



2023 Government-to-Government Report on Tribal Relations

December 1, 2023 – December 1, 2024

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

Policy adopted under ORS 182.164

It is the policy of the Oregon Department of Forestry, hereafter Department, to promote and enhance government-to-government relations with the nine 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 Department assumes all programs and programmatic changes affect Sovereign Nations, Tribes, Confederation of Tribes, and Tribal Entities. Through ongoing communication, the Department and the Board of Forestry work with the State Forester and staff to evaluate effectiveness of programs and communication strategies, making appropriate adjustments as needed. Programmatic changes that are legislatively mandated may require more in-depth LCIS involvement to make these assessments and meet requirements. Currently, the Department is engaged in government-to-government communications relating to fire protection and prevention, forest health, management of State Forests, administration of the Forest Practices Act, multi-agency initiatives surrounding climate change, cultural and natural resource management, shared-stewardship, community and urban forestry, and ecosystem resiliency.

Individuals responsible for programs that affect Tribes

All employees of the Oregon Department of Forestry develop and/or implement policy, programs, and projects affecting federally recognized Tribes or members. The contact list below includes Executive Leadership, Executive Staff, and Intersectional Staff who hold the highest degree of responsibility in the Department's programs and actions, but the Department expects all employees to consider and communicate how actions or inactions affect the Department's relationships with the nine federally recognized Tribes of Oregon:

State Forester's Cabinet

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Intersectional Staff

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Employee notification on the provisions of ORS 182.162 - 182.168 and the Department Policy on Tribal Government Relations

The Department's Tribal Liaison is the State Forester or designee. For the majority of the period covered by this report, ODF had a designated Tribal Liaison. That position is currently vacant. The State Forester will serve in this role until the position is filled. The State Forester has established a Tribal Relations Program Team to support this work, comprised of the Department's representatives to the LCIS Cluster and Workgroups (identified above). Currently, Cindy Kolomechuk is the primary point of contact for Tribal Relations for ODF. The responsibilities related to Tribal relations, the development and implementation of training and communication regarding agency initiatives are the roles and responsibilities of the State Forester and support staff. The Department's policy is available on the Department's Tribal Relations webpage (<https://www.oregon.gov/odf/aboutodf/pages/tribalrelations.aspx>).

Training opportunities and other educational events

Oregon Revised Statute (ORS) 182.166(1) requires, "At least once a year, the Oregon Department of Administrative Services ... provide training to state agency managers and employees ... on the legal status of Tribes, the legal rights of members of Tribes and issues of concern to Tribes".

- No such training occurred.

The Deputy Tribal Liaison, Dr. Deanna Grimstead delivered several formal and informal training courses in government-to-government relations, cultural resource management, and state, federal, and international law (inclusive of ORS 182.162 – 182.168). This includes formal and informal ad hoc training regarding the Department's policy, Tribal sovereignty, and Tribal self-determination. More formal training was delivered at the Agency Leadership Program to educate and inform future leaders of the organization.

Field staff received training in identification of archaeological items and implementation of the inadvertent discovery plan. A key State Forests staff member, responsible for critical forest management planning and implementation, attended the Archaeology Awareness Training hosted by the Oregon Parks and Recreation Department. The department also supported a staff member in completing the Portland State University Certificate in Tribal Relations Program to add capacity in building ODF's Tribal Engagement Program. Finally, the Protection Division encouraged all staff to watch "Preserving Cultural Artifacts While Fighting Fire." This video was co-produced with the nine federally recognized Tribes and is intended to promote shared respect and understanding of cultural resources protection and identification.

Promoting communications and relationships with Tribes

To effectively implement our policy, the Department prioritizes open and frequent communication across all levels within the Agency. Active listening is fundamental to successful communication and building strong relationships with Tribes.

Below, please find a summary of the Department's communication initiatives and Tribal engagement activities, along with upcoming opportunities for collaborative partnerships and shared stewardship.

