DEPARTMENT OF THE INTERIOR

TRIBAL CONSULTATION

SECRETARIAL ORDER 3336
Rangeland Fire Prevention, Management, and Restoration

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Taken at 911 Northeast 11th Avenue
Portland, Washington

DATE: Thursday February 19, 2015
REPORTED BY: Kristin M. Vickery, CCR, CLR 3125

PORTLAND, OREGON; THURSDAY, FEBRUARY 19, 2015
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MR. GIDNER: Good morning, everybody. My name is Jerry Gidner. And I'm going to introduce myself and others more in just a moment. But, first, I'm going to turn it over to Stan Speaks, the regional director for the BIA just to make some welcoming comments.

MR. SPEAKS: Thank you, Mr. Gidner.

And good morning and welcome. It's by tradition and by way of life for us, is that when we -- we begin a session with our Tribes, we always call upon the Great Spirit. So in order to do that and make sure we set things straight in this room to get things off appropriately, I call on Ms. Lankford from Salish-Kootenai to lead us in a prayer.

Ms. Lankford.

MS. LANKFORD: Thank you, Stan.

Creator, (in native language), today we just ask you for your love and your guidance and your wisdom.

And we just ask you to watch over all of us as we -- as we travel to these meetings to take care of issues that affect our home and our homeland and our people. We just ask you to also watch over our elders and our children to keep them safe and strong.

We ask for a special prayer today for our military and our armed forces. We just ask you to be with them and their families and just keep them safe and strong.
We ask for a prayer for our elders. We also ask for a prayer for all the individuals that are traveling all over the world. We just ask you that we have some craziness going on. We just ask you to be with them and keep us safe.

(In native language.)

MR. SPEAKS: Thank you, Ms. Lankford.

And again, people, welcome. Welcome to this very special consultation session. And I think you're going to find the subject very important. It will give you a great opportunity in which to have dialogue with some very key people. And I think you're going to feel comfortable being able to do just that.

This is a consultation session that -- initiated by the Department. And I do think that the Secretary of the Interior -- I believe it's one of her initiatives. If not, she certainly supports it.

So with that, I'm going to introduce Mr. Jerry Gidner. He has some comments and is going to make some very special introductions, some people that we have -- some guests we have from the Department of Interior and also the Bureau of Indian Affairs.

So, Mr. Gidner?

MR. GIDNER: Thank you.

Good morning. So my name is Jerry Gidner. I'm the Tribal Liaison Officer for the Office of Policy, Management, and Budget in the Department of Interior. I'm a member of the Sault Ste. Marie Chippewa Tribe from Michigan.

Excuse me.
We’re here today for a consultation on the Secretarial Order 3336. I won’t be able to remember the whole name of it. It says, Rangeland fire prevention, management, and restoration. And it was signed January 5th of this year by Secretary Jewell of the Department of the Interior.

So we are having a series of sessions to talk with Tribes about the Secretarial Order. I’m going to introduce our DOI speakers here in just a second.

First, I do want to say, as you can see, we have a court reporter here. So we’re -- our session is being recorded and there will be a transcript. And it will be up on the Web site that we’ve set up for this probably by next week. So when you do give comments, please state your name so the court reporter can get that. Otherwise, we won’t know who said what. Hopefully everybody signed in up front.

And if you do have any written comments, please feel free to turn those in. One Tribe already did. And just give those to the court reporter, and we’ll get copies of those where they need to be here in a little bit.

I will say the -- a logistical matter, the restrooms are back down the hallway toward the entrance door about halfway up the ramp on the left. So if you need to use those, that’s where you’ll find that.

All right. So let me introduce the folks that are here today. First, at the table, is Janice Schneider, the Assistant Secretary for Land and Minerals with DOI. To her right is Jim Lyons, Deputy Assistant...
Secretary for Land and Minerals. And here on my immediate right is Jerry Perez, the BLM state director for Oregon.

Over here -- and just raise your hand as I call your name -- Paul Steblein, who's the Deputy Director of the Office of Wildland Fire for the Department of Interior. Joe [sic] Fedrizzi is a state fire management officer for BLM for the State of Oregon. Behind him is Helen Riggs, who's the Deputy Bureau Director for the BIA for Trust Services. Next to her, David Koch, who's the acting forestry manager for BIA from Washington.

In the front row, we have Lauren Bogard, who's a special assistant or adviser to the assistant secretary. Mr. Speaks, everybody knows, the BIA Regional Director. Bodie Shaw is the Deputy Regional Director.

Jesse Delia, who is the -- he told me his title, but it's --

he's the sage-grouse coordinator. He's a Candidate Species Coordinator for Fish and Wildlife for this region.

If there's anybody else from DOI here who I have forgotten, I apologize.

Well, I need to talk about Linda Brisbane, who helped with the logistics, from Mr. Speaks's office. So without her, we would not be doing this at all. So thank you for that.

And I'm sorry. Erin Darboven sitting in the back is the -- working on Tribal consultation for the Office of Wildland Fire.

So we have a lot of folks here to talk to you today about this and into the future.
And let me, before I turn it over to Ms. Schneider, we have a -- I'll just give kind of the overview of the process of this.

The Secretarial Order came out January 5th and had some very tight timelines in it. And we understand we've already heard from Tribes, there's not a lot of time to comment, and we understand that. There's not a lot of time for us either. But we're doing the best we can.

We had to do an implementation plan within DOI which was just an internal plan on how we're going to organize this. It's up on the Web site, which I'll give the Web site in a minute. It's out there at the back table, so hopefully you have that. We do talk in there about how we plan to do consultation moving forward. So that came out February 1st, I think.

March 1st we have to have a report in place talking about how -- what we will do to implement the Secretarial Order for the 2015 fire season.

The Secretarial Order has nine tasks that we have to work on. There's only four of those reflected in this first report. And the draft report that we want your comments on is also outside and also on our Web site.

So there are four tasks in there, numerous action items but four main tasks. And it's really for the 2015 fire season.

