



Tribal Access to the Land and Water Conservation Fund

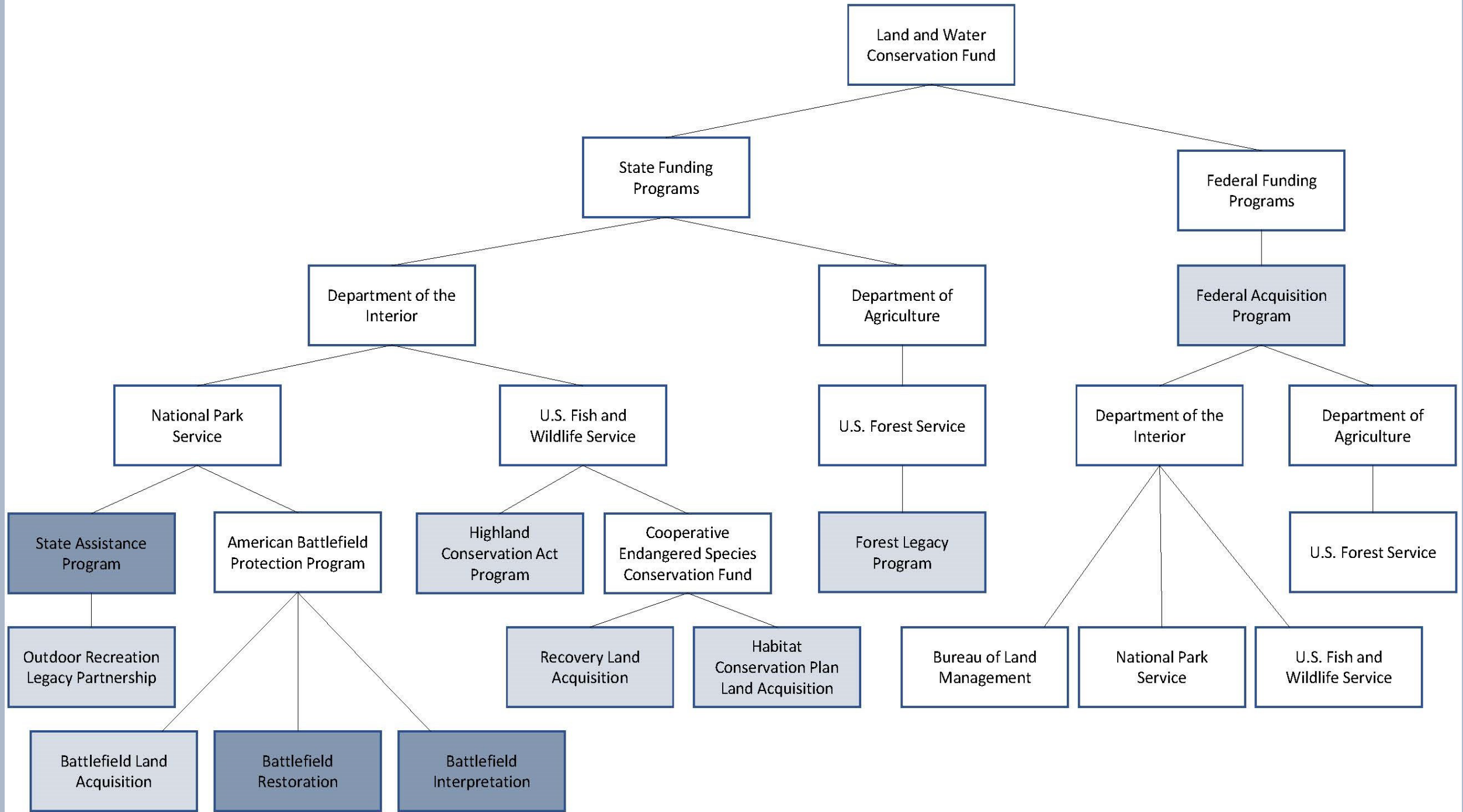
Michael Spears, M.A., RPA
Anthropological Research L.L.C.

