

**2<sup>nd</sup> Tribal Teleconference Call**  
**---Transcript---**  
**FTS-USDA-FS RMRS**

**Facilitator: :Lucy Moore**  
**August 5, 2010**  
**12:00 pm CT**

Joel Holtrop: ...overall responsibilities for the 193 million acre National Forest System. And I want to welcome you to this call to discuss our proposals for the 2011 planning rule. I am very honored to be a part of this discussion because I know how important the National Forest System is to all of you and how important you are to us.

I was sorry to miss the first tribal roundtable, but I read the summary and I talked with Tony Tooke, the Director of Ecosystem Management Coordination who led the May 3 call. And I'm very pleased that I'm able to join you today for a continued discussion on the 2011 rule.

I recognize that tribal leadership and staff are extremely busy and I appreciate your taking the time to be with us for the next three hours to discuss key elements of what we are proposing for the 2011 planning rule. This is an important topic. It's a top initiative of the Department of Agriculture and it's one of the top environmental issues for the Obama administration.

We heard good feedback from our first call on May 3 and believe that calls like this provide one way we can communicate with the broad range of tribes throughout the country.

But calls aren't the only way we're getting tribal input. For instance, we got some very valuable tribal input through written comments submitted on the Notice of Intent, through various regional tribal roundtables and at the national roundtables.

National Forests and Grasslands are important to many people and very much so for Indian people. We are pleased to share with you our progress in developing the new planning rule for these lands that are so important to you and we're pleased to hear your thoughts. We want to know whether you see any major gaps or flaws in our approach.

This call is part of the collaborative process. It does not replace nor does it reduce the tribal consultation that is occurring and will continue to occur throughout the rulemaking process. I do understand the special government to government relationship we have with tribes and the importance of consultation. And Fred Clark, the Director of Tribal Relations for the Forest Service, will be talking to this later.

This conference call is an effort to expand opportunities for meaningful conversation and an information exchange in an informal setting. We want to know how does what we are proposing impact tribes? Are there major flaws or gaps that are not addressed at this planning rule level?

Again I appreciate your taking the time for this important conversation. And now I would like to introduce Tony Tooke who is the Director of our Ecosystem Management Coordination staff and overall responsibility in pulling this rule together for us. He will go over where we are in this planning rule process. Tony.

Tony Tooke: Okay thanks Joel and thanks all of you again for joining us. I want to briefly go over what we hope to accomplish on our call and the objectives that we have.

You've already heard from the Deputy Chief, Joel Holtrop, on what we're attempting to accomplish with the new planning rule and the importance of today's calls. And we are very appreciative of your participation.

I will go over first of all what we have proposed as an overall framework for the planning rule and then after that Fred Clark, the Director of Office of Tribal Relations will talk about our strategy for tribal consultation on the planning rule. And following that, Martha Twarkins and Bill Connolly they are members of our national planning rule team and they will share you how we propose to deal with some of the more important planning rule questions or some of the key elements of the planning rule, the one that we're developing.

Then we want to encourage a very open and frank substantive discussion about some of our proposed approaches. And it's really important that we hear from you on those. All throughout this call for the next three hours or so the Deputy Chief, Joel Holtrop, will be here with us for the duration of the call.

And you will be able to make comments and ask questions directly to him as well as myself, the other planning team members that I just mentioned, Martha and Bill, as well as Fred Clark and then we have some other folks here in the room with us.

I know that some of you - some tribal members have wondered what happened to the input that was provided to us earlier. While we have not yet given specific feedback to you we want to assure you that we have carefully read and considered your comments and we've worked very hard to ensure that the draft rule responds as much as possible to your concerns.

And as Joel already alluded to this won't be the last chance though for you to influence what will go in the rule. We will definitely provide additional opportunities after the draft proposed rule comes out in December of this year and we'll describe those opportunities in more detail towards the end of the call.

But today and for the next three hours we really need your feedback on what we're proposing in the draft rule. And I'm going to repeat some of what Joel already outlined.

Is it clear? Do you see gaps or major problems particularly with how we're proposing to deal with some of the tougher issues? What areas if any do you think need more work before we submit the draft rule to the department for clearance?

And as Joel pointed out a planning rule is rather specific; it is what we can and cannot do. And what is included in the rule versus in other places such as individual forest plans and other USDA or Forest Service policy.

So those are some of our call objectives and the major things that we would like to accomplish. Again we're very appreciative of you giving this effort your time and attention. And our facilitator, Lucy Moore, will now explain in more detail how the teleconference will work. Thank you.

Lucy Moore: Great, thank you Tony, so much. And we really appreciate the fact that you're going to offer some reflections on the call at the end of the call so that will be very helpful as well.

As I said on the first call I was a little skeptical about this kind of format because of course I think we all agree that face to face communication is the ideal. But after talking with many of you who were on the call and with Forest Service folks as well I think that there is a role for is kind of forum.

I'd really be interested in knowing how the call works for all of you tribal folks on the line and I would welcome you to email me an evaluation or, you know, your thoughts about this particular format and how this call goes. My email - and get your pencils out - my email is [lucymoore@nets.com](mailto:lucymoore@nets.com). It's L-U-C-Y-M-O-O-R-E@nets - N-E-T-S like fishing nets - .com.

So my role is to be sure that the presentations from the Forest Service are clear and understood and that everyone gets the chance to speak. I'm going to ask that we all treat each other with respect and patience during the last call, it worked great - during this call - it worked great at the last call and I really appreciate it.

You'll be called on in the order that you indicated you wished to speak. It may be a long wait but your turn will come. And if we need to extend the call beyond our three hour timeframe the Forest Service is ready to do that.

You can also submit questions through WebEx. And I want to just explain now how that works. If you have the agenda for this call there is a link on there that will take you right to the WebEx site. If you don't have the agenda in front of you but you do have a computer you can go to the USDA Website and that is [fs.usda.gov/planningrule](http://fs.usda.gov/planningrule) - planning rule is all one word.

And then you will see under What's Happening if you just scroll down that page the second bullet under What's Happening is called Forest Service Second National Tribal Teleconference. And under that you will see the agenda. You can just click right on that. When you get the agenda up you'll see where to click to go to the WebEx.

The WebEx will enable you to write questions if you would prefer rather than calling in and speaking them. And we will read the questions at this end and get answers or make sure we listen to the comments. And you can also seem materials on that WebEx. There's a PowerPoint that will accompany one of the presentations later and you can follow along with that.

But I just want to emphasize that this is optional; the WebEx is just kind of an added bonus. And those of you without that capability or who don't want to do that aren't going to miss a thing; everything is going to be very carefully explained and you will be included in everything.

So everything that's said on the call, by presenters and those with questions and comments, is being recorded as the operator said. And it will be available in a full transcript for the rule writing team to use and they're really eager to see that.

I will also be preparing a brief summary of the points that are raised on the call. And this should be available on the Website in the next two weeks or so. I'll do it as quick as I can.

So our agenda includes an update on the Forest Service's tribal consultation policy and a brief time for questions after that. Then we will launch into the main part of the call which will be a forest - will be presentations by staff on the Forest Service planning rule.

And as Tony explained there will be some comment - some presentations about how the rule language responds to some of the concerns that we heard on the first call. And we'll hear about the main differences in this proposed planning rule and the 1982 rule. So please jot down your questions. I won't be interrupting the presentation for questions.

Then we're going to open the question and comment line so those of you who wish to ask a question or make a suggestion concerning the planning rule can speak or as I said you can send a question through the Website. And again we'll go as long as we need to to be sure that everybody gets a chance to speak.

At the end of the call Tony Tooke will offer some concluding remarks and reflect on what he's heard during the call. And now Tony I'd like to turn it back to you if you'll give us an overview of the rule's framework and then I'll come back and we'll get to the - I'm sorry, Fred will go after Tony with a presentation on the consultation policy that's in draft right now.

And then we'll open up the line for a brief Q&A on the consultation policy. So Tony, please.

Tony Tooke:

Okay thank you Lucy. Let me talk a little bit about the overall framework for the new rule. And I'm going to be talking generically about the process that we're considering. Tribes are included and requirements for engagement throughout this process are included in our proposal.

Martha Twarkins and Bill Connolly that I mentioned earlier, they're going to go into this in more detail later in the presentation. Our basic premise is that forest plans matter and they make very important decisions. We want the planning rule and the resulting plans to be stakeholder driven and science-based.

If you participated in the first call you might have remembered that I mentioned those as two key underpinnings. The planning rule must also reflect the core mission of the Forest Service. Resulting forest plans must be able to be revised or amended in a timely manner.

And they also must be affordable and implementable on the ground; implementable in the field, at the local forest and grassland level.

The proposed 2011 planning rule that we're developing is based on a very simple straightforward model of assess, revise or amend and monitor. You can see a graphic of this if you have it up on the Website or Webinar, if you're participating in that manner, that's a companion of this call.

This framework would create an interconnected cycle of assessments, plan revisions or amendments and monitoring. All three phases are equally important. Previous rules that we tried to develop emphasize mostly the plan revision or the amendment process, the National Environmental Policy Act process. The rule that we're proposing now aims to correct this imbalance particularly with assessments and monitoring.

Assessments will cover appropriate - I'll talk about those first - they will cover appropriate geographic scales and they'll be done collaboratively with tribes, other stakeholders, other state and federal agency partners. In most cases assessments can be done using existing information. And these assessments will help us determine the need to change - make a change in a plan and the scope of that change whether it will be a full revision or just a more targeted amendment.

The second part of the framework will be the actual collaborative development of the proposed plan revision or amendment and the accompanying NEPA analysis, the National Environmental Policy Act analysis. The rule provides - that we're developing provides flexibility on plan content dependant upon local needs and the collaborative process.

However there are common core plan components that will be required in all plans. These include things like desired conditions, objectives, standards, guidelines and suitability of uses. Collaboration and the engagement of tribes will be a very integral part of developing this plan direction at the local level, the forest or grassland level.

The third part of the framework is monitoring. The draft of the proposed 2011 rule that we're developing requires a very big involvement of monitoring. A monitoring plan will be required - a required part of any forest plan revision, any revision for a national forest or a national grassland.

Monitoring will be done at several scales. Unit level monitoring will be done at the forest level to determine how the plan direction is being implemented. A larger scale monitoring requirement may be done at a regional level. A regional level may go across a few states. And at this scale it would be done as needed to address some issues such as trends and species diversity that are best tracked over broad geographic landscapes.

So this framework is designed to respond to some common themes that we've heard throughout the collaboration process that we've used or implemented and we described that to you on the first call that we've used to develop this draft proposed rule.

A couple of the major themes have been that collaboration needs to be strengthened throughout the planning process and that plans be adaptive and agile so that we can represent and respond to our current conditions.

So we believe that this new framework is going to move us away from where we've been with once in a generation planning toward a more responsive and agile process that allows the agency to adapt management to changing conditions and improve management most on new information that we're getting, for example, through our monitoring efforts.

Another change in this framework is that collaboration would be an integral part of all phases of the planning process, assessment, revision or amendment and monitoring. We recognize that a lot of good collaboration is already occurring now but it is not yet our cultural norm and we want to shift the paradigm now.

This proposed rule would build on the successes that we already have had, that we already have in place, and make collaboration a normal part in how we do our business.

We're talking here about collaboration in doing the assessments, collaboration in putting together the initial proposed actions, collaboration in the plan development, in the NEPA analysis in collaboration and plan monitoring. This collaboration includes engaging tribes at all of these stages and in all of these phases of the process.

Another change would be how we would go about conducting assessments and monitoring. For revisions, assessments would be done at two scales, the unit level and the landscape level that I mentioned earlier. Monitoring would be done using a coarse filter/fine filter approach at the land management plan unit level and is needed at a broader regional level. Again later in the presentation we'll explain that in more detail.

We're still working through how the rule would spell out these assessments and monitoring requirements. So these are the basic elements how the draft rule would work, the framework that we developed. And again other members of the planning rule team that are here in the room we're going to share in more detail later in the call.

But before we do that I want to provide just a little bit more context and additional background; for example, the differences between forest plan decisions and individual project decisions. Individual forest or grasslands would use the assessment, revision and monitoring stages to revise and update their land management plans.

These plans provide direction for each national forest or national grassland as a whole and they set sideboards for the types of individual projects that would occur on a national forest or grassland.

For example a land management plan might include standards for how to conduct timber operations so that they don't disturb particular - a particular wildlife species during the breeding season. For example a plan might say that timber operations can occur in an area with known Goshawk pairs during the nesting season.

This plan decision would not authorize any timber activities. That would occur through the development of a particular timber project which would require its own public involvement and environmental analysis. Instead the forest plan sets parameters for when, where and how to conduct timber or any other activity. We're just using the timber operation as an example.

So please keep in mind as we continue our discussion of the draft rule language the rule establishes the process and requirements for developing a land management plan, individual forest or grassland plans would then be developed using the procedures established by the rule. Projects are then conducted within the parameters established by their respective land management plan.

So I'd also like to point out that there are also many tribal issues that are outside the scope of the planning rule and are being addressed by USDA and Forest Service leadership in other ways.

An example would be sacred sites. The management of sacred sites has been elevated to the level of the Department of Agriculture and senior leaders to address. And there'll be other situations that will be best addressed at the actual forest or grassland plan level or perhaps even the project level. Designing a timber sale collaboratively for example with a tribe to protect first foods such as huckleberries is one example.

So I'm now going to turn it over to Fred Clark that I mentioned earlier, our Director of Tribal Relations for the Forest Service. He's going to talk about plans for formal government to government consultation with the tribes in the planning rule. Fred.

Fred Clark:

Thank you very much Tony. My Potawatomi name is (Missquasin) which is Fred Clark in English. I'm an enrolled citizen of the Citizen Potawatomi Nation. I'm also the Director of the Office of Tribal Relations for the Forest Service. Now the Office of Tribal Relations role is as advisor and assistant, consultant to the planning staff here in the Washington office.

They're responsible for the rule but the Office of Tribal Relations has been involved throughout the whole process. The planning staff has been doing everything they can to be inclusive of tribes and tribal perspectives and to meet the need - to recognize the value of tribal stewardship and partnership with the Forest Service in this process.

Now I see collaboration and consultation really a separate yet interweaving processes with government to government or nation to nation consultation deriving strength from and adding to the collaborative efforts such as this call, you know, the first call we had, the regional roundtables, and the other ways that tribes have been involved in this process already.

