



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

NOV 19 2015

Dear Tribal Leader:

The Department of the Interior, Office of Wildland Fire recently concluded Tribal Consultation on four topics, and we are providing a summary of the consultation, comments received, and responses to those comments.

On June 18, 2015, we sent a notification letter to Tribal Leaders describing our intent to consult on the following topics:

1. Risk Based Wildland Fire Management,
2. Wildland Fire Resilient Landscapes,
3. Implementation of Secretarial Order 3336 on Rangeland Fire Prevention, Management and Restoration, and
4. Quadrennial Fire Review and longer term wildland fire management priorities.

During the consultation period, we shared extensive information with the notification letter, from the OWF Tribal Portal, and during tribal consultation sessions. We also provided additional information in response to requests. The Tribal Portal has been updated, and the web address is:

<https://www.doi.gov/wildlandfire/government-government-consultations>

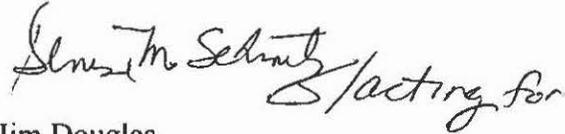
Three tribal consultations sessions were held - one in Albuquerque, NM on July 21, 2015, a second in Spokane, WA on July 23, 2015, and a web-based session on August 13, 2015. Thirteen tribes participated in the three sessions, which provided an opportunity to share more information about Wildland Fire Management programs, and to gain extensive feedback from tribes.

Comments were invited from July 20, 2015 through August 20, 2015, and was extended two weeks to September 3, 2015 in response to a request for extension. Comments from these consultation sessions and written submitted comments were summarized and responded to in the attached document.

We appreciate the time and effort that Tribal members took to meet with us and provide comments. Input during consultation and informal dialogue helps inform the DOI Wildland Fire Management program. For two of the topics, Risk Based Wildland Fire Management and Secretarial Order 3336, we have consulted multiple times and we will continue to look for additional opportunities to consult and engage on key topics. Please feel free to contact Paul

Steblein, Designated Federal Official, at Paul_Steblein@ios.doi.gov or 202-606-3053 if you have any questions, comments, or are interested in visiting our office.

Sincerely,

A handwritten signature in cursive script that reads "Jim Douglas" followed by a slash and the words "acting for".

Jim Douglas

Enclosure



Summary of Tribal Consultation

Resilient Landscapes Program, Risk-Based Wildland Fire Management, and Secretarial Order 3336 Final Report and Implementation July, August, and September 2015

Summary

The Department of the Interior (DOI), Office of Wildland (OWF) sent a letter to Tribal Leaders on June 18, 2015 to initiate government-to-government consultations on the following topics:

1. Risk Based Wildland Fire Management,
2. Wildland Fire Resilient Landscapes,
3. Implementation of Secretarial Order 3336 on Rangeland Fire Prevention, Management and Restoration, and
4. Quadrennial Fire Review and longer term wildland fire management priorities.

Background information on these subjects was posted on the OWF's Tribal Portal at:

http://www.doi.gov/pmb/owf/tribal_consultation.cfm

The consultation period and opportunity to comment began on July 20, 2015 and continued through August 20, 2015. Requests were received to extend the comment period because of the very active fire season, and OWF extended the comment period two weeks until September 3, 2015.

Two tribal consultation sessions were held, first in Albuquerque, NM on July 21, 2015 and a second in Spokane, WA on July 23, 2015. A web-based consultation session was also held on August 13, 2015. Additional information was shared at these sessions, and comments recorded. In addition to staff from OWF, the Bureau of Indian Affairs, and Intertribal Timber Council, the following tribes participated at the sessions or contributed written comments:

Big Pine Paiute Tribe of the Owens Valley
Coeur d'Alene Tribe
Confederated Salish and Kootenai Tribes
The Confederated Tribes of the Colville Reservation
The Confederated Tribes of Warm Springs
Fond du lac Band Lake Superior Chippewa
Mescalero Apache Tribe
Nez Perce Tribe
Pueblo of Jemez
Pueblo of Laguna
Pueblo of Zuni
Spokane Tribe of Indians
Stewart's Point Rancheria

Comments were summarized and responded to below. No comments were received on the Quadrennial Fire Review.

