



2008 Summary Report Oregon Department of Forestry Tribal-State Agency Government-to-Government Relations

INTRODUCTION

During 2008, the Oregon Department of Forestry (ODF) continued its involvement and communication with the Tribes as it conducted its business of forestry. This involvement is reflected in agency policy and agreements, training, education, informational materials, and participation in opportunities that further employee government-to-government relations' knowledge and skills, and in direct consultation, communication, and cooperation. This report will discuss this departmental involvement, both on an agency-wide basis, and program-by-program and district activities.

AGENCY-WIDE ACTIVITIES

Agency's Designated Representative

With the retirement of Ted Lorensen, and the appointment of Jim Paul as the Resource Planning Division Chief, he assumed the role as the department's Agency Liaison for Government-to-Government Relations.

Involvement with the Natural Resources and Cultural Resources Cluster Groups

There currently is not an agency representative for the Natural Resources Cluster. The ODF is currently facing the potential for a significant budget reduction in the Private Forests Program, which has previously provided staff for agency representation. The ODF will be in the process of reorganizing workloads and making a determination on how to provide representation for the Natural Resources Cluster in the future. The agency representative for the Cultural Resources Cluster will continue to be John Barnes, State Forests Program Cultural Resource Specialist.

Tillamook Forest Center

Honoring the rich history and traditions of Native Americans in Oregon, the Tillamook Forest Center continued to provide interpretive programs in 2008 to highlight these living cultures.

Native American Storyteller and history keeper Esther Stutzman came to the Tillamook Forest Center on June 21st. An enrolled member of the Confederated Tribes of the Siletz Indians, she shared stories of her native Kalapuya and Coos people. She also brought a full sized cedar canoe to the Center to share with visitors. The canoe, built last year, is the first Kalapuyan style canoe built in more than 150 years. Her stories and presentation provided insights into the native culture that has been a part of Oregon for thousands of years.

On July 12th and again on August 2nd, Connie Graves, from the Confederated Tribes of Grand Ronde, came to the Center to present workshops in Northwest Native American Traditional Technologies. The workshops consisted of instruction in weaving and cordage-making. Workshop participants received instruction in making the cattail/juncus mini gathering basket while also learning techniques in western redcedar/cattail cordage (rope)-making.

Beginning on October 15th and continuing through the end of the year, the Center has been pleased to host a traveling exhibit titled “This Kalapuya Land”. The exhibit was produced by the Washington County Historical Society and Museum in collaboration with the Confederated Tribes of Grand Ronde’s Cultural Resources Department. The display introduces visitors to the Atfalati-Kalapuya Indians who lived in the area known today as Washington County. The exhibit panels share photos and descriptions of the lifestyles of the Kalapuya, including descriptions of traditional food, housing, trade, and clothing.

Special events and activities such as these offered in 2008 expand on the section of the Center’s permanent displays which touch on the stories of both the Kalapuya people and the Tillamook people. Through these programs, visitors have opportunity to learn about the Native Americans whose lives have been and continue to be interwoven with the lands of today’s Tillamook State Forest.

Archaeological and Cultural Resources

Training: The Oregon Departments of Forestry and Parks and Recreation held their fourth joint archaeological/cultural resource training session in the spring of 2008. This was a three-day training session that included both classroom and field work. The purpose of this training is to improve the awareness and understanding of items such as the importance of archaeological preservation, prehistoric and historic sites, applicable federal and Oregon statutes, Native American perspectives, consultation with tribes, and agency procedures. Several tribal representatives were involved in this ongoing training program, providing valuable perspective and advice on improving communication with the tribes. This training provides critical information that will enable employees to carry out their responsibilities regarding the management of archaeological resources within the agencies’ programs.

Informational Brochure: Copies of the department’s brochure entitled “Protecting and preserving Oregon’s archaeological and cultural resources – A Guide for Forest Landowners and Operators” continues to be available at all ODF local offices and Salem Headquarters. This brochure outlines landowner responsibilities regarding archaeological sites and is a resource for the agency’s field foresters to provide information to landowners of their obligations when

dealing with cultural sites. An electronic version of the brochure is available on the department's web page about agency Tribal-State Relations at:

(www.oregon.gov/odf/Organizational_Management/Tribal_State_Relations.shtml)

The following informational summary is organized by the department's program responsibilities and district, and includes the major areas in which the agency works with tribal governments, efforts to address key issues, communication, and collaboration and cooperation with other agencies and the tribes.

