



Tribal Relations Strategic Framework for the Eastern Region

United States Forest Service

2010



Guidelines for Implementation of the Eastern Region's Tribal Relations Program

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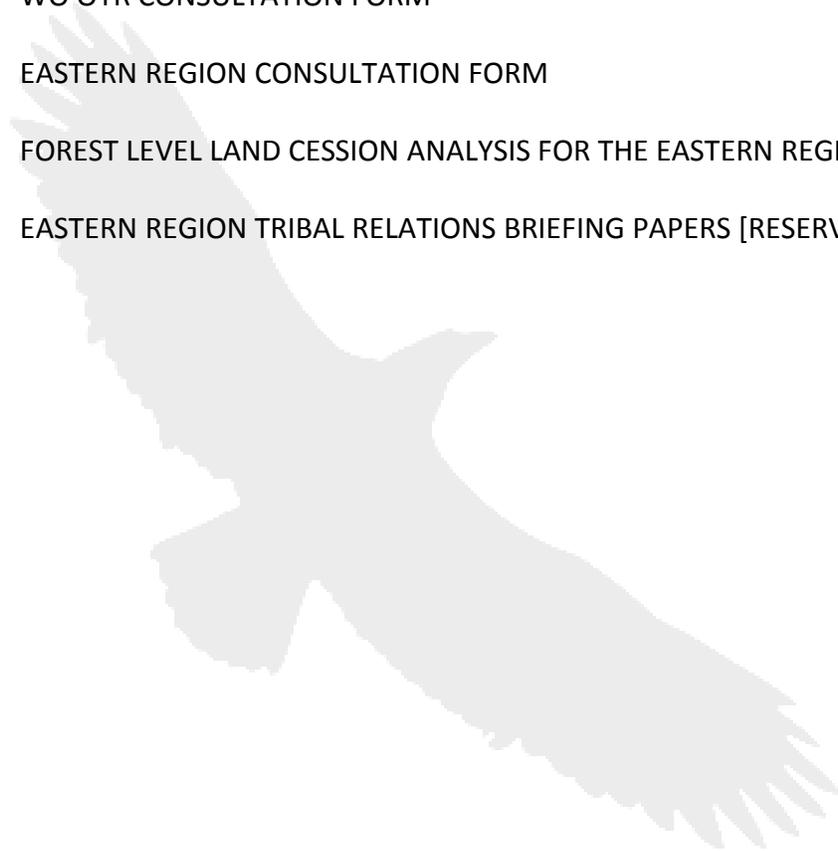
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INTRODUCTION

The history of federal treaties, statutes, court decisions, policies, and Presidential directives regarding American Indians and Alaska Natives is complex and extensive. The relationship between the United States and American Indian tribes is unique and distinct from those that apply to other interests and constituencies and is based upon the principles of tribal sovereignty. This relationship extends to all federal agencies within the government including the Forest Service (FS). The Eastern Region affirms this principle and has established the Eastern Region Tribal Relations Program.

The Eastern Region recognizes and affirms the unique character of the government's relationship to the Indian tribes. We recognize and affirm certain ancestral lands within the National Forest System (NFS) are affected by pre-existing rights, retained by treaty, that are vested with the various federally-recognized American Indian tribes.

The Eastern Region's Tribal Relations Strategy is intended to guide program delivery. Its objective is to enhance consistent application of and adherence to the laws and policies governing our relationship with American Indian sovereign tribal nations. This strategy reflects the principles of the [Strategic Framework for the Eastern Region \(2005\)](#), and the [Forest Service Tribal Relations Strategic Plan \(2009\)](#). These documents are foundational and guide the development of the Eastern Region's Tribal Relations Strategy. The Eastern Region's Tribal Relations Program will attain a high degree of maturity and integration with the Region's vision, goals, and objectives.

FOUNDATION

Vision

The Eastern Region demonstrates the highest standards for support of tribal sovereignty; recognition of indigenous values as shared values; protection of reserved rights and cultural properties; and consultation, collaboration, and partnership in landscape scale conservation.

Mission

- To recognize and respect tribal sovereignty;
- To recognize and fulfill our trust responsibility;
- To respect traditional knowledge and tribal connection to the land;
- To maintain a government-to-government relationship with federally-recognized tribes; and
- To facilitate effective consultation between tribes and agency decision-makers.

Affirmation

- That all national forests are the ancestral homelands of existing American Indian people;
- That American Indian tribes were the first stewards of these forests;
- That the tribes are full partners in the conservation of shared landscapes;
- That treaty rights are retained rights, not rights given by the federal government; and
- That our trust responsibilities extend to all Indian tribes with an interest in these national forests and Forest Service programs.

Goals

Washington Office of Tribal Relations:

- American Indian and Alaska Native Rights: Ensure the agency redeems its trust responsibility and protects American Indian and Alaska Native reserved rights as they pertain to Forest Service programs, projects, and policies;
- Partnerships: Leverage partnerships to maximize mutual success; and
- Program Development: Promote integration and utility of the tribal relations program throughout the agency.

Eastern Region:

- Protect ecosystems across boundaries;
- Connect citizens to the land;
- Walk the talk for sustainability;
- Revolutionize effectiveness and efficiency; and
- Be an employer of choice.

DEFINITION

Throughout this document, the terms *Indian*, *American Indian*, *Indian tribe(s)*, and *tribal government(s)*, is intended to have the same meaning as “federally-recognized tribe(s)” and federally-recognized tribal members. Many groups and organizations refer to themselves as an Indian tribe or Tribal Nation. Some of these groups represent legitimate lineal descendants of historic tribes, but fail to meet the seven-point test required for federal recognition so cannot be treated in the same manner as federally-recognized tribes.

Nothing in this document is intended to dissuade or discourage forests from engaging in dialogue with non-recognized tribes. Local line officers should exercise judgment, however, in doing so. There is only one standard under which the Forest Service defines an Indian tribe, and that is federal recognition. Our trust responsibility to tribes, our obligation to engage in consultation with tribes, and our delivery of programmatic benefits to tribes is restricted to federally-recognized tribes. This does not mean that non-recognized tribes should be denied a voice in routine collaborative venues open to the non-Indian public. Nor does it mean that state-recognized tribes should be denied the dignity of their status.

SCOPE OF THE PROGRAM

The Eastern Region Tribal Relations Program provides advice, counsel, and training services to the Forest Service workforce to promote a culture of understanding that results in proactive, effective, and meaningful dialogue with Indian tribes. The program's principle clients are the Forest Service line officers, decision-makers, and planners. The program's goal is to provide them with the appropriate context and knowledge to ensure trust responsibilities are recognized and fulfilled and that decisions respond to the current and future needs of Indian tribes and tribal members.

The Eastern Region Tribal Relations Program supports the work of all programs and units to work with tribes in a government-to-government manner and to engage in formal consultation with tribes when undertaking the formulation and implementation of policies and programs that may have tribal implications, as defined in [Executive Order 13175](#).

Regional efforts are focused on 65 federally-recognized tribes (see Appendix C, *Eastern Region Tribes of Interest*) that have rights and interests in the management of NFS lands and programs within the 20 states of the Eastern Region. The Eastern Region also maintains active relationships with numerous inter-tribal organizations, tribal colleges and universities, American Indian professional associations, and Indian urban centers. Building mutually beneficial partnerships with American Indian organizations promotes a culture of mutual understanding.

The protection of treaty rights and the preservation of appropriate opportunities to exercise those rights on national forests within the Eastern Region are an integral component of both the region's tribal relations and law enforcement programs. The Eastern Region recognizes that through operation of treaty law, tribal jurisdiction may be extended concurrently, from the reservation boundaries to public lands within the ceded territories. Twelve forests within the Eastern Region have ceded territory within their proclamation boundaries. The Chippewa National Forest manages over 300,000 acres of NFS land

within reservation boundaries. Reserved treaty rights have been asserted on more than 7.5 million acres (64%) of NFS land within the Eastern Region.

TRUST RESPONSIBILITY

The federal Indian trust doctrine arises from Indian treaties, Supreme Court decisions, statutes, executive orders, and the historical relations between the United States and Indian tribes. In a broad sense, the trust responsibility relates to the United States' unique legal and political relationship with Indian tribes. It derives from the federal government's consistent promise, in the treaties that it signed, to protect the safety and well-being of the tribes and tribal members in return for their willingness to give up their lands. The federal Indian trust responsibility is a legally enforceable fiduciary obligation, on the part of the United States, to protect tribal lands, assets, resources, and reserved rights, as well as a duty to carry out the mandates of federal law with respect to American Indian tribes. This responsibility requires that the federal government consider the best interests of the tribes in its dealings with them and when taking actions that may affect them. The trust responsibility includes protection of the sovereignty of each tribal government.