Methods of government-to-government communication

ODF Board of Forestry and State Forester Engagement

- In fall 2023, the Board of Forestry invited all nine federally recognized Tribes of Oregon to a work session at their Annual Retreat to promote communication and relationship building with Tribes by listening to their perspectives, interests, and priorities. The Tribes articulated many potential opportunities for collaboration. Foremost, they stressed the importance of respecting sovereignty and engaging at the appropriate government-to-government level to facilitate respectful and effective communication with Tribes (e.g., State Forester/Board of Forestry to Tribal Council, or Board of Directors).
- In October 2024, State Forester Cal Mukumoto honored our commitment to engage with Tribes at the highest level by inviting each of the nine federally recognized Tribal Councils or Boards of Directors to open channels of communication with ODF. Our goal is to continue to build our relationships at all levels by listening to Tribal perspectives and priorities, and identify opportunities for shared stewardship, cultural and natural resource protection, and capacity building.
- The State Forester sends an annual letter about upcoming major initiatives, major programs or projects and formally requests discourse and engagement with Tribes.
- Other Tribal Organization Involvement: Intertribal Timber Council Conference (ITC)

Legislative Commission on Indian Services (LCIS)

- LCIS Cluster Meetings: Cultural Resource Cluster, Natural Resources Working Group, Intergovernmental and the Economic Development & Community Services Cluster.
- Division and Area Director Reports: quarterly reports on activities, which inform cluster meeting reports and provide internal communication concerning activities, areas of concern, or potential partnership opportunities.

2024 Tribal engagement highlights

Shared Stewardship

- **The Prescribed Fire & Cultural Burning Program** aims to increase prescribed fire and cultural burning use by providing liability coverage for enrolled burns. This legislation authorizes claims for losses from escaped fires. ODF is collaborating with The Confederated Tribes of the Grand Ronde, The Confederated Tribes of the Siletz Indians, Cow Creek Band of Umpqua Tribe of Indians, and The Confederated Tribes of the Umatilla Indian Reservation to implement prescribed fire and cultural/ecological burning projects.
- **The 20-Year Landscape Resiliency Strategy** is a comprehensive, multi-agency statewide plan designed to mitigate catastrophic wildfire risks. The plan prioritizes ecological integrity while considering social and economic needs. It is designed to strategically allocate resources to the most vulnerable areas to effectively and efficiently address the complex challenges of wildfire management. Over the next year, the Strategy Team is focused on engaging the Tribes in developing a shared vision for landscape priorities including critical areas for resilience treatments. Recognizing that Tribes have invaluable insight that can help to develop and inform an effective, outcome-based process for evaluating success across the landscape. Engagement will begin in early 2025 and will culminate in a Wildfire Resilience Summit in November 2025.
- **The Oregon Federal Forest Restoration (FFR) Program** partners with agencies, landowners and Tribal Nations to restore federal forests. Tools such as the Good Neighbor Authority (GNA) to expedite restoration and promote resilience. Tribal collaboration is key to ensuring that their values and priorities are integrated across the landscape. The 54 North GNA Project with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) exemplifies this partnership opportunity, by integrating Technical Ecological and Cultural Knowledge to enhance huckleberry habitat and reduce wildfire risk. The FFR Program seeks further opportunities for meaningful Tribal engagement in restoring federal forest lands.
- **The 2024 Fire Season** significantly exceeded the 10-year average. As these fires spanned ownership boundaries, ODF worked in coordination with Tribal governments and state and federal agencies to manage and suppress fires across the landscape. The Department executed multiple Delegations of Authority with Tribes, Agencies, and other affected landowners to ensure alignment in fire response strategy, priorities, and protection of cultural and natural resources.
- Key Efforts included cross-boundary fire management agreements and a new 2024 agreement with the Bureau of Indian Affairs for fire protection for Tribal Trust Land.
- **ODF was awarded \$9.9 million** for the Protect-Ignite-Restore [Regional Conservation Partnership Program \(RCPP\)](#) project, which is designed to address the wildfire crisis in Jackson, Josephine, Douglas and Lane counties by enhancing community resilience and forest health through prescribed burns, fuels reduction, and forest maintenance practices. Funding will support the 20-year strategy and the Vision for Oregon's Forests in implementing an "all lands" strategy and will seek to engage Tribes to integrate Tribal priorities and Indigenous Technical Ecological and Cultural Knowledge.

