

Department of Defense Plan of Action to Implement the Policies and Directives of Executive Order 13175, Consultation and Coordination with Indian Tribal Governments

Progress Report for 2010-2011

Introduction

Two hundred and fifteen Department of Defense (DoD) installations have cultural or historic affiliations with Native American tribes. Over 70 DoD installations occupy lands within 30 miles of the border of lands controlled by a tribe. In addition, 22 treaties recognize tribal members' rights to fish, hunt, gather, or otherwise continue longstanding use of lands now occupied by DoD installations. Pursuant to the Indian Removal Act of 1830, 20 tribes from the Southeast region were relocated to Oklahoma. These tribes originally occupied lands in areas of seven Southeastern states that now are home to military installations. Many other tribes not removed in the 1830s remain in the South and East.

Federal law requires military installations to consult with all potentially affected tribes when proposed military activities may affect the lands and resources of affiliated tribal nations. Certain DoD operational and training activities essential to the military mission, including weapons testing, practice bombing, training, and field maneuvers have affected American Indian lands and Alaska Native Claims Settlement Act (ANCSA)-conveyed properties.

DoD remains committed to complying with Executive Order 13175 and all applicable Federal laws regarding consultation with tribal governments, as well as DoD's American Indian and Alaska Native Policy (1998) and *DoD Instruction 4710.02: DoD Interactions with Federally Recognized Tribes* (2006) (www.denix.osd.mil/na/policy.cfm). During the reporting period for this annual update, DoD and the Military Departments demonstrated additional commitments to compliance with its obligations to consult with tribal nations. DoD and the Military Departments enhanced further their working relationships with tribal governments and implemented effective consultation initiatives with Federally-recognized tribes on a government-to-government basis.

This report includes summaries of three categories of actions taken by the Office of the Secretary of Defense and each of the Military Departments in compliance with Executive Order 13175 – policy development and implementation; consultation with and outreach to tribes; and collaboration with tribes.

During the August 2010 through July 2011 reporting period, DoD and the Military Departments:

- Conducted over 300 separate consultations with an estimated total of 380 Federally-recognized tribes regarding pending actions or proposed projects;
- Trained over 400 DoD and military personnel to ensure they have the cultural awareness and communication skills they need to engage in timely and effective consultation;
- Provided funding and/or technical support to over 100 tribal governments regarding a variety of environmental and related initiatives of mutual interest, including stream bank protection, erosion control, hazardous waste site assessment and clean up, watershed assessment, flood control, and emergency management related to wildfires and floods;
- Issued a new policy to guide how DoD fulfills its obligations under several Federal laws to consult with Native Hawaiian Organizations (NHOs); and
- Conducted outreach to over 200 leaders of tribal governments and Native Hawaiian Organizations with practical tools, timely insight into DoD programs, and opportunities to engage in consultation on issues of mutual interest.

Summary of Progress 2010 -- 2011

Office of the Secretary of Defense (OSD)

Policy Development and Implementation

The Office of the Secretary of Defense (OSD) collects and analyzes data reported annually by the Military Departments regarding compliance with Federal laws and DoD policy regarding consultation with tribal nations. This section includes highlights of the signs of progress evident during the reporting period.

Compliance With DoD's Consultation Policy

In FY 2009, the Office of the Secretary of Defense within DoD began collecting and analyzing data from the Military Departments on three categories of compliance measures included in DoD Instruction 4710.02 (2006). As of the end of FY 2010, the signs of progress evident from the data reported include:

- Cultural resources – the Military Departments have incorporated a written process regarding consultation with culturally and/or historically affiliated tribes into a significant number of the Integrated Cultural Resource Management Plans (ICRMPs) they are required to develop for each installation. As of the end of FY 2010, the Army has consulted with affiliated tribes to develop 97 percent of installation-specific ICRMPs, the Navy has consulted with affiliated tribes to develop 61 percent of ICRMPs, the Marines have consulted with affiliated tribes to develop 90 percent of ICRMPs, and the Air Force has consulted with affiliated tribes to develop 79 percent of ICRMPs.
- Natural resources – the Army, the Navy, and the Marines have incorporated consultation with tribes with known treaty rights (to hunt; fish; or gather subsistence resources, including plants for medicinal, cultural, or religious purposes) into all of their installation-specific Integrated Natural Resource Management Plans (INRMPs). As of the end of FY 2010, the Air Force has incorporated consultation with tribes with known treaty rights into 20 percent of Air Force installation-specific INRMPs.

Native American Graves Protection and Repatriation Act Compliance

In addition to requirements in the DoD Policy and Instruction 4710.02, the Native American Graves Protection and Repatriation Act (NAGPRA) and the National Historic Preservation Act (NHPA) contain provisions compelling DoD installations to consult with tribes on a government-to-government basis regarding proposed actions or projects. Since the enactment of NAGPRA in 1990, DoD has taken significant steps to ensure Department-wide compliance with its provisions. The Military Departments have consulted with many tribes and NHOs regarding repatriation of human remains and other cultural items as defined in NAGPRA.

OSD annually requests data from the Military Departments to help gauge their progress toward achieving full compliance with NAGPRA. Data collected for FY 2010 reveal that some Military

Departments' efforts have clarified the cultural affiliation of hundreds of cultural items held in their possession, moving them closer toward the goal of repatriation to the affiliated tribes and NHOs. Consultation initiated by one Military Department enabled that Military Department to determine the cultural affiliation of the remains of five individuals in their possession and ready them for transfer to the affiliated tribe. Each of the Military Departments faces significant ongoing challenges in making additional progress toward evaluating their collections, and repatriating human remains and other cultural items as defined by NAGPRA.

Since the last Annual Progress Report was filed, the Government Accountability Office (GAO) recommended Federal agencies submit additional information annually regarding their progress in complying with NAGPRA and a NAGPRA rule regarding disposition of culturally unidentifiable human remains was finalized. In FY 2012, OSD proposes to launch improvements to how we measure performance of the Military Departments regarding compliance with NAGPRA. DoD will measure the status of collections acquired before NAGPRA and those acquired after NAGPRA became law in 1990; this separation reflects recognition that the rules covering disposition of the collections differ depending on when they were acquired. In addition, the revised performance measures will reveal how many cultural items of all types each Military Department repatriated during the previous year and to date. The change will help OSD gather more pertinent and precise information to illuminate the Military Departments' progress and ongoing challenges they face in complying fully with requirements under NAGPRA. With that information, OSD can define a strategy for helping each Military Department achieve additional progress toward reduced inventories of items subject to NAGPRA.

National Historic Preservation Act (NHPA) Compliance

As required by Section 106 of the NHPA, Military Departments routinely provide notice to Federally-recognized tribes and Native Hawaiian Organizations of proposed actions. Later sections of this Progress Report include examples of how the Military Departments consult and coordinate with tribes and NHOs in accordance with Section 106.

DoD Consultation Policy With Native Hawaiian Organizations

The Deputy Secretary of Defense signed the DoD Consultation Policy with Native Hawaiian Organizations on February 3, 2011, concluding a nearly four-year policy development process (www.denix.osd.mil/na/hawaii.cfm). The resulting policy reflects the input from over 200 Native Hawaiian leaders who participated in several community meetings held across the islands in 2007 and 2008.

DoD developed the policy in light of long-standing concerns of NHOs regarding the effects of military actions on resources and places of traditional religious and/or cultural importance to NHOs. DoD also wanted to ensure that it provided the Military Departments clear guidance on consultation with NHOs. The new policy assigns responsibility for consultation, and outlines when to consult, with whom to consult, and how to consult.

OSD revised and incorporated the new Native Hawaiian consultation policy into an instruction – DoDI 4710.03. Signed by the Deputy Secretary of Defense on October 25, 2011, DoDI 4710.03 formally establishes procedures and assigns responsibilities for when, with whom, and how the Military Departments should consult with Native Hawaiian Organizations.

DoDI 4710.03 also provides a framework to develop local processes to facilitate consultation when the Military Departments propose actions that may affect a property of traditional religious and cultural importance to an NHO. DoD hopes the new policy for consultation with Native Hawaiian Organizations:

- yields better coordinated consultation efforts across the Military Departments; supports enhanced progress toward full compliance with NAGPRA in Hawaii;
- fosters enhanced working relationships with NHOs; and
- encourages more consistent efforts by each Military Department in Hawaii regarding when, with whom, and how to consult.

Responses to Tribes' Comments on the DoD Plan of Action and Progress Reports

OSD continues to examine opportunities to address comments tribes submitted online regarding DoD's progress to date in implementing EO 13175. Comments offered and actions taken during this reporting period to address the comments include:

- *Develop enhanced guidance on procedures and measures of performance regarding accountability for consultation and adjust the Policy and DoDI 4710.02 as needed.* OSD heeded that comment and, in response, focused attention on completing the new policy for consultation with Native Hawaiians and initiated discussions with the Military Departments to expand and clarify data requested as part of tracking compliance with DoD's Policy and federal law regarding consultation. (See previous entries in this Progress Report).

In addition, OSD launched an effort to improve measures we use to gauge DoD-wide compliance described earlier in this Progress Report. In FY 2012, OSD will provide the Military Departments detailed guidance on the new measures, citations for relevant laws and regulations, as well as information to clarify how to respond. Never before provided, this guidance will help the Military Departments train staff in how to provide requested information in the most efficient and effective manner possible.