This plays out in calls like this and the roundtable sessions serving as pre-work for the consultation sessions. Now it informs - this collaborative effort informs the tribes and the Forest Service officials who are responsible for the government to government consultation that is currently and will continue to occur as the rule moves forward.

We here in the Forest Service we felt it was important not to get too far ahead of you or of ourselves in setting a consultation process in stone early in the game. We felt it was imperative that we hear from a broad range of tribes and also from the organizations that work on behalf of tribes to apply what has become our regular consultation process with any needed enhancements that help to make the process work in a good way and to meet the needs of tribes as a whole and of individual tribes.

Now I'd like to briefly walk through the process that we have in mind but please keep in mind that consultation is a two-way street. It's not only the federal agencies who have the ability and the responsibility to initiate consultation; tribes can request or offer the opportunity to consult at any time and many already have.

The Forest Service must, as in all administrative processes, set some timelines and other sidebars - sideboards on how we consult with tribes but in general the protocols and processes that are established locally through agreements and other processes are really important. We recognize that much of the value of consultation resides in the relationships developed between local leaders or service leaders and tribal leaders.

Our strategy is to initiate consultation with direction from the Washington office to the regional foresters to instruct the forest supervisors to notify the tribes of the opportunity to consult. Now when is this going to happen? It's going to happen just as soon as the draft proposed rule gets through clearance at OMB, just as soon as we can get out the door it's going to the tribes.

Now why do we want to wait until then? We want to wait until then in case OMB decides to change some of the wording. We want to be able to get something out to you that is more solid and less prone to changes that we don't know about so you don't have to come back and revisit it on a regular basis.

So the regional planning staff and the regional tribal relations program managers will coordinate the distribution of information to the Forest Service leaders and to tribal leaders on the ground and will coordinate consultation and comment gathering processes.

So what happens is that the letter comes from the Washington office to the regional foresters then the regional foresters then instruct the forest supervisors and district rangers to actually the consultation.

Now we anticipate that most of the consultation will occur between forest supervisors and district rangers and the tribal leaders in small group in-person sessions. So this can happen either in Forest Service offices, in tribal offices or anywhere else.

There is also an option which would be in addition to and not a replacement for those small one on one sessions for regions to engage tribes through regional level consultation efforts which may engage one or several tribes simultaneously - I can't talk today, sorry, simultaneously with the regional foresters.

So whichever the forum, the Forest Service personnel involved with have available to them a form to use to record the consultation to ensure consistency of basic information and accountability.

Information from each tribal consultation will be gathered and processed with a copy kept with the regional tribal relations program managers, that's the people who run the program, in each of the Forest Service regions and then a copy will also be sent to the Washington office planning rule staff. The regional tribal relations program managers will notify the tribes that their information has been received.

And then after the consultation period has elapsed a response to the tribal comments will be completed by the Washington office planning rule staff and forwarded back to the regional or tribal relations program managers who then will communicate that with the tribes. These responses will include how the tribal comments were used in the formulation of the rule or how they were otherwise considered.

I should also point out that the Federal Register notice that goes out will include what essentially is a tribal impact statement. It's a summary of how the consultations efforts went and how those comments were used.

And with that I'll turn it back. Thank you very much. Thank you Lucy.

Lucy Moore: Thank you Fred. We're going to have a brief Q&A here for callers before we continue with the presentation on the rule language. So let's give this a try. If you wish to speak please press star 1 at any time and your name will appear in order on my screen.

I will call you one by one starting at the top. The Operator will open your line when I say your name. My line and the presenters' lines will remain open so that we can ask a clarifying question or make a comment or answer a question of yours. Is that okay?

Peter Williams: (Unintelligible).

Lucy Moore: Yes, yes, thank you. And Peter reminds me to ask you to please when you log on here to the call and it's your turn to speak please be sure to give your name and your position with the tribe and your tribal affiliation. So you can also ask a question, as we said, or make a comment through the WebEx. And that link again is at the top of your agenda.

And if you don't have the agenda I'm going to give the Website one more time where you can see the agenda, [fs.usda.gov/planningrule](https://fs.usda.gov/planningrule) - all one word. If you go to that and go down to Forest Service Second National Tribal teleconference you'll see where you can get the agenda. So feel free to write a comment through that way if you wish.

So I think we're ready for our first caller. And that is Rosita. Operator, can you please connect Rosita. And Rosita, tell us just where you're from please.

Rosita Worl: Thank you Madame Chair. My name is Rosita Worl. I am Tlingit and I serve as the Vice Chair of Sealaska Corporation. And thank you for this opportunity to speak.

And my question on consultation is I note that you reference tribes and you talk about organizations that work on behalf of tribes but I'm wondering does this specifically include in this process Alaska Native Corporations that, in our region, we hold 600,000 acres that are adjacent or within Forest Service lands.

And we do have a national legislation that does require a consultation with ANCs. So I'm wondering what the process is? Are we to be included in this one or will we have a separate consultation process?

Lucy Moore: Great question, Rosita. I'm going to forward that to our folks in DC. Fred.

Fred Clark: I'm going to actually pass this one off to Joel. Rosita, it's really great to hear your voice.

Rosita Worl: Thank you.

Joel Holtrop: Hi Rosita. Yes, this is Joel Holtrop. And the answer is yes, the Alaska Native Corporations are included in the consultation and what our expectations are. As we proceed with this planning rule we are including the Alaskan Native Corporations along with the tribal governments.

Rosita Worl: Thank you.

Joel Holtrop: Thank you Rosita.

Lucy Moore: Great. Great, thank you so much for the call Rosita. So we do have a question submitted online. And Peter will read that please.

Peter Williams: This question is from (Susan Montgomery). I don't have a tribal affiliation. But the question is about the sacred site issue. And the question is this, so will the sacred site issue be considered in the forest planning rule or is this being handled separately at the USDA tribal liaison level? Would you discuss this further please?

Joel Holtrop: Yes this is Joel Holtrop again. Thank you for the question, (Susan). I think the best way to answer that question is yes on both accounts. We are going to expect and include it in the rule. There will be expectations around sacred sites and how they should be assessed and considered in forest plan revisions and amendments and monitoring after the revisions and amendments as well.

And then we also have this expectation, this need for us to review our procedures around sacred sites that transcend and are beyond this planning rule effort as well. And we are going to be doing that as well. So both at the level of - at the national level of the agency, with the department as we will be looking at the sacred sites issue and ways that we can be more effective in our consultation with tribal interests on sacred sites.

And then in the planning rule itself there will be an expectation in addressing the sacred sites.

Lucy Moore: Great, thank you, Joel, so much. And this was certainly an issue that came up loud and strong on the first call. So (Susan), thank you for that. I believe we have another caller. And it is (Brian Patterson). Hi, (Brian), good to see you there. Operator, will you open up (Brian)'s line please?

Coordinator: Sir, your line is open.

(Brian Patterson): (Unintelligible) greetings everyone. And thank you to the Forest Service for the opportunity for comment and input on behalf of Indian Country. Greetings Deputy Chief Holtrop and Fred Clark; I appreciate your service with gratitude to Indian Country and your continued outreach to the United South and Eastern Tribes as well as the Indian Country as a whole.

Can we just backup real quick? I missed the targeted dates for this process for completion. And, two, if we can get into a process-orientated question and that is how do we protect the tribal interests from Freedom of Information Act as many of our practitioners are approaching Forest Service lands in a ceremonial manner. How do we protect those sites? Thank you.

Lucy Moore: Great. Thank you (Brian). And if you're still on there (Brian), can you give us your tribal affiliation and position?

(Brian Patterson): Yes I serve the Oneida Indian Nation in upstate New York as Bear Clan Representative to the Men's Council and Clan Mothers of our Nation, our governing body.

Lucy Moore: Great, thanks so much (Brian). And an answer from the feed?

Tony Tooke: Yes, this is Tony Tooke. There were two questions and I'll take the first one and then Fred Clark will take the second one. And thanks for those questions. Your first question was in regard to kind of the timeline for development of the rule. And we'll talk more about this at the end of the call and next steps.

But we're on track, as we shared on the first call, to have a proposed rule published in the Federal Register this December, okay? And we can talk in more detail if we need to talk about how the consultation process - as Fred's already provided some details - works around that timeline.

When the proposed rule is published in December, we'll have a 60-day public comment period. Either during or after that public comment period we'll have some more public meetings, public roundtables both here - probably here in Washington as well as regional roundtables that some of you participated in earlier. And we probably will have another national tribal call during that time as well. We can talk about that.

Then based on those comments we'll make adjustments and we'll have a final rule that will be published in the Federal Register in November of 2011. So that's just a little bit of introduction to the way ahead that we'll repeat again at the end of the call. Your question about FOIA, I'm going to turn to Fred to talk about that.

Fred Clark: (Brian), thank you for bringing up that question. It's a really good one. The Forest Service has a new authority under the 2008 Farm Bill that is actually a FOIA exemption for information that is culturally sensitive to tribes. And it applies only to federally recognized tribes. So it gives us the authority to keep confidential that information that we receive from tribes that they consider to be culturally sensitive.

So that's the authority that we can use to do it within the context of the planning rule. The mechanisms by which we can do that we still have to - we're still working on how exactly to make that happen, how to keep those files in a way that information that folks want to be kept confidential can be kept that way.

So it's really important during the consultation process that tribes and tribal representatives who are engaged in a consultation explicitly note what parts of what they are saying need to be kept confidential so we can do that.

Lucy Moore: That's great.

Joel Holtrop: This is Joel Holtrop. Let me just add - I think Fred did a great job of answering that question. I just want to - I want to say that I appreciate the question as well. We're really aware of and sensitive to how important an issue this is and we want to make sure that we get it right. And I appreciate what Fred had to say about making sure through the consultation process you identify those things and we want to make sure that we meet that need.

Lucy Moore: Great, thanks so much. I think - I think I'm going to move us on - a lot of these questions naturally are relating to the planning rule. And Fred, thank you so much for outlining for us what lies ahead for consultation. I think the way that consultation is initiated and then moved down to the local level and how it's documented and - is really important and people will appreciate that.

So I now want to turn it over to Martha Twarkins and she's with the forest planning rule team. And she's got some members of the team there with her. And so Martha will you take us through the proposed approach to the key role form? And after that we will then open it up as long as people need to go on the call. Martha.

Martha Twarkins: Thank you Lucy. How I'd like to do this is because collaboration was such an important component of what we heard from tribes both in the roundtables and during the call I would like to kind of go through what we're doing in regards to collaboration through the whole planning rule framework that Tony described.

And then I'm going to turn it over to Bill Connolly who's going to go into more detail on the different components of that framework such as assess, revise or amend and monitor. So I just want to start out a little bit with what we heard from you and what we heard from the rest of the public.

As you know we've been engaging in and getting comments from you and many folks for a couple months here. And one of the things that we heard very clearly is the tribes would like to have emphasized the importance of engaging you early and often in the planning process and to acknowledge your unique tribal knowledge.

We also heard clearly from you that that you would like to be part of the planning process conducted on the National Forest System unit in totality in all of the different units - you want to be on that ground level engaging with the responsible officials on that unit to provide what you think is important in regard to tribal concerns.

We also heard some things that the Forest Service needs to build relationships with tribes in ways that are unique to each tribe. And we tried to address that through the consultation strategy that Fred talked a little bit about.

We also heard that the Forest Service should show commitment in the collaborative process by sitting down with the indigenous elders, not in a format like a phone conference like what we're doing here, but that in a face to face in the traditional way.

Again we're trying to reach a broad range of folks so through the consultation process that Fred described we're trying to address that concern of face to face meetings with appropriate tribal members and then to reach some of the broader folks through a conference call that this may not reach otherwise.

So what are we do in the rule? These are essentially - this point's on - in time they're words on paper. This is what we're looking at at this point in time to try and address some of your concerns.

And I just want to point out a little bit - we do have a section in the rule that is titled Engaging Tribal Governments and Alaska Native Corporations. It speaks to trust responsibility that the Forest Service recognizes the federal government's trust responsibility for federally recognized Indian tribes.

The responsible official shall - that means that they have to - invite, provide opportunities for any federal recognized Indian tribes and Alaskan Native Corporations that may be affected by or may effect the planning process to collaborate and participate in that process. So we're going to be asking you early and often to participate.

The responsible official shall honor - again shall is a must - shall honor the government to government relationship between tribes and the federal government. The responsible official shall seek assistance where appropriate from federally recognized Indian tribes and Alaska Native Corporations to help address management questions or opportunities.

We also speak to indigenous ecological knowledge, land ethics and native knowledge. And again it talks to how the responsible official must engage federally recognized Indian tribes and Alaska Native Corporations and consider native knowledge, land ethics, cultural and sacred sites during the planning process.

And our goal in doing this is to give an opportunity to integrate indigenous ecological knowledge, land ethics and the native knowledge so that the voice and interests of you can be heard and duly considered in the planning process as we move through the planning process.

There - and I'm not going to go into as much detail - but there are - there is specific language in the assess part of this rule, in the amend or revise part of the rule as well as the monitoring part of the rule that speaks specifically to tribal engagement.

Now I just want to touch briefly on why we decided for - to have this - our rationale for this proposed language that we have in here. So we were really trying to establish clear requirements for who needs to be engaged in the planning process.

There's also a wide variety of notification requirements that I'm not going to go into here but essentially the Forest Service responsible official is going to be required to notify anybody and everybody at all stages of the amending, the assessing, the revising, the monitoring, so there's several stages throughout the process where the Forest Service is required to notify in a public fashion in addition to what I described earlier.

We also felt that this provided some flexibility to the responsible official to address scope and the methods of that collaboration and working with the tribes and recognizing that the national forests are very different from Alaska down to California and Florida so to have the appropriate collaborative methods for what's significant for your particular area.

The differences between what we're proposing in the 2011 rule and the 1982 rule which is what we're following right now is that the 1982 rule really relied on a public participation process especially as it relates to NEPA; that's what the requirements were so we're broadening that on a much broader scale.

So with that I'm going to turn it over to Bill to go into more detail on these different steps.

Lucy Moore: Great. Martha I'm going to jump in here, it's Lucy. I just want to remind people that if they do want to get in line to ask a question on the phone they should press star 1; that's star 1 and they will get in queue. And we appreciate everyone's patience. Thanks Martha and excuse me, Bill, for interrupting.

