Dear Partners:

The USDA Forest Service manages the 193 million acres of national forests and grasslands on behalf of all the Americans. At the Forest Service, we recognize the significance that these lands hold to American Indian and Alaska Native people, their governments, and the rights and interests derived from their status as sovereign political entities. The nexus of our interests creates unrivaled opportunity to consult, coordinate, collaborate, and develop meaningful relationships of mutual benefit to the United States and tribal nations.

In 2009, we developed the Tribal Relations Strategic Plan as a guide for managing the National Forest System in a manner which implements the United States' trust responsibility to American Indian and Alaska Native tribes. The Strategic Plan established three agency goals to preserve and promote: American Indian and Alaska Native rights, partnerships, and program development. Throughout 2013, the Forest Service worked to demonstrate meaningful benchmarks under each of these goals. We welcome your review of our activities and likewise congratulate you on our mutual accomplishments.

On behalf of Chief Tidwell, the Forest Service and all of our committed tribal relations employees, I thank you for your commitment to caring for the land and serving people. I look forward to sharing the achievements our governments can accomplish together as our relationships continue to grow. The Forest Service remains committed to honoring tribal rights, interests, and perspectives in our daily operations, at every tier of our organization.

Sincerely,

JAMES E. HUBBARD
Deputy Chief, State and Private Forestry
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Table of Contents

1. **THE U.S. FOREST SERVICE TRIBAL RELATIONS PROGRAM** ........................................... 5
   - The Trust Responsibility ........................................................................................................ 5
   - The Tribal Relations Program ........................................................................................... 6
   - Organizational Structure .................................................................................................... 7

2. **WASHINGTON OFFICE INITIATIVE: THE TRIBAL RELATIONS STRATEGIC PLAN** ........ 9
   - Goal 1: American Indian and Alaska Native Rights ............................................................ 9
   - Goal 2: Partnerships ............................................................................................................ 12
   - Goal 3: Program Development ........................................................................................ 16

3. **TRIBAL RELATIONS IN THE FIELD** .......................................................................... 19
   - Regional Consultation at a Glance .................................................................................... 19
   - Northern (R1) and Intermountain (R4) Regions ............................................................... 20
   - Rocky Mountain Region (R2) .......................................................................................... 23
   - Southwest Region (R3) ..................................................................................................... 25
   - Pacific Southwest Region (R5) ........................................................................................ 28
   - Pacific Northwest Region (R6) ........................................................................................ 31
   - Southern Region (R8) ....................................................................................................... 34
   - Eastern Region (R9) .......................................................................................................... 37
   - Alaska Region (R10) ........................................................................................................ 41

4. **CHALLENGES** ............................................................................................................ 44
   - Education and Training .................................................................................................... 44
   - Field Level Tribal Relations Staff and Tribal Citizen Recruitment ................................. 44
   - Consultation Reporting ..................................................................................................... 45
   - Tribal Challenges ............................................................................................................. 45

5. **APPENDIX** .................................................................................................................. 46
   - Appendix A. Tribal Engagement Statistical Overview ..................................................... 46
   - Appendix B. Washington Office-Office of Tribal Relations Staff Contact Information .... 52
   - Appendix C. Regional Tribal Relations Contact Information .......................................... 53
1. **THE U.S. FOREST SERVICE TRIBAL RELATIONS PROGRAM**

The United States Forest Service ("Forest Service") is charged with managing the National Forest System (NFS) including lands and resources that are of historical and cultural significance to many American Indian tribes. As the agency entrusted with these resources, the Forest Service recognizes the importance of a meaningful tribal relations program to preserve cultural and spiritual significance to American Indian tribes¹, while also promoting sustainable resource management for United States citizens. This report describes the Forest Service - Tribal Relations Program actions and initiatives during the 2013 fiscal year.

**THE TRUST RESPONSIBILITY**

Tribal relations begin with a requirement to understand the government-to-government relationship between the United States and federally-recognized American Indian tribes.² Tribal governments are sovereign political entities that pre-exist the United States. Thus, the federal-tribal relationship arose from American Indian peoples’ inherent sovereignty and traditional governance of themselves prior to European colonization of North America. The U.S. Constitution acknowledges this tribal nationhood in Article I, Sec. 8, Clause 3.

The federal-tribal trust responsibility evolved from the government-to-government relationship between American Indian tribes and the federal government. Chief Justice John Marshall first discussed the trust responsibility in *Cherokee Nation v. Georgia* (1831). There the United States Supreme Court acknowledged that tribal governments retain a domestic nationhood status that is dependent upon the federal government. The relationship was characterized as that of a “ward to his guardian,” meaning that the responsibilities that the United States has toward American Indian tribes closely resembles the fiduciary obligation a parent has for the best interests of their child. The trust responsibility is judicially and legislatively acknowledged as a legally enforceable obligation for the U.S. Federal Government to protect the best interests of American Indian tribes. Tribal interests include such issues as treaty rights, lands, and resources among other things.

¹ Throughout this document, the terms “tribe” or “tribal” is intended to refer to all 566 federally-recognized American Indian tribes, Alaska Native villages, and Alaska Native corporations. The complete list can be found at http://www.bia.gov/cs/groups/public/documents/text/idc006989.pdf.
The Tribal Relations Program

The Tribal Relations Program ensures that the legal mandates of the trust responsibility are fulfilled as the Forest Service manages NFS lands and resources. The agency actively consults with American Indian tribes and Alaska Native corporations to observe and protect rights and interests within the agency’s jurisdiction. The consultation process ensures that the agency considers tribal interests in light of applicable treaty law, federal law, executive orders, and regulations. In doing so, the agency pursues the sustainable resource management goals embodied in the Forest Service Strategic Plan striving for greater federal-tribal cohesion.

The Tribal Relations Program promotes a culture where consultation and dialogue with tribes stimulate meaningful investment in inter-governmental relationships. These relationships in turn produce bilateral, mutually beneficial partnerships between the Forest Service and American Indian tribes or Alaska Native corporations. The Tribal Relations Program works to structure these partnerships in a manner that achieves Forest Service goals, respects tribal sovereignty, and preserves the cultural and spiritual significance of traditional resources.

The Tribal Relations Program endorses nine core values for fulfilling agency treaty and trust obligations. The Tribal Relations Program envisions that Forest Service officials, programs, and activities:

• recognize the inherent sovereign status and reserved rights of tribes;
• honor the federal trust responsibility;
• excel at conducting substantive consultative processes;
• support tribal rights to pursue vitality of their tribal cultures, economies, and land;
• promote collaborative natural and cultural resource management;
• use traditional knowledge in combination with the best western science and technology;
• advance American Indians and Alaska Natives in the workforce;
• respect tribal connections to traditional landscapes; and
• seek to enhance and maintain important relationships with tribes and communities.
**ORGANIZATIONAL STRUCTURE**

The Forest Service Tribal Relations Program operates at three tiers within the Forest Service organizational structure. In the field, tribal relations liaisons are dispersed throughout the agency at various levels in the chain-of-command. Collectively, these staff and personnel are responsible for implementing the Tribal Relations Program nation-wide. At the regional level, each of the nine Forest Service regions is assigned one Tribal Relations Program Manager (TRPM). The Office of Tribal Relations is located at Forest Service Washington Office (“WO”) headquarters in Washington, D.C.

![Diagram of Tribal Relations Program](image)

**FIELD**
Tribal Relations Liaisons

**REGIONAL**
Tribal Relations Program Managers

(WO)
Office of Tribal Relations

Field Tribal Relations Liaisons

An extended team of tribal relations liaisons are located in field offices at forests, grasslands, research stations, and Forest Service laboratories nation-wide. Tribal liaison personnel perform ground-level consultation, project planning, and cooperative management. The field tribal liaisons serve as the “front line” Forest Service technical experts who work with tribal governments on specific issues and partnerships.
Regional Tribal Relations Program
At the regional level, the Tribal Relations Program covers all deputy areas and Forest Service regions across the country. Each of the nine Forest Service regions is represented by one Tribal Relations Program Manager who implements the Tribal Relations Program at the regional level. TRPMs interact with tribal governments in their region and coordinate tribal relations with individual field tribal relations liaisons. TRPMs are located at varying staff levels and areas in the Forest Service. Some TRPMs are located in the National Forest System and some are in State and Private Forestry. Similarly, some TRPMs report directly to the Regional Foresters’ Office and some report to staff officers. This wide dispersion brings useful experience and perspective to the Tribal Relations Program as a whole since TRPMs are integrally involved guiding national-level policies, programs, and projects.

Washington, D.C. - Office of Tribal Relations
The Forest Service first established a tribal government program manager in the Washington Office in 1988 to respond to executive direction on tribal relations needs. In 2004, the Office of Tribal Relations (OTR) was formed as a permanent staff within the State and Private Forestry deputy area. The OTR was formed to facilitate consistency and effectiveness in Forest Service program delivery to American Indian tribes and has established many long-term relationships with tribal governments through meaningful consultation, collaboration, and attentive policy development. The current OTR staff consists of six employees who serve as the WO component of the Forest Service’s Tribal Relations Program.
2. Washington Office Initiative: 

The Tribal Relations Strategic Plan

The Forest Service developed the Tribal Relations Strategic Plan (“Strategic Plan”) to guide agency achievement of tribal relations goals. The Strategic Plan establishes priority guidance for the Tribal Relations Program. The strategic plan identifies three agency goals designed to work toward meaningful, results-driven tribal relations: 1.) American Indian and Alaska Native Rights; 2.) Partnerships; and, 3.) Program Development. The Strategic Plan outlines specific actions and objectives to achieve under each goal.

