



# **2011 Summary Report**

## **Oregon Department of Forestry**

### **Tribal-State Agency Government-to-Government Relations**

#### **INTRODUCTION**

During 2011, the Oregon Department of Forestry (ODF) continued its involvement and communication with the Tribes as it conducted its business of forestry. This involvement is reflected in agency policy and agreements, training, education, informational materials, and participation in opportunities that further employee government-to-government relations' knowledge and skills, and in direct consultation, communication, and cooperation. This report will discuss this departmental involvement, both on an agency-wide basis, and program-by-program and district activities.

#### **AGENCY-WIDE ACTIVITIES**

##### **Agency's Designated Representative**

With the appointment of Doug Decker as Oregon State Forester on February 1, 2011, the department's executive team has undergone some reorganization and transition, and the department again has an official Deputy State Forester position. Paul Bell, formerly Associate State Forester, has recently been appointed to fill that position and, as part of that role, Paul has assumed the responsibilities as the Agency Liaison for Government-to-Government Relations.

##### **Annual Government-to-Government Activities and Training Opportunities**

Jim Quiring, Director of the Tillamook Forest Center, attended the State Agency Annual Training session on May 12, 2011. State Forester Doug Decker and several other agency Executive Team members attended the following day's Tribal Day celebrations at the State Capitol. As noted by the Tillamook Forest Center Director, these gatherings offer many opportunities to build stronger Government to Government relationships.

Agency representatives also attended and participated in the Annual Tribal Summit in November 2010.

ODF expects to continue participating in these and similar activities as they are available during the remainder of 2011 and throughout 2012.

### **Board of Forestry Meeting and Tour**

On July 28 and 29 the Coquille Tribe hosted the Oregon Board of Forestry activities, including facilities and hospitality for the July 28 public business meeting of the Board and an evening social. On July 29, Coquille representatives led Board members on a memorable tour of the Coquille forest, with several speakers from Oregon State University and the Coquille Tribe. Board members were particularly impressed by the tribe's stewardship and management of their forestlands.

### **Involvement with the Natural Resources Cluster Group**

Satish Upadhyay, Administrative Services Division Chief and former Agency Liaison for Government-to-Government Relations, participated in several Natural Resources Cluster Group meetings throughout the past year, including meetings on January 4, April 5, and September 7. Two of those meetings were co-hosted by the department and one of the Tribes at the department's Salem campus: April 5 was co-hosted by the Confederated Tribes of the Siletz, and September 7 was co-hosted with the Cow Creek Band of the Umpqua Tribe.

At the April 5 Natural Resource Cluster Group meeting, newly-appointed State Forester, Doug Decker, greeted and met with the work group. He provided some brief background about his 25-year history with the department, and stated it was a great honor to serve the Board of Forestry, and the people and forests of Oregon. Decker reiterated the agency's strong commitment in working collaboratively with the Government-to-Government Work Groups.

Paul Bell will be the designated agency representative for the Natural Resources Cluster Work Group, assisted by Dave Lorenz, Southern Oregon Area Director.

### **Involvement with the Cultural Resources Cluster Work Group/Other Cultural Activities**

John Barnes, State Forests Division Policy and Planning Coordinator, is now the agency's designated representative on the Cultural Resources Cluster Work Group. Barnes previously served in this same role during his prior employment with the agency as the State Forests Division Recreation Coordinator.

In August 2011, the agency and the Legislative Commission on Indian Affairs promptly resolved a logging issue in a Siletz family burial area.

**Informational Brochure:** Copies of the department's brochure entitled "Protecting and preserving Oregon's archaeological and cultural resources – A Guide for Forest Landowners and Operators" continues to be available at all ODF local offices and Salem Headquarters. This brochure outlines landowner responsibilities regarding archaeological sites and is a resource for the agency's field foresters to provide information to landowners of their obligations when dealing with cultural sites. An electronic version of the brochure is available on the department's web page about agency Tribal-State Relations at:

**Tillamook Forest Center**

The Tillamook Forest Center was pleased to offer a special public program in July titled “Traditional Native Foods of Western Oregon”. The program was presented by Greg Archuleta, enrolled member of the Confederated Tribes of Grand Ronde, and Justin Robinson, Chinook Nation member. This presentation was well received by visitors.

