

Testimony of Phil Rigdon
President, Intertribal Timber Council
Testimony before the House Natural Resources Committee
Subcommittee on Oversight and Investigations
Hearing on “Exploring Solutions to Reduce Risks of Catastrophic Wildfire and
Improve Resiliency of National Forests”
September 27, 2017

I am Phil Rigdon, President of the Intertribal Timber Council (ITC) and Natural Resource Deputy Director for the Yakama Nation in south-central Washington State. On the behalf of the ITC and its more than 60 member Tribes and organizations, I appreciate the opportunity to discuss how tribes are actively managing federal forests to reduce the risks of wildfire.

My testimony can be summarized in one sentence: **Indian forests are able to prepare for and respond to fires better than other federal lands, and at a fraction of the cost.**

On a total of 334 reservations in 36 states, 18.6 million acres of forests and woodlands are held in trust by the United States and managed for the benefit of Indians. Pursuant to both tribal direction and federal law, our forests must be sustainably managed. Indian Tribes work in partnership with the Bureau of Indian Affairs and others to care for the land. We operate modern, innovative and comprehensive natural resource programs premised on connectedness among the land, resources, and people. Our approach is holistic – sustaining a “triple bottom line” of economic, ecological, and cultural values. We care for the land through active management and do our utmost to aggressively treat problems such as wildfires and insect or disease infestations before they can reach disastrous proportions.

Indian tribes are neighbors to federal forests and many tribes retain and exercise treaty and reserved rights on these lands to hunt and fish, gather foods and medicines and for other purposes. Unhealthy forests impact these activities on federal lands, as well as on our own land.

Our National Forests are being lost by the failure to undertake active management. Tribes can offer federal forest managers new tools and a holistic approach badly needed to restore forest health.

Unlike Forest Service and BLM forests, Indian forests and their management are reviewed by an independent scientific panel every ten years. In 2013, the Indian Forest Management Assessment Team (IFMAT) released its third report to Congress since 1993. On one hand, the IFMAT report shows that Tribes are suffering from chronic underfunding and challenges created by the loss of leadership and staffing. On the other, it also shows significant progress being made on tribal forests.

Funding: One of the key findings of the IFMAT report is that Tribes are able to accomplish more in their forests with far less funding than other federal land managers. On a per acre basis, tribes receive about one-third the funding for forest and wildfire management as the Forest Service.

Using my own Reservation as an example, the Yakama Nation is funded for fire preparedness at \$0.57 per acre per year while the adjacent Gifford-Pinchot National Forest is funded at \$1.18 per acre per year; and the Mount Hood National Forest at \$2.11; the Columbia Gorge National Scenic Area at \$2.83 – nearly five times what we receive at Yakama.

Unfortunately, the effect of under-funding has very real results. Again using the Yakama Nation as an example, we typically have 55 BIA forestry positions to help manage our forest. Currently 33 of those are vacant because of an insufficient pool of available manpower, B.I.A. slowness and budget shortfalls. The tribe has diverted funds from other tribal functions to help mitigate that loss, but cannot do so in the long term without a decline in either our tribal services or production from our forest.

While Indian forests operate on a shoestring budget, that shoestring is about to break. The ITC continues to work with the Administration and Congress to increase funding for tribal forest management.

Wildfire & Recovery: Tribes are better able to use scarce resources to prepare our forests for fire, recover after fire and ensure the continuity of forest resources for generations to come.

First, tribes understand that a “let it burn” approach is not always acceptable given the forest health conditions found across our nation’s landscape. Instead we are effectively responding to and reversing unnatural conditions in the forest. One such example is the response to budworm infestation on the Yakama Reservation. Timber sales were prioritized as a tool to treat areas that were most severely affected by the budworm. Between 1999 and 2003, silvicultural treatments were implemented on approximately 20,000 acres of budworm habitat per year. 97,000 acres were treated with a biological control agent between 1999 and 2001 to control tree mortality.

The epidemic peaked in 2000 when the budworm defoliated trees on 206,000 acres. As a result of the Yakama Nation’s silvicultural treatments, defoliation decreased dramatically. In 2002, only 1,207 acres were defoliated – a reduction of over 99%. Significant economic value was recovered from dead and dying trees, and forest density has been reduced, promoting forest health and resiliency. While such forest health treatments are common on tribal lands, it would be a challenge to find similar speed, scope and effectiveness on other federal forests.

