

**TESTIMONY OF CODY DESAUTEL, BOARD MEMBER
INTERTRIBAL TIMBER COUNCIL
PRESENTED TO THE
HOUSE APPROPRIATIONS SUBCOMMITTEE FOR THE INTERIOR,
ENVIRONMENT, AND RELATED AGENCIES ON
FY 2021 APPROPRIATIONS FOR THE B.I.A., DoI WILDLAND FIRE
MANAGEMENT, AND THE U.S. FOREST SERVICE,
FEBRUARY 11, 2020**

Introduction and Summary

Madame Chair, members of the Subcommittee, I am Cody Desautel, Board Member of the Intertribal Timber Council (ITC) and Natural Resources Director for the Confederated Tribes of the Colville Reservation in Washington State. The ITC is a 44-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.

The ITC offers the following recommendations for FY 2021 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) 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 \$10 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.

U.S. Forest Service

- 5) Clarify 2018 Farm Bill authority for tribal participation in Good Neighbor Authority

Madame Chair, Committee members, the ITC appreciates the Committee's recognition of the importance of tribal forest management to directly improve the lives of Indian people in every region of the United States. Indian forest management creates \$3 for every \$1 of investment. Indian forestry employs nearly 20,000 people. It manages wildlife habitat and sources of food and medicine for Indian people. Management of Indian forests also generates significant revenue for tribal governments to fund social services, such as healthcare, law enforcement, and education.

You might be surprised that 80% of all the timber produced from Department of Interior lands come from Indian forests. Yet, this harvest level is only half the sustainable annual targets set by tribal governments. Imagine what tribes – big and small – would be able to do with twice the revenue and economic activity they see from current funding levels.

Indian forestry literally multiplies investments from Congress and makes lives better. Chronic underfunding, however, limits the social, environmental and economic potential of Indian forestry. Indian forests are funded at one-third of the per-acre level of the U.S. Forest Service. As such tribes have forgone over \$700 million in stumpage revenue since 1991.

For several years, the ITC appreciated that this Committee made modest but much-needed increases in BIA forestry. Last year, the Committee recommended --and Congress enacted-- a \$118,000 reduction in BIA forestry funding. The ITC would like to answer any questions or concerns the Committee may have about its investment in tribal forestry.

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.

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.

As I mentioned, BIA receives only one-third of the per-acre funding that is provided to the Forest Service. Consequently, each BIA forester administers more acres than any other federal forester. Lack of BIA 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 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 million 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 addition, acres successfully planted for fire rehabilitation will significantly add to the thinning backlog within the next 15 years.

Between FY2016 and FY2019, Congress has provided additional funds to reduce BIA thinning backlog¹. However, the enacted FY2020 level reduces funding for this effort.

DOI Office of Wildland Fire Management

3) Provide \$10 million in OWFM Burned Area Rehabilitation specifically for Indian trust forests burned.

Tribes have struggled to obtain sufficient funds in a timely manner to rehabilitate their forests from wildfire. If not accomplished within 5 years, un-recovered areas are simply added to the already underfunded reforestation backlog. Tribes should not have to pull from their own discretionary funds to fulfill the government's responsibility to rehabilitate burned lands. Therefore, we ask the Committee to provide \$10 million in OWFM Rehabilitation for ongoing 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 to be used on tribal lands.

For FY 2020, ITC urges, as it has for many recent years, that DOI Fuels Management funding be restored to its FY 2010 \$206 million level (it was funded at \$189 million for FY19). 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. 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.

U.S. Forest Service and Bureau of Land Management

5) Clarify 2018 Farm Bill authority for tribes to participate in Good Neighbor Authority

¹ 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. In FY 2018, the Committee provided a \$238,000 increase for general forestry projects, which can also be of help to the thinning and replanting backlogs. The FY19 bill provided an additional \$714,000 to BIA forestry.

For several years, this Committee has included report language encouraging the Forest Service and BLM to work with tribes on implementing authorities that address cross-boundary forest health projects.

I am happy to report that the ITC is actively working with the Forest Service, BLM and BIA to better implement the original Tribal Forest Protection Act, as well as enhanced TFPA authority provided in the 2018 Farm Bill and the tribal biomass demonstration program authorized elsewhere by Congress.

However, the Forest Service believes that the 2018 Farm Bill did not adequately authorize tribes to participate in the Good Neighbor Program. Congress clearly attempted to add tribes and counties to the program, which otherwise allows states to develop and implement cross-boundary forest health projects with federal agencies and on federal land.

If possible, we ask that this Committee use the appropriations process to re-assure the Forest Service that Congress in fact intended to give tribes Good Neighbor Authority. The ITC stands ready to provide technical assistance for this request.

That concludes my statement. Thank you.