

**TESTIMONY OF PHILIP RIGDON, PRESIDENT,
INTERTRIBAL TIMBER COUNCIL, SUBMITTED TO THE
HOUSE APPROPRIATIONS SUBCOMMITTEE FOR THE INTERIOR,
ENVIRONMENT, AND RELATED AGENCIES ON
FY 2014 APPROPRIATIONS FOR THE B.I.A. AND DoI WILDLAND FIRE
MANAGEMENT,
APRIL 24, 2013**

Summary

Mr. Chairman, I am Phil Rigdon, President of the Intertribal Timber Council (ITC) and Deputy Director of Natural Resources for the Yakama Nation. The ITC offers the following recommendations for FY 2014 Indian forestry-related activities in the Bureau of Indian Affairs (BIA) and Department of Interior (DoI) Office of Wildland Fire:

- 1) Review the upcoming IFMAT III report, the Congressionally required independent review of Indian trust forests and forestry, and consider its recommendations in FY 2014;
- 2) Support the ITC's "*Anchor Forest*" initiative;
- 3) For DoI Wildland Fire management: A) Restore hazard fuels funding to \$206 million, and B) Remove BIA/tribal projects from the DoI HFPAS funding formula and set an annual minimum BIA/tribal allocation at 25% of the DoI hazard fuel allocation but no less than \$50 million;
- 4) In BIA TPA Forestry, support the Administration's \$5.1 million increase, and further the increase by \$5 million to begin moving BIA Forestry toward parity with similar federal forestry budgets;
- 5) For BIA Cooperative Landscape Conservation, support the Administration's \$10 million request and direct that those funds serve tribally-based activities;
- 6) For BIA ESA, support the Administration's proposed \$2.7 million budget;
- 7) Within BIA Agriculture and Range, support increased funding to combat invasive species, and support the \$2.4 million proposed among various BIA programs to engage youth in the natural sciences; and
- 8) Make permanent authority for Stewardship Contracting.

Intertribal Timber Council background.

The ITC is a 37 year old association of some 60 forest owning tribes and Alaska Native organizations that collectively manage more than 90% of the 18 million acres of BIA trust timberland and woodland. These forests cover about one third of the Indian trust land base and provide thousands of jobs and many millions of dollars in economic activity in and around Indian Country. Beyond their economic importance, forests also store and filter the water and purify the air to sustain life itself. They sustain habitats for the fish and wildlife, produce foods, medicines, fuel, and materials for shelter, transportation, and artistic expression. In short, our forests are vital to our economies, cultures and spiritual well being.

1) Review the upcoming IFMAT III report, the Congressionally required independent review of Indian trust forests and forestry, and consider its recommendations in FY 2014.

Section 312 of P.L. 101-630 provides for the conduct of an independent assessment of Indian forest lands and forestry practices every ten years. In 1993, 2003, and now in 2013, ITC facilitated the assembly of a blue-ribbon team of forestry experts, referred to as the Indian Forest Management Assessment Team (IFMAT), to independently evaluate the status of tribal forests and forestry. The 3013 IFMAT report, due out this June, will examine eight areas required by statute and will be delivered to the Interior Secretary and the U.S. Congress with Findings and Recommendations. To our knowledge, the IFMAT report is only required independent periodic review of any federal forest lands and will provide valuable insight into both tribal and other forests. We urge the Subcommittee to review the IFMAT III report after its June release and to include its Findings and Recommendations in your continuing deliberations on the FY 2014 Interior Appropriations bill.

2) Support the ITC's "Anchor Forest" initiative.

Early in FY 2013, the ITC, with the assistance and collaboration of the U.S. Forest Service, initiated an *Anchor Forest Pilot Project* in Washington State to maintain working forests on the landscape and support critical ecological functions for water, fish, and wildlife. *Anchor Forests* are intended to foster collaboration and cooperation across forest ownership boundaries and among diverse interests, including tribes, federal agencies, states, and private parties. An *Anchor Forest* is a large, contiguous area of land with four principal characteristics: 1) a reasonable expectation for sustainable wood commodity production as a major management objective; 2) production levels sufficient to support economically viable manufacturing, processing, and work force infrastructure within accessible transportation; 3) long-term management plans, supported by inventory systems, professional staff, and geographic information systems; and 4) institutional and operational capacity for implementation. We believe that tribal forests and forest products facilities can provide a key role in establishing and maintaining healthy and productive *Anchor Forests*.

The *Anchor Forest Pilot Project* in Washington State is expected to be completed in late 2014. We want to express our appreciation for the Forest Service's on-going participation and assistance. *Anchor Forests* provide a means to prioritize investments in economic and ecological systems. We urge this Subcommittee to support landscape scale initiatives such as *Anchor Forests* as an efficient, effective means to reduce threats of wildfire, insects, and disease and restore the productivity and safety of rural forest-dependent communities across the country.

3) For DoI Wildland Fire management: A) Restore DoI hazard fuels funding to \$206 million, and B) Remove BIA/tribal projects from the DoI HFPAS funding formula and set an annual minimum BIA/tribal allocation at 25% of the DoI hazard fuel allocation but no less than \$50 million.

