

Tribal Cooperative Arrangements
A National Assessment of Sovereignty, Stewardship, and Land Justice

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Executive Summary

This report presents findings from a national assessment of Tribal perspectives on cooperative arrangements, including co-management, co-stewardship, conservation easements, land trusts, and related tools, undertaken in partnership by the Native American Rights Fund (NARF) and Native Americans in Philanthropy (NAP).

This assessment gives NARF and NAP a shared evidence base for action. For NARF, the findings clarify where legal and policy advocacy should focus: enforceable authority, protection of sovereignty and treaty rights, and stronger mechanisms for consultation, negotiation, and accountability. For NAP, the findings identify where philanthropic investment can have the greatest near-term value: flexible funding for Tribal staff time, legal and policy support, technical assistance, and support for existing Tribal and regional capacity. Together, the findings move the conversation from whether cooperative arrangements matter to what conditions make them sovereignty-affirming, durable, and worth pursuing.

Momentum has grown in recent years for federal agencies and Tribal Nations to work together to steward federally held lands. Even where full land return is not yet achievable, cooperative arrangements can offer Tribes a pathway to renew relationships with and exercise greater authority over their traditional homelands. Yet until this project, no comprehensive study had asked Tribes directly how they experience these arrangements, what they need to make them effective, and where those arrangements fall short.

This assessment was carried out in two phases. Phase I included an initial national survey, key informant interviews, and regional listening sessions, producing a substantial body of qualitative and quantitative findings. In response to NARF and NAP feedback on reach and specificity, the project team designed and fielded a Phase II validation survey and conducted two additional key informant interviews to confirm, sharpen, and extend the Phase I findings through a more targeted outreach strategy. Across both phases, Tribal respondents drew a sharp distinction between formal, funded decision-making authority through co-management and consultative, often unfunded collaboration through co-stewardship, even though agency and public discourse often use the terms interchangeably. Applying this distinction consistently strengthens the report's definition of "cooperative arrangements" and makes the findings more useful for policy, funding, and implementation decisions.

Survey respondents identified several circumstances that could make a cooperative arrangement unacceptable (Figure 20). The most selected factor was a requirement that the Tribe waive sovereignty or treaty rights, selected by 47 respondents. Failure to respect or protect Tribal cultural practices or knowledge was selected by 42 respondents, and an advisory-only Tribal role with no meaningful decision-making authority was selected by 38 respondents. The absence of guaranteed funding or support for Tribal participation was selected by 27 respondents. These findings can inform agency-facing guidance on conditions Tribes identify as necessary for sovereignty-affirming cooperative arrangements, including meaningful decision-making authority, protection of Tribal sovereignty and treaty rights, protection of cultural knowledge and practices, and adequate support for Tribal participation.

Phase II also sharpened the report's most important policy finding: the formal label attached to an arrangement does not reliably determine the level of Tribal authority it provides. Some respondents involved in co-management agreements reported limited or no meaningful decision-making power, while some respondents involved in co-stewardship agreements reported full and equal decision-making authority. For NARF and NAP, the central question is not only whether an arrangement is called co-management or co-stewardship, but whether it protects sovereignty and treaty rights, provides meaningful decision authority, includes adequate support for Tribal participation, and can withstand agency turnover and policy change.

Respondents identified waiver of sovereignty or treaty rights as the clearest unacceptable condition. They also identified flexible funding for Tribal staff time, legal and policy support, and technical assistance as the most

valuable near-term supports. Read together, the two phases give NARF and NAP a decision-ready resource to inform legal and policy advocacy, philanthropic strategy, and future communications while preserving Tribal voice, confidentiality, and client priorities. Additional resources are available through NARF's online resources, including a repository of sovereign-to-sovereign agreements and a companion digest of agreement models and provisions.

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Partnership and Purpose

About This Partnership: NARF and NAP

The Native American Rights Fund (NARF) is the oldest and largest nonprofit legal organization dedicated to defending the rights of Tribal Nations, Native organizations, and Native individuals nationwide. NARF brings deep legal and policy expertise on sovereignty, treaty rights, and the federal trust relationship.

Native Americans in Philanthropy (NAP) is a national organization that builds relationships between Native communities and the philanthropic sector, advancing Native-led solutions and increasing the flow of resources to Indian Country.

Together, NARF and NAP bring complementary vantage points to this assessment: NARF's legal and policy authority and NAP's reach into and credibility with the philanthropic funders who resource Tribal stewardship work. This report is written to serve both audiences, informing policy advocacy, legal strategy, funding priorities, and grantmaking strategy.

Why This Work, Why Now

Federal-Tribal co-stewardship has expanded significantly since Joint Secretarial Order 3403 was issued in November 2021 (U.S. Department of the Interior & U.S. Department of Agriculture, 2021). Federal agencies have subsequently entered into numerous co-stewardship agreements with Tribal Nations, and high-profile agreements such as the June 2022 cooperative management agreement for Bears Ears National Monument (U.S. Department of the Interior, 2022) have increased the visibility and importance of this work.

At the same time, shifts in federal priorities, workforce reductions, and funding uncertainty have introduced new risk to these arrangements just as Tribal Nations are being asked to take on greater responsibility for the lands they steward. NARF and NAP commissioned this assessment to make sure that, amid this rapid change, Tribal perspectives, not just agency or advocacy assumptions, are driving the next generation of policy and funding decisions.

Purpose of This Report

This report is intended to be a working resource. It provides a foundation NARF and NAP can draw on for policy recommendations and funding strategy and serves as a source their teams can draw from to inform briefings, fact sheets, and presentations. It combines Phase I findings (survey, key informant interviews, and listening sessions) with Phase II validation survey findings to produce a single, defensible account of Tribal experience with cooperative arrangements to enhance tribal management of traditional lands.

Assessment Framework

This assessment was designed and conducted by a Native-owned consulting firm engaged by NARF and NAP, consistent with both organizations' commitment to Indigenous-led inquiry. That commitment shaped not only who conducted this work, but how. The Indigenous Evaluation Framework described next informed every phase of design, data collection, and analysis.

This assessment is grounded in the Indigenous Evaluation Framework (IEF), developed by Joan LaFrance and Richard Nichols (2010) and later expanded with Katherine Kirkhart (2012). The IEF holds that evaluation is never neutral; rather, it is grounded in relationships, sovereignty, and community values. Consistent with this approach, five core IEF values informed the assessment design, methods, and analysis:

- Indigenous Knowledge Creation: Context matters; evaluation must use cultural metaphors, multiple perspectives, and both communal and individual experience.

- People of a Place: Evaluation should honor place-based programs, narrative traditions, and the role of storytelling, interviews, and dialogue.
- Centrality of Community and Family: Evaluation must be connected to community and highlight strengths-based approaches.
- Recognizing Our Gifts: Evaluation should consider the whole community and apply tools such as workplans and logic models.
- Tribal Sovereignty: Knowledge belongs to the community, which retains ownership and authority over how findings are used.

Background

The federal government manages roughly 28% of the nation's land base (about 640 million acres) through four principal agencies: the Bureau of Land Management, the National Park Service, and the U.S. Fish & Wildlife Service (all under the Department of the Interior), and the U.S. Forest Service (under the Department of Agriculture). Historical statutes such as the Federal Land Policy and Management Act (1976) and the National Forest Management Act (1976) shaped how these agencies plan and manage federal lands, often without meaningful Tribal participation in decision-making.

Cooperative arrangements are one of the primary tools used today to correct that historical exclusion. Secretarial Order 3403 (U.S. Department of the Interior & U.S. Department of Agriculture, 2021) directed federal agencies to advance co-stewardship of federal lands and waters with Tribal Nations, resulting in roughly 400 co-stewardship agreements under the Biden Administration (U.S. Bureau of Indian Affairs, 2024). Yet true co-management (arrangements that involve shared, binding decision-making authority) remains rare and legally constrained. The 2022 Bears Ears National Monument agreement between the Bureau of Land Management, U.S. Forest Service, and the five Tribes of the Bears Ears Commission remains one of the most frequently cited examples of Tribal-federal co-management. However, subsequent debates regarding monument protections, federal land management priorities, and administrative changes illustrate the broader challenge identified throughout this report: cooperative arrangements often operate within policy environments that can shift over time.

Despite this growing federal interest, no comprehensive study had, prior to this project, asked Tribal Nations directly how they experience these arrangements: what has worked, what has not, and what they need going forward. This assessment was designed to close that gap.

Legal and Policy Mechanisms for Cooperative Arrangements

Tribes and federal agencies formalize cooperative arrangements through several distinct legal mechanisms, each with different implications for the degree of authority a Tribe holds. Understanding these mechanisms, and their limits, is essential to interpreting what respondents in this assessment meant when they described an arrangement as "working" or "not working."

Tribal self-governance (638 contracting)

The Indian Self-Determination and Education Assistance Act (ISDEAA, Pub. L. 93-638, as amended in 1988, 1994, and 2020) allows Tribes to contract with federal agencies to directly operate programs. Since 1994, these programs have included public land management functions of "special geographic, historical, or cultural significance" to the Tribe, using federal funds the agency would otherwise have spent (Washburn, 2022). This is the strongest form of Tribal authority among the mechanisms reviewed because the Tribe effectively substitutes for the federal agency within the scope of the contract. The Confederated Salish and Kootenai Tribes' multidecade management of the National Bison Range, culminating in full trust-land restoration in 2022, is the clearest example (Washburn, 2022; Gries, 2022).

Outside the Bureau of Indian Affairs and Indian Health Service, the availability and implementation of self-determination and self-governance authorities can vary by agency and statutory authority. Questions concerning agency authority, Tribal capacity, and the scope of delegable functions continue to shape implementation across the federal government. In addition, litigation over contract support cost funding under the Indian Self-Determination and Education Assistance Act reached the U.S. Supreme Court in *Cherokee Nation v. Leavitt (2005)* and again in *Salazar v. Ramah Navajo Chapter (2012)*. In both cases, the Court held that the federal government was obligated to pay contract support costs promised under qualifying agreements. However, the Department of the Interior continues to treat contract support costs as discretionary for contracts or compacts with non-BIA bureaus. Any discussion of agency discretion, inherently federal functions, or comparative self-governance procedures should be reviewed against current law and agency guidance before external distribution.

A Phase II key informant cautioned that 638 contracting is not always advisable when a federal agency has allowed a program to deteriorate: "we're not gonna necessarily take over a broken program." He noted that chronic Bureau of Indian Affairs budget cuts had left some federally administered programs, including forestry operations on Tribal trust land, functioning inadequately, and that assuming responsibility for such programs without adequate resources could increase burden without commensurate benefit (Phase II Key Informant, Southeast). This suggests that 638 contracting decisions should be evaluated program by program rather than treated as uniformly advantageous.

Cooperative agreements: MOUs, MOAs, and co-stewardship

Most co-stewardship arrangements take the form of memoranda of understanding or memoranda of agreement (MOUs/MOAs), entered under an agency's general statutory authority to cooperate with outside entities. The federal agency remains the decision-maker, and the agreement commits the parties to consultation and collaboration rather than binding joint governance (Mills & Nie, 2021, 2025). These are more flexible than 638 contracts but generally do not transfer final decision-making authority.

The BLM Public Lands Rule, which took effect in 2024 and was subsequently rescinded in 2026, provided additional support for Tribal engagement in public-land stewardship. Among other provisions, the rule encouraged co-stewardship opportunities, incorporation of Indigenous Knowledge, and consultation with Tribes regarding management decisions affecting Tribal interests. The rule was also widely discussed as creating additional pathways for Tribal participation in land-use planning and environmental review processes on BLM-managed lands. Any description of Tribal authority as a joint-lead or cooperating agency under NEPA should be confirmed against the governing regulations and agency guidance before publication.

Treaty-based co-management

The most durable co-management regimes rest on treaty rights that legally compel shared authority. One example is the Boldt Decision (*United States v. Washington,* 384 F. Supp. 312 (W.D. Wash. 1974)), which allocated 50% of the harvestable salmon catch to treaty Tribes in the Pacific Northwest and created ongoing joint fisheries management structures still in operation. In Alaska, where most Tribes lack treaties, Congress instead created a statutory subsistence framework under Title VIII of the Alaska National Interest Lands Conservation Act (ANILCA, 1980), which the Ninth Circuit reaffirmed in August 2025 by upholding the rural subsistence priority and the long-standing Katie John precedent on navigable waters within federal conservation units (see Current Landscape: Recent Developments (2025–2026)).

Consultation and the federal trust responsibility

Executive Order 13175 (2000) requires agencies to consult with Tribes on actions likely to affect Tribal interests, grounded in the federal trust responsibility to protect Tribal lands, resources, and treaty rights. Tribes in this assessment, and in the broader literature, consistently describe consultation as necessary but insufficient, a process of dialogue that does not, on its own, confer decision-making power. The Section 106

historic preservation consultation process is frequently cited as a comparatively effective model precisely because it is backed by enforceable review requirements, though Tribal historic preservation officers (THPOs) report chronic underfunding. As an example, THPOs currently receive roughly 11–12% of Historic Preservation Fund appropriations against a proposed statutory floor of 20%, which limits how fully Tribes can exercise that role (Concho, 2025; Affiliated Tribes of Northwest Indians, 2025).

Land back pathways

> *Distinct from arrangements that manage land still under federal ownership, land back efforts return legal title or permanent use rights to Tribes through trust restoration (the Bison Range), state-to-Tribal transfer (Massachusetts' 2022 transfer of conservation land to the Penobscot and Passamaquoddy Tribes), or Tribally held conservation easements that guarantee cultural access without transferring ownership (the Amah Mutsun Tribal Band's cultural conservation easement in California) (Gries, 2022). Respondents in this assessment consistently ranked land reacquisition and transfer above co-management or co-stewardship as the most important long-term pathway to land justice (see I see these community co-management agreements as a huge step toward Native Hawaiian sovereignty because we don't have it … this is at least something … to get on equal footing, at least on the state level and to keep building from there. (Hawai'i Listening Session Participant)*

Participants also described strategic, audience-dependent use of terminology, using co-stewardship in Native Hawaiian community contexts, where the concept is already grounded in terms such as *aloha 'āina and mālama 'āina*, and co-management with federal partners such as the National Oceanic and Atmospheric Administration, where the term carries specific legal meaning. This mirrors, and adds a distinct regional dimension to, the report's broader finding that consistent terminology is essential to how these arrangements are negotiated and understood (see Terminology Consistency).

A Phase II key informant emphasized that trust remains the central barrier to effective cooperative arrangements in Hawai'i, rooted in "generational trauma with any kind of governing system… since the overthrow" of the Hawaiian Kingdom (Phase II Key Informant, Hawaii). The same informant identified three necessary conditions for durable state policy change: support from government agency staff, support in the legislature, and organized community backing ("you really need all three of those things to get a new state law passed here"). This framework may be useful for assessing the durability of cooperative arrangements in other jurisdictions.

Validation Survey Findings), a preference this literature independently corroborates.

Additional authorities and pathways may support cooperative arrangements depending on jurisdiction and legal context. These include self-governance agreements and annual funding agreements under Tribal self-governance authorities, state-level co-management opportunities, legislation establishing specific parks, refuges, or protected areas, implementation of treaty rights through statute, and authorities associated with federal laws such as the Antiquities Act, National Historic Preservation Act, and National Environmental Policy Act. The availability and significance of these mechanisms vary considerably across agencies, regions, and Tribal Nations.

In July 2026, Hawai'i enacted new state legislation authorizing its Department of Land and Natural Resources to enter into formal "community co-management agreements" with qualified community-based organizations (Hawai'i Community Co-Management Act, Act 203, 2026 Haw. Sess. Laws). The law was directly inspired by the decades-long stewardship relationship between Hui Maka'āinana o Makana and Hā'ena State Park on Kaua'i, where the community organization had cared for the land since the 1990s but had been unable to secure a long-term agreement absent statutory authority. A Phase II key informant who helped draft the legislation noted that the absence of a unified Native Hawaiian sovereign nation shaped the law's design: "We're kind of just trying to do what we can with what we have, because we don't have… our own sovereign

nation" (Phase II Key Informant, Hawaii). This example illustrates a state-level legislative pathway to formalized co-management distinct from the federal, treaty-based mechanisms described elsewhere in this report, and may be relevant to Tribal Nations and advocates considering state-level legislative strategies in the absence of federal action.

Current Landscape: Recent Developments (2025–2026)

The policy landscape described below reflects developments identified through the report's source review and verified as current as of the report's final preparation in August 2026. Because federal land management, historic preservation, and consultation policy remain active areas of litigation, rulemaking, and budget negotiation, this section should therefore be read as a current context snapshot rather than a static legal summary.

Subsistence-rights affirmation in Alaska

In August 2025, a three-judge panel of the Ninth Circuit Court of Appeals upheld Alaska's "two-tier" subsistence management system, affirming that the rural subsistence priority under ANILCA Title VIII extends to navigable waters within federal conservation units. The ruling reaffirmed the Katie John precedent and the role of the Kuskokwim River Inter-Tribal Fish Commission, which represents 33 Tribes (Ninth Circuit Court of Appeals, 2025; Native News Online, 2025). Native leaders across Alaska described the ruling as a major victory.

That same body of subsistence protections came under direct challenge in 2025 when Safari Club International, with support from the State of Alaska, petitioned for a wholesale rewrite of federal subsistence management regulations. In response, the Association of Village Council Presidents and the Kuskokwim River Inter-Tribal Fish Commission jointly opposed the petition, characterizing it as legally unsound and a threat to the Secretaries' Title VIII obligations (Association of Village Council Presidents & Kuskokwim River Inter-Tribal Fish Commission [AVCP & KRITFC], 2025)

Example of an overturned resource management plan

In December 2025, Congress and the president overturned the 2024 Central Yukon Resource Management Plan, a framework governing 13.3 million acres of BLM land in Alaska's Central Yukon and Brooks Range foothills that was developed over 13 years in partnership with six Tribal cooperating agencies and through more than 30 public meetings. This decision reverted management to regulations that were more than 30 years old and eased permitting for industrial development such as the Ambler Road (Defend the Brooks Range, 2025). The Bering Sea Interior Tribal Commission, a consortium of 40 Alaska Tribes, criticized the action as lacking adequate consultation and warned of direct harm to communities where more than 80% of food comes from surrounding lands and waters (Bering Sea Interior Tribal Commission, 2025). This is among the clearest illustrations available to this project of a theme respondents raised repeatedly: durable, formally negotiated cooperative arrangements remain vulnerable to reversal by a subsequent administration or Congress, even after years of Tribal engagement in planning processes.

Uncertainty for the Public Lands Rule and Roadless Rule

BLM's 2024 Public Lands Rule, formally the Conservation and Landscape Health Rule, had directed the agency toward Tribal co-stewardship, Indigenous Knowledge integration, and Tribal participation in public-land planning. Following a proposed rollback in late 2025, the rule was fully rescinded by a final rule published May 12, 2026, with an effective date of June 11, 2026. The rescission removed the rule as a formal BLM framework for conservation leasing, co-stewardship-related planning provisions, and related public-land management priorities.

In parallel, USDA's proposed rescission of the Roadless Rule was in a 120-day Tribal consultation period through November 2025, prompting The Wilderness Society to launch a Roadless Rule Tribal Hub that

provides tools, template comment letters, and guidance on government-to-government consultation regarding protected forest lands. Since its adoption in 2001, the Roadless Area Conservation Rule has protected more than 58 million acres of National Forest System lands from most road construction and timber harvest activities. The rule was developed following extensive public engagement that generated nearly two million public comments, the majority of which supported continued protections.

THPO funding and Section 106 consultation remain priorities

THPOs currently receive approximately 11–12% of Historic Preservation Fund appropriations. The National Congress of American Indians has called for Congress to reauthorize the Fund with a mandatory 20% set-aside for THPOs (Affiliated Tribes of Northwest Indians, 2025), a position echoed in October 2025 Senate testimony from Steven Concho, THPO for the Pueblo of Acoma, who further recommended reaffirming early Section 106 consultation, direct project-specific funding for Tribal fieldwork, and stronger safeguards against public disclosure of sensitive cultural site information (Concho, 2025).

Since that testimony, NATHPO reported that the President's proposed FY 2027 budget called for eliminating funding for the Tribal Historic Preservation Officer program under the National Historic Preservation Act (National Association of Tribal Historic Preservation Officers [NATHPO], 2026a). NATHPO characterized the proposal as inconsistent with federal trust responsibilities and warned that underfunding THPOs would increase risks to sacred places, cultural resources, and timely federal project review.

In July 2026, NATHPO voted "no" on advancing ACHP's proposed revisions to the regulations implementing Section 106 of the National Historic Preservation Act. NATHPO stated that while Section 106 can be improved, the proposed revisions did not adequately address Tribal concerns regarding early government-to-government engagement, recognition of Indigenous Knowledge and Tribal expertise, agency accountability, documentation standards, protection of sensitive Tribal information, and continued federal responsibility (NATHPO, 2026b).

A parallel regulatory front: "Waters of the United States"

In January 2026, the National Congress of American Indians (NCAI) submitted comments opposing a proposed narrowing of the definition of "Waters of the United States" under the Clean Water Act, warning that a narrower definition would undercut Tribal Treatment-as-State authority to manage and protect reservation waters and increase the regulatory and financial burden on already under-resourced Tribal environmental programs (NCAI, 2026). This adds a water-quality regulatory dimension to the cooperative-arrangements landscape that respondents did not have the opportunity to address directly.

Defining Cooperative Arrangements

Throughout this report, "cooperative arrangements" refers to the full range of ways Tribes and other Native groups enter arrangements with others that allow Native participation in the control of lands important to them. This includes cooperative agreements for co-management or co-stewardship, PL 93-638 compacts and contracts, land trusts, conservation easements, and other easement arrangements.

Co-stewardship broadly refers to collaborative or cooperative arrangements between federal agencies, Tribes, and Native Hawaiian Organizations related to shared interests in managing, conserving, and preserving Federal lands and waters. Such arrangements may take many forms, including sharing technical expertise, combining Tribal and agency capabilities, incorporating Tribal knowledge into management, cooperative agreements, and, where applicable, annual funding agreements under Tribal self-governance authorities.

