



# Northwest Indian Fisheries Commission

6730 Martin Way E., Olympia, Washington 98516-5540  
Phone (360) 438-1180 [www.nwifc.org](http://www.nwifc.org) FAX (360) 753-8659

**TESTIMONY OF ED JOHNSTONE, CHAIR OF THE  
NORTHWEST INDIAN FISHERIES COMMISSION  
BEFORE THE HOUSE APPROPRIATIONS SUBCOMMITTEE ON INTERIOR,  
ENVIRONMENT AND RELATED AGENCIES  
ON THE FISCAL YEAR 2024 BUDGETS FOR THE BUREAU OF INDIAN AFFAIRS,  
FISH & WILDLIFE SERVICE AND ENVIRONMENTAL PROTECTION AGENCY**

**March 8, 2023**

Chair Simpson, Ranking Member Pingree, and Honorable Members of the Subcommittee, for the record my name is Ed Johnstone, and I am Chair of the Northwest Indian Fisheries Commission (NWIFC). The NWIFC is composed of the twenty tribes in western Washington that are party to *United States v. Washington*, which upheld the tribes' treaty-reserved right to harvest and manage natural resources on and off-reservation, including salmon and shellfish. On behalf of the NWIFC, we are providing testimony for the record on our natural resource management and environmental program funding requests for the Bureau of Indian Affairs (BIA), Fish & Wildlife Service (FWS) and Environmental Protection Agency (EPA) Fiscal Year 2024 appropriations. These programs support tribes to carry out their natural resource management responsibilities including the management of Pacific salmon fisheries, which contribute to a robust natural resource-based economy and the exercise of our treaty rights.

## **SUMMARY OF FISCAL YEAR 2024 (FY24) APPROPRIATIONS REQUESTS**

### **Bureau of Indian Affairs**

- Provide \$66.0 million for Rights Protection Implementation (collective request)
  - Provide \$17.146 million for Western Washington Fisheries Management
  - Provide \$3.557 million for Washington State Timber-Fish-Wildlife
  - Provide \$6.495 million for U.S./Canada Pacific Salmon Treaty
  - Provide \$2.4 million for Salmon Marking
- Provide \$15.0 million for Fish, Wildlife & Parks Projects (non-TPA)
- Provide \$1.109 million for the Salmon and Steelhead Habitat Inventory and Assessment Program within the Tribal Management/Development Program Subactivity
- Fully Fund Contract Support Costs
- Provide \$2.0 million for Western Washington Treaty Tribes' Wildlife Management
- Provide \$60.991 million for Tribal Climate Resilience

### **Fish & Wildlife Service**

- Provide \$8.0 million for Tribal Wildlife Grants

### **Environmental Protection Agency**

- Provide \$96.4 million for General Assistance Program
- Provide \$54.0 million for Puget Sound Geographic Program

## **JUSTIFICATION OF REQUESTS**

### **Bureau of Indian Affairs**

- **Provide \$66.0 million for BIA Rights Protection Implementation Subactivity**

The 41 tribes in the Great Lakes and Pacific Northwest with similar treaty-reserved rights have collectively identified that no less than \$66.0 million for the Rights Protection Implementation (RPI) subactivity is necessary to support essential tribal treaty-reserved resource management. This request is a \$16.8 million increase over the FY23 enacted level of \$49.2 million. The large disparity between our collective request and the enacted level demonstrates that the basic natural resource management functions of the treaty tribes continue to be underfunded. Faced with the difficult combination of increasing natural resource scarcity and cumulative environmental stressors, tribal natural resource management has become more complex and resource intensive. Considering this challenge, additional capacity is needed to manage treaty-reserved resources and protect tribal rights. Unfortunately, most of the programs under RPI, such as Western Washington Fisheries Management, have not received a meaningful increase since FY18. A summary of the subaccounts of importance to us within RPI are identified below, however, please note that neither FY22 nor FY23 enacted funding levels are available for these subaccounts.

- **Provide \$17.146 million for BIA Western Washington Fisheries Management**

We respectfully request \$17.146 million, an increase of \$6.42 million over the FY21 enacted level of \$10.726 million. Funding for this program supports the tribes to co-manage their treaty-reserved resources with the state of Washington, and to continue to meet court mandates and legal responsibilities. For example, funding supports harvest planning, population assessments, data gathering for finfish, shellfish and groundfish, and other natural resource management needs. This funding is critical to support the day-to-day operations of essential fishery management. Reduced abundance and increased regulatory scrutiny of fisheries, coupled with ongoing salmon habitat loss, increased recreational pressures and climate change are greatly increasing the difficulty (and cost) of co-managing salmon and other resources.

- **Provide \$3.557 million for BIA Washington State Timber-Fish-Wildlife (TFW)**

We respectfully request \$3.557 million, an increase of \$119,000 above the FY21 enacted level of \$3.438 million. Funding for this program is provided to improve forest practices on state and private lands, while providing protection for fish, wildlife and water quality. This funding supports the tribes' participation in the TFW Agreement – a collaborative intergovernmental and stakeholder process between the state, industry and tribes.

- **Provide \$6.495 million for BIA U.S./Canada Pacific Salmon Treaty**

We respectfully request \$6.495 million, an increase of \$216,000 above the FY21 enacted level of \$6.279 million. This request is consistent with that of the Pacific Salmon Commission (PSC) and is necessary to implement the Annex chapters of the Pacific Salmon Treaty (PST). Tribes assist the U.S. government in meeting its obligations to implement the treaty by participating in fisheries management exercises, cooperative research and data gathering activities. This funding also supports participation in the PST process.

