

Innovations in Partnerships and Tribal Forest Management: A Panel Discussion

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ABSTRACT.—Native American forests and tribal forest management practices have sustained Indigenous communities, economies, and resources for millennia. Tribal forest management is multifaceted and every tribe has unique values, history, and management goals. Tribal forests are managed for timber production, species diversity, and spiritual and cultural values. Tribal management often seeks to maintain species diversity, to respect culturally important landscapes, to reintroduce fire into fire-dependent ecosystems, and to protect water resources. Tribal forest management can provide important approaches to build landscape-scale partnerships and management. This panel presentation captured a broad range of tribal forest management practices and partnerships. Panelists discussed strategies for building partnerships with tribes, the role of the Bureau of Indian Affairs in tribal forest management, the Great Lakes Indian Fish & Wildlife Commission and their management strategies, and the Leech Lake Band of Ojibwe's approach to forest management. Panelists highlighted some of their partnerships and successful collaborative approaches to management. The panelists stressed the importance that tribal forests and forestry play within the landscape. Tribal partnerships can be enhanced when agencies listen to tribal perspectives, show mutual respect for tribal perspectives, use common language everyone can understand, and participate tribal community activities.

INTRODUCTION

Native American forests and tribal forest management practices have sustained indigenous communities, economies, and resources for millennia (McGregor 2004, Wilkinson 2005). Tribal forest management is multifaceted and every tribe has unique values, management goals, and history (Dockry and Hoagland 2017, IFMAT 2013, Nabokov 2002). Tribal forests are managed for timber production that supplies tribal and nontribal sawmills (Beck 2005, Wilkinson 2005). They are managed for spiritual and cultural values (Bengston 2004, Berkes 2012). They are managed to maintain a diversity of species, respect culturally important landscapes, reintroduce fire into fire-dependent ecosystems, and protect water resources (Dockry and Hoagland 2017). Tribal forest management can provide important approaches to build landscape-scale partnerships and management (Corrao and Andringa 2016, Sessions et al. 2017).

Across the country, there are many unique forestry projects on Indian reservations that integrate multiple use and cultural resource management. Tribes have always known that in order to manage for high quality timber they need to manage for traditional forest plants and animals—a healthy ecosystem. Before European settlers came to the Great Lakes region in the late 1600s (see White 1991), American Indians managed forests for biodiversity, food, basket materials, and medicinal plants. They viewed tree species, other plants, and animals as interdependent. European settlers witnessed forests that benefited from generations of tribal management of nontimber species (see Cronon 1983, Mann 2005).

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Tribes are sovereign nations. Tribal sovereignty and treaty rights are not something that the government gives tribes; tribes inherently have them because they were here before the United States became a country (for overviews of Federal Indian Law, see Wilkinson 2004 and Wilkins and Lomawaima 2001). Tribal sovereignty and treaty rights are recognized by the U.S. Constitution, court cases, and executive orders. Thus, governments have the responsibility to work with federally recognized tribes. It is not only important to work with the tribes, but it is actually a requirement for federal agencies. State agencies and other countries often have similar requirements for working with tribes and Indigenous people. The federal government should work with tribes on landscape management and programmatic decisions.

The goal of this panel discussion was to raise awareness of tribal forest management and innovative partnerships. This paper outlines general information about tribal lands and explores a broad range of tribal forest management partnerships, the role of the Bureau of Indian Affairs in tribal forest management, the Great Lakes Indian Fish & Wildlife Commission and their management strategies, and the Leech Lake Band of Ojibwe's approach to forest management and their partnership with the USDA Forest Service.

TRIBES AND TRIBAL LANDS

The panel started off with an overview of tribal forest management in the United States presented by panel organizer and moderator, Mike Dockry. There are 573 federally recognized tribes in the United States (BIA 2018). There are also some tribes that have state recognition and some tribes that are seeking either state or federal recognition. Each tribe is diverse with its own cultures, histories, experience, perspectives. Within each tribe, there is a diversity of opinions as well. It is important to remember that all forest lands in the United States were once Indigenous lands and that they have been managed by tribes through generations. Forest lands are inherently important for tribal communities. For centuries, tribes have managed forests through many social, ecological, and economic changes. Tribes have been managing these lands for many different goals including subsistence, cultural activities, ecosystem diversity, economic benefits, and community values. There are many examples of tribal forest management innovations (see Journal of Forestry Special Issue, Dockry and Hoagland 2017). Tribal perspectives and experiences are important additions to discussions on the most pressing forestry issues of our time including invasive species, climate change, sustainability, and human relationships to the land, water, and nonhumans.

When working with tribes, it is important to consider that both commercial enterprises and cultural uses support families and create opportunities for people that include basketry and other cultural uses. Anyone working with tribes should understand that nontimber forest products are just as important as commercial timber. Working with the tribes and respecting tribal goals will support tribal members and help to build cooperation. Of the 573 federally recognized tribes, 334 tribes manage forests and woodlands (IFMAT 2013). Forests are managed by tribes for both commercial and cultural uses. Nationally, tribal forests range in size from 2 acres to 11.7 million acres within 56.2 million Tribal Trust acres and 18.2 million acres of forests and woodland acres.

