

Environmental Justice (EJ) Council

Supplemental Materials

Draft 2025-2027 Biennial Budget Recommendations

Draft for discussion at the October 24, 2024 Council meeting

This document has not been adopted by the EJ Council

32. Governor’s Office of Indian Affairs (Operating)—Tribal State Lands

Stewardship

Background and Rationale: At its September 26, 2024, meeting, the Council adopted a budget recommendation to support the State-Tribal Recreation Impacts Initiative, including significant investment for Tribal capacity grants; investments to facilitate cross-partnership efforts, such as meeting facilitation; and agency funding for technical staffing, natural resource assessments, and recreation use data acquisition and management. The Initiative responds to requests from Tribes to improve management of recreation impacts on natural and cultural resources and on protected Tribal rights. In support of this effort, the Governor’s Office of Indian Affairs (GOIA) has submitted a Decision Package, “Tribal State Lands Stewardship,” for \$3,916,000 to support pass-through funds to Tribes (\$3,400,000), contracted facilitation services (\$275,000), grant and contract management support within GOIA (\$190,000), and two annual State-Tribal leadership conferences (\$50,000).

Proposal: The EJ Council endorses GOIA’s “Tribal State Lands Stewardship” Decision Package for \$3,916,000.



Agency Recommendation Summary

After record-setting visitation during the pandemic, recreation use on state-managed lands continues to intensify and remains significantly higher than pre-pandemic levels. Over the past several years, Tribes with treaty and reserved rights in Washington have advocated through the annual Centennial Accord meetings for creation of an Interagency-Tribal process to address impacts of recreation on natural and cultural resources and on protected Tribal rights across state-managed lands and waters. The 2023 Legislature provided funding in the operating budget for State Parks, Fish & Wildlife, and Natural Resources to develop a new statewide resource assessment and policy for public lands development. This request supports the Governor's Office of Indian Affairs' convening role and cross-agency costs for the State-Tribal Recreation Impacts Initiative begun by the Governor and previously funded in the 2023-25 operating budget.

Fiscal Summary

Fiscal Summary <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Staffing						
FTEs	1.0	1.0	1.0	0.0	0.0	0.0
Operating Expenditures						
Fund 001 - 1	\$1,961	\$1,955	\$3,916	\$0	\$0	\$0
Total Expenditures	\$1,961	\$1,955	\$3,916	\$0	\$0	\$0

Decision Package Description

Recreation use has expanded significantly during the past several years, and it's increasingly important for the state land managing agencies to assess the condition of state recreational lands and to improve management of natural and cultural resources. For the past several years through the Centennial Accord, many Washington Tribes have advocated for the creation of a collaborative State-Tribal process to improve management of recreation impacts on natural and cultural resources and on protected Tribal rights. The Governor's Office of Indian Affairs (GOIA), at the direction of the Governor, convened a first of its kind effort together with federally recognized Tribes with protected rights in Washington (Tribes, the State Parks and Recreation Commission (State Parks), Department of Natural Resources (DNR), Department of Fish and Wildlife (DFW), and the Recreation and Conservation Office (RCO) to assess and improve management of recreation impacts across state-managed lands and waters.

Work to date has been productive and has included development of a working charter that sets a vision for the initiative, communication principles, organization structure (steering committee and workgroups), decision-making processes, and a technical framework. Work has also included securing a \$1 million planning grant from the National Fish and Wildlife Foundation to provide technical and financial assistance to Tribes to support participation in this effort. It is anticipated that work during the current biennium will result in cooperative development of standardized ecological inventory assessments, new process to identify appropriate adaptive management tools, and criteria to establish priority areas in which to apply and refine the methodology.

Coordinated Multi-Agency Requests

Although each participating state agency has developed an agency-specific budget request addressing this work, together these requests represent a coordinated – and complementary – body of work in which each agency fulfills unique and integral functions. Agency budget requests for the 2025-2027 biennium will enable collective, ongoing participation by state agencies and Tribes in the State-Tribal Recreation Impacts Initiative, as well as application of resource assessment and adaptive management tools in at least three priority areas on DNR, DFW, State Parks-managed lands and waters to be selected by the initiative's Steering Committee.