Co-management refers to co-stewardship activities undertaken pursuant to Federal authority that allows delegation of some aspect of Federal decision-making authority or otherwise makes shared management legally necessary.

Tribal respondents drew a sharp distinction between formal, funded decision-making authority (co-management) and consultative, often unfunded collaboration (co-stewardship), even where agency and public discourse often use the terms interchangeably. Applying this distinction consistently across the report and validation survey instrument strengthens the definition of "cooperative arrangements" and makes the findings more useful for policy, funding, and implementation decisions.

This distinction was independently affirmed by a Phase II key informant, a Tribal natural resources director in the Southeast, who described co-management as arising from "a legal definition… requiring shared decision-making" under statute, treaty, or formal agreement, while characterizing co-stewardship as spanning "from informal consultation… all the way to more formal agreements" without the same binding weight (Phase II Key Informant, Southeast).

The Project History: From Initial Survey to Validation Survey

Phase I: Initial Assessment

The initial phase of this project followed the assessment design described in previous sections: a national survey, semi-structured key informant interviews, and eight virtual listening sessions (five regional sessions, one Hawaii-specific session, and two national sessions), supported by outreach through Tribal networks, organizational partners, and major gatherings (ATNI, NATHPO, GPTLC, NCAI, USET, APCG, AFN, RMTLC, and others). Each 90-minute session followed a consistent agenda: project overview; presentation of preliminary survey and interview findings; guided discussion of experiences and barriers; and a closing discussion of priorities and recommendations, with informed consent, closed captioning, and a random drawing for a $100 participation incentive. Phase I closed with 35 completed surveys and 13 key informant interviews (see Respondent Profile).

How Phase I Informed the Final Assessment

NARF and NAP raised three specific concerns with Phase I: reach, definition clarity, and depth of synthesis.

- Reach: The Phase I survey and interviews engaged a smaller and less representative pool of respondents than anticipated, limiting confidence in how well the findings generalize across regions and Tribal Nations.
- Definitional clarity: The distinction between cooperative "arrangements," "agreements," and "stewardship" was not consistently or precisely defined, making it difficult for NARF and NAP to apply the findings to specific policy or funding decisions.
- Depth of synthesis: Key informant interviews and listening sessions were not summarized or reported in a way that connected clearly to NARF's policy and legal priorities or to NAP's funding and philanthropic priorities, indicating an opportunity to more fully integrate qualitative findings into the final synthesis.

This feedback informed the structure and organization of this report. In response, the report adopts a single, precise definition of "cooperative arrangements" and organizes thematic findings according to their relevance to NARF and NAP, respectively. Phase II was designed to strengthen reach and representativeness.

Specifically, a validation survey designed to confirm, deepen, and extend Phase I findings with a broader and more intentional outreach strategy was proposed and fielded by the project team during Phase II. See Validation Survey Outreach and Recruitment for a detailed description of these efforts.

Methods

Engagement Strategy and Target Population

The eligible population for the validation survey was inherently narrow by design. The assessment focused on the voices of those who represent and act on behalf of Tribal Nations in cooperative land arrangements, including elected Tribal leaders and council members, natural and cultural resource managers, THPOs, cultural knowledge bearers, and legal advisors or staff involved in negotiating and evaluating arrangements.

Because eligibility depended on holding specific leadership, cultural, technical, or advisory roles, the pool of potential respondents was limited across the 575 federally recognized Tribes. As Phase II confirmed, this structural constraint likely contributed substantially to the response patterns discussed in the Validation Survey Outreach and Recruitment section and the Limitations section. Consequently, modest survey numbers should be interpreted within the context of a small eligible population, not as a failure of recruitment or outreach.

Phase I Data Collection

Survey

The national survey was distributed through Tribal networks, organizational partners, and major gatherings. It asked structured questions about experience with, satisfaction with, and recommendations regarding co-management, co-stewardship, conservation easements, land trusts, and other cooperative arrangements.

Key informant interviews

Semi-structured virtual interviews (approximately one hour each) were conducted with Tribal leaders, cultural knowledge holders, legal experts, and others with direct experience with these arrangements. Sessions were recorded and professionally transcribed with participant consent.

Listening sessions

Eight virtual listening sessions, comprising five regional sessions, one Hawaii-specific session, and two national sessions, validated preliminary survey and interview findings, documented Tribal priorities and challenges, and explored the conditions under which sovereignty-affirming cooperative arrangements are possible.

Guiding questions

- How do Tribes view co-management, co-stewardship, conservation easements, land trusts, and other cooperative arrangements as mechanisms for advancing sovereignty and protecting Tribal homelands?
- How do Tribal experiences and outcomes differ depending on which federal, state, or municipal agency they collaborate with?
- What benefits, barriers, and challenges do Tribes encounter with these arrangements?
- How do co-management and co-stewardship compare to other land justice pathways, including land purchase, land transfer, and land trusts, in advancing land back and land justice?
- What types of arrangements are of most interest to Tribal Nations, and under what circumstances are they unacceptable?
- What policy changes are needed at the national or state level to better meet Tribal needs?

Additional topics explored during Phase I discussions included the implications of changing federal administration priorities and broader Tribal priorities related to climate resilience, cultural preservation, economic development, and youth engagement. These topics informed qualitative discussions but were not directly assessed in the validation survey and therefore are discussed only where supported by Phase I data.

Validation Survey Outreach and Recruitment

Project staff and a consultant conducted outreach for the validation survey from July 10 through July 31, 2026. The contact list was divided into three regional groups:

- Alaska and Pacific Northwest: 277 contacts, 269 calls placed, two surveys completed by phone.
- Midwest and United Southern and Eastern Tribes: 195 contacts, 170 calls placed, two surveys completed by phone.
- National Park Service and South region: 192 contacts, 55 calls placed, no surveys were completed by phone.

Across all three groups, only four Tribal leaders completed the survey by phone; most contacts were unavailable, and staff typically opted to receive an online link to complete the survey independently. More than 100 follow-up emails with survey links were sent at the request of Tribes or Tribal contacts, in addition to the original email.

Outreach staff most often reached voicemail rather than a human contact, and rarely received a callback, a pattern viewed as a function of capacity and competing demands rather than disinterest; where contacts did respond, they generally expressed genuine interest or offered to route the call to the right person. In Alaska specifically, elected leaders often do not keep a regular office presence, so Tribal secretaries and administrators became the de facto point of contact and were essential to getting materials into the right hands. Direct phone lines to Tribal leadership were the exception rather than the rule. The phone numbers on file often led to a general office line, phone tree, or a transfer, despite considerable efforts put into building and maintaining a contact list beforehand. Subsistence activities, cultural gatherings, travel, and leadership duties further limited when and how Tribal leaders could engage, and staff turnover meant some contacts were already out of date by the time outreach began.

Data-quality note: Online survey completion during this period was also affected by a technical disruption, a period of automated/bot-driven form submissions, and a delivery issue that interrupted scheduled reminder emails to respondents who had started but not completed the survey. Both issues are addressed in the Limitations section.

Data Analysis

Qualitative data from interviews and listening sessions were analyzed thematically using NVivo software, with a codebook developed from the assessment questions and emerging themes. Preliminary themes were shared with a small number of participants for member checking, a process in which participants review and provide feedback on the findings to confirm that the interpretations accurately reflect their perspectives. Quantitative survey data were cleaned and analyzed in Microsoft Excel using descriptive statistics.

Findings from Phase I and Phase II datasets were synthesized through triangulation. This process compared results across the survey, interviews, listening sessions, and validation survey to identify areas of agreement, highlight meaningful differences, and strengthen the overall credibility of the findings. Triangulation also supports sovereignty-affirming practices by ensuring that Tribal voices are represented across multiple methods and not reduced to a single dataset.

Findings

Respondent Profile

A total of 35 individuals completed the Phase I survey, 42 partially completed it, and 13 participated in key informant interviews. Phase II added two additional key informant interviews conducted for validation purposes, bringing the overall total to 15 key informant interviews across both phases (see Additional Key Informant Interviews). Table 1 describes participants' geographic regions, and Table 2 describes participant

types (totals differ slightly by table; see the notes below each table for an explanation). Additionally, eight listening sessions were used to review, contextualize, and expand upon preliminary survey and interview findings.

Table 1. Geographic location of survey and key informant interview participants

Method	Survey	Key Informant Interview(s)
Region 1 – Pacific Northwest	5	2
Region 2 – Pacific Southwest	4	1
Region 3 – South Central	10	2
Region 4 – North Central	1	3
Region 5 – North Mid-Central	4	1
Region 6 – East	5	3
Region 7 – Alaska	5	0
Region 8 – Hawai‘i	3	2
National	0	1
Total	37	15

Note. A total of 35 respondents reached the survey question about region and are included in this table. Because respondents could select more than one region, two selected multiple, resulting in 37 regional responses. Key informant interview totals include 13 conducted during Phase I and 2 conducted during Phase II (see Additional Key Informant Interviews).

Table 2. Types of survey and key informant interview participants

Method	Survey	Key Informant Interview(s)
Tribal leader	8	4
Cultural practitioner	7	2
Tribal historic preservation officer	2	0
Tribal land manager	4	2
Other Tribal administration worker	4	1
Federal government agency worker	0	0
Tribal member or citizen only	5	0
Nonprofit leader	0	4
Lawyer	0	2
Other	10	0
Total	40	15

Note. A total of 35 respondents reached the survey question asking about their role and are represented in this table. Because respondents could select more than one respondent type, the table reflects 40 respondent-type selections. Key informant interview totals include 13 conducted during Phase I and 2 conducted during Phase II (see Additional Key Informant Interviews).

Phase I Thematic Findings

The following themes summarize Phase I survey, interview, and listening session findings. Each is tagged for its primary relevance to NARF (policy/legal) or NAP (funding/philanthropy), per feedback that Phase I findings needed to connect more directly to each organization's distinct use of this project.

Strategic use of cooperative arrangements

Tribes use cooperative arrangements strategically, with each tool carrying distinct benefits and limitations. Participants distinguished sharply between co-management, which is formal and funded and includes real decision-making authority, and co-stewardship, which is less formal, often unfunded, and frequently carries a spiritual dimension of caretaking. Conservation easements, cultural easements, and land trusts were also commonly used, each with distinct tradeoffs. Easements can restrict community use even as they protect against development; land trusts support long-term Tribal management of ancestral lands. See Figure 1 for a breakdown of topics included in cooperative arrangements.

> *Co-management and co-stewardship, they're very crucial for addressing climate change, because it employs our traditional practices that promote biodiversity and sustainable land use, but also play essential roles in preserving cultural practices. (Key Informant, South Central)*

> *We are moving toward our own tribal organization holding our easements in response to the threat of selling public lands. And so, lands that are being put into trust, we pause that because we don't know all the implications that will happen with this administration. We would rather have it in an easement with a tribal organization than to put it at risk of being owned by the United States and not having control over it. (Listening Session Participant)*

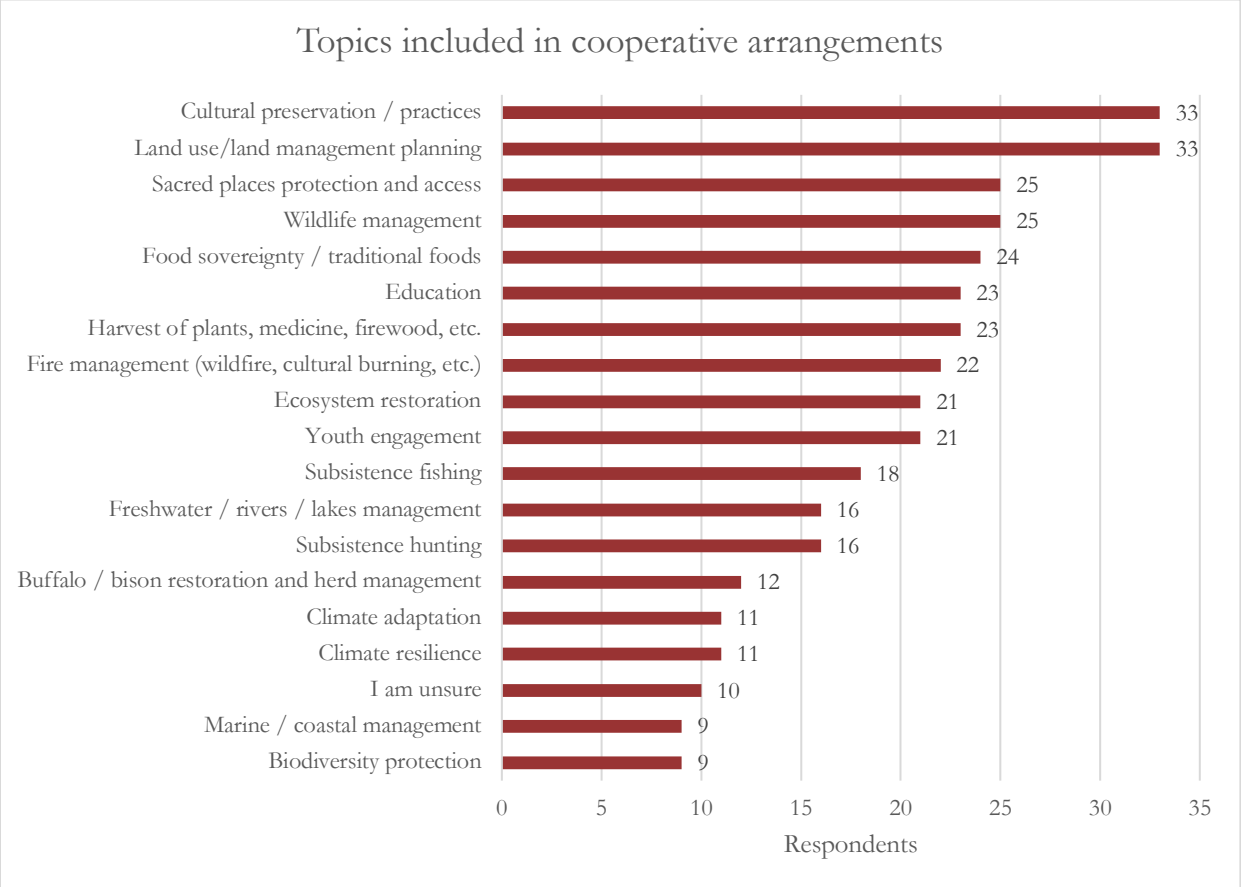


Figure 1. Topics included in cooperative arrangements

Benefits of cooperative arrangements

The benefits of cooperative arrangements most cited by respondents were exercising Tribal sovereignty, preserving sacred sites, increasing access to traditional lands, improving stewardship relationships, and providing social and economic opportunities. These outcomes are directly relevant to philanthropic theories of change. Figure 2 shows how respondents rated the importance of benefits associated with cooperative arrangements.

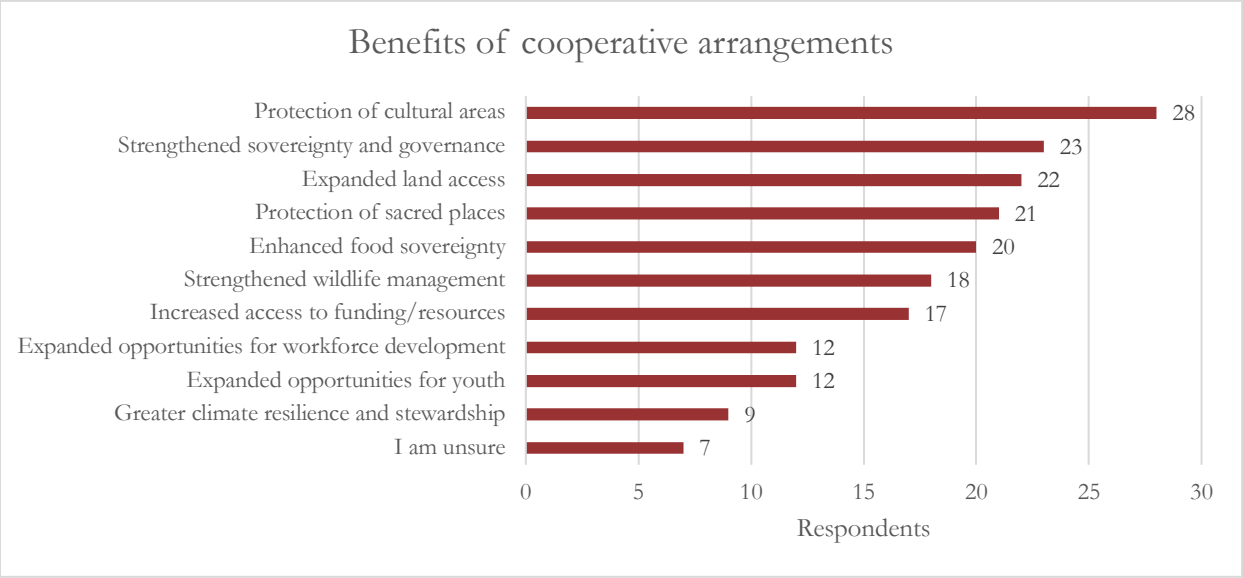


Figure 2. Benefits of cooperative arrangements

How arrangements are used determines acceptability

Participants were clear that it is not the type of arrangement but how it is used that determines acceptability. Arrangements are unacceptable when they threaten sovereignty, decision-making, or cultural values. State agencies were described as reluctant partners with limited understanding of Tribal consultation; successful negotiations depended heavily on long-standing, trust-based relationships with specific agency personnel.

> *You need to be more willing to partner with the agency or the superintendent or the regional manager who has those lands under their authority right now to show them you can do the work so that they will give you the authority to manage those lands. (Listening Session Participant)*

Barriers to developing cooperative arrangements

Agency budgeting and process constraints, reluctance to share authority, and workforce loss are all seen as barriers to developing cooperative arrangements. Federal workforce reductions were repeatedly cited as having eroded institutional knowledge of Tribal contracting and self-determination processes within agencies. Tribal capacity constraints, including insufficient staff, technical expertise, and long-term funding, were the most common barriers cited on the Tribal side (Figure 3).

> *What they [Tribes] need is the expertise from biologists and engineers, marine scientists. They need monitoring equipment, especially the THPOs, and legal advice. (Listening Session Participant)*

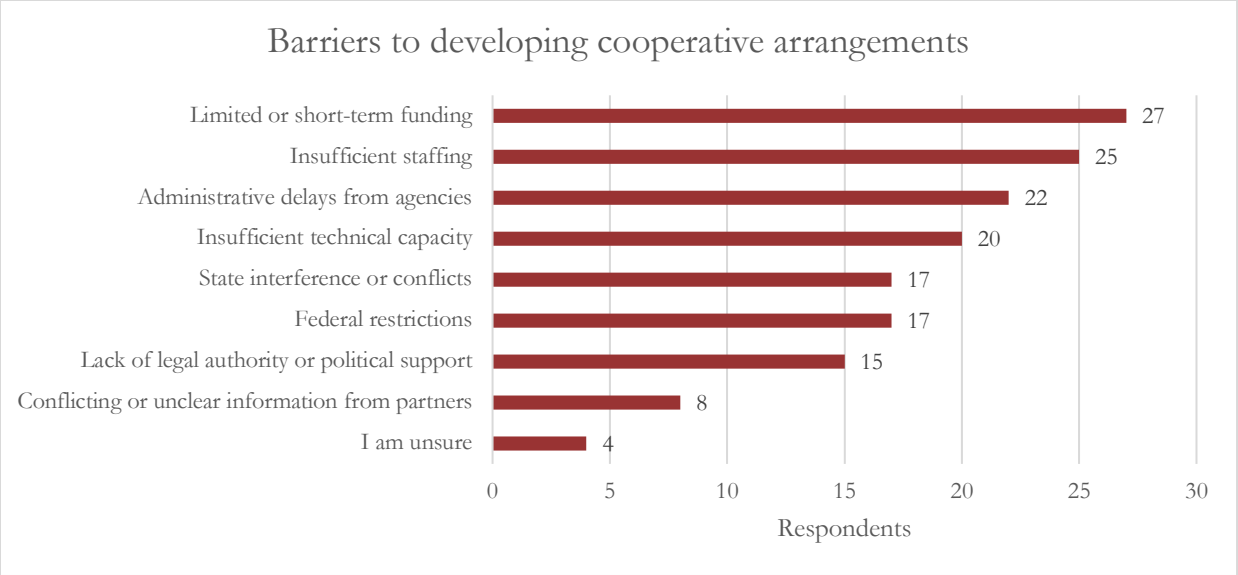


Figure 3. Barriers to developing cooperative arrangements

Pathways to land justice

Land reacquisition, transfer, and trusts remain the most important land justice pathways. Even as Tribes actively use co-management and co-stewardship, respondents ranked land purchase or reacquisition and land transfer above co-management and co-stewardship agreements as the most important long-term pathways to land justice. This finding suggests that respondents place the greatest long-term value on pathways that increase Tribal ownership, control, or jurisdiction over ancestral lands.

Negotiation strategies strengthen Tribal outcomes

Listening session participants consistently identified strong Tribal negotiators as an important factor in securing favorable cooperative arrangements. Participants also stressed that Tribes are often unaware of their right to government-to-government negotiation, not merely consultation, and that this awareness gap itself functions as a barrier.

> *These things can be negotiated in a million different ways. A lot of these agencies will come to you and they have their set of criteria that you have to adhere to in order to make this thing work, and it's just not true. It depends on how much money you have, how much clout you have politically. (Listening Session Participant)*

> *More tribes need to be informed of their right and their right to ask, but not only to consult, but their right to negotiate and have that reciprocal relationship. (Listening Session Participant)*

Participants also described emerging capacity-building resources aimed at closing this gap, including negotiation tools developed by Native-led organizations and informal regional coalitions, such as a working group of four southern Arizona Tribes (Ak-Chin, Maricopa, Gila River, and Salt River) organized in part to educate federal and state partners on meaningful consultation.

