

**TESTIMONY OF PHILIP RIGDON, PRESIDENT,
INTERTRIBAL TIMBER COUNCIL, PRESENTED TO THE
HOUSE APPROPRIATIONS SUBCOMMITTEE FOR THE INTERIOR,
ENVIRONMENT, AND RELATED AGENCIES ON
FY 2016 APPROPRIATIONS FOR THE B.I.A., DoI WILDLAND FIRE
MANAGEMENT, AND THE U.S. FOREST SERVICE,
MARCH 25, 2015**

Summary

Mr. Chairman, members of the Subcommittee, 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 2016 Indian forestry-related activities in the Bureau of Indian Affairs (BIA), the Department of Interior (DoI) Office of Wildland Fire Management (OWF), and the U.S.D.A. Forest Service (USFS):

BIA

- 1) Increase BIA Forestry by \$25 million, to \$76.9 million, as a first step to providing the \$100 million needed for funding parity with other federal forestry programs, as recommended by the IFMAT III report. Require tribal participation in allocation of this increase.
- 2) Separately, increase BIA Forestry Projects by \$12.7 million to initiate a BIA Forestry Workforce Development program, as recommended by IFMAT III.
- 3) Support BIA's Tribal Climate Resilience program request of \$30.355 million.
- 4) Increase the BIA Endangered Species funding to \$10 million.

OWF

- 5) Support the Preparedness request of \$323.7 million, with transparency for tribal Contract Support Costs (CSCs).
- 6) Increase Fuels Management funding to \$206 million; allow RTRL funds on tribal lands.
- 7) Support the Disaster Fire Funding legislative proposal. And
- 8) Support the \$30 million Resilient Landscapes initiative.

USFS

- 9) Encourage expanded support for the ITC *Anchor Forest* initiative.
- 10) Continue encouraging the USFS to improve implementation of the TFPA.

IFMAT III

Many of our comments and recommendations reflect the third IFMAT report, the statutorily required (PL 101-630, Sec. 312) decadal review and report on tribal forests and forestry conducted by an independent Indian Forest Management Assessment Team (IFMAT). The IFMAT III report (in two volumes plus an executive summary) was completed in and dated 2013, and was printed and distributed the spring of 2014, including a copy to the Subcommittee.

The IFMAT III report examines tribal forests using a "FIT" framework: Fire, Investment and Transformation: "Fire" for the large role wildland fire and other threats present to tribal forest health and productivity; "Investment" for the federal funding and trust support needed for meeting the federal trust and ensuring a sustainable future for Indian forests; and "Transformation" for the role of Indian forestry as a model for sustainable land management.

IFMAT III examines eight specific review areas required by the statute, including staffing and funding, and looks at additional issues including Indian forest benefits, climate change, and the Anchor Forests initiative and implementation of the Tribal Forest Protection Act.

IFMAT III found that chronically insufficient funding and worsening staff shortages are threatening tribal forests and communities from foregone economic opportunities, inadequate management, and resource losses due to wildland fire, insects, disease, and climate change. Federal trust management funding of Indian forests is still only one third of that for National Forests; an additional \$100 million in base funding is needed to bring Indian forestry and wildfire management to parity. Staffing shortfalls are jeopardizing the capacity to care for forest resources: 800 additional positions are needed for adequate staffing and \$12.7 million is needed annually for staff recruitment, training and retention.

Against this background, the ITC makes the following comments and requests for FY 2016.

BIA

1) Increase BIA Forestry by \$25 million, to \$76.9 million, as a first step to providing the \$100 million needed for funding parity with other federal forestry programs, as recommended by IFMAT III. Require tribal participation in allocation of this increase.

Within the total 56 million Indian acres in federal trust, 18.6 million acres are forested, of which 7.3 million acres are designated as commercial forest capable of supporting an annual allowable cut (AAC) of 723 million board feet per year. We request that the FY 2016 BIA Forestry budget be increased by \$25 million, to \$76.9 million, to begin to reduce the glaring \$100 million funding disparity with other federal forestry programs as discussed in the IFMAT III report. The ITC also asks the Subcommittee to require tribal participation in the allocation of these additional funds to help assure appropriate allocation among various BIA Forestry and Wildland Fire programs.

BIA Forestry's chronic underfunding contributes to the failure to harvest the full AAC, with serious repercussions for tribal economies and the health of the trust corpus. The AAC reflects tribal policy decisions on balancing multiple use considerations involving economy, ecology, and cultural values. The difference between the AAC and the actual harvest level funded and overseen by the BIA is a key metric that can be used to help measure the degree to which the US is fulfilling its fiduciary duties for managing the Indian trust forests. In FY 2014, the 437 million board feet of timber harvested from Indian forests generated \$62 million in stumpage income and supported over 22,000 jobs (tribal and non-tribal communities combined), but these benefits were 40% below the levels that would have been received had the full AAC been harvested. The failure to harvest the full AAC in FY 2014 reduced stumpage revenue by over \$41 million and represented a loss of over 15,000 jobs (tribal and non-tribal combined). Since IFMAT I was issued in 1991, the failure to harvest the full AAC has resulted in the loss of \$727 million in stumpage income and 272,000 jobs in Indian Country.

The chronic underfunding of Indian trust forests also impacts and potentially jeopardizes non-timber forest products, with an estimated national annual value of \$10 million, and places these forests and all their benefits at risk of catastrophic loss from wildfire, climate change, insects, disease, trespass, and invasive species. A \$25 million funding increase is an essential first step toward providing Indian trust forests with funding equal to that provided other federal forests, improving tribal economies, sustaining the health and productivity of the trust forests, and avoiding the prospects of future trust mismanagement lawsuits.