Trust responsibility affects everything the federal government is involved in: from education to health care; from energy to fish and wildlife management; from child welfare to veteran's affairs; from highway administration to management of public lands. Every federal policy and function has potential to affect Indian tribes and tribal members.

Forest Service Trust Responsibility

The Forest Service's protection of a tribe's interests is required by law and may be critical to the economic and cultural survival of the tribe. *"As the Supreme Court noted, access to fish and wildlife was 'not much less necessary to the existence of the Indians than the atmosphere they breathed' ([US v Winans, 198 US 371, 1905](#))."* In addition:

"Tribes have slowly regained much of their former vitality. Tribes today are recognized by the courts and Congress as domestic dependent nations possessing a government-to-government relationship with the federal government—a status supported by the continuing viability of Indian treaties."

Forest and project-level land management planning must address tribal interests above and beyond what is required to accommodate general public interests normally considered during a National

Environmental Policy Act (NEPA) process. Tribal interests may be grouped into two main categories. The first flows from the general trust duty that the United States has toward all federally-recognized tribes. The second category consists of “statutory like” legal rights to priority consumptive uses of natural resources located on NFS lands that were specifically or implicitly reserved in treaties, Executive Orders, or agreements. These instruments carry the same legal weight as statutes or legislation and are legally enforceable. The existence and scope of this second category is specific to each tribe. Great Lakes tribes, in particular, have significant treaty-specific rights on NFS lands. Such rights may include a priority right to harvest using traditional or modern methods and means. It also typically includes the right to access the resource. This right to harvest requires protection, enhancement, and/or mitigation for the resource.

CEDED TERRITORIES AND RESERVED RIGHTS

Indian policy of the United States has been built upon and evolved from what is often referred to as the *Marshall Trilogy*. John Marshall, Chief Justice of the Supreme Court from 1801 to 1835, ruled in three signal cases, [Johnson v M'Intosh \(1823\)](#), [Cherokee Nation v Georgia \(1831\)](#), and [Worcester v Georgia \(1832\)](#), from which current Indian Law is derived.

As noted in *Johnson v M'Intosh*, the Doctrine of Discovery dictates that Indian lands needed for the expansion of the United States could only be ceded to the federal government and not to a private party. Over a 100-year period, through a series of treaties and other agreements which were often accompanied by coercive political and military pressure, the vast majority of lands comprising the territorial limits of the United States were ceded by Indian tribes. There were no “vacant” lands. Here in the Eastern Region, all NFS lands are within “ceded territories” except those that were ceded by tribes to the European or colonial governments prior to the establishment of the United States. Ceded territories include the entire states of Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, Wisconsin, and the western tip of New York, and the northwestern portion of Pennsylvania. Eastern Region national forests not affected are the Monongahela, the Green Mountain and Finger Lakes, and the White Mountain. All other Eastern Region forests lie within territories ceded to the United States by Indian tribes. [[See Indian Land Cessions in the United States, 1784-1894 \(Royce\), Library of Congress](#)]

Federal case law establishes the doctrine of “reserved rights” within the ceded territories. The right to hunt, fish, and gather is expressly guaranteed to many tribes in their treaties with the United States, but this right is presumed to exist even if the treaty does not mention it. As the Supreme Court explained in 1905 ([US v Winans](#)), a treaty should not be viewed as a grant of rights to the Indians, but as taking rights from them. Thus, if a treaty is silent on the subject of Indian hunting, fishing, and gathering rights, those

rights were not diminished by the treaty and are presumed to still exist in full force. Nonetheless, Congress has the power to extinguish Indian hunting and fishing rights, but a court will not recognize an abrogation of these vital rights unless Congress has clearly expressed its intent to do so ([Minnesota v Milles Lacs Band of Chippewa Indians, 526 US 172, 1999](#)). Thus “reserved” rights potentially affect all ceded territories and the national forests within them. Facilitating the exercise of reserved treaty rights is a legitimate part of NFS administration.

Reserved rights are not, however, exclusive uses of public natural resources and it is important to understand that the exercise of reserved rights does not mean freedom from limitation or regulation. The administration of the NFS requires adherence to statutory standards, such as those found in the NEPA or the National Forest Management Act (NFMA), and the sustainability guidelines established through application of those laws. Courts have held that Indian treaty-based usufructuary rights do not guarantee the Indians “absolute freedom” from state (and by implication federal) regulation. Rather, Indian treaty rights may coexist with state management of natural resources ([Minnesota v Milles Lacs](#)).

CONSULTATION

The federal trust responsibility includes an affirmative duty to consult with tribes early and often. Consultation with tribes is not only the law; it is time well spent. Consultation should answer the following questions:

- What tribes have an interest in the affected area or policy issue?
- What are the reserved rights that might be affected by Forest Service actions?
- What are the general cultural, spiritual, and economic interests of tribes that might be affected by Forest Service actions?
- What is our legal obligation to protect reserved rights?
- What should be done to mitigate effects on the tribes?
- What are the opportunities for tribes to benefit from our decision?

Consultation is a legal obligation and fundamental to the exercise of our trust responsibility. President Clinton’s [Executive Order 13175](#) of November 6, 2000, directs agencies to develop an “accountable process” for ensuring meaningful and timely input by tribal officials in development of legislation and regulatory policies that have tribal implications. The Executive Order (EO) applies to regulations, legislative comments or proposed legislation, and other policies, statements, or actions that have substantial direct effects on tribes. President Obama’s memorandum [E9-27142](#) of November 5, 2009, reaffirms EO 13175 policy and calls agencies to a higher degree of accountability to its principles.

Consultation, by definition, means the direct and interactive (i.e., collaborative) involvement of tribes in the development of regulatory policies on matters that have tribal implications. Consultation is the active, affirmative process of:

- Identifying and seeking input from appropriate American Indian tribal governments, community groups, and individuals; and
- Considering American Indian tribal interest as a necessary and integral part of the agency's decision-making process.

This definition adds to any statutorily mandated notification procedures. The goal of notification is to provide an opportunity for comment; however, with consultation procedures, the burden is on the federal agency to show it has made a good faith effort to elicit feedback.

Consultation occurs between the Forest Service line officer with decision-making authority and the tribal official with similarly delegated authority from the tribe. Everything else is dialogue, information sharing, or collaboration which supports the consultation.

Consultation on National and Regional Policy Issues

Periodically, national policy issues, identified and developed at the Washington Office (WO), require initiation of national-level consultation. Consultation initiated in response to a national policy issue is normally transmitted from the WO Deputy Chief to the Regional Foresters (RFs) with a cover letter, the proposed policy or rule change, and a communications plan with talking points, recommended contacts and action. Under normal circumstances, the RF will then direct the Forest Supervisors to initiate consultation. When consultation is initiated in this manner, it is imperative all *tribes of interest* are contacted by the forest using the *Lead Forest Consultation Guide*, Appendix A, of this document.

In this document, the term *tribes of interest* means:

- All tribes that own land or otherwise reside within the boundaries of the Eastern Region; and
- All affiliated tribes; i.e., "absentee" or "removed" tribes, residing outside the boundaries of the Eastern Region that have historic, ancestral connection to the landscape of the Eastern Region; that have ceded lands within the Eastern Region; or that utilize the resources of the Eastern Region for traditional, cultural, spiritual, economic, or subsistence purposes.

The *Lead Forest Consultation Guide* is to be used when consulting on national and regional actions that may include, but are not limited to agency notifications, regulations, policies, guidance, and strategies. While the topic will be national or regional in scope, the government-to-government consultation takes place at the national forest level, and should involve the national forest line officer(s) and appropriate tribal official(s). Delegations and technical working groups may collaborate on behalf of either parties with firm understanding of the roles and responsibilities developed at the local level.

The lead forest approach improves the quality of Forest Service consultation by eliminating redundancy while providing a cross-check to ensure all tribes are given opportunity to consult. The guide is also designed to promote consistency in message, meaning, and contact, and to fulfill our legal mandate to consult with all affiliated and affected tribes. When national consultation is initiated, all affiliated and affected tribes must be engaged by the lead forest. The extent of tribal engagement is entirely at their discretion.