Philanthropy can fill gaps

Participants were specific about where philanthropic investment would matter most. They mentioned technical assistance, including training, conferences, grant writing, and legal support; direct capacity funding that allows Tribes to design their own programs rather than fit funder-defined categories; and support for existing coalitions and partnerships rather than the creation of new ones. One participant noted that even a

single hour of peer consultation with another Tribe experienced in cooperative arrangement negotiations would be valuable. Participants' interest in peer consultation identifies a potentially low-cost way to strengthen negotiation capacity.

> *The biggest thing we need is additional resources, because you're talking about philanthropy, you're talking about a land back fund, you're talking about ability to develop more coalitions to achieve more funding. (Listening Session Participant)*

> *Let's fund Tribes an instrumental amount of money because all of the Tribes need this, and let them create programs that help to build capacity within tribes, write grants, whatever it is that they need, as well as legal support. (Listening Session Participant)*

Participants also identified the underappreciated opportunity of funding cultural competency training for non-Native partner staff. Tribes currently absorb this training burden themselves; shifting it to philanthropically funded third parties would free Tribal staff time for partnership work itself.

Data sovereignty and cost-share requirements

Participants pointed to Tribal data sovereignty codes (Tribal law governing how data about a Nation and its members may be collected, shared, and used) as a growing and underleveraged policy tool, on the premise that Tribes can require federal partners to follow Tribal law rather than the reverse. Participants also identified Joint Secretarial Order 3403 as a meaningful but incomplete step. The order directs agencies to incorporate Indigenous Knowledge and protect sacred and cultural resources, yet non-federal cost-share and matching-fund requirements built into many programs continue to exclude smaller, under-resourced Tribes from participation.

> *There still is Joint Secretary Order 3403 from 2022 … that recognizes that we need to manage these lands and waters in ways that incorporate indigenous knowledge … but there's still the burdensome requirements that tribes face such as non-federal cost shares, and that can prevent a lot of smaller under-resourced tribes from participating in these ecosystem management arrangements. (Listening Session Participant)*

Participants were candid that some proposed reforms, such as changing legal ownership of specific federal units, would require an act of Congress and are not achievable through administrative or agency-level policy change alone. This distinction between administratively achievable reforms and those requiring legislation informs the findings-based recommendations and opportunities presented later in the report.

Hawaii: A distinct regional context

The Hawai'i regional listening session surfaced a cooperative arrangements landscape distinct from the continental United States and Alaska. Because Native Hawaiians lack federal recognition as a Tribal Nation, cooperative arrangements in Hawai'i are typically held by nonprofit organizations rather than a Tribal government, and most partners are state or local agencies rather than federal ones. Participants described genuine disagreement within Native Hawaiian communities about whether entering cooperative arrangements with the state legitimizes an occupation many view as illegal or instead represents meaningful progress toward sovereignty in the absence of federal recognition.

> *We probably had about 50% at least of the Native Hawaiian community against co-management for a lot of reasons … one of them was they did view it as a threat to sovereignty. … the Kingdom of Hawai'i is illegally occupied by the United States. (Hawai'i Listening Session Participant)*

> *I see these community co-management agreements as a huge step toward Native Hawaiian sovereignty because we don't have it … this is at least something … to get on equal footing, at least on the state level and to keep building from there. (Hawai'i Listening Session Participant)*

Participants also described strategic, audience-dependent use of terminology, using co-stewardship in Native Hawaiian community contexts, where the concept is already grounded in terms such as *aloha 'āina and mālama 'aina*, and co-management with federal partners such as the National Oceanic and Atmospheric Administration, where the term carries specific legal meaning. This mirrors, and adds a distinct regional dimension to, the report's broader finding that consistent terminology is essential to how these arrangements are negotiated and understood (see Terminology Consistency).

A Phase II key informant emphasized that trust remains the central barrier to effective cooperative arrangements in Hawai'i, rooted in "generational trauma with any kind of governing system… since the overthrow" of the Hawaiian Kingdom (Phase II Key Informant, Hawaii). The same informant identified three necessary conditions for durable state policy change: support from government agency staff, support in the legislature, and organized community backing ("you really need all three of those things to get a new state law passed here"). This framework may be useful for assessing the durability of cooperative arrangements in other jurisdictions.

Validation Survey Findings

This section presents final validation survey (Phase II) findings, organized by the Eight virtual listening sessions, comprising five regional sessions, one Hawaii-specific session, and two national sessions, validated preliminary survey and interview findings, documented Tribal priorities and challenges, and explored the conditions under which sovereignty-affirming cooperative arrangements are possible.

Guiding questions for relevance to NARF (policy/legal) or NAP (funding/philanthropy). Each finding is discussed in relation to the corresponding Phase I result it confirms, sharpens, or complicates.

The validation survey was completed by 73 eligible participants, 55 of whom completed the entire survey. As shown in Figure 4, 30 respondents were Tribal leaders and 28 were employees of Tribal governments. The remaining respondents were employees of organizations serving Tribes, independent professionals or experts, individuals in roles not listed, or those who preferred not to answer. Survey respondents were from 20 states, as shown in Figure 5.

A total of 58 respondents shared which Tribe or Tribal Nation they represented, documenting representation from 46 distinct Tribal Nations across the country. Because many Tribal Nations were represented by only one or two respondents, the report does not present Tribe-specific findings, cross-tabulations, or quotations in ways that could reasonably identify a respondent, Tribal Nation, or specific arrangement without explicit permission.

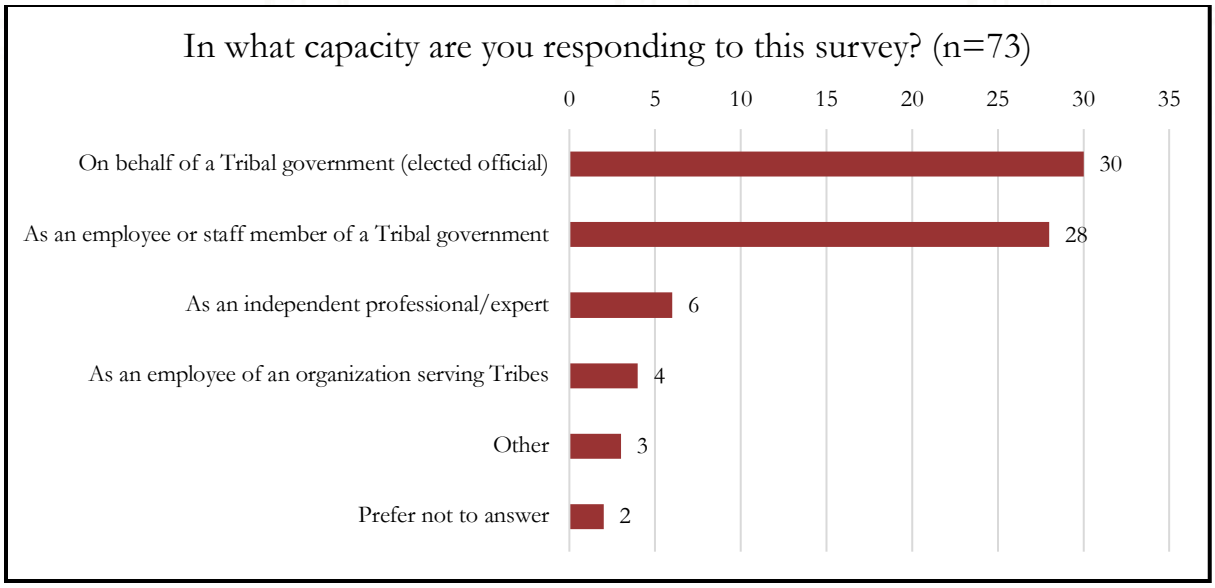


Figure 4. Survey respondent type

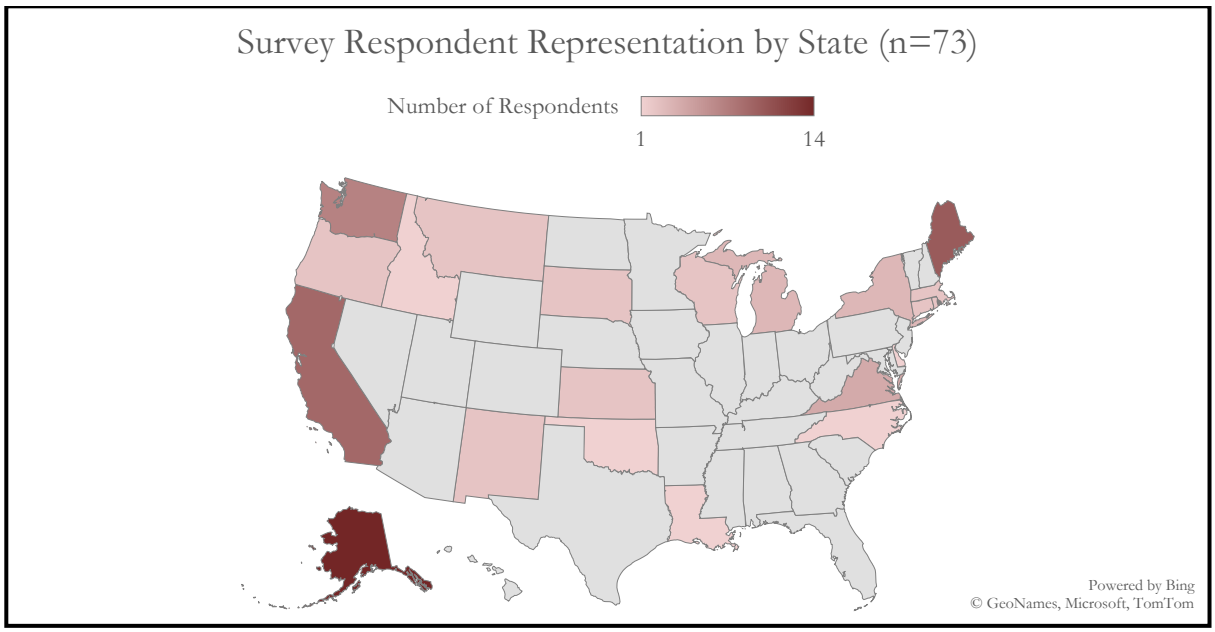


Figure 5. Survey respondent representation by state

Assessment of responses to validation survey questions

How do Tribes view co-management, co-stewardship, conservation easements, land trusts, and other cooperative arrangements as mechanisms for advancing sovereignty and protecting Tribal homelands?

Survey respondents shared what types of cooperative arrangements their Tribe or Tribal Nation has participated in. Land trusts (38), co-stewardship agreements (32), conservation easements (31), and co-management agreements (30) were the most common responses (Figure 6). Other land governance tools included land back initiatives through purchase; local agreements with cities, counties, and private individuals; and access and data/research agreements. Other easements included those involving a third party; highway, rail, or utility easements; and winter trails. One respondent described their other easement in detail.

We have land in one district that needed to be downgraded (environmentally) in order to use wetlands to usable treaty fishing rights access. We have other land in trust on the water that we have no plans to use for development. We agreed to enter a permanent easement on the land we did not plan to use otherwise which will protect the wet land quality. This is an agreement with the State. We did not waive sovereign immunity to do so. This means there is a level of faith at the state level to depend on voluntary enforcement. (Survey Respondent)

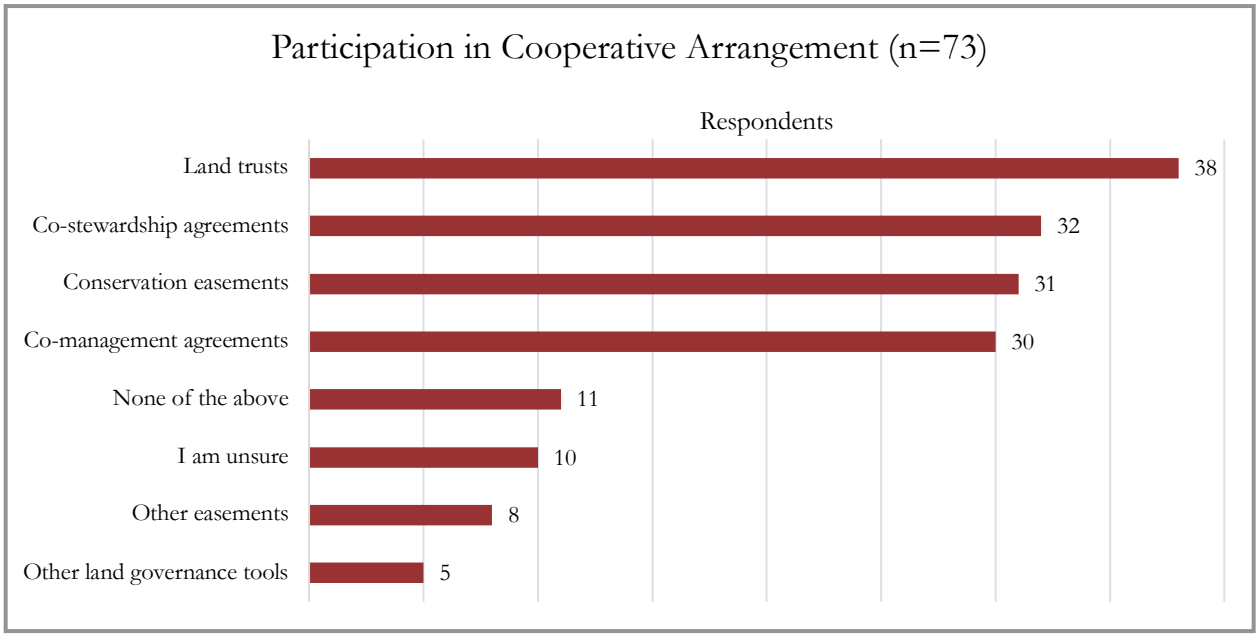


Figure 6. Types of cooperative arrangements respondents have participated in

Land trusts, co-stewardship agreements, conservation easements, and co-management agreements were all commonly used, underscoring that Tribes rely on multiple land governance tools rather than a single pathway.

Eleven survey respondents who indicated that they had not been involved in any cooperative arrangements were asked whether they had seriously attempted or planned any cooperative arrangements. As shown in Figure 7, five responded no, three responded yes, and the remaining three were unsure.

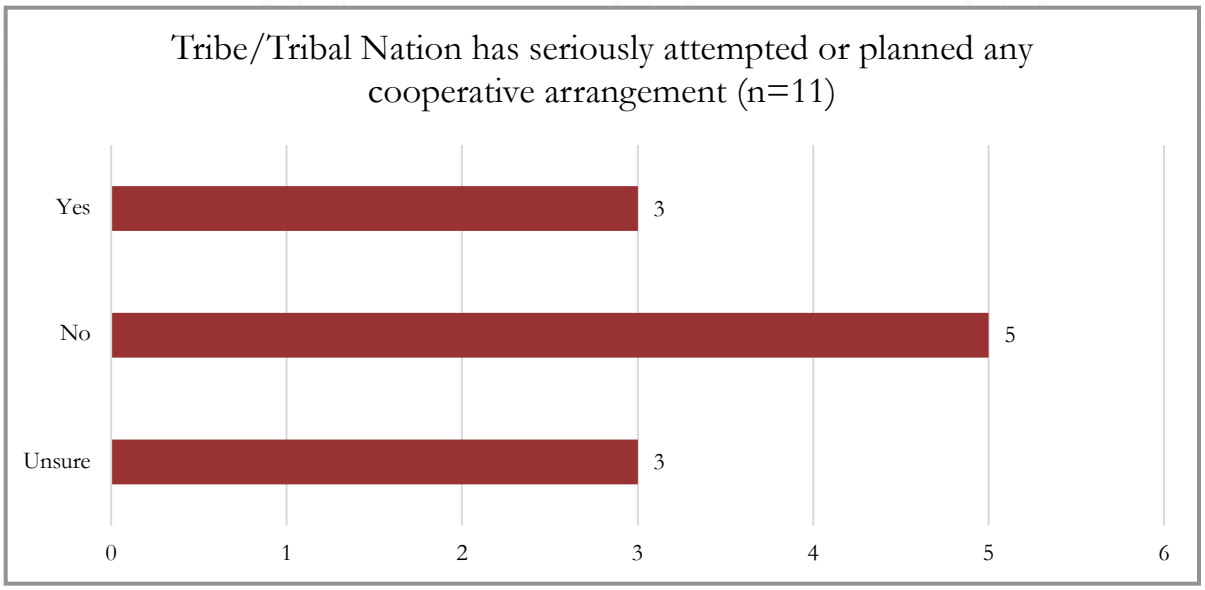


Figure 7. Tribe/Tribal Nation participation in cooperative arrangements

Survey respondents shared what factors had prevented them from finalizing and implementing cooperative arrangements. Common responses included a lack of knowledge about the process and insufficient capacity to follow through on opportunities, often related to disruptions in staffing and leadership. Other factors included the inability to reach an agreement acceptable to the Tribe, often because the other party lacked understanding of Tribal rights; trust issues with the federal or state agency involved; differing legal standards that created uncertainty over who had final authority in land-use decisions; interruption of ongoing agreements by outside parties, including the farm bureau; and insufficient Tribal authority reflected in the arrangement. One survey respondent described their Tribal Nation's barriers to finalizing cooperative arrangements.

> *The arrangement was used as a tool to prevent the Tribe from seeking reparations from an unsanctioned government. It was implemented as a means to get a casino, but effectively stripped the Tribe of their perceived ability to seek legal action to protect land that is held in deed by decedents of the original Tribal people known at that time as the South Sea Indians. What prevents the agreement would be the Non-Intercourse Act. Though the intergovernmental agreement is still functioning today though the town government has overstepped the terms of the agreement multiple times. I think what keeps agreements from being implemented is that the agreements are taking place without addressing past harms in corrective ways. They are also being negotiated on asymmetrical systems of government. On one hand there is a government operating on the tax revenue generated from the land and resources or the destruction of resources of the Tribe, and the Tribe is often dependent on the government they are [trying] to make an agreement with. (Survey Respondent)*

As shown in Figure 8, 38 survey respondents indicated they currently have a cooperative arrangement; six had one or more in the past; four have attempted to establish a cooperative arrangement, but it was not successful; seven have discussed but not pursued the idea; and five have no experience with any such cooperative arrangements.

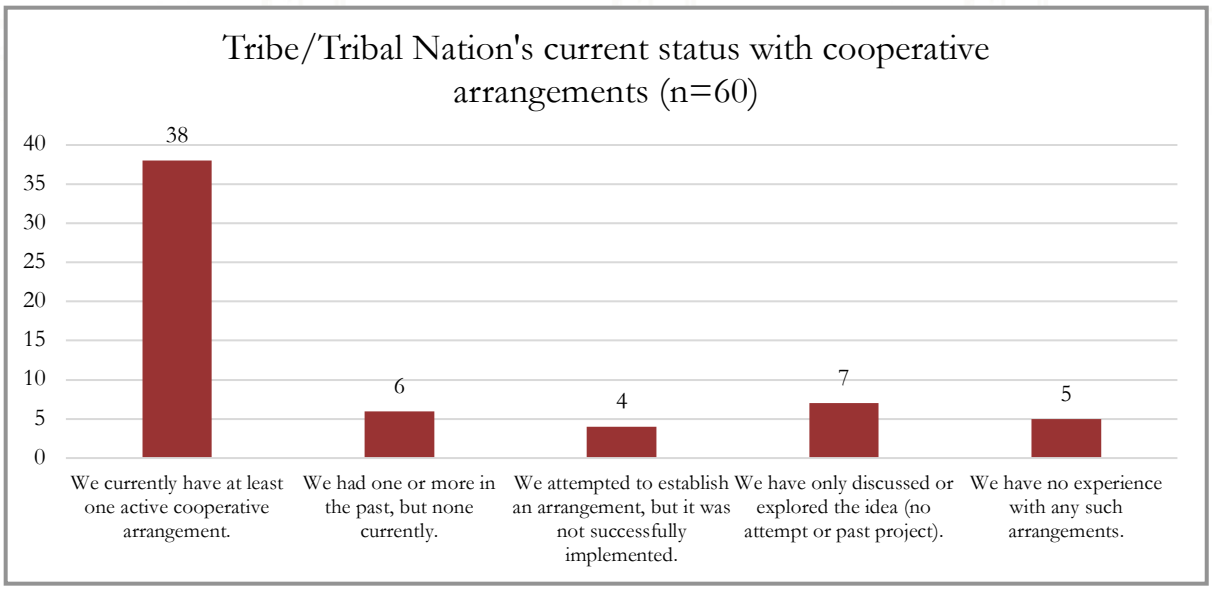


Figure 8. Tribal Nation's current status with cooperative arrangements

Survey respondents who indicated that their Tribe had entered into a co-stewardship or co-management agreement described the level of decision-making power across those agreements. Of those involved in co-stewardship agreements, 11 described limited decision-making power, 10 reported full and equal decision-making across all agreements, and nine reported full and equal decision-making across some agreements (Figure 9). Respondents involved in co-management agreements were more likely to report full and equal decision-making across all agreements (*n*=12). However, two respondents reported no meaningful decision-making power, demonstrating that co-management agreements can provide more decision-making power but do not do so consistently (Figure 10).