Land and Water Conservation Fund

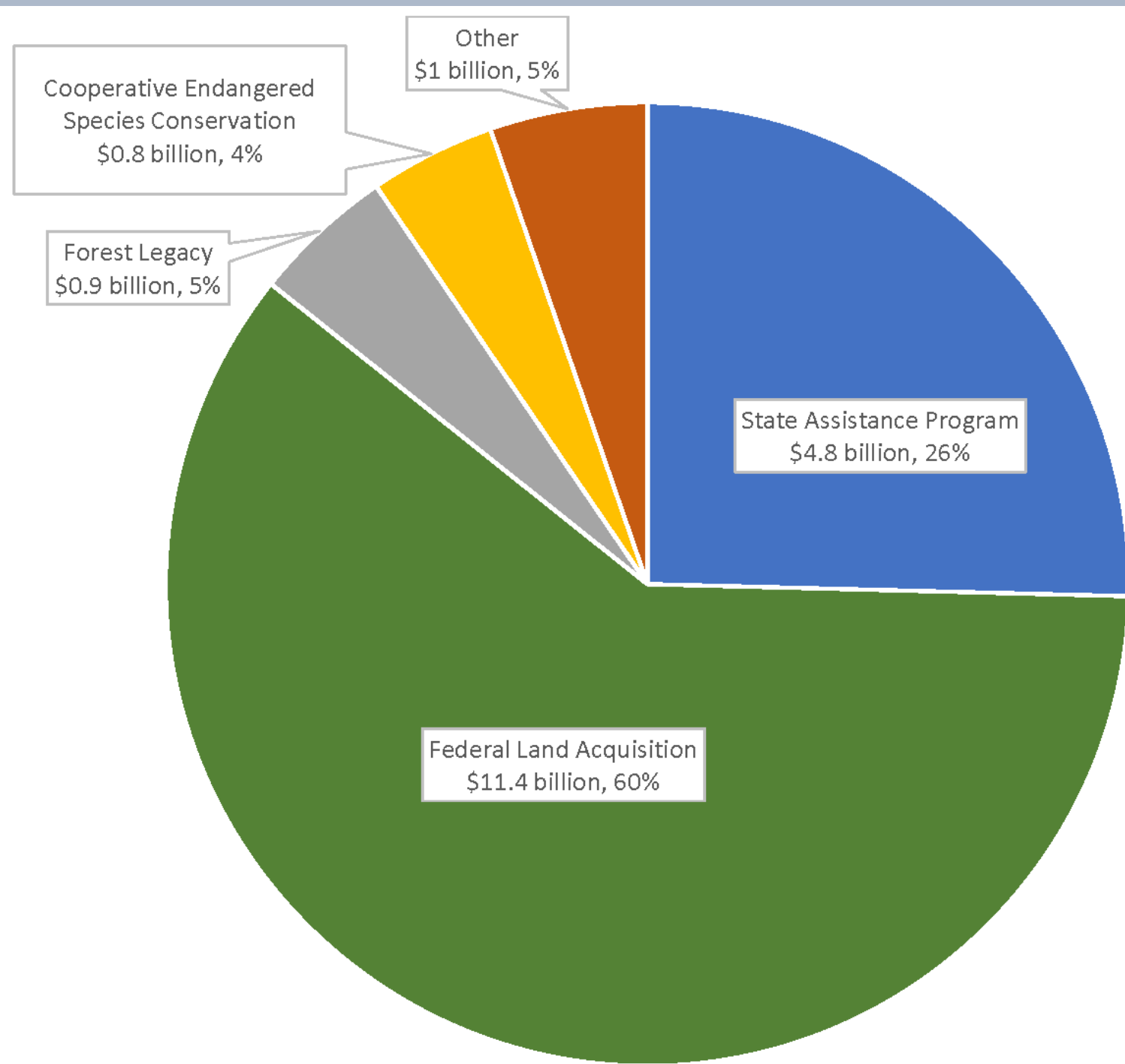
Established by Congress in 1964 to:

“assist in preserving, developing, and assuring accessibility to ... quality and quantity of outdoor recreation resources.”