The Office of Wildland Fire recognizes the sovereign authority of tribal governments and is committed to working in partnership with Indian tribes on a government-to-government basis. We believe that this partnership will yield improved policy outcomes. To acknowledge and honor the sovereignty of tribal nations, Office of Wildland Fire conducts regular and meaningful consultation and collaboration with federally recognized tribes on departmental action with tribal implications as related to the Department of the Interior's Wildland Fire Management.

Key Comments and Responses – Risk Based Wildland Fire Management

Tribal Comment: Sage grouse habitat and sagebrush steppe ecosystems are concentrated in the West and there is concern that by using this value in the RBWFM methodology, it could unfairly skew model outputs away from tribal lands.

DOI Response: Conservation of sagebrush steppe is an important national resource priority, as referenced in Secretarial Order 3336.

Tribal Comment: How will the RBWFM be used in future budget allocation within the DOI?

DOI Response: The RBWFM methodology will be used to inform the budget formulation and execution, including allocation to the bureaus, in conjunction with management considerations.

Tribal Comment: How is OWF dealing with the issues with the ignition grid and the crown fire modeling identified in the technical comments from the Forest Service on the RBWFM methodology?

DOI Response: The OWF is currently evaluating options for selecting the most representative ignition grid. The OWF is using the best available FSim outputs at this time; however, the crown fire modeling within future FSim outputs is expected to be updated, which will be evaluated once it is made available.

Tribal Comment: Where can tribal representatives view maps of the different values?

DOI Response: Maps are available on the website.

<https://www.doi.gov/wildlandfire/government-government-consultations>

Tribal Comment: How does the RBWFM model account for on-going activities in hazard reduction, restoration, and maintenance by a unit to reduce risk? If the risks are reduced, will the model unfairly penalize those units who have actively been addressing risk reduction?

DOI Response: The RBWFM methodology is a tool for budget formulation and allocation; it includes a Department Strategic Business Plan that identifies allocation priorities at a national strategic level. Once budgets are allocated to the individual bureaus, funding will be allocated to the field level guided by a Strategic Business Plan developed by the bureau, which will provide for management considerations and discretion. This process will allow the bureaus to account for the bureau mission, program priorities, organizational planning, and unique landscape situations.

Tribal Comment: There are a number of resource values that are not currently incorporated into the RBWFM methodology, such as cultural sites and fish habitat; the methodology does not include the complete set of life, property, and resource values that are important to the tribes.

DOI Response: The OWF made concerted efforts to coordinate with bureau officials and selected the most appropriate set of values with available data that could be impacted by wildland fire. The value set is intended to directly represent both the value itself (e.g. riparian area) and indirect values (e.g. habitat for aquatic species) as a surrogate. Further, it was essential that these value layers could be represented geospatially so that that could be analyzed in the context of managing risk to the life, property, and resource values.

Tribal Comment: Because of a housing shortage in parts of Indian Country, the loss of a home has a greater impact than with other communities.

DOI Response: The protection of life and property has been, and will continue to be, the highest priority in our wildland fire management operations.

Tribal Comment: How does the RBWFM methodology account for Reserved Treaty Rights Lands (RTRL) lands?

DOI Response: The RBWFM methodology is a national assessment of exposure to risk. The value layers utilized include all lands, regardless of ownership and jurisdiction. For analysis purposes, only DOI-managed lands are included in the methodology.

Tribal Comment: Where can tribal members view a copy of the technical review of RBWFM methodology completed by the Forest Service?

