Tribal Outreach Listening Sessions for the Mid-Atlantic Regional Council on the Ocean (MARCO)

Final Report

27 January 2016

MARCO
MID-ATLANTIC REGIONAL
COUNCIL ON THE OCEAN

5 STATES 4 PRIORITIES 1 OCEAN
Enhancing the vitality of the region's ocean ecosystem and economy

Prepared For:

Prepared By:

ECOLOGY AND ENVIRONMENT, INC.
348 Southport Circle, Suite 101
Virginia Beach, Virginia 23452

Sarah Bowman
Katie Guttenplan

THE WHITENER GROUP
4925 Sunrise Beach Rd NW
Olympia, WA 98502

Bob Whitener
Betsy Moyer
Jennifer Whitener Ulrich

THIS PAGE INTENTIONALLY LEFT BLANK.

Table of Contents

List of Tables

THIS PAGE INTENTIONALLY LEFT BLANK.

List of Abbreviations and Acronyms

ACET	Alliance of Colonial Era Tribes
APNEP	Albemarle-Pamlico National Estuary Partnership
BOEM	Bureau of Ocean Energy Management
CNLT	Confederation of Nanticoke - Lenape Tribes
HEFT	Haudenosaunee Environmental Task Force
LITD	Lenape Indian Tribe of Delaware
Management Board	MARCO Management Board
MARCO	Mid-Atlantic Regional Council on the Ocean
MCIA	Maryland Commission on Indian Affairs
MidA RPB	Mid-Atlantic Regional Planning Body
NGCIA	New Jersey Commission on Indian Affairs
NLL	Nanticoke Lenni-Lenape Tribal Nation
NOC	National Ocean Council
NOP	National Ocean Plan
OAP	Ocean Action Plan
pGIS	Participatory Geographic Information System
RPB	Regional Planning Body
TEK	Traditional Ecological Knowledge
TWG	The Whitener Group
USET	United South and Eastern Tribes
VITAL	Virginia Indian Tribal Alliance for Life

THIS PAGE INTENTIONALLY LEFT BLANK.

Executive Summary

The Mid-Atlantic Regional Council on the Ocean (MARCO) is conducting outreach to collect tribal geographic data to help inform the development of the Mid-Atlantic Ocean Action Plan (OAP) and that may be incorporated into the MARCO Data Portal. As a Regional Ocean Partnership, MARCO supports regional ocean planning as a means to advance MARCO priorities and works with the Mid-Atlantic Regional Planning Body (MidA RPB) to achieve the goals enumerated in the OAP, including the development of spatial data. MARCO has been engaging a variety of stakeholders to facilitate data collection for the MidA RPB regional planning process and to facilitate a parallel tribal engagement effort, MARCO sought input from tribes to develop a set of spatial data layers and information.

To effectively engage tribal leaders and representatives, the outreach and data collection process consisted of two Listening Sessions and three participatory Geographic Information System (pGIS) Workshops that took place from New York to Virginia. The Listening Sessions allowed for an open dialogue among the tribal representatives, MARCO staff, and MARCO Data Portal Team, and aided in establishing a working relationship among parties with the goal of developing a set of spatial data layers. Data collection included gathering information on localized tribal attributes such as traditional homelands and current headquarters, along with recorded stories from tribes providing background information on the spatial data collected for inclusion in the story-telling portion of the MARCO Data Portal.

MARCO received initial feedback on regional ocean planning and potential data layers during Listening Sessions held in August 2015. MARCO was then able to begin collecting tribal spatial data during pGIS Workshops conducted from September 2015 to November 2015. Outcomes of the outreach and data collection process include:

1) Building a Foundational Relationship with Tribes;
2) Engaging Tribes in the Current Ocean Planning Process;
3) Soliciting Tribal Input on Ocean Planning in the Mid-Atlantic;
4) Creating Initial Tribal Spatial Data Layers; and
5) Providing a Spatial Data Tool for Tribes.

Data collection is an ongoing process and several tribal leaders are assisting with further data collection efforts, both for tribal use and for possible inclusion in the MARCO Data Portal.

THIS PAGE INTENTIONALLY LEFT BLANK.

1   Introduction

1.1   GOALS

The Mid-Atlantic Regional Council on the Ocean (MARCO), is collecting Native American tribal geographic data that may be incorporated into the Mid-Atlantic Ocean Action Plan (OAP) and the MARCO Data Portal. The goals of the outreach effort are to begin a dialogue with tribal leaders on the regional ocean planning efforts that are underway and engage the tribes in these efforts. A key goal of this project is the development, in close consultation with representatives from tribal nations, of geographic data layers based on Traditional Ecological Knowledge (TEK) from the tribes in order to identify key tribal resources, historical boundaries, and current communities. These data layers can be considered by the Mid-Atlantic Regional Planning Body in the development of the OAP, in order to reduce conflicts between users and promote sustainable use of the Mid-Atlantic ocean. The outcome of this effort is a list of data layers provided by the tribes indicating key tribal areas and resources that MARCO may incorporate into the MARCO Data Portal. In addition, the process has established a working relationship with several key tribal leaders to facilitate future data collection efforts. This report provides an overview of the tribal outreach and data collection process, in addition to summarizing the outcomes of that effort.

To reduce future conflicts between the various Federal, State, tribal, commercial, and industrial users in the oceans, MARCO sought input from various tribes concerning their historical and present human use information in and near the oceans. This project focused on engaging tribes with an interest in the process, including Federal and state recognized tribes, along with members of the MARCO Data Portal mapping team.

To effectively engage the regional tribes, the heart of this outreach effort consisted of two Tribal Listening Sessions and three pGIS Workshops. These Listening Sessions and Workshops took place from Virginia to New York and provided an opportunity for representatives from tribes, MARCO staff, MARCO Data Portal Team members, and private tribal and environmental consultants to establish a working relationship with the goal of developing a set of tribal spatial data layers, metadata, and accompanying narrative.

This final report summarizes the comments received during Tribal Listening Sessions and pGIS Workshops, and the data layers mapped during the pGIS Workshops along with planned data layers that may be mapped at the earliest possible time. This report includes general descriptions of the layers provided at the pGIS Workshops, but does not depict the actual layers due to privacy concerns of the tribal leaders and representatives who provided the data.

1.2   GEOGRAPHIC SCOPE

The area of interest for this project includes the coastal portions of the Mid-Atlantic Region from Virginia to New York; however, the results are applicable to tribes situated along rivers and trib-

utaries that are connected to coastal regions and have a vital interest in ocean resources and conservation. It should also be noted that several tribes were displaced from their historical coastal homelands due to regulations, engineering (i.e. dams), and eviction and may maintain an interest in ocean planning. Within this geographic region, several state and Federally recognized tribes are currently situated near the coasts, bays, estuaries, and tributaries of Virginia, Maryland, Delaware, New Jersey, Pennsylvania, and New York. Tribes located near the Great Lakes region in New York were included in outreach in order to provide information on the regional planning process, but will likely participate in the management planning and data acquisition process of Great Lakes Regional Planning Body, upon its creation, rather than the MidA RPB. These tribes, along with those living in the nearby states of Connecticut and Rhode Island, can apply for ex-officio status in the Mid-Atlantic region due to their ties to tribes and ocean resources within the Mid-Atlantic. Since activities taking place outside of the regional planning area may affect planning decisions in that area, an RPB can extend ex-officio membership to adjacent agencies and governments, including tribal, to help integrate and enhance consistency among regions (NOP 2013).

2 Background

2.1 REGIONAL PLANNING

National Ocean Policy

In 2010, President Obama passed Executive Order 13547 establishing a National Ocean Policy:

> *"...to ensure the protection, maintenance, and restoration of the health of ocean, coastal, and Great Lakes ecosystems and resources, enhance the sustainability of ocean and coastal economies, preserve our maritime heritage, support sustainable uses and access, provide for adaptive management to enhance our understanding of and capacity to respond to climate change and ocean acidification, and coordinate with our national security and foreign policy interests."*

The order provided for the development of regional coastal and marine spatial plans to enable a more integrated and proactive approach to planning and managing sustainable multiple uses across sectors.

Mid Atlantic Regional Planning Body

The intergovernmental Mid-Atlantic Regional Planning Body (MidA RPB) was formally established in April of 2013 to coordinate and implement regional ocean planning in the Mid-Atlantic (BOEM n.d.[a]). In collaboration with stakeholders, the Mid-Atlantic Regional Council on the Ocean (MARCO) and other partners in the region, the MidA RPB seeks to coordinate state, Federal, tribal, and fishery management council representatives to:

1) plan for existing, new, and expanding Mid-Atlantic ocean uses;
2) make better and more informed decisions about the use of ocean space;
3) improve efficiency and leverage constrained resources;
4) work with stakeholders to vet and share ocean data; and
5) provide ocean stewardship (BOEM n.d.[b]).

