



National
Congress of
American
Indians

**Written Testimony for NCAI President Fawn Sharp
House Select Committee on the Climate Crisis Hearing
“Tribal Voices, Tribal Wisdom: Strategies for the Climate Crisis”**

Thursday, November 18, 2021

Introduction

Chair Castor, Ranking Member Graves, and members of the House Select Committee on the Climate Crisis, on behalf of the National Congress of American Indians (NCAI), I would like to thank you for holding this hearing on “Tribal Voices, Tribal Wisdom: Strategies for the Climate Crisis.” My name is Fawn Sharp, and I serve as the Vice President of the Quinault Indian Nation and President of NCAI. I look forward to working with members of this Committee and other members of Congress to identify climate adaptation strategies that incorporate traditional ecological knowledge and respect tribal sovereignty and self-determination.

Tribal Nations are on the front lines of climate change — responding to sea level rise, coastal erosion, ocean acidification and salinity, increased frequency and intensity of extreme weather disasters, climate-induced food insecurity, altered seasonal duration, economic and health impacts, and more.

As place-based peoples, Tribal Nations have sacred histories and maintain cultural practices that tie them to their current land bases and ancestral territories. These time-honored ecological practices are designed to preserve our natural resources and guard against ecological damages to our food, water, and medicinal plant resources. Climate change not only threatens these resources and the ability of Tribal Nations to care for them as they have always done, but it also impairs the ability of Tribal Nations to build sustainable economies and care for their citizens.

However, even as Tribal Nations are faced with the severity of climate change impacts, our traditional ecological knowledge has allowed for tribal communities to develop and implement their own unique, and innovative approaches to tackling the climate crisis. In support of the climate work happening in tribal communities, this testimony highlights existing tribal climate strategies and identifies how the Committee can support tribal climate change initiatives by addressing existing funding barriers, developing a federal relocation framework, and engaging with international Indigenous communities to develop a global climate agenda.

Transferable Lessons from Tribal Climate Mitigation and Resiliency Initiatives

Tribal Nations have taken care of their land and natural resources since time immemorial. Backed with traditional ecological knowledge and practices, Tribal Nations across Indian Country have been able to respond to climate change by crafting their own self-governed approach to climate resiliency and mitigation practices. As such, NCAI would like to share with the Select Committee a few examples of the innovative climate action approaches being carried out by Tribal Nations within their own communities today.

The Gila River Water Storage LLC & the Gila River Indian Community's Key Role in Drought Management

In Arizona, the Gila River Indian Community ("Community") has become a leader in water management in Arizona, and in the Lower Colorado River Basin.

Nearly 10 years ago, the Community, in collaboration with Salt River Project power and water ("SRP"), one of Arizona's largest utilities, created the Gila River Water Storage LLC in response to mounting challenges created by increasing water scarcity. The goal of the project is to make up to five million acre-feet of additional dependable, renewable water supplies available to central Arizona. Key to this initiative is "water-banking" and the creation of "long-term storage credits." Since 2010, the Community has used its entitlement to Colorado River water that is delivered through the Central Arizona Project ("CAP Water") to create over 1.5 million acre-feet of long-term storage credits. In brief, the Community is "banking" its previously unused CAP Water in existing aquifers to earn "long-term storage credits" that may be used for future development. This inventive program provides security and economic development opportunities for both the Community and the region.

In May 2019, the Community joined seven Colorado River basin states and other stakeholders in signing a series of agreements to implement the Colorado River Drought Contingency Plan. These agreements formalized the commitment of the Community, states, federal government, and other key stakeholders to take collaborative steps to protect and enhance the sustainability of the Colorado River and the estimated 40 million people who rely on the Colorado River for their domestic, industrial, agricultural, and infrastructure needs. The Drought Contingency Plan has been recognized by the U.S. Department of the Interior as the best path forward toward safeguarding the single most important water resource in the western United States. The Plan will address the heightened risk of severe water shortages and falling water levels due to drought conditions that have been exacerbated by climate change. The Community was key in not only protecting the Gila River Indian Community's water rights and water settlement, but in bringing solutions that were adopted by the State of Arizona, Arizona stakeholders, and federal partners. This historic agreement serves as an example of how all governments — tribal, federal, and state — can work in collaboration to address the impacts of climate action throughout the United States.

Blue Lake Rancheria's Efforts to Zero Greenhouse Gas Emissions

Blue Lake Rancheria ("Tribe") is a federally recognized tribe located in Humboldt County, California. The Tribe began climate action planning in 2008. Since then, it has made tremendous advances in reducing

greenhouse gases (GHGs) as well as community resiliency. In particular, the Tribe partnered with Schatz Energy Research Center and Pacific Gas and Electric (PG&E) to develop a \$6.3 million “low-carbon community micro-grid.” The grid provides energy to the Tribe’s critical infrastructure, including the government offices, enterprises (hotel casino, events center, and restaurants) and a certified Red Cross shelter. Each year the Tribe saves approximately \$200,000 in energy costs and reduces emissions by approximately 195 metric tons. Blue Lake Rancheria is committed to reducing its greenhouse gas emissions to zero by 2030.

