

Agenda Item No.:	B
Topic:	2022 Government-to-Government Report on Tribal Relations
Date Presented to Board:	March 8 th , 2023
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SUMMARY

The Government-to-Government report on Tribal relations summarizes an agency’s annual activities under Oregon Revised Statutes (ORS) 182.162 to 182.168. Pursuant to ORS 182.166(3), this report is due annually to the Governor and the Legislative Commission on Indian Services (LCIS). This report is the Oregon Department of Forestry’s (ODF) submission for the calendar year 2022.

CONTEXT

In 2022, ODF prioritized 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, and discourse reflect its commitment to respectful communications, relationships, and where applicable, partnerships. An aspect of such respect includes learning from Tribal members and staff, and we recognize strong Tribal relationships are derived from ODF staff who have and hone respect for other cultures and the individual and collective history of the Tribes in Oregon. We provide opportunities to learn and improve upon these skills via education, exposure to and participation in government-to-government interactions, and observing leadership in intergovernmental dynamics.

The report highlights the Department’s efforts to promote and enhance government-to-government relationships with Oregon Tribes by conducting outreach early and often during the development and implementation of programs that may affect Tribes. Only Tribes, as Sovereign Nations, may decide what is of relevance to their specific Tribe and culture. Thus, our work is focused on communicating, consulting, and listening in all aspects of ODF’s work. The report includes the Department’s intent to strengthen intergovernmental relations and appropriately address concerns communicated by Tribes. Direct engagement at a government-to-government and appropriate staff level remains our most effective form of communication, but ensuring we are doing our best to communicate requires the use of all faculties and persistent and ongoing improvement. To this end, the Department added a position completely dedicated to Tribal affairs, which will significantly expand the opportunities in these spaces.

RECOMMENDATION

This is an informational item.

ATTACHMENT

- (1) ODF 2022 Government-to-Government Report on Tribal Relations



Oregon

Kate Brown, Governor

Department of Forestry

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December 15, 2022

Governor Kate Brown
900 Court Street, Suite 254
Salem, OR 97301-4047

Re: Oregon Department of Forestry 2022 Annual Report to the Legislative Commission on Indian Services

Dear Governor Brown,

The Oregon Department of Forestry respectfully submits its annual report on Tribal Government outreach, communication, and relationship-building activities.

Global events and technological advancements have significantly changed how we communicate, but change brings opportunity. The department now has new and innovative ways to communicate with the nine Federally Recognized Tribes in Oregon. We are also pleased this biennium to add dedicated staff with both policy and archaeological expertise to advance the agency's engagement with the Tribes in Oregon. While this report looks to the past, it also provides a glimpse into future pathways for improvement.

We appreciate your leadership around diversity, equity, and inclusion, and support of improved relationships with Tribes. Please contact me with any questions.

Sincerely,

Cal Mukumoto
Oregon State Forester



2022 Government-to-Government Report on Tribal Relations

October 1, 2021 – September 30, 2022

The Oregon Department of Forestry respectfully submits its annual report to the nine Federally Recognized Tribes within Oregon. This report also satisfies the requirement to submit an annual report to the Legislative Commission on Indian Services (LCIS) and governor (ORS 182.166).

Policy adopted under ORS 182.164

It is the policy of the Oregon Department of Forestry (ODF) to promote and enhance government-to-government relations with the nine Federally Recognized Tribes of Oregon early and often during the development and implementation of ODF programs that may affect tribes. It is ODF's intent to strengthen intergovernmental relations, address potential concerns, and enhance the exchange of information and resources for the greater good of all Oregonians. This policy provides a framework for government-to-government interactions and opportunities for ongoing staff-to-staff discussions.

Process to identify which programs affect Tribes

The process to identify which programs affect Tribes assumes all programs and programmatic changes affect Sovereign Nations, Tribes, Confederations and Tribal Entities until collaborative communication determines otherwise. Through ongoing communication, ODF, the Board of Forestry, LCIS, and Tribes regularly evaluate the effects and determine necessary adjustments. Often, programmatic changes are legislatively mandated, which require more in-depth LCIS involvement to make these assessments and meet requirements. Currently, these identified programs for ODF include, fire protection, forest health, state forests, private forests and multi-agency initiatives surrounding climate change, fire resiliency and ecosystem resiliency.

Promoting communications and relationships with Tribes

ODF's government-to-government relations policy was written with the intent of recognizing the importance of communication in cultivating and tending relationships. Actualization of this policy requires early and frequent communication with Tribes and Confederations of Tribes throughout all agency structures. It also requires clear communication internally to ensure the government-to-government communications are being heard. Listening is an important and respectful aspect of communication, which is a very intentional and direct goal of ODF. As a

department, we are working on listening in the various arenas of government-to-government communications.

General Agency Communications

- Each year, the state forester sends a letter to the nine Federally Recognized Tribes in Oregon. The letter includes upcoming department and Board of Forestry initiatives and provides a quick outlook for upcoming engagement opportunities.
- The department participates in many of the state working groups, clusters, and taskforces, including LCIS.
- The Agency submits this annual report to the LCIS, which aims to build upon previous outreach and partnerships to inform ODF's future communication efforts.

