



Indian Country Priorities and Opportunities for the 2018 Farm Bill *Title VIII: Forestry*

Key Points and Recommendations

- Tribal forests and woodlands make up one third of all tribal lands held in trust, and provide resources, jobs, and economic development opportunities for many tribal governments.
- Many tribal forests and adjacent federal forests contain sacred places and important trust and treaty-protected resources.
- Tribes must be provided parity throughout the Forestry Title to better access, manage and develop tribal and federal forests and woodlands to protect tribal resources while providing jobs and economic development.

Background Information and Context

Indian forests and woodlands comprise 18.6 million acres, or one third, of the total 57 million acres of Indian land held and managed in trust by the federal government. More than 300 tribes have forests, which are one of the principle renewable resources available to tribes. Across the country, Indian forests provide more than \$40 million in annual tribal governmental revenues, 19,000 jobs in and around tribal communities, wildlife habitat, and food and medicine sources for Indian people. The proper health and management of Indian forests are crucial to tribal and rural economies.

Further, many American Indian and Alaska Native tribes have long-standing and deeply spiritual relationships with the forests where they have lived for centuries. The U.S. Forest Service now maintains National Forests that coexist within and among the boundaries of current and historic tribal homelands. Since many tribes either live within the jurisdiction of federal agencies with forest responsibilities (primarily the U.S. Forestry Service at the U.S. Department of Agriculture), or have trust and treaty rights resources located on federal forest lands, the intensely specific and expertise-dependent issues around forests require a specialized focus on policy changes in the Forest Title.

Opportunities for Indian Country in the Forestry Title

Improve the Tribal Forest Protection Act (TFPA)

- Adopt the legislative text from the Sections 301 and 303 of the 114th Congress's H.R. 2642 (Rep. Westerman) in the new Farm Bill.
- Include the TFPA streamlining provisions to improve the timelines for review and implementation of forest restoration projects requested by tribes.
- Allow for greater tribal participation in TFPA projects by authorizing, as a discretionary pilot program, the application of "638" contracting authority to TFPA projects on Forest Service or Bureau of Land Management (BLM) lands.



Cooperative Management of Adjacent Federal Lands

- Since tribes continue to have legal, historic, and economic connections to adjacent federal forests, include a pilot program authorizing tribes and the Bureau of Indian Affairs (BIA) to conduct cooperative, discretionary forest restoration activities on Forest Service and BLM lands using existing regulations governing the management of Indian forests. Additional means and legal and financial arrangements that would support the cooperative management of forest lands with and through Tribes must be explored.

Tribal Forestry Workforce Development

- Authorize the U.S. Department of Agriculture (USDA) to fund a Native American forestry workforce coordination and development program through an intertribal organization familiar with Tribal forestry issues. The Indian Forest Management Assessment Team, an independent panel of scientists, has identified the need to recruit, train and retain a future forestry and fire workforce to address the growing shortage of trained workers for the management and operation of Indian forests. This shortage of forest workers constrains the ability of tribes and related federal agencies to effectively manage and protect tribal forests and forest-related natural resources and to participate in broader landscape-based forest management activities.

McIntire-Stennis Parity

- Allow Tribal Colleges and Universities (TCUs) offering a bachelor's degree in forestry or higher to perform tribally and state-relevant forestry research and develop a well-trained Native forestry workforce. The McIntire-Stennis Act of 1962 dedicates funds to states to pursue forestry research at state colleges and universities and to help train the next generation of forest scientists and professionals. All 1862 land grant institutions and, since the 2008 Farm Bill, 1890 Historically Black Colleges and Universities have access to funding, yet the National Institute of Food and Agriculture made just under \$32 million available under McIntire-Stennis. While tribal trust lands are included in the formula that allocates funding to the individual states, the 1994 Land Grant TCUs remain ineligible to receive research funding.

Fire Suppression Priorities

- Any federal wildfire suppression efforts in the Farm Bill should ensure that Indian forests are properly prioritized in fire suppression activities and funding. Current priorities place protection of private structures above protection of tribal forest assets held, managed and protected by the U.S. as trustee. As a result, in the 2015 fire season, suppression crews were removed from wildfires on Indian trust forests to protect private structures. The fires on Indian trust forests exploded, destroying hundreds of thousands of acres and millions of board feet of timber vitally important to tribal economies. These priorities, allowing federally protected trust assets essential to tribal communities to be sacrificed to protect private structures, needs review.

Support Anchor Forests

- Provide authority to develop more Anchor Forest initiatives. The Inter-Tribal Timber Council, its member Tribes, the U.S. Forest Service, and other forest resource stakeholders have recently completed a pilot study in Washington State and report on an "Anchor Forest" concept to foster landscape-scale forest collaboration and management projects intended to improve forest health while preserving local logging, milling, and other critical infrastructure. The pilot study was successful and many tribes in the Great Lakes states and Southwest are interested in developing Anchor Forest projects in their own regions.



Protection of Sacred Places

- Ensure that interdepartmental efforts to protect Indian sacred places are maintained and strengthened, and that the responsibilities of USDA and other federal departments to consult with tribes on an ongoing basis concerning sacred places continually occurs. The Memorandum of Understanding among departments of the federal government must be kept in place indefinitely.

Tribal Representatives on Forestry Advisory Bodies

- Require tribal representation on all local, regional and national planning and implementation bodies which serve in advisory capacities to USDA and the U.S. Forest Service.

Parity Between Forest Services and NRCS Land Language

- Create parity between Forest Service management agreement language and Natural Resources Conservation Service determination of land control language to preserve tribal sovereignty and rights to gather/manage traditional plant stands and enhance opportunities for tribes to leverage Environmental Quality Incentives Program (EQIP) assistance on traditional lands under Forest Service jurisdiction.

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