It is the responsibility of the Regional Tribal Relations Program Manager to maintain the master contact list of all tribes of interest, and to ensure the *Lead Forest Consultation Guide* is current and relevant.

When a national policy issue has tribal implications or interest has been received by the Regional Office, the Regional Tribal Relations Program Manager will:

- Analyze the policy issue in detail to understand its implications for the region and the tribes;
- Consult with other affected staff group(s) and prepare a collaborative briefing paper;
- Brief the RF and Deputies on the policy issue and its implications for the Eastern Region and the tribes;
- Prepare a letter for RF signature to all federally-recognized tribes of interest summarizing the policy issue and inviting their engagement; and
- Prepare a letter to Forest/Prairie Supervisors summarizing the issue (with copy of RF letter to tribes) and directing initiation of government-to-government consultation.

Each national forest will be designated “lead forest” for specified tribes of interest for national consultation issues. Each lead Forest/Prairie Supervisor shall:

- Evaluate how best to contact and engage each tribal government official on the issue;
- Initiate personal contact with each tribe at the appropriate level;
- Document all tribal issues, concerns, and comments, including those mitigated through consultation; and

- Report back to the RF the results of consultation.

Regional or region-wide consultation will be initiated in the same manner as national consultation, utilizing the *Lead Forest Consultation Guide*, except identification and origin of the issue occurs at the regional level.

Forest or Project Level Consultation

At the forest level, government-to-government consultation occurs between the line officer (decision-maker) and the highest tribal elected officials. While planning for consultation, note that:

- Tribes are diverse;
- Issues may be different for each tribe;
- Tribes may each have distinct and differing consultation protocols;
- Tribes should be treated as individual entities; and
- Successful consultation leads to future successful consultation.

Consultation will begin when the forest is sufficiently aware of a proposed action to present a proposal and a suggested list of issues. Tribes will be consulted as early as possible in the development of projects, policies, plans, and actions. Tribes will be consulted before public scoping.

Consultation requires more than a letter.

- The first step in the consultation process is to notify a tribe of a proposed project or issue;
- The next step is to discuss and agree upon a plan of action in a government-to-government manner, preferably face-to-face;
- Fully consider the information, input and recommendations from tribes, and address tribal concerns as much as practicable on proposed actions;
- Inform tribes how their information and recommendations were considered in decisions. Do not lump tribal participation and input with the NEPA public scoping process;
- Document tribal input and involvement in a separate section in NEPA documents, treating each tribe as a distinct sovereign government; and
- Once a well-documented administrative history of government-to-government consultation is completed, continue to listen to tribal concerns and interest regarding implementation and monitoring.

Consultation Accountability

As previously mentioned, all federal agencies have been called to a higher degree of accountability for their consultation with tribes. As we continue to improve our engagement with tribes as conservation partners, we are increasingly required to report our consultation accomplishments to the WO and Department of Agriculture. In order to be responsive to upward reporting, each national forest must maintain detailed records of its information sharing, collaboration, and consultation with tribes. Tribal consultation information shall be maintained separately from public scoping records. Each national forest will be expected to respond to requests for information regarding all levels of tribal consultation, including a year-end report.

Upward reporting requirements for tribal consultation may come in a general or aggregate format, which may include all collaboration and consultation from project-level to national policy development (see example at Appendix B1). Reporting requirements may also come in the form of a detailed report of a tribe's input on a single policy issue, plan, or project (see example at Appendix B2). The examples found at Appendices B1 and B2 may be useful tools in preparing reports on tribal consultation, but are not intended to be required formats.

ROLES AND RESPONSIBILITIES

Regional Tribal Relations Program Manager [\[See also FSM 1563.04f\]](#)

The Regional Tribal Relations Program Manager is the nexus between the Forest Service WO and the Eastern Region for American Indian policy and information. The program manager brings value through the analysis and interpretation of this information in terms of regional and forest-level implications, probable effects on tribes, and communication with the field units throughout the region. The Regional Tribal Relations Program Manager has direct access to the RFs and is a fully-integrated member of the Regional Leadership Team (RLT).

The Regional Tribal Relations Program Manager is not a surrogate for the line officers. Line officers are the face of the Forest Service in the Eastern Region and it is their responsibility to establish government-to-government relations with the tribes. Neither is the Regional Tribal Relations Program Manager an advocate for the tribes, but rather an ambassador of the Forest Service and the Department of Agriculture to the tribes.

It is the responsibility of the Regional Tribal Relations Program Manager to facilitate government-to-government dialogue by assisting line officers with information, expertise, advice, and counsel as needed and requested. The program manager also provides tribes and tribal organizations with policy

and regulatory information sufficient for them to effectively engage in government-to-government consultation, and collaboration, and to facilitate the delivery of program benefits and services.

Information on region-specific issues is transmitted through the Regional Tribal Relations Program Manager to the WO Director of the Office of Tribal Relations. The Eastern Region and the Southern Region Tribal Relations Program Managers collaborate frequently to provide an “eastern voice” in the development and implementation of agency policies and procedures.

The Regional Tribal Relations Program Manager:

- Engages proactively in national issues through the WO Director of the Office of Tribal Relations and the national tribal relations team;
- Provides timely, quality input in response to tribal relations issues on national forests in the Eastern Region;
- Works cooperatively and effectively with other staff also engaged in these issues, including development of briefing materials, analyses, and reports;
- Ensures the tribal relations program is fully-integrated with the business of the RLT and is relevant to all programs;
- Engages at forest, regional, and national levels to promote understanding and integration of tribal relations in landscape scale conservation;
- Engages proactively at the national forest level to identify emerging issues, interpret trends, and strategically influence outcomes;
- Provides leadership and creates an effective team environment for forest tribal liaisons to contribute to the regional and national tribal relations programs; and
- Facilitates tribal relations training opportunities which meet the needs of line and staff officers in the Eastern Region.

The objective is to provide uniform information to field units to ensure consistency in understanding and implementation of the Eastern Region Tribal Relations Program and to ensure fair and equitable delivery of services to the tribes in the region.

Forest Tribal Liaisons

The forest tribal liaison is to serve as the first point of contact with tribal leaders and as the person who will generally initiate agency contact with tribes ([FSM 1563.04g](#)). The liaison serves as the staff specialist and advisor to forest supervisors, district rangers, staff officers, and program managers for American Indian relations with tribal governments.

The forest tribal liaison provides information and assistance regarding government-to-government relations, consultation, American Indian rights, trust responsibilities, traditional and cultural practices, and laws affecting management of historical, cultural, and traditional uses of NFS lands. They promote understanding and gain support for Forest Service policies and program goals and objectives. Liaisons also develop and implement plans designed to enhance relationships. The liaison represents the interests of the Forest Service while honoring and fulfilling legally-mandated trust responsibilities on NFS lands. The liaison position may be a dedicated full-time position or co-lateral duty depending upon the needs of the forest and program of work.

The Forest Tribal Liaison:

- Provides advice and support to line officers, program managers, project leaders, and NEPA coordinators;
- Identifies tribal issues and keeps line officers up-to-date on tribal issues, providing briefing papers as necessary;
- Leads, facilitates, or supports projects or processes as needed;
- Coordinates meetings among forest service staff and tribal staff to build relations;
- Coordinates or provides training for forest service employees and tribal members;
- Works with the Regional Tribal Relations Program manager to share information from forest level tribal matters to the Regional Office and from the Regional Office to forest and local tribes;
- Develops opportunities for the forest to work with tribes;
- Creates avenues for full participation of tribes in forest service programs and activities;
- Coordinates documentation of activities and consultation with the tribes; and
- Works with tribes to build capacity between the tribes and the forest.

Forest Service Liaison to College of Menominee Nation

The Center for First Americans Forestlands is a partnership between the College of Menominee Nation, their Sustainable Development Institute, and four units of the Forest Service: Forest Products Laboratory, Northern Research Station, Eastern Region of the National Forest System, and Northeastern Area State and Private Forestry. The Forest Service liaison to the College of Menominee Nation is a Forest Service employee funded equally by each partnering Forest Service unit. The liaison facilitates research, education, and technical assistance on issues of importance to tribes, tribal communities, tribal foresters, and Forest Service employees. The liaison mobilizes Forest Service resources and programs that can be used by tribal communities. The liaison participates in initiatives of both the Eastern Region tribal relations program and with the WO Office of Tribal Relations. The liaison

coordinates projects with the Regional Tribal Relations Program Manager, forest tribal liaisons, and other Forest Service employees as needed.