The Karuk Tribe and using Prescribed Burns to Combat Wildfire Damages

The Karuk Tribe lives and manages one million acres of their traditional territory located along the Klamath and Salmon Rivers in northern California. Decades of non-Native land use has severely impacted the Karuk people’s access to cultural, ceremonial, social, and traditional food resources and practices. The region’s changing climate — undoubtedly most impacted by the region’s wildfires — has only heightened these effects, which caused the Karuk to experience a decline in access to key food resources, including salmon, willow, acorns, huckleberries, and others.

In order to adapt to the changing climate, the Karuk Tribe decided to return back to their traditional wildfire management systems, where the Tribe maintained the time-tested tradition of prescribed fire burning as a climate adaptation tool. Since 2009, the Tribe has published over five eco-management plans and several reports that address the social, physical, and climate changes of their environment and the long-term effects the Karuk people would be facing if their traditional ecological practices were removed from land management practices. In 2016, the Tribe co-authored a report entitled “Retaining Knowledge Sovereignty,”¹ which highlights the current cultural and institutional barriers for the sovereignty of traditional ecological knowledge and provides a range of policy recommendations that would elevate tribal co-management practices on the local, state and federal levels.

Today, the Karuk Tribe carries out a meaningful collaboration with the U.S. Forest Service, the State of California, the Klamath National Forest, and the Six Rivers National Forest that upholds and honors the practice of prescribed fire burning to co-manage within the Klamath and Six Rivers National forestlands. Backed with federal, state, and local support, the Karuk’s fire burning practices have helped the Tribe restore the Klamath forestlands’ food resources and helped restore the Klamath region to a safe environmental health standard that promotes tribal usage of traditional resources and ceremonial practices.

These examples listed above exemplify the need for Tribal Nations to have partners in climate mitigation and resilience efforts. Congress plays a critical role, not only as a convener, but also to support and incentivize intergovernmental initiatives between tribal governments and federal, state, and local governments as well as other interested stakeholders. This means acknowledging Tribal Nations as true

¹ See the Karuk Tribal Climate Change Project’s Retaining Knowledge Sovereignty Report, 2016. (<https://karuktribeclimatechangeprojects.com/retaining-knowledge-sovereignty/>)

Nation-to-Nation partners in developing climate strategies, and that this Committee and other bodies of Congress must enact or strengthen laws and policies that incorporate and defer to Tribal Nations as primary climate change decision-makers, with the ability to include Indigenous traditional ecological knowledge in developing environmental sustainability solutions. Additionally, Congress must support efforts for tribal co-management of federal lands that have cultural or historic significance to Tribal Nations. Tribal Nations can be strong partners in land management to ensure environmental sustainability and mitigation of climate impacts. All of these solutions require adequate funding — not just now, but over the long run — so that Tribal Nations can continue to develop, implement, and sustain their tribal climate strategies.

Funding for Tribal Climate Change Mitigation and Resiliency Efforts

Tribal Nations are sovereign entities who are on the front lines of combating climate change and supporting environmental sustainability, and must have their own direct funding sources and should be given governmental parity in federal funding programs. However, Tribal Nations face several hurdles in accessing federal climate change programs, including:

1. Competitive grant-making, which disadvantages Tribal Nations by requiring them to compete with other states, corporate entities, and non-profits for limited funding pools;
2. Requiring Tribal Nations to provide matching funds for federal funding programs, which is a barrier to access that is consistently reported²; and
3. Several federal climate change funding programs directly pass through state entities or partners, requiring Tribal Nations to obtain climate change resilience and mitigation funding through state requirements and management systems. The process to receive funding should be directly between Tribal Nations and federal entities.

This Committee and others can address some of these funding barriers and directly support tribally determined climate resilience and mitigation projects by implementing some Congressional climate responses, including:

1. Ensuring governmental parity in climate change funding (e.g. any federal assistance provided to state and local governments should also be provided to tribal governments);
2. Protecting and expanding financing for federal climate change funding that directly benefits tribal climate resilience and mitigation strategies. For example, the Department of the Interior (DOI) houses the Tribal Climate Resiliency Program, a funding entity that has funded over 700 awards to Tribal Nations totaling more than \$60 million to assist with adaptation and implementation planning goals³. Congress and DOI should expand the current Tribal Climate Resiliency Program from single- or two-year funding to include longer, multi-year funding options. The option for multi-year grant funding is crucial for Tribal Nations to enhance their

² See e.g. National Congress of American Indians Resolution #PHX-08-039, “Oppose SAMHSA Matching Fund Requirements.”

³ See the Department of the Interior’s Climate Action Plan, 2021.

climate change program capacity without exhausting grant management and application resources and technical assistance; and

3. Implementing full and meaningful consultation processes with Tribal Nations in federal funding planning convenings to ensure federal funding programs are accessible to Tribal Nations (e.g. addressing matching funds or grant management issues prior to implementation).