- *Engage in interagency cooperation as much as possible within DoD and across the Federal Government, with the goal to ensure a coordinated response to issues and actions that could affect tribal lands or interests.*

Through 2010 and into 2011, the DoD Senior Tribal Liaison continued to chair the DoD internal working group of representatives of the Military Departments to discover opportunities to enhance collaboration and information-sharing on consultation and related issues, including policy and training. In this reporting period, the internal group reviewed the draft Native Hawaiian Organization policy and Instruction, reviewed the GAO report on NAGPRA compliance to determine how DoD should respond to GAO's recommendations, as well as discussed changes to the measures DoD uses to assess compliance across the Military Departments.

In early 2011, DoD signed a Memorandum of Understanding with the Department of the Interior (DOI) and the Advisory Council on Historic Preservation (ACHP) to participate in the DOI-led Native Hawaiian Federal Interagency Working Group (Working Group).

The member organizations plan to provide guidance to one another on how to comply with laws and administer programs that affect the Native Hawaiian community. The Working Group is currently researching successful strategies for consultation with Native Hawaiian Organizations. The DoD Senior Tribal Liaison represents DoD on the Working Group, providing them with insight into the new DoD policy and the proposed DoDI 4710.cc, and ongoing initiatives to train DoD personnel working in Hawaii on consultation and related issues.

Consultation and Outreach

Web-based Resources for Tribes and DoD Personnel

During this reporting period, OSD enhanced significantly its Native American Affairs website, www.denix.osd.mil/na. Key actions include:

- Implementing a new tribal-inspired design for the site evocative of Native American cultures;
- Reorganizing the site so that information is more readily accessible, labeled more clearly;
- Posting additional background information and tools in the training section of the site;
- Creating a Native Hawaiian page within the site and posting to it the new DoD policy, information on the policy development process, and announcements about upcoming training for DoD personnel; and
- Promoting tribes' and Native Hawaiian leaders' awareness of these web-based tools by distributing to over 1,000 participants at seven national and regional conferences informational fliers on the Native American and Native Hawaiian features of the site.

Policy Documents

Conferences and community meetings remain a key component of outreach activities conducted by the DoD Senior Tribal Liaison. Such events continue to provide OSD with important opportunities to reach American Indian, Alaska Native, and Native Hawaiian leaders with updates on DoD policies and programs. During this reporting period, OSD updated, reprinted, and shared nearly 750 copies of *American Indian and Alaska Native Policy and Department of Defense Instruction Number 4710.02: DoD Interactions with Federally- Recognized Tribes* with tribal representatives who participated in national conferences. . OSD also printed the booklet, *U.S. Department of Defense Directive-Type Memorandum 11-001, Consultation Policy with Native Hawaiian Organizations*, distributing it to NHOs throughout the islands at a series of six community meetings held in July 2011 to announce the new DoD policy and thank Native Hawaiian community leaders for their input.

Brochures

OSD also updated the downloadable brochure, *Programs of Interest to Tribal Governments* and distributed it to over 1,000 participants at seven national and regional conferences held during this reporting period.

Collaboration

American Indian Cultural Communication Course (AICCC)

The DoD Senior Tribal Liaison led a team of expert instructors in conducting sessions of the 3-day American Indian Cultural Communication Course (AICCC) in Colorado Springs, CO for Fort Carson personnel and others (August 2010); Poulsbo, WA for Navy Region Northwest personnel and others from the region (November 2010); and at the U.S. Air Force Academy in Colorado Springs, CO (August 2011). Each session is tailored to: the needs of the requesting military installation; to address military-tribal history and relationships; to highlight the tribal cultures unique to that region; and to reflect insight from representatives of tribal nations from the region. Through these courses, DoD trained a total of over 150 personnel, developing their skills to conduct effective consultations.

Native Hawaiian Cultural Communication Course (NHCCC)

The DoD Senior Tribal Liaison led a team of expert instructors in conducting sessions of the 2-day NHCCC in August 2010 and July 2011. DoD trained over 100 personnel from all of the Military Departments serving in Hawaii, providing them awareness of Hawaiian history, principles and practices of effective consultation with Native Hawaiian Organizations (NHOs), as well as vital information on the laws that trigger consultation with NHOs. DoD held the course at a center that offered direct access to Native Hawaiian speakers who shared with participants insight into Hawaiian culture and history.

Native American Lands Environmental Management Program (NALEMP)

OSD received \$12 million from Congress in FY 2011 for NALEMP. Under NALEMP, DoD enters into agreements with tribal governments to address problems attributable to past DoD activities. DoD-related impacts to tribal lands that NALEMP helps address include: hazardous materials; munitions debris; unsafe buildings or structures; lead-based paint and asbestos; and abandoned equipment. OSD continues to oversee the program. Oversight includes monitoring progress on over 40 ongoing NALEMP Cooperative Agreements (CAs) with nearly as many tribes. In July 2011, OSD signed a Memorandum of Agreement (MOA) with Holy Cross Village, Alaska; this tribe is new to NALEMP. DoD uses consultation to develop the MOAs and CAs with NALEMP partner tribes. Twenty-three tribes benefitted from funding provided under NALEMP in FY 2011 to mitigate environmental contamination. To date, DoD has executed over 200 CAs with over 50 tribal nations at a total funding level of over \$89 million.

Department of the Army (DoA)

Policy Development and Implementation

Army policy (Army Regulation 200-1) includes all legal requirements for Native American consultation. The goal of Army policy is to empower installation commanders to represent the Army in government-to-government consultation with tribes culturally or historically affiliated with installation lands. Headquarters-based leaders assist installation commanders and their staff in complying with Defense and Army policy on consultation. New developments during the reporting period include:

- The Deputy Assistant Secretary of the Army for Environment, Safety and Occupational Health (DASA(ESOH)) designated a new Army Liaison for Native American Affairs (ALNAA) to ensure the Army fulfills its obligations regarding government-to-government consultation with Federally-recognized tribes. (March 2011)
- The Assistant Chief of Staff for Installation Management disseminated policy guidance ensuring, where applicable, all Army installations move to formalize Memorandums of Understanding outlining consultation protocols with each Federally-recognized tribe with a cultural or historic affiliation with the installations. (May 2011)

Consultation and Outreach

- *Hawthorne Army Depot in Nevada (HWAD) – Tui Chub Project* – the outreach program of this installation involves ongoing consultation and partnership with the Walker River Paiute Tribe of the Walker River Reservation (Walker River Paiute). Together, they launched a project to protect the population of tui chub fish found in Walker Lake, on the northern edge of the installation. Tui chub are culturally important to the Walker River Paiute and are part of the food chain for the cutthroat trout; each of these fish species is on the Federal and State endangered species lists.. HWAD supports the Bureau of Land Management (BLM) activities that help manage the bed and banks of Lake Walker. Severe evaporation of the lake from years of continuous drought caused an increase of Totally Dissolve Solids (TDS) in the lake to levels that threatened the survival of the tui chub in 2010. Beginning in 2011, HWAD staff launched a partnership with the State of Nevada Department of Wildlife and the Walker River Paiute Tribe of the Walker River Reservation to establish a breeding population of tui chub. Led by the Department of Wildlife, the partners netted and released tagged fish, involving both adult and school age tribal members in helping maintain this key subsistence resource for the Walker River Paiute Tribe.

Collaboration

- *Hawthorne Army Depot (HWAD) in Nevada – Mercury Shipment Project* – HWAD invited the Walker River Paiute Tribe of the Walker River Reservation in Nevada to participate in the Risk Assessment conducted for the storage and shipment of elemental mercury to Hawthorne Army Depot to consolidate reserve stockpiles held by DoD. HWAD emergency management personnel trained Schurz Fire Department personnel from the Walker River Indian Reservation in use of mercury monitoring devices and how to clean up mercury spills that could occur during transport of mercury shipments. During the time of the shipment, HWAD also temporarily extended its hazardous materials response area for accidental spills to encompass a 45-mile radius around the Walker River Reservation. A Memorandum of Agreement between HWAD and the Walker River Paiute Tribe stipulated services and incident response for the Reservation in the event of an accidental spill of mercury. No spill occurred. (2011)

- *Hawthorne Army Depot (HWAD) in Nevada – Wild Horse Project* – HWAD partnered with the BLM, the Walker River Paiute Tribe, the U.S. Fish and Wildlife Service (USFWS), the Nevada Department of Wildlife, and the U.S. Forest Service (USFS) to secure the northern border of HWAD’s property. As part of this effort, HWAD consulted with all parties with regard to BLM’s impending management of the wild horse herd that lives on a training range along the installation’s northern border. The range is scheduled for closure, so HWAD staff will lead a project to erect fencing to keep out the herd and clear the area of unexploded ordnance (UXO). (2011)

U.S. Army Corps of Engineers (USACE)

Policy Development and Implementation

The U.S. Army Corps of Engineers is a major command within the Department of the Army. USACE’s active Tribal Nations Program has expanded since its inception in 1996, resulting in improved relations with tribes. USACE adopted its Tribal Policy Principles on February 18, 1998 following nationwide listening sessions with tribes led by USACE District and Division office staff. Executive Order 13175, signed by President Clinton on November 6, 2000, and the Presidential Memorandum on EO 13175, signed by President Obama on November 5, 2009, have provided additional momentum to assess and refine our consultation and collaboration practices. The Chief of Engineers reissued the Tribal Policy Principles in a May 10, 2010 memo to staff. Earlier in 2011, USACE staff completed the draft of a USACE Consultation Policy grounded in the principles adopted in 1998:

- Meet the trust responsibility;
- Honor the government-to-government relationship;
- Acknowledge the inherent sovereignty of tribes;
- Engage in pre-decisional consultation;
- Protect natural and cultural resources when possible; and
- Find opportunities to use existing authorities to encourage economic capacity building and growth.