Goal 1: American Indian and Alaska Native Rights

The Tribal Relations Strategic Plan commits the Forest Service to recognizing and protecting the treaty, reserved, and inherent rights of American Indian tribes and Alaska Native governments. The Forest Service endeavors to fulfill Constitutional mandates, federal laws, and policy pertaining to American Indian rights by ensuring that the agency collectively understands the legal responsibilities owed to American Indian tribes under the Trust Responsibility and government-to-government relationship.

Objective 1.1: Supporting Forest Service Leadership Understanding and Application of Legal Responsibilities under the Trust Responsibility and Government-To-Government Relationship

Objective 1.1 actions may include any performance by the agency that works to improve understanding of American Indian and Alaska Native rights or to improve the performance of actions necessary under the trust responsibility and the government-to-government relationship. This includes providing subject-matter education to line officers and tribal liaisons as well as streamlining the application of legal responsibilities owed to American Indian tribes, such as the consultation requirement. Initiatives under Objective 1.1 work to ensure that when employees are exposed to federal Indian law issues they approach the tribal relations responsibilities with an understanding of the government-to-government relationship.

Illustration: Department Regulation Confirming Government-to-Government Consultation with Tribes

On January 31, 2013, the U.S. Department of Agriculture Secretary Vilsack signed a departmental regulation establishing “over-arching Department-wide guidance” on consulting and coordinating with American Indian tribes. The regulation was promulgated to ensure that American Indians and Alaska Natives have full access to programs
and services offered by the Department and its agencies, including the U.S. Forest Service. The Office of Tribal Relations along with regional and field tribal relations staff have been working diligently throughout fiscal year 2013 to ensure that the agency is actively engaged with tribal governments in a timely and meaningful manner.

Among other things, the regulation directs the USDA and its agencies to ensure that the rights and interests of federally-recognized tribes are considered and that tribes have opportunities to represent their interests on a government-to-government basis. The regulation applies to all policy development and program activities which may have direct and substantial effect on any tribe. Pursuant to the regulation, the Forest Service invested throughout 2013 in the development of a comprehensive consultation reporting database. The database neared completion at the end of the fiscal year and is anticipated to be implemented in the near future. Through these efforts, the Forest Service works to reinforce the application and understanding of the legal responsibilities under the trust responsibility by ensuring consistent consideration for the social, cultural, economic, and ecological aspects of agriculture on the rights and interests of tribal governments.

**Objective 1.2: Supporting Forest Service Leadership Engagement in Substantive and Meaningful Consultation with Tribal Governments**

Consultation is the cornerstone of the Forest Service federal-tribal relationship. The agency seeks to develop meaningful bilateral relationships where Forest Service leaders actively engage tribal leaders and representatives on policy, planning, and project implementation. The Tribal Relations Strategic Plan fosters these interactions to develop protocols and best practices for receiving tribal perspectives and concerns. The Strategic Plan also ensures that tribal issues are considered at multiple levels within the organization through annual consultations with Forest Service Washington Office staff and leadership. The Forest Service promotes land management decisions that appropriately integrate tribal rights and interests with these actions.

*Illustration: The Burned Area Emergency Response Program*

Burned Area Emergency Response (BAER) is a program that addresses post-fire threats to human life, safety, and property, as well as critical natural and cultural resources in the immediate post-fire environment on federal lands. Common post-fire threats include flash flooding, mudflows, rock fall, hazard trees, and high-impact erosion. Under the BAER program, scientists and other specialists quickly evaluate these post-fire threats, including threats to traditional cultural properties and sacred sites, and take immediate actions to manage unacceptable risks.

Throughout fiscal year 2013, the Forest Service consulted and actively engaged tribal governments in BAER program implementation. The agency has made great effort to create dialogues between BAER personnel, forest supervisors, and tribal governments where tribal lands adjoin NFS borders or lands within the NFS hold resource interests or cultural significance to tribes. These efforts have gone beyond simple consultation to include outreach to tribal elders who are designated by tribal nations as experts on identifying sacred sites and traditional cultural properties. In fiscal year 2013, the Forest Service worked to meaningfully address burned area management needs.
and to extend the BAER resources to tribal governments. These efforts have resulted in collaborative efforts to improve mitigation or stabilization treatments for burned areas with tribal significance.

**Objective 1.3: Policy Evaluation and Revision to Support the Trust Responsibility**

The Office of Tribal Relations believes that policies affecting American Indian and Alaska Native rights may always be improved for the mutual benefit of both tribes and the agency. The Strategic Plan guides the Forest Service to work collaboratively with national program managers to revise Forest Service manuals, handbooks, and technical guides, ensuring that tribal perspectives and the government-to-government relationship are incorporated into policy direction. The OTR staff regularly analyzes legislative issues and provides recommendations to promote agency opportunities to develop partnerships and work cooperatively with tribes. These actions ensure tribal concerns are considered at the organization’s upper tiers and support policy foundations that improve Forest Service and tribal capabilities for land and natural resource management.

*Illustration: The Sacred Sites Policy Review*

In 2010, U.S. Department of Agriculture Secretary Vilsack directed the USDA's Office of Tribal Relations and the Forest Service to review policies and procedures for the protection of, and access to, American Indian sacred sites on national forests. In December 2012, the results of this review were published in the *USDA Policy and Procedures Review and Recommendations: Indian Sacred Sites*. Although the report is not an official policy, it has been valuable for encouraging better use of the existing sacred sites policies and has fostered new policies where needs arise. All policy changes have gone through public review and tribal consultation.

A charter signed in June 2013 established executive and core teams to develop strategies and actions to implement the report recommendations. The teams are comprised of executive leaders, line, and staff officers with a commitment to understanding cross-cultural and tribal relationships. Their goals include: developing a shared program of work, advancing specific recommendations made by the report, and elevating concern for sacred sites issues through cooperative efforts with tribal elders and medicine people. The teams are interacting with tribal leaders on sacred sites issues and developing the insight necessary to take a respectful and strategic approach for advancing the report recommendations.
GOAL 2: PARTNERSHIPS

The Tribal Relations Strategic Plan encourages investing in strategic partnerships between the Forest Service and tribal governments. Although consultation may be the cornerstone of the trust responsibility, bilateral partnerships are at the cutting edge of the federal-tribal relationship. The Strategic Plan provides Washington Office support for partnerships designed to improve agency and tribal capacity to sustainably manage land and natural resource. The Strategic Plan encourages integrating traditional knowledge into traditional Forest Service roles while simultaneously promoting tribal perspectives and traditional knowledge when researching and developing new forest technologies.

Objective 2.1: Improving Partnerships with Tribal Governments, Nongovernmental Organizations, Inter-Tribal Organizations, Education Institutions, and Others

Partnership investment means creating new relationships as well as improving those that are already in place. The Tribal Relations Strategic Plan acknowledges that program outreach and delivery become more effective and efficient when the agency is able to improve upon existing partnerships between tribal governments and the Forest Service. The Strategic Plan encourages collaborating with agency program staffs to continually improve existing resource programs. One common recurring theme is fire preparedness and suppression.

Illustration: Cooperative Fire Assistance Program

The Forest Service is responsible for managing nearly 193 million acres of national forest lands. The agency has developed a largely successful tenure of consulting and coordinating with American Indian tribes and Alaska Native corporations on wildland fire preparedness and wildfire suppression response. In the interagency environment of wildland fire management, tribal wildland fire management agencies and the Bureau of Indian Affairs are full partners in managing wildland fires, including coordinating and allocating assets to prepare for and suppress wildland fire.

The Forest Service assists American Indian tribes to prepare for wildland fire through the Cooperative Fire Assistance Program (CFAP). Through CFAP, American Indian tribes apply for assistance in training wildland firefighters and acquiring firefighting equipment through local state foresters. Interagency leaders determine priorities for public and firefighter safety, identify resources at risk for wildland fire, and identify post-burn fire rehabilitation needs on tribal lands. For example, in the Southwestern Region, interagency wildland firefighting
resources are coordinated by the Southwest Coordinating Group, which includes representatives from the Bureau of Indian Affairs who represent tribal interests with three members on the nine-member coordinating group. When a critical fire ignites or when a fire expands onto tribal lands, interagency fire suppression crews and assets are directed to the tribal agencies that manage the affected areas. Incident Management Teams arrive with Forest Service tribal liaisons onsite to consult with affected tribes and develop management strategies tailored to the incident in question.

**Objective 2.2: Increasing Agency and Tribal Governments Sustainable Management Capabilities Across Administrative Boundaries**

One of the primary objectives of the Tribal Relations Strategic Plan is to improve large and critical landscape management for healthy ecosystems. The Forest Service takes multiple actions to achieve this objective, including support for demonstration projects with tribal governments or communities to showcase mutually beneficial aspects of cooperative landscape management. This practice enables the agency to contract with tribal governments to achieve agency missions while also respecting the sovereign interests of the tribe. In many instances, these actions enable the agency to observe and support tribal resource management practices that may be in-line with agency practices. One federal law that supports this objective is the Tribal Forest Protection Act.