Bill Connolly: Okay. My name is Bill Connolly. I'm going to talk as - Martha introduced sort of the overall process with the themes of collaboration and Fred talked about consultation. I'm going to really elaborate on the planning framework that Tony introduced earlier.

Peter, for those people who have the online access, if you can go to that second slide I'll start from there. For those of you who cannot see the computer screen this one slide basically shows essentially a wheel diagram which shows three major phases of the planning framework which are assess, revise or amend and monitor.

As Tony indicated earlier the 1982 rule contained virtually all of its focus on the planning portion of it. The framework for this rule talks about all three of those components. And what I'm going to do is elaborate a little bit on what does it mean to assess, revise the plan and monitor the plan. And I'll highlight a few of those requirements and then finally I'm going to briefly talk about an example that might be of interest to tribes.

First of all the assessment really is a review of your conditions that you have in the context of the broader landscape. It uses the available information to the extent possible. Some of -

one of the key purposes of assessment are first, to develop collaborative up front relationships. This would include collaboration with tribal groups as has been emphasized prior to my talk.

There's also to develop an understanding of the existed and predicted conditions, to develop an understanding of what are the issues that run across the landscape not just those on the forest planning unit. And also to identify what is the contribution of the National Forest System unit within that broader landscape.

And then finally one of the things coming out of the assessment is to identify what needs to be changed in the plan for that unit. So we do an assessment to determine what the need for change is. When we're looking at a plan revision there are several specific requirements associated with that assessment.

The first is that we must evaluate ecosystem diversity and species diversity as part of the assessment. We must consider the plans of tribes and other governments as we are making plans for the planning unit. And we must consider the social and economic conditions and trends that are present.

As a result of the assessment there will be a report and that report will include a discussion of the role and contribution of the planning unit to provide ecosystem services and multiple uses. It will also include a discussion of the conditions and trends of these ecosystem services including the multiple uses.

It will also describe specifically the relationship of that planning unit to the plans of tribes and other government agencies. So each tribal clan will get some specific recognition and discussion in the assessment that is done for a plan revision. The revision assessment would also describe resiliency, risks, uncertainties and any vulnerabilities that might be present in the plan area.

Okay the next slide if you're on the show, shows as we switch to the revised phase. I want to illuminate a little bit on the contents of the plan or the plan components as we call them that Tony described earlier.

Each forest plan or grassland plan is going to be required to have the following plan components which will guide project and activity decisions. These components are first the desired condition that identifies the desired attributes that we want to be present in the forest or grasslands in the future.

There will also be objectives. The objectives are to identify specific actions or outcomes normally that we expect to be achieved during the plan period or for some other specified period of time. Objectives are to measurable and evaluated regularly.

Standards are also must-do requirements that must be achieved connected with project and activity planning. And then there are guidelines also which describe expected courses of action. And as Tony mentioned there's a suitability of areas or uses. This essentially identifies what parts of the forest are available for what uses and what parts of a forest are not available for those uses.

There's also an option to have goals added as a plan component. These plan components will also be applied to specific parts of the forest either through management areas which use a thematic approach such as this might be a wilderness area or this might be an old growth area. Or it might be something for a geographic area; plan direction or plan components could be written for a watershed for example.

Requirements for the plan components, the plans must address the following elements, there must be plan components to address sustainability to provide for ecosystem diversity and to provide for species diversity. And providing for species diversity one of the plan - the plan components must provide conditions that are able to support viable populations of native species.

There's also requirements to identify in the plan components landscape character and recreation settings including motorized and non-motorized opportunities, a plan component for the maintenance and restoration of ecosystem resilience and the maintenance and restoration of water resources. As Tony indicated an environmental impact statement is expected for every plan revision.

The third phase of the planning framework is monitoring. Monitoring is seeking to have a systematic unified approach that tracks issues that transcend the planning unit. The monitoring program would begin by identifying what are the questions and then identifying what indicators should be collected to evaluate that question.

We do envision that there be a two-tiered monitoring approach; there's be a unit monitoring plan for each national forest and each national grassland but there would also be broader scale monitoring conducted at a regional basis and this would work with tribes and other partners to implement the monitoring program.

There's also an expectation there'll be an annual evaluation of monitoring results by the planning unit. A few specific requirements for unit monitoring, the unit monitoring must identify progress toward achieving the desired conditions, objectives or other components of the plan, must address watershed health, must address key ecological conditions and must address the status and trends of a small set of focal species.

All right the last thing I want to briefly do is try to identify an example of how an issue important to tribes might be treated in this planning framework. So the issue that I have chosen which is one I've had some experience with is the situation regarding sensitive cultural sites.

During the assessment phase the collaboration early in the process might indicate a need for the national forests to provide protections to sensitive cultural sites. The collaboration would reveal that both the Forest Service and the tribe have collected information about these sites but this has not always been shared between the two.

The tribe has indicated that they have not always been adequately consulted prior to actions by the Forest Service affecting these sites. The resulting need for change is to reexamine policy in the plan regarding sensitive cultural sites. In the plan after a substantial

collaborative and consultation process the plan has identified a desired condition that indicates that important heritage and cultural sites to the tribes are identified, evaluated and protected.

An objective of the plan is to develop a confidential inventory, as we discussed earlier, of these sensitive cultural sites with the tribe. A standard is then added to the plan that requires direct consultation with the tribe on any activities in the vicinity of sites in the inventory.

Finally in the third phase in monitoring three questions related to the cultural site issue are included in the monitoring program. Has the inventory of sensitive cultural sites to the tribe is then established in a confidential way? How many sites have had formal consultation between the national forest and the tribe? And the bottom line question, are the sites being protected?

The monitoring program for these items is being implemented as a partnership between the tribe and the national forest. I present that just as an example of how the planning framework might be used to address this issue. And as Joel indicated earlier the sacred sites issue - we're examining this on a number of different levels which include the planning rule.

And that concludes what I have to say.

Lucy Moore:

Thank you Bill and thank you Martha very much. That's really helpful. It's a lot of information. And I appreciate everybody's patience in going through those presentations but it's really critical that we get a foundation before we start to ask the questions and hear the comments. And we're just about ready to do that.

Before I do open the line up for the first question I'd like to ask you all to sign up on the listserv if you're online now or later on the Forest Service Website. That's the best way that they can stay in touch with you and it's really important to them that they do so.

So we are ready to open the line again for speakers, comment and questions on the planning rule as the framework and the key elements have been presented. And again if you wish to speak please press star 1 at any time, then an operator is going to ask for your name and your tribal affiliation. And please speak cloudly - clearly and loudly so that the operator can hear and we can be sure we know who you are. Okay, so clear and loud for the operator. Thanks.

I'll call on you one by one starting at the top and the operator will open your line when I say your name. And of course it's always possible to go ahead and do a question in writing as I've explained before. I would appreciate everybody's consideration of the time we have and the large number of people on the line so be as brief as you can.

But most importantly we want to hear from you and we will all be listening and so, you know, please understand that, that when your line is open it is for you.

And you can also - the Forest Service wanted me to remind you that written comments after this call or at any time can be emailed to the Forest Service. And that information is on the

Website. But their email address is fsplanningrule - all together \_external@fs.fed.us. Again fsplanningrule - all together \_external@fs.fed.us.

And you can also write - if you're not comfortable online and certainly understand that you can write a note or contact your regional tribal program manager. That person is ready and happy to hear from you.

So Operator we are ready for the next caller and that is (Donna). And (Donna), would you please state your name loud and clear and your tribal affiliation and position if you've got one?

Donna Miranda-Begay: Yes, hi everybody. Thank you very much. My name is Donna Miranda Begay. I'm the Tribal Chair of the Tubatulabals of Kern Valley. I really appreciate all the information that's being relayed today. My main concern is how is the planning rule addressing working especially like in California we have over 50 tribes that are not federally recognized and many of those tribes have lands that are in trusts called allotments.

And in Kern Valley our tribe, we have over 10 tribal allotments that are adjacent to the US forest lands. And our main watersheds initiate up towards Mt. Whitney all the way down through the Greenhorn Mountains and along some of the mountain ranges that are just above our allotment lands.

So the watershed areas are so important for us in this area as well as continued access to the areas of the US Forest areas. So I just wanted to find out does the planning rule address those specific issues because there are federal codes that identify the definition of Indian Country which includes reservations and Rancherias in California of course but also all Indian allotments.

Joel Holtrop: Donna, this is Joel Holtrop. And thank you for that question. And I'm going to start with an answer and I'm going to turn it to Tony Tooke as well. But let me just acknowledge again our awareness that there are non-federally recognized tribes that are very much affected by national forest management and our planning rule decisions.

We have a collaborative process that is intended to be all-encompassing of all the people that are affected by national forest system lands and whose input can help us make decisions that make the - are the right things for all of the people who are affected interests.

And from that standpoint philosophically that's the approach we're taking, a very collaborative open approach both to how we're doing this planning rule and what our expectations are as we prepare individual forest plans under this planning rule as well. Let me turn it to you Tony.

Tony Tooke: Yeah, just to add a little bit if you might remember if you participated in the first call or you have kept up with the information our all-lands approach that we're trying to take in the planning rule different from - somewhat different form previous planning rule efforts.

We're putting into the process where we look beyond the national forest or grassland boundaries. For example you're referring to adjacent watersheds or allotments and we'll

look at what's going on on those lands and we'll have a collaborative approach where we work with those land owners or other public to determine what the role, value or contribution or niche is of that local national forest or grassland in this bigger landscape.

It could be a handful of roles or values or it could be many niches. It could be threatened and endangered species, habitat that stands beyond our boundaries or it could be some watershed or some larger ecosystem that that national forest or grassland is part of.

So hopefully that - both of those responses gives you more context of how we consider like adjacent tribal allotments.

Lucy Moore: Great.

Tony Tooke: Thank you.

Lucy Moore: Thank you Tony, so much. I'm going to turn to Peter and ask him to read a question that has come in that's kind of a related subject I think.

Peter Williams: Yes, this question comes from (Dirk Charlie) and the question is this, "At the May 4 tribal roundtable in Clovis, California a question was asked about how the non-federally recognized tribes would be dealt with during the development phase of the planning rule process. I, meaning we, have not seen any reference to this concern within in the current resources and references provided."

Lucy Moore: Good thank you Peter. So a comment from DC on that?

Joel Holtrop: This is Joel Holtrop again. I think our previous answers, both mine and Tony's was intended to address I think a very similar question that Donna had raised as well. So I - I hope we have already answered that question.

Lucy Moore: Good, that was my thinking too. (Dirk), I hope that is satisfactory. So let's move to our next caller and that is John. And please give us John, your full name and tribal affiliation and any position you hold. John are you there?

John Stensgar: (Unintelligible). Good afternoon, I'm glad to be here. My name is John Stensgar. I'm the elected member of the Colville Business Council currently serve as the (unintelligible) natural resources committee. I just had a couple comments.

In reading all of the documents on definite correction needs to be made, typo, whenever you list tribes it needs to be capitalized as you do with states. And furthermore it's just kind of disconcerting to me - and I apologize for not being able to make the other meetings that had been listed - scheduling conflict.

But it's a little bit disconcerting when you read the document - that to me it appears to be shortsighted when you're talking about traditional knowledge. I mean, when we look at planning, you know, we look out seven generations ahead; not next year, not five years from now, but looking out for our great-great grandchildren and what are we going to leave them.

So that's just a general comment that I wanted to make in reading all the documents. So thank you.

Lucy Moore: Great, thank you John. I'm sorry, John, I'm having a little trouble hearing you. Could you repeat your name and your tribe?

John Stensgar: John Stensgar, member of the Colville Business Council.

Lucy Moore: Okay and could you spell your last name please?

John Stensgar: S-T-E-N-S-G-A-R.

Lucy Moore: Great, thank you John, so much. Yeah, so...

John Stensgar: And also I forgot to mention greetings to the other fellow tribal leaders on the line. Thank you.

Lucy Moore: Yes, thank you. I appreciate that, John; you're linking us all together. And indeed we are all linked together although we don't exactly know who's out there and where. But I appreciate that.

So two things from John, one, to please capitalize the word tribe and tribes when used in the document. And the second substantive question about a general feeling that the planning rule language seems to be short sighted not really looking as far ahead as many tribal people would like to see it look ahead to seven generations out in front of us. Any comments on that?

Joel Holtrop: This is Joel Holtrop. Thanks for both of those comments, John. And, you know, I think - I'm going to look around the table here to see if anybody else has anything else to add but I accept those comments in the spirit of what we're asking for. Are there shortcomings?

Are there things that we needed to hear from you of things that we need to pay attention to. And that's the spirit that I receive those comments in if we're - if the way we're dealing with traditional knowledge appears to be short sighted that's the kind of comment we want to hear and we want to make sure that we're going to take a good look at that based on that comment so thanks. I don't know if Tony or anyone else?

Tony Tooke: Yes and our intent is not at all for it to be shortsighted. We had some similar calls to this with our employees across the country last week and this issue was raised. And so we're looking for ways in the language just to make it, you know, clearer that, you know, we don't want any shortsightedness or undermining or downplaying of traditional knowledge at all; we want it right on equal footing with best available science for example. And so we'll definitely be looking at that.

Fred Clark: This is Fred. That approach was really reinforced last week at the fourth national roundtable here in Washington DC. Those topics were brought up especially the traditional ecological knowledge question about including that along with Western science as, you know, it's been

reinforced and reinforced and so it's just really good to hear it again so thank you very much for that comment.

Lucy Moore: Great, thank you guys. And, John and others out there, you know, the more specific you can be about issues like that the better so feel free to think about it, email the Forest Service, contact your regional tribal program manager, you know, for specific (unintelligible).

Woman: Real quick before everyone gets off (unintelligible).

Lucy Moore: Okay we've got a little interference here; not sure where it's coming from or whether everybody's hearing it but I think - (Teresa), our operator, are you there? I - okay. Can you (unintelligible). So hang on there with us, we'll get this figured out.

Man: Am I still hooked on?

Lucy Moore: Yes, (Teresa)?

((Crosstalk))

Lucy Moore: Now that's...

Man: I'm also sitting in another meeting too.