The MidA RPB is currently developing a Draft Ocean Action Plan (OAP), anticipated for finalization in 2016, focused on inter-jurisdictional coordination, data synthesis, and regional ocean assessment (BOEM 2015). The MidA RPB has established a data synthesis work group to help the MidA RPB identify and meet data synthesis and analysis needs for the OAP (BOEM 2015). The workgroup is helping the MidA RPB identify areas of ecological and human importance. Data synthesis can combine layers to support ecosystem-based management. Consequently, basic human use data that will be used in synthesis products are needed by the MidA RPB for planning and by agencies for decision-making. In particular, human use data collection and synthesis will help the MidA RPB depict intensity of use and illustrate areas where multiple uses co-occur and may indicate areas where improved interjurisdictional coordination is needed. Participation of stakeholders and the public is fundamental to a successful ocean planning process. Recent stake-

holder engagement efforts have focused on providing opportunities via workshops, meetings, and webinars to foster dialogue among stakeholders (including state and Federal agencies), to share ideas on ocean planning, and to collaborate data. The input received to date is helping the MidA RPB shape the ocean planning process so that it meets the needs, including the time constraints of the 2016 OAP deadline, and interests of the region.

2.2   MARCO's Role in Tribal Engagement

Established in 2009 by the Governors of New York, New Jersey, Delaware, Maryland and Virginia, MARCO is a regional ocean partnership working to enhance the vitality of the region's ocean ecosystem an economy. MARCO has identified four regional priorities (MARCO 2014b):

1) marine habitat,
2) renewable energy,
3) climate change adaptation, and
4) water quality

MARCO leverages existing state and Federal resources, knowledge and partnerships, and yields a stronger base of information and experience to make informed decisions that are in the best interest of our region and nation. Composed of designated senior coastal managers and policy advisors, the MARCO Management Board (Management Board) is responsible for advancing the region's shared ocean interests (MARCO 2014b). Collaboratively, the Management Board considers new ecological and socio-economic trends, and fosters interstate collaborations on a wide range of actions to effectively address emerging ocean issues. MARCO is building partnerships with local, state, regional and Federal entities, tribes, academic and research institutions, industry, and key stakeholder groups. By working together, and clearly acknowledging varying partner interests, needs and capacities, MARCO is better positioned to advance regional priorities, address pressing management challenges to improve ocean health, achieve a sustainable use of ocean spaces and resources, and grow the region's vital ocean-based economies.

As a Regional Ocean Partnership, MARCO supports Mid-Atlantic Regional Ocean Planning as a means to advance MARCO priorities and works with the MidA RPB. Each of the five MARCO states also serve as member to the MidA RPB. MARCO has a number of roles in support of the development of the OAP, including working with stakeholders and tribes to facilitate data collection for the MidA RPB regional planning process (BOEM 2015). This data can be incorporated into the MARCO Data Portal as well as used to further support regional planning efforts. The MARCO Data Portal, an online toolkit and resource center, consolidates the best available data and enables stakeholders to visualize and analyze ocean resources and human use information such as fishing grounds, recreational areas, shipping lanes, habitat areas, and energy sites (MARCO 2014a). The MARCO Data Portal serves as a platform to engage all stakeholders in ocean planning from the five-state Mid-Atlantic region—putting all of the essential data and state-of-the art mapping and visualization technology into the hands of the entities, industry, and community leaders engaged in ocean planning.

Excerpt from National Ocean Council Marine Planning Handbook; Tribes and Indigenous groups Section (pg. 8):

Tribes and Indigenous Groups

As regional planning bodies begin their work, engagement with any Federally recognized tribes, State recognized tribes, or indigenous populations that may be affected by the efforts of the regional planning body should occur early and often as appropriate. The participation of Federally recognized tribes as members of the regional planning body does not supplant the obligation of the Federal Government (in this case, the Federal agency members of the regional planning body) to conduct government-to government consultation with potentially affected Federally recognized tribes. Regional planning bodies will develop a mechanism to engage State-recognized tribes or indigenous communities with jurisdictional responsibilities or interests relevant to marine planning, such as the indigenous populations of Hawaii and the U.S. Commonwealths and Territories. Engagement of affected tribes or indigenous populations, including consultation with Federally recognized tribes, can provide the regional planning body with critical information and expertise necessary for marine planning. Tribal leaders and historic preservation officers can serve as guides to existing cultural-use information as well as traditional knowledge. Traditional knowledge can include information about tribal sacred sites as well as historic and current ecological conditions and environmental use information.

Excerpt from Mid-Atlantic Regional Planning Body Charter Pertaining to Tribal Engagement and Representation Tribal Members (pg. 4)

Mid-Atlantic Regional Planning Body Charter

The National Ocean Policy explicitly recognizes the importance of enhanced coordination with Federally-recognized tribal governments, specifically as it pertains to preservation of the Nation's heritage, including historical and cultural values. As participants in the regional planning process, tribes will be called upon to share their traditional knowledge and natural resource management expertise. Through this collaboration, tribes can help all participants better understand treaty rights, traditional knowledge of marine ecosystems, and tribal scientific capacity.

The RPB structure acknowledges the sovereign status of Mid-Atlantic Federally-recognized American Indian Tribal Governments and recognizes the principle of government-to government consultation. Each Federally-recognized tribe is invited to have its own seat on the RPB and represent their respective tribal interests and goals in the regional marine planning process. Tribal representatives must be an elected or duly appointed tribal official, or the tribal official's designated employee with the authority to draw on other tribal expertise and act on the tribe's behalf on RPB matters. The participation of Federally recognized tribes as members of the regional planning body does not supplant the obligation of the Federal Government (or in this case, the Federal Agency members of the regional plan-

*ning body) to conduct government to-government consultation with potentially af-
fected Federally recognized tribes.*

MARCO has contracted with consultants to facilitate tribal engagement and conduct an outreach effort with goals to discuss the regional ocean planning efforts that are underway with tribal leaders; engage the tribes in these efforts; and consult with representatives from tribal nations to develop geographic data layers. TEK from the tribes will help to identify key tribal resources, historical boundaries, and current communities.

3   Tribal Outreach

To meet the objectives as described above, MARCO initiated a process of data gathering, consultation with tribal leadership, and preparation for Listening Sessions and pGIS Workshops including logistics such as meeting format, timing, locations, and invitee list.

MARCO understood that the outreach and Listening Sessions would be better received if trust were established between MARCO and the tribal representatives. In order to achieve an initial level of trust MARCO hired a tribally owned consulting company called The Whitener Group (TWG) to assist with outreach efforts and facilitate conversations during the Listening Sessions and pGIS Workshops.

MARCO endeavored to make the outreach process inclusive to ensure that tribal leaders felt comfortable engaging in the process. The goal of the outreach was to communicate to tribes that their knowledge and data would be handled and collected in ways agreed to by each individual tribe and demonstrate why working with MARCO might benefit their respective tribes.

3.1   INITIAL OUTREACH

Tribal Profiles

The outreach process began by compiling profiles of each state and Federally recognized tribes in the region and gaining a general understanding of each tribe's governmental structures. These profiles were maintained as confidential documents to inform the project Team. Every tribe governs in different ways and the nuances of these differences are important especially when soliciting input on a specific topic. Outreach began with creating basic profiles on all twenty-seven tribes in Delaware, Maryland, New Jersey, New York and Virginia listed in Table 3-1.

Table 3-1 Tribes of the Mid-Atlantic Region

Tribal Nation	State
Lenape Indian Tribe of Delaware	DE
Nanticoke Indian Association, Inc.	DE
Piscataway Indian Nation	MD
Piscataway Conoy Tribe	MD
Powhatan Renape Nation	NJ
Ramapough Lunaape Nation	NJ
Nanticoke Lenni-Lenape Tribal Nation	NJ
Cayuga Nation	NY
Oneida Indian Nation	NY
Onondaga Nation	NY
Saint Regis Mohawk Tribe	NY
Seneca Nation of Indians - Allegany & Cattaraugus	NY
Shinnecock Indian Nation	NY

Table 3-1 Tribes of the Mid-Atlantic Region

Tribal Nation	State
Tonawanda Band of Seneca Indians	NY
Tuscarora Nation	NY
Unkechaug Nation	NY
Cheroenhaka (Nottoway) Indian Tribe	VA
Chickahominy Tribe Eastern	VA
Chickahominy Tribe	VA
Mattaponi Tribe	VA
Monacan Indian Nation	VA
Nansemond Indian Tribal Association	VA
Nottoway Indian Tribe of Virginia	VA
Pamunkey Indian Tribe[1]	VA
Pattawomeck Indian Tribe of Virginia	VA
Rappahannock Tribe	VA
Upper Mattaponi Tribe	VA