*Illustration: The Tribal Forest Protection Act*

The Tribal Forest Protection Act (TFPA) provides American Indian tribes the opportunity to apply for, and enter into, stewardship contracts to protect tribal forest land bordering or adjacent to NFS lands. The tribes may enter into contracts to conduct projects on the federal land that pose fire or other risks to forest land within tribal jurisdiction.

Following the TFPA enactment, it became apparent to the agency that only a limited number of tribes were using the Act’s authorities. In response to those concerns, the Forest Service began efforts to discover why the authority was being underutilized and what solutions are available to increase tribal participation. The Forest Service thus developed a $302,824 cooperative agreement with the Intertribal Timber Council (ITC) to develop a program report. In April 2013, the report disclosed that in many areas Forest Service and tribal personnel were working together to promote the TFPA, however, these cooperative efforts were not universal. The ITC report recommended increased participation to tribal governments while also requesting clear, and consistent, guidance on TFPA from Forest Service leadership. The ITC focused their recommendations on remote NFS locations where training for new agency personnel is difficult to obtain but is necessary for effective program
performance. The report additionally found that tribes may often be unable to develop plans for restoring neighboring NFS lands due to tribal staff and funding limitations.

Following the report’s release, the agency took several actions to address the ITC’s recommendations. The agency first identified key personnel to serve on a TFPA implementation team. These individuals were selected to work in conjunction with the ITC and the Bureau of Indian Affairs to develop strategies for greater program delivery. The team developed a strategic framework to outline the team’s purpose and guiding principles. In addition, the Forest Service and the Department of the Interior began developing tribal relations training, including a mandatory education module for all employees. The agency anticipates that these tools will encourage greater TFPA understanding and implementation at the ground level.

Objective 2.3: Encouraging Integration of Traditional Knowledge, Wisdom, and Practices in Agency Land Management Decisions and Implementation

Acknowledging and observing traditional knowledge and wisdom is a critical component of leveraging federal-tribal partnerships. Since American Indians and Alaska Natives are the original stewards of NFS resources, the Tribal Relations Strategic Plan seeks to give credence to traditional management practices that have historically preserved the forests and grasslands to present day. The agency respects and supports integration of traditional knowledge, wisdom, and practices in the Forest Service decision making process.

Illustration: Special Forest Products

In fiscal year 2013, the Forest Service worked extensively with American Indian tribes to preserve and enhance growth of traditional foods. For instance, on the Mt. Baker-Snoqualmie National Forest, the Muckleshoot Indian Tribe’s elders expressed concerns for declining berry yields on the forest. In response, the Forest Service entered into a partnership with the Muckleshoot Indian Tribe to enhance the production of big huckleberries in the Government Meadows area of the Snoqualmie Ranger District. The Mt. Baker-Snoqualmie’s efforts have taken into consideration the traditional knowledge and the cultural need for huckleberry production from the Muckleshoot.

On a similar note, the Karuk Tribe and the University of California-Berkeley began plans to conduct research with Forest Service scientists on how traditional land management techniques impact the productivity and availability of traditional Karuk foods. The agency and the tribe began working with the Six Rivers and Klamath National Forests under a Memorandum of Understanding in July 2012. Through their continuing research, this coalition has made great strides toward characterizing traditional management practices and how they may affect the NFS.
Objective 2.4: Collaboration with Leadership and Staff in Forest Service Research and Development to Provide Educational and Technical Assistance, Joint Research Projects, and Transferring Technology to Tribal Governments and Communities

The Tribal Relations Strategic Plan supports sharing of Forest Service research and development technologies, staff, and products for tribal use and benefit. The agency makes great efforts to respect traditional land management practices developed by tribal governments while, at the same time, striving to make technological advances readily available to tribal governments. The Strategic Plan encourages the Forest Service to equip tribal governments with every tool available. Through research and technology partnerships the Forest Service works to enable tribes to respond to new and unique environmental influences. A prime example of this policy is the Forest Service’s outreach to tribal governments on global climate change.

Illustration: Washington Office Research and Outreach Collaboration on Climate Change and Tribal Resource Management

The effects of climate change have introduced a host of new risks and opportunities for tribal governments and forestry. Tribes are adapting to climate change, as they have for centuries; however, in this new, and perhaps unprecedented, forests and forestry programs are more important than ever. Tribes need improved access to scientific research on the impacts of climate change in order to manage their forests effectively. The challenges presented by climate change require a range of additional management options for tribal forests and local woodlands.

In 2013, the WO began working with the Chief’s Climate Change Advisor’s Office (CCAO) and Research & Development to expand Forest Service work on climate change throughout Indian Country. The OTR also partnered with the USDA Regional Climate Hubs, the University of Oregon/Forest Service partnership (the Tribal Climate Change Network), the Bureau of Indian Affairs, and multiple intertribal organizations to develop outreach strategies to tribal governments. The Forest Service’s efforts have worked to include traditional ecological knowledge and other tribal wisdom in planning and research on climate change. The CCAO and R&D have additionally cooperated with to the Tribal Climate Change Network and the Institute for Tribal Environmental Professionals to provide climate adaptation training to tribal governments.
GOAL 3: PROGRAM DEVELOPMENT

The third goal of the Tribal Relations Strategic Plan is to continue growth and improvement of the Forest Service’s tribal relations efforts with responsible and attentive program development. The OTR is actively working toward embedding the Tribal Relations Program into the cultural norms of the agency. The Strategic Plan envisions an agency where tribal governments regard Forest Service leadership as engaged with, and responsive to, tribal concerns and issues. Careful and attentive program development demonstrates that Forest Service values include American Indian and Alaska Native issues alongside landscape and resource management. One key aspect of program development is the need to ensure that American Indians and Alaska Natives are well-represented within the Forest Service workforce. The Tribal Relations Strategic Plan emphasizes the value of these employees, who bring an innate tribal perspective to the agency in both their individual capacities and in their influence on tribal relations program development.

Objective 3.1: Improving Forest Service Leadership Engagement in the Tribal Relations Program

Leadership engagement is one of the most important aspects of ensuring that the Forest Service is responsive to tribal issues. Leadership investment in tribal relations is crucial to ensure that Forest Service employees are attentive to tribal needs at the WO and the regional level. It is equally vital that tribal leaders and representatives of tribal governments are able to observe and feel agency investment in the relationship. This dynamic of the Tribal Relations Strategic Plan observes tribal governments as they originally were, and as they still intend to be, separate sovereign nations. Successfully maintaining tribal relations is more than consultation even when consultation is responsive. Tribal relations is an exercise in diplomacy where tribes, their leaders and representatives, want to be treated as the sovereign nations that they are.

Illustration: Planning Rule

In 2013, the Forest Service developed a new national forest planning rule which came to bear in part from unprecedented leadership engagement with tribal governments. In order to create more effective and meaningful interaction with American Indian tribes, the agency chose to begin coordinating with tribal governments prior to formal government-to-government consultation on the national planning rule. In 2010, the Forest Service began dialogues with all 566 federally-recognized tribes by hosting 16 national and regional roundtable discussions followed by one-on-one tribal consultation meetings at the regional or field levels.
By January 26, 2012, the Forest Service had continued to provide opportunities for tribal governments to engage in the rule development. The agency in part accomplished this by issuing a directive requiring all national policies with tribal implications to include a minimum offer of a 120-day period for tribal consultation. The planning rule was the first Forest Service policy to initiate such a consultation period. The agency continued engagement and consultation through the implementation of the rule where the opportunity to consult once again for the proposed implementing directives was extended to tribes in February 2013. The Forest Service then developed a 21-person Federal Advisory Committee, including tribal representatives, to provide recommendations to the Secretary of Agriculture and the Chief of the Forest Service on implementing the rule. To date, thirteen agency forest offices have begun tribal outreach and dialogue prior to formal consultation as part of land management revisions initiated under the new rule. The Forest Service’s early and often leadership engagement fostered relationship-building and provided greater opportunities for meaningful dialogue with tribal governments.

Objective 3.2: Implementation of an Integrated and Effective Tribal Relations Program

Forest Service core values promote a culture where the execution of agency policy is the most vital aspect of program development and delivery. As the agency responsible for managing the property and natural resources of the NFS, the Forest Service must continually implement programs, rules, and policies with the utmost attention to detail given the long-term or irreparable harm that may be caused by mismanagement. The Tribal Relations Strategic Plan adheres to the same principle in achieving tribal relations objectives. One of the initiatives that the Forest Service has taken in this vein is the Tribal Connections Map developed by the OTR. This interactive tool is intended to promote communication, interaction, and relationship building between every office of the U.S. Forest Service and Indian Country.

Illustration: Office of Tribal Relations Tribal Connections Mapping Project

Throughout 2013, the Forest Service continued the development of an interactive Forest Service-tribal territory mapping project. Tribal Connections is a new tool that provides a visual, interactive map identifying Forest Service administered land, tribal lands, and ceded lands all in one place. The Forest Service-Office of Tribal Relations, Office of Engineering, and Office of Forest Management partnered with the Bureau of Indian Affairs to develop the map and the agency plans to make the tool available to Forest Service staff, tribes, and many others once the end-product is completed. The Tribal Connections map will improve decision making in many instances including resource management issues; honoring the federal trust responsibility and treaty rights; providing a visual of historic tribal interests and customs; and help identify cooperative opportunities.
Objective 3.3: Increase and Advancement of American Indians and Alaska Natives within the Forest Service Workforce

The Forest Service encourages American Indian and Alaska Native representation in the agency workforce through recruitment, outreach, and other programs such as Pathways or internship opportunities. The agency also partners with tribal colleges and universities to engage students and American Indian faculty to share perspectives, increase outreach capacity, and stimulate research interests.