Coming up -- and comments for that, we would like by next Monday, the 23rd. There's a number of ways to submit comments, which I'll talk about in just a second.
The second report is for 2016 fire seasons and beyond. It will talk about all of the nine tasks. We have a consultation in Reno, Nevada, April 7th for that, to take comments on that -- or to have a consultation on that. Comments will be due April 21st. So there will be two weeks from the consultation until comments are due.

And we also will have that, I think -- I can't remember. We -- we were saying, I think, March 31st we'd have comment -- or the draft out. I think we moved that forward. I'll check while we're having our discussion.

We will have that report out as soon as we can get it done, the draft, for Tribes to look at. So for that one, which has a much broader sweep than the -- this one that's out today, Tribes will have a much greater time to comment on that. And it's still only a couple weeks. We understand that. But it is more time.

Let me tell you -- make sure you know how to -- how to comment.

Of course, if you have something prepared, we'll take it today. We have a Web site dedicated to this topic. And it's www.forestsandrangelands.gov/rangeland. Forests and rangelands is all one word, and forests and rangelands are both plural. And if anybody needs me to write that down for you, later on I will.

So that's the Web site where all these documents are.

We can take comments several ways. First, on that Web site, there's a link to a Web form. You can type
your comments into that form. And that actually is our preferred way because that will automatically aggregate those comments for us and it will just help us process those on our end.

But we have an e-mail that you can send comments to, rangelandfire@ios.doi.gov. Or we have a fax number. You can fax comments, (202) 478-5091.

So with that introduction -- and if anybody wants me to write -- like I said, if anybody wants me to write down any of that information, I'll be happy to as the day goes on.

So with no other introduction, I'm going to turn it over to Assistant Secretary Janice Schneider.

MS. SCHNEIDER: Jerry, thanks so much.

Can you folks hear me? Good. All right.

Excellent.

Thank you, everyone, for participating today.

It's really an honor for me to be here and to have this dialogue with you. I also love being in Portland. I went to Lewis and Clark, so it's great to be back for a few days at the very least.

As Jerry indicated, the reason we're here today is, we want to seek your input on how we go about implementing Secretarial Order 3336, which is the rangeland fire order that Jerry was just discussing. We are at the early stages of the process, so there's a lot of opportunity for input in terms of how we go about implementing it.

We recognize that things are moving very quickly.
I, myself, just this week, got a copy of the draft as well. So we're all a little bit in the same boat. These deadlines are being driven by the Secretarial Order itself, and we're trying to be -- we're trying to move this as quickly as we can while having as many opportunities for input as is possible.

The -- the order that tasks the Department to develop a landscape-scale, comprehensive strategy to reduce the threat of fire in the rangeland, primarily in the Great Basin area of the United States. And this is to be done pursuant to the order in collaboration with partners. And the order also recognizes that this effort is now a critical priority for the Department.

I thought it would be helpful, just by way of background, to give you a little bit of information on how the order came to be, like why are we doing this right now.

I think it's pretty uncontroversial, at this point in time, that the threat of rangeland fire in the Great Basin is very, very significant. There is a cycle that's been created in the environment where you have this accelerated invasion of nonnative, annual grasses -- like cheatgrass -- that are moving in, coupled with drought and with climate change, what we're seeing is that fires in that part of the country are burning longer. They're burning hotter.

And after the burn, cheatgrass is -- medusahead rye and some other invasives are moving in and just creating a cycle that is not the normal cycle for that part of the
country. And it's repeating again and again and again. And we're -- we're losing millions of acres of sagebrush-steppe habitat which is an incredibly important ecosystem, not only to the communities that live in the area; the ranchers; the Tribal communities; you know, other folks who have -- you know, have their living in that ecological system, but there are also hundreds of other -- of birds and plants species that are affected as well on an annual basis.

Now, clearly, the threat of rangeland fire also plays a very, very significant threat to the greater sage-grouse which, as I'm sure everyone knows, we are in an 11-state effort right now to try to potentially avoid a listing of that bird.

The Fish and Wildlife Service, in 2010, determined that the listing of the sage-grouse was warranted but precluded by other priorities. And so the bird was made a candidate species under the Endangered Species Act. And under court order, the Department, the Fish and Wildlife Service, specifically, is required to make another determination in September of this year.

And so Jim Lyons and other members of the Department are working very, very hard with a lot of our partners to try to develop a comprehensive strategy to avoid -- potentially avoid a listing.

And that includes revising the Bureau of Land...
Management plans. There are 98 different plans that we're in the process of revising right now to put stronger conservation measures into place. We're working very closely with the states to make sure that they are doing their part from a conservation perspective. And the third leg of the stool is fire in the Great Basin.

Fish and Wildlife Service has said, very unequivocally to us that we have to address the fire risk and find ways to work together, to work smarter, to be more efficient with the resources that we have, and really put into place a long-term strategy to minimize the risk to fire in the Great Basin region specifically.

And so that's what the order does. It -- it tries to put into place and put us on a path of developing an enhanced strategy. We all know that there's a lot of great work that's already being done. We're going to build on that. And the way we see it, and as it is articulated in the -- in the Secretarial Order, this is a multipronged approach. We're going to look at all facets of the fire question.

Can we do a better job, prefire, from a fuels treatment perspective? Can we use our fire suppression assets and money smarter? Can we enhance capabilities for folks who are locally situated to help with initial attack from a training perspective? Can we address our postfire restoration work in a much more effective way that is measurable so that we can actually focus on those areas that are most resilient and resistant to fire and also very
We started this question back in -- it feels like a long time ago, but it really wasn't -- back in November where we brought together almost 300 people in Boise to just start the conversation. How can we do this better? How can we work better together? And that was at a conference called The Next Steppe, S-T-E-P-P-E -- I thought it was a clever name; Jim didn't like it -- but but to really kind of look at, you know, what can we be doing together.

We had some Tribal participation, including from Warm Springs and Shoshone-Paiute, which was terrific. We wanted to try to engage Tribal communities; make sure that we have more Tribal participation; and have an understanding of what your views are going forward, how could we be doing things better; and also to understand any concerns that -- that you may have. So the conference was great. It kicked off a lot of good ideas and -- and that actually resulted in the issuance of the Secretarial Order.