[1] At time of outreach, the Pamunkey Tribe was in the process of obtaining Federal recognition; however, at the time of this report, the process has been put on hold after a challenge was filed during the 90-day window to appeal the Bureau of Indian Affair's decision to award the Pamunkey Federal recognition The current status of the petition is listed as pending (Bureau of Indian Affairs, 2015).
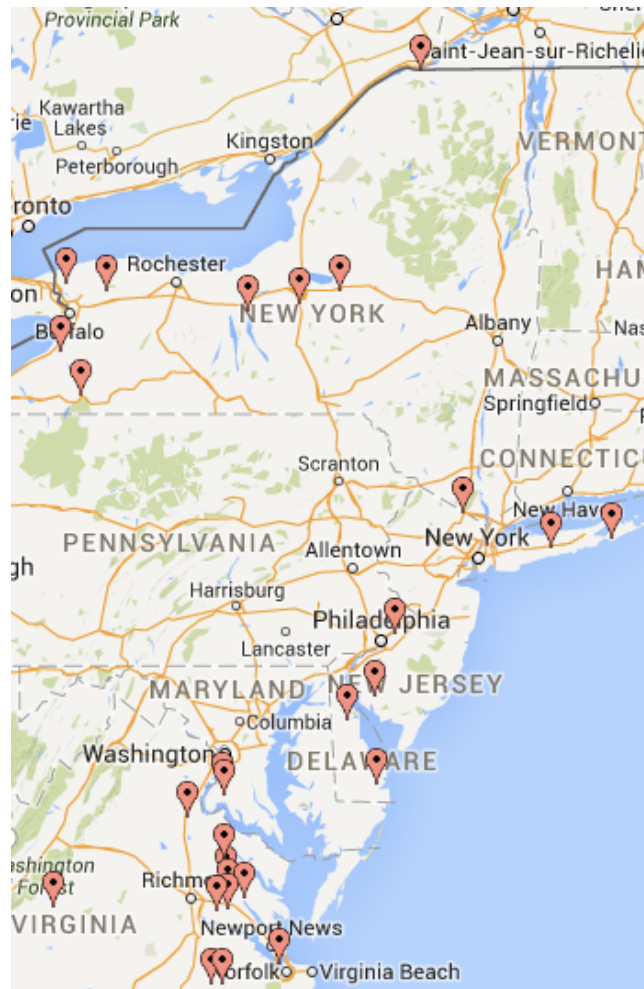
Map 1: Locations of Mid-Atlantic Tribe Headquarters

Each profile contained the following data (when available from a credible source):

- Official Name of the Tribe
- Meaning of the Tribal Name
- Pronunciation of Tribal Name
- Recognition Status (State or Federally Recognized)
- Enrollment Data
- Nearby City/Town
- General Contact Information
- Brief Description of the Tribe and Pertinent History
- Government Structure
- Current List of Leadership (typically Tribal Councils)
- Any Professional or Personal Connections to Tribal Consultant
- Potential Contacts
- Maps of their Geographic Location (historical and current, if possible)
- Environmental or Natural Resources Data
- Economics and Business Holdings

Tribal Organization Profiles

After conducting research into the individual tribes in the Mid-Atlantic region, profiles on pertinent inter-tribal organizations and state government commissions were compiled. These commissions included:

- United South and Eastern Tribes (USET),
- Confederation of Nanticoke - Lenape Tribes (CNLT),
- Alliance of Colonial Era Tribes (ACET),
- New Jersey Commission on Indian Affairs (NGCIA),
- Virginia Indian Tribal Alliance for Life (VITAL),
- Albemarle-Pamlico National Estuary Partnership (APNEP),
- Haudenosaunee Environmental Task Force (HEFT),
- Haudenosaunee Confederacy, and the
- Maryland Commission on Indian Affairs (MCIA)

Additional Profiles

During the profile research, a list was compiled of "Self-Identified Tribes"- tribes that have neither state nor Federal recognition, but are organized tribal entities with possible cultural and historical ties to the ocean. Due to constraints on time and funding, MARCO decided to focus on State and Federally recognized tribes, but retains the Self-Identified Tribes contact list in the event of future status changes.

3.2   LISTENING SESSION OUTREACH EFFORTS

Listening Session Outreach Efforts

After collecting basic tribal profiles, initial outreach began to determine the desired level of engagement and to communicate the intent of the Listening Sessions on a tribal level.

Perhaps the most important step in engaging tribal representatives with the goal of data sharing and gathering is the initial outreach to each tribe. The initial conversations with each tribe provided an understanding of how each tribe felt about engaging in the Listening Sessions and providing the data needed for MARCO's Data Portal. MARCO was advised that regarding tribal engagement, it is usually most productive to approach the tribes and ask how they prefer to be engaged, rather than creating an engagement model and asking for participation. For this reason, a flexible and multifaceted approach was used to encourage wider participation and engagement. A goal in the initial outreach was to determine if Listening Sessions were a feasible and appropriate way for tribal leaders in the region to engage with MARCO in this process. During initial outreach, MARCO emphasized that it was flexible and willing to restructure the engagement model to accommodate the feedback and preferences of the tribes.

In addition, the initial outreach was designed to uncover potentially significant conflicts between any of the tribes in the region. In the case of conflicts between tribes, a strategy for inviting tribes to each Listening Session would be necessary. However, if tribe-to-tribe relations were amicable

enough to invite all the tribal representatives to all Listening Sessions, then this would allow more flexibility in schedules and travel logistics.

This initial outreach process was elongated to ensure that the trust necessary for the proper engagement of the technical representatives and leadership at each tribe was established. A layered outreach process was utilized that included the following:

1) **INTRODUCTORY EMAIL**
   An introductory email was sent to each tribal chief outlining the following – the tribal consultant's role and background, a brief intro on MARCO and the MidA RPB, and a synopsis on the tribal engagement process. After this introduction to the process, the email asked the tribal chiefs to indicate if they were interested in attending or in sending a representative to a Listening Session on the issue of ocean planning, and if there was another appropriate person/representative that could be contacted. The initial outreach email also indicated that a representative would be following up the email communication with a telephone call.

2) **FOLLOW-UP PHONE CALLS**
   After the initial email, each tribe was called in an attempt to establish a base relationship with the tribe and determine the level of interest in engaging in the ocean planning process. The personal telephone calls resulted in a higher level of engagement. During the phone calls, correct email addresses and/or other contact information were confirmed.

   The tribes in the MARCO region, excluding the Great Lakes tribes, had varied levels of organization and outreach was more difficult with some tribes. To maximize the potential of reaching the contact instead of simply voicemail, the times of the day calls were made were adjusted. Chiefs or representatives were called at different times when it was clear that the contact information was for home telephone numbers or if the contact had a day job outside of the tribal role that they held.

3) **LISTENING SESSION SAVE THE DATE AND INVITATION EMAILS**
   After the dates of the Listening Sessions were selected, tribal contacts were emailed details and instructions to attend the Listening Sessions via a Save the Date, followed a few weeks later by a more detailed invitation. These emails were sent to all identified contacts even if they had not engaged or responded to previous contact attempts. These emails also continued to provide the context information provided in initial email outreach.

4) **FOLLOW-UP PHONE CALL TO LISTENING SESSION EMAIL INVITATION**
   Personal phone calls to all tribal contacts were then conducted to follow-up on the Listening Session email invitation.

Summary Table of Listening Session and pGIS Outreach Efforts

The table below provides a summary of the number of outreach contacts that were generated during the process (this number does not include all tribal representatives that attended the Listening Sessions or pGIS Workshops - only the contacts that the tribal consultant had communication with outside the meetings) as well as the number of emails and phone calls that were initiated by

the tribal consultant. Through the first Listening Session the tribal consultant continued outreach to all contacts but also concentrated on communicating with those tribal representatives that had become more active in the process. Table 3-2 provides a summary of the outreach frequency to Mid-Atlantic tribes.

Table 3-2 Summary of Outreach to Mid-Atlantic Tribes

Tribe	Outreach Contacts	Emails Initiated	Phone Calls Initiated
Cayuga	2	8	2
Cheroenhaka	3	11	5
Chickahominy	1	6	0*
Eastern Chickahominy	1	8	2
Lenape Indian Tribe of Delaware	1	8	3
Mattaponi	3	8	4
Monacan	3	10	3
Nansemond	3	10	2
Nanticoke	3	5	5
Nanticoke-Lenni Lenape	3	7	3
Nottoway	2	11	2
Oneida	6	22	4
Onondaga	4	15	2
Pamunkey	3	13	4
Patawomeck	1	7	2
Piscataway	1	7	2
Piscataway Conoy/Cedarville Band Of Piscataway	2	7	1
Powhatan Renape	2	8	5
Ramapough	1	6	2
Rappahannock	2	8	3
Saint Regis Mohawk	5	16	1
Seneca	2	7	2
Shinnecock	4	17	1
Tonawanda	2	10	2
Tuscarora	1	7	2
Unkechaug	1	3	2
Upper Mattaponi	1	5	3
Total	**63**	**250**	**69**

*Was unable to locate valid phone number.

Table 3-3 provides an additional summary of the outreach frequency to identified tribal organizations, commissions and associations.

Table 3-3 Summary of Outreach Frequency to Tribal Organization, Commissions, and Associations

Organization/Association	Outreach Contacts	Emails	Phone Calls
Albemarle-Pamlico National Estuary Partnership	1	1	2
Alliance of Colonial Era Tribes	2	2	1
Confederation of Naticoke-Lenape Tribes	1	1	0
Haudenosaunee Environmental Task Force	1	2	3
Maryland Commission on Indian Affairs	1	2	4
New Jersey Commission on Indian Affairs	1	1	4
Northwest Indian Fisheries Commission	1	1	1
United South and Eastern Tribes Inc. (USET)	1	5	2
Virginia Indian Tribal Alliance for Life	1	2	0
Total	**10**	**17**	**17**

Appendix A contains detailed data on the outreach completed by the tribal consultant.

3.3   PARTICIPATORY GIS WORKSHOP OUTREACH EFFORTS

Participatory GIS Workshop Outreach Efforts

After the Listening Sessions were complete, the next step was to encourage those tribal leaders and representatives who had attended the sessions to gather their relevant data and bring it to a pGIS Workshop to be loaded onto the MARCO Data Portal through participatory mapping. The follow section describes the outreach process used to encourage participation:

1) **EMAIL TO LISTENING SESSION PARTICIPANTS**
   This first email followed up the Listening Sessions with materials requested by participants and a contact list that tribes could use to stay in touch with each other. The email also contained a request for feedback on dates and locations for the pGIS Workshops in October and November, as well as a reminder about the MidA RPB Board meeting in September to which they were all invited.