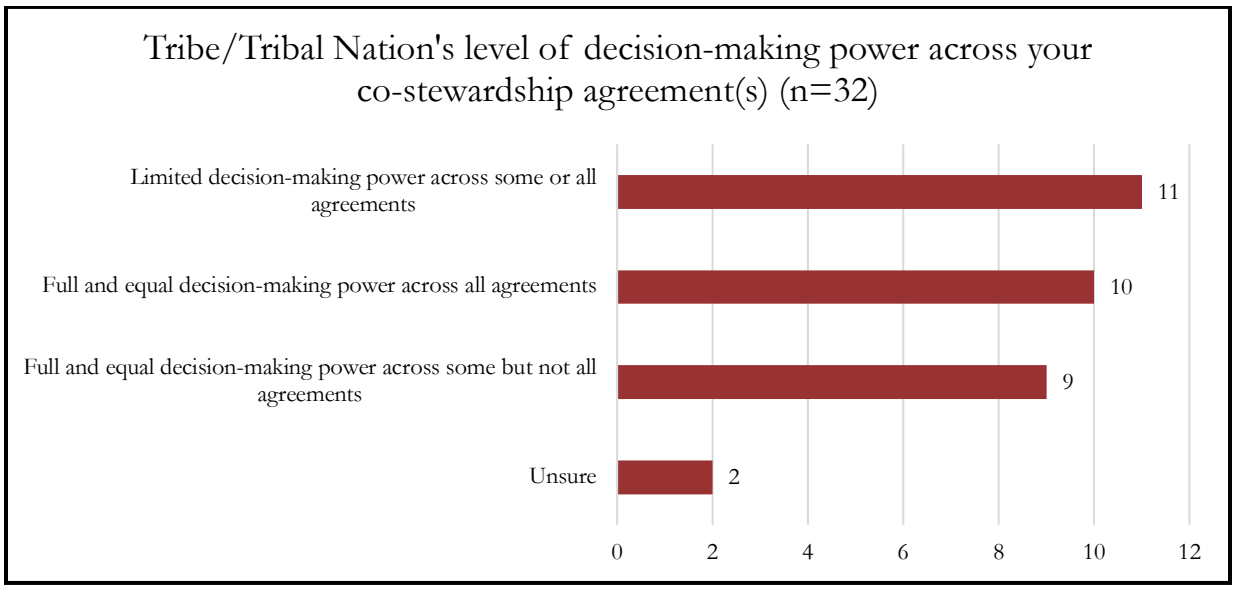


Figure 9. Decision-making power in co-stewardship agreements

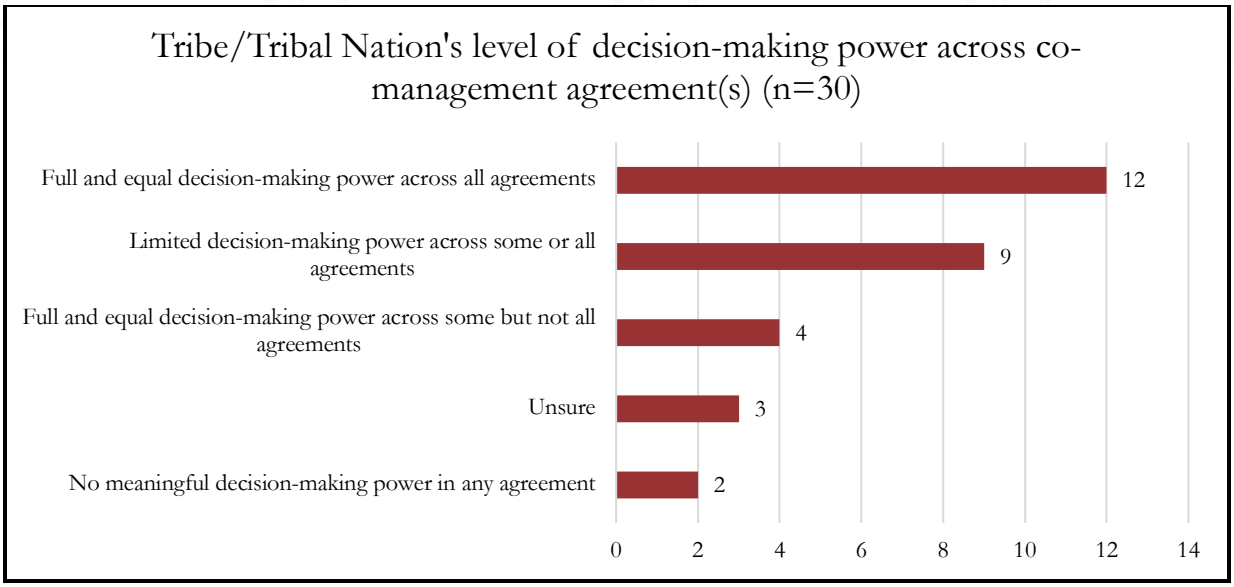


Figure 10. Decision-making power in co-management agreements

Decision-making authority varied across co-stewardship agreements, showing that co-stewardship does not automatically mean limited authority in every case. Even among co-management agreements, some respondents reported limited or no meaningful decision-making power, showing that agreement labels do not guarantee actual authority.

These findings are central to the report's interpretation of cooperative arrangements. The validation survey shows that the formal label attached to an agreement does not determine the level of Tribal authority experienced in practice. Some co-management agreements did not provide meaningful decision-making power, while some co-stewardship agreements did provide full and equal decision-making authority. For NARF and NAP, the practical question is therefore not only what type of arrangement is used, but what authority, funding, enforceability, and continuity the arrangement provides.

How do Tribal experiences and outcomes differ depending on which federal, state, or municipal agency they collaborate with?

Survey respondents were asked whether their Tribe has built and maintained a trusting relationship with their partner agencies. Responses were generally positive (Figure 11) as 36 of the 59 respondents (61%) agreed or strongly agreed that their Tribe had built and maintained a trusting relationship; 19 provided a neutral response, and four strongly disagreed.

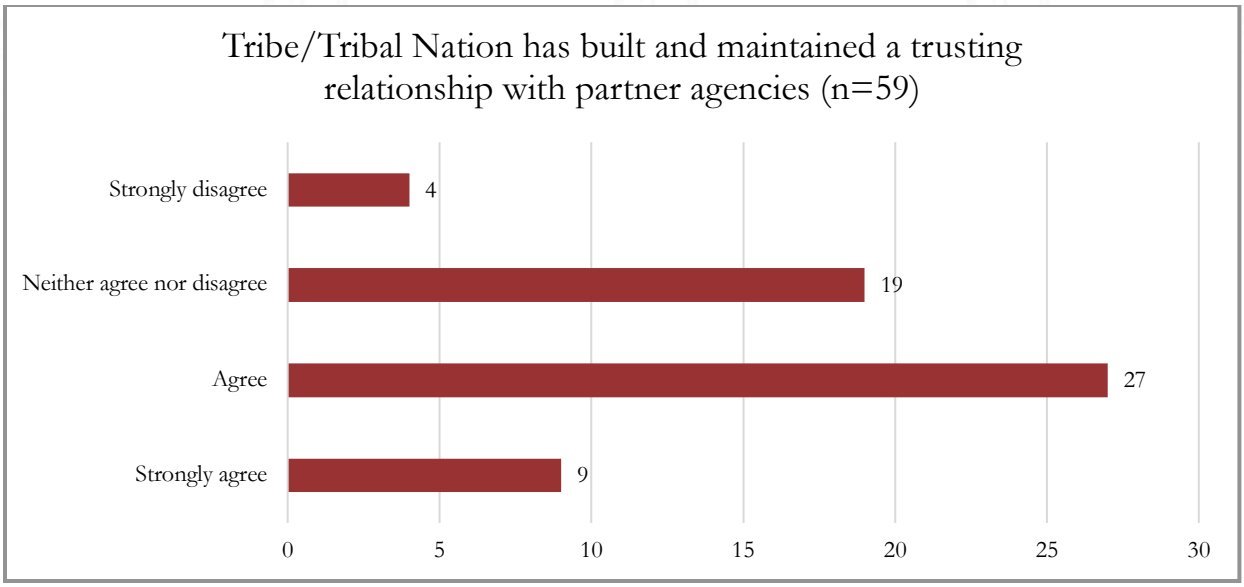


Figure 11. Trusting relationship with partner agencies

Survey respondents indicated their level of agreement with whether roles and responsibilities for the Tribe had been clear in cooperative arrangements (Figure 12). Again, responses were generally positive, with 30 of 59 respondents (51%) agreeing or strongly agreeing that roles and responsibilities had been clear. Many respondents were neutral; 22 neither agreed nor disagreed with the statement.

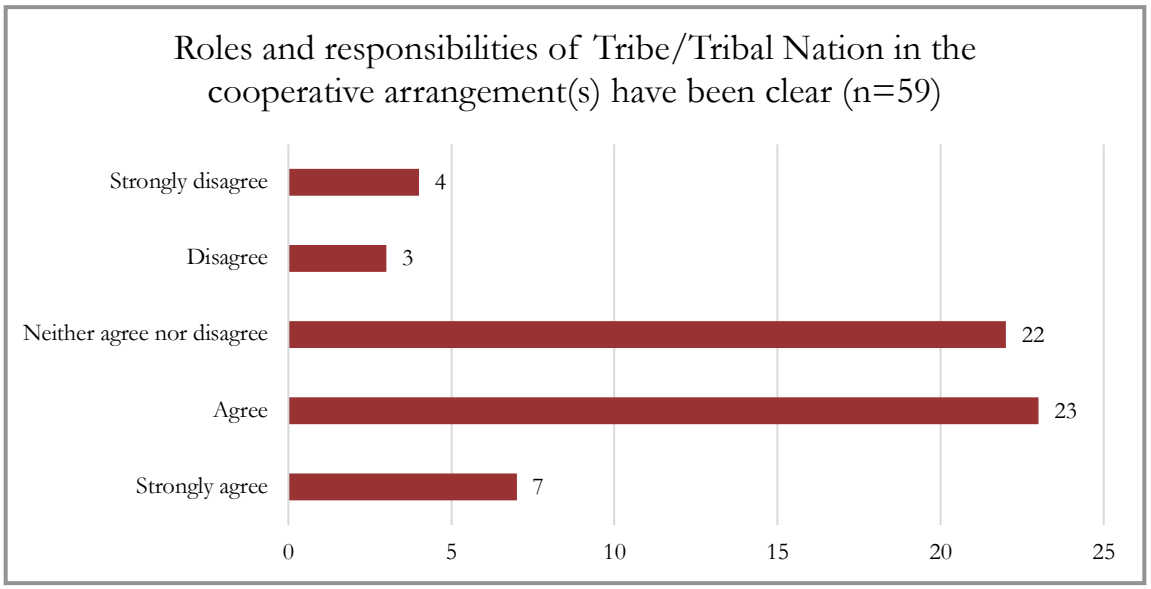


Figure 12. Clarity of roles and responsibilities in cooperative arrangements

Next, survey respondents indicated whether their Tribe had sufficient staff capacity and resources to participate in cooperative arrangements (Figure 13). Twenty-five respondents neither agreed nor disagreed. However, 19 agreed or strongly agreed that they had sufficient staff capacity and resources, and 15 disagreed or strongly disagreed.

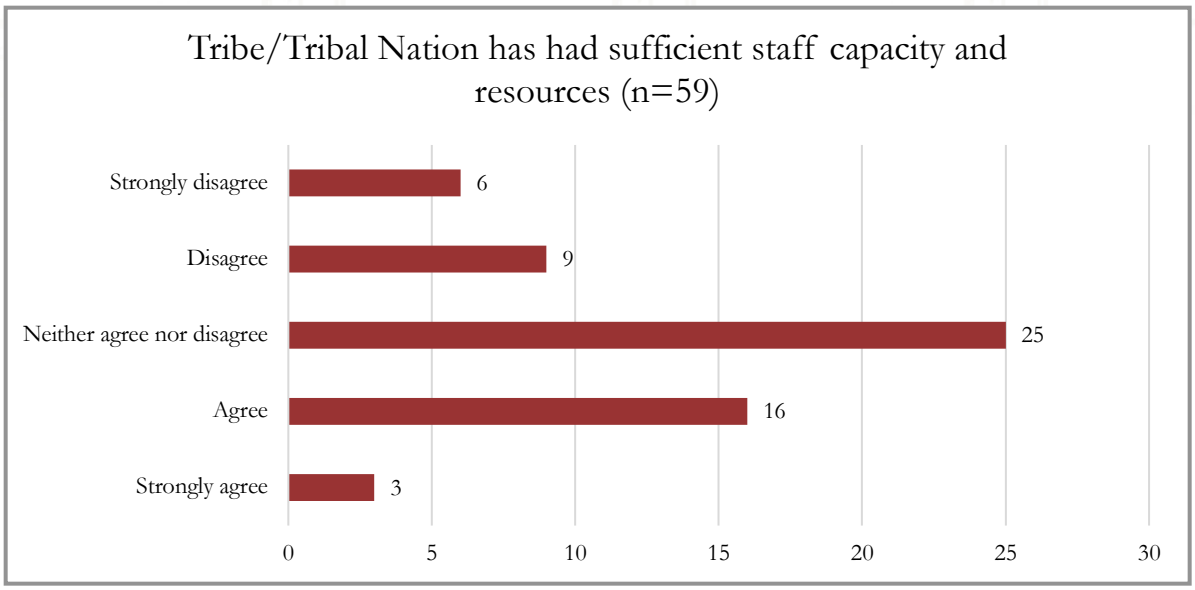


Figure 13. Staff capacity and resources for cooperative arrangements

The final question about Tribal experience throughout the cooperative arrangement was whether it provided stable funding or support for Tribal participation (Figure 14). Experiences varied, with 24 respondents neither agreeing nor disagreeing, 20 disagreeing or strongly disagreeing, and 15 agreeing or strongly agreeing.

Taken together, these data demonstrate a wide range of experiences among Tribal Nations participating in cooperative arrangements. These differences may reflect variation in Tribal experience, capacity, arrangement history, and partner-agency practices. The variation also likely reflects differences among partner agencies. As noted in the key informant interviews, agencies vary widely in their willingness to partner with Tribes, their understanding of Tribal sovereignty, and the transparency of their processes.

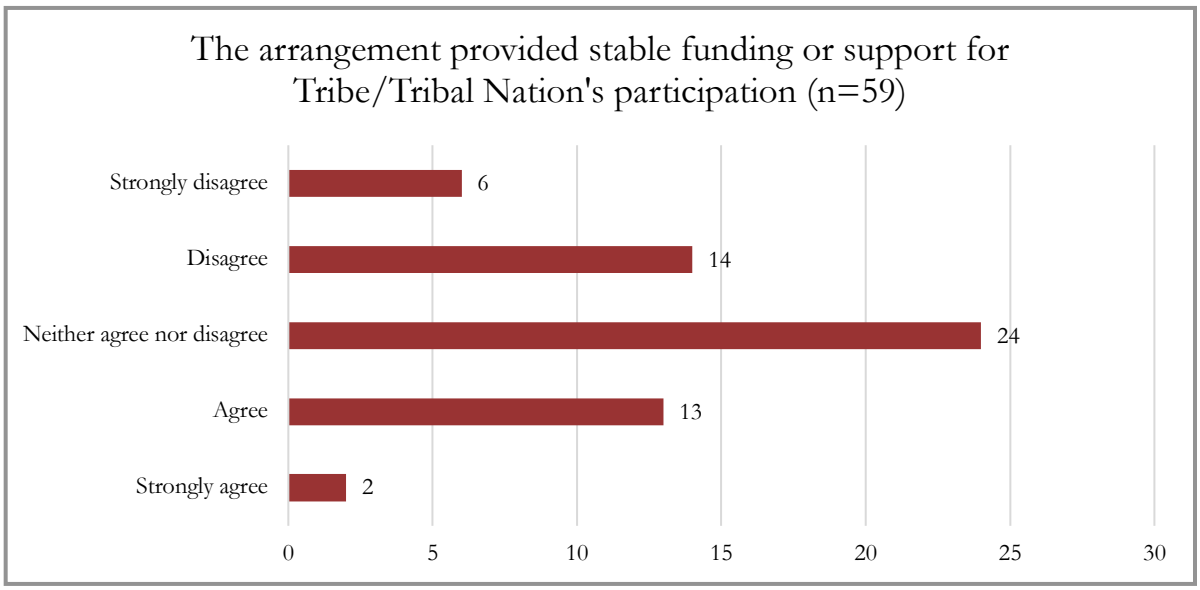


Figure 14. Stable funding or support by cooperative arrangements for Tribal participation

A Phase II key informant described sharply different experiences across federal agencies. He characterized the U.S. Forest Service as proactive and well-resourced, citing multiple Good Neighbor Authority agreements

and post-Hurricane Helene funding that allowed the Tribe to hire additional staff for shared land management. By contrast, he described the National Park Service as slower-moving and under-resourced, noting one case in which his Tribe had to pay for the agency's own required environmental compliance review before a plant-gathering agreement could proceed: "essentially we're paying for them to do their job." The Bureau of Indian Affairs was described as the most consistently under-capacity, with budget cuts increasing the burden on Tribal departments rather than supporting them (Phase II Key Informant, Southeast). He also noted that one of the most-visited national parks in the country still lacks a dedicated Tribal liaison position, requiring Tribes to work through indirect channels.

What benefits, barriers, and challenges do Tribes encounter with these arrangements?

Survey respondents shared the types of land and water stewardship activities that had been the focus of Tribal cooperative arrangements (Figure 15). The most common responses were land use or land management planning, wildlife or fisheries management, habitat or ecosystem restoration, and water resources. However, survey respondents described a wide range of activities that demonstrate the tangible benefits of these cooperative arrangements. The "other" responses included statements such as "most of our efforts are focused on protecting our treaty resources" and descriptions of land trust arrangements.

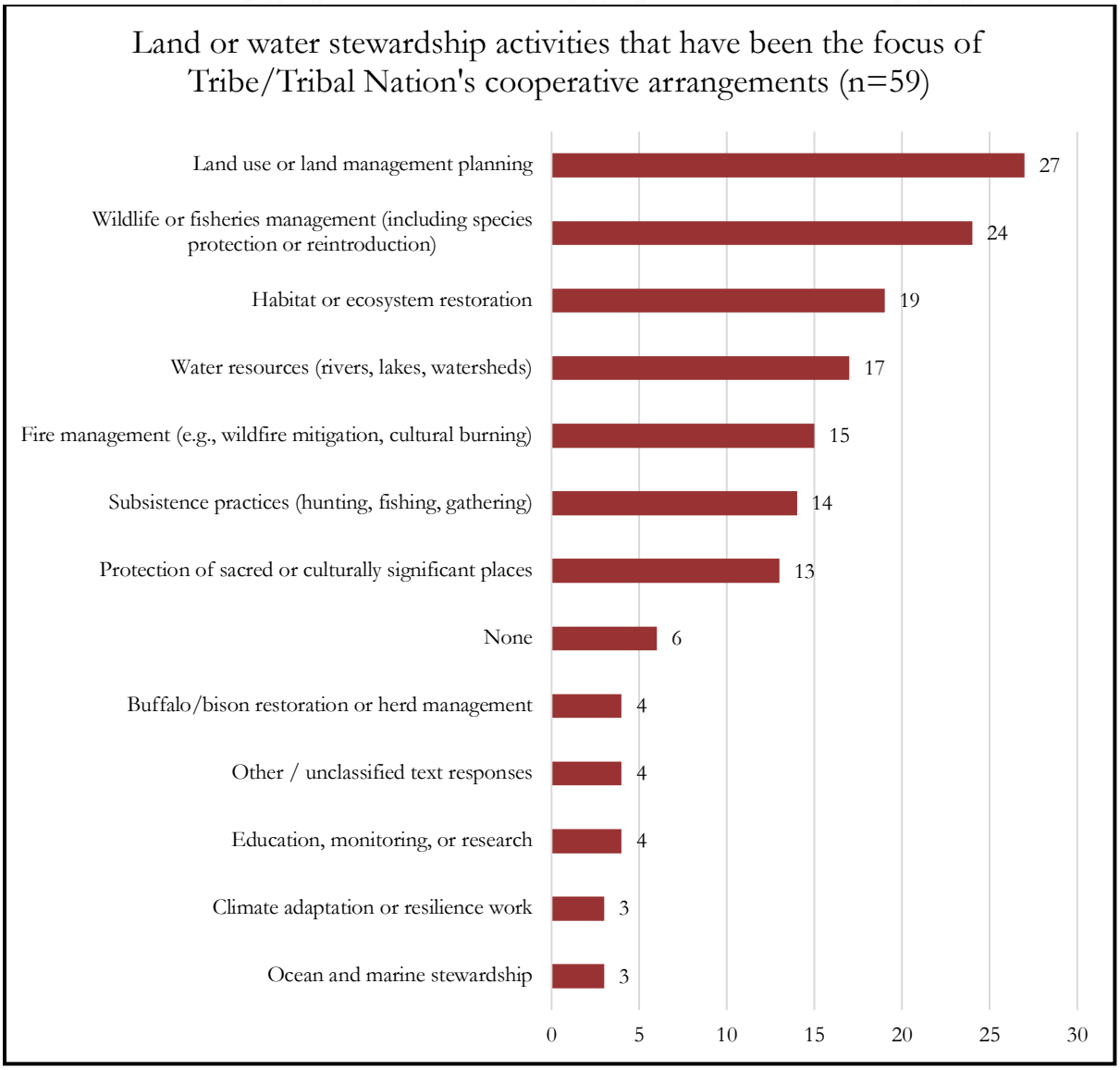


Figure 15. Focus of land and water stewardship activities in cooperative arrangements

Survey respondents also shared the most desired outcomes and opportunities from participation in cooperative arrangements (Figure 16). The two most common responses, each chosen by 31 respondents, were increasing Tribal authority and exercising Tribal sovereignty in decision-making over the management of public lands and fulfilling trust obligations and treaty rights to protect Tribal lands and waters. Eighteen respondents chose advancing land back pathways to Tribal ownership or jurisdiction over their homelands. Outcomes related to economic activities and securing resources were less commonly sought than outcomes related to Tribal sovereignty and the protection of Tribal lands and waters.

