

**TESTIMONY OF VERNON STEARNS, PRESIDENT,
INTERTRIBAL TIMBER COUNCIL, PRESENTED TO THE
HOUSE APPROPRIATIONS SUBCOMMITTEE FOR THE INTERIOR,
ENVIRONMENT, AND RELATED AGENCIES ON
FY 2020 APPROPRIATIONS FOR THE B.I.A., DoI WILDLAND FIRE
MANAGEMENT, AND THE U.S. FOREST SERVICE,
MARCH 7, 2019**

Introduction and Summary

Madame Chair, members of the Subcommittee, I am Vernon Stearns, President of the Intertribal Timber Council (ITC) and Fuels Manager for the Spokane Tribe in Washington State. The ITC is a 43 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 2020 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.

U.S. Forest Service and Bureau of Land Management

- 6) Encourage the Forest Service and BLM to implement several congressional authorities involving tribes in the management of federal lands.

Madame Chair, 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. I don't believe this report has been provided to Congress, but I hope that it will help assure protection and recovery of our forest resources, for which the U.S. has a trust obligation. We also appreciate the Committee's historic urging of DOI and the Forest Service 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%.

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 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 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. More recently, the FY19 bill provided an additional \$714,000 to BIA forestry. These investments are truly appreciated, thank you.

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 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 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.

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

Madame Chair, 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. The ITC urges the restoration of the JFSP to its FY 2017 level of \$5.9 million (it was funded at \$3 million for FY19).

U.S. Forest Service and Bureau of Land Management

6) Encourage the Forest Service to implement several congressional authorities involving tribes in the management of federal lands.

Last year, Congress provided three new authorities to the Forest Service and BLM to work with tribes to improve forest health. First, it authorized the Secretaries of Interior and Agriculture to enter into stewardship contracts with Indian tribes to carry out biomass energy production by providing woody biomass from federal land. There are mandatory timelines and we encourage the Committee to include report language reminding both the Departments of the Interior and Agriculture to comply with congressional intent.

Second, Congress authorized the Secretaries of Interior and Agriculture to carry out demonstration projects by which Indian Tribes or Tribal organizations may contract to perform administrative, management or other functions of the programs of the Tribal Forest Protection Act through contracts entered into under the Indian Self-Determination Act.

Third, Congress included tribes in Good Neighbor Authority, alongside states. The ITC is pleased to have these new authorities for tribes and federal land managers. We are working with federal agencies to ensure that these authorities are utilized to their greatest possible extent and that more acres can be treated across the landscape at a lower cost. We ask for report language directing agencies to quickly implement these authorities on the ground and report to Congress on their progress – both in the number of agreements with tribes and also the project acreage of forests to be treated using these authorities.

That concludes my statement. Thank you.