Illustration: Forest Service Sponsorship of Northern California Consortium Native Youth Conservation Corps

In 2013, the Forest Service sponsored the Northern California Consortium (“NCC”) in its efforts to perform environmental education, outreach, and recruitment of youth from the Mechoopda Maidu Indians of California. As part of the summer program, Maidu students participated in Youth Conservation Corps (YCC) programs on the Mendocino National Forest. In the past, NCC has also hosted YCC crews on the Grindstone Indian Rancheria. The program includes two weeks of professional development and training followed by six weeks of project work. Tribal youth and their parents are provided orientation and hands-on training to prepare them for their work projects. The Forest Service encourages native students incorporate their traditional knowledge of natural resource use into their work and the agency has found that this comes naturally for most of the participants. The students work on various projects including fire rings, cleaning around eagles’ nests, and building fish habitat. The program has proven to be very useful for students to acquire life skills and career options in natural resource management and the Forest Service.
3. **Tribal Relations in the Field**

Tribal Relations Program mission is implemented by eight regional Tribal Relations Program Managers (TRPMs) with responsibility over all nine Forest Service regions. TRPMs maintain relationships with tribal governments at the regional level, guide forest-level tribal liaisons, and ensure that WO directives pertaining to tribal relations are implemented in the field. In fiscal year 2013, the Forest Service continued to develop and expand the Tribal Relations Program nationwide. Chapter 3 is a summary description of each region’s efforts to meet the goals and target objectives of the Tribal Relations Strategic Plan.

**Regional Consultation at a Glance**

*Lead Forest Consultation*

Many of the Forest Service regions have implemented the “lead forest” consultation strategy. Under this strategy, Forest Supervisors at each national forest or grassland designate a tribal liaison who serves as the primary point of contact for tribes who reside nearby or who have interests in the forest lands. The field tribal liaisons actively engage with tribal governments for consultation and partnership opportunities at the local level. The regional TRPMs remain involved through forest review processes that invite tribal governments to meet with the Regional Forester or the Deputy Regional Forester to discuss matters of importance to the tribe on an annual basis.

The lead forest strategy improves Forest Service consultation by eliminating duplicative communications and notices. Tribal governments are frequently inundated with consultation notices that actually prevent the tribe from engaging in the consultation because tribal resource limitations constrain interaction with the Forest Service. The lead forest strategy attempts to accommodate tribal resource capacity while also ensuring that tribal interests are heard and duly considered to resolve critical issues where necessary.

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3 The Tribal Relations Program in Region 1 and Region 4 is administered by the same TRPM.
The Northern Region (Region 1) manages 25 million acres of national forest and grasslands in five states-Idaho, Wyoming, Colorado, Utah, and Nevada. There are 12 national forests and one national grassland located within the territory from northeastern Washington, northern Idaho, Montana, and the National Grasslands in North Dakota and northwestern South Dakota. The Intermountain Region (Region 4) manages 34 million acres of national forest land. Collectively, there are approximately 85 tribes that reside or have interests within the Northern and Intermountain Regions. Many tribes in these regions have federally-recognized treaty or reserved rights to lands overlapping NFS lands. The confluence of these rights with federal resource management authority requires an actively engaged tribal relations program at the field level.
Regions 1 and 4 employ the lead forest consultation strategy to ensure that all tribes in both regions are afforded opportunities to consult on agency actions that may affect them. Forest Service personnel in both regions have worked cooperatively with American Indian tribes to accommodate tribal perspectives and to incorporate tribal input while planning and developing projects. The leadership at regions 1 and 4 have placed a strong emphasis on adequately protecting sacred or cultural sites and informing tribes about Forest Service policy pertaining to such sites.

**Goal 1: American Indian and Alaska Native Rights**

**Objective 1.2 Illustration: Middle Fork Native American Interpretive Program**

The Middle Fork Native American Interpretive Program protects heritage resources on the Middle Fork River. The program provides visitors to the area with a preservation message delivered from a tribal employee at a location within the Wild and Scenic River corridor. Through the program, forest visitors learn:

- the Middle Fork River's cultural significance to the local Shoshone-Bannock tribes;
- what the visitor can do to preserve heritage resources during the visit to this special place; and,
- the steps the Shoshone-Bannock Tribes are taking to maintain the continued survival of native fisheries, and thereby preserving aspects of traditional tribal lifeways.

This is the program's seventh year, and its high level of success is due to the Forest Service's cooperation with tribal workers like Diana Yupe, a Shoshone-Bannock member and an archaeologist. Diana greets Middle Fork boaters at the American Indian Creek Guard Station and, this year alone, spoke with over 3,000 visitors about the history and culture of the Shoshone-Bannock people, their strong ties to the Middle Fork country, and the importance of preserving the archaeological sites along the river. Field-level work like Diana's helps deliver the principles of long-term stewardship and respect for the land's traditional significance to the Shoshone-Bannock people.
Goal 2: Partnerships

Objective 2.2 Illustration: Nez Perce Tribe Watershed Restoration Partnership

Region 1 and Region 4 continue to develop partnerships focused on resource management with American Indian tribes holding interests in NFS lands. In 2013, the Boise National Forest entered into a collaborative agreement with the Nez Perce Tribe to continue watershed restoration work in areas of interest to the tribe. The primary goals of the partnership are to protect and restore watersheds and fisheries throughout the Nez Perce traditional territory. In recognition of the Nez Perce Tribes sovereignty and rights memorialized in the Treaty of 1855, the Forest Service developed a Memorandum of Understanding (MOU) in conjunction with the Bureau of Land Management, the Natural Resources Advisory Committee, state departments, and other non-governmental organizations to pursue healthier watershed and fisheries habitat management.

Goal 3: Program Development

Objective 3.2 Illustration: The Salmon-Challis National Forest Archaeological Fieldwork Training Program

The Salmon-Challis Archaeological Fieldwork Training Program (“AFTP”) teaches Shoshone-Bannock tribal citizens the skills necessary to conduct archaeological surveys. In fiscal year 2013, the AFTP provided multiple tribal trainees experiential education in archeological fieldwork by giving first-hand support to the forest’s heritage program staff. The program increased exposure of Shoshone-Bannock tribal citizens to archeological methods and simultaneously helped the heritage programs at the Sawtooth and Caribou-Targhee to meet their survey targets for range, timber, and fuels projects.

The AFTP also assists Tribal Employment Rights Offices to meet training and development goals. Through the program tribal governments are able to utilize the surveying skills taught by AFTP within their own cultural and natural resource departments. Moreover, the program creates career interest in the Forest Service; as tribal participants are exposed to quality training and career opportunities that are often near their home community, which in turn develops a local source of skilled field technicians who benefit the Forest Service and the Shoshone-Bannock tribes simultaneously.
Overview
The Rocky Mountain Region (Region 2) is headquartered in Golden, Colorado consists of 17 national forests and seven national grasslands. There are 24 American Indian tribes that reside or have interests within the Rocky Mountain Region, and many of these tribes have federally-recognized treaty or reserved rights that overlay NFS lands. In fiscal year 2013, one of the regional tribal relations keynote efforts was the repatriation and reburial of both human and cultural remains.

Consultation Summary
The Rocky Mountain Region uses the lead forest consultation plan in its tribal engagement efforts.
Goal 1: American Indian and Alaska Native Rights

*Illustration: NAGPRA Implementation Memorandum of Understanding*

In fiscal year 2013, a Forest Service-led collaborative group of tribal, state, and federal agency members developed a process to respectfully implement the Native American Graves Protection and Repatriation Act of 1990 (“NAGPRA”). The working group was honored with the Regional Forester’s 2013 Public Service Award for their efforts in developing an agreement between the Southern Ute Tribe, the Ute Mountain Ute Tribe, and more than half a dozen Colorado and federal agencies. The agreement facilitates the reburial of Native American human remains and cultural and funerary objects throughout Colorado. The working group’s commitment resulted in an extraordinary Memorandum of Understanding that sets a precedent for identifying potential lands within Colorado for the reburial of Native American human remains after removal from museum, university, state, and federal agency collections pursuant to NAGPRA guidelines.

Goal 2: Partnerships

*Objective 2.1 Illustration: Federal Indian Law Lecture Series Partnership*

The Region 2 tribal relations staff have lead education efforts on tribal relations for the Forest Service nation-wide. In 2013, the Rocky Mountain Region continued its longstanding partnership with the National Park Service to host some of the most prominent federal Indian law experts in the nation. Over a three-day course, subject matter experts, such as Walter Echo-Hawk, performed a lecture series on the basis for federal Indian law, treaty rights, and religious freedoms for Forest Service and National Park Service employees. Attendees receive first-hand instruction and guidance from leaders in the federal-tribal relations sphere which in turn increases employee awareness of tribal issues and promotes effective and efficient program outreach and delivery Forest Service-wide.