Lucy Moore: I see. And let me just make it clear that that siren was not in Santa Fe, that is a DC siren. So Martha and crowd can you hear me all right now?

Martha Twarkins: Yes thank you.

Lucy Moore: Okay I'm going to go ahead with the call, I'm not sure what that was, my apologies. And let's hear from our next caller and I believe it is Sean. Operator, can you open up the line for Sean?

Coordinator: Your line is open.

Lucy Moore: Great.

Sean Mulford: Oh thank you. Hello, my name is Sean Mulford. Are you there?

Lucy Moore: Yes. And Sean, tell us your tribal affiliation.

Sean Mulford: I'm with the Navajo Nation.

Lucy Moore: Great, thank you.

Sean Mulford: Or I should say I am a citizen of my nation. The - thank you very much for putting this call together. I do have some concerns here. But at first also I want to acknowledge that what was said that a face to face meeting with indigenous elders is being supported with this I think is great.

And so who do we need to speak to to make that happen? And as we do make that happen we want to make sure that the top officials are there at that meeting with the elders. The other thing - one of the things I was concerned about was the need not to go into detail.

And as I said last week the devil is in the details. And so as indigenous people we do want to make sure that we - we hear the details, that we hear all aspects of it. And so rather than kind of giving a general overview we want you to get into specifics because that's where we know everything is at.

Tribal impact statement I know historically it's been federal agencies that have made the initial determination on their own actions and how this will affect or impact indigenous people. And I think rather than federal agencies telling us as indigenous people how it's going to affect us I think you need to open the door and write into this rule making process that we tell you how it's going to impact our communities and our people.

Next one is the watershed. The Forest Service must protect watershed health. And as some examples were given earlier I'll give an example here of Arizona Snowbowl. We know that the water flows top down - that usually comes from the mountains.

And why the Forest Service has allowed reclaimed waste water to be placed on the very source of the water at its head water to contaminate the rest of the water on the way down doesn't speak to what I'm hearing today.

You know, there's a lot of good words here but when we actually get on the ground and seeing what's being done, you know, with the decision like that that doesn't sit well. And we need to ask, you know, you're using best management practices and where has that gotten us today. To me everything is more polluted so best management practices are not working so we need to address that.

Another concern is multiuse. Multiuse has been placed above the spiritual values of the indigenous people and their way of life. And that is again Arizona Snowbowl we've got that. And that's a real concern for us because not only for the Navajos but all tribes, there's different types of recreation. And if the Forest Service is going to place multiuse above our way of life then, you know, that needs to be addressed and understood at the planning rule level so we can address that.

Next thing is the responsible official. There's been all to of hand pointing to the responsible official, but as indigenous people we see that there is not such thing as a responsible official within the Forest Service. Because what we've noticed is that the forest supervisor will make a decision and then after that will be moved to another area of the Forest Service and then the regional forester will make a decision and will be moved somewhere else.

So there is no responsible official, they just move on and the next person comes in. So that's kind of what we're seeing, is this shell game of personnel. So you can't say that's a responsible official.

Next we're happy that the Forest Service is including invertebrates into their invasive species, because we see that reclaimed waste water with its viable but non-cultural bacteria is a real threat to our way of life as indigenous people and a threat to the environment and a threat to the human population.

And so the US Forest Service has done studies and has supported studies by different universities to look at that and they do have the science - the best science available to make the right decisions.

FOIA, 2008 FOIA with the Farm Bill, keep confidential. You've got to remember that as indigenous people the US has not even signed onto the UN declaration on the rights of indigenous peoples. So quite frankly you're the ones that we don't want to tell our sacred information to. So we need you to understand that.

And we sat down with Fred Clark - I don't know how many years ago that was, Fred, but we told you that. As soon as you allow us as indigenous people to go into the Pentagon and look around and check out all your files and everything else maybe at that time we'll - we'll just think about allowing you to know about our sacred information. But you wouldn't do that so we've got to protect our cultural rights too.

Also with the native species, it says here you must - the conditions must provide - be provided for native species. The problem is is who defines that and who defines the monitoring indicators? And I see that this is all weighted to the Forest Service just like RFRA. RFRA was supposed to protect indigenous people yet they - after going to the court they said it is near-damage spiritual feelings.

So what we're concerned about is these words sound good but who's going to define it? Which brings me to my last point here and that's - as we look at these eight rules we see that the indigenous people aren't included in that so we needed to add that ninth rule in here.

And I'm going to bring that rule back and I'd like the tribes online and the indigenous people on the line to look at this as a foundation on what we need to do to strengthen ourselves to make sure that none of these rules negatively impact us.

And so the Rule Number 9 that was proposed on May 3 is the 2011 national planning rule would in no way abrogate or diminish traditional land uses whether that be for ceremonial practices, medicinal plant harvesting, traditional subsistent activities and that these rules would in no way infringe upon the rights of the indigenous people or with any treaty. Rather the planning rule shall promote, protect and enhance the indigenous people's right to follow their way of life.

So thank you very much for allowing me to get that - all those points in and I'm sure we'll hear some good things today.

Lucy Moore:

Sean, thanks so much for your call. And I'm so happy there were 10 points you made because I was going to cut you off after 10 so that was - that just worked out perfect for me. I really appreciate your thoughtfulness a lot.

So I'm going to run down those 10 points just to be sure that I got clear and so that the folks in DC can figure out how to field each question. First of all - and a lot of your points have to do with the details - that the words are sounding good, the concepts are good but the devil is in the detail and you really want to know just how this is going to play out and that that's what is going to make a difference to tribal people.

So the first one was this face to face meeting that was mentioned with elders. You know, how is going to happen? How do we set it up? Where do we meet? When? Who's going to be there? Just let's get specific about that.

Second point was that the devil is in the detail that you - that tribes - that you believe that tribes want to be involved as those details play themselves out. Third was the tribal impact statement. You'd like to see that more tribally driven, initiated by tribes rather than by the Forest Service.

Four had to do with the watershed and there you brought up the Snowbowl decision. And you questioned whether this - if this is best management practices, you know, where has it gotten us today and the importance of protecting watersheds.

The fifth was the category of multiuse and your perception that it is put above the needs of the traditional people to support and preserve their way of life. Sixth had to do with the responsible official and the shell game of personnel; I like that phrase, Sean. The fact that somebody might make a decision but then seems to be moved onto another region, to another forest and so this responsible official is kind of standing on shifting sands.

Number seven, you're glad that invertebrates are now included in the list of species and you believe there's good science to back that up. Eight has to do with FOIA; your point that actually your tribe doesn't want to reveal sacred site information to the Forest Service so how can it really - how can that information really be protected.

Nine was native species and other definitions, I gathered, who's going to - what are these monitoring indicators and who's going to define native species, for instance and other terms that are in the rules?

And finally you're raising again the suggestion that there be a Principal Number 9 in the planning rule that gives specific protection to traditional uses of the land and promises in no way to diminish or abrogate any of those rights.

So I hope I got them all, Sean. And again, thank you so much for your thoughtfulness on this. And I'm going to turn it over to DC.

Joel Holtrop:

Okay, this is Joel. I'll at least start and we'll probably tag team as we work through this list. And, Lucy, I think one of the things that you said in your summary was something that I was thinking as well - a lot of Sean's issues and concerns had to deal with the level of specificity or went to get into the details.

And one of the things that I found Sean's comments to be helpful to think about is realizing that at this point in time what we're doing is we're developing a planning rule which is a rule that's just going to guide how we go about developing forest plans across the country.

But it's - but at some point in time we're going to get much more specific in each of those plans. So we have to have a rule that appropriately sets the stage for the appropriate amount of detail in those plans but the rule itself of course won't be getting into a lot of that detail. And so I think that that's a useful characterization of thinking about some of these comments.

First of all let me just say on the - again I acknowledge your recognition of how important it is that there be face to face conversations with the elders. And I think one of the questions was how do we assure that that's going to happen? I think when Fred was going through how we intend to consult on the planning rule itself we were talking about responsible official. I know we'll get to that again later on this - in this list of your comments.

But our intention of having that done - the regional forester, the forest supervisor in some cases a district ranger depending on a, you know, on a case by case basis as to where the right level of that consultation, that face to face, ought to occur.

I think Fred also made the point of recognizing that consultation - that there's - it's a two-way street and there needs to be a recognition that we need to identify when it's time for us and who it is we need to be consulting with but if you have some desire to make sure that that's happening and on - and have a need to do so you can - you interacting with the responsible official in your local area would also be an important aspect of how we move forward with that.

The next issue - unless somebody wants to add something on that. The next issue was the issue about the - I think that was kind of specifics versus...

Tony Tooke:

The comment about the devil is in the details. And maybe it's an appropriate time to talk about our planning rule will also have a preamble that will go along with that rule that will describe some of our intent about the rule language. And you'll be getting that along with the rule.

After the rule is - the final rule is published we'll also be developing Forest Service directives that will have a lot of the how-to and the how we will implement the rule language. I think that's the way I would speak to talking about, you know, more specifics and the devil's in the details.

The next comment I have is about tribal impact statements - was that the third one?

Fred Clark:

Yeah, hey Sean, this is Fred. Let me address your question about tribal impact statement a little bit. Really why are we doing this collaborative effort and going into location efforts in addition to that and really concentrating on relationships is kind of the basis for this whole thing and the collaborative effort.

But that really is to get that point of view from tribes and other people who are affected by the planning rule and, you know, down the line by the plans themselves and the projects that take place on the forest or grasslands and prairie.

And so the whole issue - the whole process here is really to get at what tribes think the impacts on them will be; that's why we're talking about it now and able to make that part of the impact statement. It's not us saying well this is how we think, you know, from some, you know, ivory tower what the impacts will be; we're asking and talking to people as we're going along.

Tony Tooke: The fourth one we have was about watersheds. And that's an excellent point. This came up as well at our public roundtable we had last week. And we're going back and looking at places where we need to make sure that we're emphasizing water and watersheds.

You know, we recognize that clean fresh water is, you know, our most important natural resource. And when watershed conditions are stressed or they're degraded or critical services can be threatened or compromised and so we're looking at things in all three phases of the planning process that I mentioned earlier, assessment, revision and amendment and monitoring just to give you some examples.

In the assessment part we want to make sure that we examine the structure and function of ecosystems and the stressors that may be affecting those or affecting our ability to maintain or restore resilient watersheds. That's part of the - that's an example of the assessment phase which is to identify ecological needs for water on National Forest System lands and identify additional unique or important water features.

In the revision and amendment phase that Bill talked about earlier we would include desired conditions and objectives for watershed health, for public water supplies or source water protection, for example.

And then monitoring will be - monitoring efforts for example will include identifying data availability or needs or gaps and protocols at various scales for watersheds, aquifers and aquatic habitat. Those are just a few examples; there's more that we're looking in all three phases to ensure that we're doing everything we can to maintain healthy watersheds and create resilient systems to protect our water supplies. Excellent point and we hear you.

Joel Holtrop: Sean, this is Joel Holtrop again as well. In the next point you talked about multiuse or multiple use and perhaps it being considered more important than tribal concerns. And frankly on both the previous point around watersheds and on this one you utilized the Snowbowl as an example for us to be aware of why you're raising the concern and do appreciate the concern.

And, you know, let me have at least part of the answer to this, again, be something that goes beyond just what we're doing with this planning rule effort as well and mention again that we're convening a consultative sessions with Native American leaders to make sure that we can do a better job of addressing sacred site issues as was we make project decisions.

And I think that effort will also inform us in the planning rule as well. And so I understand the concern and just want to express that we're paying attention to the issues that you raised and we want to make sure as we do this planning rule that we're appropriately taking that into account as we look at how we go about the consultative process.

Your next point was responsible official and what's characterized as a shell game of a local responsible official make a decision then moves on career-wise or whatever. You know, that is an issue that we often deal with with many of our - the public comments that we receive on how we go about managing the agency as a whole. And frankly it's something that we deal with internally as well.

But, you know, with any entity that's as long-lasting as the Forest Service is - we've been around for over 100 years, we're going to go through changes in leadership at all the various levels of the organization and we need to have a way to make sure that we're making decisions that honor - that transcend the length of time that any one line officer is in place.

And I understand that there's both an element of the personal nature of a line officer and then the longer term more institutional nature of the position that that person is in. And I think that's one of the things that we are trying to address in this planning rule effort in a couple of ways.

One is having the responsible official be somebody close enough to the ground that they've been very much involved in the collaborative process with all of the entities that are most affected by the decision. And secondly by making sure that we are doing this in a collaborative way.

And that collaboration in a planning rule that is very much based on this three-par approach of assessment, revision and amendment in monitoring no matter, you know, when there's a change in leadership at the local level we're still going to be involved in this assessment, revision, amendment and monitoring effort.

And I think there's going to be a - there's going to be an enhanced opportunity for people who are interested to be involved in both that assessment process and the monitoring process that'll help us make wise revision and amendment decisions.

Fred Clark:

Joel, if I may I'd like to add on to that just a little bit. One is - first I would like to acknowledge the idea that it's, you know, we hear it all the time as Joel pointed out from a variety of organizations, groups, tribes, and so on. But kind of to add onto that just a little bit, you know, the indigenous traditional religious leaders are in it for life.

And I mean that in two ways; they're in it for as long as they live. They're also in it for the life of the world, for the resources and the people. It's important to recognize that and to acknowledge that. Kind of the revolving door it's not unique to the Forest Service either, I mean, it's common among tribes as well. So we are the receivers as well as the givers in that situation.

But I did want to acknowledge the difference in - with the traditional religious leaders than from the people in the governmental organizations.

Joel Holtrop: Yeah, thanks Fred. The next point was just an acknowledgement of the importance of invertebrates being considered as one of the invasive species, appreciate the comments. I don't know that there's any need to address that further but I appreciate the comment.

I don't know, we've already talked a little bit about the FOIA, the Farm Bill, the recognition or the identification of sacred sites or important sites. I don't know if - Fred, if you have anything more you would want to say about that concern that was raised? I know we addressed it earlier as well but...

Fred Clark: Yeah, I'm not sure that there's much more that we can add at this point because again it's some of the details that are very site-specific. They are fact-dependant and they are really - come to the forefront in discussions and collaborations, in appeals and in, you know, all the way up through lawsuits.

So these are the types of things that we bring to the table in a variety of ways and I'm sure we're going to be talking about them for years.