Capacity Building

- **The \$2 Million Landscape Resiliency Program Grant** was awarded to Klamath Tribes to conduct fuels treatments and prescribed fire projects on Tribal lands and across ownership boundaries.
- **The Urban and Community Forestry (UCF)** program is partnering with nine federally recognized Tribes to administer the Tribal Governments Subaward Grant Program, promoting urban and community forest investments and tree equity in underserved areas. Tribes can submit proposals up to \$1 million by June 30, 2026. No matching funds are required. Professional grant writers contracted through UCF are available to assist Tribes in developing proposals. Three Tribes have already applied and are currently in the grant award phase.
- **The Pacific Northwest Mass Timber Tech Hub**, of which ODF is a partner, is dedicated to empowering tribal communities through sustainable economic development.
Key initiatives include:
 - Strengthening Businesses: Assisting Tribes in securing funding and technical expertise to modernize operations and expand into value-added mass timber products.
 - Promoting Sustainable Housing: Collaborating with Tribal nations to develop affordable and energy-efficient mass timber housing solutions.
 - Fostering Entrepreneurship: Supporting Tribal entrepreneurs in starting and growing mass timber businesses.
 - Preserving Cultural Heritage: Integrating traditional building techniques into modern mass timber designs.
- **The Tillamook Forest Center** collaborates with the National Association for Interpretation (NAI) and the Confederated Tribes of Grand Ronde to provide training and certification opportunities for interpreters. ODF partners with state agencies to offer reduced rates for Oregon's nine federally recognized Tribes.

Cultural and Natural Resources Protection

- **Government-to-government Engagement** with Tribal cultural and natural resources staff allowed ODF operational goals, while upholding commitment to cultural and natural resources protection.
- **ODF completed reforestation on the Santiam State Forest**, planting 2.3 million trees over 500 acres. The agency collaborated with Tribes to incorporate cultural resource and natural resource considerations.
- **ODF Requested Guidance** from LCIS regarding the implementation of the new Inadvertent Discovery Plan.
- **ODF Requested Tribal Review** of State Forests Fiscal Year 2025 Annual Operations Plans for cultural resource concerns and worked directly with Tribes for guidance on operations with higher degrees of cultural resource impacts concerns.
- **The Draft Western Oregon State Forests Habitat Conservation Plan and Forest Management Plan** provide an opportunity to work with the Tribes to build new 10-year Implementation Plans that integrate Indigenous Traditional Ecological Knowledge, identify opportunities to encourage access and cultivation of culturally significant plants, discuss protections for cultural resources, and explore opportunities to work in partnership to honor Tribal ties to the lands that ODF currently manages.

Detailed Tribal communication

State Forests

- The State Forests Division has had ongoing dialogue with the Tribes to incorporate Tribal perspectives and practices into the stewardship of State Forests through the new Habitat Conservation Plan (HCP) and Forest Management Plan (FMP).
- In early January, the State Forester reached out to the Tribes, inviting them to engage with ODF on any area of interest regarding the Draft Western Oregon State Forests HCP and associated Draft FMP.
- Once the Western Oregon State Forests HCP and FMP are final, we will work with the Tribes to build new 10-year Implementation Plans. In the spirit of shared stewardship, ODF staff will reach out to the Tribes in the coming months to integrate Indigenous Traditional Ecological Knowledge, identify opportunities to encourage access and cultivation of culturally significant plants, discuss protections for cultural resources, and explore opportunities to work in partnership to honor Tribal ties to the lands that ODF currently manages.
- In March, ODF sought input from Tribes' cultural resources and natural resources staff on Fiscal Year 2025 (FY25) Operations Plans for the Northwest and Southwest Oregon Forest Management Plans. This provided an opportunity to include Tribal input on specific forest activities such as timber sales, resource protection measures, reforestation, road building, stream enhancement, and recreation projects planned on State Forests for FY25. ODF made more intensive and targeted requests for consultation on operations with higher degrees of cultural resource impacts concerns, allowing ODF to continue meeting operational goals, while upholding our commitment to cultural resource protection.
- In Spring, ODF offered seedlings to Tribes, providing 59,290 seedlings to the Confederated Tribes of Grand Ronde and Coquille Indian Tribe.
- In fall, four years after the devastating Labor Day fires, ODF has completed reforestation on the Santiam State Forest. Staff planted 2.3 million trees over 500 acres and worked with interested Tribes to integrate their feedback on cultural resources protection and reforestation.
- In addition to managing forestlands, the State Forests Division includes a Recreation, Education, and Interpretation Program that provides opportunities for the public to engage with State Forests through outdoor activities and educational programming. The program's Tillamook Forest Center (TFC) is ODF's sole interpretive center providing Oregonians and tourists with a chance to connect with their forests and our shared history.
- The TFC works with the National Association for Interpretation (NAI) in supporting interpreters with continuing education, and industry-recognized certifications. Since 2016, the TFC has worked with the Confederated Tribes of the Grand Ronde's Chachalu