2) **FIRST EMAIL TO ALL TRIBAL LEADERS AND REPRESENTATIVES**
   The next round of emails contained details on both pGIS Workshops, a description of the workshop goals, and an invitation to any interested tribes. This email was sent to all the tribal emails on the contact list including those tribes who had not yet engaged in the process.

3) **SECOND EMAIL TO ALL TRIBAL LEADERS AND REPRESENTATIVES**
   A reminder email was sent with the pGIS Workshop details to all tribal emails on the contact list.

4) **PERSONAL PHONE CALLS**
   Phone calls were conducted to each tribal leader or representative who attended a Listening Session to gauge their level of interest and possibility of attending.

3.4   OUTREACH RESULTS

Listening Session Format & Timing

It was determined through the outreach conducted that the Listening Session format was an appropriate format for engaging tribal leadership with ocean planning efforts. It was also determined that no existing tribal meetings or gatherings were planned on those dates that would affect Listening Session attendance.

MARCO decided to hold two Listening Sessions, one in upstate New York on August 18-19 and one in Richmond, VA on August 24-25. These dates were chosen because they did not conflict with the majority of regional tribal harvest activities or other major events (as indicated informally by the tribal leaders that were contacted during the outreach process).

The initial agenda of the Listening Sessions was extended to include a welcome dinner the night before the session. This was added because eating together is an important part of relationship building in a majority of tribal cultures.

The New York location was selected based on outreach to USET President Brian Patterson who is also a clan chief for the Oneida Tribe in upstate New York. It was recommended that in choosing a location, it was important to first try and host on a tribal property as long that tribe did not have significant enough conflict with any of the other invited tribal nations. Oneida did not hold any significant barriers for other tribal attendees and as Mr. Patterson had offered unsolicited to host the meeting on Oneida property, this was deemed the best location for the first Listening Session and fell within the project budget. The Shinnecock and Unkechaug graciously offered to travel to this area to ensure that the Federally recognized tribes nearer the Great Lakes were offered an opportunity to attend in close and familiar territory. There was not a lot of interest by the Great Lakes Tribes given the distance to the ocean and their connection to the lakes in their areas. MARCO provided this opportunity nonetheless to make sure they fulfilled the obligation.

Federally Recognized Tribes:

During the outreach process, MARCO was informed that the Pamunkey Tribe was very close to receiving their Federal recognition. It is noted in the MidA RPB Charter that Federally recognized tribes are to be invited to have a seat on the MidA RPB Board. Pamunkey received their Federal recognition in August 2015 and the MidA RPB issued an invitation letter to Pamunkey Chief Grey inviting the Pamunkey Tribe to the MidA RPB Board. Chief Grey identified tribal member Katie MacCormick, a Pamunkey tribal member with a background in conservation biology and GIS, as the official representative of the tribe on the MidA RPB Board. Ms. MacCormick's appointment to the MidA RPB board emphasized and confirmed the MARCO approach to include these tribes in tribal engagement efforts from the beginning. The one setback is that this process and the resulting shift into Federal programs, made participation by Pamunkey difficult, but in the future MARCO would be able to build upon the relationship.

4 Listening Sessions and Workshops

4.1 LISTENING SESSIONS

4.1.1 LISTENING SESSION GOALS

The purpose of each Listening Session was to introduce tribal representatives to the regional ocean planning efforts that are underway and engage the tribes in these efforts. The Listening Sessions were also meant to demonstrate the MARCO Data Portal to the tribes, so that tribal leaders could begin to both propose potential spatial data layers and determine how the tribes could utilize the MACO Data Portal. This was done by first presenting the current state of ocean planning and then fostering discussion among the tribal participants, MARCO staff, and MARCO Data Portal Team members.

To start each session, the Mid-Atlantic RPB Tribal Co-Lead delivered a short informative presentation of the ocean planning process, goals, and expected outcome (please see Appendix B for presentations). A MARCO Data Portal Team member then provided an overview of the MARCO Data Portal, including existing layers, functionality, and potential tribal spatial data layers that could be included in the MARCO Data Portal (for potential layers presented to tribal representatives, please see Appendix C). It was made clear that tribal inclusion was a priority of both MARCO and the MidA RPB, and that the tribes had flexibility with how they engaged in the regional planning and mapping process. The urgency of the impending 2016 deadline for the Ocean Action Plan was also emphasized.

4.1.2 LOCATIONS AND SCHEDULE

The result of the consultations discussions in Chapter 3 was the selection of two different locations at which the Evening Socials and Listening Sessions were conducted (Table 4-1). The New York location was selected based on outreach to USET President Brian Patterson, who recommended a meeting be hosted on a tribal property. Oneida did not hold any significant barriers for other tribal attendees and so Turning Stone Resort on Oneida property, in Verona, NY, was deemed the best location for the first Listening Session and the location fell within the project budget. The Virginia location was chosen due to easy accessibility to many of the southern tribes within the Mid-Atlantic region.

The series of socials and sessions took place in August of 2015. Dates were chosen which did not conflict with the majority of regional tribal harvest activities or other major events.

Table 4-1 Listening Session Locations and Schedule

City/State	Date/Event	Time	Listening Session Location
Verona, NY	August 18th, 2015 Evening Social	6:00 p.m. - 8:00 p.m.	**Cypress Ballroom in Event Center Turning Stone Resort** 5218 Patrick Rd. Verona, NY 12478
	August 19th, 2015 Listening Session	9:00 a.m. - 3:00 p.m.	**Cypress Ballroom in Event Center Turning Stone Resort** 5218 Patrick Rd. Verona, NY 12478
Richmond, VA	August 24th, 2015 Evening Social	6:00 p.m. - 10:00 p.m.	**The Lora and Claiborne Robins Tea House and Garden Lewis Ginter Botanical Garden** 1800 Lakeside Avenues Richmond, VA 23228
	August 25th, 2015 Listening Session	9:00 a.m. – 3:00 p.m.	**Kelley Education Center's Azalea Room Lewis Ginter Botanical Garden** 1800 Lakeside Avenues Richmond, VA 23228

4.1.3   LISTENING SESSION PARTICIPANTS

TEK from each tribe, as well as familiarity with spatial application of tribal knowledge, was needed at each Listening Session to help identify potential tribal spatial data and a process for mapping that data. Therefore, to help explain the planning process and facilitate spatial data collection, MARCO Data Portal Team members were invited to each session.

The goal for gaining participation at the MARCO outreach meetings was to target state and Federally recognized tribes in the region. Email was the primary form of communication used to disseminate materials and information to participants prior to each session. An introductory email was sent to each tribal chief, which contained relevant information and asked the tribal chiefs to indicate if they were interested in attending or in sending a representative to a Listening Session on the issue of ocean planning. The emails were followed by a first round of follow-up phone calls, save the dates, formal invitations, and then another round of follow-up phone calls. A total number of participants across the two sessions is provided in Table 4-2.

Table 4-2 Total Evening Social and Listening Session Attendance

Affiliation	Number of Participants
MARCO	2
Mid-Atlantic RPB Tribal Co-Lead	1
State and Regional Government	1
MARCO Data Portal Team Members	3
Tribal Leaders and Representatives	16
General Public	1
Tribal Consultants (staff)	2
Environmental Consultants (staff)	3
Total	**29**

4.1.4   LISTENING SESSION CONTENT

The format for each workshop was a facilitated meeting. Participation at each workshop was by invitation only; however, members of the public were allowed to attend and observe. Meeting rooms at each location were arranged so that invited participants sat at three long tables arranged in a U-shape facing a projector screen, with chairs placed towards the back of the room to provide a seating area for the public. The U-shaped long tables sat 25 people. A projector screen and the meeting facilitator were located toward the front of each room. Room layout varied slightly by location due to differences in meeting venue size, shape, and type of tables/seating available; however, only small adjustments were necessary.

Each workshop included a check-in area with a sign-in sheet where nametags and placards were provided to participants at check-in upon arrival at the meeting. Informational handouts were provided upon check-in, as well as notebooks and blank sheets for note taking during the informative presentation and discussion sessions. Attendees were directed to sit at tables facing the projector screen and one another to facilitate both the presentation and discussions.

The workshop agenda was designed to involve participants in a collaborative process with the goal of developing a list of potential spatial data layers that could be used in the regional planning process and utilized by the tribes for their own purposes. Input from the first session in Verona, New York, provided valuable feedback on the session's process format and the subsequent session was modified accordingly. Listening Sessions in the two different cities locations started at the same time, lasted for approximately five to six hours, and followed the basic flexible agenda described in Table 4-3.