Through the program, visitors learned that from time immemorial, the Native People of western Oregon have relied on the land, rivers and oceans for subsistence. They learned how Native People prepared, stored and used edible plants and other food resources and that these activities continue to be practiced today. As part of the program visitors sampled a variety of foods including huckleberries, camas, and wapato. The program attracted a full house and visitors continued learning through an extended question and answer period which followed the program.

In September, the Center partnered with SOLV and the Confederated Tribes of Siletz Indians to sponsor the third annual Wilson River Cleanup. This volunteer day was part of the state-wide SOLV Beach and Riverside Cleanup. Through this event, volunteers joined together to pick up trash and enhance watershed health before fall rains would come and wash litter downstream into the lower river and out to sea. This work was coordinated with thousands of volunteers in all 50 states and over 100 countries as part of an International Coastal Cleanup effort.

The history of the Tillamook Forest is a rich one and the story of Native Americans is an important part of that history. The Center is committed to continuing the annual presentation of public programs which share the history and culture of Oregon’s Native People. Both the Confederated Tribes of Grand Ronde and the Confederated Tribes of Siletz Indians have been extremely supportive, since the opening of the Center in 2006, in supporting the education program of the Tillamook Forest Center.

**Archaeological and Cultural Resources**

**Informational Brochure:** Copies of the department’s brochure entitled “Protecting and preserving Oregon’s archaeological and cultural resources – A Guide for Forest Landowners and Operators” continues to be available at all ODF local offices and Salem Headquarters. This brochure outlines landowner responsibilities regarding archaeological sites and is a resource for the agency’s field foresters to provide information to landowners of their obligations when dealing with cultural sites. An electronic version of the brochure is available on the department’s web page about agency Tribal-State Relations at:

([www.oregon.gov/odf/Organizational\\_Management/Tribal\\_State\\_Relations.shtml](http://www.oregon.gov/odf/Organizational_Management/Tribal_State_Relations.shtml))

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The following informational summary is organized by the department's division/program responsibilities and district, and includes the major areas in which the agency works with tribal governments, efforts to address key issues, communication, and collaboration and cooperation with other agencies and the tribes.

## **DIVISION/PROGRAM ACTIVITIES**

### **Forest Resources Planning Program**

- All Oregon tribes were contacted by the program this year requesting information for the annual Timber Harvest Report.
- Oregon tribes received a personal invitation from Oregon Board of Forestry Chair John Blackwell to review and comment on the Board's draft 2011 *Forestry Program for Oregon*. This public comment opportunity ran from October 1 through December 31, 2010.

### **Private Forests Division**

#### ***Eastern Oregon Area***

##### **Central Oregon District, Prineville**

Stewardship Foresters have provided consulting work on Confederated Tribes of Warm Springs (CTWS) lands and continue Conservation Reserve Enhancement Program plans on the main stem and Middle Fork of the John Day River and some of its' tributaries.

Coordination opportunities are presented with both the CTWS and Burns-Paiute at the Grant and Harney counties' Soil and Water Conservation District meetings.

##### **Northeast Oregon District, LaGrande**

Both the Tribes and ODF continue to be involved in water quality planning processes in the Upper Grande Ronde, the Walla Walla, and the Umatilla Rivers, as well as the Wallowa, Lower Grande Ronde, and Imnaha River basins in Wallowa County. Tribal interests in Northeast Oregon are well-represented in all facets of salmon recovery and water quality issues.

Field cooperation continues in areas of salmonid restoration and enhancement activity. ODF stewardship foresters have worked on joint restoration projects weaving together tribal interest and dollars with other funding sources such as Oregon Watershed Enhancement Board, the Bonneville Power Administration (BPA), and Conservation Reserve Enhancement Program. Tribal fisheries biologists are a useful information source during these activities. In Wallowa County, coordination with the Nez Perce Tribe (NPT), county, and ODF occurs during the implementation of the Wallowa County/Nez Perce Tribe Salmon Habitat Recovery Plan. Representatives from the NPT and ODF serve on the Natural Resource Advisory Committee,

which is a technical committee that reviews land use actions and activities, and makes recommendations to the county commissioners.

***La Grande and Wallowa Units:*** The Forest Practices Act is administered on the NPT lands in Wallowa County. At present, no notifications of operation have been filed with ODF. Given the limited access, steep terrain, and the primary management purpose of promoting wildlife habitat, harvesting activity is anticipated to be low.