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4 e.g. The State of Colorado Lt. Governor's Office, the Colorado Department of Natural Resources, the Colorado Office of Archaeology and Historic Preservation, the BLM Colorado State Office, the U.S. Fish and Wildlife Service Prairie-Mountain Region, the National Park Service Intermountain Region and the Forest Service Rocky Mountain Region.
Overview

The Southwestern Region (Region 3) covers 20.6 million acres of NFS land. There are six national forests in Arizona, five national forests and a national grassland in New Mexico, and one national grassland in each of the Oklahoma and Texas panhandles. There are 55 federally-recognized American Indian tribes with interests in Region 3 forests. The regional Tribal Relations Program crosses many program areas that present complex challenges and opportunities to fulfill the trust responsibility. Sacred sites issues and the Native American Graves and Repatriation Act are prominent concerns in the Southwestern Region. Throughout fiscal year 2013, the regional TRPM and field tribal relations staff worked diligently to increase awareness of these interests at the line officer level.
**Consultation Summary**

<table>
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<th>REGION</th>
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<th>FOREST ISSUES</th>
<th>REGIONAL ISSUES</th>
<th>NATIONAL ISSUES</th>
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* Description: “tribal engagements” indicates the number of active tribal interactions have taken place in the region

Region 3 employs the lead forest consultation strategy and tribal relations staff to take a proactive approach to tribal consultation. Forest Supervisors and line officers frequently identify concerns early in, and sometimes prior to, the planning and formal consultation process.

In fiscal year 2013, the Apache-Sitgreaves Forest Supervisor and Lakeside District Ranger consulted with the Hopi Tribe to present information on the Show Low Land Exchange. Based on tribal comments, the agency decided not to transfer 40 acres of land that contained several cultural and sacred sites, including a “spring shrine” of the Zuni and Hopi and a sacred area of the White Mountain Apache Tribe. Additionally, line officer Craig Johnson ensured that Hopi citizens were able to exercise their traditional right to gather ceremonial spruce boughs on the Coconino National Forest after an informal phone call from a Hopi elder.

Likewise, in FY2013, the Cibola, Santa Fe, and Carson National Forest offices initiated consultation with 23 tribes to update and adjust the Sacred Sites Final Report, the Regional Tribal Relations Manual and Handbook Directives, the Fire and Aviation Management Manual updates, and the Special Forest Products and Botanicals Final Rule. All three Forest Supervisors participated during the consultation meeting.

**Goal 1: American Indian and Alaska Native Rights**

*Objective 1.2 Illustration: The Payson Administrative Site Sale*

In fiscal year 2013, the Tonto National Forest became aware of tribal concerns for Hopi sacred sites that may have been at risk of impact by a land sale. The Forest Service provided the Hopi Tribe an archaeological survey for the land sale, but the tribe felt that the survey was insufficient because it did not allow them to make a cultural assessment based upon the tribe’s historical and cultural expertise. The Hopi Tribal Historic Preservation Officer felt that cultural affiliation could only properly be assessed by Hopi elders and cultural advisors; the local Forest Supervisor, Neil Bosworth, heard these issues in consultation meetings and agreed. As a result, the Forest Service spearheaded a project wherein Hopi elders were provided the opportunity to visit the affected areas. The testimony of these elders was composed into an oral history report which Supervisor Bosworth reviewed before finalizing the land sale. The Tonto’s efforts provided opportunity for consultation, face-to-face interaction, and rapport building.
The forest’s attention to tribal concerns has helped develop trust in the government-to-government relationship between the tribe and the agency.

**Goal 2: Partnerships**

*Objective 2.2 Illustration: Isleta Collaborative Landscape Project and Tribal Forest Protection Act*

As a result of the 2008 fire season and its impacts on the Isleta Pueblo community, representatives of the Forest Service, Kirtland Air Force Base, and the Chilili Land Grant met to discuss suppression of future catastrophic wildfires in the East Mountains of the Cibola National Forest. The partners began planning in 2009, achieved a NEPA decision in 2012, and, in March of 2013, the Pueblo of Isleta submitted a proposal under the Tribal Forest Protection Act (“TFPA”) to treat lands on the Mountainair Ranger District. The proposed treatments are intended to reduce the threat of catastrophic wildfire damage to the pueblo and to promote forest health during the restoration process. The pueblo’s proposal utilizes the TFPA as an implementing tool for fire suppression, fuels reduction, and the promotion of forest health. The acting Regional Forester approved the pueblo’s TFPA proposal in May of 2013, and the Cibola Forest will develop a participating agreement to implement the approved project in fiscal year 2014.

**Goal 3: Program Development**

*Objective 3.3 Illustration: Navajo Nation (Alamo School Board) Project Implementation*

Agency offices in Region 3 have taken steps to increase American Indian employment in the agency or in resource management jobs through grants, contracts, or agreements executed between the agency and tribal governments. In 2012, the Kaibab National Forest pursued a grant to implement a pilot project to conduct hazardous fuels reduction efforts while providing economic opportunities and forest products to tribal communities. By fiscal year 2013, the agency successfully implemented the first phase of this project by funding the Alamo School Board thinning crew to treat 208 acres on the Tusayan Ranger District. This project has helped provide employment to Navajo tribal members while implementing much-needed restoration treatments on the forest. Following treatments, the Navajo Liaison coordinated with communities in the western Navajo Nation to organize three fuelwood drives for community members. During these drives, tribal members were issued free permits for the collection of fuelwood in the project area. Furthermore, the drives are part of a larger, ongoing effort to provide additional opportunities for fuelwood collection to tribal members while decreasing winter (out-of-season) or unauthorized collection. The Forest Service has subsequently been working to provide chainsaw and other skill certifications to the thinning crew. These efforts improve the crew’s capabilities while also making them more competitive for positions in the Forest Service. The agency is continuing to pursue additional grant funds to develop this program.
Overview

The Pacific Southwest Region manages 20 million acres of national forest land in California, and assists state and private forest landowners in California, Hawaii, and the U.S.-Affiliated Pacific Islands. There are 18 national forests in the region and 106 federally-recognized American Indian tribes, rancherias, or tribal communities that either reside within the region or have interests therein. In California, national forests contain millions of highly volatile brushland acres and, because of this hazard, the Forest Service prioritizes the development of partnerships with tribes in the region for fuels reduction and fire suppression.
Region 5 employs the lead forest consultation strategy to better facilitate tribal consultation. Forest supervisors and district rangers meet directly with tribal council members to identify priorities for project-level activities and policy issues. These communications allow agency personnel to direct attention as quickly as possible toward potential impacts. Tribal Relations staff members work with tribal leadership and tribal staff in an ongoing effort to exchange information early in an effort to identify issues that may be resolved through the consultation process.

Goal 1: American Indian and Alaska Native Rights

**Objective 1.3 Illustration: Sacred Sites and Ceremonial Access**

The Regional Forester provides direction and support for the activities of all tribes wishing to exercise cultural or ceremonial practices in Region 5. The Winnemem Wintu Tribe is one of three unrecognized Wintu Tribes in the Redding area, and their “Balas-Chonas” coming-of-age ceremony involves the transition of tribal girls from puberty to womanhood and must be conducted at a specific time and place along the McCloud River. The ceremony has been held in previous years, but recently the tribe has faced challenges due to a lack of understanding among members of the public and agency personnel. To overcome these challenges, regional tribal relations staff worked, with the support of the Regional Forester, to develop a plan that allowed the tribe to hold their ceremony with the appropriate level of solitude and dignity according to tribal custom. This level of support from the Regional Forester has provided staff throughout the region with encouragement in their own efforts to improve relationships with tribes.

Goal 2: Partnerships

**Objective 2.1 Illustration: Artifact Reburial on the Shasta Trinity National Forest**

During a salvage sale project in the Shasta Trinity National Forest, the construction of two landings damaged a prehistoric site. As part of the inadvertent effect resolution, the Shasta-Trinity office tested the site to determine if it was eligible for inclusion in the National Register of Historic Places. The agency arranged with the Pit River Tribe to provide a monitor, but the monitor was unavailable due to illness. The Forest was given leave to test the site and Shasta-McCloud Management Unit (SMMU) archaeologists, archaeological technicians, and volunteers excavated five units and surface-collected five more.
Obsidian artifacts were recovered from the excavation and surface collection units and were cataloged and analyzed by SMMU archaeologists. To ascertain the age of the site, some of the artifacts underwent hydration analysis, which indicated that the site dates from 1500 to 3000 years Before Present (BP). Prior to conducting excavations, the Forest Service and the Tribe agreed to rebury the artifacts back at the site and, per this agreement, three members of the Achumawi Band repatriated the artifacts in the units from which they were removed. Surface-collected artifacts were also repatriated at an area designated by the tribe, and locations of the repatriated artifacts were recorded by GPS by the SMMU archaeologists who accompanied the tribal representatives.