Joel Holtrop: Okay. All right, thanks Fred. The next point was the question - or the comment about native species, who defines what a native species is and like I think Lucy again correctly assessed that that extends beyond just that specific issue of who assesses.

And I think at least part of the answer that is our collaborative approach and our intent of - that we go about assessing what are the native species or what are the desired non-native species in a very collaborative way in that - through that collaboration those determinations are going to be made.

And are we - Chris, do you want to say something as well about this one? So we have Chris Iverson who's on - who's working on the planning team on issues like this. Chris.

Chris Iverson: Well that's a good question in terms of who decides what a native species is and that's as I understood it the focus of the question. And clearly we would - the rule talks about using best available science or information. But that's western science and maybe it only goes back a couple hundred years.

And clearly we want to incorporate traditional ecological knowledge in that in terms of complementing or understanding of what native species are. And so we're going to value that element of our collaboration and particularly consultation during the assessment process to identify what those are.

I think the question went on to talk about who selects like the focal species and some of the other concepts that Tony went over. And that'll be a part of the consultation as well in terms of what species are best to be monitored to meet our objective of evaluating how well our plan is doing. Is it sustaining the resources that are of concern to us. So that'll be a part of the collaborative and consultative process as well.

Joel Holtrop: Sean, this is Joel Holtrop once again. And before we get to that last point let me just - let me just add one other - I just realized as we're rattling through our immediate responses to all of these thoughts that you shared with us I want to - I want to express a couple of things.

One is we want to honor the comments and the questions that you've asked with some immediate response to us and that's why we're responding to each of them. But we also want to honor them in a manner that makes sure you know that this immediate response is not the end of our thinking about the points that you've just raised us.

And we are going to continue to think about this - continue to think about the points that you've raised, and it - this is not the extent of our response to your - the points that you've just raised it's just a kind of an immediate reaction so that you know - hopefully you can recognize that we're understanding what the concern is and that we're at least starting to think about what ways to answer it or we think that we may have at least a partial answer in work we've already done.

But both wanted to honor your comments by responding immediately but also - like make sure you and everybody else on the call recognizes this is not the end of our thinking about these comments. So Tony, on that last point?

Tony Tooke: Yeah, and I think your reference was a Rule Number 9 or a what? Principal Number 9 and I think you're referring to the notice of intent when we laid out some substantive principals that - as well as some process principals.

And in this - developing this planning rule there's been a departure from times past where we developed a proposed action and put it out in the notice of intent when we told the public that we were going to develop a new planning rule.

This time we put out principals and questions. And we did not have one for tribal concerns. I've hope we've been able to honor and address tribal concerns since the notice of intent in a way that would have been the same as having a notice of intent principal.

And what I mean by that is we have went through many public meetings. And this being our second roundtable and then considering the comments that we got - that you referred to that back in May that emphasized working with tribes and Alaska Native Corporations early and often to learn of issues regarding protection of and as well as access to forest resources - physical and cultural and spiritual practices at the unit level.

So I guess what I'm trying to say is that we're doing everything we can to make sure that we've addressed that in every place throughout the rule language the same as we would have if it had been a principal.

You'll get another opportunity to see - and more than one - to see if we've actually done due diligence and honored that the way I'm talking about it when the proposed rule is published and we have more public meetings and roundtables like this. And you still feel like we're falling short we'll talk about it some more then. So I think that may be all 10.

Lucy Moore: I think so. You guys did a great job. And, Joel, I really want to acknowledge what you said about the immediate response as opposed to the more thoughtful long-term response. I think you guys in DC are on the hot seat right now and I'm sure you're writing these questions down and thinking oh, you know, how are we going to handle this one.

But this is a really important conversation for us to be having now in real time but I think what you're hearing from callers is the importance of really taking seriously what is being said in the longer term. And so that was very helpful to hear that from you. And you're doing a great job on the short term side here and I'm sure you will on the long term as well.

So we're going to go now to a written question. We've just - just so you kind of know where we stand we've got three I think written questions in the queue and we've got five more people that would like to speak. Again if you would like to speak on the forest planning rule please press star 1 and you will get in the queue and your turn will come. And thanks so much for your patience.

So Peter how about that next question?

Peter Williams: Yes this question - it's actually a comment from John Stensgar with the Colville Business Community. And the comment is this, "The NRCS, Natural Resource Conversation Service, just completed an exercise to attain tribal knowledge. John, I was part of this exercise and the final document is very well put together. They've implemented this handbook into their processes."

It sounds like John is suggesting that that's a resource we may want to look at during development of the planning rule.

Lucy Moore: Excellent, great, thanks Peter. So let's turn to our next caller and I believe that is Vic - is it Ruby? Operator can you please hook us up to Vic?

Coordinator: One moment.

Lucy Moore: Thank you.

Dick Gooby: Dick Gooby, Indian Nations Conservation Alliance.

Coordinator: Sir, your line is open.

Dick Gooby: Hello.

Lucy Moore: Great.

Dick Gooby: This is Dick Gooby with the Indian Nations Conservation Alliance. And I just had one comment. One of the issues with consultation is to be able to be attend the meetings where you want to have consultation. And somewhere in the process there are a lot of tribes that don't have the resources to pay to travel for somebody to attend meetings that's away where they have to go to travel to get to the meetings.

And somewhere in the process there needs to be a way to - that you can set up to reimburse for the cost of travel for these - for a lot of the tribal folks to be able to attend the meetings. And otherwise even though the intention is good in consultation the people can't afford to attend the meetings and so you're not able to get their inputs. So that was my comments. Thank you.

Lucy Moore: Great, thanks so much. And we heard that on the first call too; it's a concern for a lot of tribes. So the idea that either there be reimbursement or some way to fund tribal people to go to a consultation meeting or the consultation meeting comes to them or somehow that that is taken into consideration. Any comments from DC on that?

Fred Clark: Hi Dick, it's really great to hear you on the line. This is Fred.

Dick Gooby: How you doing Fred?

Fred Clark: You know, this is a topic that, as Lucy pointed out, has come up several times. And it's certainly something that we're seriously considering. But we're also looking at the possibility of having kind of regionally-based meetings whether they're in person or maybe virtual meetings as well so tribes can participate in consultation without traveling even.

So that's another option that we're looking at as well as in person reimbursable option.

Joel Holtrop: Yes Dick this is Joel Holtrop. Let me just also add that, you know, with as many tribes as we have, as many circumstances as we have across the country we're going to have to look at a full range of different ways of accomplishing the intent that you've expressed and it's out intent as well. We want to give people the opportunity to be effectively involved with us in a collaborative way and we just need to - we need to continue to pursue all of the various options that are available to us.

Sometimes it may be having to find a way to reimburse for travel, sometimes it may be we travel to a different location. Sometimes we have to use technological opportunities and not always be able to do what we all acknowledge is the best which would be a face to face. But sometimes we're not going to be able to do that if that's just physically or financially not available every step of the way.

But we just need to keep open to a full range of ways to accomplish what we're all talking about is important to us. So thanks for your comment.

Lucy Moore: Great. Yeah. Sorry was there another comment from DC?

Joel Holtrop: No.

Lucy Moore: No. Okay great. Let's go on to Jerry - is it Bacock?

Gary Bacock: Gary Bacock, Big Pine Paiute Tribe, California.

Lucy Moore: Great, welcome Jerry.

- Gary Bacock: Hi it's Gary. Gary. I just wanted - well first of all I'm the Tribal Administrator for the Big Pine Paiute Tribe. I'm here with (Danelle Gutierrez) the Tribal Secretary - Tribal Council Member.
- And so I just wanted to make sure - earlier we did participate in the earlier call. But we also sent a letter on June 8 to Mr. Tom Tidwell, Chief, USDA Forest Service. I just wanted to make sure that that letter is part of the process.
- Lucy Moore: Excellent...
- Joel Holtrop: Gary...
- Lucy Moore: Yeah, excellent question. And this is really critical that we figure out just how communication happens and is it working? So do we have a thought back there in DC about that letter of June the 8th to Tom Tidwell? Would that be folded into this process?
- Joel Holtrop: Yeah, this is Joel Holtrop. Gary, thank you. Yes, a letter that you sent to the Chief of the Forest Service is very much going to be a part of this - of the comments that we're receiving and we're responding to.
- Gary Bacock: Okay that's all I needed.
- Joel Holtrop: Thank you Gary.
- Lucy Moore: Great, thank you Gary. So let's hear another question that came in over the WebEx, Peter if you'd like to read it please.
- Peter Williams: Yes this question is from (Robert Matskey). The question is this, "The planning document talks about regional versus unit management. How does this affect MIS species? If we use species that are either Forest Service sensitive or (C&E) only but only look at them regionally we use the old rule that talks about maintaining - sustaining populations on individual forests.
- "This is important because it requires us traveling long distances to collect species from our culture. We should maintain the rule that calls for sustainable populations of species at each forest."
- Lucy Moore: Very interesting. I don't know - I think Chris, if that's one for you or - but that's a very interesting point.
- Chris Iverson: Yeah, this is Chris Iverson. And thank you, (Robert), for the question. I would like to sort of acknowledge the concern that we want to maintain species on each national forest. And as Tony talked about in the early overview we want to reemphasize that that is our intent in this rule, that - in the language that's evolving is very - is the fact that we want to maintain viable populations of all native species on - on the planning unit, each national forest.
- So we're firmly committed to that principal of sustaining species on each national forest. So that's a pivotal part of this rule. To the early part of the question regarding the region versus

unit monitoring and the affects on MIS what our notion here is is that we're - we've adopted the concept of focal species and Tony talked about that a little bit earlier.

And just to reiterate we're adopting this somewhat new concept in place of management indicator species from the old rule. And what - we had learned over the years and in the - sort of the scientific literature that the concept of MIS itself was not well supported by the scientists.

And the notion was is that if you count or the trend of one species it will tell you about another species. And that really is not a supported principal in the literature. And so what we're trying to do is adopt a new concept called focal species.

And what the focal species is is we're going to try to emphasize monitoring first of all we have a commitment to monitoring species within the rule; we're not going to relinquish that obligation. But we want that monitoring to be very strategically focused at a limited number of species that we can monitor very well.

And the notion of a focal species is one that will tell us if we understand its trends and status it will tell us about the integrity of the system to which it belongs. For example if we're recovering a T&E species and we're also - we're providing the habitat conditions for it then we're contributing to its recovery and the system is improving in those recovery or conservation efforts.

So what we're trying to do is focus this monitoring of individual species at a more strategic level. And it - the question also focused at regional versus unit monitoring. And Tony talked about that and I'll say a few more words. Unit monitoring within the national forest is going to be - is concentrating on how well are we doing at implementing the plan? Are we moving the forest to the desired conditions and following and meeting our objectives in the other plan components?

At the broader scale what we want to do is be, as I said, a little more strategic in picking some species that are common to many units. For example in the West sage grouse is a species of really high concern and it occurs in a number of different states.

And if that is a focal species for us on the integrity of the sagebrush habitat then what we're going to try to do is work with the scientists, the partners in the states and with the tribes in designing protocols and survey methodology that everybody can use in a consistent way and provide us meaningful information across the areas that we're trying to monitor and not have every individual forest develop their own monitoring plan and separate protocols and techniques many times over, many which could be inconsistent.

So we're stepping back and moving to a multi-forest or a regional scale for some of these more complex questions that we think we can do more effectively at a broader scale.

Lucy Moore:

Great, thank you so much. I think we'll move to another caller now and that would be Bill Tripp. And, Bill, if you could give us your tribal affiliation and position.

Bill Tripp: Yeah, I'm Bill Tripp, I'm the Eco-Cultural Restoration Specialist with the Karuk Tribe's Department of Natural Resources. And it looks like a lot of these things being said today are heading in the right direction. And I couldn't get onto the Web thing because of computer problems.

But what I had done is I have kind of wrote up some stuff based on the paper that was sent out, the input summary from the last meeting. And I probably won't go through all of those right now, because a lot of them seem to have been kind of hit on already.

But there are a few things that I noticed that may deserve some discussion here though. And I know like in the plan content section of that where it talks about standards and guides most standards and guides are useful but I think that programmatic resource objectives may be more adaptive, inclusive, integrative and help direct multiple programs to work towards common outcomes.

I think that's going to be an important component whether it be addressed at the rule scale or the local unit, LRMP scale I think that that's something to consider.

And when it talked about the consistency - national consistency and accommodate regional differences there's also going to be local differences that need to be considered because, I mean, if you look at just like the local unit, like one national forest or - that can sometimes cause problems with the way things occur with consultation with tribes because tribal interests in a lot of cases span across local unit boundaries.

Like in our instance with the Klamath National Forest and Six Rivers National Forests, Six Rivers actually administers a portion of the Klamath National Forest. And it's just - it becomes an issue when the development of land and resource management plans don't consider the processes that are being established on the other side of that line.

And then you end up with two totally different processes that a tribe has to work within in working together with the agency. So that level of consistency should - it would be nice to see that addressed at some point.

Another thing was with the reforestation or - in the restoration portion of this batch of topics. I know one of the comments I had said before was about the black oak stands and being critical to some species and avoid mono-cultures. But the - it's just kind of reference there, that reforestation is needed instead.

But I think it's important to - which a lot of this may already be coming about in the way it's put together. But the ecosystem will show the potential conditions of a particular component once people learn what to look for.

A strategic combination of fuels reduction, thinning, prescribed fire and managing wild land for research benefits may be a more appropriate reforestation strategy in many instances - and instead of just planting rows of trees out there all over the place. So that's something to add to think about there.

And I was thinking about how this will - the whole NEPA process works with the EIS and stuff the other day. And it seems like it would be important to take a look at the cumulative effects of past management practices, you know, in a new light.

I know a lot of times things are just listed in the back of a document and - but the cumulative - those cumulative effects can be far-reaching with lasting influences on issues like the availability of juvenile coho habitat.

In some cases in our area, you know, freshly built roads, large clear-cuts and high intensity fires before the big storm events like in 1955, '64, '97 all contributed to uncharacteristic debris torrents and inner drainage water transfers that permanently locked the lower reaches of some of the streams into a straight high-gradient line.

And those areas can sometimes show evidence of meandering habitats that once ran through groundwater-fed ponds or beaver ponds that are now intersected by Forest Service roads and highways.