- **Provide 2.4 million for BIA Salmon Marking**

We respectfully request \$2.4 million, an increase of \$1.057 million over the FY21 enacted level of \$1.343 million. This request would support ongoing coded wire tagging and adipose fin clipping (marking) operations at tribal hatcheries. Marking is used to differentiate hatchery-origin salmon from natural spawning ones. Since 2003, Congress has required that all salmon released from federally funded hatcheries are marked for conservation management purposes. Coded Wire Tags are used to provide a unique identifier to a particular hatchery stock, which is then used in salmonid abundance assessments and catch rates. The NWIFC uses automated trailers to provide efficient centralized tagging and marking services to our 20-member tribes. This state-of-the-art equipment is very complex and requires expert technicians to operate and maintain. The operations and maintenance of the trailers, coupled with an increasing demand for these important services, continues to increase our costs to carry out this federal directive.

- **Provide \$15.0 million for BIA Fish, Wildlife & Parks Projects (Non-TPA) for Hatchery Operations and Maintenance**

We respectfully request \$15.0 million for Hatchery Operations and Maintenance within the Fish, Wildlife and Parks Projects account, an increase of \$2.055 million over the FY23 enacted level of \$12.945 million. More specifically, we request \$8.0 million for Hatchery Operations and \$7.0 million for Hatchery Maintenance. This funding is provided to tribal hatcheries to support the rearing and releasing of salmon and steelhead for harvest by Indian and non-Indian fisheries in the U.S. and Canada. Without hatcheries, tribes would lose their most basic ceremonial and subsistence fisheries that are central to our tribal culture. We currently estimate that more than 80% of the salmon harvested are hatchery-origin fish. Yet despite the central importance of these facilities, tribes face millions of dollars in deferred maintenance costs and significant funding shortfalls in operations.

- **Provide \$1.109 million for BIA Salmon and Steelhead Habitat Inventory and Assessment Program (SSHIAP) (within the Tribal Management/Development Program)**

We respectfully request \$1.109 million, an increase of \$105,000 above the approximated FY 23 enacted level, within the Tribal Management/Development Program for SSHIAP. SSHIAP is vital to the western Washington tribes because it provides essential environmental data management, analysis, sharing and reporting to support tribal natural resource management. It also supports our tribes' ability to adequately participate in watershed resource assessments and salmon recovery work.

- **Fully Fund BIA Contract Support Costs**

We respectfully request that Congress fully fund Contract Support Costs (CSC) and reclassify CSC as mandatory. Funding for CSC ensures tribes and tribal organizations have the capacity to manage federal programs under self-determination contracts and self-governance compacts.

- **Provide \$2.0 million for Western Washington Treaty Tribes' Wildlife Management**

We respectfully request \$2.0 million for western Washington treaty tribes' wildlife management programs from an account within the Bureau of Indian Affairs Trust – Natural Resources Management Activity. The member tribes reserved the right to fish, hunt and gather natural resources throughout their ceded territories. Part and parcel with the tribes' reserved right to

hunt and gather outside of their reservation boundaries is the need to co-manage wildlife resources with the State of Washington. Requested funding will provide capacity to participate in state-tribal co-management forums, develop wildlife management plans, develop and enhance tribal hunting codes, and design and implement applied research projects. These capabilities are fundamental to the protection of our tribes' treaty rights and there is currently no dedicated account or funding to directly support this critical work.

- **Provide \$60.991 million for BIA Tribal Climate Resilience**

We request \$60.991 million for Tribal Climate Resilience, an increase of \$26.0 million over the FY23 enacted level of \$34.991. Climate change is one of the largest threats to tribal rights and resources. Funding from this competitive grant program will support tribal participation in critical issues that impact treaty-reserved resources, adaptation and promote climate resiliency.

### *Fish & Wildlife Service*

- **Provide \$8.0 million for FWS Tribal Wildlife Grants**

We respectfully request \$8.0 million for the nationwide Tribal Wildlife Grants program, an increase of \$1.8 million over the FY23 enacted level of \$6.2 million. Funding from this competitive grant program supports the conservation of wildlife and their habitat, including species that are culturally or traditionally important to tribes.

### *Environmental Protection Agency*

- **Provide \$96.4 million for EPA General Assistance Program (GAP)**

We request \$96.4 million for the nationwide GAP, an increase of \$21.65 million over the FY23 enacted level. We also respectfully request bill or report language that would improve flexibility in the GAP to ensure individual tribal priorities and implementation activities would be eligible and that newly proposed allocations will not result in a decreased proportion of funds for EPA Region 10 tribes and consortia. The GAP builds essential tribal program capacity to address environmental issues that impact tribes' health, safety and treaty-reserved resources. The GAP also provides critical funding to tribal consortia to support intertribal coordination on environmental issues.

- **Provide \$54.0 million for EPA Puget Sound Geographic Program**

We request \$54.0 million for Puget Sound consistent with the FY23 enacted level. This Geographic Program provides essential funding that will help protect and restore Puget Sound – an estuary of national significance. Funding for this program supports tribal participation in a broad range of collaborative Puget Sound recovery work, including scientific research, resource recovery planning and policy discussions that affect our treaty rights.

### **CONCLUSION**

We respectfully request the subcommittee's support for these requests. We greatly appreciate your attention to these matters and thank you for your continued commitment to the tribes.