Successful implementation will depend on deliverables within, and unique to, each agency-specific budget request. Funds requested by DNR, DFW, and State Parks include:

- Continuation of the coordination and technical staffing and natural resource assessments in requests submitted by DFW and State Parks

- Natural resource assessments submitted by DNR (DNR funding for staffing for this effort in the 2023-25 biennium budget was funded as on-going)
- Contracted services for acquisition and management of recreation use data submitted by DFW (\$250,000)

Funds requested by GOIA necessary to continue and enhance its role as the convener of the State-Tribal Recreation Impacts Initiative and support Tribal participation include:

- Contracted facilitation and intermediary services (\$275,000)
- Two annual State-Tribal leadership and information sharing conferences (\$50,000)
- Pass-through funds to Tribes to support participation and provide technical consulting services (\$3,400,000)
- Grant and contract management support for the identified project agreements and to build out this capacity within GOIA (\$190,000)

GOIA Funding Request Detail

Funding requested by GOIA for the 2025-27 biennium is intended to support its role as convener of the State-Tribal Recreation Impacts Initiative, support Tribal capacity to participate in the initiative, and enhance information sharing among Tribes and participating state agencies. It is anticipated that GOIA will coordinate this work through the Steering Committee and the Information Sharing, Legislative, and technical workgroups established for the initiative.

Facilitation and Intermediary Services

Work of the State-Tribal Recreation Impacts Initiative during the current biennium would not have occurred without professional facilitation and intermediary services provided by the Whitener Group (TWG). TWG is a native-owned consulting group based in Olympia, Washington. TWG is currently under contract with State Parks, through legislatively approved funding through the end of the current biennium. Requested funding is intended to retain the services of TWG for the from July 1, 2025, through June 30, 2027. [Facilitation and Intermediary Services – \$275,000]

Information Sharing Meetings

Work during the 2025-27 biennium is anticipated to include analyzing and developing recommendations to enhance timing and sharing of recreation-related initiatives between participating state agencies and Tribes. Requested funds will allow GOIA to convene two annual in-person leadership and information sharing meetings. These meetings would include opportunities for Tribal and state agency leaders to assess progress of the State-Tribal Recreation Impacts Initiative, consider high-profile issues for decision making, and provide ongoing direction to the initiative. Meetings would also provide an opportunity for state agency and Tribal representatives to discuss recreation-related budget and policy proposals and bring forward potential recreation-related projects and initiatives for early input, discussion, and coordination. [Two Statewide Leadership and Information Sharing Meetings – \$50,000]

Pass-Through Funds for Tribal Participation

Work of the State-Tribal Recreation Impacts Initiative has during the first eighteen months has included twenty-six Steering Committee meetings and twenty meetings of the three established workgroups collectively. Tribal representatives have indicated that Tribal staffing capacity remains the largest barrier to full participation in the initiative. The state has already recognized the need to support tribal capacity to collaborate with the state through the HEAL Act and the creation of a grant program at the Department of Ecology to support energy siting work.

In response, DFW worked with Tribal representatives to secure a \$1 million grant from the National Fish and Wildlife Foundation (NFWF) to

provide subgrants to Tribes to support participation in State-Tribal initiative and to contract a consultant to provide technical support for Tribal representatives on the State-Tribal Technical Workgroup. Funding from NFWF expires in September 2025.

Requested funding will provide \$100,000 for each of the thirty-one eligible Tribes to dedicate 0.5 FTE in staff time to participate in the State-Tribal Recreation Impacts Initiative during the course of the 2025-27 biennium. It would also continue funding for consulting services for technical support to Tribal representatives on the Technical Workgroup. [Pass-Through Funds for Tribal Participation – \$3,100,000 and Technical Consulting Services – \$300,000]

Agency Grant Management Support

GOIA is not staffed to manage grant programs. The agency will hire one dedicated Grants and Contract Coordinator to develop and administer the pass-through funds for tribal participation. They will also create and manage the facilitation and intermediary services agreement. Recent tribal communication and 2024 Centennial Accord feedback has identified a desire for GOIA to grow into a more supportive structure for tribal interests. Funding this position ongoing creates a foundation for GOIA to support tribal pass-through grants more directly. A centralization of these agreements over time will provide greater consistency and service, while removing burden that other state agencies are shouldering through the current ad hoc approach the state has for tribal pass-through funding. [Agency Grant Management Support - \$190,000]

Alternatives

Not funding this request risks disrupting an established, highly significant and timely state-Tribal undertaking and further impacting or losing significant natural or cultural resources. If the extent and condition of natural resources is not fully understood, the ability to protect and restore them in a manner consistent with best available science, state agency missions/policies, and federal/state laws would be diminished. Decisions to defer these investments would increase the potential for irreversible damage and/or loss of natural or cultural resources.

Delaying or abandoning the established Interagency-Tribal effort is inconsistent with the State's commitment to Washington Tribes, risks resource degradation and interference with the exercise of protected Tribal rights resulting from insufficiently managed recreation on state lands and waters.

