



**2024 Legislative Commission on Indian Services  
Government-to-Government Annual Report**

*prepared by the*

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*with the*

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*submitted to the*

Legislative Commission on Indian Services  
900 Court St. NE, Room 167, Salem, OR 97301

*on*

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## **Introduction**

Oregon Revised Statute 182.166 (ORS 182.166) requires that no later than December 15 of every year, state agencies submit a report to the Legislative Commission on Indian Services (LCIS) that summarizes the annual activities of the agency and its interactions with the nine federally recognized Tribes of Oregon. While this report is intended to fulfill this requirement, this document more importantly highlights the Oregon Parks and Recreation Department's (OPRD) ongoing commitment to strengthening the agency's relationship with its Tribal partners and emphasizes OPRD's efforts to consult not only at the government-to-government level as mandated by law, but also in other meaningful ways as community partners, colleagues, and neighbors. Consultation never truly ends and is on-going. In turn, OPRD continually looks to improve its coordination and communication with the nine federally recognized Tribes in Oregon.

## **Agency Information**

OPRD operates from its headquarters in Salem and includes Oregon State Parks and the Heritage Division. Oregon State Parks comprises approximately 113,000 acres of state park lands divided among the Coast, Valley, and Mountain Regions. In addition to the state park lands, Oregon State Parks manages a statewide Recreation Trails program and is responsible for the Ocean Shores Recreation Area, Scenic Waterways program, and the Willamette River Greenway. The Heritage Division includes the Oregon State Historic Preservation Office (Oregon SHPO), the Oregon Heritage Commission, the Oregon Main Street Program, the Oregon Commission on Historic Cemeteries, and the Mentor Corps Programs. Additionally, the Division manages statewide grant and assistance programs that support local preservation efforts. Together, the Oregon SHPO and these various programs are known as "Oregon Heritage."

The Oregon SHPO also oversees several federal programs, including:

- National Register of Historic Places
- Certified Local Government program
- Federal rehabilitation tax credit
- Federal and state cultural resource laws
- State benefit programs for historic properties

The mission of OPRD is to provide and protect outstanding natural, scenic, cultural, historic, and recreational sites for the enjoyment and education of present and future generations. In the execution of its mission, OPRD is required by state and federal laws to collaborate with tribes on issues that may affect Tribal interests. Notably, Oregon's laws require state agencies to consider their actions and impacts on Oregon Tribes (ORS 182.164).

OPRD regularly collaborates with Oregon's nine federally recognized Tribes through a range of legislation and guidelines, including:

- The National Historic Preservation Act (NHPA), specifically Sections 101, 106 (and its implementing regulations 36 CFR 800), 110, and 304.
- The National Register of Historic Places (NRHP) (36 CFR 60), including National Register Bulletins 15, 16A, 38, and NPS 10-900 forms.

- The National Environmental Policy Act (NEPA), including Environmental Assessments (EA) and Environmental Impact Statements (EIS).
- The American Indian Religious Freedom Act (AIRFA).
- The Native American Graves Protection and Repatriation Act (NAGPRA).
- The Archaeological Resources Protection Act (ARPA).
- Executive Orders 13007 and 13175, and various Presidential and state memoranda on tribal consultation.
- State statutes such as ORS 358.653, 358.905-961, and 97.740-760 also guide the OPRD's work, alongside the Oregon Department of Energy's Energy Facility Siting Council (EFSC) statutes.

### **OPRD Policies Adopted under ORS 182.164 (ORS 182.166(3)(a))**

ORS 182.164 requires state agencies to develop and implement policy on relationships or cooperation with the nine federally recognized Tribes of Oregon. OPRD has three policies that directly relate to Tribal interactions.

#### **CUL.010 Cultural Resources Policy**

##### *Purpose*

The OPRD Cultural Resource Policy summarizes agency requirements for managing the wide range of cultural resources under the stewardship of OPRD. The purpose of this policy is to ensure that Oregon heritage is protected and shared for the understanding, appreciation, and enjoyment of all present and future Oregonians.

##### *Goals*

The goals of this policy are to:

- Further OPRD's mission to provide outstanding natural, scenic, cultural, historic, and recreational sites for the enjoyment and education of present and future generations.
- Promote meaningful partnerships, purposeful stewardship, and protection best-practices concerning cultural resources.
- Establish a practical framework for managing the varied cultural resources in OPRD's care.
- Ensure compliance with all applicable state and federal cultural resource protection laws.

#### **CUL.020 Tribal Relations Policy**

##### *Purpose*

The purpose of this policy is to comply with ORS 182.164 which requires state agencies to develop and implement a policy on how they will relate and cooperate with federally recognized Tribes in Oregon.