Land and Water Conservation Fund Appropriations Through 2019

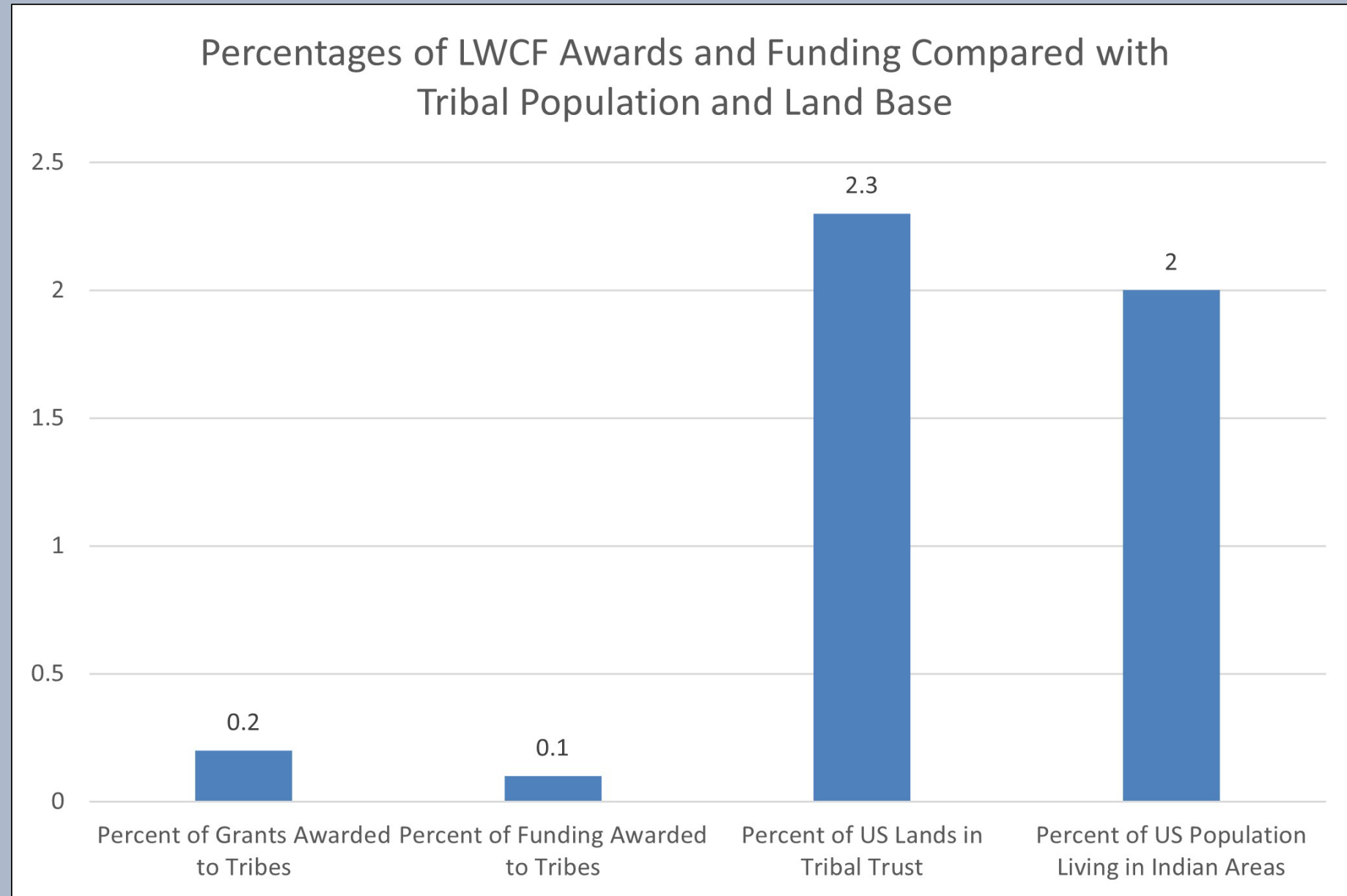


State Assistance Program

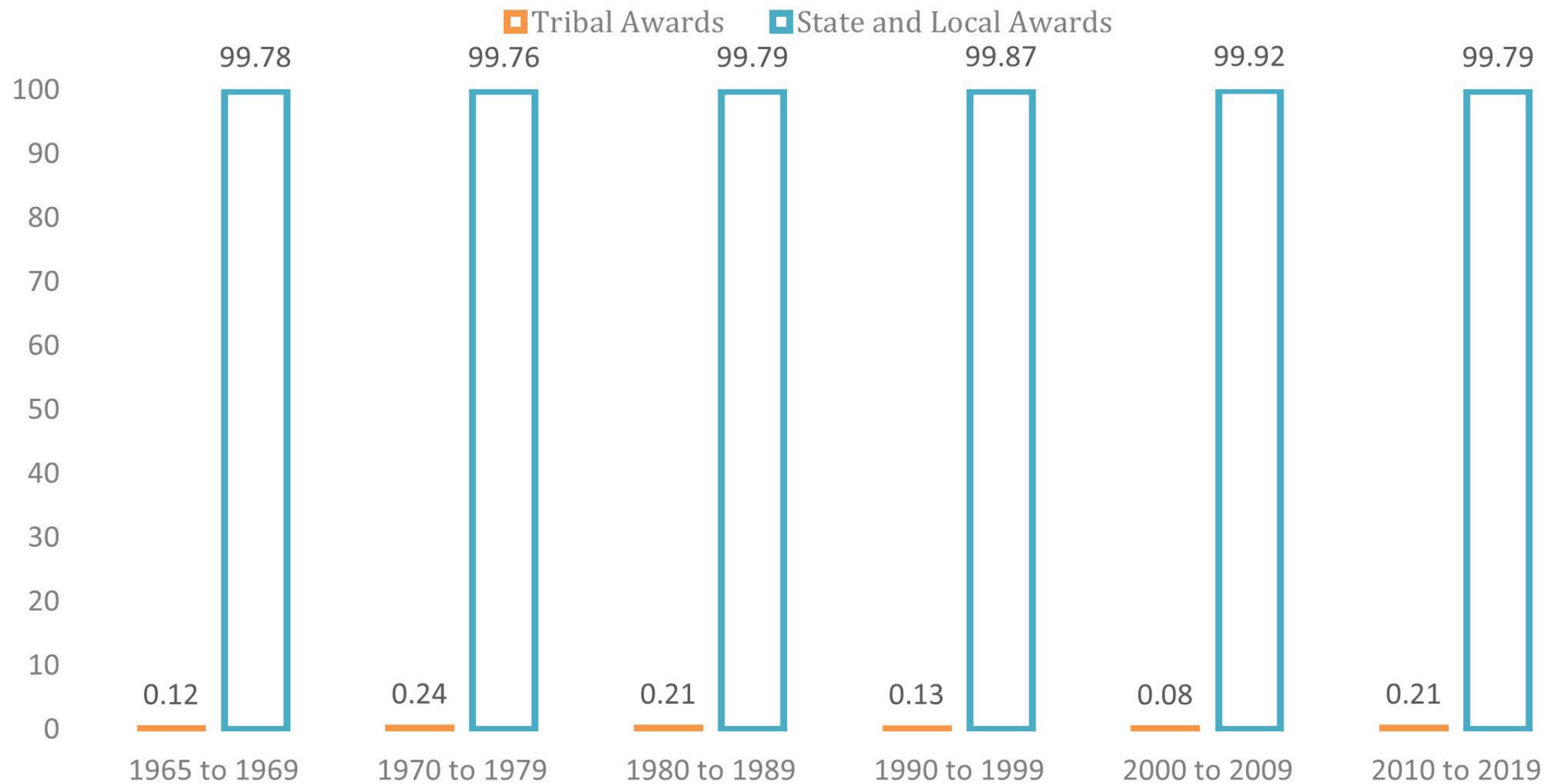
- Provides federal funds to state, local, and tribal governments for the acquisition, development, and planning of outdoor recreation lands;
- Funding is allocated to states based on population and need;
- States select applicants to their state-administered grant programs based on a set of criteria and standards developed based on their Statewide Comprehensive Outdoor Recreation Plan;
- One-to-one match of federal funds and non-federal funds;
- Lands developed or acquired through the State Assistance Program must remain as publicly accessible outdoor recreation lands in perpetuity.

