

3 May 2022

The Wildlife Society
425 Barlow Place
Bethesda, MD 20008

Executive Office of The President
1600 Pennsylvania Ave NW
Washington, DC 20500

Re: Public Input Opportunities on Indigenous Traditional Ecological Knowledge in Federal Policy

Chairwoman Mallory,

The Wildlife Society would like to thank you for the opportunity to provide input on the Administration's efforts to create federal guidance on incorporating Indigenous Traditional Ecological Knowledge (ITEK) in federal policymaking. Our organization is pleased to submit these comments alongside The Wildlife Society's Native Peoples' Wildlife Management Working Group.

Founded in 1937, The Wildlife Society (TWS; wildlife.org) and our network of affiliated chapters and sections represent over 15,000 wildlife biologists, scientists, and managers, dedicated to excellence in wildlife stewardship through science and education. Our mission is to inspire, empower, and enable wildlife professionals to sustain wildlife populations and habitat through science-based management and conservation.

The Wildlife Society's Native Peoples' Wildlife Management Working Group promotes improved relationships between state, provincial, and federal wildlife managers and tribal wildlife managers through improved communications, increased understanding, and training for students. The working group provides a forum for tribal and agency wildlife professionals to discuss wildlife management on reservation, aboriginal, and adjacent lands, and to share viewpoints on proposed policies affecting wildlife management on those lands.

The Wildlife Society is supportive of the Administration's efforts to create federal guidelines for agency use in interacting with and promoting ITEK. However, we caution that any approach should not come at the expense of recognizing the distinct decision making and information sharing processes of each tribe, and their individual and unique relationships with the federal government.

In response to the Administration's solicitation of input on this vitally important topic, please see below for responses to the questions provided:

1. What would you like Federal employees to know about ITEK?

The use of "Best Available Science" in solicitation of input. The term "best available science" is one with explicit regulatory implications, however, it may not be the most appropriate term when soliciting input on federal actions and decision making from a diversity of audiences.

Foundational environmental laws, such as the Endangered Species Act, are purposefully vague in their interpretation of what parties they view to provide the best available science when considering species listing and critical habitat decisions. Attempts at defining "best available science" in regulation have been challenged by the context-specific nature of species-specific rulemaking.

Challenges surrounding the ability to concretely determine what parties are providing "best available science" can be magnified in more localized land management conservation planning activities, where information is being solicited from a diversity of stakeholders with a direct interaction with the resource. In these cases, requesting input through requests of the "best available science" can have the effect of excluding ITEK or other information not based in western science practices.

In the solicitation of public input to inform federal decision making, other language, such as "best available information", should be considered. The use of new language must be complimented by relevant context in any agency guidance provided - a core component of which should be training for federal professionals soliciting such information.

Distinctions between ITEK and western science. When soliciting multi-stakeholder input in management decisions, it is important to not impose western science standards in attempts to validate ITEK. This is of particular importance when determining appropriate federal activities impacting resources of both ecological and cultural significance, where western science practices can fall short in providing adequate stakeholder information and involvement.

When soliciting stakeholder information to inform decision making, the use of ITEK should only be done if Free, Prior and Informed Consent (FPIC) of the knowledge holder is received. [Free, Prior and Informed Consent](#) is a specific right that pertains to indigenous peoples and is recognised in the United Nations Declaration on the Rights of Indigenous Peoples. It allows them to give or withhold consent to a project that may affect them or their territories. Once they have given their consent, they can withdraw it at any stage. Furthermore, FPIC enables them to negotiate the conditions under which the project will be designed, implemented, monitored and evaluated.

2. Thinking about the areas where you engage with the Federal government, how would you like to work with Federal departments and agencies in the future to ensure that ITEK properly informs Federal processes and policies? What challenges do you foresee?

Federal employee training. Training of federal employees on new agency guidance and the implementation of existing agency guidance, such as [Joint Secretarial Order 3203](#), will be of foundational importance in any federal implementation of ITEK in decision making. Any such training should include the need for FPIC when coordinating and consulting with tribal leadership.

For federal scientists, training should also include guidelines for serving as editors or referees of non-federal journals as they undertake review of manuscripts based on ITEK. For scientific publications published by the federal government, specific guidelines should be developed for the editing and review of papers that include ITEK.

The Wildlife Society's publications team has been grappling with similar questions as we consider and promote appropriate use of ITEK in our organization's peer-reviewed journals. Such questions are permeating throughout the scientific community. In implementation of ITEK guidance for publishing in scientific literature, please consider professional scientific societies such as TWS a partner in working towards an appropriate approach.

Tribal representation in federal hiring. In addition to the need to train current federal employees on ITEK and FPIC, the federal government must continue reviews of hiring practices to determine barriers for both recruitment and retention of both tribal employees and ITEK holders in all federal positions, particularly those involved in stakeholder coordination and consultation.