Couple of key tenets that I just want to stress from the order that we're looking at because this is really going to be a comprehensive strategy. We're looking at improving our coordination and collaboration, as I mentioned earlier. That is paramount to this effort. Secondarily, we are very focused on the importance...
of initial attack and how can we enhance the capability and
capacity of State, Tribal, and local governments, as
well as rangeland fire protection associations, volunteer
fire departments to help with the initial attack. We want
to make sure that folks are properly trained and available
to participate in protecting the communities that they live
in.

And we're also very focused on developing
additional technologies to identify these areas that we
should protect, i.e., where are the right places to be
putting our money; where are the right places to be put our
fire prevention assets so we're not just wasting money, as
sometimes may be the case. We're looking at piloting new
strategies. So we're interested in your ideas along those
lines. And overall, we just want to improve our
effectiveness and our efficiency.

So I'm looking forward to working with you as we
move forward. You know, things, as I mentioned, are moving
quickly. But there is opportunity to provide us with your
to meet with you today and begin the conversation about this important priority for the Department and, I think, for all of us concerned about the fate and future of the Great Basin.

I would emphasize, as it's been said a number of times, that we're -- we're attempting to do this at a rapid pace so we can be responsive to what we heard. We've heard it before but heard it amplified at The Next Steppe conference that Janice referenced.

There, we pulled together a wide range of people with a wide range of expertise including members of various Tribes. And the overriding concern was, is this going to be another one of those government conferences that leads to nothing?

And I think we wanted to, "A," demonstrate that that is, in fact, not the case; and, B, demonstrate that we have the capacity, if we're smart about how we manage our assets, to do a better job of addressing the threat of rangeland fire in the Great Basin. And that led, soon after, to the creation of the Secretarial Order which was issued in January which put us on a very, very tight time frame to respond.

So if you go to the Web site that Jerry referenced, forestsandrangelands.gov, you will see the Executive Order; you can find the implementation plan, which was first the product that we needed to generate for the Secretary; and you will see the draft of this initial plan.

And I emphasize the "initial" because the focus
here is really on the actions and activities that we can undertake in advance of or during the 2015 fire season, again, just to get ahead of things. The larger, longer-term plan will be delivered -- is due to be delivered to the Secretary, May 1. And we want to provide more time for input and comment, but we certainly want to get your views, your thoughts, about the 2015 plan as well.

As I said, this is a priority for a number of reasons, but I think if -- it also, in some respects, you know, is a priority for everyone who cares about these lands and landscapes; is concerned about the impacts on natural resources, on communities; the potential threat to life and property.

And it's the piece of the fire puzzle, if you will, that never has gotten a great deal of attention. I worked in the Clinton administration for eight years and worked on fire policy, worked in this region quite a bit on those issues. And forest fires are always going to be the dominant concern. But rangeland fire is an increasing concern, and I think it has been amplified by the impacts of climate change and drought. And we're starting to see that now. And so we want to make sure we address both effectively -- I think that's the -- that's the message -- so we can manage all lands, to protect and restore them to a healthy landscape.

So I just want to highlight a couple of things that are in the initial plan. And we'll go into detail, but this will give you some sense of what we're trying to
accomplish in the short term.

So you'll see, when you get a chance to look at the initial plan, that it focuses on a few areas of priority. The first is integrated response. And there, we've -- we've gone through an effort, working with the forest service, BLM, Fish and Wildlife Service, and others to actually map out the -- the areas of high resistance and resilience to fire in the Great Basin region. And -- and we intend to use that information and the technology to have a better target on the work that we do with regard to rangeland fire.

Some of those areas we refer to as the FIAT areas, the Fire and Invasives Assessment Tool areas, do affect reservations. There's about 400,000 acres actually in the Great Basin that coincide with these FIAT areas. And those will certainly be areas of focus.

A second area that we've dealt with that Janice already eluded to was to try to improve our ability to train local firefighters, rural fire protection associations, volunteer fire companies to better equip them to help us, particularly with initial attack.

As with all fire, the challenge is to get on the fire quickly. Rangeland fires have a capacity to burn many acres fast. And -- and since these areas are so widespread, we don't have the resources and the assets to cover them. We never will. So we want to be able to train people within the communities near these areas of high potential for fire so that they can help us get on top of the fire quickly and
hopefully increase our capacity to limit the spread of fire
to affect an initial attack. And -- and you'll see, in the
plan, a strategy to try to accelerate and expand the
training for that purpose.

Part of our goal here is to look across a wider
landscape and take a risk-based approach to wildfire
response. And that links back to targeting to those areas
that are most resistant and resilient as well as recognizing
the areas that are significant from the standpoint of
sage-grouse and other important species. And part of this
is driven by the fact that we are working across 11 states,
with governors, with our colleagues in the federal agencies,
and with others to try to avoid the need to list the species
as threatened and endangered.

And one critical element to that is to try to do
an effective job -- a more effective job, I should say, in
dealing with rangeland fire. And so focusing in on areas of
high risk and attempting to deal with those areas as a
priority, both from a prevention standpoint and a suppression
standpoint. I should say also, as a firefighter response,
postfire is going to be critically important.

Part of this challenge here I think is improving
our ability to get information to people working on the
ground, and that includes the FMOs and others involved in
fire. But it also includes the communities, the volunteers,
and the people we hope to train. And so part of that is
helping them understand where these priority areas are,
again, trying to take limited assets and really focusing on
the places that matter most.

And so one of the things we want to pilot this year -- and this could have, I think, implications for what we do with forest fire as well in this region -- is we want to get more tools and technology in the hands of the -- of the teams who are going to be fighting fire so that the maps that delineate these areas and the information that's provided as part of a -- the fire fighting system is readily available. So we're going to -- we're going to press that to see if we can, in fact, start to explore the use of better technology to be more efficient and more effective in how we go about this.

Just going to skip over some of the other issues before us. Just touch on a few more.