Solving these site-specific and chronic problems can not only restore that component of landscape but will be instrumental in restoring (unintelligible) fisheries and beaver population capacities and our watersheds.

Lucy Moore: Bill I want to - this is Lucy. I'm sorry, I don't mean to interrupt but I want to give folks in DC a chance to kind of digest this and comment if they want to. Would it be all right if I just summarized a little bit what you've said...

Bill Tripp: Sure.

Lucy Moore: ...for their purposes. I mean, I've heard a couple of really important things I think. One this idea of consistency across local differences. And although we have been talking about the importance of getting very local and working out details at a local level you're pointing out that a lot of tribal interests span across more than one forest unit. And so you'd like to see some real consistency there with respect to the impacts on tribes.

And then this other point about the EIS needing to look at cumulative impact and you - that's a very graphic example of what can happen as a result of a lot of different practices and activities that aren't really hooked together in one unified way and looked at cumulatively.

So I just want to ask the folks in DC if they've got any comment on those points or anything else that Bill said?

Bill Connolly: Yeah, this is Bill Connolly. I want to give a quick summary to several of the points that you raised including ones you mentioned but I actually had two more. The first one I had was - spoke about standards and guidelines and suggested that yes standards and guidelines are useful but we also need objectives.

We very much agree and want to emphasize objectives and desired conditions as being what we want to be moving toward. A lot of cases of standards and guideline that say limit your

activities within a streamside corridor just limits your activities; it doesn't really provide any guidance in terms of where you're going.

So the idea of trying to deal with your road system on the Six Rivers or the Klamath to try to deal with your fisheries interest that might be better served by collaborating on desired conditions and objectives.

The other point in terms of tribal interests and a little more consistency across national forests and a lot of situations where we have multiple national forests that are right next to each other they're often working together to try to address common issues.

Now I don't know what Region 5's plans are just yet for revisions of the Six Rivers and the Klamath, but I know in Oregon, for example, the Blue River Forests are looking across their boundaries which includes the national forests as well as any of the other land ownerships that might be involved such as BLM and tribal lands and other state lands.

So trying to work to get a consistent approach collaboratively on all the lands is really one of the things that we're looking for. You also had some comments and concerns about sort of stands and mono-culture and how we approach reforestation.

Approaches to reforestation in terms of trying to maintain diversity on stands that's really kind of a case by case situation that has to be tailored for the situation that you've got on the individual planning unit and even lands within the planning unit so that's the way that I would see that you would work through that.

I do not think today that we're looking at all to plant mono-cultures and there are definitely requirements, some of which I went over, to maintain ecosystem and species diversities. So engagement in terms of - with those units in terms of what's appropriate needs to occur.

You talked about NEPA analysis and cumulative effects, definitely agree, we're going to be doing environmental impact statements for our revisions. And we also do cumulative effects analysis upon individual projects. But I do think the idea of looking at your desired conditions such as your issues with road failures and fisheries would be very well addressed through looking to desired conditions and objectives for the plan.

And I think with that I'm going to stop.

Lucy Moore: Great, thank you Bill, so much. And Bill Tripp, I don't know whether you had more you wanted to go through; can you kind of give me a clue about that?

Bill Tripp: Yeah, I had a little bit more, not too much.

Lucy Moore: Okay, let's hear a little bit more and then I need to go to somebody else and you can jump back on if you need to. But, yeah, go ahead.

Bill Tripp: Okay. Yeah, along those same lines with the cumulative effects analysis, you know, it's - the cumulative effects analysis can actually be used to determine site-specific restoration needs.

However manageable fire sheds that could be comprised of multiple watersheds would be an appropriate focus for other management considerations.

Even at the fire shed scale any such area of potential affect could span out an additional 15 miles in the event there's a planning component such as for the enhancement of spotted owl dispersal potential. In a lot of cases that's the look that people take for - are confined too much into these little boxes to really be able to take a look at, you know, are there spotted owl nesting sites out there within, you know, 10, 15 miles that there may be some of that species trying to move into this area, you know.

And I know a lot of the plans for that species don't really address that either. But it would be nice to be able to look at that across jurisdictional boundaries too. And then as far as the diversity of plants and animals that should be a site-specific - depending on species and habitat correlations.

For example like porcupines may be critical to the black oak stands and the (unintelligible) yet a early coast component may be needed for protection of fishes from bobcats. And I like that, you know, that would be a small-scale consideration within individual units but it should be correlated with the restoration needs at the landscape scale for species like the spotted owl like I was talking about before.

Lucy Moore: So, Bill, you know what would help us out would be - these are great specific comments that you've got. If you could submit them directly to the Forest Service planning team with that email that's on the Website. I'll just repeat that it's fsplanningrule - all together \_external@fs.fed.us. The planning rule folks would really appreciate that and they can handle that - those specific things directly.

Bill Tripp: Okay.

Lucy Moore: Okay? Great. Thanks so much Bill.

Bill Tripp: Yeah.

Lucy Moore: I'd like to go to a question - a written question here so Peter.

Peter Williams: Yes this question comes from James Munkres, archaeologist for the Osage Nation Historic Preservation Office. And the question is, "To what extent will the new planning rule alter the S106 process?"

And I asked James online to help me understand the S106 reference. And he let me know that it is the National Historic Preservation Act, Section 106. And it provides for the consideration of cultural and historic properties in federal undertakings. So thank you, James, for the question and also for helping clarify it.

Tony Tooke: Okay, this is Tony Tooke. The short answer is it won't alter it at all. It will be right in line with Section 106. I don't really know anything to say beyond that except to say as you see more details and the proposed rule comes out in December. If you feel like that's not accurate please point out any places that you think is not 100% in alignment.

Fred Clark: This is Fred. I would just add that I think that the collaboration and consultation processes will enhance the 106 process because of better communication between tribes - the tribal historic preservation officers and the forest archeologists and other people who deal with heritage resources as well as the tribal relations folks on the forest and of course the forest leadership will be nothing but better.

Bill Tripp: Good point, thanks. Thanks for those comments.

Lucy Moore: Good. Good, thank you. So let us go to our next caller and that is I believe Shondra Marsh. Shondra are you there and tell us your tribal affiliation please.

Coordinator: Her line is open.

Lucy Moore: Yes Shondra.

Coordinator: Please check your mute button, your line is open.

Shannon Marsh: Would it be Shannon?

Lucy Moore: Yes, I'm sorry. It's Shannon? Okay. We're translating these names through a lot of different phones lines so...

Shannon Marsh: I understand. I understand. I do not have a tribal affiliation.

Lucy Moore: Okay and your name is - I'm sorry your name is Shannon (Marsh), is that right?

Shannon Larsen: L-A-R-S-E-N - Larsen. And I represent Ancient Trees.

Lucy Moore: I'm sorry Shannon, I'm just having trouble hearing; you represent who?

Shannon Larsen: Ancient Trees.

Lucy Moore: Ancient Trees. And where are you calling us from?

Shannon Larsen: From Florida.

Lucy Moore: Great. And is Ancient Trees an organization or...

Shannon Larsen: It's people who take a special interest in the protection of the rights of aboriginal indigenous people...

Lucy Moore: Okay. Welcome to the call.

Shannon Larsen: ...and the natural areas. Okay what - I have been listening on the last two of these roundtable discussions and I am still not getting a clear understanding which is disturbing to me of the participation - the level of participation of people who meet all the criteria

absolutely without question to be federally recognized but have chosen not to for their own reasons only known to them.

What I'm seeing and what I'm hearing is a consultation with federally recognized tribes, government to government. Here in Florida specifically the grouping that I'm speaking of could very well meet the criteria to be federally recognized. And I'm not speaking for them.

There does not seem to be a place in this whole consultation process for them although Florida is part of their homelands and beyond. And the same areas that have been used by the two federally recognized tribes which didn't really happen until, what the 1950s, somewhere around in there, at one time they were all one grouping of people.

So the same areas that are important to them, the culturally areas, the burial sites, ceremonial sites, the old village sites, the fishing grounds, the harvesting grounds are equally important to these people yet even today in the National Parks, National Forests, they are excluded because of this kind of wording from the protection of these sites.

And I think there needs to be some kind of defining process for them in this document because they have just as much right to protect the burial grounds within these areas as a federally recognized tribe. They have been here equally as long, have been born of the same aunts and uncles and grandpas as a federally recognized tribe.

Lucy Moore: Right, right.

Shannon Larsen: So I know - I just - okay you can answer but I have one more thing and...

Lucy Moore: Okay.

Shannon Larsen: ...and then I'll stop.

Lucy Moore: Okay.

Shannon Larsen: The other thing I'm very concerned also about the multiuse. I think that has to be really scrutinized because we have seen over and over and over how that - because that wording is in documents things are allowed to happen in areas that they have no business happening in. But because it's written down it's taken as a ticket to go ahead and do it.

So - and this happens in too near burial grounds and too near other sites. So basically that's what I - I feel there needs to be some kind of definition, something that is more inclusive particularly when Fred Clark mentioned he acknowledged the traditional leaders - spiritual leaders. If he does...

Lucy Moore: Right.

Shannon Larsen: ...if he does then indeed he must understand that a lot of them are not federally recognized and you do need to include them. Thank you.

Lucy Moore: Right. Shannon, thank you very much. And you raise a point again that's important to a whole lot of people about the issue of non-federally recognized tribal groups that are either not recognized for - because they don't meet the criteria or because they choose not to even if they do meet the criteria.

And we did talk about that at the very beginning of the call. I don't know if you were on at that point. But let me turn to Fred. I think he had something to say on that. And then also this - we've had other callers that share your concern about the multiuse category as well. But let me pass it onto DC and Fred.

Fred Clark: Well Shannon first I want to thank you for bringing the issue up again. I do acknowledge that in - not only in Florida but across the country in a variety of places, California in particular, we do have this situation where there are many indigenous peoples, groups of indigenous peoples who have cultures and group structures; some people would even call them governments, that extend back for generations and generations and generations and generations that if you were to look at them objectively you'd really see no difference between them and federally recognized tribes.

But that doesn't get us past the point that they are not federally recognized. So with federally recognized tribes we - we're required to have a government to government relationship. That's, you know, traces all the way back to the Constitution of the United States and executive orders and all sorts of legal structures.

That said we still have a responsibility to deal with people who are not federally recognized. And there are other sets of laws and regulations and policies and processes that allow us ways to do that, for instance Native American Grave Protection and Repatriation Act; that is a way to help protect the gravesites that you were talking about.

The Indian Religious Freedom Act, that's another way that - another law that applies not just to federally recognized tribes but to Native people in general. So we do have a variety of mechanisms to look at and I think that the sensitivity, the awareness, within the Forest Service to the needs and the issues of groups who are not federally recognized, I think that's really increased over recent years.

There is no magic bullet to this question. But really it comes back down to is building those relationships with local land managers and then working up through the regional foresters and the Washington office too to be able to help make those relationships happen and get the dialogue in place that's needed to address those issues.

Lucy Moore: Great, thank you Fred. And on the issue of multiuse and kind of the - Shannon's fears that that opens the door to abuses of sacred sites, etcetera?

Joel Holtrop: This is Joel Holtrop. You know, and I heard that question - or the comment from Shannon. She did - as you just said, Lucy, we need to scrutinize that and especially in light of the potential of being too near burial grounds or other sacred sites and those types of things.

And we also talked about that a little earlier on the call as well. And it's helpful to know that that is a continuing concern that we need to figure out how we can best address that. But, you know, I think that is a specific issue; the types of things that Fred was talking about.

I like to think that the collaborative approach that we're taking, both in how we're developing this planning rule and how we're going to expect each of the plans to be implemented - the planning process to be implemented at the local level are going to provide those types of opportunities for the assessment process, that we're going to find ways to highlight the concerns and that we come up with forest plans that are going to address those appropriately whether it's a federally recognized tribe or a non-federally recognized tribe, the collaborative process is something that - our intention is to be all encompassing.

Lucy Moore: Great, thank you Joel. So we have - at this point we have two more callers in the queue. So if anybody wants to get on and get in the queue please press star 1. And right now we'll turn to - I think it is Billy. Operator, could you please tap into Bill's line and Billy introduce...

Bobby C. Billie: (Unintelligible).

Lucy Moore: I'm sorry Billy, this is Lucy, could you repeat that?

Bobby C. Billie: Bobby C. Billie (Unintelligible) Seminole Nation.

Lucy Moore: And your - and just give us your name please?

Bobby C. Billie: Bobby C. Billie.

Lucy Moore: Bobby C. Billie, great. Thank you so much.

Bobby C. Billie: Yeah...

((Crosstalk))

Lucy Moore: So, yes, Mr. Billie, what...

Bobby C. Billie: ...a spiritual leader also the clan leaders in my nation. We're not a federally recognized tribe or the government. But - and yet the government and tribal affiliation living in our lands. And also the Forest Service living in our lands it's always disturb us and our way of life.

And especially that the one you keep saying is recognized tribe or the government to government really defended to our people because we do have a right to do what we want in our country and not the government gift it's a god gift to us. So it's definitely to - everything we do is our way of life connection, it's spiritual life, the gift of gods of all creations.

What's endangers is to the national forest what I have been seeing throughout the country is they're trying to console the natures, the humans or the non-Indian people they're trying to console. It cannot be consoled because they live the way it's supposed to be.

And we're affiliated with the natural life and you damage period. And that's what's been happening throughout the world. And it's beyond what the Forest Service trying to console the natural life. It's beyond through - the federally recognized tribe or the government to government.

It's right now we have see lot of indigenous people see it's a (unintelligible) for survival the point where we at now.

Lucy Moore: Right, right.

((Crosstalk))

Lucy Moore: Bobby I'm, yeah, I'm very sympathetic to what you're saying. I remember you on the first call and I really am grateful that you're sticking with this process. I think this is the same issue we've heard from several callers and that gives it special impact - the need to listen to and protect the needs of indigenous people whether they are federally recognized tribes or not.

So I don't know whether anyone in DC has a specific comment for you but we really do appreciate your calling in.

Bobby C. Billie: You cutting me off now?

Lucy Moore: Well we've got more callers that have just gotten on the line to talk. So if you think I haven't understood your point then please clarify it for me.