The alternatives to funding this request include:

1. Continuing management of recreation impacts without coordination with Tribes and other state agencies through the Interagency-Tribal Recreation Impacts effort and relying on ad-hoc coordination with individual Tribes and Agencies. This alternative may injure relationships between the state agencies and Tribes, continues inconsistent or conflicting recreation management practices across state lands and waters, and increases the risk of miscommunication, conflict, and potential legal action by Tribes related to treaty and other protected rights.
2. Continuing management of recreation impacts without application of resource assessment and adaptive management tools developed through Interagency-Tribal Recreation Impacts effort. This alternative reduces the effectiveness and defensibility of management decisions, decreases efficient direction of state staff and financial resources, and increases the risk of losing public support and voluntary compliance with resource management actions.

There may be costs and workload efficiencies realized through alternative implementation methods. Below are solutions explored but not requested in favor of proposals that better align with tribal interest and objectives.

Facilitation and Intermediary Services could be directly appropriated to State Parks. This would not result in a decrease of direct costs, but it would reduce agency effort by avoiding GOIA having to establish a new contract with the vendor, or creating a pass-through, inter-agency agreement between GOIA and State Parks for an extension for the current agreement.

Pass-Through Funds for Tribal Participation could be administered through RCO or one of the three project agencies. The work associated with the pass-through grant is real but can be more easily absorbed by a larger agency with established grant management policies and process. Similar to the Department of Ecology's 23-25BN appropriation for pass-through energy site surveys funding, GOIA would develop the grant distribution methodology and provide the administrating agency the specific amount of funding to distribute for each applicant for these grants, which will be offered under a single consolidated program. The administrating costs for this effort would be one-time, likely ranging from \$20,000 - \$100,000

Assumptions and Calculations

Expansion, Reduction, Elimination or Alteration of a current program or service:

The Legislature provided funding to State Parks, DNR, and DFW for the Interagency-Tribal Recreation Impacts effort for the 2023-25 biennium. This request adds new funding in GOIA's budget to pay for cross-agency costs of continuing with the next phase of the effort. These include facilitation services, in-person opportunities for sharing information, and ethnographic studies to inform application of resource assessment and management tools in priority areas on state lands. This request also asks for new pass-through funding to support Tribal participation for two-years. Together this funding supports an elevated role for GOIA in its capacity as the convener of the state agencies and Tribes in the ongoing work of the Interagency-Tribal Recreation Impacts effort.

Detailed Assumptions and Calculations:

The following table itemizes the programs cost and breaks them out by fiscal year:

Description	FY26	FY27	25-27 Total
Contracted Facilitation & Intermediary Services	\$137,500	\$137,500	\$275,000
Leadership and Information Sharing Meetings	\$25,000	\$25,000	\$50,000
Pass-Through Funds for Tribal Participation	\$1,550,000	\$1,550,000	\$3,100,000
Contracted Technical Consulting Services	\$150,000	\$150,000	\$300,000
Agency Grant Management Support	\$98,100	\$92,100	\$190,200
Total	\$1,960,600	\$1,954,600	\$3,915,200

For a detailed breakdown of Agency Grant Management Support cost see the Workforce Assumptions section.

Workforce Assumptions:

1.0 FTE, Grants and Contract Specialist, Range 47: Work with tribes to establish terms and conditions of grant and contract awards. Conduct preliminary review of proposals and provide technical advice for award decisions. With delegated authority, review and approve budgetary actions facilitating grant and contract awards. Develop agency policies and develop and maintain a process all contractual documentation.

Annual staffing costs: \$90,000, ongoing

Object A, Salary: \$64,440

Object B, Benefits: \$25,700

Object E, Standard Employee costs: \$8,000 in Year 1, \$2,000 in Year 2.

Historical Funding:

This would be a new program, therefore no historical funding to disclose.

Strategic and Performance Outcomes

Strategic Framework:

N/A

Performance Outcomes:

N/A

Equity Impacts

Community Outreach and Engagement:

In April 2023, the Governor's Office of Indian Affairs (GOIA), as per direction from the Governor, convened a meeting of leaders of Washington Tribes, the Commissioner of Public Lands, and the Directors of State Parks and the Department of Fish and Wildlife to discuss ways in which the state agencies and Tribes might work collaboratively on the issue of recreation impacts on natural and cultural resources and protected Tribal Rights. Tribal and state agency leaders committed to co-developing a system to improve management of recreation impacts on natural and cultural resources and on protected Tribal rights across state-managed lands and waters. Since initiating this effort, tribal representatives, and state-agency staff, led by the GOIA, established a joint steering committee and a series of co-created workgroups (Technical, Legislative and Information Sharing), and have developed a working charter to guide the overall effort. The steering committee has met 25 times (twice per month as of August 2024) and the three workgroups have collectively met over 20 times. Tribal participation has been good. Tribal representation has been through Tribal leaders, Tribal staff, Tribal Governmental Affairs, and the Northwest Indian Fish Commission (representing 20 Western Washington Tribes). All 29 federally recognized tribes in Washington state, Nez Perce Tribe and the Confederated Tribes of the Umatilla Indian Reservation, and Tribal commissions and organizations are included in the convening and communications. GOIA communicates regularly with those Tribes and Tribal organizations who do not participate on a regular basis to provide updates and seek feedback. Tribal representatives continue to indicate that financial resources and staff capacity are the principal barriers to full, consistent participation. This unique collaborative process may serve as a model for working in partnership to address other natural resources issues, and beyond.