In addition to restoring forest resilience, Tribes also respond to fires more effectively. While the comparison is not completely equivalent, the average size of a fire on BIA-managed lands is one-third the size of fires on Forest Service land. On a per-acre

basis, suppression costs on BIA and BLM lands are one-fifth the cost of fires on Forest Service lands.

After fires, tribes are able to respond much quicker than other federal agencies to recover economic value and rehabilitate landscapes. However, salvage can come at a devastating financial and ecological cost. The 2015 fire season burned 338,110 forest acres on the Colville, Yakama, Nez Perce, Spokane and Warm Springs Reservations, damaging 1.2 billion board feet of tribal trust timber. Of this area, 126,393 acres of high and moderate severity burns required reforestation, salvage activities, road restoration and maintenance, fence repairs, resources for lost fish and wildlife, and risk for non-native invasive species and noxious weeds.

The cost of fire suppression on these 2015 fires exceeded \$97 million. Rehabilitation costs are generally equal to the suppression cost, but can be as much as three times higher. The Department of the Interior has estimated that the cost of rehabilitation for the five subject reservations at \$55 million. Only a fraction of the rehabilitation costs was made available.

Tribal interests in healthy landscapes goes beyond reservation boundaries. Many tribes maintain off-reservation treaty rights on ceded lands that now are National Forests. Catastrophic wildfire on these forests directly and negatively impact tribes. Many of these fires burn into tribal forests. Even with effective treatments to our own lands, severe wildfires from adjacent federal lands inflict significant damage and economic costs to tribal forests.

Ecological Conditions: Tribal forests must meet - and often exceed - the same goals as other federal lands -- all subject to NEPA, ESA and other federal regulations. But Tribes are able to manage our lands in harmony, because we live with the consequences of our actions. Our ancestors have cared for this nation for thousands of years and will for generations to come. We must meet the “triple bottom line.” If forests are overcut or devastated by wildfire, we lose revenue and jobs, a myriad of ecological benefits we rely upon from our forests, and the traditional and cultural sustenance our forests have provided since time immemorial. The active management tribes employ to realize the “triple bottom line” is facilitated by three elements:

- The fact that our forests held in federal trust are for the use and benefit of our tribes and their members and, within the scope of the trust, are subject to the direction of our tribal governments,
- The federal law guiding BIA and tribal management of these trust forests, the National Indian Forest Resource Management Act of 1990 (PL 101-630, Title III), is the most recent and most flexible federal forest management statute, and,
- The Indian Self-Determination Act (PL 93-638) has enabled tribes to assume direct and comprehensive management of our forests.

While IFMAT certainly identifies possible improvements for tribal forest management, our existing successes offer empirical examples that can and should be replicated across

landscape ownerships, including National Forest System lands.

Recommendations: The ITC supports the “Resilient Federal Forests Act” (H.R.2936), sponsored by the Chairman of this Subcommittee, Representative Westerman. In particular, we believe that the tribal provisions of that bill would give other federal land managers new tools to work with tribes and accomplish more to reduce the threat of wildfire.

Section 701 of H.R. 2936 improves the Tribal Forest Protection Act (TFPA). The TFPA, authorized by Congress 13 years ago, authorized the Forest Service and BLM to enter into agreements or contracts with tribes to address risks and threats originating on nearby Forest Service and BLM administered lands. Although well-intentioned in Washington, D.C., the TFPA has not met expectations on the ground. Since 2004, only a handful of TFPA projects have been effectively implemented on Forest Service lands. One project proposed by the Tule River Tribe took over ten years to navigate the Forest Service’s environmental review process.

Congressman Westerman’s bill would improve the TFPA by providing timelines for review, approval and implementation of projects on federal land. The bill would also allow tribes to “638” contract the development and implementation of these projects, much in the way that states use Good Neighbor Authority.

Section 702 would give the Forest Service and BLM a new ability to have tribes carry out forest restoration projects in their traditional homelands. Improvement of forest health and ecological functions are vital to maintain watersheds and fish and wildlife habitat on lands that may be subject to federally-reserved tribal rights. Acting through the Bureau of Indian Affairs, tribes would be able to restore lands using the federal regulatory structure used on Indian trust lands. As the Committee has noted on several occasions, tribal forest management is able to achieve greater results faster and at lower costs than on federal land. This provision would help bring that successful management approach to federal lands sorely in need of restoration.

Summary: We believe the nation would benefit by looking to Indian forestry as models of sustainability. We can help move the country forward to create a healthier, sustainable future for our forests and natural resources. We invite this Committee to come visit Indian forests for a firsthand look.