Table 4-3 Stakeholder Workshop Agenda Outline

Activity	Duration
Sign-in	30 minutes before start
Opening Blessing and Introductions	60 minutes
Informative Presentation on the State of Ocean Planning	30 minutes
Informative Presentation on the Mid-Atlantic RPB	30 minutes
Informative Presentation on Opportunities for Tribal Involvement	30 minutes
Floor Open for Questions and Discussion	30 minutes
Lunch Break and Open Discussion	60 minutes
Informative Presentation on the MARCO Data Portal	30 minutes
Tribal Ocean Data Discussion	90 minutes
Closing Remarks	30 minutes

The facilitator opened the meeting by welcoming attendees and going around the room so each participant may provide an introduction as well as state their affiliation. The facilitator then briefly discussed the format for the meeting so that attendees had an understanding of the agenda and meeting rules:

- No sidebar conversations
- Be open to other perspectives
- Do not interrupt

- Be honest and respectful
- Allow space for all voices
- Question assumptions
- There are no bad ideas

This was followed by an introduction to the Mid-Atlantic RPB Tribal Co-Lead, Kelsey Leonard, and Kate Morrison, MARCO Executive Director, who opened the meeting with a PowerPoint presentation that included:

- Introduction to the National Ocean Council and MidA RPB
- Shared Regional Priorities
- How MARCO Works
- Goals: Marine Habitat, Renewable Energy, Climate Change Adaptation, and Water Quality
- Stakeholder Liaison Committees
- Engagement Activities
- The MARCO Data Portal
- MidA Ocean Planning Framework
- Ocean Action Plan Workgroups
- Interjurisdictional Coordination Workgroup
- Data Synthesis Workgroup
- Regional Ocean Assessment Workgroup
- Development of a Regional Ocean Assessment
- Opportunities for Tribal Engagement
- A Brief Introduction to the MARCO Data Portal

The facilitator then opened the floor to a question and answer session regarding regional ocean planning. Participants offered ideas and identified concerns from their perspective. This first discussion session was valuable in participants raising specific tribal concerns as well as more general concerns regional ocean planning. A one-hour lunch break was held at 11:30am, allowing for less structured discussion on the topics in the presentation from the morning.

After the lunch break, a MARCO Data Portal Team member provided an introduction on the MARCO Data Portal followed by a facilitated MARCO Data Portal discussion. The tribal ocean data discussion focused on list of potential spatial data layers that could be provided by the tribes. These potential layers were developed in close consultation with Kelsey Leonard. Participants reviewed the proposed list of tribal spatial data layers, identified which layers were relevant to their tribal concerns, made suggestions for additions, and discussed how these layers could be utilized by the tribes if created. After the discussion, participants were given the opportunity to provide feedback and comments on the session format and content in addition to identifying other tribes they felt should be engaged in the process, after which the meeting was adjourned.

The second Listening Session built upon the previous session by reflecting both concerns and suggestions from past participants. Comments ranged from changes in meeting framing and emphasizing certain topics in the opening presentations to developing a more formalized list of po-

tential tribal data layers to better facilitate spatial data layer and MARCO Data Portal discussion. Meeting materials and worksheets were updated as needed to reflect the suggestions from workshop participants. Overall, participants felt that the workshops were well received and were glad that MARCO was taking this first important step in reaching out to tribes to include their voices in the OAP and MARCO Data Portal mapping efforts.

4.1.5   LISTENING SESSION SUMMARIES

This section briefly describes each meeting location and the major topics discussed at each session. Specific, individual suggestions and results are discussed in Chapter 5. Detailed meeting minutes for each workshop are included in Appendix D, and a comprehensive summary of Listening Session outcomes, including ideas, concerns, and potential spatial data layers is included in Appendix E.

Verona, NY

The first Listening Session occurred in Verona, New York at 9:00 a.m., Wednesday, August 19, 2015 at the Turning Stone Resort in the Oneida Nation Territory. The Oneida Territory, in upstate New York, encompasses several Oneida National resources and is close to several other tribes. This time and date made it convenient for tribal representatives from the region to participate. Attendance by tribal members was expected to be higher during late summer because the timing would not conflict with regional tribal harvest activities and other tribal ceremonies.

The Verona session had 13 participants between the Evening Social and Listening Session itself representing MARCO (one attendee), the MidA RPB Tribal Co-Lead (one attendee), MARCO Data Portal team member(1 attendee), tribal leaders (7 attendees), tribal consultants-staff (2 attendees), and environmental consultants-staff (2 attendees). Overall, participants expressed the strong desire for tribal data to be incorporated into the OAP and excitement that the tribes were approached to participate. There was significant interest from the meeting participants in using the data layers as a way to protect important tribal resources, and participants would like to see the data layers used by stakeholders to contact them in cases where activities might impact tribal resources and important sites. More specific discussions of regional ocean planning and tribal spatial data at this Listening Session are listed below.

- Tribal Fishing Rights
  - o Participants were frustrated by their lack of inclusion in certain state ocean planning efforts, especially regarding tribal fishing rights.
  - o Tribes have been facing a number of natural resource and environmental concerns.
  - o Participants expressed desire for fishing rights and access, including allocation of fish stock and management towards a sustainable future.
- Time and Data Limitations
  - o Participants were concerned about the condensed timeline and the capability of the tribes to provide data in time for incorporation into the OAP.
  - o Participants inquired about the limitations of data included in the MARCO Data Portal, especially regarding legal significance.

- RBP Boundaries
  - Participants felt that the jurisdictional lines that have been drawn for the RPBs were drawn in a way that is not meaningful for tribal nations, who cross state boundaries based on their territories and historic tribal lands.
  - There was interest expressed at the notion that there is capacity for states, as well as tribes, to participate in multiple RPBs as ex- officio members.
- Environmental Concerns
  - Tribal goals include conserving the natural environment for future generations – and sometimes this includes relocating a natural resource (such as shellfish beds) to other areas where they can be more productive and not conflict with tribal practices.
  - Often these desires are at a crossroads with state laws and jurisdiction.
- Importance of Data Driven Decision-making
  - Participants felt that data should drive the OAP - which in turn would help agencies make decisions that are more informed.
- Interactions with Various Levels of Government
  - Participants said that dealing with multiple levels of government could lead to frustration.
  - For example, state governments will occasionally support tribal concerns, but local governments will not.
- Tribal Resources
  - Participants were concerned about the ability of tribes to have both adequate time and technical knowledge to provide the necessary data.
- Protecting Burial Ground an Archeological Sites
  - Participants expressed the desire to protect important tribal sites, such as burial grounds and archeological sites.
  - Tribes would appreciate if these sites could be mapped in a way that broadly indicated these areas rather than pinpointing specific locations, which could result in tampering with sites.
  - The idea of "Notification Zones" was suggested: these zones would support awareness of culturally sensitive or significant areas without detailing specific locations or occurrences and could include phone numbers for reaching out to relevant tribal authorities.
- Fishing Layers
  - Participants stated that within territory boundaries there is very little recreational fishing such as charter fishing.
  - Participants would appreciate a series of maps, which indicate where tribes fished historically versus where they fish now.
  - Participants would prefer to list ceremonial fishing under tribal/cultural uses.
  - Participants would like to add commercial/aquaculture/hatchery/clam beds under cultural use.
  - Participants indicated that hatcheries (finfish and shellfish) should be separate from aquaculture or mapped as a subset.
- Climate Change
  - Participants suggested there may not be sufficient or appropriate data available under this category, and questioned if it is appropriate to depict data at the local or regional level.

- Historical Canoe Routes
    - Participants expressed a desire to map historical canoe routes.
- Ancestral Territories
    - Participants suggested using their deeds, which list specific geographic areas, where tribes had historical influence.

Pictured from left to right:
Tony MacDonald (MARCO Data Portal Team member), Betsy Moyer (The Whitener Group), Chief Harry Wallace (Unkechaug Nation), Kate Morrison (MARCO Executive Director), Kelsey Leonard (MidA RPB Tribal Co-Lead and Shinnecock Nation), Shavonne Smith (Shinnecock Nation), and Bob Whitener (The Whitener Group)

Richmond, VA

The second Listening Session occurred in Richmond, Virginia at 9:00 a.m., Tuesday, August 25, 2015 at the Lewis Ginter Botanical Gardens. Richmond, in eastern Virginia, is near the coast and is relatively close to tribes in Virginia, Delaware, Maryland, and New Jersey. This time and date made it convenient for representatives from the region to participate. Attendance by tribal members was expected to be higher during late summer because it is not customary timing for pow-wows and other tribal ceremonies.

The Richmond session had 23 participants between the Evening Social and Listening Session itself representing MARCO (two attendees), the MidA RPB Tribal Co-Lead (one attendees), MARCO Data Portal (2 attendees), state government (1 attendees), tribal leaders (13 attendees), tribal consultants (2 attendees), environmental consultants (2 attendees). Overall, participants expressed the strong desire for tribal data to be incorporated into the OAP and excitement that the tribes were approached to participate. They noted that tribes are oftentimes not included in planning processes at all, or only in a perfunctory way, and appreciated the opportunity to participate in the OAP process. There was significant interest from the meeting participants in using the data layers as a way to protect important tribal resources, and participants would like to see the data layers used by stakeholders to contact them in cases where activities might impact tribal resources and important sites. More specific discussions of regional ocean planning and tribal spatial data at this Listening Session are listed below.

- Importance of Estuaries
    - Many tribes consider themselves "Tributary Tribes" and would like data relevant to bays and estuaries included in the OAP and MARCO Data Portal.
- Time and Data Limitations
    - Participants were concerned about the condensed timeline and the capability of the tribes to provide data in time for incorporation into the OAP.

o Some expressed concern that the information and time constraints were overwhelming, while others were optimistic about meeting the deadline if data collection were approached carefully.

o Participants inquired about the limitations of data included in the MARCO Data Portal, especially regarding legal significance.

o Participants asked how far offshore the spatial data they might provide should extend.

