



**2020 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
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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 others meaningful ways as community partners, colleagues and neighbors. Consultation never truly ends and is on-going. In turn, OPRD is continually looking to improve its coordination and communication with the nine federally-recognized Tribes in Oregon.

Agency Information

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.

OPRD operates state parks through its headquarters in Salem, with support from three regional offices. OPRD is responsible for Oregon's Recreation Trails, the Ocean Shores Recreation Area, Scenic Waterways, Willamette River Greenway, and Heritage Division, including the State Historic Preservation Office (SHPO), Heritage Commission and Oregon Commission on Historic Cemeteries.

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

ORS 182.164 requires state agencies to development and implement policy on relationships or cooperation with the nine federally-recognized Tribes of Oregon. Currently, 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 Tribal Traditional Use Policy

Purpose

This policy is intended to waive the day-use fee for Tribal members wishing to participate in traditional cultural, religious, or community ceremonies activities and does not affect any rights or relationships of Tribal, federal, and state governments or any treaty rights.

Goals

The goals of this policy are to:

- Promote positive Tribal relations.
- Waive the day use fee for Oregon Tribal members wishing to access sacred sites located within park units for traditional cultural, religious, or ceremonial community activities.
- 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 (including Administration, Heritage Division Programs and Operations).

- Director and State Historic Preservation Officer: Lisa Sumption
 - 503-508-8165, lisa.sumption@oregon.gov
- Deputy Director (vacant)
- Deputy Director of Administration: Daniel Killam
 - 503-986-0772, daniel.killam@oregon.gov
- Deputy Director of Heritage Division and Deputy State Historic Preservation Officer: Chrissy Curran
 - 503-986-0684, chrissy.curran@oregon.gov

Program Responsibility

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

- Central Operations Support Manager: Eric Timmons
 - 503-385-3314, eric.timmons@oregon.gov
- Stewardship, Planning & Engineering (acting) Manager: Matt Rippee
 - 541-786-4748, matt.rippee@oregon.gov
- Engineering Manager (vacant)
- Planning & Design Manager (vacant)
- Stewardship Manager: Trevor Taylor
 - 503-551-4463, trevor.taylor@oregon.gov
- Communications Manager: Jason Resch
 - 503-508-4149, jason.resch@oregon.gov
- Customer Programs Manager (vacant)
- Budget Manager: Tanya Crane
 - 503-586-9466, tanya.crane@oregon.gov
- Financial Services Manager & Payroll Manager: Rebecca Jasso
 - 971-283-5464, rebecca.jasso@oregon.gov
- Chief Information Officer: Bob DeVyldere
 - 503-986-0779, bob.devylidere@oregon.gov
- Procurement & Contracts Manager: Jan Hunt
 - 503-509-3191, jan.hunt@oregon.gov
- Recreation Grants and Community Services/ATV Programs Manager/Day Use Manager: Michele Scalise
 - 503-507-2249, michele.scalise@oregon.gov
- Human Resources Director: Kristi Fox
 - 503-986-0781, kristi.k.fox@oregon.gov
- Legislative and Policy Coordinator Lead: Katie Gauthier
 - 503-510-9678, katie.gauthier@oregon.gov
- Associate Deputy State Historic Preservation Officer: Ian Johnson
 - 971-718-1137, ian.johnson@oregon.gov

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

Whenever a new program is contemplated, the Deputy Director responsible shall notify the Deputy Director of Heritage Division who shall notify the OPRD Tribal Liaison, as appropriate, if in their opinion the new program might affect a Tribe. At this time, the OPRD Tribal Liaison position is vacant. However, OPRD Archaeologists are serving in this role for the agency.

The OPRD Tribal Liaison or OPRD Archaeologists will have on-going communication and shall consult semi-annually with the Deputy Directors and the OPRD Program Managers that are responsible for developing and implementing programs that may affect Tribes in order to identify and confirm which OPRD programs

and what upcoming work may affect Tribes. For instance, the OPRD Tribal Liaison, OPRD Archaeologists or the Deputy Director of Heritage Division will periodically attend regular meetings such as the Operations Management Team (OMT) meetings or regional meetings where new programs or activities would be discussed.

Whenever a new program is contemplated, the Deputy Director responsible shall notify the Deputy Director of Heritage Division who shall notify the OPRD Tribal Liaison or OPRD Archaeologists to determine if the new program might affect a Tribe.

The OPRD Tribal Liaison 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 Summary for LCIS

Throughout 2020, OPRD has continued to participate in ongoing consultation as well as initiate consultation on new projects with the nine federally-recognized Tribes in Oregon across three agency regions comprised of approximately 113,000 acres, which includes the Coast, Valley and Mountain Regions. While not exhaustive, the following list highlights a selection of projects that demonstrate OPRD's efforts to promote communication between the state agency and the Tribes and government-to-government relations between the state and Tribes.