Forest Service Line Officers

The responsibility to develop and maintain formal relationships with tribes has always been part of our nation's history. It is the responsibility of the line officers to engage tribes, on a government-to-government basis, to achieve meaningful consultation. The specific responsibilities of the RF, the Forest Supervisors, and District Rangers are contained in Forest Service Manual 1500, specifically in section [1563.04\(g\)](#).

PROGRAM INTEGRATION

Staff Directors

Integration with staff directors is a key component of successful program delivery. Implementation of American Indian policy and execution of our trust responsibility requires constant collaboration with affected staff areas and programs to achieve desired results. In making recommendations to the RFs for policy implementation, it is the joint responsibility of Regional Tribal Relations Program Manager and affected staff directors to ensure the most complete and comprehensive information is provided. The Regional Tribal Relations Program Manager gains staff director ownership of policy directives and guidelines affecting their staff areas and programs.

Law Enforcement and Investigations

Many policy decisions, especially those dealing with reserved treaty rights, affect the regulatory environment of our Law Enforcement Officers (LEOs) and special agents. The Special Agent in Charge (SAC), as the principal Law Enforcement and Investigations (LEI) line officer, has direct oversight and discretion of the enforcement of national forest system rules and regulations. The SAC is also co-signatory to the Region's Memorandum of Understandings (MOU) with the treaty tribes. All proposals for implementation of policies and agreements with tribes for use of NFS lands require LEI engagement from start to finish. It is critical to successful program delivery that the SAC evaluate all issues involving tribal self-regulation and compliance.

Urban Connections

Urban Connections (UC) is an urban outreach program of the Eastern Region that aims to draw together all three branches of the Forest Service to work with urban leaders and other agencies to connect citizens to the land. Urban Connections strives to increase the involvement of under-represented urban groups in Forest Service activities and on the national forests, and bridge gaps between rural communities and city dwellers through partnerships. The tribal relations program seeks to partner with UC to reach urban Indian centers and to reconnect urban Indians with the land and resources central to native culture.

Job Corps

Job Corps is a joint Department of Labor and Forest Service education and training program that helps young people learn a career, earn a high school diploma or GED, and find and keep a good job. For eligible youth at least 16 years of age, Job Corps provides the all-around skills needed to succeed in a career and in life. It is the objective of the tribal relations program to assist the Eastern Region Job Corps Liaison to successfully recruit American Indian students for the Job Corps program and to evaluate American Indian Job Corps students for placement in Student Temporary Employment Program (STEP) and Student Career Employment Programs (SCEP) and Forest Service internships.

Northern Research Station

The Forest Service Northern Research Station has over 600 employees including 157 scientists, 20 field locations, 14 research work groups, 22 experimental forests, and forest inventory and monitoring in 24 states. The Northern Research Station seeks to strengthen the Forest Service's research and technology transfer program, improve the agency's overall organizational efficiency, and improve the stations' capacity as a partner in research collaboration and regional partnerships.

The Northern Research Station focuses on five themes:

- **Managing with Disturbance:** Protect people and forest landscapes from the threat of undesirable disturbances;
- **Urban Natural Resource Stewardship:** Improve the quality of life in urban areas through natural resources stewardship;
- **Sustaining Forests:** Maintain and enhance forest productivity and benefits;
- **Providing Clean Air and Water:** Increase production of clean water and air for a growing population; and
- **Natural Resources Inventory and Monitoring:** Inventory, analyze, and monitor forests to ensure health and sustainability.

The Northern Research Station can provide answers to diverse research questions of benefit to tribes, including inventory and analysis of forest resources important to tribes, non-timber forest products important to tribes, social impacts of natural resource management and policy, and integration of traditional ecological knowledge into forest management. Partnerships with the Northern Research Station are facilitated by the Forest Service Liaison to College of Menominee Nation and the Eastern Region Tribal Relations Program.

Forest Products Laboratory

The Forest Products Laboratory is part of Forest Service research and development. It also has a State and Private Forestry unit that focuses on technology transfer and marketing. The mission of the Forest Products Laboratory is to promote healthy forests and forest-based economies through the efficient, sustainable use of our wood resources. The Forest Products Laboratory focuses research and technical assistance on topics of interest to tribes in the Eastern Region including advanced structures, biomass utilization, small diameter forest products, and economics. The Forest Products Laboratory has a successful history of working with tribes to provide extensive expertise of research personnel, providing access to laboratory facilities and equipment, and creating opportunities for patent and licensing agreements. Partnerships with the Forest Products Laboratory are facilitated by the Forest Service Liaison to College of Menominee Nation.

College of Menominee Nation and the Sustainable Development Institute

The Forest Service has had a formal partnership with the College of Menominee Nation and their Sustainable Development Institute since 2003. The partnership created the Center for First Americans Forestlands. The mission of the Center for First Americans Forestlands is to synthesize the best practices of forest ecology, utilization, and American Indian expertise and apply this knowledge to sustainable forestry practices and sustainable development. The goal is to promote sustainable forestry management practices through research, education, policy analysis, and technical assistance. This partnership focuses on topics including, but not limited to American Indian forestry, green building technologies and implementation, forest restoration, invasive species management, forest products utilization, natural resource management planning, cross-boundary management, and climate change.

This partnership is unique because it brings together all three branches of the Forest Service and the College of Menominee Nation. The partnership provides tribal communities with access to diverse resources, facilitates outreach through the Tribal College and University network, and fosters projects

with communities and individuals that may not have worked with the Forest Service in the past. The partnership provides opportunities to leverage funding and expertise from the College of Menominee Nation, Forest Products Laboratory, Northern Research Station, Eastern Region of the National Forest System, and Northeastern Area State and Private Forestry. The partnership coordinates Forest Service internship and employment opportunities for American Indian college students and graduates.



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APPENDIX A

Lead Forest Consultation Guide

The *Lead Forest Consultation Guide* is to be used when consulting on national and regional actions that may include, but are not limited to agency notifications, regulations, policies, guidance, and strategies. While the topic will be national or regional in scope, the government-to-government consultation takes place at the National Forest level, and should involve the national forest line officer(s) and appropriate tribal official(s). Delegations and technical working groups may collaborate on behalf of either parties with firm understanding of the roles and responsibilities developed at the local level.

The lead forest approach improves the quality of Forest Service consultation by eliminating redundancy while providing a cross-check to ensure that all tribes are given opportunity to consult. It is designed to promote consistency in message, meaning, and content, and to fulfill our legal mandate to consult with all affiliated and affected tribes. When national consultation is initiated, all affiliated and affected tribes must be engaged by the lead forest. The extent to which the tribes remain engaged is entirely at their discretion.

The Lead Forest Consultation Guide is not intended to replace relationships established at the local level. Local units retain maximum flexibility to communicate and consult with tribes that have a programmatic interest in forest level projects and historic ties to the landscape.

DEFINITIONS AND RESPONSIBILITIES

Lead Forest Responsibilities – These forests are responsible for conducting meaningful consultation with tribes for national and regional activities that include, but are not limited to agency notifications, initiatives, policies, regulations, and guidance.

Secondary Forest Responsibilities – These forests provide back-up and assistance on consultative matters as identified by the lead forest. The terms and understanding of “back-up” and “assistance” will be negotiated between the lead and secondary forests.

Affiliated National Forest – These are forests that have developed a relationship with an affiliated tribe based upon a specific niche of tribal interest.

Tribes – Tribes that own land or otherwise reside within the boundaries of the Eastern Region. The Lead Forest Consultation Guide is not intended to preclude consultation with non-federally recognized tribes.

Tribes of Interest – All tribes that, a) own land or otherwise reside within the boundaries of the Eastern Region; and b) all affiliated tribes; i.e., “absentee” or “removed” tribes residing outside the boundaries of the Eastern Region.

Affiliated Tribes – All tribes residing outside the boundaries of the Eastern Region that have historic, ancestral connection to the landscape of the Eastern Region; that have ceded lands within the Eastern Region; or that utilize the resources of the Eastern Region for traditional, cultural, spiritual, economic, or subsistence purposes.

Meaningful Consultation – Meaningful Consultation means the direct and interactive (i.e., collaborative) involvement of tribes in the development of regulatory policies on matters that have tribal implications. Consultation is the active, affirmative process of:

- Identifying and seeking input from appropriate American Indian tribal governments, community groups, and individuals; and
- Considering American Indian tribal interest as a necessary and integral part of the agency's decision-making process. This definition adds to any statutorily mandated notification procedures. See also [FSM 1563](#), [FSH 1509.13](#).