PROGRAM ACTIVITIES

Forest Resource Planning Program

- The Forest Resources Planning Program staff solicited and received timber harvest information from the Coquille, Siletz, Warm Springs, Umatilla, and Grand Ronde Tribes last spring for inclusion in the annual Oregon Timber Harvest Report.
- Tim Vredenburg, representing the Coquille Tribe, continues to serve as a member of the Federal Forestlands Advisory Committee, and has actively participated in developing national and local recommendations for changes in policies governing the management of federal forestlands. Those recommendations include creating a liaison program to support multi-agency efforts to improve forest health on federal forestlands, and providing administrative, financial, and technical resources to local collaborative partnerships to first assess forest health conditions and then plan projects at the landscape scale to address high priority needs.

Private Forests Program

Eastern Oregon Area

Central Oregon District, Prineville

Stewardship Foresters have done consulting work on Confederated Tribes of Warm Springs(CTWS) lands and continue Conservation Reserve Enhancement Program plans on the main stem and Middle Fork of the John Day River and some of its' tributaries. Stewardship Foresters have also taken Cultural and Natural Resource training.

Coordination opportunities are presented with both the CTWS and Burns-Paiute at the Grant and Harney Counties' Soil and Water Conservation District meetings.

Klamath-Lake District, Klamath Falls

Klamath Tribes asked for an inventory of a tribal member's land so that he could qualify for pre-

commercial thinning under the Environmental Quality Incentives Program with the National Resource Conservation Service. This involved 98 acres of set-up and inspection by a Stewardship Forester in the District.

Northeast Oregon District, LaGrande

Tribal interests in Northeast Oregon are well-represented in all facets of salmon recovery and water quality issues. This interest is evident in the total maximum daily load/water quality planning processes that have occurred on the Upper Grande Ronde, the Walla Walla, and the Umatilla Rivers. This process also continues in the Wallowa, Lower Grande Ronde, and Imnaha River basins on Wallowa County. The tribes have been key players and, in some cases, core partners in these processes, as well as in other watershed activities.

Field cooperation continues in areas of salmonid restoration and enhancement activity. The stewardship foresters have worked on joint restoration projects weaving together tribal interest and dollars with other funding sources such as Oregon Watershed Enhancement Board, the Bonneville Power Administration (BPA), and Conservation Reserve Enhancement Program. Tribal fisheries biologists are viewed as a useful information source during these activities. In Wallowa County, coordination with the Nez Perce Tribe (NPT), county, and ODF occurs during the implementation of the Wallowa County/Nez Perce Tribe Salmon Habitat Recovery Plan. Representatives from the NPT and ODF serve on the Natural Resource Advisory Committee, which is a technical committee that reviews land use actions and activities, and makes recommendations to the county commissioners. The NPT also provides input into the watershed assessment and project prioritization process via this committee.

LaGrande and Wallowa Units: The Forest Practices Act is administered on the NPT lands in Wallowa County. At present, no notifications of operation have been filed with ODF. Given the limited access, steep terrain, and the primary management purpose of promoting wildlife habitat, harvesting activity is anticipated to be low.

The Wallowa Unit Forester is a member of the steering committee that provides input to the NPT staff to aid in the implementation of a management plan for tribal lands in Wallowa County. A draft of the Precious Land Wildlife Management Area Plan was completed in 2005 with review provided by ODF. The land was purchased with BPA wildlife mitigation funds (Snake River dams), and the objectives for these lands are to enhance and preserve wildlife habitat.

Pendleton Unit: The Forest Practices Act is administered on the private lands within the reservation boundary of the Confederated Tribes of the Umatilla Indian Reservation (CTUIR). Notifications and permits to operate power-driven machinery are required on all private forest land operations. The Unit continues to provide a copy of all notifications for operations within the reservation boundaries to appropriate staff of CTUIR. Private landowners within the reservation boundary are also required to obtain a conditional - use permit from the CTUIR for harvesting activity. On some operations, this conditional - use permit has required a high level of effort and coordination for the private landowners. The number of notifications on private forestland within the reservation boundary remains significantly less than on other private land

within Umatilla County. Avenues exist for joint pre-operation inspections (between CTUIR and ODF) to occur on operations deemed sensitive within the CTUIR boundaries.

