

**TESTIMONY OF PHILIP RIGDON, PRESIDENT,  
INTERTRIBAL TIMBER COUNCIL, PRESENTED TO THE  
HOUSE APPROPRIATIONS SUBCOMMITTEE FOR THE INTERIOR,  
ENVIRONMENT, AND RELATED AGENCIES ON  
FY 2017 APPROPRIATIONS FOR THE B.I.A., DoI WILDLAND FIRE  
MANAGEMENT, AND THE U.S. FOREST SERVICE,  
MARCH 17, 2016**

**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 2017 Indian forestry-related activities in the Bureau of Indian Affairs (BIA), the Department of Interior (DoI) Office of Wildland Fire Management (OWFM), and the U.S.D.A. Forest Service (USFS):

**BIA**

- 1) Increase BIA Forestry by \$25 million, to \$77.2 million, as a first step toward the additional \$100 million needed for funding parity with other federal forestry programs, as recommended by the 2013 IFMAT III report.
- 2) Separately, increase BIA Forestry Projects by \$12.7 million to initiate a BIA Forestry Workforce Development program.
- 3) Increase BIA's Endangered Species funding to \$10 million.
- 4) Increase BIA's Tribal Climate Resilience program to \$30.4 million.

**OWFM**

- 5) Provide \$12.6 million in OWFM BAR for rehabilitation of Indian trust forests burned in 2015.
- 6) Direct a reassessment of wildfire suppression priorities to include Indian trust forests as "property," to be a second priority behind only protection of life as a suppression priority.
- 7) Increase Fuels Management funding to \$206 million; allow RTRL funds on tribal lands.

**USFS**

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

**APPRECIATION**

I would like to begin by expressing our appreciation for the Committee's adopting BIA's FY 2016 requested increase of \$2 million for thinning on Indian trust forests and for adding \$2 million to BIA Forestry Projects for post-fire rehabilitation. These funds are critically needed to address the historic and catastrophic 2015 fire season.

**IFMAT III**

Many of our requests reflect the findings and recommendations of the 2013 IFMAT III report, the statutorily required (PL 101-630, Sec. 312) decadal independent review on tribal forests and forestry. A copy of that report has been provided to the Committee.

IFMAT III found that chronically insufficient funding and understaffing threaten tribal forests and communities. Unless these problems are rectified, Indian forests will continue to suffer damage from wildland fire, insects, disease, and climate change.

## **BIA**

### **1) Increase BIA Forestry by \$25 million, to \$77.2 million, as a first step toward the additional \$100 million needed for funding parity with other federal forestry programs, as recommended by the 2013 IFMAT III report.**

Indian forestlands cover one third of the total 56 million acres held in federal trust for Indians. These trust forestlands provide enumerable essential and renewable functions to tribal and surrounding communities, including clean air and water, stable soils, spiritual and cultural support, habitat for fish, wildlife and plants, forest products for medicine, art, and individual entrepreneurship, and through commercial forestry, local jobs and revenues for tribal governments. Indian people live with the forests and deeply rely upon them, and the United States, especially the Interior Department, has a binding and compensable fiduciary responsibility to protect, maintain and enhance these forests, but is failing to do so. Interior's chronic underfunding of the BIA Forestry program also incurs significant economic losses for the tribes. Insufficient personnel constrain BIA Forestry's ability to process the annual timber harvest levels set by tribes, such that in FY 2014, timber harvest benefits were 60% below what should have been realized, costing tribes \$41 million in lost revenue and a loss of over 15,000 jobs.

The FY 2017 BIA Budget Justification continues to reflect disregard for federal trust responsibilities for Indian forests. Enhanced climate resilience is a principal theme for Trust and Natural Resources Management programs, but funding increases are not proposed for Forestry, despite the fact that trust forests A) cover one third of all BIA trust land, B) are subject to statutory trust protection, C) are integral to supporting a wide and critical array of environmental, cultural and economic functions, D) are vital to approaches for addressing climate change, carbon sequestration, water management, and adaptation, and E) are the only trust natural resource with professional and independent assessments and reports documenting the impacts of climate change.

We find FY 2017's exclusion of BIA Forestry from any programmatic increase to be bewildering and dismaying. IFMAT III reports a \$100 million increase is needed to correct this disparity. As in past years, ITC requests that the Committee incrementally correct chronic underfunding by providing a \$25 million increase to the FY 2017 BIA Forestry program.

### **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 essential existing positions are going unfilled and knowledge and expertise are being lost due to retirements and funding shortfalls. Last year I cited an example on my reservation - the Yakama Nation - where 33 of the 55 BIA Forestry positions had not been filled for a long time. Today, one year later, it is basically unchanged, despite repeated Tribal pleas. Harvest targets are not being met, forest health is suffering, and economic opportunities are being lost. A concerted effort is needed to fill vacancies and provide the skills required for responsible stewardship of our forest resources. ITC requests that \$12.7 million be added to BIA Forestry Programs to undertake a program to attract, train and retain well qualified professional forestry staff.

