



Oregon Department of Forestry 2019 Government-to-Government Report on Tribal Relations

October 1, 2018 – September 30, 2019

This report is the Oregon Department of Forestry's submission under Oregon Revised Statutes (ORS) 182.166(3), and it summarizes the agency's activities under ORS 182.162 to 182.168. During 2019, ODF continued to prioritize communicating, coordinating, and working with the nine federally recognized tribes in Oregon and the Nez Perce Tribe in Idaho. ODF's policies, agreements, training, outreach materials, and intergovernmental dialogues reflect its commitment to learn from tribes while increasing employees' knowledge, skills, and abilities in developing and strengthening tribal relations.

The department's mission is to serve the people of Oregon by protecting, managing, and promoting stewardship of Oregon's forests to enhance environmental, economic, and community sustainability. ODF's policy is to promote and enhance government-to-government relationships with Oregon's tribes early and often during the development and implementation of programs that may affect tribes. ODF's intent is to strengthen intergovernmental relations, appropriately address possible concerns, and enhance the exchange of information and resources.

A. Policy adopted under ORS 182.164

The agency continued to implement its draft tribal government relations policy and procedures. These documents provide detailed direction to staff on how to address the myriad of topics that fall under the umbrella of tribal government relations, such as identifying programs of interest, collaborating, communicating, and protecting cultural resources. The policy reflects conversations with representatives of the tribes and what is important to them, agency needs and best practices, and the collaborative effort to responsibly manage forests while protecting cultural and historical resources. The policy is also supported by procedures that include awareness and protection of cultural resources and human remains inadvertently discovered during emergency and non-emergency forestry operations.

The draft policy in use clearly defines the roles and responsibilities of management and staff and sets expectations in the areas of:

- Communicating and collaborating with tribes.
- Identifying programs that may affect tribes.
- Handling inadvertent discovery of suspected cultural and human remains.
- Employee training requirements and opportunities related to tribal government relations and cultural resource awareness.
- Annual reporting requirement on engagement with tribal nations.

B. Individuals responsible for developing and implementing programs that affect tribes

Deputy State Forester Lena Tucker is ODF's liaison to tribal nations. Tucker is assisted primarily by Southern Oregon Area Director Dave Lorenz and Private Forests Division Field Coordinator Keith Baldwin.

The table below provides the names and contact information for the agency's Executive and Leadership teams, all of whom play some role in development and implementation of the agency's programs, the majority of which have some type of nexus with the concerns or interests of our tribal partners.

Executive Team

Peter J. Daugherty Oregon State Forester 503-945-7211 Peter.Daugherty@Oregon.gov	Lena L. Tucker, Tribal Liaison Deputy State Forester 503-945-7205 Lena.Tucker@Oregon.gov	William J. Herber Deputy Director for Administration 503-945-7203 Bill.Herber@Oregon.gov
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Travis Medema Eastern Oregon Area Director 541-447-5658 Travis.S.Medema@Oregon.gov	Andy White Northwest Oregon Area Director 503-359-7496 Andrew.T.White@Oregon.gov	Dave Lorenz Southern Oregon Area Director 541-953-8164 Dave.C.Lorenz@Oregon.gov

Field Offices

Eastern Oregon Area

Central Oregon District Mike Shaw, District Forester 541-447-5658 Michael.H.Shaw@Oregon.gov	Klamath-Lake District Dennis Lee, District Forester 541-883-5687 Dennis.Lee@Oregon.gov	Northeast Oregon District Joe Hessel, District Forester 541-963-3168 Joe.Hessel@Oregon.gov
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Northwest Oregon Area

Astoria District Dan B. Goody, District Forester 503-325-5451 Dan.B.Goody@Oregon.gov	Forest Grove District Mike J. Cafferata, District Forester 503-359-7430 Mike.J.Cafferata@Oregon.gov	North Cascade District Steve V. Wilson, District Forester 503-859-4341 Steve.V.Wilson@Oregon.gov
Tillamook Forest Center Fran McReynolds, Director 503-815-6817 Fran.A.McReynolds@Oregon.gov	Tillamook District Kate J. Skinner, District Forester 503-815-7001 Kate.J.Skinner@Oregon.gov	West Oregon District Mike Totey, District Forester 541-929-3266 Mike.A.Totey@Oregon.gov

Southern Oregon Area

South Cascade District Chris Cline, District Forester 541-726-3588 Christopher.L.Cline@Oregon.gov	Southwest Oregon District Dave Larson, District Forester 541-664-3328 Dave.Larson@Oregon.gov	Western Lane District Grant "Link" Smith, District Forester 541-935-2283 Grant.S.Smith@Oregon.gov
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Forest Protective Associations