BUILDING PARTNERSHIPS WITH TRIBES

Tribal partnerships support landscape-level management, are important for fulfilling the federal trust responsibility, and support forest management goals on and off reservations. Dockry et al. (2017) outline five major ways to think about building successful partnerships with tribes: (1) upholding formal relationships and agreements; (2) developing personal

relationships; (3) respecting, listening, and building trust; (4) demonstrating leadership and engaged leaders; and (5) working together on projects—doing actual land management projects together or walking the land together. Working together on land management projects in the field forms strong partnerships and informal relationships that have real meaning, build understanding and trust, and get work done that is of value to tribes and the partner institution. Building partnerships with tribes is important because tribes are often interested in implementation of forestry projects on their reservations, treaty ceded lands, and traditional territories if such projects support tribal goals.

It is important to be clear about who is forming the partnership and the partnership's relationship to formal consultation with tribal governments. Government-to-government relationships are between tribal governments and the United States or state government. These partnerships recognize the sovereignty of individual tribes and are integral for fulfilling the federal trust responsibility to federally recognized tribes. Other partnerships recognize tribal sovereignty but alone do not fulfill the federal trust responsibility. These include partnerships with tribal institutions like tribal colleges or tribal natural resource departments—institutions that are usually managed by tribal governments but they are not the tribal government itself. Other partnerships can be formed with intertribal groups like the Intertribal Timber Council. Partnerships with intertribal groups are an important way to build relationships and learn about tribal ways of managing forests but because intertribal groups or tribal institutions are not governments; they do not replace formal government-to-government consultation.

THE BUREAU OF INDIAN AFFAIRS AND TRIBAL FOREST MANAGEMENT

Michael Benedict described some of the many programs and services that the Bureau of Indian Affairs (BIA) provides to tribes. The BIA is divided into several areas: Justice Services, Indian Services, and Trust Services (<https://www.bia.gov/bia>, accessed February 7, 2020). Trust Services contains the Division of Forestry and Wildland Fire Management (known as BIA Forestry and deals with forest management and forest fire protection), Division of Real Estate Services, Division of Land Titles and Records (keeps track of Indian land boundaries), Division of Probate (deals with heirs of the deceased and property), and Division of Natural Resources (coordinates oversight, monitoring, development, and protection of natural resources). BIA Forestry works in cooperation with the federally recognized tribes. Twenty to 30 years ago, BIA directly managed forested land on reservations. This changed with self-determination and self-governance policies. Now BIA provides less direct management and more support to tribes to manage their own forestry and natural resource management programs.

The BIA Midwest Region serves 36 tribal forestry/natural resources departments in four states: Minnesota, Iowa, Wisconsin, and Michigan with 1.6 million trust acres and 1.2 million forested acres (see: <https://www.bia.gov/regional-offices/midwest>, accessed February 7, 2020). Tribal nations within the Midwest Region include Ojibwe, Potawatomi, Odawa, Ho Chunk, Oneida, Dakota, Sac & Fox, Menominee, and Stockbridge-Munsee Mohican. The BIA provides technical assistance and funding for forest development and management (reforestation, seed collection, tree planting, scarification, and other means to manage forests), and it works closely with other federal and state agencies on fire management. Tribes have both long-term permanent plot and stand exam inventory programs. BIA forestry supports tribal timber sale programs and works with tribes to write silvicultural prescriptions and forest management plans. Many tribes have innovative forestry and silvicultural projects

on their lands. Tribal projects can often be implemented more quickly than other federal projects because there are fewer time-consuming bureaucratic processes than found in other federal agencies.

THE GREAT LAKES INDIAN FISH & WILDLIFE COMMISSION AND TRIBAL TREATY RIGHTS

Alexandra Wrobel discussed the Great Lakes Indian Fish & Wildlife Commission (GLIFWC; www.glifwc.org, accessed February 7, 2020), its mission, and some of its innovative projects. The GLIFWC main office is headquartered on the Bad River reservation in Odanah, Wisconsin. GLIFWC is an intertribal agency with delegated authority to implement off-reservation treaty rights for 11 Ojibwe tribes throughout treaty-ceded lands in northern Minnesota, northern Wisconsin, northern Michigan, and areas of the Great Lakes. These territories were ceded by Ojibwe tribes to the U.S. Government in the treaties of 1836, 1837, 1842, and 1854. While these lands were ceded to the U.S. Government, the Ojibwe tribes retained their rights to fish, hunt, trap, and gather throughout these areas in perpetuity—meaning these rights do not expire. Tribal treaty harvesting rights have led to many years of conflicts and created tension and cross-cultural issues. Over several decades, federal courts reaffirmed tribal treaty rights and GLIFWC was formed to maintain and implement those off-reservation rights and support the tribal right to self-regulate off-reservation. “GLIFWC’s existence is based upon the sovereignty of each of its member tribes and it is an agency of delegated authority from those tribes. It is structured to facilitate intertribal consensus on issues of common concern regarding off-reservation treaty rights. It exercises delegated authority and provides expertise in areas of biology, conservation law enforcement, and the development of tribal ordinances which can then be adopted by its member tribes. It has now been in existence for more than 25 years, helping to secure the full and successful exercise of treaty rights that provides for the needs of tribal members, as well as helping to protect and enhance the natural resources and habitats of the ceded territory” (https://www.glifwc.org/Recognition_Affirmation/, accessed February 24, 2020).