The current budget proposal is directly contrary to the goals in the federally sponsored National Cohesive Wildland Fire Management Strategy: Phase II report, namely to "Restore and Maintain Landscapes". The current budget proposes funding

runaway suppression costs at the expense of proactive and effective fuel treatments. Not only is reducing fuel funding likely to ultimately increase suppression costs, it is contrary to the goal of reducing potential wildfire and restoring and maintaining landscapes. Furthermore, the DOI process of allocating these funds is severely flawed and discriminates against tribes. During 2012, the ITC and our member Tribes identified systemic problems with the DoI HFPAS model which seriously biased hazard fuels funding against tribal projects and increased threats to tribal forests and communities. The untested HFPAS allocation model was used to allocate hazard fuel funds despite tribal objections and concerns provided to DoI well before funds were allocated. This process was implemented in violation of the DoI Tribal Consultation Policy. Now, after the funds have been diverted, Tribes are just now beginning to be consulted on the HFPAS process. We ask this Subcommittee to direct the DoI to recognize its duty to protect trust resources and provide stability and equity to a critical component of tribal resource management strategies.

4) In BIA TPA Forestry, support the Administration's \$5.1 million increase, and further the increase by \$5 million to begin moving BIA Forestry toward parity with similar federal forestry budgets.

The ITC urges this Subcommittee to adopt the \$5.1 million FY 2014 increase requested for BIA Forestry, and to further add an additional \$5 million to begin moving BIA Forestry toward parity with other federal forestry budgets. The independent 1993 and 2003 IFMAT reports documented that the BIA Forestry per-acre management funding is far less than half that provided for National Forests and state and private forests, and we believe the 2013 IFMAT report will update and corroborate those findings. IFMAT I and II reports also document that Indian forestry is the most productive and innovative on federal lands. Tribes tend to keep their saw mills open and their forest products workforce engaged. Yet the long-documented underfunding has taken a toll, as demonstrated in the many recent tribal trust fund and resource mismanagement lawsuit settlements. Supporting the proposed \$5.1 million BIA Forestry increase and supplementing that with an additional \$5 million will start to shore-up the eroded federal trust responsibility, make a needed investment in the single most productive federal timber program, and provide jobs and countless social and economic benefits for tribal communities.

5) For BIA Cooperative Landscape Conservation, support the Administration's \$10 million request and direct that those funds serve tribally-based activities.

The ITC supports the FY 2014 requested increase in BIA Cooperative Landscape Conservation (CLC) to \$10 million. As the principal trustee delegate of the United States, the BIA has responsibility to care for 10% of the Interior Department's total 500 million acres. The dependence upon land and resources makes Indian peoples among the most vulnerable to climate change. Yet there has been little or no funding for substantive tribal participation in Interior's previous CLC initiatives. Interior's FY 2014 CLC proposal for BIA finally begins to correct that gross disparity. In supporting the \$10 million, we also urge the Subcommittee to assure that all or at least most of that funding be directed to tribal projects on the ground.

6) For BIA ESA, support the Administration's proposed \$2.7 million budget.

The ITC asks that the Subcommittee support the \$2.7 million requested for BIA ESA funding. On a dollar-per-acre basis, BIA ESA funding has long been far below any other Interior land management agency. Tribal governments and individual tribal members depend on their lands and resources for income, jobs and subsistence. Adequate funding to evaluate proposed activities for ESA-related impacts is needed to fulfill federal trust obligations and enable Indian peoples to benefit from their resources.

7) Within BIA Natural Resources, support increased funding to combat invasive species and engagement of youth in natural sciences.

Although specifics for the proposed FY 14 Administration increase for these programs are not available as of this writing, the ITC supports efforts to reduce adverse impacts of invasive species and the \$2.5 million requested to support the involvement of native youth in natural sciences.

8) Significantly extend or make permanent authority for Stewardship Contracting.

ITC asks that the Committee significantly extend or make permanent the Stewardship Contracting authority first established in the 1999 Interior Appropriations Act (16 USC 2104 note, Public Law 105-277) (as amended by section 323 of the FY 2003 Interior Appropriations Act (117 Stat. 275)) and originally due to expire at the end of 2013. Stewardship contracting authority is often essential for tribes, local communities, and others to perform needed forest management activities on USFS or BLM land. For tribes in particular, stewardship contracts can be key in carrying out protective forest health activities on adjacent USFS or BLM land under the Tribal Forest Protection Act (PL 108-278).

Mr. Chairman, we appreciate the leadership provided by you and this Subcommittee in understanding and protecting the BIA and IHS budgets. Across the great breadth of the federal budget, Indian Affairs funding is only a very minor fraction, but the United States has a long and well established duty to honor its special relationships to tribes and its fiduciary trust obligations to care for our land and resources. We thank you for your commitment to these historic and enduring responsibilities.

For FY 2014, the Administration's proposed BIA budget reflects recognition of and support for long-needed improvement in management of our trust resources. Investments in improving the health and productivity of our natural resources will have far-reaching economic and cultural benefits for tribal communities.

We believe it is vitally important for Indian Tribes to be substantively engaged as full partners in the dialogue as to how to address fiscal challenges in light of federal trust responsibilities. Our experience with HFPAS and BIA streamlining efforts has been far from satisfactory. We ask this Subcommittee to direct the DoI to recognize its duty to protect trust resources and provide stability and equity to a critical component of tribal resource management strategies.

Mr. Chairman, that concludes my testimony. Thank you.