APPENDIX A -- TABLE 1 – LEAD FOREST BY TRIBE

LEAD FOREST	PRIMARY RESPONSIBILITY	SECONDARY RESPONSIBILITY
ALLEGHENY NATIONAL FOREST	TUSCARORA NATION (NY)	ONEIDA INDIAN NATION OF NEW YORK ONONDAGA NATION OF NEW YORK SAINT REGIS MOHAWK TRIBE (NY) SHINNECOCK INDIAN NATION (NY)
CHEQUAMEGON-NICOLET NATIONAL FOREST	BAD RIVER BAND LAKE SUPERIOR CHIPPEWA INDIANS (WI) FOREST COUNTY POTAWATOMI COMMUNITY (WI) HO-CHUNK NATION (WI) LAC COURTE OREILLES BAND LAKE SUPERIOR CHIPPEWA (WI) LAC DU FLAMBEAU BAND LAKE SUPERIOR CHIPPEWA (WI) MENOMINEE NATION (WI) ONEIDA TRIBE OF INDIANS OF WISCONSIN RED CLIFF CHIPPEWA TRIBE (WI) SOKAOGON CHIPPEWA COMMUNITY (WI) ST CROIX CHIPPEWA INDIANS OF WISCONSIN STOCKBRIDGE-MUNSEE BAND OF MOHICAN INDIANS (WI)	LAC VIEUX DESERT BAND LAKE SUPERIOR CHIPPEWA (MI)
CHIPPEWA NATIONAL FOREST	LEECH LAKE BAND OF OJIBWE (MN) RED LAKE BAND OF CHIPPEWA INDIANS (MN) WHITE EARTH CHIPPEWA (MN) MINNESOTA CHIPPEWA TRIBE	BOIS FORTE BAND OF CHIPPEWA (MN) FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA (MN) GRAND PORTAGE BAND LAKE SUPERIOR CHIPPEWA (MN) LOWER SIOUX MDEWAKANTON COMMUNITY (MN) MILLE LANCS BAND OF OJIBWE (MN) PRAIRIE ISLAND MDEWAKANTON INDIAN COMM (MN) SHAKOPEE MDEWAKANTON SIOUX COMMUNITY (MN) UPPER SIOUX COMMUNITY (MN)
GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	CAYUGA NATION (NY) SENECA NATION OF INDIANS (NY) SENECA-CAYUGA TRIBE OF OKLAHOMA TONAWANDA BAND OF SENECA INDIANS OF NEW YORK SAINT REGIS MOHAWK TRIBE (NY) MASHANTUCKET PEQUOT TRIBE OF CONNECTICUT MOHEGAN TRIBE OF CONNECTICUT ONEIDA INDIAN NATION OF NEW YORK ONONDAGA NATION OF NEW YORK	AROOSTOOK BAND OF MICMACS (ME) HOULTON BAND OF MALISEET INDIANS (ME) NARRAGANSETT INDIAN TRIBE OF RHODE ISLAND PASSAMAQUODDY TRIBE OF MAINE PENOBSCOT INDIAN NATION (ME) WAMPANOAG TRIBE OF GAY HEAD (AQUINNAH) OF MA MASHPEE WAMPANOAG TRIBE (MA) ONEIDA TRIBE OF INDIANS OF WISCONSIN STOCKBRIDGE-MUNSEE BAND OF MOHICAN INDIANS (WI)

GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST (CONT'D)	SHINNECOCK INDIAN NATION (NY) UNRECOGNIZED: ABENAKI NATION OF THE MISSISQUOI (VT) KOASEK TRADITIONAL BAND ABENAKI NATION (VT) NULHEGAN BAND OF THE COOSUK-ABENAKI PEOPLE (VT)	
HIAWATHA NATIONAL FOREST	BAY MILLS INDIAN COMMUNITY (MI) HANNAVILLE INDIAN COMMUNITY, POTAWATOMI (MI) SAULT STE MARIE TRIBE OF CHIPPEWA (MI)	GRAND TRAVERSE BAND OF CHIPPEWA/OTTAWA (MI) KEWEENAW BAY INDIAN COMMUNITY (MI) LITTLE RIVER BAND OF OTTAWA INDIANS (MI) LITTLE TRAVERSE BAY BAND OF ODAWA INDIANS (MI) SAGINAW CHIPPEWA INDIAN TRIBE (MI)
HOOSIER NATIONAL FOREST	DELAWARE NATION (OK) DELAWARE TRIBE OF INDIANS (OK) MIAMI TRIBE OF OKLAHOMA	
HURON-MANISTEE NATIONAL FOREST	GRAND TRAVERSE BAND OF CHIPPEWA/OTTAWA (MI) LITTLE RIVER BAND OF OTTAWA INDIANS (MI) LITTLE TRAVERSE BAY BAND OF ODAWA INDIANS (MI) OTTAWA TRIBE OF OKLAHOMA SAGINAW CHIPPEWA INDIAN TRIBE (MI)	BAY MILLS INDIAN COMMUNITY (MI) MATCH-E-BE-NASH-SHE-WISH BAND OF POTAWATOMI (MI) NOTTAWASEPPI HURON BAND OF POTAWATOMI (MI) POKAGON BAND OF POTAWATOMI INDIANS (MI) SAULT STE MARIE TRIBE OF CHIPPEWA (MI)
MARK TWAIN NATIONAL FOREST	EASTERN SHAWNEE TRIBE OF OKLAHOMA (MO) SAC AND FOX NATION (OK)	ABSENTEE-SHAWNEE TRIBE OF INDIANS OF OKLAHOMA
MIDEWIN NATIONAL TALLGRASS PRAIRIE	CITIZEN POTAWATOMI NATION (OK) MATCH-E-BE-NASH-SHE-WISH BAND OF POTAWATOMI (MI) NOTTAWASEPPI HURON BAND OF POTAWATOMI (MI) POKAGON BAND OF POTAWATOMI INDIANS (MI) PRAIRIE BAND POTAWATOMI NATION (KS)	FOREST COUNTY POTAWATOMI COMMUNITY (WI) HANNAVILLE INDIAN COMMUNITY, POTAWATOMI (MI) HO-CHUNK NATION (WI)
MONONGAHELA NATIONAL FOREST		EASTERN SHAWNEE TRIBE OF OKLAHOMA (MO) SHAWNEE TRIBE (OK) TUSCARORA NATION (NY)
OTTAWA NATIONAL FOREST	KEWEENAW BAY INDIAN COMMUNITY (MI) LAC VIEUX DESERT BAND LAKE SUPERIOR CHIPPEWA (MI)	BAD RIVER BAND LAKE SUPERIOR CHIPPEWA INDIANS (WI) LAC COURTE OREILLES BAND LAKE SUPERIOR CHIPPEWA (WI) LAC DU FLAMBEAU BAND LAKE SUPERIOR CHIPPEWA (WI) MENOMINEE NATION (WI) SAKAOGON CHIPPEWA COMMUNITY (WI)

SHAWNEE NATIONAL FOREST	PEORIA TRIBE OF INDIANS OF OKLAHOMA	EASTERN SHAWNEE TRIBE OF OKLAHOMA (MO)
SUPERIOR NATIONAL FOREST	BOIS FORTE BAND OF CHIPPEWA (MN) FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA (MN) GRAND PORTAGE BAND LAKE SUPERIOR CHIPPEWA (MN) LOWER SIOUX MDEWAKANTON COMMUNITY (MN) MILLE LACS BAND OF OJIBWE (MN) PRAIRIE ISLAND MDEWAKANTON INDIAN COMM (MN) SHAKOPEE MDEWAKANTON SIOUX COMMUNITY (MN) UPPER SIOUX COMMUNITY (MN)	LEECH LAKE BAN OF OJIBWE (MN) MINNESOTA CHIPPEWA TRIBE RED CLIFF CHIPPEWA TRIBE (WI) RED LAKE BAND OF CHIPPEWA INDIANS (MN) ST CROIX CHIPPEWA INDIANS OF WISCONSIN WHITE EARTH CHIPPEWA (MN)
WAYNE NATIONAL FOREST	ABSENTEE-SHAWNEE TRIBE OF INDIANS OF OKLAHOMA SHAWNEE TRIBE (OK) WYANDOTTE NATION (OK)	DELAWARE NATION (OK) DELAWARE TRIBE OF INDIANS (OK) MIAMI TRIBE OF OKLAHOMA
WHITE MOUNTAIN NATIONAL FOREST	AROOSTOOK BAND OF MICMACS (ME) HOULTON BAND OF MALISEET INDIANS (ME) MASHPEE WAMPANOAG TRIBE (MA) NARRAGANSETT INDIAN TRIBE OF RHODE ISLAND PASSAMAQUODDY TRIBE OF MAINE PENOBSCOT INDIAN NATION (ME) WAMPANOAG TRIBE OF GAY HEAD (AQUINNAH) OF MA	MASHANTUCKET PEQUOT TRIBE OF CONNECTICUT MOHEGAN TRIBE OF CONNECTICUT