DOI Response: The DOI Government-to-Government Consultations website is updated frequently and includes a link to the technical review:

<https://www.doi.gov/wildlandfire/government-government-consultations>

Tribal Comment: The RBWFM methodology appears that it could have some built-in biases. How does the OWF plan to address any biases in the methodology?

DOI Response: The RBWFM methodology has been constructed as objectively and transparently as possible with input from subject matter experts representing all DOI bureaus. It is a national look at the exposure of values to risk from wildland fire. The DOI and the bureaus, with input from stakeholders, are committed to adaptive management and continuous improvement of analytical approaches.

Tribal Comment: Counting the expected number values in the model, instead of counting expected value acres burned, could bias the allocation away from Indian country.

DOI Response: The DOI is committed to evaluating the merits of each approach, and selecting the most representative approach to evaluating risk exposure.

Tribal Comment: How does the RBWFM methodology account for the differences in bureau mission, suppression actions, and approach to wildland fire management?

DOI Response: The RBWFM methodology is a national analysis of risk exposure, irrespective of bureau mission. Each of the bureaus will be responsible to develop a strategic business plan that address program performance in the context of both departmental and bureau missions.

Tribal Comment: Since the RBWFM methodology is run at the FPU level, how might this differ if it was run only on DOI lands? Ownership in each FPU varies greatly.

DOI Response: The RBWFM methodology is run at the FPU level because the FSim data is calculated for each FPU. The analysis is, in effect, run only on DOI lands, because the value layer must be present on DOI lands in order to calculate the expected value acres burned.

Tribal Comment: Commercial timber is an important economic value to many tribes. Does the RBWFM methodology account for this value?

DOI Response: The "Forest Areas" value layer used within the RBWFM methodology was selected to represent a wide-range of commercial and non-commercial values that are present in forested and woodland ecosystems.

Tribal Comment: This tribal consultation is being done after decisions have already been made.

DOI Response: A final decision about how the RBWFM methodology will be used has not been made. Consultations have been an on-going effort. Input from tribes is always welcomed.

Tribal Comment: Actual wildland fire workload, in terms of historic fire history, has been established and should be used in the RBWFM, not simulated fires.

DOI Response: The number and location of historical fires is used in the creation of the ignition grid. Since no one can accurately predict the size, location, and perimeter of future wildfires, the simulated wildfire approach is considered to be the best available science in determining the exposure to risk that is present to each of the values.

Tribal Comment: Why are reindeer herding areas singled out as a value in Alaska?

DOI Response: Values in Alaska were brought forth from the interagency partners responsible for managing wildland fire. A final decision has not been made about which values will be used in the national analysis. The herding areas in Alaska represent a subsistence resource and are a very small fraction of the total land area.

Tribal Comment: How can tribes get access to the RBWFM documents and data?

DOI Response: The DOI Government-to-Government Consultations website is updated frequently and includes a link to the technical review and other documentation:
<https://www.doi.gov/wildlandfire/government-government-consultations>

Tribal Comment: Does the RBWFM methodology account for treaty resources?

DOI Response: The current set of life, property, and resource values relate to resource values and wildfire exposure on tribal trust lands and other DOI administered lands.

Tribal Comment: Does the RBWFM methodology account for tribal allotments?

DOI Response: The current set of life, property, and resource values account for resource values on tribal trust lands, which include tribal allotments.

Tribal Comment: Some tribal members have not received information from the BIA or DOI about how the RBWFM may affect the wildland fire program in the future.

DOI Response: The Office of Wildland Fire recognizes the sovereign authority of tribal governments and is committed to working in partnership with Indian tribes on a government-to-government basis. We believe that this partnership will yield improved policy outcomes. To acknowledge and honor the sovereignty of tribal nations, Office of Wildland Fire conducts regular and meaningful consultation and collaboration with federally recognized tribes on departmental action with tribal implications as related to the Department of the Interior's Wildland Fire Management (i.e., across bureaus). There is a distinction between the responsibilities of the Office of Wildland Fire versus the responsibilities of the Bureau of Indian Affairs or other DOI bureaus.