The local offices of USACE lead the consultation effort, with the District- or Division-based Tribal Liaison as the lead point-of-contact. A Headquarters USACE-based Senior Tribal Liaison is the link to the field staff, overseeing the national program and advising a team of expert professionals in making decisions on issues that affect Indian Country. The Policy Principles provide guidance to District-based engineers on when and how to engage in government-to-government consultation with tribes that reside, or formerly resided, in the area of responsibility of that District.

Consultation and Outreach

Highlights of USACE Districts' consultation initiatives in 2011 include:

- *Missouri and Mississippi Rivers (Omaha District)*. This project involved consultation regarding the potential effects of flooding with approximately 40 tribes along the Missouri and Mississippi Rivers. The Omaha District has consulted or visited with the Chippewa-Cree of the Rocky Boy's Reservation, Montana; the Shoshone Tribe of the Wind River Reservation, Wyoming; the Arapahoe Tribe of the Wind River Reservation, Wyoming; the Winnebago Tribe, Nebraska; the Standing Rock Sioux Tribe of North and South Dakota; the Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota; the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota; the Yankton Sioux Tribe of South Dakota; the Flandreau Santee Sioux Tribe of South Dakota; the Blackfeet Tribe of the Blackfeet Reservation in Montana; and the Omaha Tribe of Nebraska, among others. The Memphis District continues to consult with a tribal coalition headed by the Quapaw Tribe of Indians, Oklahoma; and Osage Nation, Oklahoma. The New Orleans District initiated contact with the Chitimacha Tribe of Louisiana, with the intent to consult with that tribe.

- *Las Conchas Wildfire (Albuquerque District)*. USACE is consulting the Pueblos of Cochiti, Santa Ana, Nambe, Santa Clara, Santo Domingo, San Ildefonso, and Jemez, in New Mexico, and other tribal communities in its area of operation concerning the effects of the Las Conchas wildfire and subsequent flash flooding in the spring and summer of 2011. The District supplied sand bags to and provided flood response training to several pueblos on request.

- *Great Lakes and Mississippi River Inter-Basin Study (Chicago District)*. USACE continued in 2011 to consult 99 tribes in the ongoing environmental review.

- *Kinzua Dam (Pittsburgh District)*. USACE has renewed consultation with the Seneca Nation regarding erosion control on their homelands near Kinzua Dam.

- *USACE-wide NAGPRA compliance*. The requirement to consult with tribes to facilitate repatriation is an obligation based in the Native American Graves Protection and Repatriation Act (NAGPRA) of 1990. In July 2010, the U.S. Government Accountability Office (GAO) released the results of its audit of eight federal agencies regarding compliance with NAGPRA. The GAO report to Congress identified USACE as leading the other agencies in evaluating, consulting with tribes, as well as progressing toward repatriation of human remains and cultural items. As of June 2011, all USACE Districts have completed initial summary requirements, and over 95 percent of the collections with human remains have been inventoried. USACE Districts are working with tribes to determine affiliations, if possible. As of June 2011, USACE Districts, including the Mandatory Center of Expertise (MCX) for Curation (St. Louis District), consulted with affiliated tribes in order to complete repatriation of 808 individuals, 43,888 associated funerary objects, and 2,968 unassociated funerary objects. USACE continues work to

comply with the requirement to repatriate significant numbers of human remains and cultural items affiliated with tribes that remain in its possession and control.

- *Tribal Partnership Program, Section 203 of the Water Resources Development Act (WRDA) of 2000 (Los Angeles, Albuquerque, Detroit, New England, Omaha, Alaska, Kansas City and Jacksonville Districts).* These USACE Districts initiated studies funded under Section 203 of WRDA 2000 (Tribal Partnership Program). Tribes with ecosystem restoration studies or flood control studies funded under the program include the Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota; the Tohono O'odham Nation of Arizona; the Havasupai Tribe of the Havasupi Nation of Arizona; the Hopi Tribe of Arizona; the Navajo Nation of Arizona, New Mexico, and Utah; the Soboba Band of Luiseno Indians, California; the Pueblo of Jemez, New Mexico; the Pueblo de Santa Ana, New Mexico; the Houlton Band of Maliseet Indians of Maine; the Passamaquoddy Tribe of Maine; the Native Village of Shishmaref, Alaska; Newtok Village, Alaska; the Native Village of Unalakleet, Alaska; the Native Village of Tazlina, Alaska; the Angoon Community Association, Alaska; the Fond du Lac Band of Lake Superior Chippewa Indians, Minnesota; the Bad River Band of the Lake Superior Chippewa Indians, Wisconsin; the Saginaw Chippewa Indian Tribe, Michigan; and the Miccosukee Tribe of Indians of Florida.
- *Watershed Assessment Cost Sharing Agreement (WACSA) (Albuquerque District).* USACE Albuquerque drafted the first Federal Cost Sharing Agreement (FCSA) for a watershed study under Section 203 of the WRDA. The Pueblo of Santa Clara, New Mexico, and the Assistant Secretary of the Army for Civil Works, plan to sign the Agreement in 2011.
- *Interagency and International, and Investigations Programs (Tulsa District).* The Tulsa District is assisting several tribes with design review and construction management for an \$ 8.5M clinic project. The tribes include the Cherokee Nation, Oklahoma; the Quapaw Tribe of Indians, Oklahoma; the Seneca-Cayuga Tribe of Oklahoma; the Ottawa Tribe of Oklahoma; the Miami Tribe of Oklahoma; the Peoria Tribe of Indians of Oklahoma; the Eastern Shawnee Tribe of Oklahoma; and the Modoc Tribe of Oklahoma.
- *Permit application review under Sec. 404 of the Clean Water Act and Sec. 10 of the Rivers and Harbors Act (Sacramento District).* The Districts mapped the region, overlaying the boundaries of tribal lands, to assist the Regulatory Division to pinpoint the need for consultation with tribes as part of the application process.
- *Hydrology and interior drainage analysis of the Iowa River (Rock Island District).* The District negotiated a scope of work with the Sac and Fox Nation, Oklahoma, under USACE's Planning Assistance to Tribes and States authority under Section 22 of the Water Resources Development Act.

The focus of USACE's military mission includes civil works projects and military construction. Each of these aspects of its mission could affect tribes in the area of responsibility for a District or Division. USACE presence at the annual conferences of various organizations that represent

tribes and their interests helps promote awareness of USACE policies and projects among leaders of potentially affected tribes. In 2010 and 2011, USACE exhibited educational materials and/or presented workshops on its policies or key environmental and public works initiatives at meetings of the National Congress of American Indians, National Tribal Environmental Council, the Society for Native American Government Employees, and the Indian Nations' Conservation Alliance. In November 2011, USACE staff plan to present a session on partnerships with Indian Country at the American Water Resources Association Conference.

USACE co-sponsorship of the American Indian Science and Engineering Society (AISES) helps the effort to recruit young Native American graduate students to join the agency. AISES selected a Native American engineer from USACE as its Professional Engineer of the Year. The USACE Tribal Liaison-led outreach to tribal nations in 2010 and 2011 also included posting updated information and tools for USACE staff and tribes to the tribal issues pages of the USACE website at [www.usace.army.mil/CECW/TribalIssues/Pages/Article Template.aspx](http://www.usace.army.mil/CECW/TribalIssues/Pages/Article%20Template.aspx). The pages include registration information for upcoming consultation training sessions, links to web-based tools and resources on how to conduct effective consultation with tribes, and opportunities to link to other Federal agencies working with tribes. In 2011, USACE published a new handbook for tribal leaders entitled, *How to Plan a Water Resources Project with the US Army Corps of Engineers: A Guide for Tribal Governments*.

Collaboration

USACE offers its personnel an opportunity to attend its free, two-and-a-half-day training course, *Consulting with Tribal Nations*. The course agenda includes sections on USACE policy, history of Indian law, consultation strategies, cross cultural communication, a review of USACE authorities and programs, and presentations by speakers from the tribes of the area. Each session is tailored to the issues facing the host District. Thirteen of USACE's Districts have hosted at least one session of the course, with over 500 personnel trained since 2005. Sessions proposed for the next 12 months include a session hosted by the Alaska District and a spring 2012 training, likely hosted by the St. Paul District and the Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin (Lac du Flambeau).

USACE offers a unique cultural immersion course entitled *Native American Perspectives and Corps Missions*. Classes are four days long and take place on an Indian reservation. Sessions are routinely offered with the Confederated Tribes of the Umatilla Reservation, Oregon; the Lac du Flambeau nation; the Osage Nation, Oklahoma; and the Pueblo de Cochiti, New Mexico. The interactive course includes group activities and exposure to traditional foods. The sessions offer insight into USACE's Environmental Operating Principles through the eyes of the indigenous culture.

USACE devotes three days of the annual week-long training session for USACE planners to tribal issues and cultural resources issues of interest to tribal nations. The annual New Commanders Course and the annual Regulatory Executive Seminar also address issues of interest to tribal nations.

The USACE Senior Tribal Liaison and select regional staff continue to visit individual Districts upon request to facilitate consultation sessions. The Jacksonville, FL; Philadelphia, PA; and

Alaska Districts held such sessions to address issues of mutual interest to tribal nations and District staff.

Ongoing USACE programs that support tribes include the Planning Assistance for States and Tribes Program (PAST) and the Continuing Authorities Program (CAP). CAP helps tribes with small projects, including stream bank protection and erosion control. Section 203 of the Water Resources Development Act (WRDA) of 2000 (reauthorized as Section 2011 of WRDA 2007) is the Tribal Partnership Program, an authority that allows for a wide range of projects to support tribes, including studies of cultural resources of interest to tribes. As of FY 2010, nearly 100 tribes have taken advantage of the CAP program and Section 203 of WRDA-related studies. The most popular type of project under Section 203 is currently ecosystem restoration.