- Environmental Concerns
  o Participants expressed concern about the current state of environmental degradation in the ocean and the hope that the OAP and MARCO Data Portal would facilitate conservation.

- Transparency
  o Some participants were concerned that data provided to the MARCO Data Portal by other stakeholders might not have been derived through transparent processes.

- Offshore Oil and Gas Development
  o Participants expressed concern about the potential for environmental degradation from oil and gas activities.

- Tribal Resources
  o Participants were concerned about the ability of tribes to have both adequate time and technical knowledge to provide the necessary data.

- Economic Data
  o Discussion of economic data included topics such as charter fishing, charter diving/snorkeling, wildlife viewing, wampum, and energy
  o A more detailed description of the discussion of these layers can be found in the meeting minutes in Appendix D.

- Recreational Data
  o Discussion of recreational data included topics such as recreational fishing, shellfish harvesting, waterfowl hunting, boating, paddling, and swimming.
  o A more detailed description of the discussion of these layers can be found in the meeting minutes in Appendix D.

- Cultural Use
  o Discussion of cultural use data included topics such as heritage and sacred sites including burial grounds, submerged cultural resources, traditional routes, customary fishing, and areas related to ceremony,
  o A more detailed description of the discussion of these layers can be found in the meeting minutes in Appendix D.

- Administrative Attributes
  o Discussion of administrative attributes included topics such as tribal marine jurisdictions, ocean use, and beach access.
  o Representatives voice the concern that tribes have a sphere of influence that covers the historical area that they once inhabited and wondered if these areas could be captured in tribal spatial data.
  o A more detailed description of the discussion of these layers can be found in the meeting minutes in Appendix D

- Continued Tribal Engagement
  o Participants felt that there were tribes missing in the conversation that are necessary to include in future ocean planning efforts. Specifically mentioned were the Matta-

poni, Upper Mattaponi, Nanticoke, Ramapough Lenape, Monacan, Patawomeck and Chickahominy.

- MARCO Data Portal as a Tool for Tribes
  - o Representatives noted that the MARCO Data Portal is a tool to which the tribes can contribute data and that they can use to tell their stories.
  - o Participants felt that linking tribal stories to the MARCO Data Portal would be representative of how tribal nations pass down knowledge of the ocean, rivers, land, animals, plants, ancestors and resources.

Pictured from left to right:
Bob Whitener (The Whitener Group), Betsy Moyer (The Whitener Group), Chief Dennis Coker (Lenape Indian Tribe of Delaware), Kate Morrison (MARCO Executive Director), Kelsey Leonard (MidA RPB Tribal Co-lead and Shinnecock Nation), Nick Mead (MARCO Data Portal), Megan Driscoll (National Aquarium (attended as member of general public), Kim Hernandez (Maryland Department of Natural Resources), Jay Odell (MARCO Data Portal Team member), Natalie Proctor (Cedarville Band of Piscataway Indians), Katie MacCormick (Pamunkey Tribe), Chief Lynette Allston (Nottoway Indian Tribe of Virginia), Laura McKay (MARCO Management Board Chair), and Amanda Dagle (Cedarville Band of Piscataway Indians)

4.2   pGIS WORKSHOPS

4.2.1   WORKSHOP GOALS

The purpose of the pGIS sessions was to familiarize the tribes with the MARCO Data Portal and generate spatial data layers of tribal resources for inclusion in the Portal and potentially in the Ocean Action Plan. This was done by providing a guided tour of the MARCO Data Portal for tribal participants and the facilitating tribal data layer creation.

To start each workshop, the MidA RPB Tribal Co-Lead delivered a short informative presentation of the ocean planning process, goals, and expected outcome. A MARCO Data Portal Team member then provided an overview of the MARCO Data Portal, including existing layers, functionality, and potential tribal spatial data layers that could be included in the MARCO Data Portal. The Norfolk pGIS session's potential data layers and data limitations were discussed in preparation for future data layer creation. For the Baltimore and Southampton pGIS sessions, the informative MARCO Data Portal tour was followed by mapping sessions of tribal spatial data.

4.2.2   LOCATIONS AND SCHEDULE

The result of the consultations described in Chapter 3 was the selection of three different locations at which the pGIS Workshops were conducted (Table 4-4). Norfolk was chosen as an appropriate meeting location due to the concurrent MidA RPB meeting occurring at the same the location. Tribal representatives could therefore attend both the MidA RPB meeting and the pGIS Workshop. The city of Baltimore was suggested as an appropriate meeting location due to its

proximity to the airport and short commute for several tribes within the Mid-Atlantic region. Located in Southampton, the Shinnecock Nation is easily accessible to both Shinnecock Nation members and members of the nearby Unkechaug Nation. The Shinnecock Community Center was suggested as an appropriate meeting location through client consultation due to its tribal significance and accessibility.

The series of workshops took place from September to November of 2015. Dates were chosen which did not conflict with the majority of regional tribal harvest activities or other major events. Timing of the Norfolk workshop was arranged to correspond with the MidA RBP meeting at the same location and the Southampton workshop was coordinated with the timing of a Nipi Kesuk, or Water Day, at Shinnecock Nation.

Table 4-4 pGIS Workshop Locations and Schedule

City/State	Date	Time	Listening Session Location
Norfolk, VA	August 18th, 2015	12:15 p.m. - 1:45 p.m.	**Washington Room** **Norfolk Waterside Marriott** 235 E Main St, Norfolk, VA, 23510
Baltimore, MD	August 19th, 2015	8:30 a.m. – 3:30 p.m.	**Arundel I Room** **Hampton Inn and Suites** 7027 Arundel Mills Circle, Hanover, MD, 21076
Southampton, NY	August 24th, 2015	8:30 p.m.- 6:00 p.m.	**Shinnecock Nation** **Community Center** 100 Church Street, Southampton, NY 11968

4.2.3   WORKSHOP PARTICIPANTS

Spatial data and supporting TEK from each tribe, as well as familiarity with spatial application of tribal knowledge, was needed at each workshop to map tribal spatial data and incorporate the data into the MARCO Data Portal. Therefore, to facilitate the collection of tribal spatial data collection MARCO Data Portal Team members were invited to each session.

The goal for gaining participation at the MARCO pGIS Workshops was to target representatives authorized and qualified to provide tribal spatial data and the supporting knowledge to develop metadata. Email was the primary form of communication used to disseminate materials and information to participants prior to each workshop. Emails were sent to the Listening Session participants to inform them of the workshops, then a first round of emails to all the tribal leaders and representatives was sent containing information on the workshops. These emails were followed by a second round of reminder emails to all tribal leaders and representatives. Lastly, phone calls were conducted to each tribal leader or representative who attended a Listening Session to gauge their level of interest and possibility of attending

A total number of participants across the two workshops is provided in Table 4-5.

Table 4-5 Total pGIS Workshop Attendance

Affiliation	Number of Participants
MARCO	2
MidA RPB Tribal Co-Lead[1]	1
State and Regional Government	1
MARCO Data Portal Team Member	3
Tribal Leaders	16
BOEM	1
Tribal Consultants	2
Environmental Consultants	3
Total	**29**

[1] Note that Kelsey Leonard participated in her role as the MidA RPB Tribal Co-Lead until the Southampton session, where she could represent her own tribe in actual pGIS input.

4.2.4   WORKSHOP CONTENT

The format for each workshop was a facilitated meeting. Participation at each workshop was by invitation only; however, members of the public were allowed to attend and observe. Meeting rooms at each location were arranged so that invited participants sat facing a projector screen. A projector screen and the meeting facilitator were located toward the front of each room. Room layout varied by location due to differences in meeting venue size, shape, and type of tables/seating available. Long tables were arranged in a U-shape to accommodate up to 10 participants at the Norfolk, VA meetings, and a number of small square tables were arranged facing forward to accommodate up to 20 participants at the Baltimore meeting. The Southampton meeting had rows of chairs facing forward in the middle of the room surrounded by large circular tables, with a long and circular table placed at the front of the room near the projector.

Each workshop included a check-in area with a sign-in sheet; however, at the Southampton meeting sign-in was continuous throughout the day and maintained by a tribal leader. Informational handouts were available upon check-in if desired, as well as notebooks and blank sheets for note taking during the informative presentation and mapping workshops. Attendees were directed to sit at tables facing the projector screen and one another to facilitate both the presentation and discussions.

The workshop agenda was designed to involve participants in a collaborative, simplified process with the goal of developing a list of potential spatial data layers that could be used in the regional planning process and utilized by the tribes for their own purposes. At the beginning of each workshop, MARCO staff and the MidA RPB Tribal Co-Lead gave presentations. Input from the previous workshop provided valuable feedback on the workshop format and the subsequent workshops were modified accordingly. The first pGIS Workshop in Norfolk was relatively short due to time constraints and limited mapping needs. Subsequent pGIS Workshops in the two different cities locations started at approximately the same time and lasted between five and nine hours. The workshop formats differed in that the Baltimore session was a concentrated mapping effort for a single tribal representative, whereas the Southampton pGIS session was held during a Nipi Kesuk, or Water Day, event with attendance by numerous members representing two different tribes.

4.2.5   WORKSHOP SUMMARIES

This section briefly describes each workshop location and the major topics discussed at each session. Specific, individual suggestions and results are discussed in Chapter 5. Detailed meeting minutes for each workshop are included in Appendix D, and a comprehensive summary of Listening Session outcomes, including ideas, concerns, and spatial data layers is included in Appendix E.

