

# GREAT LAKES INDIAN FISH & WILDLIFE COMMISSION

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## • MEMBER TRIBES •

### MICHIGAN

Bay Mills Community  
Keweenaw Bay Community  
Lac Vieux Desert Band

### WISCONSIN

Bad River Band  
Lac Courte Oreilles Band  
Lac du Flambeau Band

### MINNESOTA

Fond du Lac Band  
Mille Lacs Band

Red Cliff Band  
St. Croix Chippewa  
Sokaogon Chippewa

## FY 2015 TESTIMONY – BUREAU OF INDIAN AFFAIRS AND ENVIRONMENTAL PROTECTION AGENCY HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT AND RELATED AGENCIES

BY

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GREAT LAKES INDIAN FISH AND WILDLIFE COMMISSION (GLIFWC)

### 1. DEPARTMENT OF INTERIOR, BUREAU OF INDIAN AFFAIRS, OPERATION OF INDIAN PROGRAMS

- a. **TRUST-NATURAL RESOURCES MANAGEMENT, RIGHTS PROTECTION IMPLEMENTATION (RPI)** – (At least the Administration’s proposed **\$35,420,000** out of an overall need of at least \$49,500,000): **GREAT LAKES AREA RESOURCE MANAGEMENT AND GLIFWC’S PROPORTIONATE SHARE OF EDUCATION AND RESEARCH ACTIVITIES – CLIMATE CHANGE:** At least **\$6,184,000** (out of an overall need of at least \$9,870,000).
- b. **TRUST-NATURAL RESOURCES MANAGEMENT, TRIBAL MANAGEMENT/DEVELOPMENT PROGRAM (TM/DP):** At least the Administration’s proposed **\$9,244,000** and the TM/DP requests of GLIFWC’s member tribes.
- c. **TRUST-NATURAL RESOURCES MANAGEMENT, COOPERATIVE LANDSCAPE CONSERVATION:** At least the Administration’s proposed **\$9,948,000**.
- d. **TRUST-NATURAL RESOURCES MANAGEMENT, INVASIVE SPECIES:** At least the Administration’s proposed **\$6,764,000**.
- e. **TRIBAL GOVERNMENT, CONTRACT SUPPORT:** At least the Administration’s proposed **\$246,000,000**.

**Funding Authorizations:** Snyder Act, 25 U.S.C. s. 13; Indian Self-Determination and Education Assistance Act, (P.L. 93-638), 25 U.S.C. ss. 450f and 450h; and the treaties between the United States and GLIFWC’s member Ojibwe Tribes.<sup>1</sup>

2. **EPA GREAT LAKES RESTORATION: NO LESS THAN \$275,000,000. OVERALL TRIBAL NEED: \$25,000,000. GLIFWC: \$1,200,000.**

**Agency/Program Line Item:** Environmental Protection Agency, Environmental Programs and Management, Geographic Programs, Great Lakes Restoration.

**Funding Authorizations:** Clean Water Act, 33 U.S.C. s. 1268(c); and treaties cited above.

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<sup>1</sup> Specifically, the Treaty of 1836, 7 Stat. 491, Treaty of 1837, 7 Stat. 536, Treaty of 1842, 7 Stat. 591, and Treaty of 1854, 10 Stat. 1109. The rights guaranteed by these treaties have been affirmed by various court decisions, including a 1999 US Supreme Court case.

## GLIFWC's FY 2015 FUNDING REQUEST HIGHLIGHTS

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1. GLIFWC's proportionate share of appropriated RPI funding, which, including funding for science and technology, would be approximately \$6,184,000, under the Administration's FY 2015 proposal.
2. The allocation of RPI science funding proportionately (or as otherwise agreed by the treaty commissions funded under the RPI line item) within GLIFWC's base funding allocation.
3. A total tribal set-aside of \$25,000,000 and GLIFWC's request of \$1,200,000 under the Great Lakes Restoration Initiative to be distributed through the Indian Self-Determination and Education Assistance (ISDEA) Act.
4. Full funding for contract support costs, as required by the ISDEA Act.
5. Sufficient funding in the Tribal Management and Development line item for GLIFWC's member tribes to fulfill their needs for reservation-based natural resource programs.