2) Separately, increase BIA Forestry Projects by \$12.7 million to initiate a BIA Forestry Workforce Development program, as recommended by IFMAT III.

BIA and tribal Forestry are facing a staffing crisis. The IFMAT III report states 800 additional BIA Forestry positions are needed, and an increasing number of existing positions are unfilled due to retirements and funding shortfalls. Trained personnel are essential for the sustainable trust management of our forests, including timber for tribal economies and healthy forests for tribal communities. As an example, on my reservation - the Yakama Nation - 33 of the 55 BIA Forestry positions have not been filled for a long time, despite repeated Tribal pleas. Harvest targets sought by the Tribe are not being met, forest health is suffering, and economic opportunities are being lost. Nationally, to begin to address this large and growing personnel shortage and its negative consequences on the federal trust and tribal economies, \$12.7 million is needed to start a program to attract, train and retain forestry staff.

3) Support BIA's Tribal Climate Resilience program request of \$30.355 million.

ITC supports the BIA \$30.355 million request for the Tribal Climate Resilience program. This provides a useful amount needed for evaluating climate change on our homelands, and to plan and conduct actual on-the-ground projects to begin addressing its consequences. America's 566 Indian tribes are a segment of the population most closely tied to and reliant upon our lands, which are our history, our culture, our livelihoods, and our future. We appreciate and support this request to help protect our homes from the impacts of climate change.

4) Increase BIA Endangered Species funding to \$10 million.

ITC requests BIA ESA be funded at \$10 million so the myriad listed species throughout Indian Country nationwide can be better addressed. BIA's \$3.7 million request for ESA is an improvement over past years, but the proposal is less than the ESA per-acre funding for BLM and still only slightly above the \$3 million appropriated for BIA ESA in FY 2002. A further significant increase in BIA ESA to \$10 million is fully warranted.

DoI Wildland Fire Management

5) Support the Preparedness request of \$323.7 million, with transparency for tribal CSCs.

Within this requested amount, ITC supports designations for tribal contract support costs (CSCs) and for BIA and tribal fire workforce development. However, we ask that the Department be directed to dialogue transparently with tribes on the allocation of these designated funds, particularly CSCs, which are being siphoned off by the administering agency, leaving only a fraction of the designated amount to help tribes cover the costs of contracting preparedness functions on the ground.

6) Increase Fuels Management funding to \$206 million; allow RTRL funds on tribal lands.

For FY 2016, ITC again urges Fuels Management funding at its FY 2010 \$206 million level. The Department's fuels reduction backlog remains huge, funding has never come close to need, and prevention is more cost effective than suppression. Within the FY 2016 Fuels Management appropriation, ITC strongly supports the designation of \$10 million for Reserved Treaty Rights Lands (RTRL) landscape restoration, to allow tribes to engage in proactive fuels and forest health projects to protect tribal trust assets on treaty lands. However, we ask that these

funds be allowed on tribal lands, and not just off-reservation. The ITC also wishes to note again our appreciation of OWF for its efforts to engage tribes in its policy and funding considerations.

7) Support the Disaster Fire Funding legislative proposal.

ITC supports the legislative proposal to address extreme fire suppression costs (above 70% of the 10 year average) as the natural disasters that they are, reducing the adverse impacts of these large costs on both DoI's operations and budgets.

8) Support the \$30 million Resilient Landscape initiative.

With this initiative, fuels and health projects can be more broadly and cooperatively applied across landscapes and beyond the wildland-urban interface (WUI).

USFS

9) Encourage expanded support for the ITC *Anchor Forest* initiative.

We ask that you support, and encourage continued Forest Service support of, the ITC's *Anchor Forest* initiative. The initiative, in which tribes play a key role, works across forest landscape boundaries and diverse stakeholders to foster long-term collaboration to maintain ecological functions and sustain economically viable infrastructure for management, harvesting, transportation, and processing of forest products. Currently, the ITC is engaged in a pilot project involving three *Anchor Forest* study areas in Washington and Idaho (involving Yakama, Colville, and the Spokane and Coeur d'Alene Tribes), with participation and support from USFS, BIA, Washington State, the conservation community, and local forestland owners and businesses that are affected by forest health and productivity. Tribes in the Lakes States, the Plains States, Alaska, and the Southwest are beginning to express interest in the *Anchor Forest* concept, so we ask the Subcommittee to encourage continued and expanded USFS support of the initiative.

10) Continue encouraging the USFS to improve implementation of the TFPA.

Finally, we thank the Subcommittee for its FY 2105 report language encouraging DoAg and DoI to make wider use of Tribal Forest Protection Act (TFPA, PL 108-278) agreements, in which tribes are authorized to conduct address fuels and health projects on adjacent federal forests to help address threats like fire, disease and insect infestations. ITC appreciates the Subcommittee's oversight interest in TFPA and urges its continuation. Some progress is being made: this spring, the USFS and ITC are conducting regional workshops for USFS and other federal personnel, tribes, and other interested parties to learn about TFPA and to actually start forging TFPA agreements. But there is still a dearth of active or new TFPA projects, and we urge the Subcommittee to continue its active oversight support of increased TFPA projects.

Intertribal Timber Council background.

The ITC is a 39 year old association of forest owning tribes and Alaska Native organizations that collectively manage more than 90% of the 18.6 million acres of BIA trust timberland and woodland that provide thousands of jobs and significant economic activity in and around Indian Country. In addition, our forests store and filter the water and air, sustain habitats, and produce foods, medicines, fuel, and materials for shelter, transportation, and artistic expression. We invite you to come visit.

That concludes my statement. Thank you.