The Wallowa Unit Forester is a member of the steering committee that provides input to the NPT staff to aid in the implementation of a management plan for tribal lands in Wallowa County. A draft of the Precious Land Wildlife Management Area Plan was completed in 2005 with review provided by ODF. The land was purchased with BPA wildlife mitigation funds (Snake River dams), and the objectives for these lands are to enhance and preserve wildlife habitat.

***Pendleton Unit:*** The Forest Practices Act is administered by the ODF Pendleton Unit on private lands within the reservation boundary of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). Notifications of Operations and Permits to Operate Power-driven Machinery are required on all private forest land operations. The Unit provides a copy of all Notifications of Operation within the reservation boundary to appropriate staff of CTUIR. Private landowners within the Reservation are informed of their need to obtain a conditional - use permit from the CTUIR for harvesting activity. In 2011, five notifications were received for operations within the CTUIR, including two for timber harvesting, two for non-commercial thinning, and one for slash burning. Avenues exist for joint pre-operation inspections (between CTUIR and ODF) to occur on operations deemed sensitive to protected resources within the CTUIR boundary.

An American Recovery and Reinvestment Act grant enabled two miles of road improvements to occur on private lands in the Indian Lake area. This work improved drainage, water quality, and the potential for expanded fish habitat in Jennings Creek and Ensign Creek, along with their tributary streams. A CTUIR road-rocking project on adjacent Tribal lands significantly increased the watershed benefits derived from the project.

## **Protection from Fire Division**

### ***Eastern Oregon Area***

#### **Central Oregon District, Prineville**

The Central Oregon District has continued a very positive working relationship with The Confederated Tribes of the Warm Springs (CTWS) and the Burns-Paiute Tribe this past year.

The Central Oregon District participated in a pre-season cooperators meeting sponsored by the CTWS to discuss fire management, dispatch, cooperative working agreements, and information-

sharing. This was effective in creating a better working relationship between CTWS and all of their cooperating agencies.

District staff in the Prineville and The Dalles units continue to coordinate with CTWS in supporting fire prevention projects through the Central Oregon Mid-Columbia Fire Prevention Cooperatives.

There is ongoing communication and coordination with the CTWS during fire season with both the Central Oregon Interagency Dispatch Center (COIDC) and The Dalles dispatch center. In 2011, we continued a very strong mutual aid partnership by assisting each other with initial and extended attack fires.

This year, the COD, along with other wildfire agencies, worked with the CTWS to increase overhead support of the Central Oregon Type 3 Incident Management Teams.

The Dalles Unit assisted in support of the High Cascades Complex by sending a Task Force Leader to manage a task force of engines from the Mid-Columbia area.

COD continues to work with the CTWS and other cooperators on the revision of the Jefferson County Community Wildfire Protection Plan. In addition, district staff have coordinated with CTWS on fuel treatment plans within the Three Rivers community and lower Metolius watershed.

### **Northeast Oregon District (NEO), LaGrande**

**Wallowa Unit:** The Northeast Oregon District – Wallowa Unit has a Cooperative Fire Protection Agreement with the Nez Perce Tribe (NPT) which has been in place since 1999. Under this agreement, ODF provides fire protection on 14,984 acres of tribal land within the Northeast Oregon District forest protection boundary. This accumulated acreage is known as the “Precious Lands Wildlife Management Area” and is located in northeastern Wallowa County. The NPT also provide a Tribal representative to work with the fire managers in instances where heavy equipment will be used on the property, due to the potential presence of cultural resources. Tribal employees working on the property during the summer months have also aided ODF in the early detection of fires on Tribal lands as well as on adjacent private and public lands. ODF continues to coordinate with the Precious Lands Resource Manager to assure that any access changes, gate combinations, etc., are effectively communicated.

Due to the active fire season on NPT ownership in 2010, fire managers met with NPT representatives in the spring of 2011 to discuss tribal interests relative to fire suppression activities within the Precious Lands Wildlife Management Area. This meeting was very productive and provided managers within both agencies the critical information necessary for efficient and effective fire suppression tactics and communication. Of particular interest was a discussion involving the use of heavy equipment and retardant use on NPT ownership. As it turned out, the lightning storms that came through Wallowa County in 2011 skipped over the

Joseph Canyon area and there were no fires to suppress within the Precious Lands Wildlife Management Area.