## GLIFWC's GOAL – A SECURE FUNDING BASE TO FULFILL TREATY PURPOSES

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For 30 years, Congress has funded GLIFWC to implement comprehensive conservation, natural resource protection, and law enforcement programs that: 1) ensure member tribes are able to implement their treaty reserved rights to hunt, fish, and gather throughout the ceded territories; 2) ensure a healthy and sustainable natural resource base to support those rights; and 3) promote healthy, safe communities. These programs also provide a wide range of public benefits, and facilitate participation in management partnerships in Wisconsin, Michigan, and Minnesota.

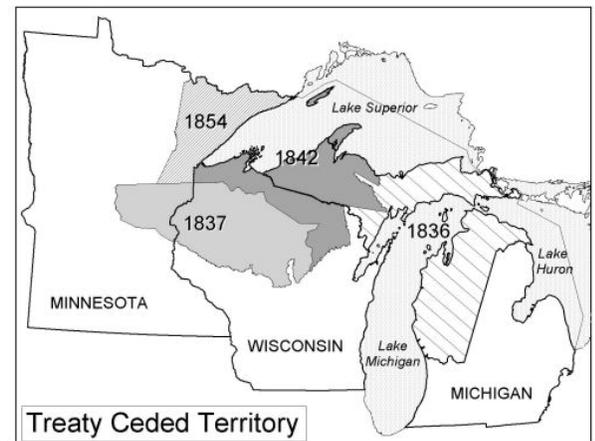
## GLIFWC's PROGRAMS – PROMOTING HEALTHY COMMUNITIES AND EDUCATING TRIBAL MEMBERS THROUGH TREATY RIGHTS EXERCISE

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Established in 1984, GLIFWC is a natural resources management agency of eleven member Ojibwe Tribes with resource management responsibilities over their ceded territory (off-reservation) hunting, fishing and gathering treaty rights. These ceded territories extend over a 60,000 square mile area in Minnesota, Wisconsin, and Michigan.<sup>2</sup>

GLIFWC employs 70 full-time staff, including natural resource scientists, technicians, conservation enforcement officers, policy specialists, and public information specialists.

GLIFWC strives to implement its programs in a holistic, integrated manner that is consistent with the culture and values of its member tribes, especially in light of the tribal lifeway that the exercise of treaty rights supports. This means not only ensuring that tribal members can legally



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<sup>2</sup> GLIFWC's programs do not duplicate those of the Chippewa-Ottawa Resource Authority or the 1854 Treaty Authority. GLIFWC also coordinates with its member tribes with respect to tribal treaty fishing that extends beyond reservation boundaries by virtue of the Treaty of 1854 and the reservations' locations on Lake Superior.

exercise their rights, but supporting community efforts to educate them about the benefits (physical, spiritual and cultural) of harvesting and consuming a more traditional diet, as well as promoting intergenerational learning and the transmission of traditional cultural and management practices. These programs, in turn, promote healthy communities by encouraging healthy lifestyles, intergenerational connections, and cultural education.

GLIFWC and its member tribes thank Congress, and particularly this Subcommittee for their continuing support of these treaty obligations and their recognition of the ongoing success of these programs. There are two elements of this FY 2015 funding request:

**1. BIA GREAT LAKES AREA MANAGEMENT (WITHIN THE RPI LINE ITEM): NO LESS THAN \$6,184,000.** GLIFWC has testified about chronic underfunding of the RPI line item and the impacts of that underfunding on treaty rights programs. Funding at the proposed FY 2015 level would allow GLIFWC to restore some cuts it made to its programs due to previous unmet needs. However, demand for GLIFWC's services continues to rise as more tribal members exercise their rights. This is particularly true given the economic realities facing GLIFWC's tribal communities. GLIFWC estimates its current funding need is \$9,870,000; at the FY 2015 proposed level, approximately 65% of this need would be met. Given the effects of inflation, GLIFWC's current funding provides no more buying power than in 1995.

GLIFWC appreciates the Administration's proposed funding for science and technical support activities related to climate change. The addition of this funding would allow GLIFWC to undertake new research and management actions to assess changes and threats that are occurring throughout the ceded territories, including the impact of stressors on the ecosystem and how they can be managed to encourage ecosystem resiliency and adaptability.