APPENDIX A -- TABLE 2 – TRIBE BY LEAD FOREST

TRIBES	LEAD FOREST	SECONDARY FOREST	AFFILIATED FORESTS/TRIBES
ABSENTEE-SHAWNEE TRIBE OF INDIANS OF OKLAHOMA			WAYNE NATIONAL FOREST MARK TWAIN NATIONAL FOREST
AROOSTOOK BAND OF MICMACS (ME)	WHITE MOUNTAIN NATIONAL FOREST	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	
BAD RIVER BAND OF LAKE SUPERIOR CHIPPEWA INDIANS (WI)	CHEQUAMEGON-NICOLET NATIONAL FOREST	OTTAWA NATIONAL FOREST	
BAY MILLS INDIAN COMMUNITY (MI)	HIAWATHA NATIONAL FOREST	HURON-MANISTEE NATIONAL FOREST	
BOIS FORTE BAND OF CHIPPEWA (MN)	SUPERIOR NATIONAL FOREST	CHIPPEWA NATIONAL FOREST	
CAYUGA NATION (NY)	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	ALLEGHENY NATIONAL FOREST	
CITIZEN POTAWATOMI NATION (OK)			MIDWIN NATIONAL TALLGRASS PRAIRIE
DELAWARE NATION (OK)			HOOSIER NATIONAL FOREST WAYNE NATIONAL FOREST
DELAWARE TRIBE OF INDIANS (OK)			HOOSIER NATIONAL FOREST WAYNE NATIONAL FOREST
EASTERN SHAWNEE TRIBE OF OKLAHOMA (MO)		MONONGAHELA NATIONAL FOREST	MARK TWAIN NATIONAL FOREST SHAWNEE NATIONAL FOREST
FOND DU LAC BAND OF LAKE SUPERIOR CHIPPEWA (MN)	SUPERIOR NATIONAL FOREST	CHIPPEWA NATIONAL FOREST	
FOREST COUNTY POTAWATOMI COMMUNITY (WI)	CHEQUAMEGON-NICOLET NATIONAL FOREST	MIDWIN NATIONAL TALLGRASS PRAIRIE	
GRAND PORTAGE BAND OF LAKE SUPERIOR CHIPPEWA (MN)	SUPERIOR NATIONAL FOREST	CHIPPEWA NATIONAL FOREST	

GRAND TRAVERSE BAND OF CHIPPEWA & OTTAWA INDIANS (MI)	HURON-MANITSEE NATIONAL FOREST	HIAWATHA NATIONAL FOREST	
HANNAVILLE INDIAN COMMUNITY, TRIBE OF POTAWATOMI INDIANS (MI)	HIAWATHA NATIONAL FOREST	MIDEWIN NATIONAL TALLGRASS PRAIRIE	
HO-CHUNK NATION (WI)	CHEQUAMEGON-NICOLET NATIONAL FOREST	MIDEWIN NATIONAL TALLGRASS PRAIRIE	
HOULTON BAND OF MALISEET INDIANS (ME)	WHITE MOUNTAIN NATIONAL FOREST	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	
KEWEENAW BAY INDIAN COMMUNITY (MI)	OTTAWA NATIONAL FOREST	HIAWATHA NATIONAL FOREST	
LAC COURTE OREILLES BAND OF LAKE SUPERIOR CHIPPEWA (WI)	CHEQUAMEGON-NICOLET NATIONAL FOREST	OTTAWA NATIONAL FOREST	
LAC DU FLAMBEAU BAND OF LAKE SUPERIOR CHIPPEWA INDIANS (WI)	CHEQUAMEGON-NICOLET NATIONAL FOREST	OTTAWA NATIONAL FOREST	
LAC VIEUX DESERT BAND OF LAKE SUPERIOR CHIPPEWA INDIANS (MI)	OTTAWA NATIONAL FOREST	CHEQUAMEGON-NICOLET NATIONAL FOREST	
LEECH LAKE BAND OF OJIBWE (MN)	CHIPPEWA NATIONAL FOREST	SUPERIOR NATIONAL FOREST	
LITTLE RIVER BAND OF OTTAWA INDIANS (MI)	HURON-MANISTEE NATIONAL FOREST	HIAWATHA NATIONAL FOREST	
LITTLE TRAVERSE BAY BAND OF ODAWA INDIANS (MI)	HURON-MANISTEE NATIONAL FOREST	HIAWATHA NATIONAL FOREST	
LOWER SIOUX MDEWAKANTON COMMUNITY (MN)	SUPERIOR NATIONAL FOREST	CHIPPEWA NATIONAL FOREST	
MASHANTUCKET PEQUOT TRIBE OF CONNECTICUT	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	WHITE MOUNTAIN NATIONAL FOREST	
MASHPEE WAMPANOAG TRIBE (MA)	WHITE MOUNTAIN NATIONAL FOREST	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	
MATCH-E-BE-NASH-SHE-WISH BAND OF POTAWATOMI INDIANS (MI)	MIDEWIN NATIONAL TALLGRASS PRAIRIE	HURON-MANISTEE NATIONAL FOREST	

MENOMINEE NATION (WI)	CHEQUAMEGON-NICOLET NATIONAL FOREST	OTTAWA NATIONAL FOREST	
MIAMI TRIBE OF OKLAHOMA			HOOSIER NATIONAL FOREST WAYNE NATIONAL FOREST
MILLE LACS BAND OF OJIBWE (MN)	SUPERIOR NATIONAL FOREST	CHIPPEWA NATIONAL FOREST	
MINNESOTA CHIPPEWA TRIBE (MN)	CHIPPEWA NATIONAL FOREST	SUPERIOR NATIONAL FOREST	
MOHEGAN INDIAN TRIBE OF CONNECTICUT	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	WHITE MOUNTAIN NATIONAL FOREST	
NARRAGANSETT INDIAN TRIBE OF RHODE ISLAND	WHITE MOUNTAIN NATIONAL FOREST	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	
NOTTAWASEPPI HURON BAND OF POTAWATOMI (MI)	MIDEWIN NATIONAL TALLGRASS PRAIRIE	HURON-MANISTEE NATIONAL FOREST	
ONEIDA INDIAN NATION OF NEW YORK	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	ALLEGHENY NATIONAL FOREST	
ONEIDA TRIBE OF INDIANS OF WISCONSIN	CHEQUAMEGON-NICOLET NATIONAL FOREST	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	
ONONDAGA NATION OF NEW YORK	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	ALLEGHENY NATIONAL FOREST	
OTTAWA TRIBE OF OKLAHOMA			HURON-MANISTEE NATIONAL FOREST
PASSAMAQUODDY TRIBE OF MAINE	WHITE MOUNTAIN NATIONAL FOREST	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	
PENOBSCOT INDIAN NATION (ME)	WHITE MOUNTAIN NATIONAL FOREST	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	
PEORIA TRIBE OF INDIANS OF OKLAHOMA			SHAWNEE NATIONAL FOREST
POKAGON BAND OF POTAWATOMI INDIANS (MI)	MIDEWIN NATIONAL TALLGRASS PRAIRIE	HURON-MANISTEE NATIONAL FOREST	
PRAIRIE BAND POTAWATOMI NATION (KS)			MIDEWIN NATIONAL TALLGRASS