In the postfire restoration area, I think one of the things that we want to focus in on some degree on is how we can effectively use the ES and BAR programs to restore areas postfire. That's important, I think, again, across the range but I think most important because of the cycle that Janice eluded to.

The invasion of nonnative grasses in these areas can quickly lead to exclusion of sagebrush and other native grasses and, in essence, accelerates or increases the likelihood that we're going to see additional rangeland fire in those particular areas. And we need to find a way to get on top of that more quickly. So this is one of the short-term things from the response that we need to explore and are having conversations about. And your input on that,
In addition, we're trying to look at -- at the issues that -- that make our ability to apply assets more effectively -- whether it's NEPA process, it's financial matters, it's management issues, some of the things that we've kind of put in our way in terms of trying to get assets out quickly -- and try to determine where we can shortcut those processes, meet our legal obligations, our due diligence, but not have the perfect be the enemy of the good in terms of trying to move the process forward.

It was an issue that was raised by a number of the firefighters and FMOs at The Next Steppe conference, as should be no surprise to any of you, and it's one we want to get on top of. And so that's one of our priorities in this initial effort. And we want to accelerate the schedule for improving rehab projects, particularly under BAR, so we can get the dollars committed and recourses out in the field much, much more quickly.

Lastly, I want to focus on restoring rangeland help. Important part of the postfire restoration efforts is to try to restore these landscapes to their native grasses, to sagebrush, and to do so in a way that both increases their resilience over time, increases the native habitat, and restores a natural landscape that has been manipulated and changed dramatically because of a number of factors. And so we are going to invest heavily in
working with colleagues across the federal family of the states and with Tribal governments on its efforts to try to increase our ability to produce a native seed, to produce sagebrush seedlings, and to learn better how to restore these landscapes to a state that more mimics what nature would have left without the changes that have come about over the decades.

And I'll stop there and simply emphasize three things. And that is, you know, we are committed to addressing rangeland fire as effectively and efficiently as we can. We recognize that resources are limited. Although, I think in our work with governors' offices -- and we've gotten very good support from the Western Governors' Association and from the four state governors that are in the Great Basin region -- you know, we hope we can secure additional resources and support. But given limited resources, we've got to be efficient and we've got to be kind of targeted where we put resources.

The second thing I want to emphasize is that this is an initial report. And we recognize that the comment periods are quite short in the short-term. But this will begin a process of conversation and dialogue leading to development of a final report and a much broader look at what we need to achieve and want to achieve. But we thought essential to demonstrate that we have the ability to move forward and not forgo another fire season without trying to
put in place some of the practices and the policies that we think will make a difference from -- make things more better and certainly demonstrate that we can be more efficient and effective in what we do.

And, finally, I'd just say that I think your comments, the comments that we'll receive in the subsequent consultation session, will be critically important as part of this process. You live on the landscape. You know those landscapes better than most people. And so I think that input is essential in helping guide us as we put together a final set of recommendations for the Secretary, again, which are due on or about May 1.

And so I appreciate the opportunity to be here. I've always enjoyed the opportunity to work with Tribes, and I look forward to continuing the collaboration in the future.

MR. GIDNER: All right. Thank you.

We're going to open it up for comments now. But, first, all the contact information that I was reading out, we now have typed up on form. And it's back at the sign-in table, so you can grab that on your way out so you'll have that written down. You don't have to rely on hearing me say it properly.

So we're going to open it up for any comments. If you would like to make comments, please come up to the microphones and state your name so the court reporter can get it down. And the floor is yours.

MS. LANKFORD: Good morning. My name is Carole

I am vice chairman of the Confederated Salish and Kootenai Tribes. On behalf of the Tribe, I would like to thank Madame Secretary and Assistants Secretary and Deputy Secretaries for this opportunity to hear the concerns we have today.

I would also like to introduce Darrell Clairemont, Ron Swaney who's the FMO from Salish-Kootenai, and Bob McCrea who has accompanied me in case you have any questions.

I want to also mention that, about a year and a half ago, myself, Secretary Jewell, and President Obama and 12 other Tribal leaders sat in a room at the White House. And my concern at that time was about wildfire and about consultation. So I really appreciate the opportunity that you provide us, an opportunity to have consultation on this very important and critical issue that effects us all.

I have a detailed letter for the record, and then I have some general comments.

The CSKT has an active timber and fire management program that meets objectives and goals outlined in our forest management plan and our fire management plan, respectively. Our strategic management plan recognizes the importance of Tribal cultural values and practices within our forest landscape.

Our plan also recognizes the significant role that fire has played in shaping our forest. Our forest management goals include management of the Tribal forest in
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a manner that provides for forest health, long-term resources, sustainability protection, and cultural resources. The revenue from the sale of forest products also play a critical role in meeting the Tribe's social and economic goals of employment and self-sufficiency.

The CSKT understand that protection of the sage-grouse is a priority to the mission of the BLM. The CSKT realizes that each of the agencies within the DOI have agency-specific priorities that drive how and why they do business.

This being said, CSKT hopes that the Secretary also realizes and does not forget those priorities that are important to the BIA and Tribes. We are asking that the Office of Wildland Fire and the Secretary of Interior honor the Trust priorities that make them as important as other agencies within the DOI.

With the issuance of Secretarial Order 3336, we want to express our initial concerns in how implementation of the Secretarial Order may effect Tribes. We are very concerned about supression resources will be diverted away from the Trust resources to suppress fires in sage-grouse habitat. We are very concerned that prioritizing sage-grouse ecosystem restoration will negatively affect the allocation of preparedness and fuels funding to the Bureau and Tribes in the future. We urge that you do not diminish the resources allocated to the Tribes. We are already underfunded.

In closing, CSKT would like to thank Madame
Secretary for continuing assurance, as the Deputy Secretary of Interior's letter to the Tribal leaders dated January 16, 2015, of the DOI and BIA's commitment to maintaining the sacred trust responsibility to Tribes, our communities, and our Trust resources.