Intertribal Timber Council



Yakama Nation- Before Silvicultural Treatment

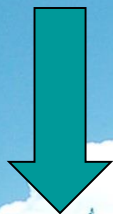




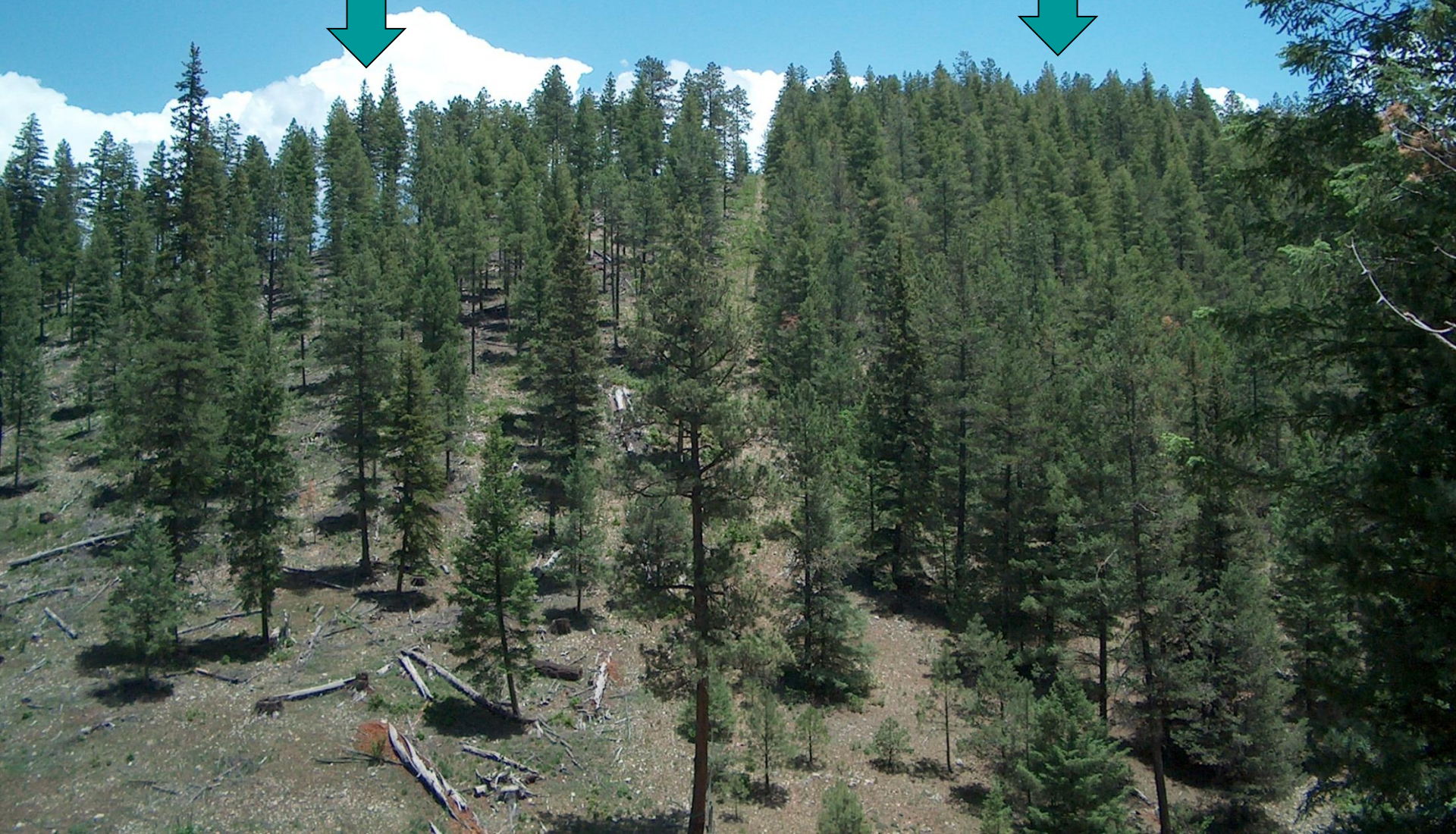
Yakama Nation - After Treatment



Mescalero Reservation

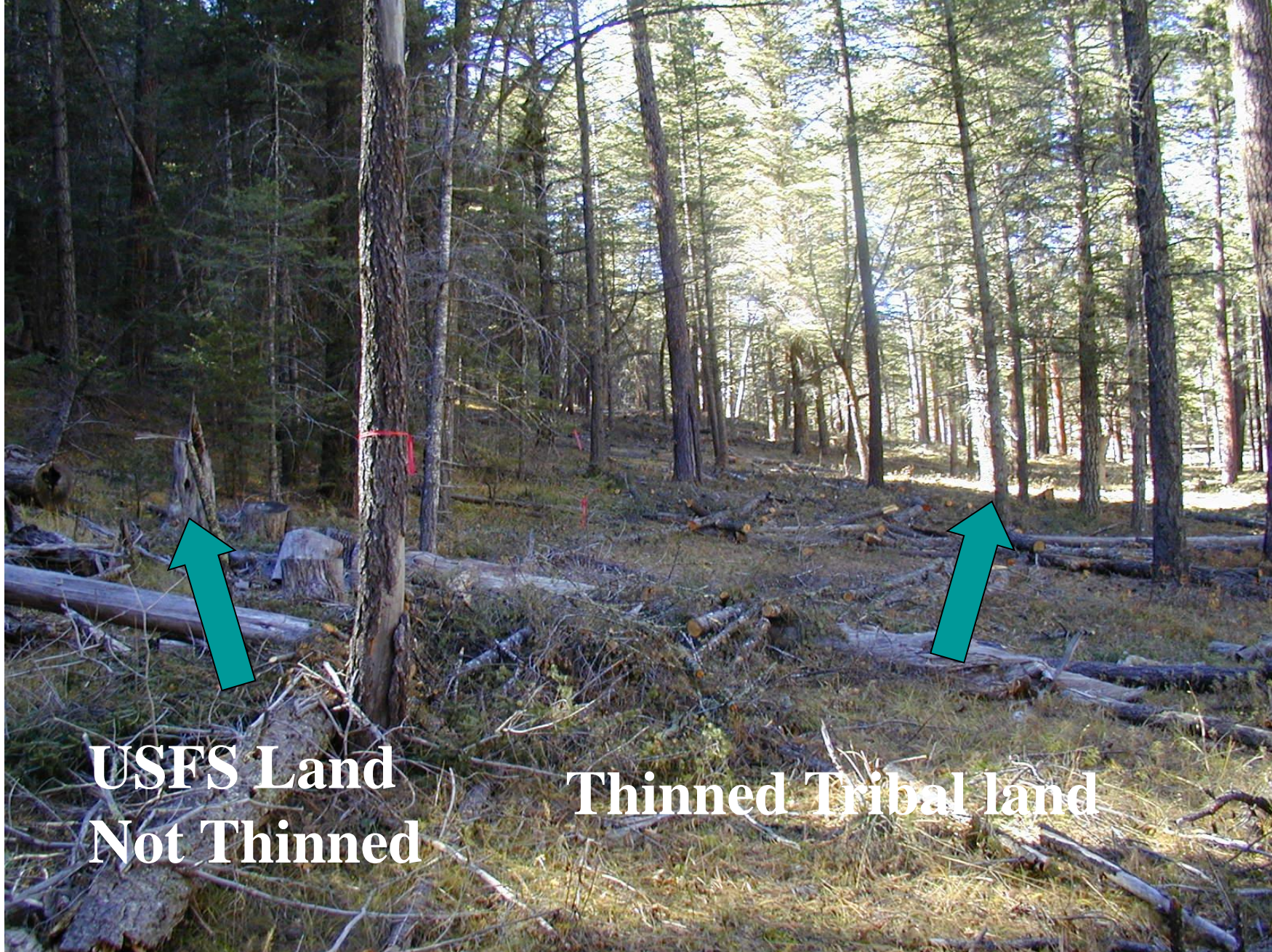


Lincoln N.F.



Reservation Boundary Skyline Fuel Break Mescalero -- USFS





**USFS Land
Not Thinned**

Thinned Tribal land

USFS

Mescalero

An aerial photograph of a vast forest landscape. The foreground shows a clear-cut area with young pine trees planted in rows on a sloping hillside. The rest of the image is dominated by dense, mature forest covering rolling hills and valleys. The sky is clear and blue.