### **3) Increase BIA Endangered Species funding to \$10 million.**

ITC requests BIA ESA be funded at \$10 million to address impacts of listed species on management of trust resources. BIA's \$3.7 million request represents an increase over recent years, but is still less per acre than BLM ESA and below BIA ESA's \$3 million appropriated for FY 2002 after inflationary costs are considered.

**4) Increase BIA's Tribal Climate Resilience program to \$30.4 million.**

ITC requests \$30.4 million for the BIA Tribal Climate Resilience program, the amount requested by the Administration for FY 2016. Indian tribes rely upon the land, which is our history, our culture, our livelihoods, and our future. While the Administration's FY 2017 request is \$3.1 million over FY 2016's final appropriation, last year's \$30.4 million requested amount better represents the BIA and tribes' true needs for evaluating climate change on our homelands and planning and conducting actual on-the-ground projects to begin addressing its consequences.

**DoI Office of Wildland Fire Management**

**5) Provide \$12.6 million in OWFM BAR for rehabilitation of Indian trust forests burned in 2015.**

The 2015 wildfire season was catastrophic for Indian tribes, particularly in the Northwest, where some fires were the most destructive in recorded history. Nearly 500,000 acres of Indian trust forest burned. Approximately 1.5 billion board feet of timber was killed, worth more than \$200 million in tribal revenue. Nearly 100,000 acres need reforestation. Tribal losses of their forest resource, revenue and jobs are severe and will extend decades into the future. BIA has estimated recovery costs of \$9 million for FY 2016, \$12.6 million for FY 2017, and a total of \$55 million over five years.

The Interior Department's Office Wildland Fire Management (OWFM) provided BIA and the tribes only \$3.5 million in Burned Area Recovery (BAR) funds for FY '16. OWFM has not provided any increase to address the vastly destructive scope of the 2015 fires, and the FY '16 amount is less than the \$4 million in BAR funds for BIA and tribes in FY 2015. The only fund increase in response to last summer's devastation of tribal trust forests has been Congress's FY 2016 increase of \$2 million. At Interior, it is as if our federal trustee is simply turning a blind eye to the problem, which, by further delaying or denying the recovery, only exacerbates the economic and environmental losses inflicted on the tribes.

ITC asks Congress to specifically designate \$12.6 million for FY 2017 within OWFM BAR for recovery of tribal forests burned in 2015. Please note this is just for the 2015 fires, and should not impinge on separate funding for fires that may occur in 2016.

**6) Direct a reassessment of wildfire suppression priorities to include Indian trust forests as "property," to be a second priority behind only protection of life as a suppression priority.**

Last summer, lightning storms ignited a wave of wildfires in the Northwest, including on Indian reservations. When fire crews attacking reservation fires were diverted to fight off-reservation fires threatening private property, the fires on our trust forests exploded. The U.S. evidently abandons its fiduciary obligations to protect Indian trust assets when federal fire suppression policy prioritizes protection of life first and property second, leaving our trust forests to burn, as they did last summer. Timber tribes depend on our forests for jobs and revenue; the destruction suffered by those forests will have severe and long-lasting consequences. Fire suppression policy must prioritize protection of trust resources and economies, not subordinate those obligations to the protection of (often insured) private property. We ask the Committee to

direct the reevaluation of federal fire suppression priorities to consider the protection of Indian trust resources as second only to protection of life.

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

For FY 2017, ITC urges that Fuels Management funding be restored to its FY 2010 \$206 million level to reduce the Department's fuels backlog. This will be a sound investment that will reduce future costs of suppression. Within the FY 2017 Fuels Management budget, 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 to be used on both tribal lands and off-reservation.

**USFS**

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

We ask that you encourage and expand continued Forest Service support of the ITC's *Anchor Forest* initiative, in which tribes and other forest stakeholders are pursuing long-term collaboration to maintain ecological functions and sustain economically viable infrastructure for management, harvesting, transportation, and processing of forest products. The initial report of the ITC's *Anchor Forest* pilot study in Washington and Idaho is nearing publication and reflects the participation of tribal, federal and state governments, the conservation community, and local forestland owners and businesses. Tribes in the Lakes States, the Plains States, Alaska, and the Southwest are expressing interest in the *Anchor Forest* concept, and we urge the Committee to express support for expanding the application of the *Anchor Forest* concept.

**9) Continue encouraging the USFS to improve implementation of the TFPA.**

Finally, we thank the Committee for its FY 2015 support of the Tribal Forest Protection Act (TFPA, PL 108-278) that authorizes tribes to conduct fuels and health projects on U.S.F.S. and B.L.M. lands to protect trust and cultural resources. The Committee's support helped prompt a series of successful regional TFPA workshops and the forging of numerous TFPA agreements. There is keen interest in additional workshops and follow-on activities, and the ITC urges the Committee to express continued support for the TFPA program.

**Intertribal Timber Council background.**

The ITC is a 40 year old association of forest owning tribes and Alaska Native organizations dedicated to improving the sustainable ecological and economic management of our 18.6 million acres of timberland and woodland held in BIA trust. We invite you to come visit.

That concludes my statement. Thank you.