Section 208 of WRDA 2000 allows the Corps to rebury Native American human remains inadvertently discovered on Corps lands to another, safer location on Corps lands in consultation with the Tribe claiming them. The Corps is authorized to pay for certain reburial expenses.

Department of the Navy (DoN)

Navy activities are presented first, followed by Marine Corps activities. Navy activities are organized by region and installation. Tribal consultations conducted by Navy organizations are grouped by: government-to-government consultations; consultations under Section 106 of the National Historic Preservation Act (NHPA), National Environmental Policy Act (NEPA), and/or the Native American Graves Protection and Repatriation Act (NAGPRA); and other tribal consultations. Marine Corps activities are summarized at a national rather than regional level, with the exception of consultations conducted by Marine Corps Bases Hawaii (MCB Hawaii), which involve Native Hawaiians and Native Hawaiian Organizations (NHOs) rather than Native American tribes or Native Alaskan villages.

Policy Development and Implementation

The DoN defines and outlines Navy-wide responsibilities and procedures for consultation with tribes in the *Department of the Navy Policy for Consultation with Federally Recognized Indian Tribes (SECNAV Instruction 11010.14A, 2005)*. Augmented by the DoN Instruction, *DoN Guidance for Consultation with Indian Tribes*, DoN policy outlines the suite of applicable legislative and regulatory requirements, Federal trust responsibility, potential areas of tribal concerns, and the appropriate general procedures for conducting consultation. A key objective for DoN is “to build a permanent, working relationship of respect, trust, and openness with tribal government representatives.”

Guidance for implementing the DoN Instruction assigns clear responsibilities and specific procedures at regional and installation levels. Marine Corps Order (MCO) 5090.2A, change 2, Chapter 8 “Cultural Resources Management” (May 2009) provides policy and guidance for the U.S. Marine Corps (Marine Corps) regarding consultation with Federally-recognized tribes and Native Hawaiian Organizations. The U.S. Navy (Navy) Environmental Readiness Program

Manual (OPNAVINST 5090.1C, change 3, Chapter 27 “Cultural Resources Management” (OCT 2007) provides policy and guidance for Navy commands.

Navy Region Northwest (NRNW)

The NRNW continued to implement the *NRNW Policy for Consultation with Federally-Recognized American Indian and Alaska Native Tribes* (COMNAVREGINST 11010.14 of November 10, 2009), which provides the framework and procedures for region-wide government-to-government consultation within the NRNW area of responsibility (AOR): Washington, Oregon, Idaho, Alaska, Montana and Wyoming. To continue implementation of this policy across the region, the Commander, NRNW issued the “*Tribal Government-to-Government Consultation: Best Practices (First Edition: March 2011)*” guidance document to standardize internal consultation procedures in the geographic area of responsibility. Additionally, the NRNW established a consultation clearinghouse web-based intranet portal to share information on consultation policies, practices and tools, training resources, tribal culture and history, and information on project-specific consultations.

Marine Corps

The Marine Corps maintains 17 installations within the continental United States; of these, archival research and consultations with Native American tribes helped identify 13 installations as having ancestral lands of a tribe(s) within installation boundaries. The number of tribes with ties to USMC installations range from 3 tribes for the Mountain Warfare Training Center in Bridgeport, CA, to more than 36 tribes for the Chocolate Mountains Aerial Gunnery Range in California. Three installations have negotiated Memoranda of Understanding with affiliated tribes, while the remaining installations adopted standard operating procedures for consultations within their Integrated Cultural Resources Management Plans (ICRMPs). The Marine Corps facilities in Hawaii, managed by Marine Corps Bases Hawaii (MCB Hawaii), consult with Native Hawaiians and NHOs, in compliance with Federal law, DoD policy, and DoN policy.

Consultation and Outreach

During the reporting period, DoN actions to implement and ensure compliance with DoD and DoN policy and applicable Federal laws included more than 175 separate consultations with over 40 Federally-recognized tribes.

Navy Region Northwest (NRNW)

Commanding Officers (CO) at all four major Navy installations in the Northwest Region remain involved in numerous government-to-government consultations with tribes each year. Projects addressed in these meetings and discussions range from critical infrastructure improvements, repairs, erosion control and ordnance cleanup and the development of an Integrated Natural Resources Management Plan (INRMP). The scope of analysis of the projects that trigger National Environmental Policy Act (NEPA) consultation requirements ranges from categorical exclusions to Environmental Impact Statements (EIS). The Northwest region seeks to engage in open dialogue with meaningful and productive relationships with tribes to further the Navy mission while addressing the unique resources of the area.

All actions identified as government-to-government consultation with tribal nations follow the procedures identified in the NRNW Instruction (COMNAVREGINST) 11010.14. Government-to-government consultation in the NRNW requires direct involvement by the Commanding Officer from the invitation letter stage through formal meetings with tribal leaders. Consultation meetings may address one or multiple projects. Installation environmental staff supports the CO in the planning, execution, follow-up, and documentation for these efforts. Concerns of tribes in the Pacific Northwest often relate to access to "usual & accustomed" (U&A) rights to fishing, hunting and gathering areas, protection of fisheries and supporting habitats, and mitigation of potential impacts to tribal rights and resources.

The NRNW conducted two consultations since August 2010, each supported by the Region's environmental team. The team consulted 30 tribes beginning in July 2007 and concluding in October 2010, regarding the U.S. Pacific Fleet's Northwest Training Range Complex Environmental Impact Statement (EIS). The team consulted 12 tribes from March 2008 through May 2011 regarding the U.S. Pacific Fleet's Gulf of Alaska Navy Training Activities EIS.

The Naval Base Kitsap (NBK) Commander and his staff in Washington state conducted consultation with numerous tribes on 31 separate projects at seven different sub-installations (Bangor; Bremerton; Jackson Park; Keyport; Manchester; Zelatched Point; and Spruce Cape, AK). The Navy's Spruce Cape Cold Weather Training Facility is included in the NBK area of responsibility; the NBK Command and his staff consulted with two Alaska Native tribes regarding proposed construction projects. Other consultation led by the NBK Commander and his staff involved repairs to infrastructure (railroad trestles, piers, and wharves), construction of infrastructure, and development of a facility-specific INRMP. NBK staff negotiated two Memoranda of Agreement (MOA) with the Suquamish Tribe of the Port Madison Reservation, Washington (Suquamish Tribe) regarding fishing rights at Bremerton and Keyport.

Four sub-installations within NBK consulted with up to five tribes in accordance with Section 106 of the National Historic Preservation Act (NHPA) on a total of eight projects including construction and demolition of buildings, environmental cleanup, transfer of excess property, and post-review discovery of archaeology sites. Tribes consulted did not express any concerns about the proposed projects. (2011)

Other consultations NBK staff conducted with tribes addressed subjects unique to the region; the results of those consultations included drafts of agreements regarding several projects proposed by NBK. The projects included: an in-lieu fee compensatory mitigation program in Hood Canal; a cedar bark harvest by the Suquamish Tribe and an annual shellfish harvest event by the Skokomish Tribe, the Port Gamble Indian Community of the Port Gamble Reservation of Washington, and the Port Gamble S'Klallam Tribe of Washington. NBK staff negotiated two Cooperative Agreements with two of the tribes for proposed mitigation projects, including removal of a culvert for Bremerton, WA, and purchase of property for a new pier at Chico Creek, Washington. (August 2010)

Staff at Naval Magazine Indian Island (NAVMAG) in Washington State initiated government-to-government consultation with up to four tribes on nine distinct projects, including wharf repair and pier upgrades to a tribal beach seeding event and development of a shellfish harvest plan.

NAVMAG Indian Island staff started work on two agreements with the Suquamish Tribe during the reporting period. The agreements include an MOA for shellfish enhancement and harvest at Naval Magazine Indian Island and a Cooperative Agreement to support shellfish enhancement projects in late 2010 and 2011. The shellfish project is required by the 2009 MOA with the tribe; the MOA calls for a new force protection barrier and compliance with tribal fishing rights granted by treaty. (August 2010) NAVMAG staff also consulted with two tribes regarding the Jefferson County Public Utility District Waterline Easement Project, in accordance with Section 106 of NHPA. (2010-2011)

Other consultations at NAVMAG involved important discussions with the Point No Point Treaty Council tribes on an agreement regarding tribal lands for a proposed forage fish survey; and a Cedar Bark Harvest Event proposed by Suquamish Tribal elders. (May 2011)

At Naval Air Station Whidbey Island (NAASWI) in Washington, government-to-government consultations included development of an installation-specific Integrated Natural Resources Management Plan (INRMP) and an Integrated Cultural Resources Management Plan (ICRMP), as well as the large-scale Naval Weapons Systems Training Facility Boardman EIS. Additionally, NASWI staff negotiated a draft MOA with the Suquamish Tribe for fishing access, and in the Crescent Harbor Marsh project, consulted tribes regarding “U&A” fishing area treaty rights. (August 2010)

NAWSI staff consulted with several tribes under Section 106 of the NHPA on a total of 13 distinct projects regarding Whidbey Island. The projects included fuel line and range enhancements, sewer berm repair, replacement of pilings, and installation of a fence line. NAWSI staff also consulted with tribes on an upcoming archaeological survey and monitoring at an existing archaeological site. One ongoing consultation with the Swinomish Indians of the Swinomish Reservation, Washington, addressed requirements under NAGPRA regarding disposition of an archaeological collection from Maylor’s Point, WA. (2010-2011)

