

**TESTIMONY OF PHILIP RIGDON, PRESIDENT,
INTERTRIBAL TIMBER COUNCIL, PRESENTED TO THE
HOUSE APPROPRIATIONS SUBCOMMITTEE FOR THE INTERIOR,
ENVIRONMENT, AND RELATED AGENCIES ON
FY 2019 APPROPRIATIONS FOR THE B.I.A., DoI WILDLAND FIRE
MANAGEMENT, AND THE U.S. FOREST SERVICE,
MAY 9, 2018**

Introduction and 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 2019 Indian forestry-related activities in the Department of the Interior's (DOI) Bureau of Indian Affairs (BIA) and Office of Wildland Fire Management (OWFM), and the USDA Forest Service (USFS):

BIA

- 1) With BIA's lack of Forestry personnel – both unfunded and unfilled positions - constraining tribal timber harvest levels to about 50% of approved tribal forest plans, ITC recommends an increase in BIA Forestry (TPA) by \$5 million for the directed hiring of 67 additional foresters to increase harvest levels and improve tribal employment, economies, and forest management. ITC also requests that the Committee examine BIA's dysfunctional hiring policies, practices and procedures, particularly as they relate to Forestry positions.
- 2) Increase BIA Forestry Projects Forest Development by \$5 million (\$2 for thinning, \$3 million for replanting) to reduce BIA backlogs, provide hundreds of immediate jobs, and strengthen long-term tribal economies.

OWFM

- 3) Provide \$35 million in OWFM Burned Area Rehabilitation specifically for Indian trust forests burned in 2015.
- 4) Increase Fuels Management funding to \$206 million; allow RTRL funds on tribal lands.
- 5) Restore the Joint Fire Science program to its FY 2017 level of \$5.9 million.

USFS

- 6) Encourage expanded USFS support for the ITC *Anchor Forest* initiative, and direct USFS to initiate implementation of the [Anchor Forest Final Report](#), including identification of acres to be included with appropriate management designations, and harvest targets to support maintenance and growth of forest management infrastructure.

Mr. Chairman, Committee members, the ITC appreciates the Committee's support, especially the FY 2018 directed report from OWFM and BIA on how DOI prioritizes fire suppression and rehabilitation on Indian trust forests. Hopefully this report will help stabilize and assure protection and recovery of our forest resource, for which the US has a trust obligation. We hope the timber tribes can participate in the report, at least with review and comment. We also appreciate the Committee's urging DOI to "promote and expand" agreements with tribes to protect our trust forest resources from threats from other DOI lands. Most of our trust forest boundary is with USFS, with whom tribes have 23 Tribal Forest Protection Act projects in varying stages, but tribes do share boundaries with DOI lands (mostly BLM), and while there are no TFPA or similar agreements with DOI at present, there is tribal interest in pursuing them.

BIA

1) With BIA's lack of Forestry personnel – both unfunded and unfilled positions - constraining tribal timber harvest levels to about 50% of approved tribal forest plans, ITC recommends an increase in BIA Forestry (TPA) by \$5 million for the directed hiring of 67 additional foresters to increase harvest levels and improve tribal employment, economies, and forest management. ITC also requests the Committee examine BIA's dysfunctional hiring policies, practices and procedures, particularly as they relate to Forestry positions.

Indian forests and woodlands comprise 18.7 million acres, or one third, of the total 57 million acres of Indian land held and managed in trust by the BIA. More than 300 tribes have forest resources, which for many tribes are a principal renewable resource generating more than **\$40 million** in national annual tribal governmental revenues, **19,000 jobs** in and around tribal communities, and wildlife habitat, clean water and air, and sources of food and medicine for Indian people.

Six million acres of tribal trust forests support commercial use. Sustainable annual harvest targets set by tribal governments total approximately 750 million board feet. But lack of BIA trust management capacity, combined with increasingly complex federal regulation, has caused actual annual harvest levels to fall steadily over the past forty years, to a current level only about half that amount. Since 1991, this decline has cost tribes **\$700 million in foregone stumpage revenue** and tens of thousands of forestry-related jobs. For FY 2015, BIA could only process 46% of the tribally approved annual allowable cut, costing tribes more than \$60 million in foregone revenue.

The 2013 Indian Forest Management Assessment Team Report, the third statutorily required (PL 101-630, Sec. 312) decadal independent review on tribal forests and forestry (IFMAT III), finds that federal funding for BIA forestry is only one third of that per-acre for the US Forest Service, that BIA technical forestry staffing is chronically insufficient, that each BIA forester administers more acres than any other federal forester, and that BIA professional forester staffing should be increased by 65%.

Over the past three years I cited an example on my reservation - the Yakama Nation – where 33 of the 55 BIA Forestry positions have not been filled for a long time. Just a couple of months ago, BIA's lack of capacity to process trust harvest forced us to withdraw a significant timber sale, once again causing my Tribe to forego needed revenue and jobs.

Because BIA personnel perform approvals required for trust timber sales, the lack of such personnel directly constrains our timber harvest. \$5 million added to BIA TPA Forestry directing the expedited hiring of 67 foresters (@ \$75,000 each) could increase tribal harvest by up to 295 million board feet, generate \$3 in stumpage revenue for every \$1 invested, and create more than 15,000 rural jobs.

As a corollary, the ITC asks the Committee to examine BIA's hiring policies, procedures and practices, particularly regarding Forestry. BIA's continuing difficulties with filling Forestry positions is costing tribes millions in foregone revenue and jobs.