Museum and Cultural Center staff on a variety of interpretive related projects and workshops. Each year, ODF partners with other state agency NAI trainers to waive instructor fees and offer reduced rates for Tribes to receive training and professional certifications in this field. This opportunity is open to all nine Tribes of Oregon.

Fire Prevention and Protection

- District field staff held fire planning meetings to prepare for fire season, including priorities for cultural and natural resources protection.
- The Northeast Oregon District annual fire planning meeting with The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) and the Blue Mountain Interagency Dispatch Center expanded to include county partners and the Oregon Department of Emergency Management at the request of the CTUIR Fire Chief. This collaboration will improve fire response coordination, including evacuations, tribal fire code, and dispatch procedures. Sand table training exercises and large fire simulations will further strengthen partnerships to address these topics more holistically.
- Oregon had a great deal of fire on the landscape in 2024. Fires burned across 1.93 million acres, 1.62 million of which ODF has protection responsibilities for. This is approximately three times greater than ODF's 10-year annual average. As these fires spanned ownership boundaries, ODF worked in coordination with Tribal governments and state and federal agencies to manage and suppress fires across the landscape. The Department executed multiple Delegations of Authority with Tribes, Agencies, and other affected landowners to ensure alignment in fire response strategy, priorities, and protection of cultural and natural resources.
- ODF entered into a new Fire Protection Agreement with the Bureau of Indian Affairs for the protection of applicable Trust Lands, which went into effect in 2024.
- In 2024 Fire Protection staff conducted two Tribal consultations regarding the installation of new wildfire detection cameras onto currently existing infrastructure.
- The Prescribed Fire & Cultural Burning Program aims to increase prescribed fire and cultural burning use by providing liability coverage for enrolled burns. This legislation authorizes claims for losses from escaped fires. Discussions are underway with The Confederated Tribes of the Grand Ronde, The Confederated Tribes of the Siletz Indians, Cow Creek Band of Umpqua Tribe of Indians, and The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) to implement prescribed fire and cultural/ecological burning. ODF provides fire protection for Tribal lands covered by ODF agreements and is collaborating with Tribes to learn about cultural/ecological burning techniques and their landscape benefits.
(<https://www.oregon.gov/odf/fire/pages/prescribed-fire.aspx>)
- Oregon's increasingly severe wildfire seasons and expanding Wildland-Urban Interface (WUI) have heightened risks. In response to the 2020 Labor Day fires, the state legislature passed bipartisan bills to improve wildfire preparedness. Oregon State University scientists, working with ODF, have developed a statewide Wildfire Hazard

Map to assess property-level risk. While this map doesn't apply to Tribal lands, ODF has collaborated with Tribes to share information and gather feedback. Notification packets will be mailed to property owners, and the map will be publicly available in January 2025.

Forest Resources

- The Klamath Tribes and The Nature Conservancy were recognized with the inaugural Climate Smart Forestry Award for their innovative practices that enhance carbon sequestration and reduce climate change impacts.
- The Klamath Tribes were also awarded a \$2 million Landscape Resiliency Program grant to conduct fuels treatments and prescribed fire projects on Tribal lands and across ownership boundaries.
- The Urban and Community Forestry Program is working to distribute \$26.6 million in federal funding through two grant programs that do not require matching funds; one devoted specifically to Oregon's federally recognized Tribes and Tribal organizations, known as the Tribal Governments Subaward Program, and one that is available to local government entities, public and state-controlled institutions of higher education, and non-profit and community-based organizations in addition to Tribes.
- The grants are designed to promote urban and community forest investments and tree equity for overburdened and underserved communities. Grantees can use grant funds to advance planning & monitoring; nature-based education, recreation & engagement; network development & relationship building; workforce diversification & development; nursery capacity building & tree production; tree planting & maintenance; and adaptive management & state-wide lesson sharing.
- The Urban & Community Forestry Program engaged with Natural and Cultural Resources staff from each of the nine federally recognized Tribes of Oregon to build relationships and discuss the Tribal Governments Subaward Program. UCF is working with a Tribal consultant to develop program best practices for engaging, building, and maintaining relationships with Tribes. The consultant provides program staff with guidance on communication approaches, reciprocity principles, and understanding key concepts such as Tribal sovereignty, treaties, Indigenous Traditional Ecological Knowledge, decolonization, and cultural/natural resource co-stewardship. Additional grant writers contracted and organized by the UCF program are available to support the development of the Tribal Government's grant proposals. Tribes are eligible to submit proposals up to \$1 million starting on May 1, 2024. Proposals will be reviewed on a rolling basis every quarter until June 30, 2026. To date, three Tribes have applied for funding and are now in the award phase.
- The Federal Forest Restoration Program plays a role in supporting healthy federal forests in Oregon. The program leverages tools such as the Good Neighbor Authority, cooperative agreements, and grant agreements to partner with federal forest management