Naval Station (NAVSTA) Everett in Washington initiated government-to-government consultations with up to five tribes on seven distinct projects. The projects discussed in the consultation sessions included the NAVSTA Everett and NRS Jim Creek INRMP; and construction and maintenance projects for a small craft launch, radar repairs, and waterfront repairs. NAVSTA staff conducted a government-to-government consultation with the Coeur D’Alene Tribe of the Coeur D’Alene Reservation, Idaho, for the Acoustic Research Detachment project in Bayview, Idaho. (October 2010 – May 2011)

Everett-based staff engaged up to five tribes in consultation driven by NEPA and Section 106 requirements. The consultation sessions focused on three proposed projects: construction of a small craft launch; demolition of a pier; and replacement of a pier. None of the five tribes consulted expressed any specific concerns with any of the proposed projects. (2010)

Other consultation led by Everett-based staff focused discussions with the Stillaguamish Tribe of Washington on a proposed hazard tree removal project. (February 2011)

Naval Facilities Engineering Command NW (NAVFAC NW) and Naval Facilities Engineering Command Atlantic (NAVFAC Atlantic) supported ongoing consultation with the Ukpeagvik

Inupiat Corporation of Alaska to address NAGPRA repatriation and curation requirements (per 36 CFR Part 79) for archaeological collections generated from formerly owned Navy land in Point Barrow, Alaska. (2010)

At the request of the Suquamish Tribe, NRNW environmental staff entered into staff-level communications regarding the possible development of a Programmatic Memorandum of Agreement on overall consultation processes between the Navy and the Suquamish Tribe for Navy proposed actions occurring in the tribes' "U&A" fishing and hunting areas. (March 2011)

Navy Region Southwest (NRSW)

The Southwest region includes seven major installations covering an area of responsibility that includes parts of Arizona, California, Nevada, New Mexico, Utah, and Colorado. Numerous tribes have historic and cultural affiliations to the land and several tribes live on lands adjacent to or close to Navy bases. The region command supports ongoing consultation with these tribes by installation-level leaders and appropriate staff.

Command staff from Naval Air Station El Centro in California consulted Quechen Tribe of the Fort Yuma Indian Reservation, California and Arizona (Quechen Tribe), regarding the Desert Oasis Resort project, a development the tribe proposes to construct in an area just southeast of the Parachute Drop Zone at El Centro. As proposed, the resort constitutes a potentially significant encroachment concern for the Navy. The Commanding Officer held a consultation session with Quechen Tribe leaders to discuss the military mission of El Centro and his concerns with the project as proposed. (May 2011)

Command staff at NAS El Centro facilitated consultation with four tribes regarding two distinct projects. El Centro staff consulted four California tribes regarding a proposed geothermal development project that would require access to Navy property. Of the two tribes that responded, one tribe requested relocation of the project and another participated in a site visit, voicing no concerns (August 2010). None of the tribes expressed any concerns regarding a proposed prescribed burn project. (January 2011)

Command staff from Naval Radio Transmitter Facility Dixon (NRTF) in California engaged the Yocha Dehe Wintun Nation, California, and the Colusa Rancheria (state-recognized tribe) regarding a proposed agricultural outlease renewal project. NRTF confirmed the location of significant archaeological sites in the area of the project that may be of potential interest to one or both of the tribes. The Navy provided each tribe a copy of the survey report and site records and conducted a site visit. (2011)

Detachment Concord staff in California coordinated consultation with nine California tribes regarding a proposed railcar removal project. Participating tribes requested more information, concurred with the Navy's findings about the project, and conveyed no specific concerns or significant long-term interest in the proposed project. The tribes also requested they be notified in a timely way in the event of unanticipated discoveries of prehistoric artifacts within the project area. (2011)

Naval Air Station (NAS) Lemoore in California has initiated consultation with eight California tribes regarding the Digital Airport Surveillance Antenna Project. (2011)

Naval Air Station (NAS) Fallon in Nevada staff facilitated consultations with tribes on three distinct projects, including a U.S. Geological Survey (USGS)-led project involving groundwater testing on Navy property, development of the installation's Encroachment Action Plan (EAP), and archaeological surveys of a bombing range. As part of meetings held between the Fallon Paiute Shoshone Tribe, the Navy, the USGS, and a representative from the Fallon Paiute Shoshone Tribe, the group inspected proposed well locations for the groundwater project. The tribe's primary concern may relate to a broader Navy proposal that would develop and export water from Churchill County. (2011)

NAS Fallon's proposed EAP will analyze potential and Navy encroachment on surrounding areas. NAS Fallon command staff invited 10 tribes to a meeting at the base to learn about the project and express any concerns. The tribal chairman and council members from the Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada (Paiute-Shoshone Tribe of Fallon), participated in a June 15, 2011 meeting about the plan and expressed no concerns. Additional consultations held with the same tribe in May 2011 involved the Bombing Range Bravo-16, specifically a proposed archaeological inventory survey of the area. The tribe agreed to participate in a meeting with NAS Fallon staff to discuss traditional uses of the area that could be affected by the survey. Since then, the same tribe invited installation leaders to visit the project site accompanied by tribe elders. (Spring – Summer 2011)

In early 2011, a representative of the Fallon-Paiute Shoshone Tribe of the Fallon Reservation and Colony, Nevada (Fallon-Paiute Shoshone Tribe), expressed concerns to NAS Fallon leaders about jet noise associated with the low-altitude takeoffs from the installation. NAS Fallon leaders participated in meetings held in March and May of 2011 to discuss the tribe's concerns. The boundary of the Fallon-Paiute Shoshone Tribe's Fallon Reservation lies just a few miles north of the NAS Fallon runway, within the flight path of aircraft takeoff trajectories. (2010-2011)

Naval Air Weapons Station (NAWS) China Lake staff in California engaged in 57 consultations with a total of seven tribes during the reporting period. The subjects of these consultations varied considerably and included: infrastructure improvement projects, such as road construction and repair; building rehabilitation; fiber optic installations; and ground source heating projects. Other projects included rehabilitation of an archaeological field school, a training exercise, military construction, and development of the installation-specific ICRMP. (2010-2011)

Naval Base (NB) Ventura County in California conducted consultations with one California tribe regarding 14 separate proposed building demolition and renovation projects, with the tribe expressing no concerns about any of the projects. (2010-2011)

Utilizing the NEPA EIS process to comply with Section 106 of the NHPA (in accordance with 36 CFR 800.8(c)), Naval Base (NB) Coronado staff in California consulted 12 of the Kumeyaay Nation of California tribes regarding the proposed Silver Strand Training Complex (SSTC) project. NB Coronado demonstrated compliance with Section 106 by citing the stipulation under the 2003 San Diego Metro Area Programmatic Agreement (PA) for a programmatic

determination of "no adverse effect." None of the tribes consulted expressed any concerns with the proposed project. (2011)

Navy Region Southeast (NRSE)

NAVFAC SE command staff conducts and promotes tribal consultation and coordination initiatives for NRSE. The NAVFAC SE area of responsibility (AOR) comprises the states of South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas. NAVFAC SE routinely engages 29 tribes regarding proposed actions that could affect sites of religious or cultural importance to tribes as defined in 43 CFR 7.32a, and/or other tribes currently living outside the region which have demonstrated interest and standing in regard to "ancestral, aboriginal, or ceded lands" within the region (pursuant to 36 CFR 800.2(c) (2) (ii) (D)). (2010-2011)

The staff of the Cultural Resources Core (Core) office at NAVFAC SE coordinates consultation regarding proposed activities and projects in the region or area of responsibility, including those that relate to requirements under Section 106 of the National Historic Preservation Act (NHPA). The Core staff conducted numerous in-house training sessions in Jacksonville, FL, and throughout the area of responsibility for key staff regarding compliance with Section 106 of the NHPA. The Core staff support their colleagues in fulfilling the legal requirement to proactively consult with tribes providing information on classes offered by the Navy's Civil Engineer Corps Officers' School (CECOS) in historic preservation law, advanced Section 106 instruction, and communication with Native American cultures. (2010-2011)

NAVFAC SE routinely consults with tribes regarding proposed undertakings in its area of responsibility. In particular, NAVFAC SE engages those tribes with demonstrated interest and cultural affinity to naval installations and in projects proposed by the Navy that could affect historic property sites of religious or cultural importance to the tribe(s) (as defined in 43 CFR 7.32a). In addition to Section 106 compliance, the Core at NAVFAC SE regularly engages installation environmental staff to help consult with tribes in the early stages of the NEPA compliance process for a pending project. Staff support requested includes distributing scoping letters and project documentation including, "Description of the Proposed Action and Alternatives" (DOPAA), Environmental Assessments (EA), and Environmental Impacts Statements (EIS). All tribal correspondence carries legal assurances that if the Navy identifies "cultural items" subject to the provisions of the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) in the course of archaeological survey or subsequent project action, the Navy will initiate consultation with their tribe within 72 hours of the discovery. (2010-2011)

NAVFAC SE consulted 18 tribes regarding a proposed golf course improvement project at Naval Air Station (NAS) Pensacola in Florida. Though near known prehistoric sites, including the disturbed remains of a Late Woodland burial mound and village, the proposed project would not affect those sites. NAVFAC SE staff addressed with the tribes the potential for inadvertent discoveries pursuant to NAGPRA. None of the tribes consulted contested the project action. (August 2010)