Bobby C. Billie: Okay. What I'm saying is right now it's even inside of the forests it's too many roads and too many people goes in there. And (unintelligible) ago I went to this spring; it's tons and tons of people goes in there. They have no chance - the water, the (unintelligible) itself. Besides they go into the (sun screen) and they put it on their bodies. If you go in there that's all you small and it goes into your body and it affects me because I don't use those kinds of things.

Lucy Moore: Oh. Yeah.

Bobby C. Billie: The fish - it affects the turtles and a lot of the animals when the people does that. So how you going to control the people - the too many people goes into places like that? So and then people walks into the natures disturbing the natures and they moved away and they go into the city. And so all of this things, how you can control you're bringing the more people into the natures.

Lucy Moore: Yeah, yeah that's a really good point. You're right, I did not understand that. But I can certainly see what you're saying that the Forest Service itself is allowing access to more and more people and they are inevitably damaging nature as they come into natural areas where you are and that you want to protect.

And this idea in fact of they're having toxic kinds of substances and leaving them there is very powerful, very important.

Bobby C. Billie: And but yet the things we wanted to do like using the herbs or using the - go out there and try and get fish to feed ourselves...

Lucy Moore: Right.

Bobby C. Billie: ...they won't let us do it.

Lucy Moore: Right, right.

((Crosstalk))

Bobby C. Billie: ...discrimination and religious freedom against...

Lucy Moore: Yeah, let me see if anybody in DC has a response to you specifically.

Joel Holtrop: Yeah, this is Joel Holtrop. And I do appreciate the concerns being raised. I guess I think maybe the best thing to do is to accept them in the spirit again of we wanted to hear what are the things that we need to be paying attention to that there's a - that you're concerned that we're not paying enough attention to.

Let me acknowledge that when we do a planning rule, when we do individual forest plans we need to take into account not only the natural world but what are the affects of people's interaction with that natural world. And that is something that we do want to make sure that we are addressing appropriately. And so I appreciate that; I appreciate the comment along those lines. And Tony has something he wants to add to that as well.

Tony Tooke: Yeah in the assessments and monitoring part of our land management planning process we'll be monitoring for impacts or trends to ecosystems or natural areas or places, you know, if they've been degraded or there's been an adverse impact.

And in the assessment part we'll be looking at that and we'll be making a determination if we need to make a change to the plan to do restoration work, to create resiliency back in those ecosystems to restore those degraded areas or stop those impacts.

So what you're talking about will be addressed in the land management planning process that we're laying out and a need for change or a need to treat something on that national forest or grassland.

Lucy Moore: Good, thank you - thank you Tony.

Bobby C. Billie: Let me say...

Lucy Moore: So (Bobby), I would urge you to stay involved at that local level. You're a very valuable person there; I appreciate it.

((Crosstalk))

Lucy Moore: Yes.

Bobby C. Billie: ...one thing that's going on now also. The one they call a (unintelligible) we're going to have a meeting Monday. What they're doing is they putting up the fence along the highway and they think they're going to save the (unintelligible) by doing that but there's still car run over them.

Lucy Moore: I know, I know, I understand, yeah.

((Crosstalk))

Lucy Moore: So - yeah.

Bobby C. Billie: ...animal traveling ways packing all kinds of animals when they put up the fence.

Lucy Moore: Right, there are a lot of impacts from increased populations; I understand that. So I'm going to need to move on, we've got more callers in line so thank you so much for calling. And we'll go to our next caller and that is Pete Ramirez. And Pete would you identify yourself please?

Pete Ramirez: This is - I'm from the California Valley Miwok Tribe, Chief Ranch Rancheria.

Lucy Moore: Yes.

Pete Ramirez: My question was you guys are speaking about consulting with the elders. And are you guys going to define elders - who is going to define elders? And also you were speaking - you said California tribes are different from other tribes. And we work with a lot of non-federally recognized - well not a lot - we work with several non-federally recognized tribes.

One of them being the Southern Sierra Miwoks which were - they were born and raised in the Yosemite Valley and they were moved out of Yosemite onto - actually they were kicked off pretty much of the land. But they are a non-federally recognized tribe.

And we work very closely with their elders - their elders are considered our elders too. So how would - if they could not - since they're not a federally recognized tribe and we are would you guys talk to them because we consider them our elders too? Or would they have to - how would that work?

Lucy Moore: Yeah, really good question Pete.

Pete Ramirez: Thank you.

Fred Clark: Hey Pete, this is Fred. Thank you for that question, it's a good one. What often happens is - well that's - I don't know in the planning rule process how that will play out so much as when you're actually on the forest level is often a federally recognized tribe will sponsor a non-federally recognized tribe for those things that apply to federally recognized tribes specifically.

For instance a federally recognized tribe can sponsor a non-federally recognized tribe for closure of National Forest System - piece of National Forest System land for ceremonial activities for instance. Some non-federally recognized tribes don't want to go that route and that's their choice to do that.

But the devil's, as it's been pointed out before, the devil is in the details and working with your local Forest Service officials and kind of laying out the lay of the land in the local area and trying to develop the best way that people can work together there. So I don't think we're in any position to define who's an elder from our standpoint no more than we would define what sites are sacred. So...

Pete Ramirez: Great well okay I guess my question is are we going to be allowed to say have 5 or 10 elders or do you want to speak with just two or three elders? I mean, how - when you say consulting with elders I mean, is it one per tribe?

Fred Clark: Yeah, we're not going to put any sideboards on that.

Pete Ramirez: Okay.

Joel Holtrop: Yeah, this is Joel Holtrop. Yeah, our sense is the tribes are going to be the entity that's going to be able to tell us who the elders are, how many there ought to be, what you want to have us hear from.

Pete Ramirez: Very good I'm glad to hear that.

Fred Clark: I'm sorry go ahead Pete.

Pete Ramirez: Oh I said I'm glad to hear that you're going to allow us to be the ones who say who our elders because there are some who like you said don't get involved into the council who are just like the elder that spoke earlier who he handles the ceremonies; he doesn't get involved with a lot of the other things as far as, you know, that day to day business because their business is in the sweat lodge or in the round house.

So I think it's good that the tribes will be able to identify who their elders are and have more than just one or two elders.

Fred Clark: Thank you very much for that Pete.

Lucy Moore: Great, thanks. Okay let's go to our next caller Leland (Gross), I think. Leland are you on the line?

Leland Grass: It's Grass, G-R-A-S-S.

Lucy Moore: Thank you.

Leland Grass: Yeah, my name is Leland Grass and I'm from the (unintelligible) Country - the Indian Reservation. And I'm advocating - or a representative to the (unintelligible) Association.

I jot down some things that - here as I - you guys went through a whole lot. And also on the papers that you guys sent me in the email most of them I sent that were on there which was good and I think we're going where we needed to go on this.

But there's a - just as I was listening to this last caller - and you guys are saying something about the elders and all that from my nation and the culture we don't consider elders as one; we consider elders as many. And when we planning on or counseling on things we have many elders and the medicine man come forward and then we hear their issues.

That medicine man will be about 7 or 10 of them. And then we make a motion and see if we can approve on some things on one agenda or one project. If one says no that's completely a stop there and we have to renew that in a different - approach it in a different way. But that's how we handle things out here.

Well anyways I'd like to go back and then from the first point is, number one, is I got about like five of them here. The indigenous people's voice which is we are doing right now. And I really grateful that National Forest Service have opened up and to these people because there's a lot of concerns going on in our society - in our country areas and I really appreciate that you guys are doing that. And also should be tomorrow and the future be the same.

You know, and also the second thing is about - I looked through all the pages here and the only thing I ran across was that the gravesite and all that but a sprinkling ashes of the deceased body over the mountains, over the forests, is kind of - in our way of life we don't do that; we put people high up on the hill or out in the rocks and we have some ceremony that take place in those areas before we go back home.

It's more like a total of eight days. And then after that another eight days - four days which is cleanest. So we kind of leave those things - if we ever touch a dead body in a way it will hurt us in the spiritual way; the body will break down. That's why - also it's not good for the Earth ecosystem too, and the humanity. I'd like to just put that one in there.

And then number three is - are employees, the National Forest Service employees, what's - I'm just looking at the native indigenous people that are employee of the National Forest Service. I think should they - they should be recognized that wherever their ways are they should be recognized.

If they're - that's way go back two years ago I was a representative for this culture at this National Park Service. And they liked construct the building. And there was a lot of non-Indians working there, but only quite a few Indians working in there.

And one of the Indians wanted to do some offerings to the lightning which one of the supervisor went ahead and gave go ahead. We then have a medicine man come in there and prayers and all that and songs. That was good. And then the following year we change out the supervisor - for some odd reason they change out the supervisor and then we had this disasters have happen.

And somebody place a - I don't know what it was but it was in the tree and it was not good. We - they end up wanted to do a ceremonial but the new supervisor told them not to. So

they were really distraught out on that one and they didn't believe what the supervisor had done that to them.

For my point is that we should have those traditional ceremony that needs to be conducted in the Forest Service; it should be done for the employees of the indigenous guy - employee.

And that kind of goes to the fourth one. When there's a medicine man or if anybody want to conduct a ritual on the National Forest Service it's got to be a recognized - federally recognized tribe member as a medicine man; it cannot be a - like a guru out from the Website, a shamaness, you know, we got a whole lot of those out there.

The reason why I say that is there is actually a sun dance held in the National Forest Service every year for how many years. People were trying to stop that from indigenous point of view. There was in Hoosiers National Forest in Indiana - the guy name is (Steve Lacollic). He's a non-Indian and he's conducting that ceremony in a sun dance.

We are really concerned where the nature is going to go lead us.

Lucy Moore: So I'm sorry, Leland, let me just interrupt. I just don't want to get personal here. So I certainly understand the point that there are others that are doing various kinds of rituals on your land and on Forest Service land and that that is offensive. But I just don't want to get to naming names.

Leland Grass: Okay.

Lucy Moore: So that was your fourth point. And...

Leland Grass: Yeah.

Lucy Moore: Yeah and a fifth?

Leland Grass: Yeah. Yeah anyways I guess the National Forest Service gave out a permit in order to have this non-Indian perform a rituals on that. And my point of view from all these indigenous people and medicine men and the from the Lakota Sioux Nation they did not give any permissions have the National Parks - Forest Service to conduct sun dances on that.

So in a way I'm saying that we do not want any regulations on the indigenous way of life. We trust the spiritual law and it's course. Besides the physical law you only go to jail and you only slap on hand but spiritual law with the human and with the nature is tremendous. It will hurt a lot of people.

Lucy Moore: Yeah.

Leland Grass: That's why we need a - kind of look into that too a little bit. Yeah this is - will cause a lot of nature destruction like the San Francisco last month. At all five sites they lit up and burnt - almost completely burned the whole forest. And then right after that we have a flood that went through the town - a quarter of the town and killed a little girl.

Things like that there are signs keep coming up. A couple days ago we had a lot of rain. We blessed the rain but there's a lot more that have come down. And the nature here on the reservation we look at it as a sign that we need to do something about it.

Tornadoes have touched down in a couple places here on the reservation - only completely to the ground to go about like yards but it pick back up. So we look at it as that that we need to something about this, you know. That's where I come in and talk to you guys. You know, we are there to preserve and protect our way of life just because of nature needs to be re-offer with our ways here. So they can live in harmony and all people, you know. That's how I look at it. And I just like to conclude here and thanks again.

Lucy Moore: Great. Good, Leland I appreciate your a lot. Let me see whether the folks in DC have got some thoughts about your various points which, you know, included opening up Forest Service land to non-federally recognized indigenous people to do various ceremonies, the ashes scattering I know is offensive to many tribes.

They need to be able to perform ceremonies for certain things, building of a new building or whatever and the understanding that Forest Service employees should have about that. So - and I know we're running out of time here so are there thoughts on any of those issues from DC?

Joel Holtrop: Joel Holtrop. I'll just say thank you for all those comments Leland. And, you know, I think it helps to highlight the richness and the complexity of the issues that we need to deal with and make sure that we take into account the full spectrum of what - of a lot of people who have an interest in their national forests.

And we want to make sure that we're doing everything we can to appropriately assess the needs of the indigenous people and how we manage our - the lands that we're responsible for managing with you for all of the resources and the uses that they're established for. So thank you for those comments. We've been listening intently to that and we'll definitely take those into account as we move forward.

Lucy Moore: Great thank you - thank you.

Leland Grass: Yeah.

Lucy Moore: So let's move onto - we have two more callers. Let's take Rosita - are you on the line Rosita? I'm not sure whether this is the same Rosita we heard from in the beginning of the calls?

Rosita Worl: Yes Madame Chair?

Lucy Moore: Yes.

Rosita Worl: Yes can you hear me?

Lucy Moore: Okay, yes I can hear you fine.

Rosita Worl: Thank you very much. I have one procedural question...

Lucy Moore: I'm sorry, Rosita, could you just identify yourself again for those that joined later?

Rosita Worl: I'm sorry, my name is Rosita Worl. I'm Tlingit and I am the Vice Chair of the Sealaska Corporation. And I have one procedural question and two recommendations.

Lucy Moore: Great.

Rosita Worl: Okay my question is can you clarify if and how this new planning rule process allows for the consideration and integration of ongoing rule formation within the forest service? We have a couple of them I know that we are addressing in Southeastern Alaska and I'm just wondering how would this new rule integrate those?

Lucy Moore: Great so those are processes that are ongoing right now?

Rosita Worl: Right.

Lucy Moore: Yeah. Let's get an answer to that one and then we'll go to your other questions.

Tony Tooke: So this is Tony Tooke. That's a great question. Would that be ongoing forest plan revisions or amendments or other rulemaking efforts?

Rosita Worl: They are ongoing Forest Service efforts or plans.

Tony Tooke: Oh okay. What's happening now is people - or some forests are proceeding under the 2000 rule following the 1982 procedures. And we have given them guidance - those local units about how to do that. I think we have some 16-18 national forest or grasslands across the country that are currently doing that this year.

There's another somewhere between 15-20 that could start a revision or amendment process next year. As we publish or finalize this 2011 rule we will have transition language that we'll develop. Now what I mean by transition language we'll have guidance about how forests can transition to the new 2011 rule.

There'll be some flexibility on finishing up with the '82 procedures or transitioning to this new rule. But we will help people walk through that. There's not a set answer or a set moment in time to do that but we'll work very closely with them to do that. I hope that answers your question.