Goal 3: Program Development

Objective 3.2 Illustration: Regional Tribal Relations Program Study

In fiscal year 2013, the Region 5 TRPM requested and received funding to conduct both external (tribal) and internal (line officer and staff) assessments of the regional Tribal Relations Program. The Center for Collaborative Policy and the U.S. Institute for Environmental Conflict Resolution worked independently to gather information to assess the challenges as well as to identify tools for success. The results of these studies will be utilized to develop training within the region for line officers and staff. A key point made by both studies is the importance to maintain ongoing, transparent communications. Consultation has been effective within the Region but is most effective when conducted early and when tribal concerns are noted and addressed through the process. One interviewee said, “the more you engage with tribes, the more you [consult] with tribes.” This is a great point and can help the agency and its staff better how its partnerships can be effective towards achieving land management goals.
The Pacific Northwest Region (Region 6) includes 17 national forests, a national scenic area, a national grassland, and two national volcanic monuments, all within the states of Oregon and Washington. Regional Forest resources provide timber for people, forage for cattle and wildlife, habitats for fish, plants, and animals, and some of the finest recreation lands in the country. There are 39 federally-recognized American Indian tribes within the Pacific Northwest Region.
Consultation activities at Region 6 forests have focused primarily on cultural and sacred sites, forest resources, and forest restoration. On the Gifford Pinchot National Forest, two formal government-to-government consultation meetings were held with representatives of the Cowlitz American Indian Tribe regarding a climbing route on Mount St. Helens that would possibly impact the Lawetlat’la Traditional Cultural Property. The area was recently listed on the National Registry of Historic Places as a sacred site to the Cowlitz Tribe. At the second meeting, the Forest Service and the Mount St. Helens Institute entered into an agreement with the Cowlitz Tribe to incorporate an educational component regarding the cultural significance of the mountain into Forest Service and park programs, and to add a statement to the text of climbing permits regarding respect for the sacred qualities of Mount St. Helens.

Goal 1: American Indian and Alaska Native Rights

Objective 1.2 Illustration: Suiattle Access and Travel Management Environmental Assessment

In 2010, the Darrington Ranger District on the Mt. Baker-Snoqualmie National Forest completed the Suiattle Access and Travel Management Environmental Assessment. The district's proposed action involved decommissioning a forest road that the Sauk-Suiattle Indian Tribe valued for access to cultural and usufructuary rights on the forest. The tribe has since requested that the road be kept open to preserve their right of access to cultural resources. Although the expense of maintaining the road was beyond the agency’s budget, the line officer recognized the tribe’s interest and deferred implementation of the closure order for five years to allow the tribe and other interested parties time to find funding. The Forest Service entered into an agreement to allow the road to remain open permanently if the Sauk-Suiattle Tribe could raise funds to bring the road up to standard and deal with any related aquatic issues. On September 21, 2013, staff from the district, zone, and forest met with tribal and community members to discuss the potential cost of a renovation, to conduct field work to better understand the demands of the project, and to identify solutions that will preserve the tribe’s right of access and maintain Forest Service budget priorities.
Goal 2: Partnerships

Objective 2.3 Illustration: Umatilla National Forest Meacham Creek Floodplain Restoration Project

In fiscal year 2013, the Umatilla National Forest entered into phase II of the Meacham Creek Floodplain Restoration project. The Project’s goal is to improve floodplain connectivity and in-stream and riparian habitat for fish species listed under the Endangered Species Act. Phase I, completed in 2012, restored just over a mile of stream on both tribal and NFS lands. Phase II will restore an additional 1.5 miles of stream and reinitiate a 2,200-foot-long side channel to improve the local fish habitat. Funding for this project has come from the BPA Accord settlement, the Forest Service, the Oregon Watershed Enhancement Board, the Pacific Coast Salmon Recovery Fund and the Blue Mountain Habitat Restoration Council.

Through the Snake River Salmon Recovery Board, The Forest Service partners with the Nez Perce Tribe and the Confederated Tribes of the Umatilla Reservation on projects with a holistic approach to watershed restoration that cover “from the mouth to the headwaters” and from “stream to ridgetop.” In fiscal year 2013, the agency provided between 200 and 300 pounds of grass seeding and 1,500 tree seedlings for a three-mile stream restoration and rechanneling project in the Tucannon Watershed. Other cooperative projects have included large wood placement in streams, culvert replacements, and stream surveying. Funding for these projects comes from the BPA Accord settlement and the Governor's Salmon Recovery Office Board.

Goal 3: Program Development

Objective 3.2 Illustration: Williamette National Forest Tribal Relations Awareness Program

In 2013, the Willamette National Forest Tribal Relations staff took steps to ensure that line officers and employees at all levels understand the laws, policies, and requirements of the federal-tribal relationship. Line officers, heritage staff, and archaeologists interact with tribal governments frequently at both the district and forest level. In fiscal year 2013, the Forest Tribal Liaison began to schedule forest and district-level sessions to help employees understand the trust responsibility and the requirements set forth by executive orders, federal law, and agency policy on tribal relations. These efforts enable Forest Service employees to inform tribal members, staff, and council about projects or future planning, and afford them the opportunity to participate in those activities. Interested tribal representatives and individuals are invited to the districts to share their perspectives and interest in the Forest Service mission as a means to incorporate tribal rights into agency decision-making and to maintain the government-to-government relationship.
Overview

The Southern Region (Region 8) is a dynamic collection of lands encompassing 13 states from Virginia to Florida to Oklahoma as well as Puerto Rico. There are 16 units within the Southern Region, including 14 national forests and two special units. The Forest Service employs about 250 people at the Atlanta Regional Office, and about 3,000 throughout the southern United States to manage approximately 13.3 million acres. Approximately 51 American Indian tribes either reside in Region 8 or have interests in the area. Due to the removal policy during the first half of the 19th century, several tribes retain interests in traditional homelands in areas distant from the tribes’ present-day locations. Consultation and engagement practices are thus exceedingly important for tribal relations in the Southern Region.
Region 8 employs the lead forest consultation strategy, wherein regional agency offices rely upon a network of tribal relations staff at the forest and district unit levels to make direct contact with tribal governments. Although the tribal relations liaison role is usually a collateral duty assigned to heritage program staff, Region 8 leadership is deeply involved in tribal relations and the government-to-government relationships. For the past 12 years, the Southern Region has participated in the To Bridge a Gap (TBAG) conference between the Forest Service and tribes with interests in the region. The fiscal year 2013 TBAG conference was hosted in April 2013 by the Delaware Nation in Norman, Oklahoma. Forests in the Southern Region served on the planning team and line officers from several Southern Region units attended the 2013 TBAG for government-to-government consultation.

Goal 1: American Indian and Alaska Native Rights

Objective 1.3 Illustration: Regional NAGPRA Accomplishments

In January 2013, the Ozark-St. Francis National Forests office completed the Notice of Inventory Completion (NIC) and Notice of Intended Disposition (NID) under the Native American Graves Protection and Repatriation Act (NAGPRA). In conjunction with the National Park Service, the Ozark-St. Francis office completed the repatriation of more than nine individual human remains along with funerary, sacred, and patrimonial objects to the Caddo Nation, Osage Nation, and the Quapaw Tribe of Oklahoma.

Following the Ozark-St. Francis’ repatriation success, Rhonda Kimbrough, the Tribal Government Program Manager for the National Forests in Florida, presented case studies on repatriation and reburial at the TBAG in Norman, Oklahoma. The presentation facilitated discussions on tribal consultation and the development of protocols for inadvertent discovery of Native American human remains. Stemming from these conversations, a Memorandum of Understanding for two reburials was signed between the Eastern Band of Cherokee Indians and the Forest Service in North Carolina.
Goal 2: Partnerships

Objective 2.3 Illustration: NAGPRA Partnerships Honoring Culturally Appropriate Treatment of Human Remains

The Southern Region’s NAGPRA efforts additionally include tribal relations staff at the Ozark-St. Francis National Forests. The Ozark-St. Francis partnered with, and provided funding to, the Caddo Nation, Osage Nation, and Quapaw Tribe of Oklahoma to visit and examine Forest Service-held and federally-curated collections of Native American remains and artifacts. These cooperative efforts, although not formal partnerships, enable the successful repatriation of remains, cultural, and funerary objects in an efficient and culturally-sensitive manner. Florida’s Ocala National Forest tribal relations staff assisted the State of Florida in documenting and protecting human remains in Silver Glen Springs Run that were exposed during an underwater looting incident.

Goal 3: Program Development

Objective 3.3 Illustration: Increase and Advancement of American Indian and Alaska Native Employees

In fiscal year 2013, the National Forests in Florida Multicultural Advisory Committee made efforts to recognize employees of American Indian and Alaska Native descent during Native American Heritage Month. The Native American Special Emphasis Program manager periodically emails all agency employees to share information that honors historic and current accomplishments by Native American individuals and leaders. Job announcements and outreach notices are also shared through electronic media with various contacts with tribal connections. In addition, the Florida Governor’s Council on American Indian Affairs is regularly notified of opportunities for funding and grants to share with Native American networks. Examples of these opportunities include the Native American Scholarship Funds through the Society of American Anthropologists and National Science Foundation, the Oregon College of Arts and Craft Journeys Art “College Prep” camp for Native American teens, and solicitation for Resource Advisory Committee nominees.
Overview

The Eastern Region (Region 9) consists of more than 12 million acres spread across 17 national forests and one national tallgrass prairie. Eastern forests were created from overdeveloped land that had been heavily eroded by farming, logging and mining activities. The regional office engages with 75 affiliated tribes whose current and ancestral lands fall within the area’s geographic boundaries. As in Region 8, due to the removal policy during the first half of the 19th century, there are several tribes that retain interests in traditional homelands in the region that are distant from their present-day tribal locations. As a result, consultation and engagement practices are also a paramount priority for Eastern Region tribal relations.
Region 9 employs the lead forest consultation strategy, wherein each forest in the region is the designated point of contact for identified tribal governments with interests in the forest. The Regional Forester engages with any federally-recognized tribe requesting consultation, and together both the Regional Forester and the Forest Supervisor retain responsibility as “consulting officials.” In general, the Regional Forester initiates consultation only for decisions and actions that are national or regional in scope.