Coos Forest Protective Association Mike Robison, District Manager 541-267-3161 Mike.E.Robison@Oregon.gov	Douglas Forest Protective Association Pat Skrip, District Manager 541-440-3412 Pat.Skrip@Oregon.gov	Walker Forest Protection Association R.D. Buell, District Manager 541-433-2451 RD.Buell@Oregon.gov
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C. Process to identify which programs affect tribes

At the core of the agency's process for identifying which programs affect tribes is consistent communication with tribal representatives and active solicitation of input regarding their concerns about or shared interests in forest activities and agency programs. The agency also reaches out to other agencies to get their perspectives on which ODF programs could potentially impact tribes. Below are a few of the agency's programs identified as being of interest to tribes and examples of the types of activities associated with these programs.

Fire

- Fuel hazard treatments
- Fire liability on forest operations
- Protection agreements
- Firefighter training on protecting cultural resources during firefighting operations
- Participation on incident management teams

Forest health

- Active management for resilient forests
- Sudden oak death
- Swiss needle cast
- Emerald Ash Borer and collection of Oregon ash seeds
- Annual Insect and Disease Report

Private forests

- Forest Practices Act administration and education
- Effectiveness and implementation monitoring
- Work with landowners and operators to avoid impacts to archaeological sites and objects

State forests

- Annual operating plans (for Board of Forestry lands)
- Habitat Conservation Plan
- Forest Management Plan
- Collection of cultural vegetation for tribal ceremonial practices
- Seedling diversity and planting density
- Internship opportunities
- Participation on the State Forests Advisory Committee (SFAC)

Federal Forest Restoration

- Federal forestland management impacts to tribal forestland and ceremonial areas
- Archaeological resource surveys for Good Neighbor Authority project areas

Non-program specific areas of interest

- Stream enhancement projects
- Climate change
- Impacts of herbicide applications on big game habitat and cultural plants
- Tribal training opportunities with ODF (forest health, pest identification, Forest Practices Act, firefighting, etc.)

D. Promoting communications and relationships with tribes

ODF continued in 2018 and 2019 to work toward promoting communications and relationships with each tribe through the following efforts:

Agency-wide

- State Forester's annual letter to Oregon's nine federally recognized tribes, which includes information on agency initiatives and Board of Forestry planned rule and policy making activities.
- Involvement with the following:
 - State-Tribal Cultural Resources Cluster.
 - State-Tribal Natural Resources Workgroup.
 - Intergovernmental Cultural Resource Council.
 - Oregon Geographic Names Board.
 - Legislative Commission on Indian Services, including participation in discussions, summits, Tribal Governments day, and brown-bag lunches.
 - Governor's Task Force on Tribal Cultural Items, including participation in the statewide cultural items survey.

Fire

- This summer's Milepost 97 fire burned 13,119 acres of forestland south of Canyonville, of which, approximately 3,656 acres were tribal lands. Representatives from the Cow Creek Tribe were involved from the initial attack of the fire through mop-up operations, working alongside Douglas Forest Protective Association and one of ODF's incident management teams.
- Provided fire protection on tribal trust and fee lands across the state through protection and mutual aid agreements. ODF firefighters often work alongside firefighters from the state's nine federally recognized tribes to protect Oregon's natural resources.
- Partnered with tribes on forest health and fuels management projects that are both on and adjacent to tribal trust and fee lands.
- Provided tribal members with hands-on fire training through events such as fire school or assistance with activities such as prescribed burns.
- There is tribal membership in many of the state's forest protection associations and participation in the associations' annual meetings.
- Coordinated with tribes and other agencies to develop a short firefighter training video on cultural resource protection during wildland fire incidents. The video will highlight some tribal perspectives for why cultural resource protection is important.

Private Forests

- Provided tribes with a live link to GIS data on forest operations in Oregon. This link is also used by the Oregon Department of Transportation and the Bonneville Power Administration for awareness about forest operations that may impact state highways and power lines.
- Sought tribal input on the sufficiency of Oregon's forest practice rules around protecting water and streamside resources across western Oregon and the Siskiyou region.
- Sought tribal input on the ODF marbled murrelet technical review paper. A representative from the Cow Creek Band of Umpqua Tribe of Indians participated on the expert panel.