***Pendleton Unit:*** The Umatilla Agency of the Bureau of Indian Affairs (BIA) has a fee-based fire protection agreement with the district that has been in place since 1961. Under the agreement, Northeast Oregon District - Pendleton Unit provides fire protection for approximately 53,752 acres of Indian Trust land within the Northeast Oregon District forest protection boundaries. This agreement is in compliance with the Master Cooperative Fire Protection Agreement. As in past years, representatives of the BIA, the Confederated Tribes of the Umatilla Indian Reservation, and ODF met prior to the beginning of the 2011 fire season to update the Local Operating Plan. Only minor updates to the Plan were required. The CTUIR also contracts with Northeast Oregon District to provide wildland fire protection on 15,656 acres of fee lands within the protection district that are owned and managed by the Tribe.

Since the Blue Mountain Interagency Dispatch Center does not have BIA and CTUIR radio frequencies, ODF has continued to allow BIA to use ODF radio frequencies to order shared resources (retardant aircraft, crews, etc.) through the host federal agency (Umatilla National Forest).

The BIA and ODF have a mutual aid fire protection agreement that enables each agency to help the other within their jurisdictional area. Both the BIA-Umatilla Agency and the ODF-Pendleton Unit have Mutual Fire Aid Fire Protection Agreements with the CTUIR Tribal Fire Department. These agreements allow the ODF-Pendleton Unit, the BIA-Umatilla Agency, and the CTUIR Fire Department to assist each other with available firefighting resources as needed and available. The principal responsibility of the Tribal Fire Department is structural protection, while BIA and ODF are primarily trained as wildland firefighters. The close cooperation between all of these agencies continues to provide an effective fire protection system for all residents of the Umatilla Reservation, including private landowners within the Reservation boundary.

During 2011, the ODF Pendleton Unit suppressed five fires on ODF protection within the CTUIR boundary. Two of these fires originated on BIA Trust Lands, including the 303-acre Elephant Rock Fire, along the Umatilla River above Gibbon. This fire burned on 110 acres of BIA Trust Land and 35 acres of CTUIR fee land, with the remainder on private ownership. During the first full day of this fire while structures were potentially threatened, the Elephant Rock Fire functioned under a Joint Incident Command structure between ODF and CTUIR. Once any threat to structures had ended, ODF established single command of the fire, with CTUIR and BIA providing agency liaisons. A Tribal resource advisor was consulted and the advisor coordinated with ODF operations personnel during the suppression of this fire to help alleviate any CTUIR resource protection concerns. The estimated suppression cost of this fire is \$400,000. The second fire originating on BIA Trust Land was the 0.1 acre Ryan Grade Fire. The ODF, BIA, and CTUIR all responded to both of these incidents.

Through our mutual aid agreement, the ODF Pendleton Unit responded to one other fire on BIA and Tribal protection that was outside of ODF's protection boundary. The Wilson Road Fire occurred on August 24, 2011, originating on BIA Trust Land. The fire burned approximately 14 acres, 12 on BIA Trust Land and 2 on CTUIR ownership. ODF provided three engines and a water tender to help control this fire. The cooperative agreement between ODF, Tribal Fire, and BIA continued to work successfully in 2011.

A Wildland Fire Investigation (FI-210) course was held in Pendleton during May. The field portion of this exercise was conducted on BIA Trust Land on nine plots totaling about two acres. Coordination for burning was done in conjunction with the BIA, and burn permit and smoke management planning was coordinated with the CTUIR.

ODF helped coordinate smoke management with the CTUIR on the slash burning Notification of Operation it received on the private land within the reservation.

Twenty-eight acres of fuels reduction was completed on private lands around the Lake Hum-te-pin (Indian Lake) Tribal Resource Area through a BIA-sponsored National Fire Plan grant. This fuels reduction project was designed to complement and coordinate with similar work being done by BIA personnel on Tribal lands in the same area. These projects are primarily designed to reduce excessive fuel loadings and provide fuel breaks and/or defensible space in critical areas. Improved forest health is an important side benefit. This fuels reduction activity is being done in targeted, high-priority wildland-urban interface areas that were identified in the Umatilla County Community Wildfire Protection Plan, completed in 2005. ODF, Tribal Fire, and BIA all worked jointly as members of the steering committee in the creation of this document. To date using the BIA grant, 644 acres of fuels treatment has occurred on private lands in the Lake Hum-te-pin area and approximately 330 acres using other grants.