agencies and other landowners. Its mission is to accelerate the pace, scale, and quality of forest restoration, thereby increasing the resilience of Oregon's federal forests.

- As part of its mission and statutory directive to restore federal forests, the FFR Program seeks opportunities to engage with Tribes to incorporate their values and interests into restoration project planning and implementation. For example, the FFR Program is collaborating with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) on the 54 North Fuels Reduction & Huckleberry Restoration GNA Project. This 40,000-acre project on the Umatilla National Forest aims to improve huckleberry habitat and reduce wildfire risk. ODF contractors are currently leading the project's planning and analysis, working closely with CTUIR natural resources staff, who are recommending treatment types and locations, and with Umatilla National Forest staff on silviculture prescription development.
- The FFR Program is actively seeking additional opportunities to collaborate with Tribes to ensure their interests and recommendations are reflected in federal forest restoration projects, particularly where Tribes or the U.S. Forest Service lack the capacity to fully plan or implement the work. This approach allows Tribes to engage earlier and more deeply in project development than is typically possible through the standard Tribal consultation process. Additionally, it enables Tribes to leverage the FFR Program's resources—approximately \$3 million in state funds annually and 44 staff positions—to implement restoration projects on National Forests in alignment with their values and priorities.
- Staff from the J.E. Schroder Seed Orchard and Seed Bank attended the Intertribal Nursery Council Meeting held at The Confederated Tribes of the Grand Ronde and are reviewing the Oregon Native Seed Strategy. The Oregon Native Seed Strategy is a guidance document prepared by the Oregon Native Seed Collective that supports ecological restoration and conservation through the procurement, preservation, and production of native seed in Oregon. The Strategy will identify seed needs in Oregon with priority placed on rare and culturally important species, as well as workhorse native species required for ecological restoration.
- Forest Health: Each Tribe received an electronic copy of the annual Forest Health Highlights report produced by ODF Forest Health and United States Forest Service Forest Health Monitoring.
- The Coquille Indian Tribe was invited to a Sudden Oak Death (SOD) Task Force meeting in January for discussion of SOD quarantine expansion. This expansion did not include fee or trust lands, or any other lands under Tribal management.

Private Forest Accord (SB 1501) Tribal Engagement

- Senate Bill 1501, enacted in 2022 as an outcome of the Private Forest Accord (PFA), revised the Forest Practices Act to support the development of a Habitat Conservation Plan (HCP) for private forestlands. SB 1501 (2022) stipulated that Tribes could opt-in to the PFA HCP. ODF's Tribal Liaison reached out to Tribal natural and cultural resources

staff and leadership to ascertain whether they were interested in opting into the HCP. Tribal engagement efforts also included direct communication with Tribes at the LCIS Cluster and Workgroup meetings.

- Although the new rules for post-disturbance tree harvesting do not directly apply to Tribes outside the HCP, ODF recognized the importance of their perspectives on forestland management. The Forest Resources Division Chief proactively informed Tribes about the rulemaking process and invited their input prior to the official public comment period. In addition, Section 50 of Senate Bill 1501 acknowledges the sovereignty of Oregon's nine federally recognized Tribes over their fee simple lands. The Department will continue to work with interested Tribes to further solidify this recognition through Memoranda of Understanding (MOUs) and Intergovernmental Agreements (IGAs).