



NATIVE AMERICAN FISH & WILDLIFE SOCIETY

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DATE: March 19, 2021
TO: Heather Dawn Thompson, USDA Office of Tribal Relations
FROM: Julie Thorstenson, PhD – Executive Director
RE: USDA Tribal Consultation Written Comments

On behalf of the Native American Fish and Wildlife Society (NAFWS) and our 227 support Tribes and individual membership, I would like to congratulate you on your appointment to the Office of Tribal Relations Director of the USDA. I also want to thank you again for meeting with me February 24th to discuss the NAFWS' and USDA's current and future partnerships.

As you know, Tribes own or influence the management of nearly 140 million acres. Many also have cultural ties to their ancestral homelands that may be miles away from their current homelands. Tribes are extremely important and relevant in fish and wildlife management. We look forward to this administration's commitment to tribal consultation and strengthening nation-to-nation relationships.

As you move forward with the USDA's plan of action to implement the policies and directives of Executive Order 13175, NAFWS would like to submit the following comments in relation to USDA APHIS Chronic Wasting Disease (CWD) surveillance, monitoring, and management and the funding that surrounds it.

USDA APHIS is managing a cooperative agreement funding cycle for the prevention and management of Chronic Wasting Disease (CWD). Federally recognized tribes have reserved rights to hunt, fish and gather in vast areas of the United States through doctrines of reserved rights, statutes, treaties, judicial mandates, Executive Orders (E.O.), Presidential proclamations, and Secretary's Orders (S.O.). CWD is affecting the subsistence species on which federally recognized Tribes survive. Effective prevention and mitigation of CWD is essential to maintain the cultural health and viability of the Tribes.

CWD/Wildlife Disease in Indian Country:

- Tribal lands are a void in CWD strategic planning – to truly have a nationwide CWD plan, Tribes must be included, not only in the planning but also in the funding.
- There should be a Tribal set aside for CWD and wildlife disease surveillance, monitoring and management on Tribal lands.

- While promotion of cooperation between states and tribes for CWD activities should be encouraged, USDA APHIS needs to recognize that many states and Tribes have a long history of poor relationships. Competition for funding furthers that divide.

Federal Trust Responsibility:

- A federal trust responsibility exists to Tribes for CWD surveillance and management.
- Although beneficial for USDA APHIS to partner and/or provide funding to Tribal Organizations, this does not satisfy USDA APHIS trust responsibility to Tribes.
- USDA APHIS has a trust responsibility to engage directly with Tribal governments rather than through broader stakeholder meetings.

Tribal Capacity:

- Many Tribes do not have the capacity to respond quickly and effectively to CWD and Wildlife Disease threats.
- Training and support are needed to assist Tribes with CWD response and strategic planning.
- Funding and resources are needed to help Tribes develop CWD and Wildlife Disease sampling, monitoring, and surveillance programs.
- Tribes lack the capacity and funding to implement environmental CWD testing on endemic lands in Indian Country.
- There are few mechanisms for Tribal governments to address CWD positives on Indian lands.
- CWD persistence in the environment is known to occur, but largely unstudied in Indian Country.

Cultural Considerations and Appropriate Outreach/Education:

- Tribal culture and traditions dictate a culturally-sensitive approach (for example, some tribal members still brain tan deer, elk and moose).
- Tribal members are used to hauling big game carcasses home for processing, make bone stock, eat bone marrow, utilize organs, etc. which will require culturally-sensitive educational materials to change behavior and foster acceptance of proper carcass disposal.
- Educational information is needed that specifically incorporates tribal cultures.
- Tribes need assistance developing public information campaigns on wildlife diseases that are curtailed to the tribal cultures and lifeways.

Racial Equity/Tribal Barriers to Accessing USDA Programs & Opportunities:

There are many inequities and barriers that prohibit Tribes from being true partners and involved stakeholders in CWD management and wildlife disease management in general. These include, but are not limited to:

- Access to funding – the EZFed grant system that was used in 2020 is not widely used in Indian Country and requires more capacity to enroll and learn the system. This was even more difficult due to the Pandemic challenges faced in Indian Country.
 - A 30 day turn around for a grant application is unrealistic for Tribes to meet due to internal governmental approvals needed.
 - Grants.gov is a more common system utilized in Indian Country.
- Tribes are historically underfunded and understaffed and lack the infrastructure to address and manage CWD and wildlife disease in Indian Country.
- It is critical that USDA APHIS provides user-friendly emergency funding mechanisms for Tribes to address CWD positives on Tribal lands.
- Tribes have limited resources available to handle and safely dispose of high-risk carcass parts. As CWD continues to spread throughout Indian Country, there will be an increased need for carcass waste disposal options.
 - Carcass disposal should be a high priority issue, as many landfills are beginning to not accept animal carcasses, the potential for Tribal Lands to become dump sites and further spread CWD on Tribal Lands is a concern.
- Native Americans are still largely subsistence hunters, CWD poses a serious threat to Tribal food security and food sovereignty.
- Access to testing – there are no Tribal Wildlife Health Centers in the United States. This is in comparison to States’ access to wildlife health experts, diagnostic labs and other infrastructure.
 - Tribes need access and funding for CWD sampling needs and laboratories that can address them.
- Sampling on Tribal Lands – Surveillance in Indian Country is still very limited.
 - CWD sampling takes time which creates challenges for proper storage of big game meat (need for freezers and sampling supplies).
 - State cooperation with Tribes is inconsistent.
 - Some Tribes have endemic areas within their Reservation boundaries.
 - Tribal sampling is either void or not included in the overall CWD surveillance and mapping efforts.

In conclusion, Tribes MUST be included in CWD and other wildlife disease surveillance, monitoring and management. NAFWS has experience with CWD and manages the largest network of Tribal fish and wildlife professionals. We have identified several ways we can assist Tribes such as with sampling training, identifying and developing partnerships, serving as a clearinghouse for Tribal CWD data and successes and providing technical assistance for CWD education and training that is relevant to Tribal culture and traditions. The overall success of CWD prevention and management in Indian Country and the United States will rely heavily on the funding. Tribes need easily accessible and non-competitive with States, funding to address CWD and wildlife disease management in Indian Country. Without inclusion of Tribes as active, equitable partners, the trust responsibility is not met and Tribes face threats to their culture, food security, and food sovereignty, treaty rights and overall health.

Thank you.

CC: File

Elveda Martinez, President