			PRAIRIE
PRAIRIE ISLAND MDEWAKANTON INDIAN COMMUNITY (MN)	SUPERIOR NATIONAL FOREST	CHIPPEWA NATIONAL FOREST	
RED CLIFF CHIPPEWA TRIBE (WI)	CHEQUAMEGON-NICOLET NATIONAL FOREST	SUPERIOR NATIONAL FOREST	
RED LAKE BAND OF CHIPPEWA INDIANS (MN)	CHIPPEWA NATIONAL FOREST	SUPERIOR NATIONAL FOREST	
SAC AND FOX NATION (OK)			MARK TWAIN NATIONAL FOREST
SAGINAW CHIPPEWA INDIAN TRIBE (MI)	HURON-MANISTEE NATIONAL FOREST	HIAWATHA NATIONAL FOREST	
SAINT REGIS MOHAWK TRIBE (NY)	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	ALLEGHENY NATIONAL FOREST	
SAULT STE. MARIE TRIBE OF CHIPPEWA (MI)	HIAWATHA NATIONAL FOREST	HURON-MANISTEE NATIONAL FOREST	
SENECA NATION OF INDIANS (NY)	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	ALLEGHENY NATIONAL FOREST	
SENECA-CAYUGA TRIBE OF OKLAHOMA			GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST ALLEGHENY NATIONAL FOREST
SHAKOPEE MDEWAKANTON SIOUX COMMUNITY (MN)	SUPERIOR NATIONAL FOREST	CHIPPEWA NATIONAL FOREST	
SHAWNEE TRIBE (OK)			WAYNE NATIONAL FOREST MONONGAHELA NATIONAL FOREST
SHINNECOCK INDIAN NATION (NY)	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	ALLEGHENY NATIONAL FOREST	
SOKAOGON CHIPPEWA COMMUNITY (WI)	CHEQUAMEGON-NICOLET NATIONAL FOREST	OTTAWA NATIONAL FOREST	
ST. CROIX CHIPPEWA INDIANS OF WISCONSIN	CHEQUAMEGON-NICOLET NATIONAL FOREST	SUPERIOR NATIONAL FOREST	

STOCKBRIDGE-MUNSEE BAND OF MOHICAN INDIANS (WI)	CHEQUAMEGON-NICOLET NATIONAL FOREST	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	
TONAWANDA BAND OF SENECA INDIANS OF NEW YORK	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	ALLEGHENY NATIONAL FOREST	
TUSCARORA NATION (NY)	ALLEGHENY NATIONAL FOREST	MONONGAHELA NATIONAL FOREST	
UPPER SIOUX COMMUNITY (MN)	SUPERIOR NATIONAL FOREST	CHIPPEWA NATIONAL FOREST	
WAMPANOAG TRIBE OF GAY HEAD (AQUINNAH) OF MASSACHUSETTS	WHITE MOUNTAIN NATIONAL FOREST	GREEN MOUNTAIN AND FINGER LAKES NATIONAL FOREST	
WHITE EARTH CHIPPEWA (MN)	CHIPPEWA NATIONAL FOREST	SUPERIOR NATIONAL FOREST	
WYANDOTTE NATION (OK)			WAYNE NATIONAL FOREST

APPENDIX B

Practical Consultation Guidelines

There is no comprehensive list of consultation “do’s and don’ts.” However, the following may provide line officers and tribal relations staff with effective principles for successful tribal consultation:

- ❖ *Tribes are sovereign governments and domestic nations; they are not constituents or special interest groups.*
- ❖ *Consult whenever agency action may affect tribes.*
- ❖ *Formal letters alone do not constitute consultation.*
- ❖ *Establish line officer-tribal leader contact and rapport; face-to-face is best.*
- ❖ *Public scoping is not consultation; consult with tribes prior to the public scoping process.*
- ❖ *Be sure to include absentee or “removed” tribes in your consultation efforts.*
- ❖ *Allow enough time for meetings; be patient and adequately describe the issue .*
- ❖ *When tribal leaders speak; be quiet and listen.*
- ❖ *Develop two-way information exchange; tailor a protocol for each tribe’s priorities and capacity for engagement.*
- ❖ *Be persistent with follow-up calls; lack of response is not concurrence, in fact may indicate lack of concurrence.*
- ❖ *Build on individual points of agreement.*
- ❖ *Maintain a respectful sense of humor.*
- ❖ *Never remove a tribe from your contact list because they are unresponsive.*
- ❖ *Forest Service line officers should sign letters, not “actings” as this is government-to-government consultation.*
- ❖ *Demonstrate respect for elders; and earn their respect.*
- ❖ *Know the tribe, their history, past grievances, and how these national forest lands came to be; use their vocabulary.*
- ❖ *Be direct and straightforward; do not coddle or hedge around the truth.*
- ❖ *Don’t set the stage for expectations that you can not deliver; never make a promise that you can not keep.*
- ❖ *Show your thanks—gifting is always appropriate.*

APPENDIX C

Eastern Region Tribes of Interest

TRIBE	Address	City	State	Zip
Absentee-Shawnee Tribe of Indians of Oklahoma	2025 South Gordon Cooper Drive	Shawnee	OK	74801-
Aroostook Band of Micmacs	P.O. Box 772	Presque Isle	ME	04769-
Bad River Band of Lake Superior Chippewa Indians	P.O. Box 39	Odanah	WI	54861-
Bay Mills Indian Community	12140 W. Lakeshore Drive	Brimley	MI	49715-
Bois Forte Band of Chippewa	P.O. Box 16	Nett Lake	MN	55772-
Cayuga Nation	P.O. Box 11	Versailles	NY	14168-
Citizen Potawatomi Nation	1601 South Gordon Cooper Drive	Shawnee	OK	74801-
Delaware Nation	P.O. Box 825	Anadarko	OK	73005-
Delaware Tribe of Indians	170 NE Barbara	Bartlesville	OK	74006-
Eastern Shawnee Tribe of Oklahoma	P.O. Box 350	Seneca	MO	64865-
Fond du Lac Band of Lake Superior Chippewa	1720 Big Lake Road	Cloquet	MN	55720-
Forest County Potawatomi Community	P.O. Box 340	Crandon	WI	54520-
Grand Portage Band of Lake Superior Chippewa	P.O. Box 428	Grand Portage	MN	55605-
Grand Traverse Band of Ottawa & Chippewa Indians	2605 N West Bay Shore Drive	Peshawbestown	MI	49682-
Hannaville Indian Community, Tribe of Potawatomi Indians	N14911 Hannaville B-1 Road	Wilson	MI	49896-
Ho-Chunk Nation of Wisconsin	P.O. Box 726	Black River Falls	WI	54615-
Houlton Band of Maliseet Indians	Route 3, P.O. Box 450	Houlton	ME	04730-
Keweenaw Bay Indian Community	16429 Beartown Road	Baraga	MI	49908-
Lac Courte Oreilles Band of Lake Superior Chippewa Indians	13394 W. Trepania Road	Hayward	WI	54843-
Lac du Flambeau Band of Lake Superior Chippewa Indians	P.O. Box 67	Lac de Flambeau	WI	54538-
Lac Vieux Desert Band of Lake Superior Chippewa Indians	P.O. Box 249	Watersmeet	MI	49969-
Leech Lake Band of Ojibwe	115 Sixth Street NW, Suite E	Cass Lake	MN	56633-
Little River Band of Ottawa Indians	375 River Street	Manistee	MI	49660-
Little Traverse Bay Band of Odawa Indians	7500 Odawa Circle	Harbor Springs	MI	49740-
Lower Sioux Mdewakanton Community	P.O. Box 308, 39458 Res. Highway	Morton	MN	56270-
Mashantucket Pequot Tribe of Connecticut	110 Pequot Trail	Mashantucket	CT	06338-
Mashpee Wampanoag Tribe	P.O. Box 1048	Mashpee	MA	02649-
Match-e-be-nash-she-wish Band of Potawatomi Indians	P.O. Box 218	Dorr	MI	49323-

