

Tribal Forest Protection Act Proposal and Implementation Process.

	Steps (some steps may occur simultaneously)	Resources, Considerations, Research, Collaborative work	Parties to the table
1.	<p>Develop TFPA proposal Tribe assesses and reviews whether there are areas within Forest Service or BLM jurisdiction, posing a risk to Tribal resources.</p> <p>Recommended: While not required it is recommended that Tribes meet and discuss potential TFPA proposals with Forest Service partners.</p>	<p>This can be done separately (Tribal staff, council, etc.) or in collaboration with Forest Service staff.</p> <p>NOTE: best results are seen when these discussions are held collaboratively between the Tribe and Forest Service.</p> <ul style="list-style-type: none"> • TFPA Tips and Template • TFPA Frequently Asked Questions • Sample TFPA Tribal Collaboration Letter • Sample TFPA Forest Supervisor Letter of Support <p>Review TFPA project area in comparison with National Forest 5-year Plan of Work, Schedule of Proposed Activities, and Out year planning</p>	<p>Essential: Tribal officials and designated Staff (foresters, etc.)</p> <p>Recommended: District Rangers or Forest Supervisors from National Forest where work is proposed.</p>
2.	<p>TFPA Proposal Submitted</p>	<p>Within 120 days the Secretary (or Regional Forester) may approve the Project.</p> <p>Sample Approval letter</p> <p>NOTE: The work proposed will occur on National Forest (or BLM) land under TFPA</p>	

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3.	<p>If Approved, Tribe and Forest Service discuss implementation</p> <p>If Denied, Tribe and Forest Service may discuss alternative work to address risks posed to Tribes</p>	<p>These discussions may have occurred during proposal development</p>	<p>Essential: Tribal officials and designated Staff (foresters, etc.)</p> <p>Recommended: District Rangers or Forest Supervisors</p>
Following Steps occur when the TFPA proposal is approved			
4.	<p>Tribe and Forest Service discuss implementation of the Proposal to evaluate:</p> <ul style="list-style-type: none"> ■ What types of projects are required to implement the proposal? ■ What is the Tribe’s desired level of involvement in any projects implemented to achieve proposal objectives? Examples may include variations of the following: <ul style="list-style-type: none"> • Tribe conducts some or all of the work, • Forest service conducts the work and collaborates with Tribe on implementation of work. • Forest Service conducts work and reports back to Tribe on outcomes. In this option Tribal involvement may be skipped to project monitoring. ■ Identify Partners. Review what other Federal Agencies to include in discussions (USFWS, BIA, etc.) Verify local, state collaboratives that may have interest or concerns with project, or able to provide funding ■ Identify funding sources (note implementation and agreement discussions may need to occur in tandem with this) 	<p>Consider exploring whether there are project partners desired or able to conduct some of the work?</p> <p>Identify whether there are parties to engage in discussions who can help or hinder project implementation. Engage them in discussions or inform early of the TFPA proposal. For example, Non-profits, Forest Service or Tribal contractors, Relevant federal agency partners (USFWS, BIA, BLM, etc.) state or local partners, landscape collaboratives, etc.</p>	<p>Tribal leadership and Tribal Staff (foresters, wildlife specialists, cultural resource staff, etc.)</p> <p>Recommended: District Rangers or Forest Supervisors and or designate staff to discuss activities required to implement the proposal.</p> <p>Required staff will be dependent on types of activities; Silviculturists, Foresters, wildlife specialists, etc.</p> <p>Project Partners, including USFWS, BIA, State Foresters, Local collaboratives.</p>
5.	<p>Funding Identified. If Funding is not readily available, Forest Service may explore how to address TFPA proposal requests in existing or future Forest Plans of Work.</p>	<p>Various Forest Service funding sources and mechanisms can support TFPA projects. Some examples of funding resources to explore include: new</p>	

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		funding available under Infrastructure Investment and Jobs Act, Reserved Treaty Rights Lands, Collaborative Forest Landscape Restoration Program, Joint Chief's Landscape Restoration Partnership, Timber Contracts, Good Neighbor Authority, NRCS grants, etc.	
6.	<p>NEPA Coordination and Completion Review of project area to identify whether NEPA has been completed to implement TFPA Proposal</p> <p>If NEPA is not complete:</p> <ul style="list-style-type: none"> • Are Catex (Categorical Exclusions) available for proposed work • What analysis and tasks are required to complete NEPA • Identify who is best to conduct NEPA tasks and incorporate into project description 	<p>Forest Service has access to a searchable SharePoint database with all current Categorical Exclusions.</p> <p>NOTE: It is recommended that parties review relevant forest plan</p> <p>The completion of NEPA or Catex may be a consideration reviewed in Step 1.</p> <p>NEPA must be completed before work is done on the ground. However, NEPA can be completed before the proposal is submitted, assuming it applies to the work requested in the TFPA proposal.</p> <p>Tribes can conduct all or part of the NEPA for Forest Service (through 638 and other agreements)</p> <p>The NEPA decision document is signed by a Forest Service line officer Forest Service is responsible for the NEPA</p>	<p><i>Tribal Representatives if Tribe seeks to conduct work on Forest Service land.</i></p> <p>Forest Service environmental coordinator, NEPA specialists, Forest Planners, etc.</p> <p>Based on project scope you may consider including, USFWS (if there is an Endangered Species act consideration), Siculturalist, Wildlife biologists, Cultural Resource archaeologists, etc.</p>

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		<p>analysis as Work is done on National Forest Service lands.</p> <p>Clearly identify what type of data is required in the event the Tribe or other contractor performs data for NEPA analysis.</p>	
6.	<p>Agreement or Contracting Mechanisms determined. If the Tribe will conduct part or all of the work, Forest Service and Tribe will enter into contracts or agreements to conduct activities.</p>	<p>When identifying which mechanisms best suit the project needs first look at limitations or requirements associated with funding sources (“<i>follow the money</i>”).</p> <p>Other factors determining which mechanisms:</p> <ul style="list-style-type: none"> ■ Type of work conducted ■ Desired outcome of work (ecosystem restoration, wildfire reduction, etc.) ■ Who will complete tasks <p>Some Mechanisms used in the past, include but are not limited to: Stewardship Agreement, Timber contracts, TFPA 638 agreements. https://www.fs.fed.us/restoration/tribal-forest-protection-act/638-project-authority.shtml</p>	<p><i>Tribal Representatives if Tribe seeks to conduct work on Forest Service land.</i></p> <p>Forest Service Procurement, Timber, and/or Grants and Agreement staff depending on the work proposed.</p> <p>Based on project scope include: Siviculturalist, Wildlife biologists, Cultural Resource archaeologists, etc. May also include project partners.</p>
7.	Project Work Conducted		<p><i>Tribal Representatives and designated staff from Tribe if Tribe seeks to conduct work on Forest Service land.</i></p>

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			Designated Staff from Forest Service. May also include identified project partners
8.	Project follow-up and ongoing monitoring, if applicable.		Tribal and Forest Service Representative and/or staff as determined in Step 4.