2) Increase BIA Forestry Projects Forest Development by \$5 million (\$2 for thinning, \$3 million for replanting) to reduce BIA backlogs, provide immediate jobs, and strengthen long-term tribal economies.

For decades, insufficient BIA support has allowed significant thinning and replanting backlogs to accrue on tribal trust forest land. In recent years, the thinning backlog has remained around 10% of tribal trust forest acreage, and the replanting backlog has stayed around 4%. With these backlogs, parts of our forests are either underproductive or out of production altogether, depriving our communities of vitally needed jobs and income. The backlogs also contribute to poor forest health, particularly for thinning, where dense stands grow slowly and are especially susceptible to fire, disease and insects.

In FY 2016, Congress initiated an effort to reduce the BIA's thinning backlog. The Committee has maintained this effort with \$2 million in FY 2017, and for this year, FY 2018, provided a \$238,000 increase for general forestry projects, which can also be of help to the thinning and replanting backlogs. We very much appreciate this support, and for FY 2019 ask that the effort be emphasized with an additional \$2 million for the thinning backlog and an additional \$3 million for the replanting backlog.

DOI Office of Wildland Fire Management

3) Provide \$35 million in OWFM Burned Area Rehabilitation specifically for Indian trust forests burned in 2015.

It is now 2018, and the timber tribes that saw 500,000 acres of our trust forests devastated in the 2015 fire season are now in the important third year into the DOI's customary 5 year post-fire rehabilitation process. The third year is when most of the burned-over acres are supposed to be replanted, and OWFM is still woefully behind. BIA has calculated the five year rehabilitation cost at \$55 million. Through FY 2018 to date, ITC roughly calculates that DOI has only provided \$17.5 million, including \$2 million added by Congress and \$4 million shifted in FY 2017 from BLM. This is substantially less than half of the \$37.7 million in needed recovery costs calculated by BIA through FY 2018. We understand DOI stops rehabilitation efforts after five years, and any further recovery must then be absorbed into the BIA's regular and already underfunded forest management program. Tribes, desperate to get seedlings in the ground, have dedicated our own resources and sought help from other discretionary sources, but our forests are still way behind. To help get our burned forests back on track and the US to abide by its trust responsibilities, we ask the Committee to provide \$35 million in OWFM Rehabilitation specifically toward the completion of our 2015 fire recovery, and that the funds be distributed to participating tribes in multiyear agreements.

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

For FY 2018, ITC urges, as it has for many recent years, that DOI Fuels Management funding be restored to its FY 2010 \$206 million level. Proactive reduction of fuels is a proven method to reduce risk to our nation's forests and is a sound investment to reduce the cost of future suppression and rehabilitation. Within the FY 2018 Fuels Management budget, ITC also strongly supports the continuation of \$10 million for Reserved Treaty Rights Lands (RTRL) landscape restoration. Currently, tribes can use these funds for proactive fuels and forest health projects on neighboring federal forests to protect tribal treaty assets. To make these RTRL funds more flexible and efficient, we ask that they be authorized for use on both tribal lands and off-reservation lands.

5) Restore the Joint Fire Science Program to its FY 2017 level of \$5.9 million.

Mr. Chairman, with wildland fire costing the U.S. hundreds of millions of dollars each year and destroying our forests, you would think we would want to learn all we can about wildland fire, its behavior on the ground, how to better combat it or tame it for beneficial use, and to get that information out to people on fire's front lines. Those are the functions of the Joint Fire Science Program. They are essential and there is nothing like it anywhere else in the country. We oppose the program's proposed elimination. The ITC urges the restoration of the JFSP to its FY 2017 level of \$5.9 million.

USFS

6) Encourage expanded support for the ITC *Anchor Forest* initiative, and direct USFS to initiate implementation of the Anchor Forest Final Report, including identification of acres to be included with appropriate management designations, and harvest targets to support maintenance and growth of forest management infrastructure.

ITC requests that the Committee include report language to encourage and expand the Forest Service's continued support of the ITC's *Anchor Forest* initiative, in which tribes and other forest stakeholders pursue long-term collaboration to maintain ecological functions and sustain economically viable infrastructure for management, harvesting, transportation, and processing of forest products as a cost effective management strategy. The final report of the ITC's *Anchor Forest* pilot study of forest lands in central and eastern Washington State, published in March 2016 and available on line at the ITC website, was developed with 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 Committee report language supporting expanded application of the *Anchor Forest* concept.

ITC also asks that the Committee direct the USFS to actively initiate implementation of the Anchor Forest Final Report, including identification of acres to be included with appropriate management designations, and harvest targets to support maintenance and growth of forest management infrastructure. The USFS contributed to and actively participated in that *Anchor Forest* study. The study is now complete and published, but USFS has not thus far undertaken any activities to implement its findings and recommendations. To help bring life to the *Anchor Forest* concept and sustain local forest jobs and infrastructure, please direct USFS to begin implementing its portion of the Anchor Forest Final Report, including identification of acres to be included with appropriate management designations, and harvest targets to support maintenance and growth of forest management infrastructure. The inclusion of these specifics will provide clarity and certainty that would considerably speed up the report's implementation.

Intertribal Timber Council background.

The ITC is a 42 year old association of forest owning tribes and Alaska Native organizations dedicated to improving the sustainable ecological and economic management of our 18.7 million acres of timberland and woodland held in BIA trust. We invite you to come visit.

That concludes my statement. Thank you.