Menominee Indian Tribe of Wisconsin	P.O. Box 910	Keshena	WI	54135-
Miami Tribe of Oklahoma	P.O. Box 1326	Miami	OK	74355-
Mille Lacs Band of Ojibwe	43408 Oodena Drive	Onamia	MN	56359-
Minnesota Chippewa Tribe	P.O. Box 217	Cass Lake	MN	56633-
Mohegan Indian Tribe of Connecticut	5 Crow Hill Road	Uncasville	CT	06382-
Narragansett Indian Tribe of Rhode Island	4375-B South County Trail	Charlestown	RI	02813-
Nottawaseppi Huron Band of Potawatomi	2221 1-1/2 Mile Road	Fulton	MI	49052-
Oneida Indian Nation of New York	5218 Patrick Rd, P.O. Box 126	Verona	NY	13478-
Oneida Tribe of Indians of Wisconsin	P.O. Box 365	Oneida	WI	54155-
Onondaga Nation of New York	104 W. Conklin Ave	Nedrow	NY	13120-
Ottawa Tribe of Oklahoma	P.O. Box 110	Miami	OK	74357-
Passamaquoddy Tribe of Maine	P.O. Box 301	Princeton	ME	04668-
Penobscot Indian Nation	12 Wabanaki Way	Indian Island	ME	04468-
Peoria Tribe of Indians of Oklahoma	118 S. Eight Tribes Trail, P.O. Box 1527	Miami	OK	74355-
Pokagon Band of Potawatomi Indians	58620 Sink Road, P.O. Box 180	Dowagiac	MI	49047-
Prairie Band Potawatomi Nation	16281 Q Road	Mayetta	KS	66509-
Prairie Island Mdewakanton Indian Community	5636 Sturgeon Lake Road	Welch	MN	55089-
Red Cliff Chippewa Tribe	88385 Pike Road, Hwy. 13	Bayfield	WI	54814-
Red Lake Band of Chippewa Indians	P.O. Box 550	Red Lake	MN	56671-
Sac and Fox Nation	Rt. 2 Box 246	Stroud	OK	74079
Saginaw Chippewa Indian Tribe	7070 East Broadway	Mt. Pleasant	MI	48858-
Saint Regis Mohawk Tribe	412 State Route 37	Akwesasne	NY	13655-
Sault Ste. Marie Tribe of Chippewa	523 Ashmun	Sault Ste. Marie	MI	49783-
Seneca Nation of Indians	12837 Route 438	Irving	NY	14081-
Seneca-Cayuga Tribe of Oklahoma	P.O. Box 1283	Miami	OK	74355-
Shakopee Mdewakanton Sioux Community	2330 Sioux Trail NW	Prior Lake	MN	55372-
Shawnee Tribe	P.O. Box 189	Miami	OK	74355-
Shinnecock Indian Nation	Rte 27-A Montauk Hwy, P.O. Box 5006	Southampton	NY	11969-
Sokaogon Chippewa Community	3051 Sand Lake Road	Crandon	WI	54520-
St. Croix Chippewa Indians of Wisconsin	24663 Angeline Avenue	Webster	WI	54893-
Stockbridge-Munsee Band of Mohican Indians	N8476 Moheconnuck Road, P.O. Box 70	Bowler	WI	54416-

Tonawanda Band of Seneca Indians of New York	7027 Meadville Road	Basom	NY	14013-
Tuscarora Nation	2006 Mt. Hope Road	Lewiston	NY	14092-
Upper Sioux Community	5722 Travers Lane, P.O. Box 147	Granite Falls	MN	56241-
Wampanoag Tribe of Gay Head (Aquinnah) of Massachusetts	20 Black Brook Road	Aquinnah	MA	02535-
White Earth Chippewa	P.O. Box 418	White Earth	MN	56591-
Wyandotte Nation	64700 E. Highway 60	Wyandotte	OK	74370-

APPENDIX D

Eastern Region Tribal Relations Action Plan 2010-2013

OTR NATIONAL GOALS	R9 STRATEGIC GOALS	R9 PROGRAM OBJECTIVES
<p>Ensure the agency redeems its trust responsibility and protects American Indian and Alaska Native reserved rights as they pertain to Forest Service programs, projects, and policies.</p>	<p>Protect ecosystems across boundaries.</p>	<ul style="list-style-type: none"> → Provide high-level, timely and on-going advice/counsel to all line officers, staff directors, program managers, project leaders, and NEPA coordinators. → Complete Eastern Region Tribal Relations Strategy and Programmatic Framework. → Facilitate implementation of current tribal MOUs, especially 1999 and 2006 MOUs. → Initiate NAGPRA repatriation strategy for CUI inventory per final rule. → Prepare and provide each Forest Supervisor with a land cession analysis. → Establish venue for dialog with non-resident tribes, “absentee” tribes, and tribes within the Region that have no direct connection to the NFS.
<p>Leverage partnerships to maximize mutual success.</p>	<p>Connect citizens to the land.</p>	<ul style="list-style-type: none"> → Resolve campground free-use issue; develop and implement campground free-use policy for tribes exercising reserved rights (Superior). → Establish programmatic connection with R9 Urban Connections regarding urban Indian community centers in Detroit, Chicago, Milwaukee, Minneapolis/St. Paul. → Establish programmatic connection with Job Corps, exploiting opportunities for American Indian students. → Establish tribal relations training program for R9 line officers, staff directors, program managers and project leaders, and NEPA coordinators. → Establish tribal relations training program for LEI. → Establish programmatic connection with the United Eastern and Southern Tribes, Inc. (USET). → Promote TBAG conference attendance as inter-tribal consultation venue.
<p>Promote integration and utility of the Tribal Relations Program throughout the agency.</p>	<p>Revolutionize effectiveness and efficiency.</p>	<ul style="list-style-type: none"> → Create an effective team environment for Forest Tribal Liaison officers to contribute to the Regional TR program. → Maintain Regional consultation schedule for national/regional policy issues. → Develop MOA/MOUs with Tribes for project-level interest and consultation. → Develop Tribal Enterprise/Indian Small Business capability directory. → Continue effective Sec. 106 (NHPA) processes, encouraging programmatic agreements. → Establish “gifting” protocol and manage gift cache for participating Forest Supervisors.
	<p>Walk the talk for sustainability.</p>	<ul style="list-style-type: none"> → Develop Regional direction for consultation accountability, information collection and upward reporting (joint with Heritage). → Develop Sec. 8105 implementation standards (free-use timber to tribes; with RR). → Develop viable opportunities for TFPA stewardship at NFS-Tribal interface. → Satisfy all WO/OTR upward reporting requirements:

Be an employer of choice.	<ul style="list-style-type: none">1) Annual Program of Work;2) Annual updated list of tribal contacts;3) Annual Regional TR accomplishment report;4) On-going consultation reports per national/regional policy issues. <ul style="list-style-type: none">→ Establish performance standards for Forest tribal liaison officers.→ Assist line and CR with effective employment outreach to American Indian communities and Tribal Colleges and Universities.→ Implement CIP direct hiring authority for 2-year technical graduates.
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APPENDIX E1 WO OTR CONSULTATION FORM

Forest Service Information Request Form

Region/Forest:

1. Tribal consultation activities that have occurred with Tribal governments in FY 2010 to date:

A. Brief description of overall consultation activities

Narrative

B. 2-3 specific examples (not to exceed 1 page)

Narrative

2. Identified collaboration events or meetings with Tribal governments in FY 2010 to date:

Who	What	When

3. Brief description of funding (grants, loans, etc.) provided to Tribal governments in FY 2010 to date:

Who	Purpose	Amount

4. Brief description of internal Agency workgroups focusing on Tribal relations activities in FY 2010 to date:

Narrative

5. Upcoming consultation events:

Who	Purpose	When

US FOREST SERVICE – EASTERN REGION
 RECORD OF CONSULTATION & COORDINATION
 WITH AMERICAN INDIAN TRIBES

APPENDIX E2
EASTERN REGION CONSULTATION FORM

SUBJECT/PROJECT/ISSUE:			
DATE/TIME:		RECORDER:	
LOCATION:			
LEVEL OF CONSULTATION:	FOREST <input type="checkbox"/>	TRIBAL <input type="checkbox"/>	
	MULTI-FOREST <input type="checkbox"/>	INTER-TRIBAL <input type="checkbox"/>	
	REGIONAL <input type="checkbox"/>	TRIBAL MEMBER(S) <input type="checkbox"/>	
TYPE OF CONSULTATION:	FORMAL CONSULTATION (LINE OFFICER—TRIBAL EXEC) <input type="checkbox"/>		
	GOVERNMENT-TO-GOVERNMENT INFO SHARING <input type="checkbox"/>		
	STAFF/TECHNICAL LEVEL WORKING GROUP <input type="checkbox"/>		
TRIBAL EXECUTIVES (CHAIR/COUNCIL):			
TRIBAL STAFF/MEMBERS:			
FOREST SERVICE LINE OFFICERS:			

US FOREST SERVICE – EASTERN REGION
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WITH AMERICAN INDIAN TRIBES

FOREST SERVICE STAFF:	
TRIBAL COMMENTS/CONCERNS:	