

**International Institute for Indigenous Resource Management,  
Indigenous Peoples Climate Change Working Group, and  
Haskell Environmental Research Studies Center**

Present

**WORKSHOP ON THE INTERSECTION OF CLIMATE CHANGE AND THE NATIONAL ENVIRONMENTAL POLICY  
ACT (NEPA) IN INDIAN COUNTRY**

Designed for Tribal Council Members, Attorneys, Planners, Natural and Cultural Resource Specialists and Environmental Protection Professionals and Federal Agency Personnel and Contractors Working in Indian Country

**June 24-25, 2014  
Navarre Hall Regents Room  
Haskell Indian Nations University  
155 Indian Ave  
Lawrence, KS 66046**

***Applying to the Colorado Supreme Court for Continuing Legal Education Credits***

The Environmental Protection Agency has stated that the effects of climate change observed to date and projected to occur in the future include, but are not limited to, more frequent and intense heat waves, more severe wildfires, degraded air quality, more heavy downpours and flooding, increased drought, greater sea-level rise, more intense storms, harm to water resources, harm to agriculture, and harm to wildlife and ecosystems. The Council on Environmental Quality proposed that the NEPA process should incorporate consideration of both the impact of an agency action on the environment through the mechanism of GHG emissions and the impact of changing climate on that agency action.

The National Environmental Policy Act (NEPA) can be an important part of federal agency consultation with Indian tribes. However, effective tribal participation in the NEPA process requires an awareness of the workings and procedural requirements of NEPA, technical expertise, knowledge of the broad range of tribal environmental, social, cultural, health and safety interests that may be affected by federal programs and activities and a strategy that links NEPA responses to other legal and statutory requirements such as the federal-Indian trust doctrine, treaty rights, AIRFA, NAGPRA, etc. This Workshop will provide practical instruction and assistance to inform tribal decision-makers on: the requirements and latest developments in NEPA compliance and litigation; the role of tribal, federal and state regulators in the NEPA process. Additionally, instead of viewing NEPA only as a shield to protect tribal interests from the encroachments of a proposed Federal activity, the workshop will also suggest strategies to use NEPA as a sword to advance tribal interests affected by a rapidly changing climate. The workshop instruction views NEPA not simply as a process, but as a way to help tribes achieve development that is culturally appropriate, economically sustainable, environmentally sound, and supportive of the tribes' political integrity and the tribes' social fabric.

**AGENDA**

**JUNE 24, 2014**

- 8:15 a.m.      **Registration, Coffee and Continental Breakfast**
- 9:00 a.m.      **Welcome and Introductions**  
Mervyn L. Tano, International Institute for Indigenous Resource Management
- 9:30 a.m.      **The Climate Backdrop—A Global Perspective**  
Dr. Rajul Pandya, American Geophysical Union/University Corporation for Atmospheric Research
- 10:15 a.m.     **The Climate Backdrop—The U.S. and Regions**  
Doug Kluck, Regional Climate Services Director, National Oceanic and Atmospheric Administration
- 11:00 a.m.     **Break**
- 11:20 a.m.     **The U.S. Environmental Protection Agency—Data, Science, Policy, and Regulation**  
TBD
- 12:00 p.m.     **Lunch** (on your own)

- 1:20 p.m.     **The Intersection of Climate Change and the National Environmental Policy Act**  
Mervyn L. Tano, President, International Institute for Indigenous Resource Management
- 2:00 p.m.     **Introduction to the History, Purposes, and Framework of the National Environmental Policy Act**  
Ray Clark, RiverCrossing Strategies
- 3:00 p.m.     **Break**
- 3:20 p.m.     **Total Situational Awareness (or as close to it as possible): What Tribes Need to Know about Themselves and the Who, What, When, and How of the Proposed Federal Action**  
Mervyn L. Tano
- 4:00 p.m.     **Q&A; Open Discussion**
- 4:30 p.m.     **Adjourn**

**JUNE 25, 2014**

- 8:30 a.m.     **Registration, Coffee and Continental Breakfast**
- 9:00 a.m.     **Environmental Impact Statements and Environmental Assessments**  
Ray Clark
- 10:00 a.m.    **The Strategic Application of NEPA (An Introduction)**  
Mervyn L. Tano
- 10:40 a.m.    **Break**
- 11:00 a.m.    **Scoping as an Analytical and Engagement Exercise**  
Ray Clark
- 11:45 a.m.    **Lunch**
- 1:20 p.m.     **Adaptive Management**  
Ray Clark
- 2:00 p.m.     **Reviewing the Analysis and Developing Alternatives**  
Ray Clark
- 3:00 p.m.     **Break**
- 3:20 p.m.     **The Programmatic EIS**  
Mervyn L. Tano
- 4:00 p.m.     **Using the NEPA Framework to Prepare Tribal Climate Vulnerability Assessments**  
Mervyn L. Tano
- 4:40 p.m.     **Workshop Concludes**

**Workshop Faculty:**

**Ray Clark**

Ray Clark is the founder of RiverCrossing Strategies, a consortium dedicated to working at the intersection of economic development and environmental conservation. RiverCrossing Strategies clients include American Indian Tribes, counties, cities, and federal agencies. Ray also founded The Clark Group, a Washington based consortium of senior level science and policy professionals specializing in environmental and energy matters. He was formerly the Assistant Secretary of the Army (acting) and the Principal Deputy Assistant Secretary of the Army (Installations and Environment) where he was responsible for all the US Army facilities worldwide and steward of more than 14 million acres. He was responsible for military construction, family housing, all real estate transactions and the environmental and natural resource management program. Mr. Clark was also responsible for base closure and transitioning excess military property to economic development. Earlier, Mr. Clark was Associate Director at the White House Council of Environmental Quality where he acted as advisor to the President, the Chairman of CEQ and Senior White House Staff.

