

Jeff Ruch

From: Charis Wilson <charis_wilson@nps.gov>
Sent: Monday, July 27, 2015 5:56 PM
To: Jeff Ruch
Subject: 15-570 Ruch plant gathering FOIA response
Attachments: 15-570 Item 3 Responsives.pdf; Ethnobotany and TEK-abridged bib.pdf; Partial list of reports documents used in relation to provisions of NPS Management Policies 2006.pdf

United States Department of the Interior

NATIONAL PARK SERVICE

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P.O. Box 25287

Denver, Colorado 80225-0287

July 27, 2015

A7221 (2550)

Jeff Ruch

PEER

2000 P. Street, NW Suite 240

Washington, DC 20036

Dear Mr. Ruch:

Reference: 36 CFR 2.1 Preservation of Natural, Cultural, and Archaeological Resources

Subject: Freedom of Information Act (FOIA) Request NPS-2015-00570

This letter is in response to your Freedom of Information Act (FOIA) request dated April 20, 2015, in which you requested:

- *All records supporting the following NPS representation: “Research has shown that traditional gathering, when done with traditional methods and in traditionally established quantities, does not impair the ability to conserve plant communities and can help to conserve them ...”;*

- *All materials reflecting or assembled pursuant to the provisions of the “National Park Service Management Policies 2006 at Section 4.2.1, which directs the NPS to inventory, monitor and research traditional knowledge and authorizes NPS to support studies designed to ‘understand the ceremonial and traditional resource management practices of Native Americans’ ... ”; and*
- *All documents related to the following statement: “The NPS has also determined that the rule does not involve any of the extraordinary circumstances listed in 43 CFR 46.215 that would require further analysis under NEPA.”*

In regards to the first item, no single document or documents exist that fully summarize the depth and variety of research on traditional knowledge. Instead, we are providing the attached *Ethnobotany and TEK-abridged Bibliography*, which is a representative bibliography of information relating to traditional knowledge that are or have been used across the NPS regions.

In response to the second item, numerous reports have been developed by National Park Service regions either as direct research or through research conducted by contractors for the National Park Service. These materials are not catalogued in such a manner to be able to identify each and every one related to this topic. However, we are providing a list of those reports that the American Indian Liaison’s office is aware of that relate to the second item of your request, in the attached file titled *Partial List of Documents Used in Relation to Provisions of NPS Management Policies 2006*.

In response to item 3 of the request, after a search of the files no documents were found that specifically addressed the determination that the categorical exclusion cited would serve in lieu of a NEPA EIS or EA. However, we are releasing the attached PDF, totaling 26 pages of responsive material, which relates to proposed changes to the NEPA language section of 36 CFR 2.1.

Because the National Park Service creates and maintains law enforcement records, we are required by the Department of Justice to provide the following information, even though it may or may not apply to your specific request. Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that we are required to give all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Should you have any further questions regarding this request, please feel free to contact me. I can be reached at the address above or by phone at 303-969-2959. My e-mail address is charis_wilson@nps.gov.

Sincerely,

C.

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Ms. Charis Wilson, PhD, CRM

NPS FOIA Officer

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