For the Technical Risk Reduction Initiative project, NAVFAC SE undertook Phase I archaeological investigations in support of proposed transmit and receive radar sites (Next Generation Over-the-Horizon Radar) located in Jim Wells and McMullen counties, Texas. NAVFAC SE consulted six tribes since portions of the project would occur on privately held lease lands in a general area of prehistoric sites related to those tribes. The consultation did not reveal any sites warranting consideration of religious or cultural significance or any “cultural items” subject to the provisions of NAGPRA. None of the tribes identified any sites of concern. (2010-2011)

NAVFAC SE and Naval Air Station Meridian in Mississippi provided archaeological and technical information to the Mississippi Band of Choctaw Indians, Mississippi, and secured agreement from the tribe that the proposed expansion of the Memorandum of Agreement (MOA), and the related increased number of daily flights from the installation, would not affect any historic property sites of religious or cultural significance to the tribe. (January 2011)

The Naval Support Activity (NSA) Panama City Commanding Officer and his staff in Florida led a consultation with 16 tribes regarding an emergency response action to remove seven anti-personnel land mines inadvertently discovered within the limits of a prehistoric archaeological site. The consultation focused on identifying potential sites of cultural or religious significance and potential effects to proximal archaeological sites. The Seminole Tribe of Florida (Seminole Tribe) provided concurrence with the proposed action, with a proviso for further consultation upon inadvertent discovery. NAVFAC SE proposes to undertake additional unexploded ordnance (UXO) surveys of the larger property and consult the tribes to ensure that project activity avoids, minimizes, or mitigates impacts to historic properties of importance to tribes. (March 2011)

On behalf of Naval Air Station (NAS) Key West in Florida, NAVFAC SE consulted with the Seminole Tribe regarding a project to restore clear zones, wetlands, and storm water drainage systems. The Seminole Tribe expressed concern that the undertaking could affect four archaeological sites located in or near the project area. NAVFAC SE conducted archival research, concluding that two of the prehistoric sites had been destroyed in the early 1960s; one site was ultimately determined to represent modern/recent remains associated with airfield repair activities; and one historic-period residence was located outside of the project area. NAVFAC SE communicated these results to the Seminole Tribe; the Seminole Tribe signified their concurrence with NAVFAC SE’s findings. (June 2011)

In consultation conducted through the NEPA compliance process, NAVFAC contacted 17 tribes for input on a project to build a modern and efficient health care facility at the Marine Corps Air Station (MCAS) in Beaufort, South Carolina. Along with public participants in the NEPA process, NAVFAC SE identified the tribes as potential stakeholders. NAVFAC SE requested the tribes participate in the discussion of location alternatives and distribution of NEPA documentation. Five tribes responded and concurred that the proposed action would not affect sites of cultural or religious significance to those tribes. The Catawba Indian Nation offered the proviso that the action would not incur effects if the Navy avoided Alternative 4, a proposed development site that contained the remains of a significant prehistoric camp. (June 2009 - 2010)

The Nuclear Power Training Unit (NPTU) at the Naval Weapons Station Charleston in South Carolina proposes to make numerous building and infrastructural improvements to the installation in order to accommodate additional testing and an increase in students. The presence of prehistoric and archaeological sites adjacent to the facility led NAVFAC SE to request an opportunity to consult with eight tribes to confirm that no sites of religious or cultural significance were located in or around the project area, and to assure the tribes that NAVFAC SE would respond according to law if NAGPRA “cultural items” were discovered in the course of construction actions. As of this report, none of the tribes have responded to the request for consultation. NAVFAC SE is following up with tribal points of contact. (June 2011)

Navy Region Mid-Atlantic (NRMA)

The geographic area of responsibility for the Mid-Atlantic Region includes eastern seaboard states from North Carolina north to Maine. NRMA conducts consultation with tribes in the region with regional command support to the installations as the Navy seeks to build and maintain effective and enduring relationships throughout the area of responsibility.

The Naval Air Station (NAVSTA) commander in Newport Rhode Island hosted a meeting in late 2010 with the Narragansett Tribe in Rhode Island related to the proposed Melville Quarters project at NAVSTA in Newport. The Tribal Historic Preservation Officer requested a Memorandum of Agreement (MOA) for the project, including provisions for an archaeological inventory of NAVSTA. The Navy is developing a draft MOA in response to this Tribe’s request. Consultation with the Narragansett Tribe continues on this project. (2010-2011)

Naval Submarine Base New London (SUBASENLON) staff in Connecticut consulted with the Mashantucket Pequot Tribe of Connecticut and the Mohegan Indian Tribe of Connecticut regarding the Polaris Park land transfer project. The consultation sessions focused on an archaeological survey of land that the Navy proposes to transfer to the City of Groton, Connecticut. At least one tribe requested that SUBASENLON staff conduct an archaeological survey prior to transfer of the land. (2010-2011)

At Naval Weapons Station (NWS) Yorktown in Virginia, Section 106 consultation regarding an impact on an archaeological site includes the Virginia Council on Indians (VCI), a political consortium representing several state-recognized tribes. The VCI expressed concern about impacts to the archeological site from the actions of a contractor working beyond the boundaries of a designated project area. The VCI leadership requested NWS Yorktown staff ensure adequate protection for all archaeological resources in the vicinity of the incident. (2010-2011)

Navy Region Hawaii (NRH)

With key support from NAVFAC Pacific, NAVFAC Hawaii maintains important relationships with Native Hawaiian Organizations (NHOs) regarding the preservation of the unique cultural heritage of the Hawaiian Islands. During the reporting period, Joint Base Pearl Harbor Hickam (JBPHH) prepared a total of 33 Section 106 of the NHPA submittals for concurrence by the State of Hawaii’s State Historic Preservation Officer (SHPO), with copies to Native Hawaiian Organizations (NHOs). All the NHOs concurred with Navy recommendations in the Section 106 consultations, including monitoring during all ground-disturbing activities. (2010-2011)

NRH completed two NAGPRA consultations during the reporting period. In a case involving an inadvertent discovery of cultural items at Blaisdell Park, NRH secured a resolution regarding final disposition of human remains. In accordance with the request of the NHOs, NRH plans to re-inter the recovered remains with the in-situ portion of the burials and place a concrete cap over the burials to prevent further erosion. NRH plans to develop a long-term burial treatment plan in consultation with NHOs. (2010-2011)

The second NAGPRA consultation conducted by NRH involved a Comprehensive Agreement between DoD and the Na Ohana Papa O Mana, a Native Hawaiian Organization. The June 2011 Agreement will streamline the notification, consultation, treatment, and disposition process for NAGPRA items inadvertently discovered on Pacific Missile Range Facility (PMRF) lands. The document outlines standard operating procedures in the event of future inadvertent discoveries of Native Hawaiian cultural items at PMRF. (2010-2011)

U.S. Marine Corps

During the reporting period, Marine Corps installations consulted with tribes 84 times, primarily in support of project reviews under the National Environmental Policy Act and Section 106 of the National Historic Preservation Act. Other consultation topics included development of ICRMPs or Integrated Natural Resources Management Plans, NAGPRA, and the Archeological Resources Protection Act of 1979 (ARPA). Marine Corps installations completed the majority of consultations via email or letters, but held 19 face-to-face consultation meetings and 16 follow-up conference calls to complete consultations on more complex actions. MCB Hawaii consulted with Native Hawaiians and NHOs on 39 actions; including 32 Section 106/NHPA consultations and 7 NAGPRA consultations. (2010-2011)

Collaboration

Department of the Navy

During the reporting period, the Navy continued to develop the *Cultural Resources Program Metrics* as a means of assessing the effectiveness of policies and consultations from multiple stakeholder communities, including tribes, where applicable. An April 2011 meeting to review the draft metric included the Tribal Historic Preservation Officer for the Suquamish Tribe, who joined with the Washington State Historic Preservation Officer and Navy representatives in assessing the draft metric. (April 2011)

During the reporting period, Navy Region Southwest and Marine Corps Installations West has continued participation and active support for broad coordination efforts, such as in the Office of Secretary of Defense (OSD)-led Western Regional Partnership (WRP). DoN supported efforts by the WRP to engage senior-policy level Federal, state, and tribal leadership in the states of Arizona, California, Nevada, New Mexico, and Utah, to promote sustainable energy development in coordination with military readiness requirements. Marine Corps Base Hawaii (MCB Hawaii) personnel coordinated logistics and military guest speakers for the OSD-led Native Hawaii Cultural Communications Course for DoD personnel. (2010 – 2011)

Navy Region Northwest (NRNW)

The NRNW collaborated with tribes in several important initiatives. The DoD American Indian Cultural Communications Course (AICCC), a cultural awareness session, and a Conflict Resolution workshop were conducted in the Northwest region. NRNW collaborated with DoD's Senior Tribal Liaison to hold this valuable course. The Regional Commander, Installation Commanding Officer, and staff attended. Training sessions included participation by the Suquamish Tribe and a cultural event hosted by the Port Gamble S'Klallam Tribe at the tribal center longhouse. (November 2010)

A second initiative led by NAVFAC HQ and coordinated locally by the NRNW supported the new Navy Cultural Resources Metrics Program (Metrics Program). The April 2011 meeting at NBK Bremerton focused on gathering participants' feedback on proposed criteria and questions for the new Metrics Program and to test the latest web interface for NRNW. Participants in the meeting included the Washington State Historic Preservation Officer; the Suquamish Tribal Historic Preservation Officer; and representatives from various NRNW installations. (April 2011)