With the recent release of the Department of the Interior's [Equity Action Plan](#), the Administration has stated its intent to partner with tribal colleges and universities to teach students how to interact with federal grant applications. This skill will be helpful for students that go on to work for a tribal government, however, additional attention should be paid to the interactions that tribal students and individuals have with federal governance structures when contemplating next steps in their career. This is of added importance when looking to recruit ITEK holders. These holders will have a diversity of experiences in interacting with formalized natural resource governance structures, and it is important that they are not overlooked based on historical recruiting practices.

Work to increase funding and support for tribes, tribal professionals, and tribal colleges and universities. As noted in DOI's Equity Action Plan, many barriers can prevent tribal governments from applying to and accessing federal grants. Presently, many funding opportunities available to tribes go through competitive review and are only provided for one fiscal year. Even if a tribe does have the capacity to manage and apply for grants, the competitive grant structure can often leave tribes unable to secure long-term funding for a natural resource project of concern.

In addition to a planned Department review of grants available to tribes, the Administration should continue relaying support for dedicated tribal funding mechanisms, such as passage of the Recovering America's Wildlife Act.

The Administration should also work to build funding and support for federal programs that target the next generation of natural resources professionals, particularly within tribal colleges and universities and their associated interagency projects. Programs such as the U.S. Geological Survey's Regional Climate Adaptation Science Centers (CASCs) engage the next generation of professionals on scientific inquiries provided by multiple regional stakeholders on the mechanisms for adapting to a changing climate. In partnership with the Bureau of Indian Affairs, the CASCs are adding tribal liaison positions with the goal of making tribal nations in the CASC's region an equal partner in determining research needs. The Wildlife Society is supportive of this interagency partnership as well as the Administration's request for additional CASC funding in FY 2023.

Are there existing guidance documents, agreements, or practices that provide good examples of how ITEK should be elevated in Federal processes and policies?

Please see below for a list of resources provided by TWS membership that can assist in informing the development of government-wide guidelines:

- [National Fish, Wildlife, and Plants Climate Adaptation Strategy](#) (2012) and the [2021 updated report](#) - Produced by an intergovernmental working group of federal, state, and tribal agency representatives, explores mechanisms and tools to enable natural resource professionals to adapt to a changing climate.
- [A Synthesis of Literature on Traditional Ecological Knowledge and Climate Change](#) - Published in 2012 by the Pacific Northwest Tribal Climate Change Project.
- [Forest Service R&D Tribal Engagement Roadmap](#) - Published in 2015, with input provided by the research subcommittee of the Intertribal Timber Council.
- [Introduction to Traditional Ecological Knowledge in Wildlife Conservation](#) - Published in 2015 by Seafha C. Ramos (Yurok/Karuk), Tanya M. Shenk, and Kirsten M. Leong of the National Park Service.
- Resources published by Dr. Frank Lake of the U.S. Forest Service alongside contributors:
 - [Conceptualizing Indigenous Cultural Ecosystem Services \(ICES\) and benefits under changing climate conditions in the Klamath River Basin and their implications for land management and governance](#) (2021)
 - [Indigenous fire stewardship: Federal/Tribal partnerships for wildland fire research and management](#) (2021)
 - [Considering diverse knowledge systems in forest landscape restoration](#) (2021)
 - [Integration of Traditional and Western knowledge in forest landscape restoration](#) (2018)

The fifth [National Climate Assessment](#) (NCA5), currently underway, is a congressionally-mandated report that assesses observed and projected impacts of climate change across the United States. How do you recommend ITEK be represented in the development processes and content of National Climate Assessments?

Integrate ITEK across all of the NCA5's proposed content areas. ITEK has the potential to inform and improve all of the content areas of the NCA5 beyond the proposed Tribal and Indigenous Peoples chapter. Indigenous perspectives and impacts to Indigenous communities, as well as response and adaptation measures already being adopted by Tribes and Indigenous communities, should be included for each of the chapters included in the final National Climate Assessment.

Support and acknowledge Tribal engagement with the NCA development process. As Indigenous engagement with the development of the NCA increases, it is crucial to acknowledge that holders of ITEK may not be Tribal employees, and thus may be otherwise uncompensated for their time and access to their knowledge. The NCA5 should include recommendations and support for government-to-government funding which enables ITEK-holder engagement with the development of National Climate Assessments. The NCA5 should build on the engagement efforts of the previous National Climate Assessment pertaining to opportunities for Indigenous communities and ITEK-holders to offer input on the Assessment. The NCA5 should also continue the commitment made in previous National Climate Assessments to fully acknowledge the participation of Indigenous communities and the use of ITEK in content developed for the Assessment.

The Wildlife Society thanks the Administration for the opportunity to provide comments on this important topic. Any questions on these comments can be directed to Caroline Murphy, government relations manager, at cmurphy@wildlife.org or 301-968-1903.

Sincerely,