##### *Goals*

The goals of this policy are to:

- Maintain regular communications with the nine federally recognized Tribes in Oregon.
- Foster positive agency relationships with the Tribes.
- Incorporate Tribal perspectives into the work, operations, and decisions of OPRD.

#### **CUL.030.010.PR Traditional Use Procedure**

##### *Purpose*

This procedure is intended to support Tribes and their members engaging in traditional cultural practices on state park lands, including traditional cultural, religious, or community ceremonies and harvesting, gathering, and collecting of natural resources for traditional use. It does not affect any rights or relationships of Tribal, federal, and state governments or any treaty rights.

### *Goals*

The goals of this procedure are to:

- Promote positive Tribal relations.
- Encourage cultural collection practices and traditions within state parks by individual members of the nine federally recognized Tribes in Oregon for personal use.

## **OPRD Program Contacts (ORS 182.166(3)(b))**

### **General Responsibility**

Overall responsibility for developing and implementing OPRD programs that may affect Tribes rests with the OPRD Director and the Deputy Directors:

- Director and State Historic Preservation Officer: Lisa Sumption
  - 503-508-8165, lisa.sumption@oprds.oregon.gov
- Deputy of Statewide Operations: JR Collier
  - 541-388-6316, jr.collier@oprds.oregon.gov
- Deputy Director of Administration: Stefanie Coons
  - 971-718-1966, stefanie.coons@oprds.oregon.gov
- Deputy Director of Heritage Division and Deputy State Historic Preservation Officer: Chrissy Curran
  - 503-986-0684, chrissy.curran@oprds.oregon.gov
- Associate Director: Chris Havel
  - 503-986-0722, chris.havel@oprds.oregon.gov
- Tribal Relations Coordinator: Helena Kesch
  - 503-881-4637, helena.kesch@oprds.oregon.gov

### **Program Responsibility**

The following OPRD Program Managers are directly responsible for developing and implementing programs that may affect Tribes:

- Central Park Services Manager: Matt Rippee
  - 541-786-4748, matt.riptide@oprds.oregon.gov
- Operations Support Manager: Eric Timmons
  - 503-385-3314, eric.timmons@oprds.oregon.gov
- Safety and Risk Manager: Patty Smith
  - 503-979-6015, patty.smith@oprds.oregon.gov
- Central Resources Manager: Chris Parkins
  - 541-605-8912, chris.parkins@oprds.oregon.gov
- Communications Manager: Jason Resch
  - 503-508-4149, jason.resch@oprds.oregon.gov
- Associate Director Park Improvement: Alan Freudenthal

- 971-446-1944, alan.freudenthal@opr.d.oregon.gov
- Financial Services Manager: Rebecca Jasso
  - 971-283-5464, rebecca.l.jasso@opr.d.oregon.gov
- Chief Information Officer: Bob DeVylidere
  - 503-689-3259, bob.devylidere@opr.d.oregon.gov
- Procurement & Contracts Manager: Bill Beaty
  - 971-701-4879, bill.beaty@opr.d.oregon.gov
- Grants and Community Programs Manager: Michele Scalise
  - 503-507-2249, michele.scalise@opr.d.oregon.gov
- Human Resources Director: Laura Gomez
  - 503-302-6877, laura.l.gomez@opr.d.oregon.gov
- Government Relations and Policy Manager: Katie Gauthier
  - 503-510-9678, katie.gauthier@opr.d.oregon.gov
- Associate Deputy State Historic Preservation Officer: Ian Johnson
  - 971-718-1137, ian.johnson@opr.d.oregon.gov

### **Identifying Programs that Affect Tribes (ORS 182.166(3)(c))**

Whenever a new OPRD program is contemplated, the deputy director or manager responsible shall notify the OPRD Tribal Relations Coordinator or OPRD Archaeologists to determine if the new program might affect a Tribe.

Additionally, the OPRD Tribal Relations Coordinator and OPRD Archaeologists will have on-going communication and shall consult regularly with the Deputy Directors and the OPRD Program Managers that are responsible for developing and implementing programs that may affect Tribes to identify and confirm which OPRD programs and what upcoming work may affect Tribes. For instance, the OPRD Tribal Relations Coordinator, OPRD Archaeologists, and/or the Deputy Director of Heritage Division will periodically attend regular meetings such as the Park Improvement team meetings or regional meetings where new programs or activities would be discussed.

The OPRD Tribal Relations Coordinator or OPRD Archaeologists shall maintain an updated list of OPRD programs that affect Tribes, including the names of the individuals who are the responsible managers. This list shall be the basis for development of communication protocols and routine consultation.