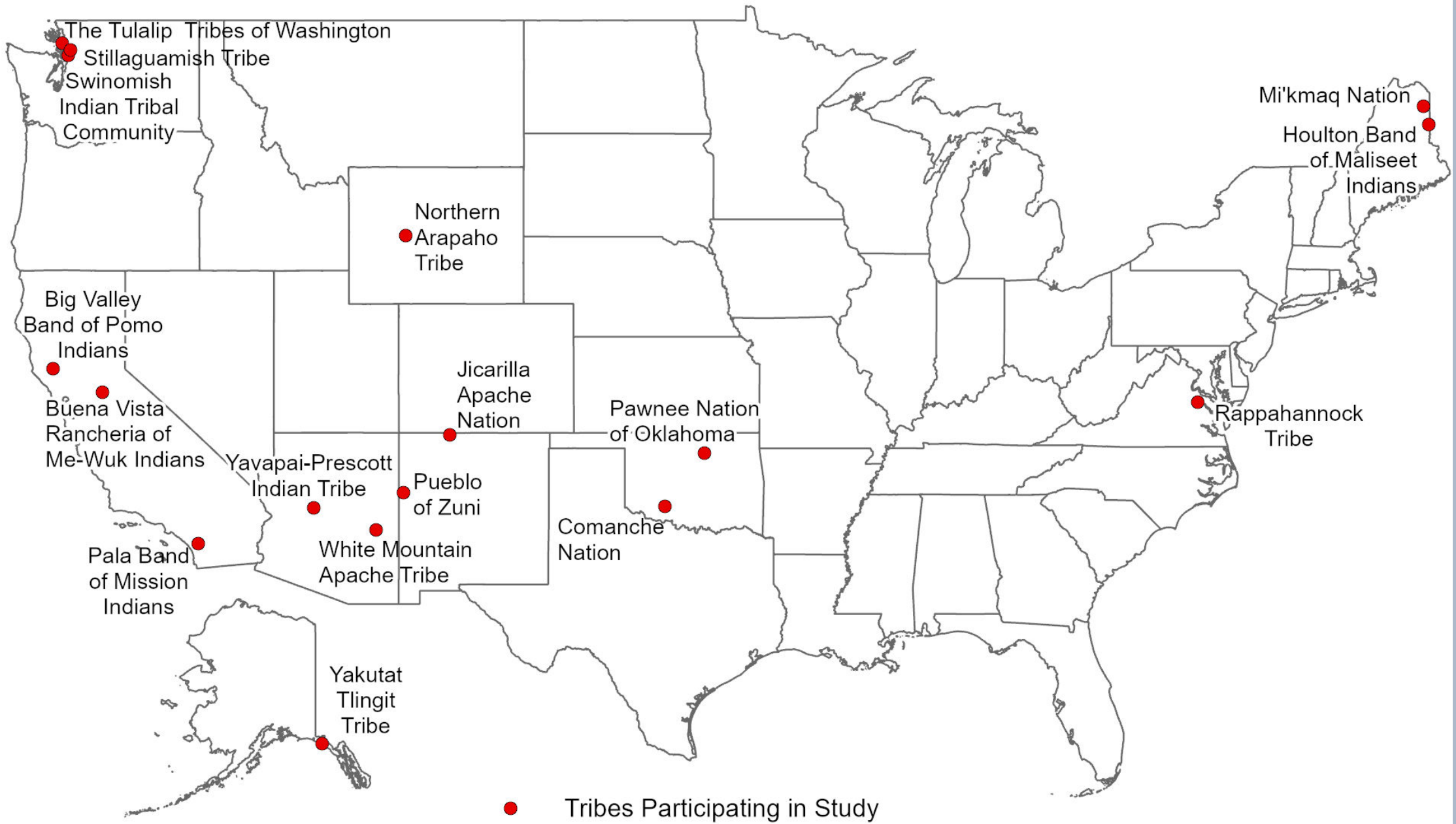
State Assistance Program – Previous Tribal Access