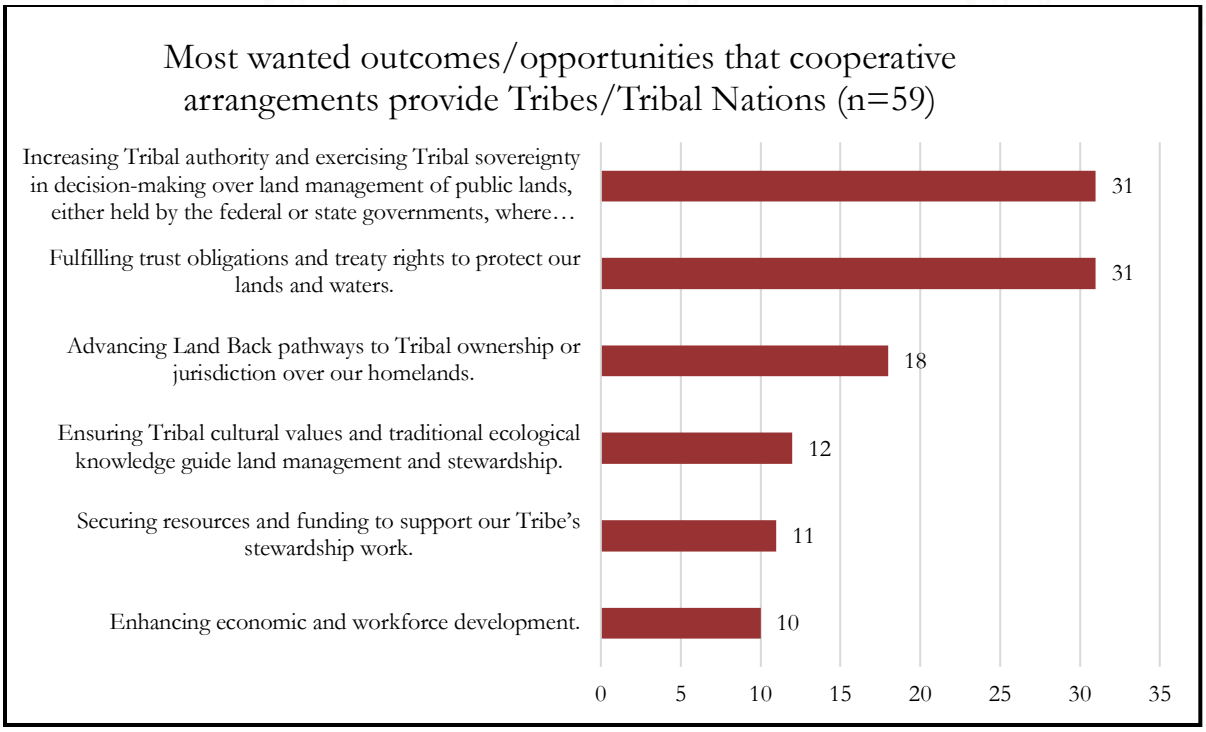


Figure 16. Desired outcomes from cooperative arrangements

Respondents most often wanted cooperative arrangements to increase Tribal authority and fulfill trust and treaty obligations, not primarily to advance economic development. This indicates a continued concern for the well-being of the land and waters, and a willingness to cooperate with other sovereigns in order to ensure that care of the land and waters remain a paramount priority.

Survey respondents also described common challenges associated with cooperative arrangements (Figure 17). Twenty-six respondents chose frequent turnover or lack of continuity in agency staff or points of contact as a common challenge, 25 chose limited internal Tribal capacity, 24 chose complex or slow bureaucratic processes, and 21 respondents chose insufficient or short-term funding to sustain the arrangement as a challenge. One survey respondent noted that fundamentally these barriers should not exist.

> *Like states, Tribes should be vested with the same authority as States to manage our own land use. (Survey Respondent)*

Taken together, these responses indicate that, with sufficient stability and support, these challenges reflect structural barriers that can be reduced through sustained investment in Tribal capacity, improvements in agency practice, and continued advocacy with federal agencies, paving the way for stronger and more productive cooperative arrangements.

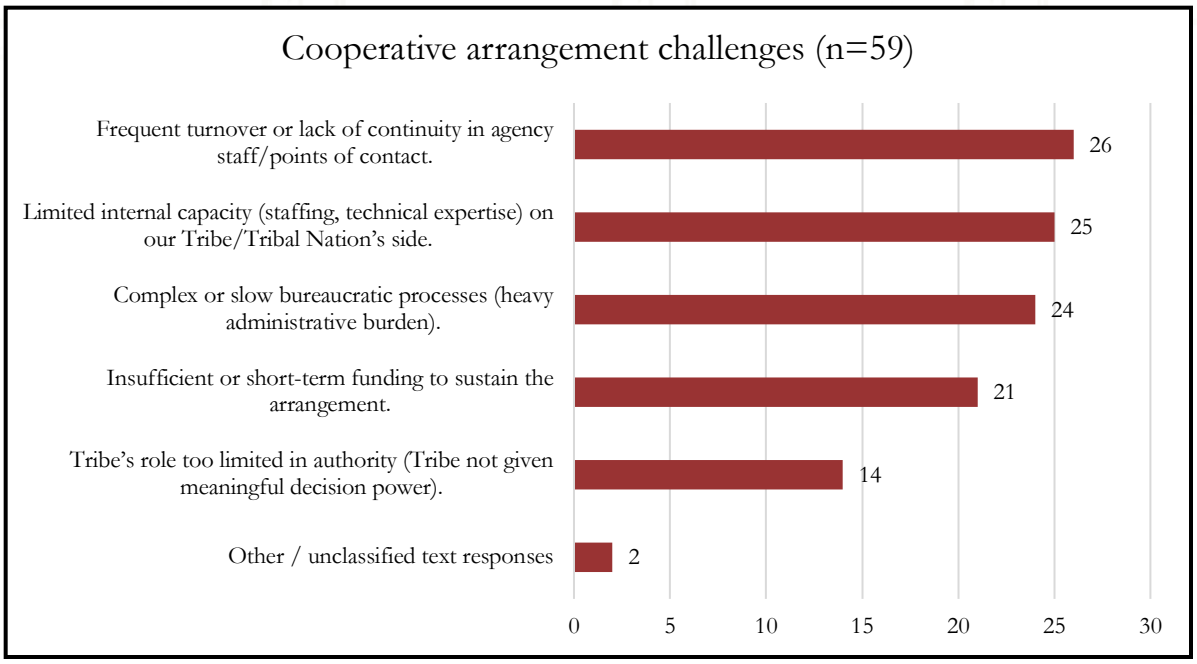


Figure 17. Common cooperative arrangement challenges

Agency turnover, Tribal capacity limits, bureaucratic delay, and short-term funding were the most common challenges to sustaining cooperative arrangements.

How do co-management and co-stewardship compare to other land justice pathways, including land purchase, land transfer, and land trusts, in advancing land back and land justice?

Survey respondents were presented with several strategies for managing ancestral lands and waters and asked how their Tribe viewed each strategy (Figure 18). Strategies that fully acknowledge Tribal sovereignty and ownership, such as permanent return of land to Tribal ownership, complete land transfers to the Tribe, and land purchase or reacquisition, were the most desirable.

Strategies that did not provide strong decision-making power, such as joint powers agreements or other shared-governance mechanisms, conservation easements held by another entity with guaranteed Tribal rights, and informal and formal co-stewardship agreements, were the least desirable. However, for all strategies, some survey respondents indicated they would actively pursue them, demonstrating the value of having a range of pathways for managing ancestral lands.

Additionally, survey respondents described other strategies they have pursued or would pursue, including indefinite delivery, indefinite quantity (IDIQ) contracts; a consistent 51% share of tax revenue from the original Tribal territory to fund Tribally designed cooperative arrangement tools; leases; rights of first refusal; and co-stewardship agreements among Alaska Native Tribes, corporations, and federal agencies.

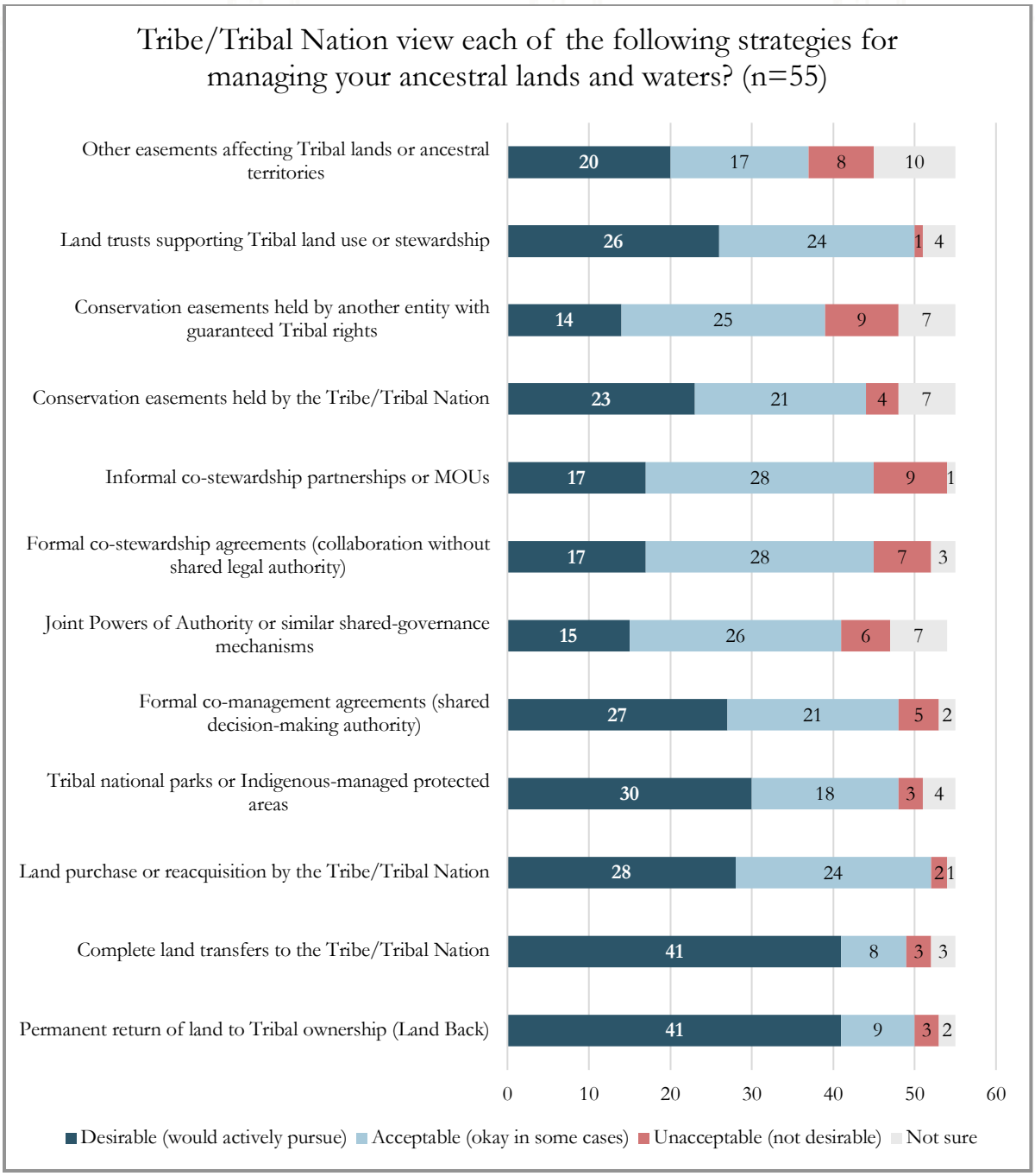


Figure 18. Tribal views on land and water management strategies

Land return, land transfer, and land purchase/reacquisition emerged as the most desired long-term land justice strategies.

Figure 18 shows a broad pattern of preference for strategies offering greater durability, ownership, jurisdiction, or Tribal authority. Respondents expressed the strongest interest in strategies that return ownership, jurisdiction, or long-term Tribal control, while collaborative arrangements without clear decision-making authority were more often viewed as acceptable only in some circumstances. This does not mean co-management or co-stewardship lacks value. Rather, respondents appear to view those tools as most useful

when they are part of a broader trajectory toward Tribal authority, land return, or enforceable stewardship rights.

What types of arrangements are of most interest to Tribal Nations, and under what circumstances are they unacceptable?

Respondents shared a range of tools and approaches they use, indicating that several pathways are acceptable. The three most commonly selected were 638 contracts, state and local agreements, and co-stewardship agreements (Figure 19). Each is very different and requires different Tribal capacity and agency relationships to pursue. This diversity indicates that while complete Tribal ownership and sovereignty are the goals for most Tribal Nations, alternative arrangements, which may or may not be viewed as part of a trajectory toward Tribal ownership, are available to and used by Tribes.

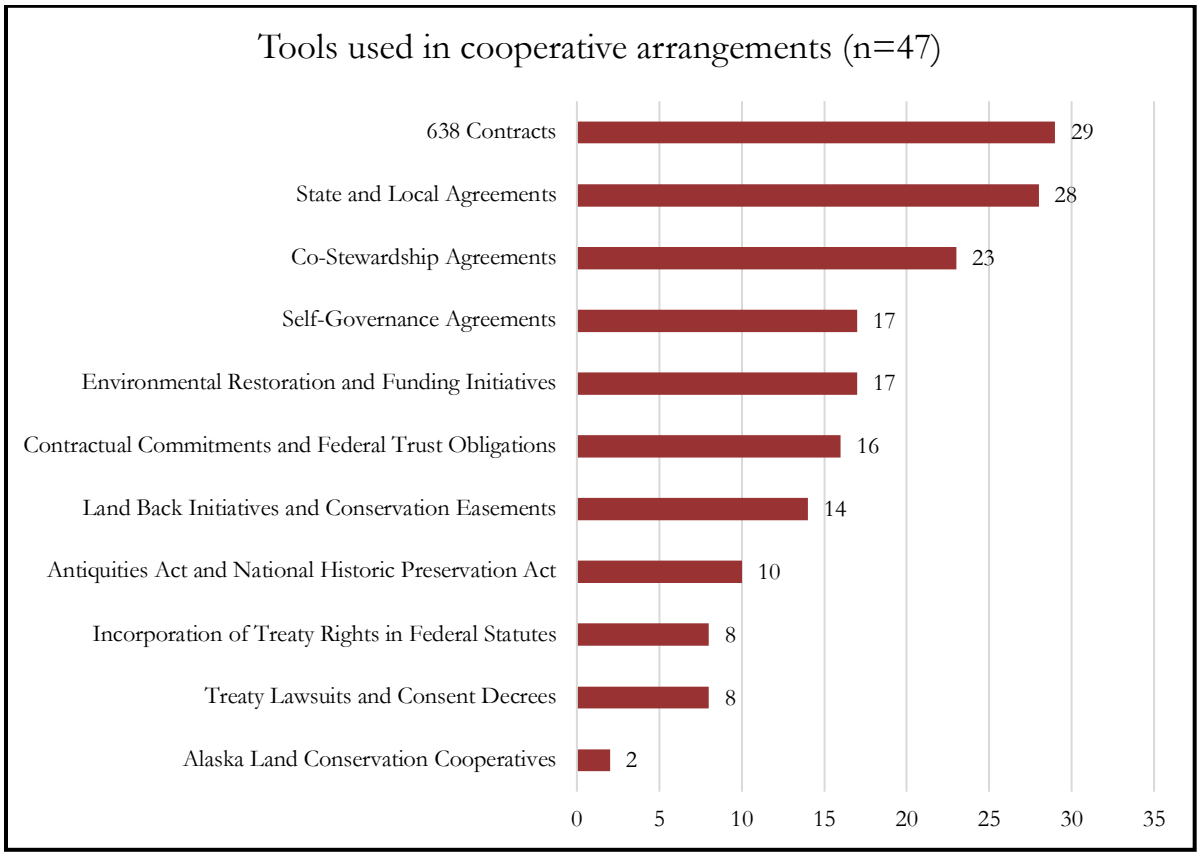


Figure 19. Tools used in cooperative arrangements

Survey respondents identified several circumstances that could make a cooperative arrangement unacceptable (Figure 20). The most selected factor was a requirement that the Tribe waive sovereignty or treaty rights, selected by 47 respondents. Failure to respect or protect Tribal cultural practices or knowledge was selected by 42 respondents, and an advisory-only Tribal role with no meaningful decision-making authority was selected by 38 respondents. The absence of guaranteed funding or support for Tribal participation was selected by 27 respondents. These findings can inform agency-facing guidance on the conditions Tribes identify as necessary for sovereignty-affirming cooperative arrangements, including meaningful decision-making authority, protection of Tribal sovereignty and treaty rights, protection of cultural knowledge and practices, and adequate support for Tribal participation.

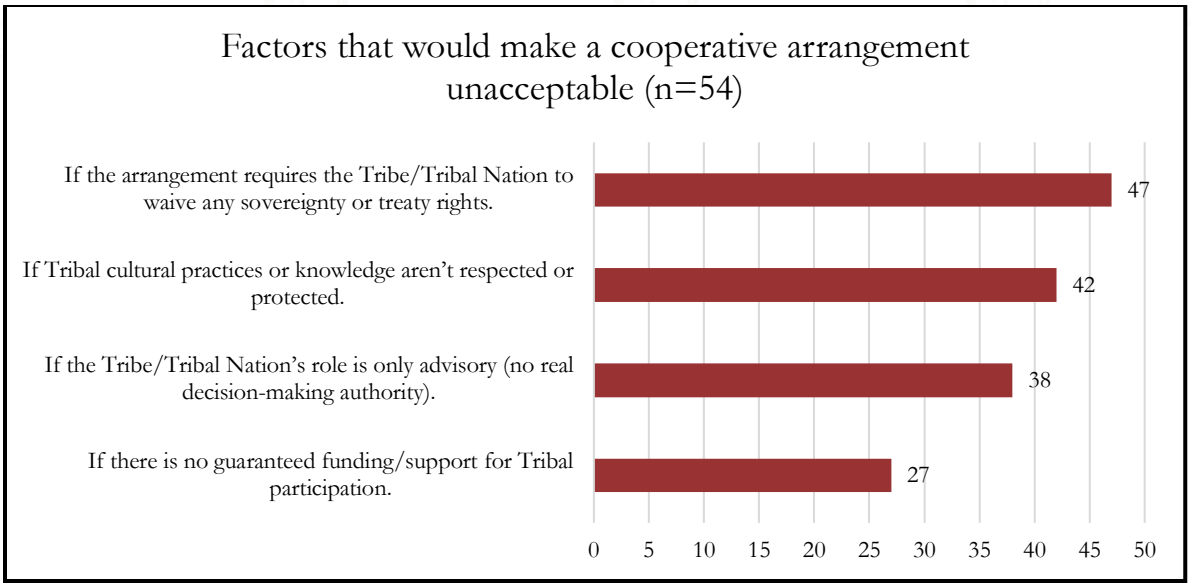


Figure 20. Factors that would make a cooperative arrangement unacceptable

Waiver of sovereignty or treaty rights was the clearest deal-breaker for respondents. Given the challenges and conditions Tribes face when entering cooperative arrangements, they nevertheless indicated readiness to participate (Figure 21). Almost all survey respondents indicated that their Tribe is either very ready or somewhat ready but in need of additional support. With the flexible staffing and legal, policy, and technical resources respondents identified as necessary, many Tribes appear positioned to pursue or strengthen cooperative arrangements on terms that better protect Tribal authority and priorities.

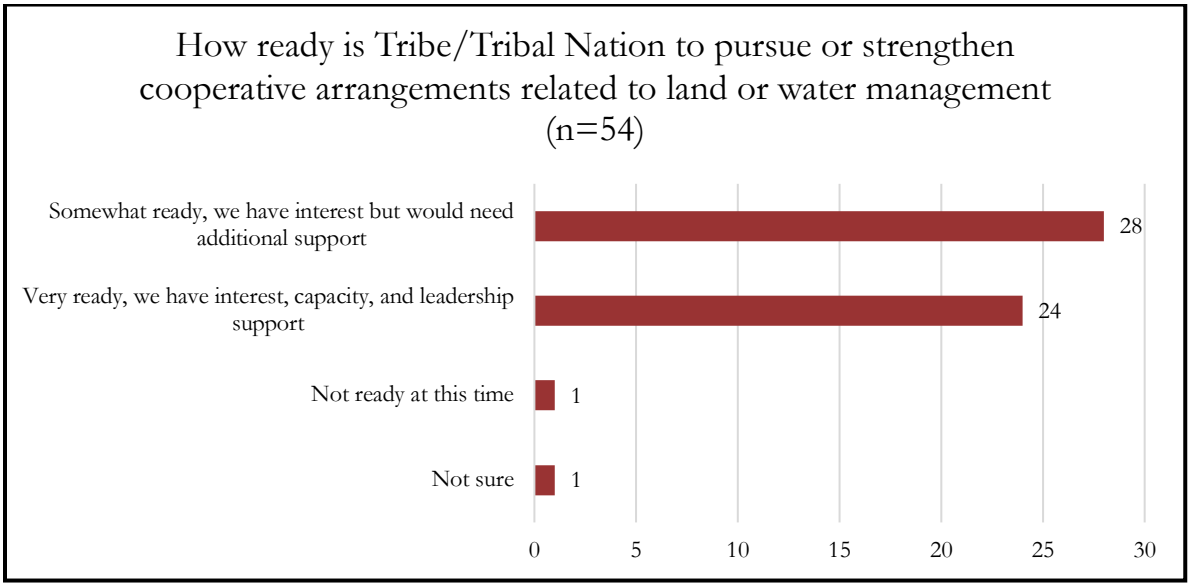


Figure 21. Tribal readiness to pursue or strengthen cooperative arrangements

Most respondents reported readiness or interest in strengthening cooperative arrangements, provided additional support is available.

What policy changes are needed at the national or state level to better meet Tribal needs?

Policy changes are needed at both the national and state levels to better meet Tribal needs. Survey respondents indicated what would be most helpful for Tribes seeking to move cooperative arrangements forward (Figure 22). The most-cited actions directly supported Tribes, including flexible funding for Tribal staff time and participation, legal or policy support, and technical assistance. These findings indicate that with additional capacity, Tribes can better navigate cooperative arrangements to support cultural activities, protect ancestral lands and waters, and enhance Tribal sovereignty. Respondents' priorities also point toward broader benefits associated with effective stewardship, including protection of culturally significant places, healthy ecosystems, wildlife and habitat conservation, and the long-term care of lands and waters relied upon by Tribal and non-Tribal communities alike.