Goal 1: American Indian and Alaska Native Rights

Objective 1.1 Illustration: Superior National Forest Memorandum of Understanding for Exercise of Chippewa Usufructuary Rights

In fiscal year 2013, the Superior National Forest entered into two Memoranda of Understanding (“MOU”) with three bands of the Lake Superior Chippewa to ensure tribal exercise of usufructuary rights on the Superior National Forest. First, Forest Supervisor Brenda Halter joined Bois Forte Tribal Chairman Kevin Leecy and Grand Portage Tribal Chairman Norm DesChampe at the 1854 Treaty Authority’s annual meeting in Proctor, MN to sign an MOU acknowledging tribal treaty rights to use Superior National Forest campgrounds without fees. With this partnership, the Forest Service recognized treaty rights and tribal sovereign authority to regulate and manage cultural resources, as tribal citizens found violating campsite regulations are now adjudicated in tribal court. The Chippewa Bands simultaneously established camping regulations that are congruent or similar to the Superior National Forest's regulations to ensure sustainable management of these tribal and NFS resources.

A similar agreement was signed with the Fond du Lac Band of Lake Superior Chippewa in September 2013. Together, the two MOUs ensure that all tribes party to the Treaty of 1854 are able to exercise traditional usufructuary rights memorialized in the treaty. The MOUs are exemplary demonstrations of the government-to-government relationship.
Goal 2: Partnerships

Objective 2.1 Illustration: Menominee National Sustainable Development Institute

In 2003, the Forest Service and the College of the Menominee Nation began exploring a unique set of partnerships that bring together the College and the Forest Service: Forest Products Laboratory, the Northern Research Station, Eastern Region of the National Forest System, and the Northeastern Area State and Private Forestry. The partnership aimed to provide American Indian communities access to resources from all branches of the Forest Service and the College of Menominee Nation facilities and programming. Among many other objectives, the partnership flourished into an active MOU developed to:

- create, distill, and disseminate knowledge about sustainable forest management, forest products utilization, Indigenous knowledge, and sustainable development;
- build national capacity to identify where forest products utilization can improve sustainable forest management, lower forest management costs, and incorporate community goals; and
- Recruit and develop students for tribal and Forest Service employment.

The partnership has been hailed as a success by both the Forest Service and the Menominee Nation. Verna Fowler, College of the Menominee Nation President, said of the program:

“Dozens of students have benefitted academically from internships and other experiences brought to us by the Forest Service, and among them have been several who have found career directions they might otherwise have not considered. Our faculty and staff have also had enriching opportunities in their work with our on-site Liaison, Dr. Michael Dockry. His work with the College's Sustainable Development Institute has been a lesson in bringing federal expertise and tribal knowledge together.”

Dr. Dockry served as the Forest Service tribal liaison to the College since the inception of the program in 2003; in FY2013, he departed from the program, but not before sponsoring the visit of two scientists from the Forest Service Northern Research Station – Dr. Anne Timm, research aquatic ecologist, and Dr. Christel Kern, research forester – to the college. The Forest Service has utilized the transitional period following Dr. Dockry’s departure to perform considerable outreach and expansion of the partnership, to include nine additional tribal colleges in Region 9 as well as Haskell Indian Nations University in Lawrence, KS. Region 9 has performed these expansion efforts in honor and recognition of the legacy that the College of the Menominee Nation has established. Through the innovative program forged by the College, the Forest Service seeks to export the traditions established by the Menominee Nation Sustainable Development Research Institute to a region-wide tribal partnership program. The Forest Service began these efforts in FY2013 and continues to support the Menominee legacy in FY2014.
Goal 3: Program Development

Objective 3.3 Illustration: Region 9 Native Employment Recruitment and Advancement

In 2013, the Superior National Forest (SNF) began early stages of developing a tribal internship program that would focus on direct outreach to recent high-school graduates from the 1854 Ceded Territory with an interest in history and archaeology. The goal of the internship program would be to engage one to two tribal youths during each summer field season and provide training in historic research and archaeological field methods and a working overview of federal cultural resource law. In northeastern Minnesota, cultural resource staff from the SNF are pursuing the idea of a partnership with several land-management agencies within the 1854 Ceded Territory. Such an internship would occur over a three month period, with housing, field stipend, and hosting concurrently being provided by the SNF, the Grand Portage National Monument, and perhaps by Isle Royal National Park. The goal would be to expose tribal youth from the 1854 ceded territory bands to different cultural resources within the ceded territory, and to provide a foundational experience that could lead to employment in the field of cultural resources.
Overview

The Alaska Region (Region 10) contains the two largest national forests in the NFS— the Chugach National Forest and the Tongass National Forest, located in south-central and southeast Alaska, respectively. The region manages 21.9 million acres and engages approximately 60 Alaska Native villages or corporations, one American Indian tribe, and other appropriate organizations or groups. The region employs tribal relations staff in the Regional Office and on both the Chugach and Tongass National Forests. Cross-regional collaboration in tribal relations occurs primarily within the context of the Alaska Tribal Leaders Committee (ATLC), which consists of:

- Four elected tribal delegates: two from the Chugach National Forest and two from the Tongass National Forest.
- Regional Office: Regional Forester, Deputy Regional Forester, and Tribal Relations Program Manager.
- Chugach National Forest: Forest Supervisor, Deputy Forest Supervisor, a District Ranger, and the Tribal Relations Specialist.
- Tongass National Forest: Forest Supervisor, Deputy Forest Supervisor, a District Ranger, and the Tribal Relations Specialist.
- Pacific Northwest Research Station: Alaska-based Program Manager and Juneau and Sitka Lab Line Officer, and the PNW Tribal Liaison.
The political landscape for consultation in Region 10 is complex. In addition to consulting with federally-recognized tribes, Congress also requires all federal agencies to consult with Alaska Native corporations. Region 10 tribal relations staff remain vigilant in consultation efforts, as it may be particularly important that the Forest Service seeks input from tribal or Alaska Native clans or the nonprofit arms of the Alaska Native corporations. At the request of the Regional Forester, the TRPM serves on the Subsistence Consultation Workgroup, a committee created by the Federal Subsistence Board to draft the board’s tribal consultation policy (adopted by the board on May 9, 2012). In fiscal year 2013, the workgroup developed draft implementation guidelines for the board's tribal consultation policy.

Goal 1: American Indian and Alaska Native Rights

Objective 1.2 Illustration: Tribal and Alaska Native Corporation Engagement on Forest Plan Revisions

During fiscal year 2013, the Chugach National Forest office consulted with federally-recognized tribes and Alaska Native corporations during the Forest Plan Revision process's assessment phase. In addition to two mailing communications and follow-up telephone calls with all south central Alaska tribes, villages, and Alaska Native corporations, the Forest Supervisor and other line officers met with Chickaloon Native Village, the Native Village of Eyak, Chenega Corporation, Eklutna Incorporated, Eyak Corporation, Tyonek Native Corporation, Chugach Alaska Corporation (CAC) and Cook Inlet Region, Inc. to discuss the assessment phase. Consultations were also conducted with the Kenaitze American Indian Tribe and CIRI during development of a Cultural Resource Management Plan for the Siquidhnu Archaeological District, pursuant to direction of the Russian River Lands Act, and with the CAC during review of Alaska Native Claims Settlement Act 14(h)(1) site selections on the Chugach National Forest.

Goal 2: Partnerships

Objective 2.4: Fish Waste Management Partnership

In fiscal year 2013, the Cook Inlet Region, Inc. provided $10,000 for two Kenaitze Indian Tribe technicians to work with the Chugach National Forest and the Kenai National Wildlife Refuge in the Russian River area to dissipate fish waste into numerous areas. Fish waste that collects on the Russian and Upper Kenai Rivers is known to attract both
black and brown bears to the high tourist use area. Nearly 150,000 visitors recreate at this world-class sockeye salmon run, and many of them have close encounters with bears, resulting in some bears being killed in defense of life or property. The Kenaitze Indian Tribe and Cook Inlet Region, Inc. concerns led them to partner with the Chugach National Forest during the past two seasons (2012-2013) to educate visitors, especially anglers, on how to respectfully harvest salmon (using as much of the fish as possible) in order to reduce fish waste and human-bear conflicts on the Russian River. The Chugach National Forest and the Kenai Wildlife Refuge then signed a five year action plan with the Kenaitze, Cook Inlet Region, Inc. and the State of Alaska to manage human-bear conflicts on the Kenai & Russian rivers.

