



BISHOP TRIBAL COUNCIL

September 28, 2015

Joe Watkins
Office of Tribal Relations and American Cultures
National Park Service
1201 Eye Street NW
Washington, DC 20005

RE: National Park Service: Docket RIN 1024-AD84

Dear Mr. Watkins:

The Bishop Paiute Tribe (Tribe) is a federally recognized Tribe governed by a five (5) member duly elected Tribal Council. The Tribe supports the NPS efforts to facilitate the traditional gathering of culturally significant plants and plant parts by federally recognized Tribes on lands now managed by the NPS. The Tribe agrees with the NPS that federally recognized Indian Tribes' right to gather and remove park resources for traditional purposes should be recognized. The Tribe shares comments and recommendations on how to improve the process outlined in the proposed rule as follows:

1. That this proposed rule does not waive, alter, or otherwise diminish the sovereign rights of any Indian Tribe.
2. That this proposed rule clarifies and affirms on existing statutory or treaty rights. Certain sections of the proposed rule contain language that conflates treaty-based, statute-based, and agreement-based rights. The proposed rule should clearly and consistently recognize these important distinctions.
3. That the NPS consult with Indian Tribes that have treaty rights within park areas and ensure there are no conflicts with treaty rights.
4. That NPS include a 90 day time limit for a park superintendent to make his/her decision (reference Sec. 2.6 (c) Tribal Request).
5. That the NPS include a dispute resolution process.

6. That the NPS recognize the significance and importance of the places from which Tribal members have gathered plants and plant parts including officially identifying these places as Traditional Cultural Properties, and affording these special places the rights and responsibilities offered by the National Historic Preservation Act
7. The Tribe is concerned with the identification of traditional gathering areas and the documentation of our traditional harvesting methods, uses and customs by the NPS.
8. The Tribe would have difficulty for identifications of the plant and plant parts mainly due to the fact that individuals' utilizations of these plants and plant parts are offered by our spirit keepers.
9. Cooperative agreements would be beneficial for both.

In conclusion, our traditional culture is alive and ever evolving. However our traditional cultural use and practices have been suppressed by reduced access by the agencies managing our traditional use areas.

We reserve the right to make additional comments upon additional review.

Should you have any questions about these comments please do not hesitate to contact me at the address below or contact Raymond Andrews, Tribal Historic Preservation Officer (THPO) of the Bishop Paiute Tribe, by email Raymond.Andrews@bishoppaiute.org or by phone (760) 873-3584 ext. 250.

Sincerely,



Gerald Howard, Chairman
Bishop Paiute Tribe