

**Statement of Michael Skenadore  
President, Menominee Tribal Enterprises**

**Before the House Committee on Natural Resources  
Subcommittee on Federal Lands**

**Hearing on Examining Opportunities to Promote and Enhance Tribal Forest Management**

**December 5, 2023**

Chairman Tiffany, Ranking Member Neguse, and members of the Subcommittee, thank you for the invitation to provide testimony on opportunities to promote and enhance Tribal forest management. My name is Michael Skenadore, and I am the President of Menominee Tribal Enterprises, a wholly-owned entity of the Menominee Indian Tribe of Wisconsin. Since the establishment of our 235,000 acre reservation, which is 93 percent forest, my people have practiced sustained yield lumber harvesting, a forest management practice where the allowable harvest does not exceed annual forest growth. After nearly 170 years of sustainable forestry, my Tribe has harvested nearly twice the forest's former volume of timber, but has 40 percent more standing wood than when we started.

***Our History***

Our harvesting philosophy was first proclaimed by Chief Oshkosh shortly after the formation of our reservation in 1854. Chief Oshkosh said,

*Start with the rising sun and work toward the setting sun, but take only the mature trees, the sick trees, and the trees that have fallen. When you reach the end of the reservation, turn and cut from the setting sun to the rising sun, and the trees will last forever.*

Chief Oshkosh's philosophy of forest management prioritizes sustainability and preservation by only harvesting weak, sick, and fallen trees and leaving behind healthy trees to grow and reproduce. As a result, the forest gets healthier and the quality of wood improves over time, without having to plant a thing.

In 1908, a significant wind event downed millions of feet of timber on our reservation. In response, the Bureau of Indian Affairs (BIA) established three sawmills on the reservation to process the downed timber into boards—the last of the original three mills is still standing and in operation in Neopit, Wisconsin. My Tribe grew and developed our forestry and milling operations with great success. But like over 100 of our fellow Tribal Nations, the Termination era brought this period of growth and prosperity to a screeching halt: Congress terminated its

trust relationship with our Tribe in 1954.<sup>1</sup> The Menominee Termination Act devastated the Tribal economy and bankrupted Menominee Tribal Enterprises as the business struggled to maintain the reservation's land base. After tireless advocacy by our Tribal leadership, Congress later restored our nation-to-nation relationship in 1973,<sup>2</sup> recognizing the relationship between our Tribe and the United States as partners in managing our reservation's forest resources.

### ***Our Forest Management Practices***

Today, Menominee Tribal Enterprises still embodies the philosophy of Chief Oshkosh while incorporating the latest scientific developments and modern technology into our practices. We have seven departments with unique responsibilities, and each department makes decisions based on what is best for the forest—not people, or profit. For example, our Harvest Preparation team surveys thousands of acres of forest annually and identifies sick and old trees that are more than ten inches in diameter for harvesting. Our loggers then wait until winter, when the ground is frozen, to harvest the trees, so that the logs do not damage the ground.

Our Fuels team uses controlled burns, an ancient practice our ancestors understood thousands of years ago, to burn undergrowth and logging leftovers at the start of the summer. This practice, now recognized by the U.S. Forest Service<sup>3</sup> (USFS) as an environmental resilience strategy, removes material that could cause wildfires. These burns also clear small spaces of the forest to assist in the growth of oak trees, which require plenty of sunlight, and increase fertile ground to support berries and other wild gatherable resources.

Though we still abide by the foundational principles and practices established by our ancestors, we incorporate science and technology to effectively manage our forest. Drones help to identify trees suffering from oak wilt, a fungal disease, so that our loggers can remove them before they infect other trees. Geographic information system (GIS) mapping allows our foresters to identify and monitor forest cover types, forest soil types, forest harvest compartments, known archeological/historic sites where logging is prohibited, and the spread of disease and pests throughout the forest. Light detection and ranging (LIDAR) and other flyover technologies allow our foresters to view the impact of human activity on the forest floor, such as by identifying burial locations and village sites.

Our forestry practices are integral to our Tribal culture. My people tap maple trees for syrup each spring, gather medicinal plants like bitterroot and ginseng, and use our wood resources for traditional crafts, such as basketry and canoes. On the business side, for which I am responsible, our lumber sales account for approximately 50 percent of our Tribe's economic activity. We employ 125 full-time staff, most of whom are Tribal members.

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<sup>1</sup> Pub. L. No. 83-399, 68 Stat. 250 (June 17, 1954).

<sup>2</sup> Pub. L. No. 93-197, 87 Stat. 770 (Dec. 22, 1973).

<sup>3</sup> See U.S. Forest Serv., *National Prescribed Fire Resource Mobilization Strategy* (2023), <https://www.fs.usda.gov/sites/default/files/2023-06/Rx-Fire-Strategy.pdf>.