### **Projects, Consultation, & Communication (ORS 182.166(3)(d))**

#### **OPRD Stewardship Division Summary for LCIS**

Throughout 2024, OPRD has continued to participate in ongoing consultation as well as initiate consultation on new projects with Oregon's nine federally recognized Tribes. While not exhaustive, the following list highlights a selection of projects that demonstrate OPRD's efforts to promote government-to-government consultation, collaboration and communication between OPRD and the Tribes.

- Following passage of HB2737 – Land Transfer bill – in 2023, which allows state agencies to transfer, convey, donate, exchange, or lease any real property or interest in real property owned by the agency to an eligible Indian tribe, as defined in ORS 307.181, OPRD engaged in rulemaking

around implementation. OPRD is nearing finalization of the transfer of Fort Yamhill State Heritage Area to the Confederated Tribes of Grand Ronde.

- OPRD consulted with Tribes on several major policy initiatives, including:
  - Oregon Statewide Trails Plan Update
  - Drone use in State Parks
  - Disposition Policy Update, and
  - Rulemaking related to
    - General Park Area Rules
    - Overnight Camping Prohibitions at Brookings Ocean Shores
    - E-bike Usage
- OPRD completed revisions to OPRD's Traditional Use Policy. The resulting document, OPRD's Traditional Use Procedure, replaces the Traditional Use Policy and outlines appropriate procedures for implementing Traditional Use practices on OPRD lands. OPRD reached out to the nine federally recognized tribes of Oregon during the initial review phase of the existing Traditional Use Procedure, seeking tribal input on appropriate revisions. This new Traditional Use Procedure was developed with input from several tribes. This work was conducted as part of an ongoing effort by OPRD to improve our best practices and ensure that we are appropriately and effectively managing the cultural and natural resources under our stewardship agency wide.
- Traditional Use practices supported by OPRD during 2024 include:
  - OPRD hosted an acorn harvesting and processing demonstration led by the Cow Creek Band of Umpqua Tribe of Indians at Valley of the Rogue State Park in October.
  - OPRD coordinated with NOAA Fisheries, the Confederated Tribes of Grand Ronde, and the Coquille Indian Tribe to facilitate cultural harvesting of two whales that washed ashore in separate incidents in February and May of 2024.
  - OPRD began work with the Confederated Tribes of the Grand Ronde towards identifying naturally occurring camas patches in Silver Falls and Milo McIver State Parks that are untreated that can be used for future traditional harvesting.
  - Park properties in the Rogue Management Unit were toured to identify potential harvest opportunities for future events in May.
  - OPRD worked with Tribes to create a wind sport safety and etiquette courtesy sign for the Gorge Management Unit parks along the Columbia River to steer recreationists away from gill nets and help protect tribal treaty rights.
- OPRD is collaborating with the Confederated Tribes of Grand Ronde on developing an interpretive panel that describes a river rock feature near Luckiamute State Natural Area that is very important to the tribe.
- OPRD Archaeologists Nancy Nelson, Steve Jenevein, and Stacy Scott regularly include Tribes in notifications on potential or pending actions involving OPRD lands and programs, giving the respective Tribe(s) an opportunity to comment, or otherwise respond, on the proposed action. In support of these consultation efforts, OPRD continues to work with Tribes in planning sessions and site visits throughout the course of the year.

- Representatives from OPRD, both cultural resource staff and other divisions from within the agency were regularly in attendance at the Cultural Resource Cluster, Natural Resource Cluster, and the Interagency Cultural Resource Council meetings. OPRD hosted the October 28<sup>th</sup> and 29<sup>th</sup> Cultural Resource Cluster meeting at the main headquarters office in Salem.
- OPRD hosted the Cultural Resources and Archaeology Awareness Training in April 2024. The training was held in The Dalles at the Columbia Gorge Discovery Center from April 2-5 and highlighted information on traditional cultural properties, oral histories, and natural resources as cultural resources. This year's training was attended by 39 OPRD staff and one staff member each from Oregon Department of Forestry staff, Oregon Department of State Lands, Oregon Department of Environmental Quality, Oregon State Marine Board, Oregon Water Resources Department, and the Oregon Military Department.
- OPRD is represented on the Governor's Task Force on Cultural Items.

### **OPRD Heritage Division Summary for LCIS**

The following highlights some of the Heritage Division's efforts in 2024 to engage with Tribes on a range of preservation-related matters.

#### *2024 Meeting Attendance*

- The Oregon SHPO is a member of several important statewide groups that foster communication among state agencies and the Tribes, and was in regular attendance at meetings for the following groups: the Governor's Task Force on Cultural Items, the Cultural Resources Cluster, the Intergovernmental Cultural Resources Council (ICRC), and two workgroups within the Federal Columbia River Power System (FCRPS)—Wana Pa Koot Koot and Payos Kuus Cuukwe—which include Oregon Tribes.

