staff need to dedicate to developing Tribal Land Management and Acquisition or Restoration Plans
- II. Natural Resources responds to requests from the Tribal Council and the Tribal Administrator to provide technical support for Lands Restoration and Management. Technical data and reports are available to Tribal Council and General Council as requested.
- III. The Land Management Plans are developed, posted for comment, finalized and reviewed regularly.
- IV. Tribal resources and materials on forested lands under consideration are completed and available to Tribal Council. Legal and other technical support documentation required to secure support from Congress are prepared and completed.
- V. Umpqua Eden is restored to the Tribes and the Umpqua Eden Management plan is completed.
- VI. Other possible lands under consideration for acquisition or return to the Tribes are evaluated and report summaries and documentation is provided to Tribal Council and appropriate Tribal departments.

Indicators of Success

- I. Natural Resource/Land Restoration Coordinator hired to complete management and planning tasks
- II. Prioritized land restoration activities are identified each year and included in the DNR annual work plan.

- III. Tribal Council members and executive staff use the prepared materials and technical advice to make presentations to the general public and/or to government policy makers
- IV. Public knowledge of the land restoration priorities of the Tribes increases.
- V. Public comment period for Tribal Land Management and Acquisition or Restoration Plans.
- VI. The Umpqua Eden acquisition strategy is completed
- VII. Maps and other visual and scientific documents, data, and reports identifying and evaluating lands that are being considered for acquisition or legal transfer back to the Tribes are produced and made available to Tribal Council and its designated entities.

Priority 7: Provide technical and scientific support to Tribal Council and strengthen Tribal member involvement in natural resource protection.



Image 6.. Annual Tribal Float Hunt, Florence, OR 2015

Strategy

Hold an Annual Natural Resources Workshop with Tribal Council, including a review of an annual work plan and budget, with consideration for increased emphasis of Tribal member involvement and a discussion of planned grant and contract submissions for review and approval by Tribal Council.

Propose a Natural Resources Project Specific/Focused Workgroup or Committee and related administrative protocols and objectives, seek Tribal Council approval for this body, and

request appointment of General Council members to the workgroup based on interest and education or traditional knowledge.

Request the Appointment of a Tribal Council Member to the Natural Resources Project Specific/Focused Workgroup or Committee to act as a Natural Resource liaison to Tribal Council, to ensure that actions and activities are in alignment with Tribal priorities and plans.

Present Annual Natural Resource Work Plan at Annual General Council Meeting as directed by Tribal Council, and online (Tribal website) and provide periodic Natural Resource activities in Tribal newsletter and on the Tribal website. The Work Plan will address the funding needs and potential for fee-for-service options for Natural Resource staff to generate additional revenue.

Benchmarks

- I. Tribal Council natural resources workshop is held annually when requested by Tribal Council. A departmental workshop may take place in lieu of or in addition to a natural Resource-Tribal Council workshop.
- II. A DNR work plan is prepared and reviewed in consultation with Natural Resources Workgroup or Committee.
- III. Tribal Council is asked to approve a Natural Resources workgroup and associated protocols. Tribal members with specializations or interests are appointed. A Tribal Council member is appointed to serve as Tribal Council liaison of the workgroup or committee.
- IV. Funding needs and fee-for-service work considerations are discussed with other tribal Natural Resource departments to understand applicable reasoning and methodology.

Indicators of Success

- I. Tribal Council approves annual Natural Resources work plan.
- II. Natural resources focused or project specific workgroups are created.
- III. Tribal members who have not or are not serving on other existing Tribal boards or committees apply for appointment to the Natural Resources committee and some are appointed. Committee meeting schedule is completed.
- IV. Natural Resource Workgroup or Committee meetings are held regularly and allow for participation outside of 5-county service area by teleconference, video or other technology.
- V. Newly created Natural Resources Workgroup or Committee provides supportive consultation for Natural Resource workplan and provides technical support or traditional knowledge support when requested.

Annual budget review includes grant submissions, funding needs and an evaluation of fee-for-service consultation services contracted through Natural Resource department.

Recommendations for implementation

- I. Address any funding or assistance needed for all priorities
 - a. Funding needs for staff/researchers, equipment, and supplies relating to activities identified by priorities
 - b. Funding needs for staff/researchers, equipment and supplies relating to the development and implementation of projects or activities identified by priorities
 - c. Funding needs for staff, equipment, and training associated with the development of a priority projects
- II. The Tribal Environmental Plan will be reviewed regularly (no later than every 2 years). Updates and revisions will be driven by recommendations made by public comment solicitation, department recommendations, administration recommendations or Council direction.