- OPRD Archaeologists Nancy Nelson, Steve Jenevein, and Sam Willis (resigned), along with Stewardship Operations Specialist and Tribal Liaison Jessica Gabriel (resigned), have continued to work with Tribes concerning a multitude of projects, 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 has been reviewing and revising its cultural resource and Tribal policies over the course of the past year and work will continue into 2021. In addition to revisiting these policies, OPRD is simultaneously revising and strengthening the procedures that accompany these policies in order to improve our best practices and ensure that we are effectively managing the cultural resources under our stewardship agency-wide.
- Additionally, OPRD has reviewed and reconfigured our own internal cultural resource management processes to better ensure that meaningful Tribal consultation occurs as a critical piece of managing the resources under our care. Outcomes include:
 - Refined template forms, letters, and check-ins that have standardized how we approach agency projects and consultation; and

- Clarification on our internal process and consultation requirements for internal and non-cultural resource staff to aid in project planning and raise awareness.
- While OPRD did not host the Archaeology Awareness Training in 2020 due to the pandemic, the event will probably resume in 2022 and will be held in The Dalles at the Columbia Gorge Discovery Center from April 5th through 8th. The 2022 training will highlight information on traditional cultural properties, oral histories and natural resources as cultural resources.
- OPRD management has been consulting on the Willamette Falls Legacy Project.
- OPRD is represented on the Governor’s Task Force on Cultural Items.
- At this time, OPRD is proposing to transfer Cascadia State Park to Linn County and the agency has been consulting with Tribes on the proposal and best management practices.

Heritage Division Summary for LCIS

The Oregon State Historic Preservation Office (SHPO) has a close relationship with the nine federally-recognized Tribes in all facets of the SHPO’s work. This includes the on-going consultation with the Tribes for projects undergoing National Historic Preservation Act (NHPA) Section 106 review as well as those requiring state archaeology permits. The Oregon SHPO reviews approximately 3,000 project review documents per year. In 2020, SHPO will have issued 228 state archaeology permits, each reviewed by all appropriate federally-recognized Tribes.



More specific highlights or accomplishments during 2020 include the following:

- Oregon SHPO continues to reach out to all of the state’s Tribal historic programs to discuss topics relating to the common roles of preserving important places in the state. In addition to sharing information regarding impacts to historic structures and archaeological sites, SHPO communicates with Tribal staff about SHPO’s involvement in public education and outreach, museum and

curation, archival preservation issues, cemeteries, mentor programs, heritage tourism and a variety of heritage-related grants.

- SHPO is represented on the Governor's Task Force on Cultural Items.

SHPO staff continues to facilitate and/or participate in discussions between various federal, state, Tribal and public groups throughout the state on issues affecting archaeology. These discussions included participation in a range of trainings and meetings throughout the year with Tribal, federal and state partners in order to assist in highlighting important preservation issues, projects where significant archaeological sites were threatened or required immediate attention, and ways that will improve SHPO's efficiency and public outreach. 2020 events involving Oregon's Tribes included:

- Continued participation in the state's Culture Cluster.
- Monthly meetings with the Wana Pa Koot Koot working group (associated with the Federal Columbia River Power System).
- Participation in the state's Interagency Culture Resource Council (ICRC).
- Assistance with the review of Traditional Cultural Property (TCP) nominations.
- Development of a confidentiality policy to address shortcomings in statute.

Oregon Heritage outreach teams works regularly with Tribes on training and conferences to provide orientation to people doing heritage work in Oregon and to provide resources to the Tribes. Here are some ways the teams have worked with the Tribes over the last year:

Grants

- Awarded the Preserving Oregon Grant to the Confederated Tribes of Grand Ronde.
- Notified appropriate Tribes of Federal Certified Local Government grants for development projects and provided time for Tribes' comments on the projects.
- Awarded grants to other organizations for projects that include the Tribes including Oregon Historical Society, High Desert Museum and Oregon Paleo Lands Institute.

Conferences or Workshops

- The Oregon Heritage Conference was scheduled to be in Corvallis, but was canceled. The team was working with various Tribes to highlight their work and resources for heritage in the state. In particular, given the conference's location in Corvallis, the team was planning a tour to focus on the Confederated Tribes of Grand Ronde. The team plans to be in the same location for the 2022 conference and plans to work with Tribes again.

MentorCorps

- Burns Paiute Tribe recently requested a mentor to support museum and collections development.

General Heritage Issues

- Sent notices to Tribal contacts for Tribal specific resources that were offered in response to COVID 19 impacts.

Oregon Commission on Historic Cemeteries

- Appointed Shawn Steinmetz to the Oregon Commission on Historic Cemeteries. While he is not specifically on the commission as part of his job with the Confederated Tribes of the Umatilla Indian Reservation, his work will certainly influence his work on the commission.
- Informed Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians about state cemetery vandalism laws in relationship to vandalism at Battle Rock.
- Communicated with both Confederated Tribes of Grand Ronde and Confederate Tribes of Siletz Indians of Oregon regarding the Newsom Cemetery in Marion County.

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 Liaison 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.