By implementing this non-exhaustive list of Congressional responses, accessibility to climate change funding programs can become more available for Tribal Nations seeking to apply so that they may continue to implement their own climate change strategies and planning processes.

Funding for Tribal Relocation and Protect-in-Place Efforts

In 2020, DOI's Bureau of Indian Affairs released an "Infrastructure Needs Report of Tribal Nations and Alaska Native Villages in Process of Relocating as a Result of Climate Change". This Report's initial analyses estimate the costs of unmet infrastructure needs due to relocation at almost \$5 billion for Tribal Nations in the contiguous 48 states (\$1.365 billion) and for Alaska Native Villages (\$3.45 billion over the next 50 years⁴).

NCAI applauds and greatly appreciates the work of all members of this Committee that advanced the historic Infrastructure Investment and Jobs Act. This bill includes approximately \$15 billion for tribal specific funding, with \$130 million set-aside for tribal community relocation projects. This tribal relocation set-aside funding is incredibly timely and significant, but as this Committee reported in 2020, the federal government has not established a federal tribal relocation program or a relocation framework for the development and implementation of adaptation planning for Tribal Nations and Indigenous communities.⁵

With the implementation of the Infrastructure Investment and Jobs Act on the horizon, it is critical that members of this Committee and other members of Congress take the following actions:

1. Create a Federal Relocation Framework for the development and implementation of the \$130 million tribal community relocation fund in the Infrastructure Investment and Jobs Act;
2. Promote the need for full and meaningful consultation on the development of a Tribal Community Relocation Program at DOI to ensure tribal priorities on relocation funding are identified and the priorities are incorporated into the Program's implementation process;
3. Assist in developing a tribal community relocation fund that does not require a competitive grant making process placing one Tribal Nation against another Tribal Nation; and

⁴ See the Department of the Interior's Informational Report: The Unmet Infrastructure Needs of Tribal Communities and Alaska Native Villages in Process of Relocating to Higher Ground as a Result of Climate Change, May 2020.

⁵ See Solving the Climate Crisis, Select Committee on the Climate Crisis, Majority Report, June 2020.

(<https://climatecrisis.house.gov/sites/climatecrisis.house.gov/files/Climate%20Crisis%20Action%20Plan.pdf>).

4. Advocate for increased appropriations and other financing opportunities that would allow for a tribal community relocation fund to be established and sustained at DOI, especially after the initial \$130 million investment has been depleted.

This moment in Congress and the Administration demands and needs tribal leadership on climate change. Tribal Nations find themselves at a pivotal juncture — severely challenged by environmental degradation and climate-induced infrastructure damages, simultaneously presented with significantly expanded opportunities to exercise tribal self-determination, and receiving once-in-a-lifetime infusions of federal resources. These efforts should shift from being historic to being the norm in supporting tribal governments and addressing the climate crisis. This moment requires us to elevate and strengthen the voices of tribal leaders to coordinate, collaborate, and participate in local, national, and international adaptation and sustainability strategy planning.

Engagement with International Indigenous Climate Leadership

In order to address environmental sustainability and climate change impacts, we must also look to engage with partners around the globe. Many Tribal Nations, tribal organizations, including NCAI are long standing international leaders in climate change. NCAI has participated in the most significant international body addressing climate change, the United Nations Framework Convention on Climate Change (UNFCCC), since at least 2015. NCAI was notably present and active for the Conference of the Parties (COP) 21 in Paris, where the landmark Paris Agreement was negotiated. While not party to this international treaty, which established a framework for climate change mitigation, adaptation, and finance, Tribal Nations and NCAI continue to advocate for Indigenous rights and the inclusion of Indigenous-led solutions towards climate change. One of the highlights of our UNFCCC work is our active role in the International Indigenous Peoples Forum on Climate Change, which collectively advocates as a unified Indigenous voice at the UNFCCC. I have just returned from our most recent international advocacy work as I and our NCAI team attended the COP26 in Glasgow. There, Tribal Nations, NCAI, and international Indigenous organizations, gathered to make sure our needs and solutions were heard as the final article of the Paris Agreement, Article 6, was negotiated by the state parties. I am happy to report that on November 13th, Article 6 was adopted, with many of our positions included in the final text, including language on the rights of Indigenous peoples and an independent international grievance mechanism.

Conclusion

Tribal Nations have nurtured, lived, and thrived on the lands of Turtle Island since time immemorial. Our cultures, traditions, lifestyles, communities, foods, treaty rights, and economies are inextricably linked to our ability to manage these natural resources. On behalf of NCAI, we are greatly appreciative of the Select Committee's time and interested in hearing, learning, and understanding tribal approaches to climate mitigation and resiliency. We look forward to continuing our work with all members of this Committee to develop and sustain long-term, time-tested strategies to address the climate crisis. Thank you for the opportunity to testify.