ODF worked with CTUIR employees and contractors doing stream restoration work within the forest and reservation boundaries to make sure that work could be done in a fire-safe manner during periods of high and extreme fire danger this year.

Northwest Oregon Area

Tillamook District

A one-day training session for field foresters was held on district to assist with cultural resource identification.

Protection from Fire Program

Eastern Oregon Area

Central Oregon District, Prineville

The Central Oregon District has continued a very positive working relationship with the Confederated Tribes of the Warm Springs (CTWS) and the Burns-Paiute Tribe this past year.

The Dalles and Prineville Units participated in a pre-season cooperators meeting sponsored by the CTWS to discuss fire management dispatch, cooperative working agreements, and information-sharing. This was effective in creating a better working relationship between CTWS and all of their cooperating agencies.

The District provided a letter of support for the CTWS hiring of a Type 3 helicopter which is available to all local wildland fire agencies.

The Dalles is working with the CTWS on developing fuel treatment strategies and projects that will benefit both agencies and private landowners.

There is constant communication and coordination with the CTWS during fire season with both the Central Oregon Interagency Dispatch Center and The Dalles Dispatch Center. In 2008, we were continued a very strong mutual aid partnership by assisting each other with initial and extended attack fires.

Klamath-Lake District, Klamath Falls

District protection personnel met with a Klamath Tribes member on a proposed fuels reduction project on Oregon Parks and Recreation District ownership with several archaeological sites. The tribe provided input on cultural resource protection measures and supported the project.

Northeast Oregon District (NEO), LaGrande

Wallowa Unit: The Northeast Oregon District – Wallowa Unit has a Cooperative Fire Protection Agreement with the Nez Perce Tribe (NPT) which has been in place since 1999. Under this agreement ODF provides fire protection on 14,153 acres of tribal land within the NEO forest protection boundary. This accumulated acreage is known as the “Precious Lands Wildlife Management Area” and is located in northeastern Wallowa County. The NPT does not pay taxes on this property. To offset the actual cost of fire protection, they pay both the landowner portion of the fire patrol assessment and the General Fund match. ODF agrees to request Tribal-sponsored 20-person crews when needed to aid in the suppression efforts on the property. The NPT will also provide a Tribal representative to work with the fire managers in instances where heavy equipment will be used on the property, due to the presence of cultural resources. Tribal employees working on the property during the summer months have also aided ODF in the early detection of fires on Tribal lands as well as on adjacent private and public lands.

ODF continues to coordinate with the Precious Lands Resource Manager to assure that any access changes, gate combinations, etc., are effectively communicated.

Pendleton Unit: The Umatilla Agency of the Bureau of Indian Affairs (BIA) has a fee-based fire protection agreement with the district. The agreement has been in place since 1961. Under the agreement, NEO - Pendleton Unit provides fire protection for approximately 50,000 acres of Indian Trust land that is within both the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) and the NEO forest protection boundaries. The agreement has recently been reviewed and rewritten so as to be in compliance with the Master Cooperative Fire Protection Agreement. As in past years, representatives of the BIA, the CTUIR, and ODF met prior to the beginning of the 2007 fire season to update the Local Operating Plan. Only minor updates to the Plan were required, demonstrating the success of the agreement. Because the Pendleton Interagency Coordinating Center does not have BIA and CTUIR radio frequencies, ODF has continued to allow BIA to use our radio frequencies to order shared resources (retardant aircraft, crews, etc.) through the federal agency (Umatilla National Forest).