Goal 3: Program Development

Objective 3.3 Illustration: Alaska Native Science and Engineering Program Interns

The Tongass National Forest hosted two Alaska Native Science and Engineering Program (“ANSEP”) student interns during the 2013 summer to promote diversity and inclusion in recruitment and retention practices. The interns served on the Sitka and Craig Ranger Districts where they built log structures to improve fish habitat, counted fish, and worked with trail crews. Fiscal year 2013 was the third year of a five-year agreement with ANSEP. The Tongass also partnered with the Ketchikan American Indian Community Job Bridge Program to host a Certified Interpretive Guide course for six tribal attendees, one of whom secured employment with California State Parks as a result of the program. The Chugach National Forest Engineering Program also began hosting one ANSEP student-intern during June and July of 2013. The intern worked with engineers, surveyors, and fleet managers on numerous projects in the field and in the office.
4. CHALLENGES

Throughout 2013, the Forest Service has made many concerted and successful efforts to implement the Tribal Relations Strategic Plan. Despite the tireless efforts of the OTR, TRPMs, and tribal liaisons, challenges still remain to be addressed and improved upon. On a national level, challenges exist due to high turnover rates and the need to institutionally embed tribal relations training. Additionally, the agency may greatly benefit from increased efforts to recruit and retain tribal citizens as employees, particularly for tribal liaison positions. Consultation gridlock is also a continuing issue, which the Forest Service has taken steps to implement directives on consultation procedures and reporting, yet, the agency is ready for full implementation of the comprehensive consultation reporting plan. In an effort to address tribal relations in the coming years, the Office of Tribal Relations has identified the following priorities to improve Forest Service tribal relations.

EDUCATION AND TRAINING

The Tribal Relations Program’s success depends on employees’ understanding the basic tenets of federal Indian law, and the government-to-government relationship, as they interact with tribal governments. The value of field-level training on tribal relations cannot be overstated and the Forest Service has taken meaningful steps toward culturally embedding tribal relations education in the core training curricula for all employees. For instance, the Forest Service has made the “Working Successfully with Tribal Governments” training course available to all employees through the agency’s integrated online training module.

In 2014, and the coming years, the Forest Service may benefit greatly by continuing this investment in tribal relations training and education. Staff and line officer education is a continuing challenge due to new employee influx and the diverse career experience that the Forest Service offers to employees through detail and reassignment opportunities. The training and education efforts that the agency has made are substantial and will continue to improve the Tribal Relations Program as individual employees’ collective understanding of the federal-tribal relationship continues to transform the Forest Service into an institutionally astute tribal relations agency.

FIELD LEVEL TRIBAL RELATIONS STAFF AND TRIBAL CITIZEN RECRUITMENT

A common challenge indicated in the 2013 regional reports is the need for more tribal relations employees in the field. The Forest Service can improve tribal relations staffing by increasing tribal relations as a primary job description instead of a collateral duty. There are many offices within the NFS that may be required to engage in consultation and relationship building with a dozen or more tribal governments. Furthermore, successful relationships with tribal governments require time commitment and consistency beyond the basic consultation requirement. Tribal relations as primary duty assignments can help create relational stability between the agency and tribes and greatly improve rapport building-building.
On a similar note, the agency can also improve tribal relations in the field by promoting recruitment and retention of tribal citizens for tribal liaison positions. Many tribal citizens possess lived experiences and tribal perspectives on the government-to-government relationship that can foster bonds between a forest or district office and tribal governments. Developing relationships with tribal leaders and elders often takes years, and the skills required to effectively communicate across federal-tribal lines can be difficult to acquire. The agency can take measures to collectively improve interaction with Indian Country by increasing outreach and advertisement of tribal liaison positions to tribal citizens.

**CONSULTATION REPORTING**

Consultation is a primary inflection point of the tribal relationship and is exceedingly important since the Forest Service manages resources of mutual interest to tribes and the United States. The Forest Service has acknowledged the consultation process as a priority. In fiscal year 2013, the agency continued with design of a comprehensive consultation database. Individual reports from field-level tribal liaisons up to WO staff indicate that agency personnel are ready to implement the consultation database and reporting plan. Implementing the database and the attendant reporting structure will be highly valuable to for accurately reporting consultative interactions and creating an overall description of meaningful relationships with Indian Country.

**TRIBAL CHALLENGES**

The Tribal Relations Program also takes into consideration challenges that tribes face in their interaction with the Forest Service. A common challenge across the nation is limited tribal resources and capacity to request the number of consultation requests and issues resulting from Forest Service actions. It is also common for tribal natural resource employees to pull multiple collateral duties within natural resource as well as other fields. As a means to alleviate the gridlock that many tribes face the Forest Service has accommodated tribal incorporation of third-party, intertribal natural resource organizations into their analysis process. Organizations such as the 1854 Treaty Authority, the Great Lakes Indian Fish & Wildlife Commission, and the Intertribal Timber Council operate as resource analysts and consultation “clearinghouses” for tribal consortiums.

Although these organizations are not tribal governments for the purpose of fulfilling the consultation policy, they have proven to be exceptionally effective communication channels between the agency and tribal governments pursuant to the consultation directive. The Forest Service can enhance and streamline the consultation process throughout the nation by continuing to work with and support these intertribal natural resource organizations.
## 5. Appendix

### Appendix A. Tribal Engagement Statistical Overview

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| Caribou-Targee                              | 1        | 16     | 1        | 2        | 16                | NR    |
| Humboldt-Toiyabe                            | 33       | 30     | 2        | 5        | 200               | NR    |
| Manti/Fishlake                              | 6        | 5      | 0        | 0        | 5                 | NR    |
| Dixie                                       | 1        | 30     | 0        | 1        | 5                 | NR    |
| Payette                                     | 4        | 13     | 0        | 0        | 44                | NR    |
| Salmon-Challis                              | 2        | 41     | 0        | 0        | 9                 | NR    |
| Sawtooth                                    | 4        | 0      | 0        | 0        | 11                | NR    |
| Uinta-Wasatch-Cashe                         | 3        | 3      | 0        | 0        | 0                 | NR    |

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## APPENDIX B. WASHINGTON OFFICE-OFFICE OF TRIBAL RELATIONS STAFF CONTACT INFORMATION

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Contact</th>
</tr>
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</table>
| Fred Clark          | Director                     | [fclark@fs.fed.us](mailto:fclark@fs.fed.us)  
                        |                               | (202) 731-2770                  |
| Estelle J. Bowman   | Acting Director              | [ejbowman@fs.fed.us](mailto:ejbowman@fs.fed.us)  
                        |                               | (202) 400-0846                  |
| Alicia Bell-Sheeter | Policy Analyst               | [ambellsheeter@fs.fed.us](mailto:ambellsheeter@fs.fed.us)  
                        |                               | (202) 306-6008                  |
| Ericka Luna         | Policy Analyst               | [elluna@fs.fed.us](mailto:elluna@fs.fed.us)  
                        |                               | (202) 306-1649                  |
| Mariel Murray       | Program Analyst              | [marieljmurray@fs.fed.us](mailto:marieljmurray@fs.fed.us)  
                        |                               | (202) 306-5121                  |
| Pamela Williams     | Administrative Assistant     | [pwilliams@fs.fed.us](mailto:pwilliams@fs.fed.us)  
                        |                               | (505) 697-0184                  |
| Tyler Fish          | Presidential Management Fellow| [tylerafish@fs.fed.us](mailto:tylerafish@fs.fed.us)  
                        |                               | (218) 626-4338                  |
## APPENDIX C. REGIONAL TRIBAL RELATIONS CONTACT INFORMATION

### Regional Tribal Relations Contact Information

<table>
<thead>
<tr>
<th>Region</th>
<th>Name - Contact</th>
<th>Address</th>
</tr>
</thead>
</table>
| Region 1  
Northern Region &  
Region 4  
Intermountain Region | Cheryl Vanderburg  
evanderburg@fs.fed.us  
O: (406) 329-3348 | USDA Forest Service  
Northern Region (R1)  
Federal Building  
200 E. Broadway  
Missoula, MT 59802  
USDA Forest Service  
Intermountain Region (R4)  
324 25th Street  
Ogden, UT 84401 |
| Region 2  
Rocky Mountain Region | Susan Johnson  
sjohnson08@fs.fed.us  
O: (303) 275-5760  
C: (303) 378-2652 | USDA Forest Service  
Rocky Mountain Region  
740 Simms St.  
Golden, CO 80401-4720 |
| Region 3  
Southwest Region | Dan Meza  
dmeza@fs.fed.us  
O: (505) 842-3424  
C: (505) 301-1286 | USDA Forest Service  
Southwestern Region  
333 Broadway SE  
Albuquerque, NM 87102 |
| Region 5  
Pacific Southwest Region | Robert Goodwin  
ragoodwin@fs.fed.us  
O: (707) 562-8919  
C: (707) 592-1688 | USDA Forest Service Pacific  
Southwest Region  
1323 Club Drive  
Vallejo, CA 94592 |
| Region 6  
Pacific Northwest Region | Waldo Walker  
wwalker@fs.fed.us  
O: (503) 808-2603  
C: (971) 275-4407 | USDA Forest Service Pacific  
Northwest Region  
333 SW First St.  
P.O. Box 3623  
Portland, OR 97204 |
| Region 8  
Southern Region | Ian Ritchie  
iritchie@fs.fed.us  
O: (318) 473-7177  
C: (318) 308-2710 | USDA Forest Service Southern Region  
Kisatchie NF  
2500 Shreveport  
Pineville, LA 71360-2009 |
| Region 9  
Eastern Region | Larry Heady  
lheady@fs.fed.us  
O: (218) 626-4332  
C: (414) 305-4483 | USDA Forest Service Eastern Region  
8901 Grand Ave. Pl.  
Duluth, MN 55808 |
| Region 10  
Alaska Region | Lillian Petershoare  
lpetershoare@fs.fed.us  
O: (907) 586-7089 | USDA Forest Service Alaska Region  
709 W. 9th Street  
P.O. Box 21628  
Juneau, AK 99802-1628 |