Disproportional Impact Considerations:

The Governor's Office of Indian Affairs (GOIA) engaged (and continues to engage) with all 29 federally recognized Washington state Tribes, Nez Perce Tribe and Confederated Tribes of the Umatilla Indian Reservation (both located out-of-state but possess protected rights within Washington), the Northwest Indian Fish Commission (NWIFC – 20 member Tribes), Upper Columbia United Tribes (UCUT – 5 member tribes), Columbia River Inter-Tribal Fish Commission (CRITFC – 4 member tribes of the Columbia Plateau), Affiliated Tribes of Northwest Indians (ATNI – representing 57 northwest Tribal governments from Washington, Oregon, Idaho, southeast Alaska, northern California and western Montana). GOIA received across the board positive response supporting the creation of a State-Tribal Recreation Impacts Initiative as long as it was collaborative and in partnership in all aspects. Tribal capacity was, and continues to be, identified as the primary barrier to full and consistent participation. Other considerations include addressing impacts across the entire state of Washington without any bias or priority to one particular geographical area and making every effort to create a group and process that would endure over years and through political transitions.

Target Communities and Populations:

This request would fund efforts to collaboratively acknowledge, identify and address state lands where impacts from recreation activity are of heightened concern and apply resources assessment and adaptive management tools in at least three selected priority areas on DNR, DFW, and State Parks-managed lands. This package is of particular interest to many Washington Tribes, who have advocated over the past several Centennial Accord meetings, and other direct conversations, for the creation of a collaborative process to address impacts of recreation on natural and cultural resources and on protected Tribal Rights.

Community Inputs and Incorporation:

N/A

Other Collateral Connections

HEAL Act Agencies Supplemental Questions

N/A

Puget Sound Recovery:

N/A

State Workforce Impacts:

N/A

Intergovernmental:

This decision package is an integral part of complementary decision packages submitted by State Parks, DNR, and DFW to fund continued work of the State-Tribal Recreation Impacts Initiative convened by the Governor and funded by the Legislature in the 2023-25 operating budget. During the 2025-27 biennium, the State-Tribal Recreation Impacts Initiative will complete development and begin application of a standardized resource assessment methodology and identify adaptive management tools in selected priority sites in state parks and other public lands managed by DFW and DNR.

Stakeholder Impacts:

Funding the continued work of the GOIA convened State-Tribal Recreation Impacts Initiative follows through on the commitment made by the Governor and state agency leadership through government-to-government discussion to work collaboratively with Tribes to improve management of recreation impacts across state-managed lands and waters. Tribes are sovereign nations and not stakeholders. GOIA anticipates strong support from the 29 federally recognized Tribes within Washington state, out-of-state Tribes with protected rights within Washington state, Tribal organizations, and the environmental community. There may be concern expressed by some outdoor recreation stakeholders who may view this effort as exclusionary and/or threaten or limit opportunity to recreate in Washington state. Stakeholders from the environmental community and outdoor recreation organizations will need to be pulled into the conversation at some point in the near future, but not as actual partners in the State-Tribal Recreation Impacts Initiative.

State Facilities Impacts:

N/A

Changes from Current Law:

N/A

Legal or Administrative Mandates:

N/A

Governor's Salmon Strategy:

N/A

IT Addendum

Does this Decision Package include funding for any IT-related costs, including hardware, software, (including cloud-based services), contracts or IT staff?

No

Objects of Expenditure

Objects of Expenditure <i>Dollars in Thousands</i>	Fiscal Years		Biennial	Fiscal Years		Biennial
	2026	2027	2025-27	2028	2029	2027-29
Obj. A	\$64	\$64	\$128	\$0	\$0	\$0
Obj. B	\$26	\$26	\$52	\$0	\$0	\$0
Obj. C	\$288	\$288	\$576	\$0	\$0	\$0
Obj. E	\$33	\$27	\$60	\$0	\$0	\$0
Obj. N	\$1,550	\$1,550	\$3,100	\$0	\$0	\$0

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