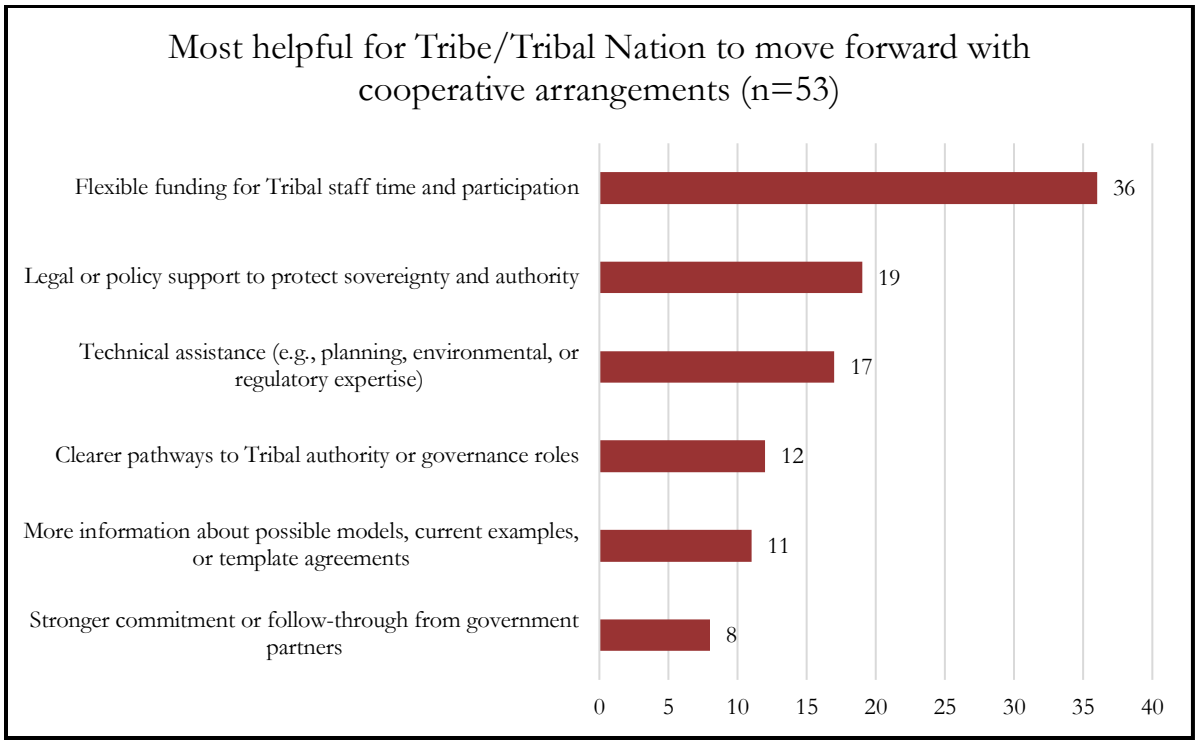


Figure 22. Supports needed to move cooperative arrangements forward

Flexible funding for Tribal staff time was the most-cited support needed to move cooperative arrangements forward.

Figure 22 provides the clearest bridge between the findings and NAP's philanthropic strategy. Respondents did not primarily ask for new categories of programming; they identified flexible funding for Tribal staff time, legal and policy support, and technical assistance as the supports most likely to help Tribes move existing or potential arrangements forward. This suggests that near-term philanthropic investment should prioritize direct, flexible, Native-led capacity rather than funder-defined program models.

Validation survey synthesis

The validation survey of Phase II strongly confirms three Phase I findings: (1) Tribes pursue cooperative arrangements primarily to exercise sovereignty and fulfill trust and treaty obligations, not for economic gain; (2) land reacquisition and transfer remain the most desired long-term pathways to land justice, ahead of co-management or co-stewardship; and (3) waiver of sovereignty or treaty rights was the most commonly

identified unacceptable condition. These findings were consistently supported across both phases of the assessment and represent the strongest areas of convergence in the data.

Phase II also sharpens two Phase I findings that were previously stated in general terms. First, the relationship between arrangement type and decision-making authority is weaker than the distinction between co-management and co-stewardship described in the Defining Cooperative Arrangements section. Eleven of 30 respondents reporting co-management experience described limited or no meaningful decision-making power. Authority is negotiated case by case, not guaranteed by an arrangement's label. Second, capacity and funding barriers were more evenly distributed than Phase I suggested. Staff turnover, administrative delay, and short-term funding were each cited by more than one-third of respondents, rather than any single dominant barrier.

The topic of a trusting relationship with agencies is one area in which Phase II complicates, rather than confirms, Phase I findings. Sixty-one percent of validation respondents reported a trusting relationship with partner agencies, a substantially more positive picture than the wariness toward state and federal partners emphasized in Phase I listening sessions. This may reflect the validation survey's more targeted outreach to Tribes already active in cooperative arrangements, rather than a shift in the underlying relationship; the two datasets should be read together, not treated as contradictory.

One practical implication is that policy and legal advocacy should target the gap between an arrangement's formal type and its actual delegated authority, rather than promoting co-management over co-stewardship as a category. For philanthropy, an important implication is that flexible, direct funding for Tribal staff time and capacity (the single most requested form of support, cited by 36 of 59 respondents) is likely to do more to sustain existing arrangements than funding new types of arrangements. Phase I discussions raised additional questions regarding changing federal priorities and broader Tribal concerns related to climate resilience, cultural preservation, economic development, and youth engagement. Because these topics were not directly assessed in the validation survey, findings concerning these additional topics should be treated as preliminary and qualitative.

Several recommendations below concern legal authority, federal consultation duties, self-determination and self-governance mechanisms, and potential legislative or administrative reforms. These recommendations are intended to identify strategic directions supported by the assessment findings; they should be reviewed by NARF legal and policy staff before being used as formal legal positions or external advocacy language.

Additional Key Informant Interviews

Phase II included two additional key informant interviews conducted to confirm, sharpen, and extend the Phase I findings through targeted perspectives identified during the validation period. These interviews followed the approved key informant interview protocol and were reviewed against the existing thematic framework. Their findings were used to assess whether the Phase I themes remained supported, required additional context, or should be qualified. Across both phases, the assessment included 15 key informant interviews: 13 conducted during Phase I and two conducted during Phase II.

Qualitative data from the Phase I interviews and listening sessions were analyzed thematically using NVivo software, with a codebook developed from the assessment questions and emerging themes. The two Phase II key informant interviews were subsequently reviewed against the established thematic framework to identify findings they confirmed, sharpened, complicated, or extended. Preliminary themes were also shared with participants through member checking and the participant validation session.

Validation and member checking

To assess the credibility, relevance, and resonance of the findings, NARF and NAP convened a validation session with Tribal leaders, THPOs, cultural resource staff, and other participants on August 14, 2026, following completion of the primary analysis. The session examined whether the findings were consistent with participants' experiences and perspectives, identified areas requiring clarification or additional context, assessed the relative salience of key findings, and surfaced material omissions or unintended interpretations.

Areas of confirmation

Participants affirmed the report's core definitional distinction between co-management, which is formal, funded, and involves delegated decision-making authority, and co-stewardship, which is collaborative and does not transfer decision-making authority. Participants cautioned, however, against applying the distinction too rigidly. They also affirmed a central finding: the formal label attached to an arrangement does not reliably predict the level of Tribal authority experienced, because both co-management and co-stewardship agreements were described as sometimes providing limited or no meaningful decision-making power. They similarly supported the land-justice hierarchy, reaffirming that permanent land return, complete land transfer, and land purchase or reacquisition are valued above collaborative arrangements that fall short of full authority. Participants further affirmed that relationships function as critical infrastructure sustaining these arrangements. One participant cited an example in which a federal agency became more receptive to co-stewardship after agency leadership engaged directly with Tribal elders regarding the cultural significance of a place.

Areas of refinement

Participants cautioned against presenting Tribal experiences as uniform. They emphasized that legal status, including treaty, executive-order, and non-federally recognized status, as well as geography and history, shapes those experiences and should be named explicitly in the report. This includes the distinct contexts of Alaska Native villages and Native Hawaiian communities. Participants also warned that the term "co-management" can create a misleading impression of shared authority with state or local governments when no such authority exists. They recommended clearly distinguishing delegated federal authority from other forms of intergovernmental partnership. Several participants further requested that treaty rights be situated explicitly within "strengthened sovereignty and governance," rather than treated as a separate or parallel category, particularly in relationships with agencies such as the U.S. Forest Service.

Political and administrative volatility

Participants repeatedly emphasized that cooperative arrangements remain exposed to shifts in federal administration, independently of weaknesses in an arrangement's design. They described land parcels moved into trust under one administration and subsequently removed from trust under the next, and noted that securing local government "sign-off" on land-into-trust decisions became a more prominent informal requirement during the first Trump administration. Participants also reported that changes in federal administration disrupt staffing, decision-making processes, and timelines within partner agencies. They specifically cited the elimination or reassignment of dedicated Tribal liaison positions, including an example from Michigan in which the loss of such roles shifted engagement toward a more paternalistic and less relationship-based regional-office process. Taken together, these accounts indicate that participants assess an arrangement not only by its initial allocation of authority, but also by its durability and continuity over time.

A Phase II key informant described a comparable disruption: a long-standing memorandum of understanding with the National Park Service governing cooperative wildlife management "lapsed" following leadership and political turnover on both sides, requiring the Tribe to "start from ground zero" to re-educate new staff and rebuild the relationship (Phase II Key Informant, Southeast). This experience reinforces the finding above that durable outcomes depend more on institutionalized agreements than on individual relationships, which remain vulnerable to staffing and administrative change.

Local and intergroup dynamics

Beyond federal and Tribal relationships, participants identified local political and intergroup dynamics as an independent factor shaping outcomes. One participant described a community's need to pursue a civil rights lawsuit to address local conflict, while also viewing relationship-building with city government as a separate path toward improved dynamics. Another described a formerly adversarial local relationship involving land-into-trust efforts that softened over nearly three decades, aided by gaming revenue and a long-standing local agreement. These accounts suggest that Tribal outcomes are shaped not only by the type of arrangement or the federal partner involved, but also by the surrounding local political landscape and the resources available to a Tribe to sustain relationships over time.

Emerging priorities

Participants identified Tribal data sovereignty codes as an underused and potentially powerful mechanism within cooperative arrangements. They particularly valued this framing because it can encompass the experiences of Native communities beyond federally recognized Tribes. Participants also requested that the final report identify existing regional negotiation and peer-learning models by name, rather than referring to them only in general terms, so that other Tribal Nations can draw directly on established precedents. Finally, they requested clearer differentiation between reforms that are administratively achievable in the near term and those requiring new legislation, helping readers form realistic expectations for action.

Process reflections

Participants asked whether additional Tribes would have an opportunity to engage after the validation session, noting that Tribal leaders sometimes cannot prioritize this work early enough to shape a final product. Participants responded positively to the report's stated purpose while emphasizing that its credibility depends on transparent sourcing, freedom from bias, and inclusion of less common or harder-to-hear perspectives. This feedback forms part of the validation record, consistent with the Indigenous Evaluation Framework's premise that evaluation is relational and accountable to the communities it represents rather than a one-way review of a finished product.

Implications for final findings

Validation feedback informed revisions intended to strengthen accuracy, clarify interpretation, and ensure the report more fully reflected participant perspectives and contextual differences across Tribal Nations. The validation results largely affirmed the report's primary findings, particularly the distinction between formal and experienced authority, the land-justice hierarchy, and the centrality of relationships and negotiation capacity to outcomes. They also prompted more explicit acknowledgment of regional, legal, and historical diversity across Tribal Nations; clearer explanation of what "co-management" does and does not imply outside the federal context; and greater attention to political and administrative volatility, local intergroup dynamics, and the fragility of arrangements that depend on particular staff members or positions rather than durable institutional commitments.

Findings-Based Recommendations and Opportunities

The recommendations below summarize what participants identified as necessary for stronger, more durable, and more sovereignty-affirming cooperative arrangements. They draw from three levels of evidence: findings confirmed by the Phase II validation survey, findings extended or sharpened by Phase II, and Phase I qualitative findings that remain important but were not directly tested in the validation survey. The recommendations describe evidence-supported needs and opportunities rather than prescribe specific actions or implementation mechanisms. Decisions about implementation rest with Tribal Nations, NARF, NAP, public agencies, philanthropic organizations, and other partners according to their respective roles, authorities, and priorities.

Tribal authority, self-determination, and durable arrangements

Cooperative arrangements are most valuable when they advance durable Tribal authority. Respondents consistently viewed permanent land return, complete land transfer, and land purchase or reacquisition as the most desirable long-term strategies. Cooperative arrangements were viewed as most valuable when they protect or increase Tribal authority and, where appropriate, support broader pathways toward land return, trust restoration, enforceable stewardship rights, or other durable forms of Tribal control.

- **Evidence:** Confirmed by Phase II.
- **Consideration:** The legal and policy pathways available vary by jurisdiction, agency, arrangement type, and Tribal Nation and require appropriate legal review.

Actual decision-making authority matters more than the label attached to an arrangement. Phase II showed that co-management and co-stewardship labels do not reliably predict the degree of authority Tribes experience in practice. Some co-management respondents reported limited or no meaningful decision-making power, while some co-stewardship respondents reported full and equal authority. The evidence therefore supports evaluating arrangements according to the authority, enforceability, funding, protections, and continuity they provide rather than relying primarily on their formal designation.

- **Evidence:** Extended and sharpened by Phase II.
- **Consideration:** Any characterization of delegated federal authority or legally required shared management should receive legal and policy review.

Existing self-determination and self-governance authorities remain important potential pathways where legally available. Phase I participants identified PL 93-638 contracts, self-governance agreements, annual funding agreements, and related authorities as mechanisms that may provide stronger roles for Tribes in carrying out land and resource management functions. Participants' experiences also indicate that the availability and implementation of these mechanisms vary across agencies and statutory contexts.

- **Evidence:** Phase I qualitative finding, supported indirectly by Phase II findings concerning variation in actual authority.
- **Consideration:** Opportunities outside BIA and IHS contexts depend on current law, agency authority, the functions involved, and the terms of individual agreements.

Agency knowledge, accountability, and continuity affect whether arrangements function as intended. Participants identified agency turnover, administrative delay, inconsistent understanding of Tribal sovereignty and treaty rights, and confusion among consultation, collaboration, and shared decision-making as recurring barriers. These findings point to an opportunity for stronger institutional knowledge, clearer accountability, and greater continuity within partner agencies.

- **Evidence:** Extended by Phase II and reinforced during validation.
- **Consideration:** Potential responses may differ across agencies and may involve administrative, policy, training, staffing, or legislative approaches.

Funding, capacity, and negotiation conditions

Flexible support for Tribal participation is the clearest near-term need. Flexible funding for Tribal staff time and participation was the most frequently selected support needed to move cooperative arrangements forward. Participants also identified legal review, negotiation, administration, technical expertise, and implementation capacity as important needs. These findings show that participation itself carries costs that are not consistently supported through existing arrangements.

- **Evidence:** Confirmed by Phase II.

- **Opportunity:** Public and philanthropic funding structures can be assessed according to whether they support the full costs of meaningful Tribal participation without requiring Tribes to reshape their priorities around externally defined program categories.

Tribal participation in funding and implementation decisions can strengthen the fit and durability of support. The findings indicate that short-term or inflexible funding can limit Tribal participation even where interest and readiness are strong. Participants emphasized the value of support that reflects Tribal staffing, legal, technical, administrative, and implementation needs.

- **Evidence:** Extended by Phase II. The broader implication concerning involvement in funding decisions reflects project synthesis rather than a directly tested survey item.
- **Opportunity:** Funding approaches can be evaluated for flexibility, continuity, and responsiveness to priorities identified by Tribal Nations.

Negotiation and legal capacity shape the authority Tribes secure through cooperative arrangements. Phase I participants described negotiation capacity as a significant factor in achieving stronger terms, while Phase II respondents identified legal or policy support as one of the most valuable forms of assistance. Read together, the findings indicate that access to legal, policy, and negotiation expertise can affect whether arrangements adequately protect sovereignty, treaty rights, decision-making authority, cultural practices, and data ownership.

- **Evidence:** Confirmed and extended across both phases.
- **Opportunity:** Support for negotiation and legal capacity can be structured around Tribal priorities and should not substitute for Tribal legal authority or judgment.

Agreement terms should clearly address authority, responsibilities, resources, data protections, and continuity. Respondents' experiences show that formal agreement labels do not guarantee meaningful authority or stable support. Clear documentation of decision-making roles, funding expectations, data protections, cultural safeguards, and continuity provisions may reduce ambiguity and vulnerability during agency turnover or policy change.

- **Evidence:** Extended by Phase II and reinforced during validation.
- **Consideration:** The enforceability and availability of specific provisions depend on agency authority and agreement type and require appropriate legal and policy review.

Indigenous Knowledge should be documented or shared only under Tribal direction and protection. Participants identified Tribal data sovereignty codes and tribally controlled protocols as important tools for governing whether and how Indigenous Knowledge is documented, protected, shared, and used. These findings caution against approaches that treat documentation or knowledge sharing as an automatic requirement of participation.

- **Evidence:** Phase I qualitative finding, supported by Phase II open-ended concerns and validation feedback regarding data ownership and control.
- **Opportunity:** Funding and partnership models can support Tribal control of information and compliance with Tribal protocols, laws, and cultural protections.

Opportunities for philanthropic support

Land return, transfer, and reacquisition are the clearest long-term land-justice priorities identified by respondents. Permanent land return and complete land transfer were the two most desired strategies, followed by other approaches that increase Tribal ownership, jurisdiction, or long-term control. These findings identify the underlying priority but do not establish a preferred philanthropic vehicle, fund structure, or implementation model.

- **Evidence:** Confirmed by Phase II.
- **Opportunity:** Philanthropic organizations can use this finding to inform consideration of land acquisition, transfer, reacquisition, transaction, legal, and capacity needs, with specific approaches determined in partnership with Tribal Nations.

Tribes use multiple land-governance tools, and the terms of those tools determine their value. Respondents reported using land trusts, conservation easements, co-management agreements, co-stewardship agreements, PL 93-638 contracts, self-governance agreements, and state and local arrangements. No single mechanism fits every jurisdiction or Tribal priority. Across these tools, respondents emphasized protection of Tribal access, cultural use, sovereignty, data ownership, and meaningful decision-making authority.

- **Evidence:** Confirmed and extended by Phase II.
- **Opportunity:** Support can remain flexible enough to accommodate the governance tool and legal pathway selected by each Tribal Nation rather than favoring a single model.

Existing Native organizations, Tribal coalitions, and peer-learning networks can help address capacity barriers. Participants described value in regional coalitions, Native-led organizations, peer consultation, and access to Tribes with experience negotiating cooperative arrangements. These networks may be especially useful for smaller or under-resourced Tribes seeking legal, administrative, technical, or grant capacity.

- **Evidence:** Phase I qualitative finding, supported by Phase II findings regarding capacity, staffing, administrative burden, and short-term funding.
- **Opportunity:** Support for existing Native-led networks and peer-learning structures may strengthen capacity without creating duplicative organizations or externally designed systems.

Technical assistance is most useful when it responds to Tribal-defined needs. Respondents identified planning, environmental, regulatory, negotiation, reporting, and grant-writing expertise as potentially valuable. The findings also show that technical assistance alone is insufficient when Tribes lack staff time, legal support, or meaningful authority.

- **Evidence:** Confirmed by Phase II.
- **Opportunity:** Technical assistance can complement, rather than replace, flexible staffing support, legal and policy capacity, and direct Tribal decision-making.

Legal and policy support is a distinct need, not simply a component of general technical assistance. Legal or policy support to protect sovereignty and authority was among the most frequently selected needs in Phase II. Respondents' concerns included treaty and sovereignty protections, decision-making authority, data ownership, cultural safeguards, and the terms governing cooperative arrangements.

- **Evidence:** Identified clearly in Phase II and consistent with Phase I qualitative findings.
- **Opportunity:** Philanthropic support can recognize legal and policy capacity as a separate category of need while remaining guided by Tribal priorities and legal judgment.

Phase II key informants offered contrasting philanthropic experiences. A Tribal natural resources director noted that, to his knowledge, philanthropy "is not playing a huge role" in tribal conservation or co-stewardship work (Phase II Key Informant, Southeast). By contrast, a Native Hawaiian policy advocate whose organization has built a strong philanthropic funding base described a recent shift among funders toward flexible, unrestricted support: "here's some general operating funds that you can do whatever you want," compared to more restrictive funding practices as recently as five years prior, with some funders now declining public recognition altogether (Phase II Key Informant, Hawaii). Taken together, these accounts

suggest that philanthropic engagement in this space remains uneven across regions and may depend heavily on an organization's existing track record and visibility.

Conclusion

Across two phases of this assessment, participants consistently emphasized that stewardship responsibilities do not begin or end with federal programs, agreements, or reports. Tribal Nations continue to steward their homelands even when institutional support is limited. That work does not wait on a report.

Respondents described working through a wide range of federal, state, local, nonprofit, and private arrangements to protect ancestral homelands, sustain cultural practices, expand access for their people, and exercise treaty rights. They enter complex negotiations because the alternative, no arrangement at all, can foreclose options they cannot afford to lose. They also made clear that cooperative arrangements are only useful when the terms protect Tribal authority, respect cultural knowledge and practices, provide adequate support, and do not require Tribes to waive sovereignty or treaty rights.

Across the findings, consultation appears as a necessary baseline, not a sufficient endpoint. Respondents emphasized that sovereignty-affirming arrangements require meaningful decision authority, protection of treaty and sovereignty rights, adequate funding, and respect for Tribal knowledge, cultural practices, and data ownership.

The validation survey strengthens the evidence base by identifying which needs Tribes themselves ranked most clearly: flexible funding for Tribal staff time, legal and policy support, technical assistance, and durable pathways toward land return, land transfer, or stronger Tribal authority. It also clarifies that arrangement labels alone are insufficient. What matters is the authority, funding, enforceability, and continuity an arrangement provides. Tribes build durable relationships with individual agency staff because the arrangements themselves often remain fragile, especially in a shifting policy environment where agency priorities, staffing, and federal rules can change.

Tribes asked for dedicated staffing and legal support to negotiate and maintain these arrangements, flexible funding that does not require fitting Tribal priorities into funder-defined categories, and partners who treat consultation as the floor rather than the ceiling of engagement. None of this is new to NARF or NAP. What this assessment adds is stronger confirmation and greater specificity than the first report could offer regarding which investments and policy supports Tribes themselves identified as most important.