USFS

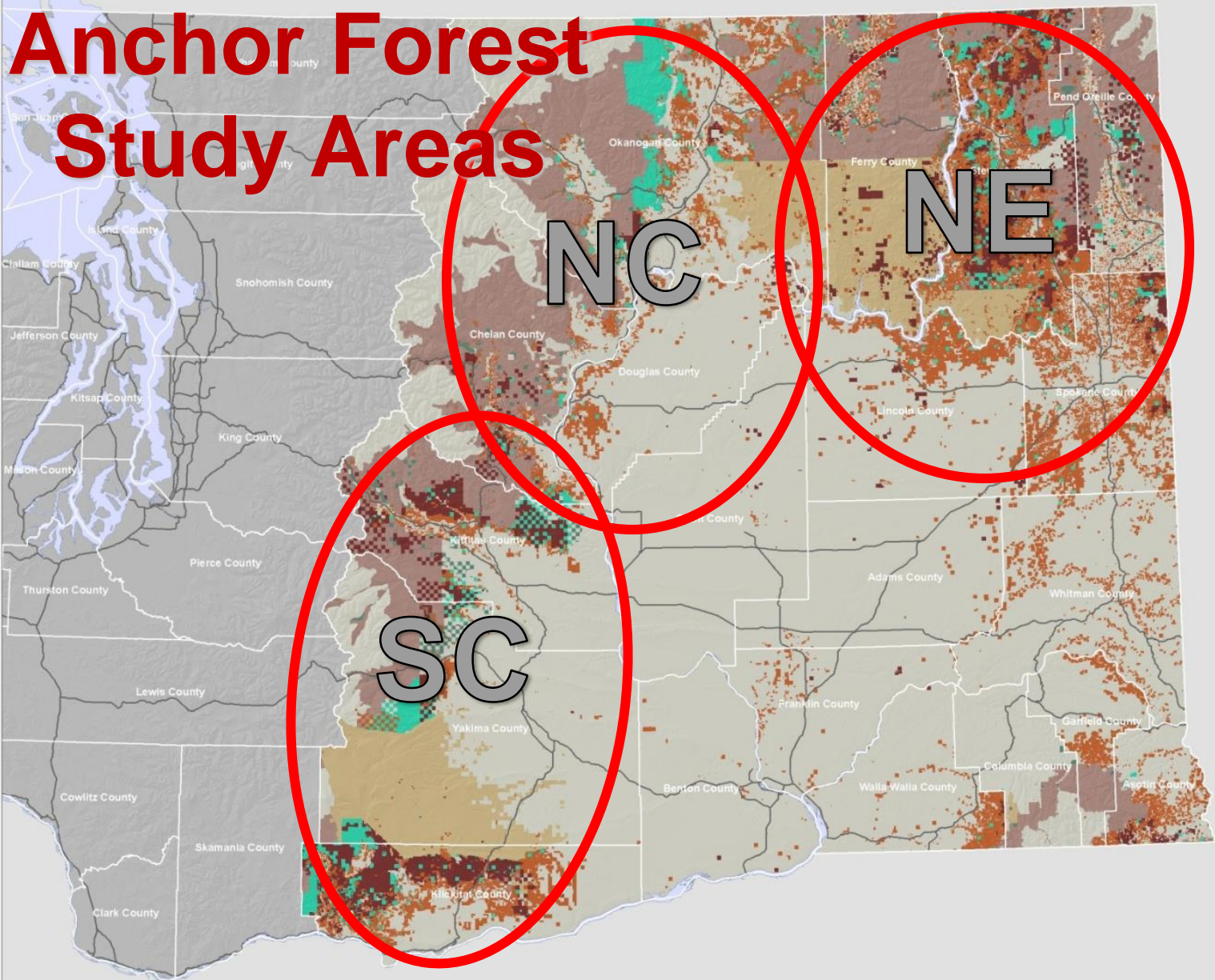
Mescalero

Land Available for Forest Management in Eastern Washington

As Identified in the 2007 Washington State Forestland Database

Luke Rogers¹ and Andrew Cooke¹

Anchor Forest Study Areas



- Private SFLO
- Private Industrial
- Tribal
- Federal
- Municipal and Other
- State Non-DNR
- WA DNR

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Citation:
Rogers, L.W., A.G. Cooke. 2009.
Land Available for Forest Management
in Eastern Washington.
Eastside Forest Health Edition. Version 1.0.
2007 Washington State Forestland Database Series.
Scale 1:500,000.
Seattle, Washington, University of Washington.

Partners:
UW School of Forest Resources,
Northwest Environmental Forum,
Family Forest Foundation,
Washington Farm Forestry Association

Data Sources:
2007 Washington State Forestland Database,
WA DNR Managed Land Parcels,
WA DNR Non-DNR Major Public Lands,
WA DNR Counties,
MRLC NLCD Forest Cover 2001,
WSDOT Highways,
USGS Topography



Tapash Collaborative Area