Fire Protection and Area Communication and Relationships

- The ODF to Bureau of Indian Affairs (BIA) wildfire prevention and protection agreement on Tribal Trust Lands has expired. The agency is actively seeking renewal and encourages Tribes to directly engage both agencies.
- ODF kept 96% of fires within ODF protected lands below 10 acres.
- There are open communication lines between ODF field districts, units, fire protection associations, and Tribal governments and/or staff in several regions.
- Tribal representatives were actively involved in the administrative rulemaking process for the statewide wildfire risk map and the Certified Burn Manager Program.
- The Central Oregon District's (COD) relationship with the Confederated Tribes of Warm Springs (CTWSR) is vast, including regular standing committees and groups, annual trainings, pre-fire season preparation, and planning meetings.
- Through the landscape resiliency program, 60 acres of fuels treatment occurred on Warm Springs' fee lands and surrounding areas.
- As a result of regular meetings and open lines of communications, the West Oregon District (WOD) relationships with the Confederated Tribes of Grand Ronde (CTGR) and Confederated Tribes of Siletz Indians (CTSI) remains strong.
- The Northeast Oregon District (NEO) continues communications and agreement participation surrounding fire protection, the private forest accord, and private landowner relationships with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). In this region, BIA and ODF collaboration and agreements significantly expand protection capacities, including into the Nez Pierce's areas of ancestral interest and Washington Department of Natural Resources protection areas. The Blue Mountain Interagency Dispatch Center is the hub for these communications and relationships during fire season.

State Forests

- The CTSI worked with West Oregon District (WOD) staff to develop an agreement/permit to facilitate the construction of a road segment on State Forest lands, which would allow access to CTSI forest land management.
- The State Forest Division invited the CTSI to present at the 2022 State Forests Workshop to educate department personnel on CTSI ancestral land history, relationships and traditional management practices.
- The State Forests Program extended special-use permits to the Confederated Tribe of the Coos, Lower Umpqua and Siuslaw Indians (CTCLUSI) to collect vegetation for cultural use on portions of ODF-managed land adjacent to the Elliot State Research Forest through 2027.
- Staff reached out to natural and cultural resources staff from the nine Federally Recognized Tribes to seek input on timber sales and other management activities planned for fiscal year 2023 (Annual Operations Plans).
- The State Forests Program utilized the Government-to-Government Cultural Resources and Natural Resources Cluster Workgroups to discuss and receive input from tribes to:
 - Develop cultural resources goals and strategies for the new Forest Management Plan.
 - Provide updates on upcoming work to revise 10-year implementation plans and the Western Oregon State Forests Habitat Conservation Plan.
 - Continue working directly with Tribes to integrate their interests in State Forests planning and implementation processes at every level.
- Tillamook Forest Center (TFC) interpretation and education staff attended the annual Confederated Tribes of the Grand Ronde Education Summit as a continued effort toward strengthening Tribal partnerships and incorporating the Tribal Essential Understandings of Oregon Native Americans into forestry field trips and interpretive services and displays at the TFC and across state forest lands.

Forest Resources Division

- The Forest Health unit collaborates with the CTGR on the Pacific Northwest Forest Pollinator Subcommittee of the Oregon Bee Project. Collaborative efforts included Western redcedar dieback detection and guidance, emerald ash borer detection and biomass utilization for cultural means, and forest pollinator research and habitat enhancement.
- The division consulted CTCLUSI, CTGR, Oregon State Tribal Liaison, and others during the development of a Tribal youth career outreach program.
- The Natural Resource Working Group and Cultural Resource Cluster were used as avenues for communication of the changes to the Private Forest Accord.
- CTGR supports the Tualatin Mountain Forest Legacy Project, which seeks to protect 40 acres of old growth forest.

Training opportunities and other educational events

The department looks forward to the resumption of annual Oregon Department of Administrative Services training to state agency managers and employees on the legal status of Tribes, the legal rights of Tribal members and issues of concern to Tribes.

Employee notification on the provisions of ORS 182.162 – 182.168 and the department policy on Tribal Government relations

The department has a government-to-government workgroup composed of field and headquarters staff. The role of the workgroup is to create an environment for continued learning, communication, and implementation of the agency’s government-to-government policy and procedures. In 2022, a Tribal Government Policy Coordinator was added to the department and the workgroup. One responsibility of the position will be the development and implementation of initiatives and training related to agency activities and Tribal Relations.

Individuals responsible for programs that affect Tribes

The agency’s Tribal Liaison is Deputy State Forester Kyle Abraham. Cindy Kolomechuk, State Forests Project Manager; Keith Baldwin, Forest Resources Division Field Coordinator; and Dr. Deanna Grimstead, Tribal Government Policy Coordinator, support the tribal liaison. Members of the Executive Team are the senior leaders responsible for the agency’s operational and administrative programs.

Executive Team

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