NARF and NAP are positioned to respond in complementary ways. NARF can use the findings to inform legal and policy advocacy focused on actual authority, enforceable consultation, trust and treaty obligations, stronger agreement terms, and the gap between an arrangement's formal authority and its actual authority. NAP can use the findings to guide flexible, Native-led funding that supports Tribal staff capacity, legal and policy support, technical assistance, land back pathways, and regional coalitions already doing this work. Tribal Nations are already advancing this work, often without sufficient public-sector funding or stable agency support. NARF and NAP's task now is to meet them where the evidence in this report says the need is greatest.

Limitations

Narrow eligible population

The validation survey's target population of elected Tribal leaders and cultural resource specialists directly engaged in cooperative arrangement negotiation is inherently small and difficult to reach, which constrains the achievable sample size regardless of outreach effort.

Response shortfall against target

The validation survey aimed for 200 responses and received 73 eligible responses (approximately 37% of the target), including 55 respondents who completed the full instrument. This shortfall is addressed directly rather than minimized, and findings are interpreted with appropriate caution given the achieved sample.

Technical disruption during data collection

A period of automated/bot-driven form submissions and a delivery issue affecting scheduled reminder emails interrupted the online completion pathway during the final outreach window. Responses were reviewed for evidence of automated submissions using completion-time review, response-pattern screening, duplicate-response checks, and review of attention-check items. Responses determined to be non-human or invalid were removed prior to analysis.

Regional sample size

As in Phase I, regional comparisons should be interpreted cautiously given small per-region sample sizes; differences may reflect sampling variation rather than true regional differences.

Terminology consistency

Respondents used "co-management," "co-stewardship," and related terms inconsistently despite the definitions established in the Defining Cooperative Arrangements section, which makes it difficult to say definitively that a given arrangement type "works" based on qualitative material alone. The validation survey's closed response options reduce, but do not eliminate, this risk. Respondents may still have applied the listed categories to their own arrangements in different ways.

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Appendices

Appendices are included to support transparency about the assessment design and data collection instruments. They should not be read as authorizing disclosure of respondent identities, Tribe-specific findings, or identifiable open-ended responses. Any future use of quotations, examples, or arrangement documents should follow the confidentiality commitments made to participants and any additional Tribal data sovereignty requirements that apply.

Appendix A: Initial Survey Instrument

Introduction to Respondents

The Native American Rights Fund and the Native Americans in Philanthropy have contracted with Kauffman and Associates, Inc. (KAI), to conduct this survey to gain a deeper understanding of Tribal perspectives on co-management, co-stewardship, and other land justice arrangements for Native nations and people. Your input is important. The information you share will help to:

- Identify the benefits, challenges, and opportunities of these arrangements.
- Support Tribal sovereignty by informing policy reforms and funding strategies that reflect Tribal priorities.
- Contribute to a national report that will be shared with Tribal Nations and advocates to strengthen future arrangements and policy.

Participation is voluntary. Your responses will remain confidential and will be reported only in summary form. No names or identifying information will be shared without your explicit permission.

A $25 gift card will be provided as an honorarium to the first 200 participants who fully complete the survey.

Estimated time to complete: 15–20 minutes. (You may save and return to the survey at any time.)

Consent to Participate

1. Please confirm that you have read the information above, understand that your participation is voluntary and confidential, and agree to participate in this survey.

☐ I Agree: I have read and understood the information above, and I consent to participate.

☐ I Do Not Agree: I do not consent to participate. (Survey stops if this box is checked.)

Anti-Bot Screening Questions

To confirm you are human, please enter the correct answer below:

2. What is 2 + 3? (Open-ended)
3. Type the first three letters of the word "Tribal." (Open-ended)

The survey will continue if "5" or "five" is entered for the first question and "Tri" or "tri" is entered for the second.

Definitions

Throughout this survey, the term "**Cooperative Arrangements**" is used to refer to several different ways Tribes and other Native groups enter into arrangements with others in ways that allow Natives to participate in control of lands important to them. It may include items such as "Cooperative Agreements" (Sovereign-to-Sovereign Agreements for Co-Management or for Co-Stewardship), Land Trusts, Conservation Easements, other sorts of easements, and so on.

The Department of the Interior Solicitors' report on co-stewardship and co-management defines these as:

> **Co-Stewardship:** Co-stewardship broadly refers to collaborative or cooperative arrangements between Bureaus and Tribes and Native Hawaiian Organizations related to shared interests in managing, conserving, and preserving Federal lands and waters. Collaborative and cooperative arrangements can take a wide variety of forms. These may include, for example, sharing technical expertise; combining the capabilities of Bureaus and Tribes and Native Hawaiian Organizations to

improve resource management and advance the responsibilities and interests of each; making Tribal knowledge, experience, and perspectives integral to the public's experience of Federal lands; cooperative agreements; and annual funding agreements under the Tribal Self-Governance Act (25 U.S.C. § 5361 et seq.) where applicable.

Co-Management: Co-management narrowly refers to collaborative or cooperative stewardship arrangements that are undertaken pursuant to Federal authority that requires the delegation of some aspect of Federal decision-making or that make co-management otherwise legally necessary, such as management of the salmon harvest in the Pacific Northwest, where co-management has been established by law.

Section A: Engagement and Experience

4. To your knowledge, has your Tribal Nation participated in any of the following cooperative arrangements? (Select all that apply)
    a. Co-management agreements
    b. Co-stewardship agreements
    c. Conservation easements
    d. Other easements (If selected, skip to Question 5)
    e. Land trusts
    f. Other land governance tools (If selected, skip to Question 6)
    g. I am unsure
    h. None of the above (If 'None of the above' is selected, skip to Section C, Question 28)
5. Please specify the "Other easements" your Tribal Nation participated in. (Open-ended; only shows if "Other easements" is selected in Question 4)

6. Please specify the "Other land governance tools" your Tribal Nation participated in. (Open-ended; only shows if "Other land governance tools" is selected in Question 4)

7. For each of the following arrangement types, please select what best represents your Tribe's experience.

Arrangement Type	Currently active	Past participation	Attempted but unsuccessful	Not attempted	I am unsure
Land-based co-management	☐	☐	☐	☐	☐
Marine co-management	☐	☐	☐	☐	☐
Land-based co-stewardship	☐	☐	☐	☐	☐
Marine co-stewardship	☐	☐	☐	☐	☐
Conservation easements	☐	☐	☐	☐	☐
Land trusts	☐	☐	☐	☐	☐
Complete land transfers	☐	☐	☐	☐	☐
Joint Powers of Authority	☐	☐	☐	☐	☐

8. To your knowledge, which agencies have been involved in your cooperative arrangements? (Select all that apply)
    a. Bureau of Land Management
    b. National Park Service
    c. U.S. Forest Service
    d. U.S. Fish & Wildlife Service
    e. National Oceanic and Atmospheric Administration
    f. Bureau of Indian Affairs
    g. U.S. Department of the Interior
    h. U.S. Department of Agriculture
    i. Other federal agency (If selected, skip to Question 9)
    j. Other state/municipal agency (If selected, skip to Question 10)
    k. Private landowners
    l. I am unsure (If selected, skip to Question 12)
    m. None of the above (If selected, skip to Question 12)
9. Please specify which "other federal agencies" have been involved in your cooperative arrangements. (Open-ended; only shows if "Other federal agency" is selected in Question 8)

10. Please specify which "other state/municipal agencies" have been involved in your cooperative arrangements. (Open-ended; only shows if "Other state/municipal agency" is selected in Question 8)

11. Please rate your experience with the selected agencies.

Agency	Very Positive	Positive	Neutral	Negative	Very Negative	I am unsure
Agencies populate from the Question 8 selections.	☐	☐	☐	☐	☐	☐

12. What topics are included in your Tribe's arrangements? (Select all that apply)
    a. Subsistence fishing
    b. Subsistence hunting
    c. Wildlife management
    d. Buffalo/bison restoration and herd management (If selected, skip to Questions 13-15)
    e. Land use/land management planning
    f. Fire management (wildfire, cultural burning, etc.)
    g. Cultural preservation/practices
    h. Harvest of plants, medicine, firewood, etc.
    i. Sacred places protection and access
    j. Climate resilience
    k. Climate adaptation
    l. Ecosystem restoration
    m. Biodiversity protection
    n. Youth engagement
    o. Education
    p. Freshwater/rivers/lakes management
    q. Food sovereignty/traditional foods
    r. Other (please specify): _____ (Open-ended)
    s. I am unsure (If selected, skip to Question 16)

13. What are the primary goals of your buffalo work? (Select all that apply) (Only shows if "Buffalo/bison restoration and herd management" is selected in Question 12)
    a. Cultural and spiritual revitalization
    b. Food sovereignty and nutrition
    c. Ecological restoration
    d. Economic development
    e. Youth engagement and education
    f. Other (please specify): _____ (Open-ended)
    g. I am unsure

14. From your perspective, what are the main barriers to buffalo co-management for your Tribe? (Select all that apply) (Only shows if "Buffalo/bison restoration and herd management" is selected in Question 12)
    a. Limited land access
    b. Grazing or lease restrictions
    c. Lack of coordination with agencies
    d. Insufficient herd size or genetics
    e. Inadequate funding opportunities
    f. Other (please specify): _____ (Open-ended)

15. What resources would help your Tribe advance cooperative arrangements for buffalo? (Select all that apply) (Only shows if "Buffalo/bison restoration and herd management" is selected in Question 12)
    a. Long-term funding
    b. Technical training
    c. Legal and policy support
    d. Additional staff capacity
    e. Access to land
    f. Access to water
    g. Access to better genetics
    h. Forage/supplemental feed
    i. Infrastructure support (processing, storage, etc.)
    j. Partnerships and networks
    k. Other (please specify): _____ (Open-ended)
    l. I am unsure

Section B: Motivations, Benefits, and Barriers

16. What are your Tribe's primary motivations for engaging (or considering engagement) in cooperative arrangements? (Select all that apply)
    a. Cultural preservation
    b. Food sovereignty and subsistence rights
    c. Environmental protection
    d. Ecosystem health
    e. Youth engagement
    f. Workforce development
    g. Strengthening Tribal sovereignty and governance
    h. Economic development opportunities
    i. Climate resilience and adaptation
    j. Land access
    k. Other (please specify): _____ (Open-ended)
    l. I am unsure (If selected, skip to Question 18)

17. Please rank the top 4 motivations in order of importance, with "1" as the most important and "4" as the least important. (Ranking options populate from Question 16 selected responses; does not show if "I am unsure" is selected in Question 16)

18. What benefits has your Tribe experienced from participating in cooperative arrangements? (Select all that apply)
    a. Protection of cultural areas
    b. Protection of sacred places
    c. Strengthened sovereignty and governance
    d. Increased access to funding/resources
    e. Enhanced food sovereignty and subsistence rights
    f. Expanded opportunities for youth
    g. Expanded opportunities for workforce development
    h. Expanded land access
    i. Strengthened wildlife management (e.g., wildlife reintroduction, grazing management, habitat restoration, etc.)
    j. Greater climate resilience and environmental stewardship
    k. Other (please specify): _____ (Open-ended)
    l. I am unsure (If selected, skip to Question 20)
    m. None of the above (If selected, skip to Question 20)

19. Please rank the top 4 benefits in order of importance, with "1" as the most important and "4" as the least important. (Ranking options populate from Question 18 selected responses; does not show if "I am unsure" or "None of the above" are selected in Question 18)

20. What are the biggest barriers your Tribe has faced in cooperative arrangements? (Select all that apply)
    a. Federal restrictions (e.g., statutory limits, ANILCA conflicts)
    b. State interference or conflicts
    c. Limited or short-term funding
    d. Insufficient staffing
    e. Insufficient technical capacity
    f. Lack of legal authority or political support
    g. Administrative delays or lack of responsiveness from agencies
    h. Conflicting or unclear information from partners
    i. Other (please specify): _____ (Open-ended)
    j. I am unsure (If selected, skip to Question 22)
    k. None of the above (If selected, skip to Question 22)

21. Please rank the top 4 barriers, with "1" as the biggest barrier and "4" as the smallest barrier. (Ranking options populate from Question 20 selected responses; does not show if "I am unsure" or "None of the above" are selected in Question 20)

22. Which of the following would support your Tribe's ability to engage in cooperative arrangements? (Select all that apply)
    a. Long-term funding commitments
    b. Greater access to land/sea areas
    c. Technical expertise or training
    d. Dedicated staff positions
    e. Legal or policy support

f. Youth training and mentorship
g. Other (please specify): _____ (Open-ended)
h. I am unsure (If selected, skip to Question 24)
i. None of the above (If selected, skip to Question 24)

23. Please rank the top 4 supports in order of importance, with "1" as the most important and "4" as the least important. (Ranking options populate from Question 22 selected responses; does not show if "I am unsure" or "None of the above" are selected in Question 22)

24. Has your Tribe added staff positions to carry out these arrangements?
    a. Yes (If selected, skip to Question 25)
    b. No (If selected, skip to Question 26)
    c. I am unsure (If selected, skip to Question 27)

25. Please describe which staff positions your Tribe added to carry out these cooperative arrangements. (Open-ended; only shown if "Yes" is selected in Question 24)

26. Please describe which staff positions are needed for your Tribe to carry out these cooperative arrangements. (Open-ended; only shown if "No" is selected in Question 24)

27. Under what circumstances would your Tribe not accept co-management, co-stewardship, conservation easements, or land trusts? (Open-ended)

Section C: Opportunities, Vision, and Threats

28. Are there opportunities for cooperative arrangements that your Tribe has not yet pursued?
    a. Yes – land related (If selected, continue to Question 29)
    b. Yes – marine related (If selected, continue to Question 29)
    c. Yes – both land and marine (If selected, continue to Question 29)
    d. No (If selected, skip to Question 30)
    e. I am unsure (If selected, skip to Question 30)
    f. Other (please specify) _____ (Open-ended; If selected, continue to Question 29)

29. What has prevented your Tribe from pursuing these opportunities? (Select all that apply)
    a. Lack of agency responsiveness or follow-up
    b. Legal restrictions
    c. Lack of funding
    d. Insufficient staff
    e. Insufficient technical capacity
    f. Conflicting Tribal priorities
    g. Jurisdictional complexities
    h. Political opposition (federal, state, or local)
    i. Other (please specify): _____ (Open-ended)
    j. I am unsure

30. In 10 years, what would successful co-management/co-stewardship look like for your Tribe? (Open-ended)

31. In your opinion, what are the most pressing priorities that co-management/co-stewardship should help address for your Tribe? (Select all that apply)
    a. Climate change resilience

b. Cultural practices/strengthening
c. Economic development
d. Food sovereignty and subsistence rights
e. Youth engagement and leadership
f. Trust and treaty responsibility enforcement
g. Cultural responsibilities to protect ecosystems
h. I am unsure (If selected, continue to Question 33)
i. Other (please specify): _____ (Open-ended)

32. Please rank the top 4 priorities, with "1" as the most pressing priority and "4" as the least pressing priority. (Ranking options populate from Question 31 selected responses; does not show if "I am unsure" is selected in Question 31)

33. What do you see as the biggest threats to your Tribe's current or future agreements? (Select all that apply)
    a. Changes in federal administration priorities
    b. State-level political or legal opposition
    c. Funding cuts or lack of sustainable resources
    d. Litigation or regulatory challenges
    e. Resource development or extractive industries (e.g., mining, oil, gas, logging)
    f. Climate impacts (wildfire, drought, flooding, sea level rise)
    g. I am unsure (If selected, continue to Question 35)
    h. Other (please specify): _____ (Open-ended)

34. Please rank the top 4 threats, with "1" as the most threatening and "4" as the least threatening. (Ranking options populate from Question 33 selected responses; does not show if "I am unsure" is selected in Question 33)

Section D: Land Justice and Policy Context

35. How do you define land justice or ancestral land return? (Open-ended)

36. Which of the following pathways do you think is most important to your Tribe? (Select all that apply)
    a. Land transfer (federal, state, or private gifts)
    b. Co-management agreements
    c. Co-stewardship agreements
    d. Conservation easements
    e. Land trusts
    f. Land purchase or reacquisition
    g. Tribal national parks/Indigenous-managed areas
    h. I am unsure (If selected, continue to Question 38)
    i. Other (please specify): _____ (Open-ended)

37. Please rank the top 4 pathways in order of importance, with "1" as the most important and "4" as the least important. (Ranking options populate from Question 36 selected responses; does not show if "I am unsure" is selected in Question 36)

38. To your knowledge, are current federal laws sufficient to support your Tribe's needs for co-management and co-stewardship agreements?
    a. Yes (If selected, skip to Question 41)
    b. No (If selected, show Question 39)

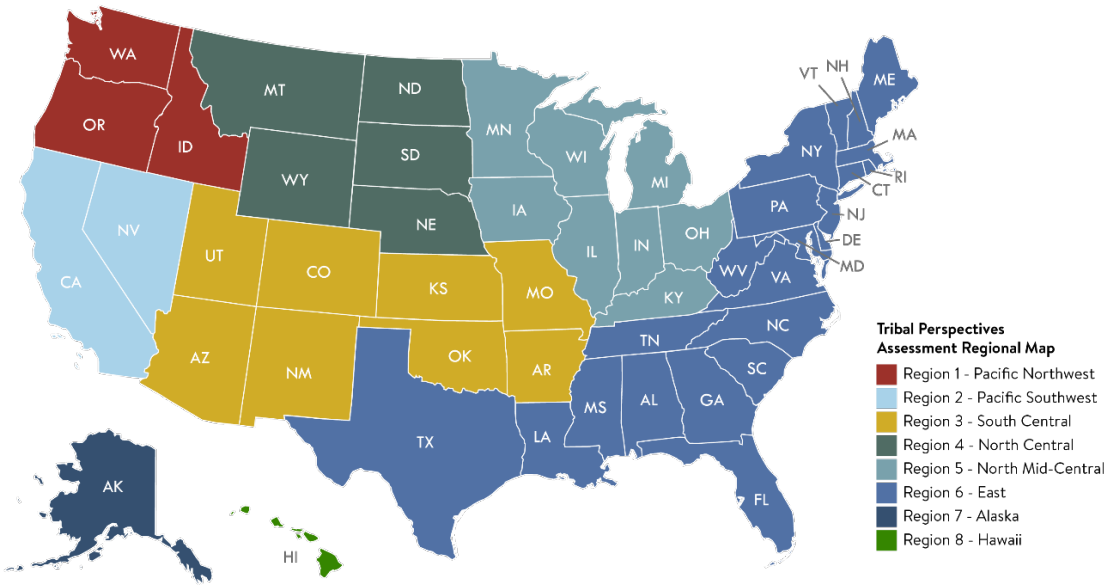
c. I am unsure (If selected, show Question 40)

39. If you selected "No" in the previous question, please explain what changes are needed. (Open-ended; only show if "No" is selected in Question 38)

40. If you selected "I am unsure" in the previous question, please explain. (Open-ended; only show if "I am unsure" is selected in Question 38)

Section E: Closing and Respondent Information

41. Please select the region where your Tribe is located. (Select all that apply.)



42. What is your title or role within the Tribal Nation?
    a. Elected Tribal leader
    b. Cultural practitioner/culture-bearer or leader
    c. Tribal Historic Preservation Officer
    d. Tribal Land manager
    e. Other Tribal administration employee or department (If selected, skip to Question 43)
    d. Federal government agency employee (If selected, skip to Question 44)
    f. None of the above: Tribal member or citizen only
    g. Other (please specify): _____ (Open-ended)

43. Please specify the other Tribal administration department you represent. (Open-ended; only show if "Other Tribal Administration worker department" is selected in Question 42)

44. Please specify the federal government agency you represent. (Open-ended; only shown if "Federal government agency employee" is selected in Question 42)

Section F: Follow-up and Contact Information

The following questions will appear on a separate page, accompanied by confidentiality reassurance.

45. Would your Tribe be willing to share copies of existing co-management or co-stewardship arrangements with NARF to support development of a Tribal resource library?
    a. Yes → If Yes: Please enter your email address, and we will email you (Open-ended)

b. No
c. Unsure

46. Would you be willing to participate in one of a few follow-up key informant interviews or a virtual listening session?
    a. Yes, key informant interview → If Yes: Please enter your email address, and we will email you (Open-ended)
    b. Yes, listening session → If Yes: Please enter your email address, and we will email you (Open-ended)
    c. Yes, I am interested in both → If Yes: Please enter your email address, and we will email you (Open-ended)
    d. No, I am not interested

Appendix B: Key Informant Interview Guide

Overview of the Guide

This key informant interview guide is designed to support one-on-one interviews with Tribal leaders, Tribal representatives, Tribal attorneys, policy advocates, and other experts engaged in or familiar with co-management, co-stewardship, and related cooperative arrangements.

The guide is organized into the following sections:

- **Introduction** – Relationship building and interview details.
- **About the Project** – Background and purpose of the study.
- **Informed Consent** – Interview framing, consent, and participant details.
- **Interview Sections** – Themed areas of inquiry: (1) Understanding co-management and co-stewardship; (2) Broader land justice tools; (3) Agency and policy experiences; (4) Priorities and needs; (5) Successes and future directions; and (6) Recommendations.
- **Wrap-Up** – Closing remarks and final input.

The structure allows flexibility. Not all questions need to be asked, and interviewers are encouraged to probe or adapt their wording depending on the participant's expertise.

Introduction

Facilitator: Hello, my name is [Facilitator Name], and I am the [Title/Role] with Kauffman and Associates, Inc. (KAI). I'm joined today by my colleague [Notetaker Name], who is supporting me with notetaking and operating Zoom. The Native American Rights Fund and Native Americans in Philanthropy have contracted with KAI to conduct an assessment of Tribal perspectives on co-management, co-stewardship, and other land justice arrangements for Tribal Nations. As part of the assessment, we're conducting one-on-one interviews with Tribal leaders, Tribal representatives, Tribal attorneys, policy advocates, and other experts engaged in or familiar with co-management, co-stewardship, and related cooperative arrangements.

Thank you for taking the time to meet with us.

About the Project

Facilitator: NARF and NAP [explain acronyms if necessary, but participants are probably aware] are conducting a national assessment to understand perspectives on co-management, co-stewardship, conservation easements, land trusts, and other cooperative arrangements between Tribal Nations and federal agencies. The goal is to frame best practices, priorities, and needs of Tribes seeking to further their relationships with their traditional lands and waters.