State Forests

- Sought input on the annual operations plans for Oregon's state forestlands from all federally recognized tribes in Oregon.
- Continued the interagency agreement with the Oregon Department of Transportation that provides for a professional archaeologist's database review of timber sales and forest projects for recorded cultural and historic resources. This enables ODF to ensure cultural and historic resources are protected or avoided when planning forest management activities on state forestlands.
- A representative from the Confederated Tribes of the Siletz serves on the Board of Forestry's State Forests Advisory Committee, which provides input to the department and the board on state-managed forestlands in northwest Oregon.
- Sought input from the tribes, through the Government-to-Government Natural Resources Workgroup on the update of the Forest Management Plan and development of a Habitat Conservation Plan.

Additional tribe-specific activities

Confederated Tribes of the Umatilla Indians

- The Confederated Tribes of the Umatilla Indian Reservation, the Nez Perce Tribe in Idaho, and the Northeast Oregon district continue to be involved in water quality planning processes in the Upper Grande Ronde, Walla Walla, and Umatilla Rivers, as well as the Wallowa, Lower Grande Ronde, and Imnaha River basins in Wallowa County.
- Stewardship foresters have used their working relationships with local private landowners to introduce them to tribal biologists about potential stream restoration projects. These foresters occasionally work with the tribe in large wood, tree, and log acquisition for restoring streams.
- Stewardship foresters and tribal biologists serve together on the Natural Resources Conservation Service (NRCS) Upper Grande Ronde Regional Conservation Partnership Program. This workgroup's goal is to provide a coordinated and integrated approach to forest health and natural resources restoration in target areas within the basin. The tribe, ODF, and other agencies secured multi-agency Regional Conservation Partnership Program funding. The funding is for a multi-faceted watershed level treatment on private lands to help protect and enhance habitat in the Upper Grande Ronde Watershed.
- Both the tribe and ODF are active members of the Umatilla National Forest Collaborative Group and attend monthly meetings. Both entities are represented on the local NRCS working group and attended the yearly meeting to discuss large-scale forest restoration and fuels treatment projects in Umatilla County that all landowners could collaborate on.

Burns Paiute Tribe

- The tribe hosted the Annual Rangeland Fire Protection Association Summit at the Burns-Paiute Tribe's meeting hall.
- The Rangeland Protection Association program is committed to provide basic fire training to the tribe.

Confederated Tribes of Grand Ronde

- Tillamook Forest Center (TFC) discussed partnerships with the Confederated Tribes of Grande Ronde at Chachalu Museum for future National Association for Interpretation certification

trainings offered by TFC Staff, development of more inclusive TFC interpretive programs on logging history, and possible social media posts by TFC for Native American Heritage Month.

- TFC toured Chachalu Museum and the Confederated Tribes of Grande Ronde Native Plant Nursery to discuss partnering with TFC on the Native Plants Material Program.
- The West Oregon District has a tribal fee-based fire protection agreement. Tribal staff regularly attend and participate in meetings of the West Oregon Forest Protective Association. It is common to have joint fire suppression action from the tribe and ODF on fires of mutual concern.

Confederated Tribes of Siletz

- Tillamook Forest Center staff met with representatives of the Siletz Tribe to discuss possible collaborations and partnerships with TFC for 2020.
- A tribal representative serves on the Board of Forestry's State Forests Advisory Committee, which provides input to the department and the board on state-managed forestlands in northwest Oregon.
- The West Oregon District has tribal fee-based fire protection agreements. Tribal staff regularly attend and participate in meetings of the West Oregon Forest Protective Association. It is common to have joint fire suppression action from the tribe and ODF on fires of mutual concern.
- The Coos Forest Protective Association also provides fire protection on tribal land in Douglas County. The tribe is an active member of the protection association.
- A representative of the tribe participated in an internship with the department's West Oregon District.

Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians

The Coos Forest Protective Association provides fire protection on tribal lands in Coos County.

Confederated Tribes of Warm Springs

The Central Oregon District staff and tribal representatives participate in monthly interagency fire meetings. These meetings also include cooperators such as the Central Oregon Fire Chiefs Association, and the Central Oregon Fire Operations Group. The district staff and tribal members also participate in fire training activities in Jefferson County. These types of activities build collaborative working relationships between the district, tribe, and cooperating fire protection agencies.

Coquille Indian Tribe

- Tribal Elder Toni Ann Brend presented on the history of the Coquille Tribe and shared an invocation for the ODF's 2019 Agency Leadership Program. The tribe also hosted the class graduation dinner at the Plank House of the Coquille Tribe.
- The Coos Forest Protective Association, through agreements with the Bureau of Indian Affairs and a local operating agreement, maintains a positive and productive relationship with the Coquille Indian Tribe. The district also participates in the Coquille Indian Tribe's youth Field Day, which covers tree planting activities, wildlife habitat and fire prevention.
- The Coos Forest Protective Association provides fire protection on tribal lands that are held in trust throughout Coos and Curry counties. The tribe is an active member of the protection association.