Mr. Clark is a past recipient of the prestigious National Environmental Quality Award. He is co-editor of two books on environmental policy. He holds a Master of Environmental Management degree from Duke University, where he leads the Duke Environmental Leadership Program in NEPA and is the Chair of Duke's NEPA Certificate Program

### **Doug Kluck**

Doug Kluck worked for the National Weather Service for the last 18 years and served as a research meteorologist, forecast meteorologist, forecast hydrologist and regional hydrologist. For the past eight years he was the Climate Service Program Manager for the Central Region. In this capacity he focused on building key networks and relationships with core partners and groups with climate interests in the Central Region. He works closely with the Regional Climate Centers, state climatologists, tribal colleges and universities, land grant universities and extension services, federal and state governments and non-governmental organizations on a number of issues including informing adaptation, climate data stewardship, building climate change capacity and assessment of climate services needs by sector and community. Kluck serves on the implementation committee for the National Integrated Drought Information System as the lead on education and outreach. In addition, he serves as the climate representative for the Central Region NOAA Regional Collaboration Team. He holds a bachelor's degree in geology and a master's degree in geography from the University of Nebraska.

### **Rajul Pandya**

Currently on loan to the American Geophysical Union from the University Corporation for Atmospheric Research, Raj heads up the AGU's Thriving Earth Exchange. Before assuming that position, he served as the director of UCAR's Community Building Program, which partnered with underserved communities to design and carry out projects that advance understanding of atmospheric science and address community priorities. Pandya was also director of SOARS, an undergraduate-to-graduate bridge program to broaden participation in the atmospheric and related sciences through research, mentoring, and community.

Raj earned a Ph.D. in atmospheric science investigating the large-scale organization and influence of long-lived thunderstorms, served as an assistant professor of Meteorology at West Chester University of Pennsylvania, and has conducted research on improving student learning in the geosciences using technology.

### **Mervyn L. Tano**

Mervyn L. Tano, Esq. is an attorney and the president of the International Institute for Indigenous Resource Management. He earned his Bachelor of Arts Degree in History from the Church College of Hawaii, Masters Degree in Education from the University of Arizona and the Juris Doctor Degree from the J. Reuben Clark Law School at Brigham Young University. Mr. Tano has extensive experience working with Indian tribes and includes, as a small sample: assisting the Confederated tribes of the Umatilla Indian Reservation establish a comprehensive water quality management system; helping the Nez Perce tribe establish the tribal environmental restoration and waste management department to oversee the cleanup of Department of Energy facilities at Hanford; and, advising the Oglala Sioux tribe on solid waste management issues. Mr. Tano has been a member of several national advisory boards including EPA's Federal Facilities Environmental Restoration Dialogue Committee, the National Environmental Justice Advisory Council, DOE Office of Science and Technology's Community Leaders Network, the National Academy of Public Administration's committee on intergenerational responsibility and the National Research Council's committee on priority setting, timing and staging of DOE's environmental management activities. Mr. Tano has written numerous papers, articles and manuals on risk, environmental justice, environmental restoration, technology development, environmental law and radioactive waste management, and has written extensively on tribal strategies for NEPA responses.

### **Workshop Logistics:**

All workshop sessions will be held at the Navarre Hall Regents Room, Haskell Indian Nations University.

We are currently working to arrange special workshop rates at the SpringHill Suites Lawrence, at 1 Riverfront Plaza, Lawrence, KS 66044. For reservations, please call (785) 841-2700.

Shuttle or private car service between the Kansas City International Airport (MCI) and Lawrence can be arranged with GTS (Ground Transportation Services), <http://www.gtslawrence.com/>.

**Registration Information:**

**Registration Fee:** Early registration (until May 30, 2014) is \$450. After that date registration is \$495. Tuition includes morning and afternoon coffee service and one copy of the workshop materials. For information on multiple registrations from one tribe, or other information, call the International Institute for Indigenous Resource Management at 303-744-9686.

Please fill out the registration form and send it and your check or purchase order to: IIIRM, 444 South Emerson Street, Denver, CO 80209-2216; or FAX to: 303-733-0481. To pay by credit card, call Jeanne Rubin at 303-744-9686.

**The International Institute for Indigenous Resource Management  
444 South Emerson Street, Denver, Colorado 80209-2176**

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June 24-25, 2014**

**Registration Information: (Please print or type)**

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Tribe/Organization/Agency:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip Code:** \_\_\_\_\_

**Phone:(\_\_\_\_)\_\_\_\_\_ FAX:(\_\_\_\_)\_\_\_\_\_**

**E-mail:** \_\_\_\_\_

To pay by credit card or electronic check, please call Jeanne Rubin at 303-744-9686. A small on-line convenience fee applies.

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