Norfolk, VA

The first pGIS Workshop occurred in Norfolk, Virginia at 12:15 pm, Friday, September 23, 2015 at the Norfolk Waterside Marriott. Norfolk, in eastern Virginia, is near the coast and is relatively close to tribes in Virginia, Delaware, Maryland, and New Jersey. This date and location also corresponded with the Mid-Atlantic Regional Planning Body meeting from September 23-24, 2015, which was also held at the Marriott, in a room down the hall form the pGIS Workshop. Tribal representatives could therefore attend both the RPB meeting and the pGIS Workshop.

The Norfolk workshop had 7 participants representing MARCO (two attendees), MARCO Data Portal (one attendee), tribal leaders (two attendees), an environmental consultant (one attendee), and BOEM representative (one attendee, was invited to stay after verbal permission from tribal attendees). Overall, both tribal members in attendance departed from the workshop willing to attempt to engage more tribes in the process. More detailed discussions of regional ocean planning and tribal spatial data at this Listening Session are listed below.

- Current vs Traditional Homelands
  - The locations where tribes are currently living are not necessarily where they traditionally lived.
  - There could be a "zone" layer that identifies where tribes currently live as well as historical data.
- Including Bays and Estuaries
  - Participants reiterated their desire to have tributaries and estuaries mapped, and were interested in finding a way to map connectivity between ocean, bays, estuaries, and river systems.
- Account Privacy
  - Participants were curious if their accounts would be public or private, and were interested in the ability to make certain layers public but keep other layers private for internal tribal use.
- Source of Marine Life Data
  - Participants were curious about the source of the marine life data currently in the MARCO Data Portal, as there were concerns that the marine life data currently does not serve tribal needs.
  - Participants would like to see the data expanded to include certain species important to the tribes, such as sturgeon, as well as migratory species and anadromous species such as shad.
  - Participants were concerned that data seemed to be skewed to the Northeast.
- Zones of Notification
  - Participants expressed interest in setting up zones of notification so that tribes can be contacted before problems arise.

- Basemaps
    - o Participants decided that the basemaps currently on the MARCO Data Portal are suitable for their mapping needs.

Baltimore, MD

The second pGIS Workshop occurred in Baltimore, Maryland at 8:30 a.m., Friday, October 23rd, 2015 at the Hampton Inn and Suites in Arundel Mills. Baltimore, in central Maryland, is near the coast and is relatively close to tribes in Virginia, Delaware, Maryland, Pennsylvania, and New Jersey. The hotel is also near the Baltimore-Washington International Airport, which would allow representative to drive, fly, or take the train to reach the meeting.

The Baltimore workshop had 7 participants representing MARCO (1 attendee), the Mid-Atlantic RPB (1 attendee), MARCO Data Portal (1 attendee), tribal leaders (1 attendee), tribal consultants-staff (1 attendee), and environmental consultants-staff (2 attendees). Overall, Chief Coker was able to input important spatial data layers, comfortable using the MARCO Data Portal by the end of the workshop, and confident that he could help input data for other tribes into the MARCO Data Portal. More specific discussions of regional ocean planning and tribal spatial data at this Listening Session are listed below.

- Offshore Oceanic Extent
    - o It is challenging to determine how far offshore the traditional homelands layers should extend. Chief Coker chose the 12 nautical-mile line due to its regulatory significance.
    - o These layers may need to be adjusted, especially after consultation with historical shoreline extent maps.
- Delaware Bay Overlap
    - o There is some overlap for the historical homelands for different tribes in the Delaware Bay. Chief Coker chose the State lines as the preliminary division lines.
    - o These boundary layers may eventually be shared by neighboring tribes and depicted as overlapping layers on the map.
- Zoom Limitations
    - o Chief Coker could not zoom in enough for complete accuracy during mapping session.
    - o The MARCO Data Portal Team may need to refine layers in actual ArcGIS software.
- Tribal Spatial Data Layers Generated
    - o Traditional Lenape Turkey Clan Homeland (DE): Preliminary homeland boundary; will need to be verified with records.
    - o Nanticoke Lenni Lenape of New Jersey: Preliminary homeland boundary; will need to be vetted by tribal representatives.
    - o Nanticoke Indian Tribe: Preliminary homeland boundary; will need to be vetted by tribal representatives.
    - o Lenape Are of Influence: Represents historical homelands of tribes not currently represented LITD Current Community; Lenape willing to serve of contact for artifacts found in these areas.
    - o NLL Tribal Nation Current Community: Identifies current community extent for tribe members.

- o Current Nanticoke Community: Identifies current community extent for tribal members.

Pictured from left to right:
Kate Morrison (MARCO Executive Director), Katie Guttenplan (Ecology & Environment), Jay Odell (MARCO Data Portal Team member), Chief Dennis Coker (Lenape Indian Tribe of Delaware), and Bob Whitener (The Whitener Group)

Long Island, NY

The third pGIS Workshop occurred in Southampton, New York at 9:00 a.m., Saturday, November 7th, 2015 at the Shinnecock Community Center in Southampton. This location in Long Island, New York, is on the coast and is part of the Shinnecock Nation Reservation and near the Unkechaug Nation, also located on Long Island. The date was chosen as it corresponded with the Nipi Kesuk, or Water Day, hosted at Shinnecock Nation, which was anticipated to increase tribal engagement and participation in mapping.

The Southampton workshop had 42 participants representing MARCO (2 attendees), the Mid-Atlantic RPB (1 attendee), MARCO Data Portal (1 attendees), tribal members (31 attendees), agencies partnered with the tribes (3 attendees), tribal consultants-staff (1 attendee), and environmental consultants-staff (1 attendee). Overall, tribal leaders were able to input important spatial data layers and certain tribal leaders were comfortable using the MARCO Data Portal by the end of the workshop. More specific discussions of regional ocean planning and tribal spatial data at this Listening Session are listed below. The Southampton session also gave MARCO staff the opportunity to record narrative information with a tribal member explaining the importance of the ocean and the MidA RPB process to the Shinnecock Tribe from scenic places throughout the reservation.

- Defining Layers
  - o Issues arose defining the Zone of Notification and Homelands regions when mapping with Chief Harry Wallace.
  - o Once the definitions (as used in the Baltimore workshop) were clarified, Chief Wallace stated that mapping tribal homelands would be challenging, but denoting a Zone of Notification was possible.
- pGIS Mapping Limitations
  - o For a certain layer MARCO Data Portal Team needed to draw a polyline, but this was not possible in the MARCO Data Portal and will need to be completed later on desktop ArcGIS.
  - o Zoom limitations inhibited full accuracy when mapping certain layers.
- Importance of Regions Outside Management Area of RPB
  - o Chief Wallace expressed that certain data, such as the location of the Sargasso Sea, were important to his tribe, but were outside the geographic area Mid-Atlantic RPB.
- Importance of Key Species
  - o Certain species, such as eels and wampum clams, hold special significance for tribes and are currently not represented in the marine life layers.

- Sand and Borrow Sites
  - o The locations of sand and borrow sites were of interest to the Shinnecock Nation, especially their Environmental Department.
- Confusion Over Purpose of Workshop
  - o There was some confusion over whether the pGIS Workshop was a training or mapping session.
  - o MARCO staffers explained the goals and purposes of participatory GIS and noted that the first step in this process is to map some data, but that MARCO will also be handing over the account to tribes for their use and so some training is required as well.
- Concern Over Intention of Federal Government
  - o Some participants were concerned about what the Federal government intended to do with the data provided.
  - o Participants were uncertain of the legal authority of the data provided.
  - o Kelsey Leonard explained that the RPB considers it a best practice to consult all relevant governments.
  - o It was also emphasized that inclusion of this data on the MARCO Data Portal does not add to or change any of the existing legal authorities that may be related to this data but will rather be used for interjurisdictional coordination purposes.
- Offshore Oceanic Extent
  - o It was challenging to determine how far offshore layers should extend.
  - o Both tribes chose the 200 nautical-mile EEZ line due to its regulatory significance.

Kelsey Leonard (MidA Tribal Co-Lead, standing, in purple) welcomes participants to the MARCO pGIS Workshop; Arlo Hemphill (MARCO, standing left) films, Chief Harry Wallace (left, sitting, in red) provides spatial data, Bob Whitener (left, sitting, in tan) facilitates, Katie Guttenplan (right, sitting, in purple) records minutes.

THIS PAGE INTENTIONALLY LEFT BLANK.