GLIFWC accomplishes its mission through interagency and intergovernmental partnerships and cooperation. One example of this interagency cooperation is with the Forest Service. This partnership is supported and structured through a formal memorandum of understanding (MOU) between the 11 GLIFWC member tribes and three units of the Forest Service: the Eastern Region of the National Forest System, the Eastern Region’s Law Enforcement and Investigations, and the Northern Research Station (https://www.fs.fed.us/spf/tribalrelations/documents/agreements/mou_amd2012wAppendixes.pdf, accessed February 24, 2020). Through the MOU, the Forest Service acknowledges its role in fulfilling the federal government’s treaty obligations and trust responsibilities on ceded lands. The MOU applies to several national forests within ceded territories: the Chequamegon-Nicolet National Forest, the Ottawa National Forest, the Hiawatha National Forest, and the Huron-Manistee National Forest. The MOU details the guidelines for implementing off-reservation treaty rights. The MOU was created through intensive discussions between GLIFWC and their member tribes and the Forest Service to plan how, when, and where treaty harvesting rights would be implemented. The MOU overall provides structure for communication, self-regulation, and self-governance. It has been 20 years since the MOU was signed and is a partnership success story. However, it is important to recognize that the process of building the MOU and partnership took time, a lot of negotiation, arguments, and relationship building—all of which are as important if not more so than just having a formal agreement.

THE LEECH LAKE BAND OF OJIBWE AND FOREST SERVICE PARTNERSHIP

Keith Karnes, forester for the Leech Lake Band of Ojibwe, discussed partnerships with the Forest Service and the Chippewa National Forest. It took time and work to build the relationship between the Leech Lake Band of Ojibwe and the national forest. There were times of tensions and misunderstanding over the years. However, today the relationship is improved and there is a dialogue happening. In 2016, the Leech Lake Band's environmental director sent a letter to the Forest Service stating that the Chippewa National Forest is focused too much on resource extraction and that it was contrary to tribal goals for the national forest. In response, the Chippewa National Forest staff began to work with the tribe to develop plans to achieve desired vegetative conditions that conform to tribal goals. They also began to explore using the Tribal Forest Protection Act (TFPA) to achieve the tribe's vision for forest management (<https://www.fs.usda.gov/detail/r5/workingtogether/tribalrelations?cid=stelprdb5351850>, accessed February 7, 2020). The Forest Service's Northern Research Station worked on an evaluation that showed Chippewa National Forest pine plantations were too dense and trees were losing their live crowns, so prescriptions for thinning were outlined. The Leech Lake Band was supportive of this evaluation because it made sense and conformed to their management goals. This partnership and thinning goals came from the TFPA project and highlights the importance of using policies to develop sustainable forestry projects that support tribal goals and values. There is still partnership and management work to be done, as there are many different ways to reach goals. Research is important because it helps to change how people think, which is hard to do. Landscape-level management needs to become real and needs to be implemented throughout the region. Landscape-level management needs to include a broad range of forest conditions and multiple forest values—things that require cooperation with research institutions and partnerships across the landscape.

ADVICE FOR MANAGERS AND CONCLUSION

The session concluded with questions from workshop participants. The questions focused on practical advice for building efficient partnerships with tribes. The panelists' advice focused on building relationships by talking to tribes and really listening to what tribes have to say. Showing mutual respect and using language everyone can understand were also important. Participating in tribal events, such as community activities and Pow Wows, can help build trust and relationships. Tribal members often complain that nontribal people do not want to listen to their perspectives. In recent years, however, there seems to be different attitudes from the nontribal natural resource professionals, and they are starting to listen and are actually seeing that tribal management works. This is important because tribal ways of knowing have been accumulated through millennia and are important components of sustainable forest management. Quantitative information is important but spiritual and qualitative understanding of the system makes management stronger. Finally, using formal documents like MOUs and having strong leadership that values tribal partnerships can help form strong partnerships with tribes.

Tribal forest management is important for landscape-level forest management. Tribes have had generations of experiences and knowledge that offer unique perspectives on our forestry and natural resource challenges. This panel outlined how tribal partnerships can play an increasingly important role in natural resource management. The panelists stressed the importance that tribal forests and tribal partnerships have for landscape-level management. Natural resource managers can enhance tribal partnerships by listening to

tribal voices, demonstrating mutual respect for tribal perspectives, using language everyone can understand, and participating in tribal community activities. Strong tribal partnerships can lead to strong landscape-level management that confronts 21st century natural resource management challenges.

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