NAVFAC NW Environmental Restoration staff also participated in quarterly meetings of the Restoration Advisory Board in Barrow, Alaska, providing updates to Alaska Native tribes on restoration projects at Icy Cape, Barrow, and Point McIntyre, Alaska. (October 2010, March 2011, and June 2011)

NAVFAC NW strives to raise awareness among tribes of small business opportunities that could support tribes' economic development goals. Examples of NAVFAC NW outreach on this topic include:

- NAVFAC NW met with numerous small businesses owned by tribes and Alaska Native Corporations to discuss business opportunities with the DoN. (September 2010)
- NAVFAC NW, along with Naval Undersea Warfare Center Keyport, and Fleet Industrial Center Puget Sound, participated in the Annual Native American and Veteran's Small Business Conference at Tulalip, WA, where they served on a panel discussion on government contracting. (September 2010)
- NUWC Keyport Deputy for Small Business participated in the Creating Pathways for Native Business Conference hosted by the Port Gamble S'Klallam Tribe and Native American Procurement Technical Assistance Center in Port Gamble, WA. (March 2011)
- The Deputy for Small Business from NAVFAC NW participated in the Creating Pathways for Native Business Conference hosted by the Quinault Nation and the Native American Procurement Technical Assistance Center in Ocean Shores, WA. (June 2011)
- NAVFAC NW awarded Port Madison Enterprises Construction Company (an enterprise owned by the Suquamish Tribe), an 8(a) Business Development Program participant, an Indefinite-Delivery/Indefinite-Quantity contract for small projects at Naval Base Kitsap and Naval Magazine Indian Island. (June 2011)

At the installation level in the Northwest, Naval Base Kitsap collaborated with local tribes on two different projects. NBK and NUWC Keyport staff coordinated with the Suquamish Tribe to provide temporary pier access for the transfer of juvenile Coho salmon to the tribe's fish net pens in Agate Passage. Additionally, NBK and NUWC Keyport staff coordinated with the Port Gamble S'Klallam Tribe to host National Oceanic Atmospheric Administration (NOAA) National Marine Fisheries Service staff for a discussion of NOAA's recent efforts to monitor marine mammal populations in Hood Canal and Puget Sound. (March 2011)

The Commander, Navy Region Northwest (CNRNW) held two Northwest Navy Tribal Council meetings: at NAVSTA Everett and at the offices of the Jamestown S'Klallam Tribe. Invitees included 25 tribes from western Washington, Navy installation Commanding Officers, U.S. Coast Guard staff, U.S. Army Corps of Engineers staff, staff of the Northwest Indian Fisheries Commission, and the Point No Point Treaty Council. Established in 2003, this forum helped build successful tribal partnerships and enabled more effective government-to-government communications and relations consultations. (October 2010 – May 2011)

The Commander, NRNW, met with the Executive Director, Alaska Inter-Tribal Council (AITC), regarding possible Navy support for a role for AITC in helping coordinate Defense Logistics Agency-led fuel delivery services to remote villages in Alaska. AITC also requested the Navy participate in the National Ocean Council's regional planning organization. The Alaska Inter-Tribal Council represents all 229 Federally-recognized Alaska Native tribes. (March 2011)

NRNW strives to forge strong relationships with tribes through support for annual tribal ceremonies and commemorations whenever possible. Commanders of NBK, NAVMAG Indian Island, and NAVSTA Everett invited local tribal chairpersons to participate in the individual 2011 Battle of Midway Commemoration Ceremonies held at each installation. Likewise, the Commanding Officer of NBK invited local tribal leaders and the Mayor of the Village of Barrow, Alaska, to attend NBK Change of Command Ceremony. (April 2011)

In another example of outreach, the NBK Commanding Officer participated in the Alaska Native Brotherhood Conference, an annual conference of Alaska Native tribes. The Commanding Officer of NAVSTA Everett invited five local tribes to participate in the first semi-annual NAVSTA Everett Community Meeting. The NAVSTA Everett Recycling Center staff conducted a tour for three members of the Stillaguamish Tribe of Washington, demonstrating the equipment to collect, sort, and process recyclable materials for shipment. The demonstration called attention to the Navy's commitment to environmental compliance. (August 2010 – March 2011)

Navy Region Southwest (NRSW)

Among the outreach events held during the reporting period, NAWS China Lake staff attended an opening ceremony for the new elder center, at the invitation of the leaders of the Big Pine Band of Owens Valley Paiute Shoshone Indians of the Big Pine Reservation, California (Big Pine Band). The elder center houses an interpretative cultural exhibit. As part of NAWS's program to provide Native Americans privileges to hunt on installation lands, NAWS staff helped organize a Chuckar (a game bird) hunt in coordination with local tribes. Finally, in

recognition of an important cultural tradition, NAWS staff organized pine nut gatherings to help the tribe continue the subsistence practice and teach the practice to Big Pine Band youth. (2010)

In a spirit of collaboration in the Southwest region, NAWS China Lake responded to a request by the state-recognized Bishop Tribe of California to visit the installation curation facility to view items of cultural interest. The tribe is creating a database for their Tribal Cultural Preservation Program, funded by a National Park Service grant. They are interested in identifying and recovering items that may reflect the cultural heritage of the tribe. NAWS cordially invited the Bishop Tribe to visit the curation facility at the installation, where they viewed several collections. NAS Fallon recognizes the importance of sustained, open communication with affiliated tribes, so staff hosts a monthly meeting among Bureau of Land Management (BLM) staff, the Navy, and a representative of the Fallon Paiute Shoshone Tribe to discuss issues of common interest. (Ongoing)

NAVFAC Atlantic (LANT)

Over the reporting period, LANT continued a successful and exceptional outreach initiative to study and preserve Powhatan Indian culture and history in Virginia. This initiative involves a partnership with state-recognized tribes and a local university and represents an important educational and scientific project on Navy land. The College of William and Mary conducted a multi-year archaeological field school with Navy support. Several state-recognized tribes (the Chickahominy, Mattaponi, and Pamunkey tribes) collaborate with the Navy and the university in this project to further research, education, and preservation. (2010 and ongoing)

The Naval Weapons Station, in Yorktown, Virginia leads a project to investigate the Kiskiack site near the installation. Early colonial records describe the Kiskiack site as site of the village of an Algonquian chief where European colonists and Powhatan Indians interacted during the 16th and 17th centuries. Archaeological evidence recovered thus far reveals centuries of Native American presence prior to the arrival of colonists. Additional investigation may reveal more information about the dramatic impact on Native Americans cultures in the region that occurred as a result of European contact. (2010-2011)

The staff of the Cultural Resources Core (Core) office at NAVFAC Atlantic recently developed an information packet that outlines the laws and regulations that compel the Navy to consult with tribes. The Core staff plans to distribute the packet to the tribes in the geographic area of responsibility for NAVFAC Atlantic. The packet requests the tribes share ideas with the Navy regarding preferred consultation thresholds and protocols, prehistoric/historic geographic ranges, cultural or socioeconomic concerns, sites of religious and cultural significance, and significant material culture assemblages and NAGPRA cultural items. NAVFAC Atlantic pledged to hold the information in confidence pursuant to Section 304 of the NHPA. (2011)

Navy Region Hawaii

NAVFAC Hawaii annually supports the Makahiki held in November. Held at Joint Base Pearl Harbor Hickham (JBPHH), the Makahiki event involves native groups joined by military personnel and their families invited to the installation for a traditional cultural festival celebrating the end of the ancient agricultural season. The 2011 JBPHH Makahiki is scheduled for

December 3, 2011, at Hickam Beach. (2010-2011)

Every year at Hickam, the Navy, together with Native Hawaiian Organizations, supports regular maintenance of a special burial vault constructed in the 1990s. Recognizing the importance of preserving Native Hawaiian cultural heritage and history, the Navy regularly trims the hedge around the vault and removes vegetation encroaching on the vault that contains human remains of Native Hawaiians recovered from burials encountered on military lands. Volunteers from Hawaii Air National Guard (HIANG) and the Royal Guard periodically assist in maintaining the vault. The most recent burial vault cleanup occurred July 29, 2011. NAVFAC Hawaii coordinates access to the vault by Native Hawaiians. (Ongoing)

Marine Corps

In addition to in-person consultation meetings, the USMC also participated in the following efforts involving coordination with tribes during the reporting period:

- MCAS Camp Pendleton, California – the Air Station staff worked with the Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California, to help build the tribe's library collections and cultural exhibits. MCAS provided digital and hard copies of reports and other materials developed by the Air Station to interpret Native American resources managed by the Air Station. (2011)
- MCAGCC Twenty-nine Palms, California- Installation staff led two tours of the Foxtrot Petroglyph site and other major Native American sites on the installation for interested tribal members. Through the tours, the installation collaborates with tribal representatives to monitor the condition of the locations that are of great importance to tribes in the region. (2011)

Since 2008, MCB Hawaii staff has participated and served as instructors and panel members for each of the five sessions of the OSD-sponsored Native Hawaiian Cultural Communications Course, providing practical, installation-level examples of DoD consultations with NHOs. (August 2010 and July 2011)

The Bridgeport Paiute Indian Colony of California (Bridgeport Indian Colony) drafted a book describing historical plants found in the Eastern Sierras important to the tribe throughout several generations. The Bridgeport Indian Colony plans to use this book to educate tribal members on plants of cultural importance to the tribe. This tribe also plans to use the book to assist the military and other organizations insight into areas where the tribal members historically gathered and used these plants. The Marine Corps' Mountain Warfare Training Center at Bridgeport, CA helped the Bridgeport Indian Colony by providing photographs, supplying the scientific names of the plants identified, and suggesting links to other sources of information regarding the plants. (2010-2011)