It is our hope that the Trust resources of the Tribes are valued as equally as sage-grouse. We are requesting you and the DOI make a long-term commitment to all Tribes that sage-grouse efforts will not diminish the resources that Tribes have available for caring for a forest that employs people and meets our spiritual and cultural needs.

Thank you for this opportunity.

MR. GIDNER: Thank you.

Would anybody else like to comment or ask questions?

MR. DANZUKA: Good morning. My name is Orvie Danzuka, with the Confederated Tribes of Warm Springs. My name is O-R-V-I-E, D-A-N-Z-U-K-A.

I'd like to also thank you for taking the time to come here today to speak with us.

Many concerns that we have mirror what the Salish-Kootenai has eloquently spoken here today and presented. But we will have a formal letter that will be forthcoming. I'd like to introduce one of our staff, Bobby Brunoe. He's our general manager for our natural resources program.

I just wanted to share something with you real
quick from last year. We've had several fires as is prevalent throughout the entire country. We've hosted Type II and Type I teams for several years running now. And we expect the same this year with 5 percent snowpack currently. We're expecting a pretty busy fire season.

Well, just last year, we had two teams on our reservation at once. It's a 640,000-acre reservation. We had a Type II team -- well, we had two Type II teams. And then as a transition with complexity to a Type I, we got word that our Type I team was going to get pulled from us because of another fire over in Eastern Oregon that they were saying was because of sage-grouse.

And so we replied back to them that we have several listed ESA species. The sage-grouse has not been listed. We had summer steelhead in the area. We had bull trout in the area. And we had spotted owl -- or the spotted owl nests in the area. And we've -- some of other areas -- some of the other homes -- fire were near homes. So we had imminent danger to homes. We lost one structure last year.

So you know, we had a lot of concern about that, and we pushed back. And, you know, we finally did get our Type I team. And we're thankful for that. It was very helpful in getting resources that we needed to combat the fires. So we're thankful for that.

But I wanted to share that with you because, as was stated, you know, by CSKT, sometimes our values are not put on an equal level, we feel. We have -- some of our first foods fall within the BLM lands, which are within the
Tribe's ceded areas. We have reserved rights to gather in those ceded areas.

So we have concerns about how are those going to -- how are some of the plans going to affect our first foods. We have traditional roots that we gather. And in some areas, we've already seen -- when some grass was brought in and propagated, we saw a huge decrease and sometimes complete removal or -- or taking over of the grass versus our traditional roots. So we have concerns, and we will definitely be making comments on some of those projects.

But you know, we're -- like I said, we have different values. We have timber. We have a sawmill. It employs 140 Tribal members. And so it's also a huge, big part of our economy within our reservation.

And when we get concerns about some of the fuels allocations, like the Hazardous Fuel Priority Allocation System, that was brought out in 2007, it wasn't until 2012 that the Tribes were finally brought in to have a discussion about it. And the discussion at our table has been that it's not consultation when you come several years after the plan has already been in place.

So I appreciate that you're here now talking with us. It's on a rather expedited time schedule. But you know, we at least appreciate the effort, you know.

Several of the elder statesmen on our Tribal Council have stated that, in the past, consultation has always been when the federal agencies come to a Tribal
Council, to our lands, and speak with us in our chambers. I realize the -- the economy the way it is, money -- money is tight, so it's a lot -- lot more prudent for you to meet as a group. However, we would like to extend that invitation for -- for you people to come to our place and talk with us and meet with more of our technical staff.

We have a lot of -- we have a lot of good plans that we put in place. We've done pretty well with the moneys that we've been given. And we'd like to be able to show that we can be a model that can be used throughout the other federal agencies.

As was mentioned, the -- all the federal agencies have a Trust responsibility to the tribes. So I'm interested in hearing how those Trust responsibilities are going to be met, how our values are going to be at least on an equal footing as the values of the other agencies.

Like I said, we'll have a formal letter forthcoming, but I just wanted to share a few of our -- a few of our concerns. Thank you.

MR. GIDNER: Thank you.

Are there any other comments or questions?

MR. SWANEY: I'm going to speak one time or another. I might as well right now. I've got to get out of my desk.

Good morning. My name's Ron Swaney, S-W-A-N-E-Y. I'm fire management officer for the Confederated Salish and Kootenai Tribes. And appreciate the opportunity to be here to speak with folks on this -- on this issue.
Just a general comment is, you know, reading the order and it talks about client change and larger fires, more frequent fires, more damaging fires, cheatgrass, medusahead, non-native grasses or weeds, noxious weeds moving into areas, impacting those, and that the habitats are getting impacted.

And I'd add to that urban growth and other things. Those are going on in other areas as well. Global warming's cultural -- or climate change is affecting all of us not just the Great Basin. All of our ecosystems are getting threatened by a number of things. And I understand the Bureau of Land Management, in their emphasis, you know, all of their land -- a lot of their land is within that ecosystem.

And if that's where their focus is going to be -- suppression, fuels, if that's where they're going to pump their funding, that's fine. I'm not going to tell them how to manage their lands. They have an obligation to those lands.

We also have an obligation to our lands. And there's a Trust responsibility that other federal agencies owe us. And what we're afraid of is that this is going to start driving funding allocations within the Department of Interior, fire programs, preparedness, fuels, prevention. And that's a concern.

We have the same situation occurring on our lands and the same obligation to our folks, to our kids, ancestors, cultural sites that we protect, commercial timber.
that we protect with our fuels and preparedness budgets and
our prevention efforts.

Now, I listened to Jerry -- and not to throw you
under the bus, Jerry. But I was just listening to a few of
your comments. And you said under this Executive Order we
will develop an effective approach to fuels, initial attack,
and our rehab program.

And I just -- I'm curious as to why it would take
an Executive Order for us to look at an effective approach
to fuels, initial attack, and rehab. I mean, that's every
manager's responsibility to -- to do that without this
order.

And then talking about the cohesive strategy and
how we're implementing that, and you eluded to your
cooperators that you folks work with, rural fire districts
and providing them training and giving them -- we do that
anyway. That's -- that's an SOP.