Our sustainable forestry practices have been recognized worldwide. The Menominee Forest was one of the first to receive certification from the Forest Stewardship Council after its formation in 1993. A 2018 study by researchers at the University of Wisconsin-Madison and Dartmouth College demonstrated that our forestlands “exceed nontribal lands in measures of ecological function (biomass, carbon storage, and plant diversity) and the criteria commonly used to assess forest sustainability (sustained yields, forest stature, and diversity, natural regeneration success).”<sup>4</sup> And journalists have come from around the world to document our forestry for publications like the New York Times,<sup>5</sup> Yale Environment360,<sup>6</sup> and Orion Magazine.<sup>7</sup>

### ***The Future of Our Forest***

Despite our highly successful forestry practices, we still face challenges that the United States, as our trustee and partner in managing our reservation forest, must help us overcome. This section outlines some of the most pressing issues we face and what Congress can do to ensure that our forest continues to thrive for generations to come.

- While controlled burns have received more widespread recognition, our non-Tribal neighbors often do not understand and fear the practice. This is unsurprising, as federal and state laws criminalized and stigmatized controlled burns for decades. Now that the practice is recognized as a critical component of forest stewardship and wildfire prevention, Congress must appropriate funds to support efforts to educate residents of land adjacent to forests about controlled burns and their important role in preservation and preventing wildfires.
- Our increased reliance on drones, GIS mapping, LIDAR, satellite imagery, and other airplane flyover technology requires expanded computing power and Internet availability to support these data intensive practices. The Menominee Indian Tribe received \$500,000 from the Tribal Broadband Connectivity Program<sup>8</sup> to deploy a middle-mile and Fiber to the Home network in rural areas of the reservation. We know firsthand the impact that Congressional infrastructure investments can have on Tribal communities, and we urge this Subcommittee to support efforts to build on these investments in future funding packages.

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<sup>4</sup> Donald M. Waller & Nicholas J. Reo, *First Stewards: Ecological Outcomes of Forest and Wildlife Stewardship by Indigenous peoples of Wisconsin, USA*, 23 Ecology & Soc’y, no. 1, at 11 (2018).

<sup>5</sup> Cara Buckley, *The Giving Forest*, N.Y. Times, Apr. 27, 2023, <https://www.nytimes.com/2023/04/22/climate/menominee-forest-sustainable-earth-day.html>.

<sup>6</sup> Fred Pearce, *Tree Keepers: Where Sustaining the Forest is a Tribal Tradition*, Yale Env’t360, July 24, 2023, <https://e360.yale.edu/features/menominee-forest-management-logging>.

<sup>7</sup> Alexandra Tempus, *The People’s Forest: How the Menominee Are Facing Climate Change*, Orion Mag., Dec. 30, 2018, <https://orionmagazine.org/article/the-peoples-forest/>.

<sup>8</sup> *Round One Award Recipients: Tribal Broadband Connectivity Program*, Nat’l Telecomm. & Info. Admin., <https://broadbandusa.ntia.doc.gov/funding-programs/tribal-broadband-connectivity/award-recipients#M> (last visited Nov. 28, 2023).

- A trained and educated workforce is essential to managing our forests. We need to employ foresters, ecologists, and IT specialists to ensure we are leveraging cutting-edge science and effectively using the latest innovations in forest management. In addition, we need additional investments in workforce development to attract young people to our work, improve forestry education, and preserve our forestry philosophy and practices. This Subcommittee should support efforts to fund our Tribe’s outreach programs to middle and high schools, paid forestry internships for college and graduate students, and post-doctoral study opportunities.
- Menominee Tribal Enterprises frequently hosts budding forest management professionals, including those employed by the federal government, to learn our forestry practices and sustained yield philosophy. Our Fuels team often travels the United States to share its expertise in controlled burns. Most of this education is uncompensated. We deserve fair compensation for sharing this proprietary knowledge, and this Subcommittee should direct the BIA and other federal agencies to enter funding agreements with our Tribe when federal employees are sent to the Menominee forest for training. We also urge this Subcommittee to support efforts to establish grant programs that could support our forest management education.
- As the Congressional Research Service detailed in its October 5, 2020 report, the Good Neighbor Authority allows states, counties, and Tribes to enter into a Good Neighbor Agreement (GNA) with the USFS or Bureau of Land Management (BLM) to perform forest, rangeland, and watershed restoration work on the federal land managed by those agencies.<sup>9</sup> As also detailed in the report, in 2018, Congress specified that, through Fiscal Year 2023, funds received by a *state* through the sale of timber under a GNA may be retained and used by a *state* on additional GNA projects. However, no such provision exists for Tribes or counties. Providing parity for Tribes and counties could make these GNAs more attractive to enter into. There is federal forest land adjacent to the Menominee forest, and my Tribe would be very interested in bringing our cutting-edge practices to our neighboring federal lands under a GNA.