5   Results

Outcomes from the MARCO tribal outreach and data collection process are the culmination of work by agencies, MARCO Data Portal Team members, tribal consultants, and tribal leaders. The approach of this project was to solicit input from members of tribes of the Mid-Atlantic community in the region that would be influenced by the Mid-Atlantic Ocean Action Plan. The following chapter provides a summary of the MARCO's outreach and engagement process. Some or all of these outcomes may be incorporated into the MARCO Data Portal, Ocean Action Plan, and future regional planning efforts. Broadly, results include:

- **BUILDING A FOUNDATIONAL RELATIONSHIP WITH TRIBES**
  MARCO has built a relationship with tribal leaders throughout the Mid-Atlantic region. This will allow MARCO to continue to collect tribal spatial data in the future. The relationship will also facilitate engaging Tribes in any future regional planning activities. This work will be contingent upon future available resources.
- **ENGAGING TRIBES IN THE CURRENT OCEAN PLANNING PROCESS**
  MARCO has engaged 10 mid-Atlantic tribes in the regional planning process. As a result of MARCO's efforts, tribal leaders have attended Mid-Atlantic Regional Planning Body meetings, such as the September 2015 meeting in Norfolk and increased tribal representation on the Regional Planning Body with the addition of a new Tribal Co-Lead member. MARCO supported outreach has also facilitated renewed discussions with the Oneida Indian Nation regarding their potential interest to be represented on the MidA RPB.
- **SOLICITING TRIBAL INPUT ON OCEAN PLANNING IN THE MID-ATLANTIC**
  As part of the outreach process, tribal concerns and ideas regarding regional ocean planning were assembled and may be incorporated in the Ocean Action Plan and other current and future regional planning efforts in the Mid-Atlantic.
- **CREATING INITIAL TRIBAL SPATIAL DATA LAYERS**
  A collection of initial tribal spatial data layers was created which may be included in the MARCO Data Portal and inform the Ocean Action Plan. In addition, potential layers and data layer categories were identified. These layers could be expanded upon in the future as tribes continue to input data into the MARCO Data Portal.
- **PROVIDING A SPATIAL DATA TOOL FOR TRIBES**
  Tribal data accounts were created for each tribe that participated in spatial data mapping. These password-protected accounts can be used by the tribes to input data related to their own tribal concerns and projects.

The specific results of the Listening Sessions and pGIS Workshops are described in subsequent sections and in detail in Appendix E.

5.1   LISTENING SESSIONS

Four outcomes of the Listening Sessions included 1) establishing communication with tribes, 2) disseminating key ocean planning information to tribal representatives, 3) demonstrating a preview of MARCO Data Portal functionality, and 4) developing an initial list of data layers.

The key result from the Listening Sessions outreach activities was to create contacts and relationships between MARCO, the MidA RPB, and the tribes of the region. In addition to creating the base of trust needed for future engagement and inter-governmental collaboration, the outreach efforts also introduced MARCO and the ocean planning process to all twenty-seven tribal entities in the Mid-Atlantic region. Even those tribes which chose not to engage in the process now have a preliminary understanding of the process, and have been given the opportunity to engage. Tribes are often overlooked in large planning processes and are asked for their input as an afterthought, but MARCO chose to reach out to the Mid-Atlantic tribes for their input and involvement during the active regional ocean planning process. The open communication allowed tribes to provide feedback on the regional planning process, including data collection, and determine the form of their own involvement in the process.

Through the Listening Sessions, MARCO was able to provide information to the Tribes regarding the regional ocean planning process currently underway with particular emphasis on the Mid-Atlantic Regional Planning process. Topics included the relevant planning agencies, MidA RPB workgroups, timelines, the Ocean Action Plan, and the MARCO Data Portal and spatial data mapping. MARCO emphasized opportunities for tribal engagement in regional ocean planning, such as MidA RPB meetings and specific tribal activities.

At the sessions, MARCO also demonstrated the various MARCO Data Portal functions, including both the mapping and story-telling aspects of the tool. Tribal representatives were made familiar with the MARCO Data Portal, which would allow representatives to explore the tool on their own outside of the sessions. In addition, representatives were able to provide feedback on the existing data layers in the MARCO Data Portal. The initial MARCO Data Portal tour laid the groundwork for future mapping sessions, as tribal leaders could return to their tribes to collect spatial data with a better understanding of the sort of end products the MARCO Data Portal was capable of producing. In particular, tribal representatives expressed interest in the story-telling aspect of the MARCO Data Portal, which could portray traditional tribal story-telling alongside tribal data.

Finally, MARCO was able to compile an initial list of potential tribal data layers to guide tribal data collection and determine which types of layers to include in the MARCO Data Portal. Tribal leaders provided guidance on which potential layers they found most relevant and useful to tribes and identified concerns and ideas with the list of layers. The list would serve as a framework for mapping sessions during the pGIS Workshops.

5.2   PGIS WORKSHOPS

Three outcomes of the pGIS Workshops included 1) continuing to strengthen the relationships between MARCO and the tribes, 2) training tribal leaders to use the MARCO Data Portal, and 3) creating spatial data layers and laying the groundwork for the development of additional tribal spatial data layers in the future.

During the pGIS session, MARCO continued to build on the ties created with tribal leaders during the Listening Sessions. In particular, MARCO was able to solidify connections with individual tribal leaders who serve as the key data providers for their tribes. Several of these individuals have committed to continue their involvement in the regional planning and mapping process and volunteered to serve as liaisons between MARCO and other tribes, including those that have yet to map spatial data.

Several of these tribal leaders have also become proficient at mapping in the MARCO Data Portal as a result of the pGIS Workshops. The trained tribal representatives could continue to add tribal resource data to the MARCO Data Portal in the future, as ongoing tribal discussions result in the identification of additional layers. These individuals could also share their knowledge of the MARCO Data Portal with others, both with members of their own tribes and with those in other tribes as well.

The goal of gathering data for the MARCO Data Portal proved to be the most difficult outcome to achieve, however, this is neither surprising nor a red flag in the process. It is simply indicative that the relationships before the process was undertaken did not exist between MARCO and the tribes in its region and needed to be built. There are numerous reports and other cases that demonstrate the difficulty of gathering data or TEK in American Indian and Alaskan Native communities. The historic mistrust of tribes of the US government in its handling of tribal resources and information is one reason it is difficult to accomplish, which is why relationship building and creating trust is an on-going and lengthy process. Despite these difficulties, MARCO was able to encourage the documentation of several spatial data layers representing data from five different tribes and facilitate a tribal chief's review of the tribal headquarters data later created by the MARCO Data Portal Team. Several additional data layers were also identifies, which could soon be included in the MARCO Data Portal. Now that MARCO has begun to build trust with the tribes, and as long it continues to maintain those relationships, data gathering as a future goal is much more possible, as additional resources allow

5.3   CONCLUSIONS

MARCO has facilitated the collection of an initial dataset of spatial data layers from a number of tribes. These data layers remain behind password-protected accounts managed by each tribe. Data may become available to the MidA RPB after mutual agreement between the tribes and RPB on guidelines for use of TEK in the regional ocean planning process. Data will become publically available on the MARCO Data Portal after it is released to the MidA RPB and following subsequent processing for quality control. Data collection is on ongoing process and several tribal leaders are assisting in the process of further data collection, both for tribal use and for possible

inclusion in the MARCO Data Portal. Furthermore, MARCO has learned several lessons from this outreach process, which can be applied to future tribal data collection efforts.

Some remaining gaps in the engagement process have also been identified during tribal outreach including: the need to verify certain tribal data layers with additional tribal members before mapping, the need to engage additional tribes such as the southern Maryland tribes, and the need to develop a long-term engagement plan between the tribes in the region and the ocean planning process overall, as additional resources allow.

MARCO now has the opportunity to demonstrate a precedent-setting tribal engagement process by continuing to build upon the relationships created throughout this process. In particular, MARCO now has valid contact information for all the regional tribes and can reliably reach out to the tribes to gather their feedback and involvement, which was not the case when MARCO began the process of engaging tribes. In addition, MARCO has established a high level of trust with a number of tribes who attended the Listening Sessions and pGIS Workshops and can reach out to these tribal leaders for information just as those tribes now know they can reach out to MARCO when necessary.

In summary, MARCO had foresight to include the tribes earlier in the ocean planning process and if relationships are maintained, MARCO will have a very valuable relationship with the tribes of the Mid-Atlantic.

6   References

Bureau of Indian Affairs. 2015. Petition # 323: Pamunkey Indian tribe, VA. US. Department of the Interior. Last updated August 11 2015. Accessed January 21 2016 from: http://www.indianaffairs.gov/WhoWeAre/AS-IA/OFA/ADCList/ActivePetitions/Petition323/index.htm

Bureau of Ocean Energy Management (BOEM). 2014. Charter for the Mid-Atlantic Regional Planning Body. Finalized September 2014. Available: http://www.boem.gov/MidA-RPB-Charter/.

BOEM. 2015. Mid-Atlantic Regional Planning Body Work Plan. Updated August 2015. Available: http://www.boem.gov/Mid-Atlantic-Regional-Planning-Body-Work-Plan/.

BOEM. n.d.[a] Frequently Asked Questions about the mid-Atlantic Regional Planning Body. Available: http://www.boem.gov/MidA-RPB-FAQ/.

BOEM. n.d.[b] Mid-Atlantic Regional Planning: Fact Sheet. Available: http://www.boem.gov/MidA-RPB-fact-sheet/.

Exec. Order No. 13457, 3 C.F.R. 2010. Stewardship of the Ocean, Our Coasts, and the Great Lakes.

Mid-Atlantic Regional Council on the Ocean (MARCO). 2014a. Data Portal: Toolkit for Visualizing and Analyzing Ocean Data. Updated on March 2, 2014. Available: http://midatlanticocean.org/data-portal/.

MARCO. 2014b. The Mid-Atlantic Council on the Ocean (MARCO) Fact Sheet. Available: http://midatlanticocean.org/wp-content/uploads/2013/01/MARCO_Updated-Fact-Sheet-for-web.pdf.

National Ocean Council (NOP). 2013. Marine Planning Handbook. Finalized July 2013. Available: https://www.whitehouse.gov/sites/default/files/final_marine_planning_handbook.pdf.