So just another general comment, how a lot of the
things that I read that are within this Executive Order are
just normal business for fire folks. And I just hope this
order doesn't start driving budget allocations.

Couple other things with consultation. It's
always interesting for us. We're really not sure who
receives the comments, who is going to respond to the
comments, and what the timelines are for that response.
And I guess, to elaborate, a few of us met with -- it was Eric Christensen, Office of Wildland Fire, and others at Spokane. I think it was in '12 or '13, March. And we had all of our Tribal leaders. Carole was there. We all showed up. Everybody had a leader, Warm Springs, Spokane. We were all at that table. And we spoke, and the office of wild -- Eric said, You have this deadline to comment. Your comments aren't in by this deadline, then we're not going to take any more.

So we all went back and drafted them. And we all presented these comments, right? We've never received any response yet.

Then the Office of Wildland Fire formed these task groups to work on a fuels allocation system. And these tasks groups had Tribal representation. And Task Group 1A was supposed to identify attributes that are important to the fuels program that would be important to -- an important attribute to a fuels project that would drive the funding, I guess, identify which projects were really important.

So within that system, the Tribes got to put their priorities, as best we could. You know, the Tohono O'odham live on the Mexican border. We live close to Canada. There's Tribes in Oklahoma. And we all have a government-to-government relationship and are owed a Trust responsibility. So for us to -- other than the BLM. The

BLM's safe. You're awesome. I'm glad you have your -- your marching orders. You're going that direction.

We don't have one attribute that fits us all. And
that's where the difficulty is. When we get into these systems, to try and capture our -- our values in a way that's consistent across all Tribes.

So we tried to throw in Indian Country Trust -- Trust lands as one. And the other one that we tried to throw in was commercial timber. You know, it takes a hundred years to grow a hundred-year-old tree. And if a fire takes it out, that's a big setback for a group that only has a small portion of land that they're managing. If you lose a cultural resource, it's gone.

So we threw those in and -- to that task group in several conference calls. And then, at one point, James Douglas announced that they disbanded those task groups.

And then I got this paper from IFEC that identified what Task Group 1A had identified as attributes. Indian Country was not going to go to the next level nor was commercial timber.

And if anyone would like that, I still have that -- I could e-mail it to you. But that's -- so when we see that as -- as the Indian people or the Bureau of Indian Affairs looking at how, I guess, in those -- those arenas, how we get treated. And then to start hearing this --

this -- this order come out, it really raises a level of concern for us.

And so Indian Country was here. And it had a big no from IFEC. Commercial timber here had a big no. And right in between it was sage-grouse. And it was going forward.
Then we had this risk-based fire management program that we were supposed to report to. And we did that. We -- we submitted the letter. I think January 15th was the deadline, or the 11th. Anyway, we submitted that. We haven't heard anything. Not sure how this Executive Order is going to impact those comments.

But I think I would summarize a lot of folks' concern is, we don't want this to be EMDS on steroids. We don't want this to throw all of our moneys towards the Bureau of Land Management's -- and this Executive Order. We -- we still have needs and we still want to be respected.

MR. GIDNER: Thank you.

And I will say, on the point about what's going to happen to the comments, in our implementation plan, the part that talks about consultation, we did commit to put something out to let Tribes know how the documents are changed or what we've done with the comments. And we will do that for this first -- for this first report. That will be fairly soon because we're going to process -- be processing all those comments next week, so we can change the report if needed in response to those.

The substance of that will be this whole group, which is getting to know each other quite well. I can tell you, because we've been meeting a lot. But if you need a point of contact for that, you can get in touch with me and I'll give you my card when we're done. So if you want to know, I -- where are we with the -- you know, what's happening with the comments on this first report, you can
get in touch with me.

I -- I won't be the one, probably, deciding the substance of that. That will be these folks and a lot of other folks. But I can be a point of contact for that. So we have committed to do that. And if we don't, you can call me, throw me under the bus for that one.

Other comments?

MR. BRUNOE: My name is Bobby Brunoe, B-O-B-Y, B-R-U-N-O-E, with the Confederated Tribes of Warm Springs. I'm the general manager of natural resources for the Tribes and also the Tribal historic preservation officer for the Tribes there.

And you've heard a little bit about funding. I'll just go straight to -- to that. You know, we really are concerned about funding and how it's going to be allocated. And with -- you know, we don't get a lot of funding right now as it is. What's going to happen with suppression dollars for funding? What's going to happen for any of the fuels work that we're doing right now? What's going to happen postfire when we bring a BAER team -- we had a BAER team in on our fire last year; it seems like a yearly thing any more -- and make sure we have the proper funding.

And I think about, you know, it's honorable that you're trying to do something with sage-grouse, so they don't get listed. But let's be equitable with the other species and the funding.

And as you heard, our Tribal Councilperson talked about it. We have ESA species. And last year we had one
spotted owl nest burn. We have a population of spotted owls in -- east of the Cascades, all across the Cascades that are dwindling drastically. We also have, as you heard, bull trout that run in four different tributaries -- five different tributaries off the Warm Springs into the Deschutes River and also summer steelhead.

In the past, we have not always received the funding -- proper funding for ESA. And, in fact, we've had zero funding for ESA species in the past. And right now, we don't get a lot of -- a lot of funding for that.

So kind of just the bottom line is, you know, the funding piece. And really, I think all of our folks are very concerned about that in -- in all the fire -- Indian fire world.

The -- the Tribes -- Warm Springs, we've been involved in the sage-con and what the State of Oregon has going on right now. So we've been participating in that. They did hear the story about the -- our fire last year and -- and the sage-grouse and the Type I team. So I told that story at -- at one of those forums. So we're active there.

We have met with the Governor's Office also on this and what's going on with the sage-grouse and fire.

So we're being very active in this, participating, and want to participate with you all. And you'll be receiving comments from us in writing also for that.

So thank you.

MR. GIDNER: Thank you.
Would anybody else like to make any comments or ask any questions?

Let me ask: Is there anybody on the phone line?