The BIA and ODF have a mutual aid fire protection agreement that enables each agency to help the other within their jurisdictional area. Both the BIA-Umatilla Agency and the ODF-Pendleton Unit have Mutual Fire Aid Fire Protection Agreements with the CTUIR Tribal Fire Department. These agreements allow for the ODF-Pendleton Unit, the BIA-Umatilla Agency, and the CTUIR Tribal Fire Department to assist each other with available fire-fighting resources as needed and available. ODF provides engines and overhead to Tribal Fire and BIA for wildland fires outside of ODF’s forest protection boundary. For Tribal Fire and BIA-Umatilla Agency, these agreements allows them to provide firefighting resources on lands for which ODF - NEO is the protecting agency. The principal responsibility of the Tribal Fire Department is structural protection while BIA and ODF are primarily trained as wildland firefighters. The close cooperation and professional respect between all of these agencies continues to provide an effective fire protection system for all residents of the Umatilla Reservation, including private landowners within the Reservation boundaries. As the CTUIR moves closer to compaction, the three agencies are maintaining an on-going conversation about how best to provide

comprehensive fire protection to tribal and non-tribal landowners within the reservation boundaries.

Wildland Fire Season 2008 proved to be another active one, particularly during the month of August. The Eagle Creek Fire (370 acres) and the Coyote Canyon Fire (103 acres) were both lightning-caused fires that required joint efforts by the partners to control. Wildhorse Ridge Unit 2, McKinley, and Spring Creek Fires were human caused fires that were successfully initial attacked with minimal loss of resource acres (1-2 acres each) by the Tribal Fire Departments, the BIA fire personnel, other Rural Fire Districts, and ODF resources. ODF, Tribal Fire, and BIA firefighters worked cooperatively on several other small fire incidents and smoke chases to successfully prevent any of these from escaping initial attack.

The BIA and the ODF Pendleton Unit are coordinating and consulting on the implementation of the National Fire Plan (NFP) on lands within or affecting Reservation properties. Through close coordination and cooperation with the local BIA Fire Management Officer, ODF in Salem, and the Portland office of the BIA, the Pendleton Unit was able to secure a BIA NFP grant for fuels reduction work on private lands around the Lake Hum-te-pin Tribal Resource Area. This work was designed to complement and coordinate with similar work being done by BIA personnel on Tribal Resource lands in the same area. In the spring of 2007, local ODF and BIA foresters hosted a tour for Salem and Portland staff to showcase the work that has been completed in this area. Both agencies treated additional acres in the Lake Hum-te-pin wildland urban interface (WUI) area this summer and fall, and are planning to treat even more acres this winter and next spring, providing funds are available. To date, approximately 550 acres of Tribal and private acres have had treatment projects applied to them. These projects are primarily designed to reduce excessive fuel loadings, and provide fuel breaks and/or defensible space in critical areas. Improved forest health is an important side benefit. This work is being done in targeted, high-priority (WUI) areas that were identified in the Umatilla County Community Wildfire Protection Plan, completed in late spring of 2005. ODF, Tribal Fire, and BIA all worked jointly as members of the steering committee in the creation of this document.

ODF received an extension for a National Fire Plan fire prevention grant that has allowed the Pendleton Unit to fund targeted fire prevention efforts in Umatilla County and within the Umatilla Reservation. Prevention efforts in 2007 included improved fire danger signing and targeted fire prevention awareness advertisements in local newspapers. Once again this year, the BIA-Umatilla Agency funded the advertisements in the CTUIR *Confederated Umatilla Journal*, while ODF paid for ads in *The East Oregonian* and *The Walla Walla Union Bulletin*. ODF, Tribal Fire, and BIA continue to work together with other fire agencies in the Umatilla County area to support a fire prevention cooperative. The Northwest Passage Fire Prevention Co-op seeks to promote a consolidated approach to the prevention of uncontrolled fires, structural as well as wildland, in Umatilla County.

The CTUIR Office of Air Quality began implementing the new Federal Air Rules on Reservations requirements for open burning on the Umatilla Indian Reservation on January 1, 2007. During 2008, ODF personnel and Tribal representatives in the Air Quality section worked

together to coordinate smoke management and fire prevention permitting requirements for both agencies. As a result of these meetings, both agencies have a better understanding of the needs of the other. ODF will continue to make sure that the residents of the Reservation understand the need for both smoke management as well as fire prevention permits, and their interests are being well served.