- 90 grants were awarded to tribes, accounting for **only .2 percent** of grant awards.
- Tribal awards \$4.5 million, accounting for **only .1 percent** of grant funding awarded.



Percentage of Grants Awarded to Tribes 1965 to 2019





Interviews with 20 employees of Tribal Nations from 17 different Tribal Nations about LWCF

[The federal government] talk[s] about wanting to work with tribes, but by imposing [the] requirement to work through states, they're really undermining tribal sovereignty by telling the tribal governments that you're not on the same level, that you don't have the ability to go after these funds [directly].

– *Susan Young, Houlton Band of Maliseet Indians*

The public access requirement makes this source of funding unappealing for tribes when [the] purpose of proposed land acquisition is for creating healthy and ecologically-restored landscapes to support tribal treaty rights and exercise and cultural activities that may require privacy. ... *LWCF monies and grant requirements can be at cross purposes with tribal needs, and inconsistent with tribal treaty rights.*

– *Libby Halpin Nelson, Tulalip Tribes of Washington*

Tribes may see that there's opportunities for funding but they don't have somebody on their staff who can follow through with ... that notice of funding opportunity, assess it, find a project that fits it, write the grant proposal, get the support letters. ... So it's just an incredibly onerous thing to apply for a grant and sometimes the money available is not enough to justify the level of effort that a tribe would have to go through, especially with no guarantee of success.

– Shasta Gaughen of the Pomo Band of Mission Indians

We basically rely on grants. So when we look at these grants [as] an income flow for us if it's a matching grant those kind of get pushed to the side and the search continues for ones that aren't matching funds. We constantly are just coming across funds, grants that are matching and we can't even look at it.

– Matt Reed, Pawnee Nation of Oklahoma

Key Recommendation Derived from Interviews

Stand-alone grant program for Tribal Nations that:

- Allows for Indian tribes and tribal consortiums to acquire or develop lands for conservation purposes;
- Be funded at a funding level in proportion to the State Assistance Program;
- Eliminate the matching funds requirement;
- Be considerate of tribal capacity to apply for and manage grants;
- **Be inclusive of tribal perspectives, values, and priorities regarding conservation, recreation, and public access.**

Thank you!

Tribal employee participants:

Mark Altaha (White Mountain Apache Tribe), Jeffrey Blythe (Jicarilla Apache Nation), Amanda Bremner (Yakutat Tlingit Tribe), Crystal C' Bearing (Northern Arapaho Tribe), Kurt Dongoske (Pueblo of Zuni), Shasta Gaughen (Pala Band of Mission Indians), Andrew Gildersleeve (Yakutat Tlingit Tribe), Jason Griffith (Stillaguamish Tribe), Martina Minthorn (Comanche Nation), Ron Montez Sr. (Big Valley Band of Pomo Indians), Libby Halpin Nelson (Tulalip Tribes of Washington), Linda Ogo (Yavapai-Prescott Indian Tribe), Matt Reed (Pawnee Nation of Oklahoma), Kendyl Reis (Mikmaq Nation), Chief Anne Richardson (Rappahannock Tribe), Ivan Senock (Buena Vista Rancheria of Me-Wuk Indians), Amy Trainer (Swinomish Indian Tribal Community), Waylon Traux (White Mountain Apache Tribe), Joanna Vigil (Jicarilla Apache Nation), and Susan Young (Houlton Band of Maliseet Indians).

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