We did have an open phone line. I'm not sure if there's anybody on the line.

MS. SCHNEIDER: I just wanted to respond to the comments. I mean, these are incredibly important issues that you're raising. And that's why we're here, because we recognize that all of the federal agencies within the Interior Department have a Trust responsibility, including, and in particular, to protect Trust assets like timber resources.

The Bureau of Indian Affairs obviously is very focused on that because they provide direct services. But we all recognize that the responsibility that we have to Tribal communities is a Departmentwide and governmental wide responsibility.

So when we think about all of the values that we have to balance, our Trust responsibility is one of the highest responsibilities that we have. Obviously, safety to the firefighters, public safety is a critically important value as well.

And I hear you loud and clear about the concerns about funding. We have made no decisions yet on how we're going to handle those issues. My understanding is that most of the money for 2015 has already actually been allocated. So that's -- there'll be some limited -- there should not be much impact associated with that.
But we do want to have a dialogue about, you know, where is the right positioning, you know, for some of our resources and some of our assets and what makes the most amount of sense and have an active and robust discussion with you that takes into consideration all of these important values that we need to consider.

Sage-grouse is now a critical priority for the Department, Departmentwide. It's not just a BLM priority at this point because of the issuance of the Secretarial Order. But we do recognize that it -- that's it's not the only and the top priority, that -- that there are critical priorities across the Department that we need to balance. And that's -- that's why we're here today, to understand more precisely where your concerns lie and how we might be able to strike a balance that helps to protect those in Trusts but still provides opportunity for us to work on some of our other critical priorities as well, so...

MR. LYONS: So Ron? Is that correct?

MR. SWANEY: Yeah.

MR. LYONS: Now, if you want to -- I'll give you my card if you want to send me those letters, those comment letters. We'll respond.

MS. SCHNEIDER: Yeah. We'll be interested in seeing those.

MR. SWANEY: Sure.

MR. LYONS: And you know, and furthermore, as I eluded to earlier, back in my former days, the Clinton administration spent a lot of time out here working on...
salmon issues.

And I think the issues you raised about allocations for bull trout and steelhead and salmon and the rays, in particular, you know, important. We don’t want to trade one species off for another. We want to be more efficient on how we deal with the threats that face species. And we want to do a better job, I think, in our restoration work to ensure that native plants, you know, the -- the resources that are important historically and culturally for the Tribes, are recognized and respected. And hopefully those resources are improved where there’s been an impact.

So I think that’s all part of our thinking. And the input from all of you is going to be critically important in helping form, you know, those outcomes.

As Jan said, no decisions have been made. And that’s why we wanted you to get out here before we got to that point, so we could start to have that conversation because these assets are critical, we know, for you.

So -- but certainly, give me those letters and we’ll find out where the responses are and we’ll get you one.

MR. SWANEY: Okay.

MR. GIDNER: Paul, do you want to say something?

MR. STEBLEIN: I’m Paul Steblein, S-T-E-B-L-E-I-N, with the Office of Wildland Fire. Just want to respond to a couple of your comments, Ron. I appreciate the comments as well.
The -- I only joined about six months ago. So I can't speak to what took place with Eric Christensen in 2012, but we can look into it and find out why now.

Regarding response to consultation, we did do a consultation process on our Tribal consultation policy last year. We received a number of comments. We responded to each of the commenters with how we addressed their comments.

We also initiated consultation on risk-based wildland fire management that you were speaking of as well. And we received a number of comments. We're reviewing and analyzing those and developing the response to the comments. And each of the commenters will be responded to directly, as well as we're considering putting up a general summary of the comments as well so that it becomes part of the public record as well. And we appreciate the input that we get in the commenting process.

Regarding -- and we can talk, after, more specifically of the specific values. But through the consultation process on the risk-based wildland fire with commercial timber, we actually included a value for forest and woodlands based upon comments we received from some of the Tribal discussions that we had. And so we have to have forests and woodland values to represent that as an important priority for Tribal lands.

We also have had discussions of Tribal lands for values that represent Tribal interests on those lands. And
the discussion has gone back and forth. And -- and Tribal lands are represented as the base lands that we're responsible for to start with. But we have a number of values. And again, we can talk about it more specifically. But we think that a lot of the values and priorities for the Tribes are represented in the value data set that we are preliminarily incorporating into the overall process. And the teams that -- that had Tribal representation was critically important to informing the process to start with. So that -- and, in fact, most of the values identified currently with the risk-based wildland fire management actually came from the input that we received -- those teams with Tribal representation as well. But again, glad to discuss more. And we will be providing a specific response to your comments in the near future.

MR. GIDNER: Thank you, everyone. Are there more comments or questions from Tribal representatives?

Is there anybody on the phone? I'm not sure that there is.

MR. WILLIAMS: Let me get to the safety piece.

MR. GIDNER: Yeah. Please do.

MR. WILLIAMS: Good morning, everybody. My name is Darron Williams. And I am the fire management officer for the Umatilla Agency, which is a -- the Confederated
Tribe of the Umatilla Indian Reservation is -- are the people -- the Tribe that we work with.

Just a few comments. I'm, you know, grateful for time which I, you know, had been able to be here. I'm currently filling in at the fuels position for the BIA upstairs. And filling in behind a person who's gone to Boise to another position.

But my comments -- I'll be brief -- are that I was working with the BLM pretty much through my entire career. I started my career in 1991 in wildland fire. At that time, I worked with Idaho Falls BLM and worked there for many, many years. My grandparents grew up, and they have a ranch up in Kilgore, Idaho, which is just west of Island Park and West Yellowstone.

When I was a kid and we would drive up to my grandparents' house, the desert was just littered, literally, with sage-grouse. And you know, now when we go up -- you know, I don't get to go up as much as I used to. But when we would go up now, you know, the opportunity to see those sage-grouse are far and few between.

As I have worked through my career and the experiences that I've had, you know, I've always looked at things through the BLM, Department of the Interior framework. And since I've come and took -- taken the position with the -- the BIA and working with the other Confederated Tribes, it's opened my eyes to a different path and different priorities which other agencies have.

