

Building Partnerships Between American Indian Tribes and the National Park Service

by David Ruppert

Partnerships can help
protect and restore
ecosystems, while
bringing people from
different perspectives
closer together.

Recent years have witnessed an increase in American Indian peoples requesting permission to collect natural resources from parks and public lands. Many of these requests are for harvesting plants and animals, and for collecting specific minerals used in religious or traditional cultural practices. But this increase in requests may not reflect an actual increase in resource uses. American Indian peoples have always collected these resources for cultural reasons—and from places deemed culturally appropriate for such collection. What these requests may reflect is an effort by American Indians to actively involve resource management agencies in efforts designed to preserve traditional Indian cultures. They may also reflect a renewed attempt to have federal land management agencies recognize tribal rights of access to resources that have been denied them over the past couple of centuries. Regardless of the reasons, these requests for resource use deserve more careful examination and consideration since they offer important opportunities for tribes and federal agencies alike. This short article focuses on some of these opportunities.

Tribal Resource Collecting Requests and Agency Missions

American Indian assertions of their perceived rights of access to resources have met with mixed reactions, depending on

the agency and the extent of the requests. In so-called “multiple-use” agencies, such as the USDA Forest Service and the Bureau of Land Management, such requests are often viewed as clearly within the range of authorized activities, unless they involve significant environmental harm. On the other hand, within the National Park Service such requests are often seen as being in conflict with the agency’s strict preservationist mission. The question for the Park Service, of course, is: What is being preserved?

Coupled with tribal requests for access to resources are the multiple and rich heritages of indigenous resource harvesting techniques. Collection practices are often based on tribal traditions that span hundreds, if not thousands, of years. These practices and collection techniques, and the cultural knowledge that attends them, helped shape the American landscape long before the arrival of post-Columbian immigrants; they are a part of a cultural heritage vital to the history of this country and this continent. While various federal agencies, including the National Park Service, seek to preserve cultural resources under their respective management, they need to take seriously the idea that living Indian cultures offer cultural resource protection that goes far beyond the protection of archeological sites or abandoned ruins.

Through traditional resource collecting and the application of traditional knowledge related to this collecting activity,

Indian peoples maintain their living cultural heritage as well as continue to affect and shape the environment around them. If land management agencies have an interest in understanding the histories of the lands and resources they manage, they would benefit by finding ways to incorporate indigenous management techniques into their own management regimes.

Collection Agreements and Agency-Tribe Partnerships

One way of incorporating traditional knowledge is through formal agreements with tribal community members who seek to collect resources on federal lands. An agreement of this type was reached in northern Arizona and southern Utah in 1997. That year the Kaibab Band of Southern Paiute, along with the Moapa Band of Southern Paiute, requested permission to collect a variety of plants and minerals for religious and traditional purposes on park lands in Zion National Park and Pipe Spring National Monument. Following considerable consultation, a collection agreement was signed in 1998 between these park units and various bands of the Southern Paiute in Utah, Nevada, and northern Arizona.

The agreement permits the Paiute to gather plants and plant materials that are not endangered species. Agreements like this one are useful to the park and to the tribes from a number of standpoints. The Zion National Park-Paiute agreement specifically recognizes the importance of traditional collection of plant materials to the culture of the Paiute people. In addition, it recognizes the obligations of the agency to fulfill its responsibilities toward the tribe under law by allowing access to places and materials important for traditional and religious purposes.¹ Aside from allowing the harvesting of plants, the agreement sets up a dual-permitting system that recognizes the tribe's authority to identify and designate appropriate individuals within the tribe who are authorized to harvest for traditional cultural purposes. The tribe issues a permit to tribal members who then present this permit to the park; the park then issues its

own permit for the gathering of plants. This process may seem somewhat cumbersome but it addresses the tribe's concern that only certain trained people have the traditional knowledge necessary to

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gather plants in appropriate ways. Moreover, the reliance on tribal permitting authority establishes and maintains the government-to-government relationships between federal agencies and tribes mandated by President Clinton during the 1990s.² Finally, the agreement provides for periodic meetings between the park and the tribes to evaluate the environmental effects of collecting. If there is a determination that negative impacts have occurred, the collection activities are halted to allow the plant community to recover. In this way, the tribe becomes a partner with the park in the management of those resources important from the traditional cultural standpoint.

Aside from these benefits, agreements like these help to establish relationships between parks and tribes—relationships that were either tenuous at best, or nonexistent, at worst. A formal relationship also has a better chance of surviving frequent changes in local personnel—and policies—in federal agencies and tribes.

Agreements, Shared Goals, and Mutual Benefits

Arrangements, like the Zion National Park-Paiute agreement, offer a unique opportunity for federal land management

agencies and tribes to address the linked issues of ecological restoration and cultural preservation. With regard to ecological restoration, the incorporation of traditional collection techniques in selected areas may result in information about the effects such collecting historically may have had on natural resources and the surrounding landscape. Careful work, such as that done by Kat Anderson (1996, 2001), in cooperation with tribal traditionalists provides the details necessary to understand the links between traditional knowledge, indigenous management practices, and local ecological conditions—information that is vital for anyone interested in truly restoring a cultural landscape.

Of course, benefits are found not only in the links between traditional knowledge and resource conditions. Incorporating American Indian management practices in selected areas offers unique and important opportunities in the communication of cultural knowledge. Often, requests from tribal elders to collect on public lands are coupled with requests to bring Indian children with them so the young might learn the traditional ways of gathering and the importance these resources have in the larger cultural traditions of the tribe. In these cases, federal agencies are afforded the opportunity to become partners with tribes to provide the means for them to continue their living cultural traditions.

In particular, the National Park Service offers exceptional opportunities to realize the goal of revitalizing or preserving traditional American Indian land management practices. The agency, after all, has for many years protected large tracts of land from human intrusion. This protection has provided areas that maintain undisturbed ecological conditions where indigenous plant and animal species are, for the most part, still present. A century or more of "hands-off" management in these areas may have allowed shifts in species distribution and condition, but in many instances the basic elements of the pre-contact plant communities and ecology have been preserved. As their increasing requests to collect resources in parks indicate, American Indian people recognize that many of the indigenous species of plants now present in