In summary, the Pendleton Unit for Northeast Oregon District perceives the working relationship concerning fire protection with the CTUIR and the BIA-Umatilla Agency as successful and productive, and as one that enhances all of the agencies' efficiencies and effectiveness. This successful working relationship provides the residents of the CTUIR with an effective and responsive fire protection, fire prevention, and smoke management system. Without this high level of cooperation between agencies, the checker-boarded ownership within the reservation boundaries would create a cumbersome fire protection system that would be significantly less effective.

## ***Northwest Oregon Area***

### **West Oregon District, Philomath**

The West Oregon District has fee-based fire protection agreements with both the Confederated Tribes of Grand Ronde and the Confederated Tribes of Siletz. Staff from the Tribes regularly attend and participate in meetings of the West Oregon Forest Protective Association (WOFPA).



It is common to have joint fire suppression action from tribal and ODF organizations on fires of mutual concern.

Slash disposal is also a frequent issue requiring communication and coordination. Larger planning efforts, including fire mobilization plans from each organization, are shared and reviewed between the organizations.

## ***Southern Oregon Area***

### **South Cascade District, Sweet Home Unit**

The Sweet Home Unit hosted the Mid-Willamette Interagency Fire School June 20-24, 2011. This fire school is a cooperative event between the ODF, US Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service, and Confederated Tribes of the Grand Ronde. The school hosts approximately 200 students and instructors annually and teaches entry level to advanced courses. The Confederated Tribes of the Grand Ronde participate in planning the school, supply overhead to teach classes and assist with field operations and send students to the school during years when the classes being taught meet the needs of their training program.

### **Douglas Forest Protective Association, Roseburg**

The Douglas Forest Protective Association (DFPA) continues a very close and positive working relationship with the Cow Creek Band of the Umpqua Tribe of Indians. The DFPA, through agreements with the BIA, provides fire protection on approximately 3000 acres of tribal lands that are held in trust throughout Douglas County. The DFPA continues to work with the Tribe on forest health and fuels management projects, including long-range planning on incorporating past and future fuels management projects into the county's Community Wildfire Protection Plan.

## **State Forests Division**

The Northwest Oregon Area Office continues to work with the Confederated Tribes of the Grande Ronde through their representation on the State Forests Advisory Committee.

The State Forests Advisory Committee represents diverse interests and provides input to the department and the board on state-managed forestland in northwest and southwest Oregon. Committee membership includes environmental, recreational and timber industry groups, as well as individuals nonaffiliated to particular interests. In addition to the various interests, Oregon counties receiving revenue from timber sales are represented. We appreciate Mike Wilson's dedication and work over the past years.

Oregon State Forester Doug Decker, serves as an advisor to the Oregon Geographic Names Board and is involved in the ongoing discussions of squaw place name replacements, and the wider topic of consultation with Tribes on the naming of geographic features. This board

continues to deliberate on squaw place name changes, however, there were no specific actions over the past year that apply to state forest lands.

### ***Eastern Oregon Area***

#### **Klamath-Lake District, Klamath Falls**

The Klamath-Lake District provides the Klamath Tribes an opportunity to review and provide responses to the Annual Operations Plan for State Forests management on the District.

### ***Northwest Oregon Area***

#### **West Oregon District, Philomath**

State Forests Program staff from the district contact Siletz Tribal forestry staff to discuss routine road maintenance issues on shared roads and any timber harvesting activities on state forest lands that are immediately adjacent to tribal lands. The State Forests staff regularly seeks input on planned timber sales (Annual Operations Plans) from Siletz Tribal forestry staff.

### ***Southern Oregon Area***

#### **Coos District, Coos Bay**

Each year the Coos District sends copies of planned sales to the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw for their review early in the Annual Operation Plan process. The purpose is so they can review individual sale locations to see if there is potential for cultural resources on the site. So far, there have not been any issues. Occasionally, permits are issued to the tribes for collecting various forest plants to be used for cultural purposes.

Coos District also interfaces with both the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw and the Coquille Tribe on local watershed councils and on the Elliott State Forest Management Plan revision.

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## **SUMMARY/CONCLUSIONS**

ODF is very pleased overall with the relationships that we have been able to build and develop with the Tribes over the past year, and with the involvement of the Tribes in our program activities, and as members of agency stakeholder advisory committees and other groups. That involvement requires a very real commitment in time and energy from the various Tribal representatives, and we are very appreciative of that. It adds a tremendous amount of value to these group processes and products that we would not be able to otherwise obtain. We are committed to continuing and enhancing those relationships and activities in 2011 and beyond.