

TESTIMONY OF JOHN C. GORDON
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THE SECOND INDIAN FOREST MANAGEMENT ASSESSMENT TEAM
before the
SENATE COMMITTEE ON INDIAN AFFAIRS
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OVERSIGHT HEARING
On
THE REPORT
of the
SECOND INDIAN FOREST MANAGEMENT
ASSESSMENT TEAM
(IFMAT II Report, December 2003)

Mr. Chairman, Members of the Committee, I am John C. Gordon, Chairman of the Second Indian Forest Management Assessment Team (IFMAT II). I am also Chairman and a Partner of Interforest, LLC, a forestry consulting firm, and Pinchot Professor of Forestry and Environmental Studies Emeritus at Yale University. It is my pleasure to be here today to testify on **An Assessment of Indian Forests and Forest Management in the United States by the Second Indian Forest Management Assessment Team**, issued December 2003.

President Colegrove has done an excellent job of describing the fundamentals of Indian forestry, the Intertribal Timber Council (ITC), and the National Indian Forest Resource Management Act (NIFRMA). I will confine my remarks to a brief summary of the major findings and recommendations of the IFMAT II report in five major areas: (1) the four gaps described in the first assessment (IFMAT I); and specific recommendations regarding (2) funding; (3) forest health issues; (4) staffing of BIA and tribal organizations; and (5) trust oversight on Indian forests.

I am happy to report that on the whole, the management of Indian forests is different and better than it was ten years ago, largely through the efforts of dedicated tribal and BIA resource managers and staff. There has been significant progress toward sustainability in Indian forests since IFMAT I, although significant progress remains to be made. Indian forests have retained and enhanced their value (noted in IFMAT I) as areas upon which sustainable forestry to meet human needs can be demonstrated. Because tribal members live intimately with all the results of their forestry activities they pay close attention to the health of their forests and the effects of forest management activities on themselves and their environment. This makes Indian forests of special value to all Americans.

IFMAT I Gaps

IFMAT I identified four major gaps: 1) a gap between the Indians' vision of their forest and how it is managed; 2) a gap in funding between Indian forests and comparable federal and private forests; 3) deficiencies in coordinated resource planning and management; and 4) the need for better trust standards and oversight in Indian forestry. Major progress is evident in three of them.

The first gap, between the visions Indians express for their forests and the way they are managed is narrowing. This is due to greater tribal participation in forest management and greater alignment between tribal and BIA approaches to management. This trend toward greater tribal participation in management needs to be encouraged and strengthened.

The second gap, in funding between Indian and other comparable lands, particularly federal land, is narrowing due to increased funding to address fire issues in Indian forests, and a redirection of emphasis on federal forests. However, a substantial funding gap still exists, and fire funds need to be made recurring and need to be integrated with other funds to achieve greater efficiency in their use.

The third gap, in integrated management planning, has improved markedly, but inadequate resources are available for the mandated preparation of integrated resource management plans, the larger context for forest management planning. Even now only 40 percent of tribes have up-to-date forest management plans.

The fourth gap, in trust oversight, has seen the least progress on the ground. The BIA is still in the untenable position of "pitching and umpiring", that is providing management services and advice and overseeing the adequacy of those services and advice. IFMAT II strongly believes that the recommendation of IFMAT I for independent oversight of forest trust responsibility needs to be implemented on the ground.

Specific Recommendations

Innovative management of Indian forests under the principles of adaptive ecosystem management is happening on many reservations, and the quality and quantity of tribal forest management staff are increasing. Indian forests remain a vital part of tribal life on reservations in every part of the contiguous United States and Alaska. Timber production, non-timber forest products, grazing, and wildlife management provide revenues and jobs for tribal members and enhance the economic life of surrounding communities. Subsistence lifestyles and forest-derived foods and medicines are important to many tribal members. Indian

forests often play a role in religious observance and artistic expression. Forest protection and use remain core values on forested reservations. A number of tribes are increasing their holdings modestly through fee purchase of forests, and others are increasing their forest holdings by reclaiming lost tribal lands. IFMAT II believes that if the actions described in our report are taken, this generally positive picture will be maintained and improved at an acceptable rate.