Rosita Worl: That does answer my question.

Tony Tooke: Thanks for that.

Rosita Worl: Thank you Madame Chair. May I proceed with my recommendation?

Lucy Moore: Absolutely please.

Rosita Worl: Great thank you. You asked a question what would a great planning rule look like and then you referenced protecting - and you give them as examples - but it's protecting water resources and endangered species. Along with the protection of resources I would recommend that you include as a major key planning rule element a reference to using or utilization of the resources.

And I know you speak about it later in the material that I received but I think if you have a mission statement then it should speak to both protecting and utilizing resources. So that's just a - my first recommendation.

Lucy Moore: Good point, interesting. Good.

Rosita Worl: It parallels - we have a cultural value - one of our major cultural values called (Hashagon) and it speaks to protecting the land or honoring the land, revering the land but also utilizing the land. So we look at it as we try to integrate those two directives in our work.

Lucy Moore: Good, good thank you. And another - did you have another recommendation?

Rosita Worl: Yes my second recommendation is Tony Tooke referenced the framework for new rule and Forest Service plan and he noted that the plan should be stakeholder and science-driven. I recommend that it also includes a reference to tribal-driven so it would be - it would be stakeholders, tribal and science-driven.

And I'm engaged right now and we have the Tongass Futures roundtable. And I will tell you that for three years we've been insisting, you know, that the recognition of the tribal role or the native role in Forest Service planning or Tongass Forest Service that we include the reference to tribes and we worked very hard to get that included. And I think it should be right up front in any mission statement. So thank you.

Lucy Moore: Great, thank you Rosita very much. Comments from DC on either of those recommendations, the inclusion of utilization as well as protection of resources and referring to stakeholder and science driven and also tribal driven.

Joel Holtrop: This is Joel Holtrop. Just thank you for both of the recommendations and Rosita thanks also for adding the additional context of the work that you've done on the Tongass Futures roundtable to help us as a source for us to look at to make sure we're understanding that comment sufficiently.

Lucy Moore: Great thank you. So we have one more call and that is Eric Smith.

Eric Smith: Yes this is Eric Smith can you hear me?

Lucy Moore: Yes, can hear you fine. Eric, identify yourself please.

Eric Smith: Well I'm Eric Smith from Cold Springs Rancheria and also I'm a California Indian underneath the California versus United States Indian (role) so I...

Lucy Moore: Okay.

Eric Smith: ...cover both the federally and non-federally recognized Indian tribe.

Lucy Moore: Okay.

Eric Smith: So I have a question too - I see all these - you guys are coming up with these rules and so forth, these planning and principals and so forth. Now are these principals coming from years of forest mismanagement to play a catch-up for data? And also would this data be used towards the accountability towards adverse and irreversible effects towards Native American cultural habitat collections and sacred sites?

Because if new energy departments that are profiting off of the energy and the land and the resources where we burial and collect plants how is that going to benefit us Indians to places to go and pray and have a religious and collections and burial and re-burial? That's pretty much what I have to say.

Lucy Moore: Okay I'm not sure I understand, Eric, I'm sorry.

Eric Smith: Well it seems like you guys are coming up with the new rule for something that was - should have been done years ago.

Lucy Moore: Yeah.

Eric Smith: So these new rules here is to - it's almost like having a better management and a better data right?

Lucy Moore: Yeah, yeah.

Eric Smith: So what happens to the accountability of the prior adverse and irreversible effects especially when you're still going to have more roads, more people coming into the Forest Service lands and then when you go up to Forest Service lands you see a lot of mismanagement recreational areas where you see nothing but toilet paper all over the place and damages and...

Lucy Moore: Right.

Eric Smith: ...toys and beer cans and all that stuff...

Lucy Moore: Right, right I get it. So it is an accountability issue and a really important one.

Eric Smith: Right. We got new federal energy companies coming with new solar techniques and you got all these private stakeholders that want to build on areas on ridge tops and more - little flat areas where it look like a good stability to build even though those areas have probably been habitated use from thousands of years ago with Native Americans there for their burial sites and gathering collections.

Lucy Moore: Yeah, so is there a danger that this new rule is going to facilitate a whole lot of new development and stuff like that?

- Eric Smith: Right because the adverse - the irreversible effect is happening prior and it's still going to happen in the future so who's going to be held accountable for this?
- Lucy Moore: Yeah. Okay I'm going to pass that onto DC. I also just want to mention to all of our callers that apparently there - I'm - again to repeat I'm in Santa Fe where the weather is spectacularly beautiful; in DC apparently they're sitting right under a huge thunderstorm so they're worried that we're going to get - the call will be terminated by an act of nature - not by - so if it is terminated it's not us, we're not cutting you all off we're just losing power.
- So I'm a bit in a hurry to get through this before that storm really lands on them. So please response to Eric from DC?
- Joel Holtrop: Thank you Lucy, this is Joel. And the storm has landed on us but we still have power so...
- Lucy Moore: Okay.
- Joel Holtrop: ...thanks for the heads up in case something does happen. And Eric thanks for your comments as well. You know, I think this will feel like a fairly quick and superficial response to the depth of the issues that you've raised. But at least in part I would like to just point out that our assessment process is intended to take a look at all of the circumstances that we're dealing with as we look at a forest plan and that includes an assessment of what's been done in the past and how it's affecting our current - the state of the ecosystem, the state of people's use of the National Forests.
- And that assessment should help us take into account all of those prior activities, all that's going on now and an assessment of what we project to be happening in the future as we make the decisions going on into the future. So I like to think that the approach that we've taken we're thinking about those types of things and making sure that we're adequately and appropriately assessing all of those circumstances as we move forward with our decision process.
- Lucy Moore: Great, thank you Joel. So we have no more callers, we have no more WebEx questions submitted. So I'm going to turn the floor back over to Tony who's going to give some kind of reflections on what he's heard and maybe where we're going to go next.
- Tony Tooke: Thanks Lucy. Before I do that I just want to see if Joel has any closing thoughts that he wants to make before I talk about what we heard and the way ahead or you want to do that at the end?
- Joel Holtrop: I'll do it at the end. Go ahead Tony.
- Tony Tooke: Okay, all right. So first of all again we're very appreciative of your comments, your questions. They're going to help us make a better planning rule for the National Forest System and that's what we're after.

I by no means captured everything. I'm going to just go over some of the themes and - but I can assure you that there are people in the room and all of your comments are being recorded so we'll have them all.

But I want to again go back to what Joel was talking about; we want to honor what you've told us with an immediate response or immediate reflection about what we've heard.

I also want to acknowledge that we were very fortunate to have so many people here in Washington DC with us, the Deputy Chief, also had Fred who's the Director of Tribal Relations, we've had people from our Fish and Wildlife staff, Chris Iverson, we even had somebody from our law enforcement office, (Pete Loors) with us. And so we're glad they were here to help us respond to you.

First of all we had a question about the consultation process and the Alaska Native Corporations and with that process they include, you know, the obvious answer was yes. We had a comment about sacred sites and being addressed in the planning rule; we've talked about sacred sites quite a bit throughout the discussion this afternoon.

And we talked about the timeline. There was a question about the timeline and I talked a little bit about that that I would talk about it more toward the end of the call. We had a question about FOIA exemptions and about keeping information from federally recognized tribes protected, being sensitive and we talked about that.

There was a great question about tribal allotments and watersheds adjacent to the National Forest and grasslands that gave us an opportunity to talk a little bit about our all-lands approach and looking beyond Forest Service boundaries.

Lots of discussion throughout the three hours about non-federally recognized tribes and their participation in this process as well ways to do that. Traditional knowledge and the concern that maybe our recognition of traditional knowledge of native knowledge being a little short sighted and maybe we've fallen a little short there. And we tried to articulate that wasn't the intent at all but we certainly take notice we need to go back and look at it if you're perceiving it that way.

Face to face meetings with elders and it came up on the first call and about those meetings. Protection of watersheds and we had an opportunity to go through three phases and how we're trying to address watersheds; used some examples in those three phases.

And best management practices - about three or four times we talked about multiple uses and where they're allowed and particularly in regard to sacred sites or sensitive sites. And this issue about the responsible official and we kind of change leaders at all levels of the agency and having to deal with that.

We didn't get into the discussion about, you know, our intent as the responsible official be the local forest or grassland or supervisor and that it's not passed up to the next level. In the process the responsible official will be designated - it'll be that forest or grassland supervisor unless the regional forester or the chief changes it to another level.

People were glad to see that invertebrates was included in the invasive species. Let's see, who defines what - native species, what they are; that was a question. And we talked about tribal concerns as a ninth principal and how we feel like we've dealt with those concerns even though they - it wasn't a ninth principal in the notice of intent.

Excellent comment about the natural resource conservation service has just completed an exercise to attain traditional knowledge and that they've implemented it in their handbook process. I can assure you we're going to assign somebody to go find that because they're going to be very helpful to us. It's something that we can integrate in our process - maybe other people in the room knew that - I didn't know that.

Then the Deputy Chief, Joel Holtrop, emphasized - I think this is worth repeating that we're working very hard to honor your questions and concerns and give you an immediate response. But it's not a one-stop shopping deal; we're going to continue to think about this and make sure that we consider the comments more in depth as well as our answers to your questions.

Let's see the issue about some people just can't afford to attend some of these meetings and travel costs to attend consultation meetings was a concern that was raised. Then there was other letters that we've gotten that have been addressed like for example the June 18 letter to the chief. It'll definitely be included, it'll be part of the record for the process.

Had a little bit of discussion about regional scale versus unit scale. Had an excellent discussion about management indicator species and us transitioning to focal species. We were able to talk about restoration. I heard three or four times throughout the call that people think generally we're headed in the right direction so wanted to acknowledge that.

Discussion about standards and guidelines, consideration or giving consideration to programmatic resource objectives. And the idea about consistency between our units and not just consistency at broad geographic scales but particularly at the local level between adjacent national forest units and consistency in how we collaborate.

Avoiding mono-culture, got into some of the tools that we use for restoration and cumulative effects of past management practices, considering those in our environmental impact statements. Diversity of plants and animals talked about those - that being site specific but correlate also with species needs at the landscape scale.

Had some discussion about Section 106. Again some more discussion about participation with non-federally recognized tribes. Talked about multiple uses again throughout the process. And I captured a comment that just because it's allowable doesn't always mean that the activity should happen and about multiple (unintelligible) and places that they shouldn't maybe.

Concern about allowing access into natural areas or sensitive areas. Who defines elders; we were able to say, you know, we have no sideboards on the number of elders. Another comment about the recognition that the Forest Service has opened up to indigenous people and grateful for that.

Excellent question about what's ongoing now with our forest plan revision processes and how do we transition to a new rule. Again a concern about protecting water resources and endangered species. Then a comment about it's not only about protecting the land but also proper utilization of the land and the land management planning process.

And then one I hadn't thought about but it's great it's not just science based and stakeholder driven but it's - we were considering tribes and stakeholders but separating that out that it's also tribal-driven. That's just - that's not all of them but I tried to capture as many as I could - some of the excellent feedback that we got from you.

I'm going to make a couple other points, I want to underscore that everything that you've heard about our ideas and approaches that no decisions have been made, nothing set in stone about this at all which is an excellent reason - it's an excellent moment in time for us to get comments from you to make this approval better.

And I just want to reemphasize what we're trying to accomplish is a rule that helps us develop land management plans that are both substantive but they're flexible; they respect traditional Forest Service multiple use mandates but, you know, they help us to really be able to deal with emerging issues like climate change, restoration, implement our all-lands approach. And we want a rule making process that's dynamic and it's transparent, it's inclusive and it demonstrates - the rule will demonstrate responsiveness to public, communities, governments and of course tribes.

So with that I'll talk just very quickly about the next steps and then I'll let the Deputy Chief close it out. We'll be working - ourselves here in the Forest Service will be working with the administration with the Department of Agriculture, with the Undersecretary and the Secretary to produce a final draft of the proposed rule.

That will start making its way through other government agencies sometime the latter part of September with a target date or month of being published in the Federal Register in December. Then we'll have that 60-day comment period that I mentioned earlier.

Either within or soon after that comment period we'll have more public roundtables and meetings including another tribal call maybe. As long as you all are getting something out of these we certainly are. We find these very helpful - very helpful conversations and discussions.

Then we'll make adjustments and we'll finalize the rule. It will start that same route through these federal government agencies again next spring and summer with the final rule being published in the Federal Register in November of 2011.

Then we'll start that transition language and methods that we talked about earlier to a new land management planning process. So with that, again, thanks very much and I'm going to turn it over to the Deputy Chief.

Joel Holtrop:

Thank you Tony and thanks all of you for your participation on this. I hope it's clear to you that we want to get this planning rule right and you have just helped us in these past few

hours. You've helped us prior to these few hours and I appreciate that as well. And we ask you to continue to be engaged with us as we move forward on this.

We - I respect the relationship you have with the lands that you care so much about. We respect how much you care about the national forests and grasslands.

We respect the amount of time you've just given us and have so much respect for the amount of time you've given I want to respect that time and wrap this up very quickly. And with thanks again, and an invitation that if you're in Washington DC don't hesitate to come by the Forest Service and come and see us - whether it's specifically to talk about the planning rule or something else or just to make or remake our acquaintance, you're welcome in our office anytime and I look forward to engaging with you in those opportunities.

So with that, again thank you for these several hours of very helpful input. Thanks to the team around the table here and those in Santa Fe for helping us with this call and on this planning effort. And have a great rest of the day, wherever you might be.

Lucy Moore: Thank you. Thank you all you folks in DC. This is Lucy and I just want to say how much I appreciate all of you there weathering the storm quite literally. And I just think it's a great example of exactly what you were talking about, a process that you want to be dynamic, transparent, inclusive and responsive and you have been that and all of our callers and those that have been on the WebEx as well. So many thanks to you all.

If you'd like to evaluate this call just feel free to email me, [lucymoore@nets.com](mailto:lucymoore@nets.com), again [lucymoore@N-E-T-S.com](mailto:lucymoore@N-E-T-S.com). And feel free to keep in touch with the Forest Service through their Website, get on their listserv, email them, it's all up there. So thank you all so much.

And with that, Operator, we will sign off.

Coordinator: Thank you for participating in today's conference. You may disconnect at this time.

Lucy Moore: Thank you.

END