#### *2024 Collaboration with Tribes*

- January 31: The Oregon State Archaeologist met with tribal and LCIS staff at an actively looted archaeological site in Tillamook, providing Oregon State Police with archaeological analysis of recovered artifacts.
- February 16: SHPO staff attended the Coquille Indian Tribe's Cultural Watersheds Restoration Collaborative meeting.
- February 21: The Oregon State Archaeologist met with representatives of the Confederated Tribes of Warm Springs in The Dalles to assess damage to a petroglyph.
- March 6-9: SHPO staff attended the Northwest Anthropological Conference, hosted by the Confederated Tribes of Warm Springs.
- April 2: The SHPO State Archaeologist presented at the OPRD Archaeological Awareness Training for tribal staff and elders.
- June 6: SHPO staff met with Tribes and LCIS staff regarding a Champoege State Park project.
- August 27: SHPO staff assisted Tribes with fieldwork for the Champoege project.
- July 24: The SHPO State Archaeologist attended the Legislative Commission on Indian Services State Government Tribal Summit.
- October 29: The Oregon State Archaeologist participated in the FCRPS Traditional Cultural Property Subcommittee annual meeting.



- October: SHPO staff attended the FCRPS bi-annual System-Wide Meeting.
- In October, Oregon State University invited SHPO staff to a reception with tribal leaders to celebrate the opening of the University's new NAGPRA facility.
- November: The Oregon State Archaeologist re-applied to serve on the Governor's Task Force on Cultural Items.
- SHPO staff continue to collaborate with Tribes on the development of updated Archaeological Guidelines.
- Oregon SHPO worked closely with Tribes to develop a data-sharing agreement process. Recently, SHPO and Cow Creek executed a data-sharing agreement.
- The SHPO is actively seeking tribal representative to serve on the State Advisory Committee on Historic Preservation (SACHP).

#### *Grants*

Oregon Heritage's outreach teams engage regularly with Tribes to provide training, orientation, and resources for heritage work in Oregon. Notable outreach activities include:

- No tribes applied for grants during this period.
- Notified tribes about Federal Certified Local Government grants for development projects, with time provided for their comments.
- Awarded grants to other organizations that include the Tribes as participants, including the City of Springfield, Cannon Beach History Center, and Willowa History Center, all of which involve Tribal participation.

#### *Conferences and Workshops*

- Oregon Heritage Conference: Direct invitations were sent to all Tribes, offering them session space and opportunities to contribute to the conference agenda. Online sessions were held to gather Tribal input. Keynote speaker Matika Wilbur of the Swinomish and Tulalip in Washington, while not representing a federally recognized Tribe in Oregon, addressed related issues.

#### *Reports, Studies, and Outreach*

- Oregon Heritage Vitality Study: A survey aimed at understanding the condition of heritage resources and organizations in Oregon. Tribes were directly invited to participate, with surveys sent to Tribal councils and cultural resources departments.
- Addressing Harmful Content in Collections Report: Completed this report to guide the handling of collection information related to Tribes.

#### *General Heritage Activities*

- Notified Tribal contacts of Tribal-specific grant opportunities.
- Oregon Heritage Commission created a Tribal Relationship Development Subcommittee to strengthen coordination and support beyond land acknowledgment.
- Invited the Siletz Tribe to present on the Arts & Heritage Society Museum.
- Conducted a site visit to the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians to view their exhibit and historic community building.
- Coordinated with national organizations to support responses to the updated NAGPRA laws.

The Heritage Division's ongoing work reflects its commitment to supporting Tribes in preserving Oregon's cultural resources and ensuring their involvement in heritage initiatives across the state.

### **Agency Training & Notification (ORS 182.166(3)(e) and (f))**

#### **Current Employees**

On a rotating basis, all applicable OPRD Program Managers and their employees who have regular communication with Tribes (as determined by their manager and a communication protocol) shall attend OPRD's Archaeology Awareness Training and other applicable trainings. OPRD's Heritage Division and Stewardship Section shall provide the Archaeology Awareness Training with curriculum relating to legal status, legal rights, and issues of concern to Tribes. OPRD Program Managers will be responsible for disseminating information from the training, as appropriate, to other OPRD employees under their supervision.

#### **New Permanent Full-Time or Special Project Employees**

OPRD Human Resources staff shall provide a copy of ORS 182.162 to 182.168 and a summary of the OPRD Tribal Relations policy to each new employee in their orientation package. A meeting (in person or via telephone) may be scheduled with the Deputy Director of Heritage Division or designee OPRD Tribal Relations Coordinator or OPRD Archaeologists and the new employee to discuss the policy and its effect on the performance of their duties, as determined by the employee's supervisor.