Tribes can only protect the resources that support their rights if they undertake relevant scientific and technical analyses that inform the design and implementation of adaptive natural resource management activities. This funding is critical, but maximum flexibility should be provided to GLIFWC and its tribes to define for themselves the specific science and research activities that are best suited to the needs of their member tribes and the particular issues within their region. GLIFWC also supports an allocation of these funds in proportion to overall RPI funding, as proposed in FY 2014. Provision of these funds within GLIFWC's base funding allocation will provide the greatest flexibility to direct funding where it is most needed. Of course, as part of its annual PL 93-638 contracting requirements, GLIFWC would commit to implement and report on particular scientific and technical research projects.

**2. EPA Environmental Programs and Management: \$275,000,000. GLIFWC: \$1,200,000.** GLIFWC supports continued funding for the Great Lakes Restoration Initiative (GLRI) as an important non-regulatory program that enhances and ensures coordinated governance in the Great Lakes, as well as substantive natural resource protection and restoration projects. GLIFWC supports funding of no less than \$275 million, but recognizes that this amount does not fulfill all of the protection and restoration needs that have been identified. GLIFWC also recommends that at least \$25 million be provided to the BIA for tribes, to ensure they are able to undertake projects that contribute to the protection and restoration of the Great Lakes.

Sustained funding for GLIFWC at approximately \$1.2 million will enable GLIFWC to augment its current natural resource protection and enhancement activities. It will also allow GLIFWC to maintain its participation in interjurisdictional governance structures, including the implementation of the revised Great Lakes Water Quality Agreement (GLWQA). With GLRI funding, GLIFWC has been able to help create a team to seek out and use Traditional Ecological Knowledge in the implementation of commitments made in the Science Annex of the GLWQA. Without GLIFWC's participation, this team would likely not have been created.

Tribal GLRI funding should be provided through the BIA and distributed under the ISDEA Act. This funding mechanism delivers funding to the field faster and has resulted in the earlier achievement of on-the-ground results. It also fulfills the federal government's long-standing policy of fostering tribal self-determination in the implementation of tribal programs.

## **RESULTS AND BENEFITS OF GLIFWC'S PROGRAMS**

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**1. MAINTAIN THE REQUISITE CAPABILITY TO MEET LEGAL OBLIGATIONS, TO CONSERVE NATURAL RESOURCES AND TO REGULATE TREATY HARVESTS:** Although it does not provide for the most comprehensive implementation of treaty rights exercise across the ceded territories, sustained funding at the FY 2015 level supports tribal compliance with various court decrees and intergovernmental agreements governing the tribes' treaty-reserved hunting, fishing and gathering rights. Funding for science and research enhances GLIFWC's capability to undertake work and participate in relevant partnerships to address ecosystem threats that harm treaty natural resources, including those related to climate change.

**2. REMAIN A TRUSTED MANAGEMENT AND LAW ENFORCEMENT PARTNER, AND SCIENTIFIC CONTRIBUTOR IN THE GREAT LAKES REGION:** GLIFWC has become a respected and integral part of management and law enforcement partnerships that conserve natural resources and protect public safety. It brings a tribal perspective to interjurisdictional Great Lakes management fora and would use its scientific expertise to study issues and geographic areas that are important to its member Tribes but that others may not be examining.

**3. MAINTAIN THE OVERALL PUBLIC BENEFITS THAT DERIVE FROM ITS PROGRAMS:** Over the years, GLIFWC has become a recognized and valued partner in natural resource management. Because of its institutional experience and staff expertise, GLIFWC has built and maintained numerous partnerships that: i) provide accurate information and data to counter social misconceptions about tribal treaty harvests and the status of ceded territory natural resources; ii) maximize each partner's financial resources and avoid duplication of effort and costs; iii) engender cooperation rather than competition; and iv) undertake projects that achieve public benefits that no one partner could accomplish alone.

**4. ENCOURAGE AND CONTRIBUTE TO HEALTHY TRIBAL COMMUNITIES.** GLIFWC works with its members tribes' communities to promote the benefits of treaty rights exercise. These include the health benefits associated with a more traditional diet and the intergenerational learning that takes place when elders teach youth. In addition, GLIFWC sponsors a camp each summer where tribal youth build leadership skills, strengthen connections to the outdoors, and learn about treaty rights and careers in natural resource fields.