Key Comments and Responses – Wildland Fire Resilient Landscapes Program

Tribal Comment: It would be more constructive for consultation to occur *prior* to implementation of the Wildland Fire Resilient Landscapes program, and for more lead time to be provided to better enable tribes to develop proposals.

DOI Response: The timing of Congressional approval of Resilient Landscapes funding presented a challenge. An expedited process was required to ensure that some timely initial funding reached the field in fiscal year 2015. DOI is committed to improving the timeliness of consultation, to better evaluate and improve upon this initial pilot effort on Resilient Landscapes. Future direction is subject to funding decisions by Congress.

Tribal Question: How many projects were awarded to BIA?

DOI Response: Among the funded projects, Santa Clara Pueblo has a fully-funded project, and there is tribal participation in funded project collaboratives at other locations (e.g., Valles Caldera, Greater Sheldon-Hart Mountain). Tribes located in other funded Resilient Landscapes could contact them for potential participation.

Tribal Comment: Tribes would like more information about how Resilient Landscapes project proposals are evaluated.

DOI Response: The criteria that were used to evaluate proposals were included in the initial program guidelines and call for proposals. DOI also intends to share the technical evaluations, and to develop lessons-learned from the initial proposal process, in order to improve the process in the future.

Tribal Question: How can small tribes more effectively compete to receive funding?

DOI Response: It is important to note that Resilient Landscape projects are placed-based, rather than organization-based. Tribes could confer and collaborate with other agency partners on proposals to pool resources and coordinate management efforts on local landscapes.

Tribal Comment: Tribes are concerned that the Resilient Landscapes Program and other Department-wide initiatives are funded “off the top”, resulting in less funding allocated to the BIA and the tribes for wildland fire management.

DOI Response: Each year, through detailed discussions with the BIA, BLM, NPS, and FWS, the DOI very carefully identifies funding for Department-wide activities that benefit program delivery for all of the bureaus, collectively. This on-going coordination is essential to supporting a wide variety of essential activities, including communications, information technology, dispatching, and other national shared resources. The Resilient Landscape Program was identified in the FY2015 Wildland Fire Management appropriation as a new and separate activity from bureau funding, and the amount of funding specified by Congress.

Key Comments and Responses – Secretarial Order 3336 Final Report and Implementation

Tribal Question: Does the Secretarial Order have an effect on risk based funding allocations?

DOI Response: Not directly. But because sage grouse habitat is clearly identified as an important Departmental priority, it is among the *several* values included among the Department’s proposed, risk-based approach to fire program allocations.

Tribal Comment: There is concern that under the Secretarial Order, suppression resources may be directed to sage grouse habitat at the expense of other priorities such as people’s homes.

DOI Response: The Secretarial Order supplements but does not eliminate or change existing Wildland Fire Management policies and priorities. The protection of firefighters and public safety is the single, overriding priority in every fire management activity. Prioritization of resources during periods of elevated fire activity is a persistent challenge. Meeting that challenge remains the role and responsibility of agency and field-level operational leadership.

Tribal Question: Why is the protection of sagebrush-steppe ecosystems elevated above other important habitats of the nation? Is this a regional issue, not a national issue?

DOI Response: According to scientific reports, the sagebrush-steppe landscape of the Great Basin region is one of the most imperiled ecosystems in the United States. As a result of the scale and magnitude of these landscapes on DOI lands and the threat of damaging wildfires, an intensive effort has been put forth to protect and restore the plants, animals, and ecosystems. This is a national priority. The issues are described in the Secretarial Order (January 5, 2015) and An Integrated Rangeland Fire Management Strategy; Final Report to the Secretary of the Interior (May, 2015).

Point of Contact

Paul Steblein, Deputy Director for Policy and Budget, DOI Office of Wildland Fire, 202-606-3053,
Paul_Steblein@ios.doi.gov