The Marine Corps Air Ground Combat Center (MCAGCC) at Twentynine Palms, California constructed a Hummingbird and butterfly nectar garden next to its Archeology and Paleontology Curation Center in response to local tribal concerns regarding the state of local pollinator species. MCAGCC also added a new cultural heritage garden, including water-wise ethno-botanical

features designed to educate visitors about water conservation, native vegetation, and Native American plant uses in the region. In March of 2011, Marines and Sailors of 1st Battalion, 7th Marine Regiment, teamed up with Environmental Division staff to plant over two dozen species of Southern California plants used by local Native American tribes for food, medicine, and shelter. For Earth Week in April 2011, 20 students of a mixed grade class from the nearby Condor Elementary School visited the garden and planted numerous species of seeds, including chia, poppies, desert marigolds, joshua trees, and desert lilies. Members of the Chemehuevi Indian Tribe of the Chemehuevi Reservation, California (Chemehuevi Indian Tribe) visited the garden and remarked to staff their appreciation for the features it includes. MCAGCC Cultural Resources staff continues to partner with members of the Chemehuevi Indian Tribe to apply traditional Chemehuevi names to the plant species found there. (2010 - 2011)

During the reporting period, MCB Hawaii conducted a video interview of one of the NHO claimants on a NAGPRA issue so that his/her comments could be included in a Hawaiian Cultural Traditions video. MCB Hawaii staff also conducted regular site visits to Waikane Valley for members of the Restoration Advisory Board; provided a tour of MCB Hawaii Kaneohe Bay focused on the cultural and natural resources for students from the Native Hawaiian Immersion School; and thanked NHOs for their partnership efforts at the annual Commanding Officer's Partnership Luncheon. (2010 - 2011)

Department of the Air Force (AF)

Policy Implementation

The primary Air Force policy document guiding compliance with Federal laws and regulations is the Air Force Instruction (AFI) 32-7065, "Cultural Resources Management Program" published in June 2004. A substantially revised draft AFI 32-7065 awaits coordination, with publication expected early in 2012. The revised draft AFI will implement policies defined in EO 13175 and other post-2004 Executive Orders, as well as newer versions of NHPA regulations, DoDI 4715.16 (2008), and changes to 43 CFR Part 10 (NAGPRA). Much of the revised draft AFI addresses consultation and communication, including specific guidelines regarding consultation and coordination with Federally-recognized tribes and Native Hawaiian Organizations.

The AF recently developed electronic adjuncts to the AFI 32-7065 to provide AF personnel easy access to guidance, advice, lessons, and a repository of relevant documents AF installations may use to accomplish and improve their tribal consultation programs. The AF Cultural Resources

Subject Matter Expert (SME) at the Air Force Center for Engineering and Environment administers and oversees the web-based resources, including:

- The Air Force Cultural Resources eDASH Webpage on the AF Civil Engineer Portal, deployed in spring 2011, <https://cs.eis.af.mil/a7cportal/eDASH/Web%20Part%20Pages%20%20Programs/Cultural%20Resources.aspx>
- The Air Force Cultural Resources Management Playbook, deployed July 2010: <https://cs.eis.af.mil/a7cportal/CEPlaybooks/AM/EM/CRM/Pages/default.aspx>

- The Air Force Cultural Resources Community of Practice (COP), deployed in 2005, but updated weekly:
<https://afkm.wpafb.af.mil/community/views/home.aspx?Filter=OO-MS-AF-03>

In 2012, the AF cultural and natural resources SMEs plan to deploy fully another electronic vehicle for standardization and active compliance of Integrated Cultural Resources Management Plans (ICRMPs), Integrated Natural Resources Management Plans (INRMPs), and Pest Management Plans. Called the ePlan Tool, it was developed by HQ Space Command for eventual use throughout the Air Force. The ePlan Tool was approved in April 2011 for interim use by commands and installations. The ePlan Tool allows installation media managers to more effectively update, revise, and implement their management plans, thereby boosting installation commitment to full implementation. Goals and Objectives (GOs) and Standard Operating Procedures (SOPs) in ICRMPs and INRMPs are the primary reflections of policy and compliance requirements. The ePlan Tool's standardization of these procedures, plus its common availability on installations, helps improve communication among installation planners and managers. Installation ownership and internal development of management plans (rather than by contractors) allows immediate access to required processes, relevant POCs, required contacts, and pertinent data, all of which help improve and enhance communication and consultation with tribal and other stakeholders.

In addition to the AFI, two commands (Air Mobility Command and the U.S. Air Force Academy) have developed their own internal tribal consultation rules and guidelines. A total of 47 Air Force and Air National Guard installations use specific protocols, rules, and guidelines outlined in their ICRMPs to implement tribal consultation policy for the installation's Civil Engineering and Operations programs. The ePlan Tool has the added benefit of allowing relevant media managers to view the Cultural Resources Geographic Information System (with restrictions related to archaeological site location), and to readily find compliance procedures and requirements in the electronic Integrated Cultural Resources Management Plans and Integrated Natural Resource Management Plans for specific Air Force installations.

Consultation and Outreach

AF outreach initiatives with tribal governments often begin with letters, phone conversations, and emails to tribal government cultural and/or natural resources managers informing them of upcoming undertakings and actions, imminent Environmental Impact Analyses, or an invitation to engage in consultation about specific issues or pending AF actions. AF organizations sent a total of 168 notifications to tribal governments in the 2010-2011 period of concern.

A few installations go well beyond this notification type of outreach, having instituted comprehensive programs with several affiliated tribes for annual meetings or events, which might include guided trips to usually restricted range areas, visits to sacred or traditional sites, traditional ceremonies, and extended listening and talking sessions.

One example of such extended outreach, Nellis AFB and Range in Nevada annually host a government-to-government consultation meeting in November. Each event involves multiple days of meetings with representatives and elders from up to 15 affiliated tribes. Range managers,

installation commanders, MAJCOM representatives, and media managers represent the installation, Range, and AF. The agenda usually includes discussions about access to sacred sites, access to subsistence resources, range construction plans, aircraft noise, long-range plans, and other initiatives supported by Nellis AFB. The installation also loans video production resources to selected tribes to assist them in recording traditional activities and oral histories. Nellis has produced several of these videos, but none were completed during the period of concern. (Ongoing)

Through a NAGPRA Comprehensive Agreements (CAs), an installation and affiliated tribes can craft a document to outline specific procedures and protocols to guide consultation regarding an upcoming large-scale undertaking that could involve discovery of buried human remains or NAGPRA-defined cultural objects. The 611th Air Support Group in Alaska (for Eareckson AFS) negotiated a CA with the Aleut Native Corporation regarding projects at a remote installation in the Aleutian Islands. The Cape Cod AFS negotiated a CA with the Wampanoag Tribe in MA; and Cavalier AFS negotiated a CA with the Chippewa Tribe of North Dakota. (2010 – 2011)

The NHPA, NEPA, and NAGPRA laws each require Federal agencies to consult with tribal governments about cultural and natural resources under certain circumstances. In 2010-2011, AF installations consulted tribal governments 134 times for NHPA Section 106 undertakings; 17 times for NAGPRA issues (7 inadvertent discoveries; 4 disposition discussions; 3 CAs; 3 general); and 96 times for other reasons, primarily related to NEPA, the Endangered Species Act, or wetland-related actions subject to the terms of a treaty with one or more tribes. The AF consulted a total of 347 tribal governments during the period of concern. (2010 – 2011)

Collaboration

The AF collaborated with tribal governments to develop Programmatic Agreements and other formal and informal agreements at several installations during the reporting period:

- Texas – Joint Base San Antonio (Ft Sam Houston, Randolph AFB, Lackland AFB, Camp Bullis) collaborated with 5 Texas and Oklahoma tribes to develop a comprehensive PA to manage all 4 installations under the new AF organization.
- Idaho – Mountain Home AFB maintains long-standing collaborative relationships with two tribal governments in Idaho regarding cultural and natural resources issues on its training ranges.
- Nevada – Nellis AFB's long-standing collaborative relations with 15 tribal governments in 4 states (NV, UT, AZ, CA) focuses on natural resources and airspace issues on its associated practice ranges in Nevada.
- Oklahoma – Altus AFB's ongoing collaborative relations with 9 Oklahoma tribes for NEPA actions primarily relate to drop zone and practice range recovery operations and infrastructure.

- Tennessee – Arnold AFB collaborated with a tribal government for setting up an internment of human remains off installation lands.
- Colorado – through the U.S. Air Force Academy Field Engineering and Readiness Lab, U.S. Air Force Academy cadets committed to constructing two traditional hogans (a traditional Navajo dwelling) to donate to the Navajo Nation during spring of 2012. Cadets donated 31 hogans through July 2011.

The AF considers training for its personnel an essential component of effective consultation. As of mid July, 2011, a total of 285 AF personnel completed training courses that relate to their responsibilities for carrying out effective consultation with tribal nations. The courses and staff trained during the reporting period include:

- Basic Section 106 course: 81 Cultural Resource Managers (CRMs), 13 supervisors;
- Advanced Section 106 course: 40 CRMs, 3 supervisors;
- NAGPRA Compliance course: 33 CRMs, 1 supervisor;
- Native American (Native Alaskan/Native Hawaiian) Cultural Communications course: 45 CRMs, 12 supervisors;
- Negotiation course: 13 CRMS, 3 supervisor;
- Mediation course: 2 CRMs, 1 supervisor;
- Native American Law course: 21 CRMs, 2 supervisors; and
- Other relevant course: 11 CRMs, 4 supervisors.