With the BIA, I've noticed that, you know, the
Tribes, a lot of their -- their focus -- you know, which is
my focus, you know, has become more on, you know, the timber
industry. I didn't realize that that was such a large
component of -- of their focus and efforts.

The other thing that I recognized wholeheartedly
was the first foods concept of their -- of the culture of
Indian Country. And I think, as part of, you know, working
with BLM and the Department of the Interior all those years,
you know, I was really not aware or made aware because I had
not worked with the BIA in that respect.

And so my comment for the group and the panel is
that, you know, these are real issues. And you know,
hopefully, I am ingrained more and more with the issues of
the BIA, you know, in helping, you know, protect these
things. You know, we've talked about, you know, bull trout
you know, species that are listed currently. And with the
sage-grouse, I can -- I can see the -- the Secretary's
concern about, you know, the decimation, you know, of
habitat for sage-grouse.

But I would just like to comment that -- you know,
which has been echoed here earlier, that as a whole, you
know, we take a more holistic look, you know, at not only
the sage-grouse but the other species that are also listed
that are important to Indian Country as well as the other
resource values, such as timber.

And I thank you for taking the time to come here
today.

MR. GIDNER: Thank you.
I'm a Tribal forest manager with Yakama Nation. I would just like to say thanks to everybody that's spoken for me. There's a lot of great issues and concerns that have been brought forward. And there's not a lot more that I can add to this.
And -- but recognizing that this is dealing with the 2015 fire season, one of the concerns that we have for us is how is this going to affect resources and priorities of those resources from our GACC level recognizing that -- that, you know, we all have life and property that are at risk to fires. And we'd hate to see resources relocated or reassigned to other areas based on -- on concerns with the Secretarial Order.
There's a lot that I'd like to say, but I just would like to put that in words. And we'll submit our written comments. But there has just been -- we have a lot of concerns.
I was involved in the task group this last year for the DOI in determining values at risk. And this, and as Ron stated, was one of the issues that we've discussed and -- at length. And where does our priorities and our management fit into the DOI, and how does that relate to the other agencies with the DOI and their -- their issues and concerns and their priorities?
And, like was mentioned earlier, we are a bottom-up management organization and Tribes are all
different. We all have our responsibilities and our -- to our people and our land. And we have -- we can't be fit into a box. And so each of us manage differently within our region, within Northwest Region, as well as across all the Indian Country.

And this is -- this is going to be a huge undertaking. And like I said, it's in short order to address all the concerns and issues that we will bring forward as a result of this.

So thank you.

MR. GIDNER: Thank you.

Anybody else like to make any other comments or ask any other questions?


I want to thank Everett for his comments. And I just want to add, real quickly, the Federal Executive Team met yesterday. And we simulated a fire season, much as we had last year, PL 5. So we ran a -- again, I think everyone knows where snowpack levels are currently. And this was really a major topic of how we're going to assess our values at risk and -- and how we place our human resources, our most valuable asset.

So I just want to let the team know -- at least in the Pacific Northwest coordinating group, but I'm hoping the Rocky Mountain geographic area as well as the Great Basin, Eastern and Western -- run these simulations with their federal executives level.
Jerry Perez’s deputy was there -- great to have her -- the Region 6 forester; Governor Inslee’s Office; Oregon’s new governor, Sue [sic] Brown’s office was represented; as well as the Oregon and Washington State Fire Marshal’s Office. So this is of great concern to the group. And we’ve simulated that. And we -- we -- it really boils down to the values at risk, property -- life, property being first priorities because, unfortunately, I think we’re going to be at Planning Level 5 here, probably like we did last year. We -- we entered it early. And we were there for over 60 days in this geographic area.

So -- and we will share that with our partners.

There’s 12 partners in that Northwest coordinating group. And it is important that leadership push that information down as to how we’re going to be allocating resources.

So anyway, Everett, I thank you for that comment because that’s primary in a lot of our -- the land manage -- state and private, Tribal and federal, so anyway...

MR. GIDNER: Thank you.

Would anybody else like to ask any questions or make any comments?

While we’re waiting for anybody to take the last bite of that, I will just say the -- as I said, all the contact information we now have put on the sheet that’s out at the sign-in table, so you can grab that on your way out. So it has the Web sites and the e-mail addresses and the fax number for comments.

I will make a reminder that comments for this
draft report, to be the March 1st report, are due Monday, so the 23rd. And the draft report that's going to come out for the May report for 2016 and beyond, the draft report will be posted on March 31st on the Web site listed on that sheet. We will have a consultation in Reno at the Reno-Sparks Indian health center on April 7th from 9 to 12. And comments on that report will be due April 21st. And that will be for the May report.

And if there's no other comments, we will be here for a little bit. We can have conversations about whatever you want to talk about.

Stan? Go ahead.

MR. SPEAKS: I just want to take a moment to thank our Tribal leaders and Tribal representatives for coming and certainly want to thank you for your comments. Also, I want to thank Mr. Gidner, and I want to thank our staff from the Department and also from the central office for coming and being a part of this. Also, I'm sure that if you want to comment, do so quickly. You have that opportunity and -- and certainly that option is yours. And so with that, again, I want to thank all of you for coming. It's a pleasure having you here. Thank you.

MR. GIDNER: All right. So we will be concluded for today. And we'll be here to have private conversations if you so desire.

Thank you very much.
CERTIFICATE

STATE OF WASHINGTON )
COUNTY OF KING ) ss.

I, the undersigned officer of the Court and Washington Certified Court Reporter, hereby certify that the foregoing proceeding was taken stenographically before me and transcribed under my direction;

That the witness before the examination was first duly sworn to testify truthfully; that the transcript of the proceeding is a full, true, and correct transcript of the testimony, including questions and answers and all objections, motions, rulings and exceptions of counsel made and taken at the time of the foregoing proceeding;

That I am neither attorney for nor a relative or employee of any of the parties to the action; further, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially interested in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this day of , 2015.

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Kristin M. Vickery
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