Cow Creek Band of Umpqua Tribe of Indians

- Representatives from the Cow Creek Tribe were involved from the initial attack of the Milepost 97 fire through mop-up operations, working alongside Douglas Forest Protective Association and one of ODF's incident management teams.
- A tribal representative participated on ODF's expert panel for the marbled murrelet technical review paper.
- Douglas Forest Protective Association, through agreements with the Bureau of Indian Affairs, provides fire protection on tribal-owned lands that are held in trust located throughout Douglas County. The association also provides fire protection on tribal-owned fee lands. The tribe is an active member of the protection association.
- The association and the tribe met on several occasions throughout the year to review and update the local operating plan, discuss fire management across the landscape, and update agreements.
- The association continues working with the tribe on forest health and fuels management projects, on or adjacent to tribal owned lands, including both trust and fee lands. The association will continue coordinating with the tribe on smoke management issues. Opportunities for an active prescribed fire program continue to grow.

Klamath Tribes

- The Sun Creek Project is an ongoing partnership project that expands bull trout distribution downstream from Crater Lake National Park into the section of Sun Creek on the Sun Pass State Forest. The project supports the U.S. Fish and Wildlife's Draft Recovery Plan for this species, with state and federal fisheries agencies stating that this type of activity is among the most important recovery actions for bull trout in the Klamath Basin. On-site monitoring from the Klamath Tribes has been utilized throughout the project, with Trout Unlimited taking the lead working directly with the tribes to make that happen. While there is still some work to do, the Sun Creek channel has been restored and connected to the Wood River.
- ODF participates in cooperative efforts with private landowners, Oregon Department of Fish and Wildlife and the Klamath Tribes to find options to allow access to traditional hunting and gathering grounds located on private, industrial, gated timber lands.
- ODF participates in the Klamath-Lake Forest Health Partnership, which includes the U.S. Forest Service and tribal representatives.

Nez Perce Tribe (federally recognized in Idaho)

- The Wallowa Unit Forester is a member of the steering committee that provides input to the Nez Perce tribal staff to aid management plan implementation for tribal owned lands in Wallowa County.
- ODF and Nez Perce tribal representatives participate in the Wallowa County Natural Resources Advisory Council. The tribe has been interested in continuing discussions about the Wallowa-Whitman National Forest's Lower Joseph Creek Restoration Project area and associated fisheries concerns.

E. Training opportunities and other educational events

ODF participated in the following training and other educational events:

- Portland State University's Certificate in Tribal Relations.
- Tribal Education Cluster State Meeting.
- LCIS State Capitol Tribal Governments Day.
- Oregon Parks and Recreation Department's Archaeology Awareness Training.
- ODF Leadership Team training on items of cultural significance.
- ODF's 2019 Agency Leadership Program featured a session on tribal relations and ODF's role in those efforts.
- Confederated Tribes of Grande Ronde Educator Workshop, which was in partnership with the Oregon Environmental Literacy Program and Outdoor School. The workshop focused on cultural history, current tribal programs, and how to foster collaboration between indigenous and non-indigenous communities.
- Confederated Tribes of Grande Ronde Annual Education Summit, which focused on introduction to tribal curriculum from many of the represented tribes throughout Oregon.
- Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians Conference, which focused on educating government employees about tribal history, culture, and government.
- Northwest Oregon Area Stewardship Forester conference training on government to government relations and cultural resource protection.

ODF coordinated tribal presentations on Government-to-Government relations and cultural resources:

- Kassandra Rippee, Coquille Indian Tribal Archaeologist presented on cultural resource protection to ODF South Fork Camp crew leaders.
- Dave Harrelson, Tribes of Grand Ronde Cultural Resources Department Manager, presented on cultural resource protection at the OSU Clackamas County Tree School.
- Briece Edwards, Tribes of Grand Ronde Historic Preservation Office Manager, presented on cultural resource protection to Marion-Polk County Chapter of the Oregon Small Woodlands Association.

F. Employee notification on the provisions of ORS 182.162 to 182.168 and ODF's policy on tribal government relations

The agency has established a Government-to-Government workgroup, comprised of field and Salem staff. The role of the Government-to-Government workgroup is to facilitate the creation of an environment for continued learning, communication, and for strengthening ODF's implementation of the government-to-government policies and procedures as well as enhancing the relationship with Oregon's tribes.

This workgroup will also serve as an advisory group to the department's executive team regarding the department's policy and procedures documents on tribal government relations.