In summary, the Pendleton Unit perceives the working relationship concerning fire protection with the CTUIR and the BIA–Umatilla Agency as successful and productive, and one that enhances all of the agencies' efficiencies and effectiveness. Each agency adds their strengths to the organization. This, in turn, provides the residents of the CTUIR with an effective and responsive fire protection system. Without this high level of cooperation between agencies, the checker-boarded ownership within the reservation boundaries would create a cumbersome fire protection system that was significantly less effective. This, in turn, would lead to greater risk and higher loss of resources for all residents of the Reservation.

Northwest Oregon Area

West Oregon District, Philomath

The West Oregon District has fee-based fire protection agreements with both the Confederated Tribes of Grand Ronde and the Confederated Tribes of Siletz. Staff from the Tribes regularly attend and participate in meetings of the West Oregon Forest Protective Association. It is common to have joint fire suppression action from tribal and ODF organizations on fires of mutual concern. Joint fire training is a yearly occurrence. Slash disposal is also a frequent issue requiring communication and coordination. Larger planning efforts including fire mobilization plans from each organization are shared and reviewed between the organizations.

Southern Oregon Area

Douglas Forest Protection Association (DFPA) and Douglas District, Roseburg

In 2008, a four year plan was developed and implementation began on expanding the original Jordan Creek Forest Fuel Treatment Project that had been completed in 2007. The project is located adjacent to an RV park and owned by the Cow Creek Band of Umpqua Indians. Adjacent to the RV Park is a major infrastructure development supporting the tribal facilities. The treatments will provide for forest health and defensible space around the high recreation area and infrastructure facility. A total of 53 acres were treated by thinning, piling, chipping, and mechanically altering the fuels.

A collaborated effort has begun between the DFPA and Tribal Staff for a similar project on other high risk areas owned by the tribe.

Another major accomplishment for 2008 was the completion of an all inclusive “Burn Plan” for tribal lands within the district. This process was a collaborated effort between the Cow Creek Band of Umpqua Indians, the BIA, and DFPA staff.

South Cascade District, Sweet Home

In preparation for Fire Season, in June 2008 the South Cascade District – Sweet Home Unit hosts the Mid-Willamette Valley Inter-Agency Fire School in Sweet Home. This Fire School incorporates both instructors and students from the Confederated Tribes of the Grand Ronde, Bureau of Land Management – Salem and Eugene District Offices, ODF Districts – South Cascade, North Cascade (Santiam), West Oregon, and Western Lane – USFS Willamette National Forest, USFS Siuslaw Ranger District, The Nature Conservancy, and US Fish and Wildlife Service. Approximately 188 students and 54 instructors are involved in three levels of instruction – Basic, Intermediate (determined by needs analysis) and Advanced (determined by needs analysis).

State Forests Program

Eastern Oregon Area

Klamath-Lake District, Klamath Falls

The District sent a copy of the 2009 Annual Operating Plan for State Forest Management on the Sun Pass State Forest and other parcels to the Klamath Tribe for review. They had no concerns for the 2009 plan.

Northwest Oregon Area

West Oregon District, Philomath

State Forests Program staff from the district regularly contact Siletz Tribal forestry staff to discuss routine road maintenance issues on shared roads and any timber harvesting activities on state forest lands that are immediately adjacent to tribal lands. The Siletz Tribe and State Forests staff regularly seek in put on each others' planned timber sales (Annual Operations Plans).

Southern Oregon Area

Coos District, Coos Bay

Each year the Coos District sends copies of planned sales to the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw for their review early in the Annual Operation Plan process. The purpose is so they can review individual sale locations to see if there is potential for cultural resources on the site. So far, there have not been any issues. Occasionally, permits are issued to the tribes for collecting various forest plants to be used for cultural purposes.

Coos District also interfaces with both the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw and the Coquille Tribe on local watershed councils.

Two foresters from the Coos District attended the state cultural resource training during 2008.

SUMMARY/CONCLUSIONS

ODF is very pleased overall with the relationships that we have been able to build and develop with the Tribes over the past year, and with the involvement of the Tribes in our program activities, and as members of agency stakeholder advisory committees and other groups. That involvement requires a very real commitment in time and energy from the various Tribal representatives, and we are very appreciative of that. It adds a tremendous amount of value to these group processes and products that we would not be able to otherwise obtain. We are committed to continuing and enhancing those relationships and activities in 2008 and beyond.