The purpose of this work is to:

- Document experiences, opportunities, and barriers to Tribal participation in co-management and related arrangements.
- Elevate Tribal voices in national conversations about land justice and stewardship.
- Provide recommendations to strengthen sovereignty-affirming arrangements and ensure policies reflect the priorities of Tribal Nations.

The findings will be synthesized into a public-facing report, fact sheet, and webinar presentation.

Informed Consent

Facilitator: Before we begin, I want to review a few points:

- Participation is voluntary.

- You may choose not to participate at any time.
- You may withdraw from the study at any time.
- You may skip any question or stop at any time.
- Your responses will be kept confidential; no names will be used without explicit permission.
- With your permission, we would like to record the conversation for accuracy. Recordings will be deleted after transcription.

Do you have any questions? Is it OK if we record?

Participant Information

Name: _____

Position/Role: _____

Affiliation (Tribal Nation, law firm, NGO, agency, etc.): _____

Years in Role/Experience: _____

Interview Sections and Questions

Section 1: Understanding of Co-Management and Co-Stewardship

Facilitator: Let's begin by hearing your familiarity with these concepts.

1. When you hear the terms co-management and co-stewardship, what do they mean to you?
2. Do you see these terms as distinct, or are they generally treated the same in your work?
3. What do you see as the primary benefits of these arrangements?
4. What challenges or barriers have you encountered, either directly or in your observations?

Section 2: Broader Land Justice Tools

Facilitator: Co-management and co-stewardship are part of a larger set of land governance approaches.

5. What perspectives do you have on tools such as conservation easements, cultural easements, land trusts, or other models?
6. How do these approaches compare in their ability to support Tribal sovereignty, cultural practices, or land justice goals?
7. Under what circumstances do you think these approaches are effective, and when might they be less appropriate?

Section 3: Agency and Policy Experiences

Facilitator: Now we'd like to hear about your experiences with federal or state partners.

8. Which agencies (or institution) have you engaged with in co-management or co-stewardship arrangements?
9. How did experiences vary depending on the agency (e.g., Forest Service, BLM, NPS, Fish & Wildlife Service)?
10. What kinds of technical or financial support were provided by these agencies, if any (by whom)?
11. What policy or legal changes would make these processes more effective?

Section 4: Priorities and Needs

Facilitator: We want to connect these arrangements to broader priorities.

13. How can co-management or co-stewardship address pressing needs such as climate change, cultural practices and preservation, or economic development?

14. What role can Traditional Knowledge or traditional practices play in shaping cooperative arrangements?
15. What capacity challenges (e.g., staffing, funding, expertise) have you seen affect the implementation of these arrangements?

Section 5: Successes and Future Directions

Facilitator: Let's highlight strengths and promising practices.

16. What examples of successful co-management, co-stewardship, or land justice efforts are you familiar with?
17. What factors made those efforts successful?
18. What lessons or advice would you share with others considering these approaches?
19. Looking ahead, what opportunities do you see for Tribes or their partners to lead in land governance?

Section 6: Recommendations

Facilitator: Finally, we'd like to ask about recommendations.

20. What should federal agencies do differently to better support co-management/co-stewardship and land justice?
21. How can philanthropy contribute to advancing these efforts?
22. What specific resources, policies, or partnerships do you believe would make the greatest impact?

Wrap-Up

Facilitator: That concludes our discussion.

23. Is there anything else you would like to add that we haven't covered?

Closing

Facilitator: Thank you again for your time and for sharing your knowledge and expertise with us. In appreciation for sharing your time and experiences with us, you'll receive a $75 gift card via email. Your insights will directly inform the final report and recommendations. As a reminder, your responses will be kept confidential and will be summarized with the responses from others interviewed, without including names or identifying details, unless you provide explicit permission.

Facilitator: Next steps: You may be contacted for follow-up during a process known as member checking, where we return to participants to ensure the accuracy and validity of key themes that emerge from the interviews. Preliminary findings from the national survey and these interviews will be shared and discussed during regional virtual listening sessions in January and February 2026. You are welcome to attend and continue the conversation. (We'll email session dates and registration details.) These listening sessions are designed to broaden participation and help validate findings before the final report and recommendations are published.

Appendix C: Listening Session Facilitator's Guide

Overview

This guide supports facilitators in leading up to eight regional virtual listening sessions (including one Alaska session) with Tribal Nations, leaders, and community members. These sessions are designed to gather perspectives on co-management, co-stewardship, and other related cooperative arrangements. The sessions will:

- Validate and expand on survey findings;
- Document Tribal priorities, challenges, and opportunities; and
- Explore the conditions for sovereignty-affirming arrangements that advance land justice.

Each session will be interactive, respectful, and culturally grounded, following the values of the IEF.

About the Project

The Native American Rights Fund (NARF) and Native Americans in Philanthropy (NAP) are collaborating on an assessment to understand Tribal perspectives on co-management, co-stewardship, and other related arrangements, as Tribes seek to support their relationships with traditional territories. This effort seeks to:

- Advance Tribal sovereignty and stewardship;
- Identify benefits, challenges, and barriers that Tribes experience; and
- Build a foundation for advocacy, policy change, and resource development.

Session Details

Format: Virtual (Zoom or similar platform)

Length: Up to 3 hours

Participants: 20–40 per session

Roles: Two facilitators, two notetakers, one technical support staff

Incentives: Random drawing for a $100 prepaid card at each session

Accessibility: Closed captioning and transcription provided

Consent: Informed consent before participation

Sample Session Agenda

Length of Time	Activity
0:00–0:15	Welcome, introductions, and project overview
0:15–0:30	Presentation of survey and interview findings and key themes
0:30–1:30	Guided discussion on experiences, barriers, and opportunities
1:30–1:45	Break
1:45–2:30	Discussion of Tribal priorities and future directions
2:30–2:45	Reflections and recommendations
2:45–3:00	Closing, random drawing, and next steps

Facilitator Script

Facilitator: Good [morning/afternoon], everyone.

"Good [morning/afternoon], relatives. We are honored to be with you today. My name is [Facilitator Name], and I am the [Title/Role] with Kauffman and Associates, Inc. (KAI). We are grateful to be supporting the Native American Rights Fund and Native Americans in Philanthropy on this important project.

These listening sessions are your space. We're here to get your perspectives on co-management, co-stewardship, and other related tools that affect your homelands, waters, and sacred places, and your peoples' relationships to them. Your voices will guide how this work can support Tribal sovereignty and land justice.

Transition to Opening Words

Facilitator: We would like to invite [Name of pre-identified person] to open our time together with a reflection or words in a good way.

[Pause for a moment while the person gives the opening.]

Facilitator: Thank you, [Name of person pre-identified for opening], for opening us in a good way today.

Presentation of Key Findings

Before beginning the discussion, facilitators should present key findings from the survey and key informant interviews to ground the conversation. This summary should highlight the most common themes, challenges, and community priorities that emerged. Consider using visual aids or printed handouts to support the presentation. After this overview, invite participants to share their reactions, beginning with the following questions.

Listening Session Questions

Reactions to Findings

Facilitator: Thank you for listening to the findings. Let's take a few moments to reflect on what we've just heard before we begin our conversation.

1. What stood out to you in the survey findings?
2. What perspectives or priorities do you feel were missing?

Community Strengths and Experiences

Facilitator: Thank you for sharing your thoughts. Let's now recognize and lift up the strengths and knowledge that already exist within your community.

3. What strengths does your Tribe bring to land and resource stewardship?
4. What successful arrangements, practices, or partnerships should others learn from?

Barriers and Challenges

Facilitator: We've heard about community strengths. Let's now shift to some of the challenges Tribes face when working with federal agencies or implementing arrangements.

5. What are the biggest challenges your Tribe has faced with co-management or co-stewardship?
6. How do agency policies, funding structures, or staffing capacity create barriers?

Perspectives on Arrangements

Facilitator: Thank you for sharing those insights. Let's now explore how different types of arrangements are viewed within your Tribe.

7. What differences do you see between co-management and co-stewardship?
8. Has your Tribe had success or faced barriers with respect to co-stewardship, easements for conservation or culture, land trusts, or any similar arrangements?

9. Under what circumstances would your Tribe decline an arrangement for co-management or co-stewardship?

Future Needs and Opportunities

Facilitator: We've discussed challenges and barriers. Let's now think about how cooperative arrangements might better support your Tribe's future needs and priorities.

10. How can these arrangements better address pressing issues such as climate change, cultural preservation, economic development, or youth involvement?
11. Of all the issues discussed, which three priorities feel most urgent for your Tribe or region?

Recommendations

Facilitator: As we begin to close, let's focus on solutions and improvements.

12. What changes (policy, legal, or funding) are needed to make these arrangements sovereignty-affirming?
13. What would success look like for Tribal Nations in this space ten years from now?

Wrap-Up Script

Facilitator: Thank you again for your time and insights. Your voices matter, and everything you've shared today will guide the recommendations in this project. NARF and NAP are committed to sharing key themes with participants and ensuring your priorities inform future advocacy.

We will now hold the random drawing. If you would like to share additional thoughts privately, please feel free to reach out after the session.

Post-Session Tasks

- Collect and securely store consent forms.
- Submit typed notes and transcript to project team.
- Identify themes and top priorities by region.
- Notify drawing winners and distribute incentives.
- Prepare a short summary for validation with NARF/NAP.

Appendix D: Validation Survey

NARF–NAP Survey Instrument
Tribal Cooperative Arrangements Validation Survey
Governance → Authority → Conditions → Boundaries → Future readiness

- **Cooperative Arrangements**: An umbrella term for the various ways Tribes partner with other entities to exercise influence or control over lands important to them (e.g., co-management agreements, co-stewardship agreements, conservation easements, land trusts, etc.).
- **Co-stewardship**: Collaborative or cooperative arrangements between a Tribe and an agency to jointly care for lands and waters, generally without formal transfer of decision-making authority.
- **Co-management**: A more formal collaborative stewardship arrangement that involves shared decision-making authority or legal responsibility by the Tribe and an agency.

These definitions are adapted from Department of Interior guidance. They are provided to ensure respondents interpret key terms consistently, addressing a pilot-phase issue where such terms were introduced but not integrated into questions, causing confusion.

You have been invited to participate because the Native American Rights Fund (NARF) and Native Americans in Philanthropy (NAP) value your experience and knowledge in protecting Tribal lands and waters. NARF and NAP have partnered with Kauffman and Associates, Inc. (KAI) to listen to Tribal voices and learn directly from your experience. Your insights will help guide future policies and support for Tribal stewardship.

We want to hear what matters most to you when working with others to care for your homelands. This includes understanding what works well in co-stewardship and co-management partnerships and what challenges need to be addressed. By sharing your thoughts on key issues like decision-making, resources, and cultural priorities, you will help us identify ways to strengthen Tribal stewardship of lands, waters, and all who depend on them.

This survey is part of the first national study on Tribal co-stewardship and co-management. The overall goal is to bring together Tribal perspectives from across the country to ensure that future efforts, whether legal advocacy or funding initiatives, are shaped by the needs and priorities that you and other Tribal members identify. Your participation is important, and we deeply appreciate you taking the time to share your knowledge.

Q1. Consent to Participate
You are invited to participate in a survey conducted by Kauffman and Associates, Inc. (KAI) on behalf of the Native American Rights Fund (NARF) and Native Americans in Philanthropy (NAP).

Purpose: The purpose of this survey is to understand Tribal perspectives on co-management, co-stewardship, and other cooperative arrangements related to lands and waters of importance to Tribes. Findings will be summarized in aggregate to inform policy advocacy, philanthropic strategy, and to validate themes identified through earlier interviews and listening sessions.

Voluntary participation: Your participation is voluntary. You may skip any question or stop participating at any time, for any reason, without penalty.

Time: The survey is expected to take approximately **15 minutes** to complete.

Confidentiality: Individual responses will not be attributed to any person in reports or presentations. If you optionally identify your Tribal Nation (later in the survey), we will not name your Tribe in reporting; results

will be presented in aggregate (e.g., by region or role). Open-ended responses may be quoted without names or identifying details. Data will be stored securely and accessed only by the project team. While we take reasonable steps to protect confidentiality, absolute confidentiality cannot be guaranteed in an online survey environment.

How we will describe your perspective: This survey collects individual perspectives. Unless you indicate you are responding in an official Tribal government capacity, your answers will be interpreted as your personal or professional viewpoint and will not be treated as an official position of any Tribal Nation.

Questions or concerns: Questions about the survey may be directed to (KAI) by email.

Trouble accessing the survey? If you have trouble opening the link, the survey does not load, or you encounter an error, please contact (KAI) and describe what happened (including the device/browser you are using, if possible) so we can assist.

Access to results: You may request a brief summary of aggregated findings by contacting (KAI). You may also choose to provide optional contact information at the end of the survey so we can send you the summary when it is available. Optional contact information (if provided) will be stored separately from your survey responses.

Human subjects research: This project is being conducted as an opinion/feedback survey and **is not** designed as human subjects research; therefore, it is not under IRB oversight.

Eligibility: By continuing, you confirm that you are at least **18 years old**.

Consent: Please select one option below.
◯ Yes, I agree to participate
◯ No, I do not agree to participate

Q2. Which of the following best describes your role or perspective in answering this survey?
- ☐ On behalf of a Tribal government (elected leader)
- ☐ As an employee or staff member of a Tribal government
- ☐ As an employee of an organization serving Tribes
- ☐ As an independent professional/expert
- ☐ Prefer not to answer
- ☐ Other

Q3. Select the state where the Tribe/Tribal Nation you represent is located/headquartered (select best answer).
(Select from list of all 50 states)

Q4. Which Tribal Nation are you representing or affiliated with in a professional capacity? *(Optional)*

- ☐ Tribal Nation: [Text entry]
- ☐ Prefer not to answer (I will answer using region only)

Core survey items

Q5. To your knowledge, has your Tribe/Tribal Nation participated in any of the following types of cooperative arrangements? *(Select all that apply)*

a. Co-management agreements

b. Co-stewardship agreements
c. Conservation easements
d. Other easements (please specify)
e. Land trusts
f. Other land governance tools (please specify)
g. I am unsure
h. None of the above

Q6. Describe your Tribe/Tribal Nation's overall level of decision-making power across your co-management agreement(s).

a. Full and equal decision-making power in all agreements
b. Full and equal decision-making power in some agreements, but not all
c. Limited decision-making power across most or all agreements
d. No meaningful decision-making power in any agreement
e. I am unsure

Q7. Describe your Tribe/Tribal Nation's overall level of decision-making power across your co-stewardship agreement(s).

a. Full and equal decision-making power in all agreements
b. Full and equal decision-making power in some agreements, but not all
c. Limited decision-making power across most or all agreements
d. No meaningful decision-making power in any agreement
e. I am unsure

Q8. Please specify the 'other easements' your Tribe/Tribal Nation has participated in.
(Open-ended text)

Q9. Please specify the 'other land governance tools' your Tribe/Tribal Nation has participated in. *(Open-ended text)*

Q10. Which best describes your Tribe/Tribal Nation's current status with cooperative arrangements? *(Select one)*
Response options:

- ☐ We currently have at least one active cooperative arrangement.
- ☐ We had one or more in the past, but none currently.
- ☐ We attempted to establish an arrangement, but it was not successfully implemented.
- ☐ We have only discussed or explored the idea (no attempt or past project).
- ☐ We have no experience with any such arrangements.

Q11. Has your Tribe/Tribal Nation ever seriously attempted or planned any cooperative arrangement (even if it wasn't ultimately implemented)? *(Yes/No/Unsure)*

Attention check (data quality): To help us confirm this is a human response, please select **Agree** for the item below. *(Single select)*

- ☐ Strongly disagree
- ☐ Disagree
- ☐ Neither agree nor disagree
- ☐ Agree
- ☐ Strongly agree

Q12. In your view, what factors prevented that arrangement from being implemented? *(Open-ended text)*

Q13. Thinking about the cooperative arrangement(s) your Tribe/Tribal Nation has engaged in, please indicate your level of agreement with the following statements. *(Matrix, 5-point Likert scale: Strongly Disagree – Strongly Agree)*

Experience Quality Statements (Tribe's cooperative arrangement)	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
Our Tribe/Tribal Nation has built and maintained a trusting relationship with partner agencies through the arrangement.					
The roles and responsibilities of our Tribe/Tribal Nation in the arrangement have been clearly defined.					
Our Tribe/Tribal Nation had sufficient staff capacity and resources to fulfill our responsibilities under the arrangement.					
The arrangement provided stable funding or support for our Tribe/Tribal Nation's participation.					
Our Tribe/Tribal Nation had an equal voice in decision-making compared to our partner(s) in the arrangement.					

Q14. Which land or water stewardship activities have most often been the focus of your Tribe/Tribal Nation's cooperative arrangements? *(Select up to 3)*

- ☐ Fire management (e.g., wildfire mitigation, cultural burning)
- ☐ Wildlife or fisheries management (including species protection or reintroduction)
- ☐ Buffalo/bison restoration or herd management
- ☐ Land use or land management planning
- ☐ Habitat or ecosystem restoration
- ☐ Protection of sacred or culturally significant places
- ☐ Subsistence practices (hunting, fishing, gathering)
- ☐ Water resources (rivers, lakes, watersheds)
- ☐ Ocean and marine stewardship
- ☐ Climate adaptation or resilience work
- ☐ Education, monitoring, or research
- ☐ Other (please specify): [Text entry]
- ☐ Not sure / varies widely

Q15. Which of the following have been significant challenges or pain points in your Tribe/Tribal Nation's cooperative arrangement experiences? *(Select up to 3)*

- ☐ Complex or slow bureaucratic processes (heavy administrative burden).
- ☐ Frequent turnover or lack of continuity in agency staff/points of contact.
- ☐ Insufficient or short-term funding to sustain the arrangement.
- ☐ Limited internal capacity (staffing, technical expertise) on our Tribe's side.
- ☐ Tribe's role too limited in authority (Tribe not given meaningful decision power).
- ☐ Other (please specify): [Text entry]

Q16. What outcomes or opportunities do you most want cooperative arrangements to provide for your Tribe/Tribal Nation? *(Select up to 2)*

- ☐ Fulfilling trust obligations and treaty rights to protect our lands and waters.
- ☐ Increasing Tribal authority and exercising Tribal sovereignty in decision-making over land management.
- ☐ Advancing Land Back pathways to Tribal ownership or jurisdiction over our homelands.
- ☐ Ensuring Tribal cultural values and traditional ecological knowledge guide land management and stewardship.

- ☐ Enhancing economic and workforce development.
- ☐ Securing resources and funding to support our Tribe's stewardship work.

Other (please specify): [Text entry]

Q17. How does your Tribe/Tribal Nation view each of the following strategies for managing your ancestral lands and waters? *(For each strategy, select one option.)*

Land & Water Management Strategy	Desirable (would actively pursue)	Acceptable (okay in some cases)	Unacceptable (not desirable)	Not Sure
a. Permanent return of land to Tribal ownership (Land Back).				
b. Complete land transfers to the Tribe/Tribal Nation.				
c. Land purchase or reacquisition by the Tribe/Tribal Nation				
d. Formal co-management agreements (shared decision-making authority).				
e. Joint Powers of Authority or similar shared-governance mechanisms.				
f. Formal co-stewardship agreement (collaboration without shared legal authority)				
g. Informal co-stewardship partnerships or MOUs				
h. Conservation easements held by the Tribe/Tribal Nation				
i. Conservation easements held by another entity with guaranteed Tribal rights				
j. Land trusts supporting Tribal land use or stewardship				
k. Other easements affecting Tribal lands or ancestral territories				
l. Other land governance tools (please specify):				

Q18. Which of the following factors would make a cooperative arrangement unacceptable, or a 'deal-breaker,' for your Tribe/Tribal Nation? *(Select all that apply)*

- ☐ If the Tribe/Tribal Nation's role is only advisory (no real decision-making authority).
- ☐ If the arrangement requires the Tribe/Tribal Nation to waive any sovereignty or treaty rights.
- ☐ If there is no guaranteed funding/support for Tribal participation.
- ☐ If Tribal cultural practices or knowledge aren't respected or protected.
- ☐ Other (please specify): [Text entry]

Q19. Looking ahead, how ready do you believe your Tribe/Tribal Nation is to pursue or strengthen cooperative arrangements related to land or water management, if appropriate opportunities were available?

- ☐ Very ready, we have interest, capacity, and leadership support
- ☐ Somewhat ready, we have interest but would need additional support
- ☐ Not ready at this time
- ☐ Not sure

Q20. Which of the following would most help your Tribe/Tribal Nation move forward with cooperative arrangements related to land or water management? *(Select up to two.)*

- ☐ Flexible funding for Tribal staff time and participation
- ☐ Legal or policy support to protect sovereignty and authority
- ☐ Technical assistance (e.g., planning, environmental, or regulatory expertise)
- ☐ Stronger commitment or follow-through from government partners
- ☐ Clearer pathways to Tribal authority or governance roles
- ☐ More information about possible models, current examples, or template agreements

Other (please specify): [Text entry]

Q21. What tools have you used in your cooperative arrangements? (Select all that apply.)

- ☐ Co-stewardship Agreements
- ☐ 638 Contracts
- ☐ Self-Governance Agreements
- ☐ Contractual Commitments and Federal Trust Obligations
- ☐ Treaty Lawsuits and Consent Decrees
- ☐ Land Back Initiatives and Conservation Easements
- ☐ Incorporation of Treaty Rights in Federal Statutes
- ☐ Antiquities Act and National Historic Preservation Act
- ☐ State and Local Agreements
- ☐ Alaska Land Conservation Cooperatives
- ☐ Environmental Restoration and Funding Initiatives

Q22. If you would like to receive a $25 gift card (for the first 200 participants who complete the survey), you must provide a valid email below. *(Optional, open-ended)*

Q23. Please indicate if you would like to be contacted:

- ☐ I am willing to be contacted for a brief follow-up interview
- ☐ I would like to receive a summary of project results.