As such, we would like to thank Representative Fulcher for introducing bipartisan legislation (H.R. 1450, the “Treating Tribes and Counties as Good Neighbors Act”<sup>10</sup>) which seeks to address this problem by extending the ability to retain timber receipts from GNA projects to Tribes and counties for additional restoration projects.<sup>11</sup> This legislation would also improve cross-boundary restoration work by allowing restoration projects to occur on non-federal lands as well as federal lands.<sup>12</sup>

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<sup>9</sup> Anne A. Riddle, Cong. Rsch. Serv., IF11658, *The Good Neighbor Authority on Federal Lands* (2023), <https://crsreports.congress.gov/product/pdf/IF/IF11658>.

<sup>10</sup> Treating Tribes and Counties as Good Neighbors Act, H.R. 1450, 118th Cong. (2023).

<sup>11</sup> H.R. Rep. No. 118-168, pt. 2, at 3 (2023), <https://www.congress.gov/118/crpt/hrpt168/CRPT-118hrpt168-pt2.pdf>.

<sup>12</sup> *Id.*

As a member of the Intertribal Timber Council (ITC), our Tribe echoes the testimony of ITC President Cody Desautel before this Subcommittee on May 23, 2023.<sup>13</sup> In addition, we would like to thank this Subcommittee for expeditiously holding the hearing, both the House Natural Resources Committee and the House Agriculture Committee for unanimously reporting this legislation out, and the whole House of Representatives for passing it by an overwhelming bipartisan majority on a voice vote. Finally, we would like to thank Senator Risch for introducing the companion legislation in the Senate as S. 697.<sup>14</sup> We urge the Senate to expeditiously pass this bipartisan, commonsense legislation to provide parity for Tribes and counties under the Good Neighbor Authority.

- As a member of the ITC, our Tribe also echoes the findings of the 2023 Assessment of Indian Forests and Forest Management in the United States<sup>15</sup> and encourages this Subcommittee to review and support the recommendations outlined in the report. Pursuant to the National Indian Forest Resources Management Act,<sup>16</sup> this assessment of Indian forest lands and management practices is produced every ten years through a cooperative agreement between the BIA Division of Forestry and the ITC. The 2023 report is the fourth of its kind and offers recommendations to improve the U.S. government's management of Indian forest lands. In particular, we emphasize the importance of increasing BIA forestry funding to achieve parity with the USFS and BLM, clarifying federal responsibilities in forestry co-management, and addressing immediate threats to Tribal forests, such as wildfire resiliency, staff training and workforce development, and education on controlled burns. The Subcommittee should examine the annual budget requests for forest management and fire management across the Department of Agriculture and the Department of the Interior for discrepancies in funding between Tribal forests and federal forests, and demand parity.

## ***Conclusion***

Thank you again for the invitation to provide testimony on opportunities to promote and enhance Tribal forest management. The Menominee Indian Tribe of Wisconsin looks forward to continuing to work with this Subcommittee to advance the priorities articulated in this testimony, preserve the Menominee forest for generations to come, and advance sustained yield forestry practices throughout the United States.

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<sup>13</sup> *Legislative Hearing on H.R. 188, H.R. 932, "Treating Tribes and Counties as Good Neighbors Act", "Continued Rapid Ohio Death Response Act of 2023", "FIRESHEDS Act", "Direct Hire to Fight Fires", "Emergency Wildfire Fighting Technology Act of 2023", "Fire Department Repayment Act of 2023" and "Forest Service Flexible Housing Partnerships Act of 2023" Before the Subcomm. on Fed. Lands of the H. Comm. on Nat. Res., 118th Cong. (2023)* (testimony of Cody Desautel, President, Intertribal Timber Council), [https://naturalresources.house.gov/uploadedfiles/testimony\\_desautel\\_.pdf](https://naturalresources.house.gov/uploadedfiles/testimony_desautel_.pdf).

<sup>14</sup> *Treating Tribes and Counties as Good Neighbors Act, S. 697, 118th Cong. (2023).*

<sup>15</sup> *Fourth Indian Mgmt. Assessment Team, Intertribal Timber Council, Assessment of Indian Forests and Forest Management in the United States (2023),* [https://www.bia.gov/sites/default/files/media\\_document/ifmat\\_iv\\_report.pdf](https://www.bia.gov/sites/default/files/media_document/ifmat_iv_report.pdf).

<sup>16</sup> 25 U.S.C. § 3111(b).