Funding

IFMAT I identified a large gap between funding provided by the federal government for national forests and federal government funding provided for Indian forests. In 1991 Indian forestry (including fire funds) received only about one-third the amount per acre as was invested in the national forests. In 2001, Indian forestry received about two-thirds the amount per acre as was invested in the national forests, or 68 cents on the dollar. This gap has narrowed for two reasons: (1) a large reduction in federal funding for forest management on national forests, and (2) a significant increase in funding for fuels management, fire preparedness, and emergency stabilization activities on Indian forests. Funding for fire management has increased sharply over the last 10 years in recognition of the fuel buildup on Indian (and other) forests due to past management practices and forest health needs. Restrictions on the use of fuels management funds limit the ability to integrate them with other needed silvicultural treatments into a comprehensive program of forest management that includes wildland fire hazard and risk abatement. Protecting forest health will be an ongoing task that is most efficiently addressed through integrated management. **Thus, we recommend making fire funding a permanent part of the base funding for Indian forestry and at the same time removing barriers that reduce tribes' ability to integrate fire funding into the total forest and natural resource management program. We further recommend that federal forestry allocations be raised to a total of 181 million dollars annually.**

Forest Health

There has been overall improvement in the silvicultural practices and management of forest health issues (fire, insects, disease) on Indian forests in the decade since IFMAT I. This is resulting in innovative silvicultural prescriptions and improved integrated management on the ground. Indian forest managers have made significant strides in addressing wildfire risk during the last decade. However, acreage treated for hazardous fuels reduction remains lower than needed. In an important related area, good progress has been made on some Indian forests in road location, construction and maintenance. Despite improvement, there is considerable risk that efforts to combat forest health problems and institute sustainable management for all forest resources will be overwhelmed by a combination of funding shortfalls, personnel shortages, and

ecosystem-based problems (insects, disease, and fire). Immediate and focused action is needed to improve the rate of forest health treatment response, utilize small and low quality logs and strengthen staffing. Some actions can be taken without additional funds (for example, funding for fire and other forestry activities could be better integrated to reduce administrative costs and improve the efficiency and effectiveness of silvicultural treatments to accomplish management objectives) but some require substantial and immediate investment.

If better forest health is to be achieved and the promise of Indian forestry described in IFMAT-I is to be realized, increases in investment, reduced burden from unfunded mandates, and immediate action are needed. **We recommend that aggressive treatment of Indian lands for forest health maintenance and improvement be a major use of the recommended added funding.**

Staffing

The number of tribes that compact or contract to provide forestry services and functions on their own reservations has nearly doubled since 1991. Despite this, staffing for Indian forest management (both BIA and tribal), exclusive of fire programs, has declined 26 percent. Overall staffing for Indian forestry programs when fire is included has increased slightly from 1991 levels, and the percentage of workers with professional qualifications has increased. More tribes now employ specialists in wildlife biology, hydrology and landscape analysis. At the same time, BIA technical assistance staffing has significantly declined over the last decade. Tribes receive less assistance from BIA in forest inventory, management planning, marketing and economics. Key personnel are retiring or getting ready to retire; fire funding caused personnel shifts from forestry to fire that have not been entirely made up; and the supply of new Indian professionals is insufficient to meet demand. **We recommend that additional education and training for tribal members in key specialties be given additional support and that BIA technical assistance levels be brought at least back to the 1991 levels.**

Trust Oversight

We believe that the "triangulation" model for trust oversight suggested in IFMAT I remains an appropriate conceptual model for trust oversight. Its virtues are (1) it separates the BIA's role as manager and provider of technical information from its role as arbiter of how effective the management and information is; (2) it places tribal goals even more firmly as the driving force of management plans and actions; and (3) it allows appropriate differentiation of tribal goals and activities among the many and diverse tribes that manage forests. Under this system, tribes would create management plans based on tribal goals with the support, if needed, of BIA technical specialists. These plans would then be negotiated with the Secretary of the Interior, and when in place, would form the basis for evaluation of trust oversight performance. Both BIA and

tribal performance in pursuit of the goals would be monitored by a commission independent of the Secretary and the BIA, in a manner consistent with tribal sovereignty and federal law. Responsibility for delivering the natural resource management program would be placed under a single manager for each tribe or tribal forest. In the complex setting of current forest management, actions taken today have long term effects on many resources. We believe the trustee must: (1) require that specific information from each tribe (integrated resource plans, cumulative effects analysis) be developed; (2) assure that the beneficiary tribe clearly understands the possible consequences of forest management activities as tribal goals are pursued; and (3) have a truly independent mechanism for assessment. **Thus we recommend that a management and oversight structure be put in place to insure effective and independent oversight of plans that reflect the visions of individual tribes for sustaining their forests.**

Conclusion

Our report provides many other findings and recommendations, all derived from our careful conversations with tribal members, BIA and tribal foresters and resource managers and on the ground observation, data collection and analysis.

We hope you will give them all careful attention and thought. However, I must stress again, as did President Colegrove, that the IFMAT reports themselves do not present mandates. Ours is simply another view of this vital part of the forest resources of America and the world. We do think the process of recurring, independent assessments has great merit and utility and should be regularized and continued. Indeed, we would like to see this process more broadly applied in natural resource management and forestry.

Indian forests present a unique window into the interaction of forests and people; in this instance people who care deeply about the land and nature and live intimately with both. In this sense, as well as in the sense of forming a major part of the diminished heritage of important and vital people, they are a major asset, obligation and opportunity for us all.

Mr. Chairman, that concludes my remarks. I would be pleased to respond to any questions you may have.