



Intertribal Timber Council TIMBER NOTES

Fall 2014

Making the Invisible Visible



Don Motanic

This summer and fall the ITC has been on the road building partnerships with organizations and people to promote Indian forestry and make the invisible more visible. The ITC board members have been on the road visiting congress and federal staff in Washington, DC. The board has also been crossing over the country and connected with the world to build relationships that will help tribal forests and our tribal youth. I have outlined a few groups that have received information about tribal forest and also added an overview about the Future of Trust Administration Workshop hosted by the ITC and Seattle University School of Law.

Our Natural Resources (ONR)

The ITC has been involved with ONR for several years, which is a national and regional coalition of tribal natural resource organizations dedicated on working together to protect and utilize the health and productivity of the natural resources to ensure the well-being of tribal cultures, communities, economies, health of future generations while enhancing sovereignty.

I attended the southwest Native American Fish and Wildlife Society meeting the week of August 4-7, 2014 at the request of Fred Matt, NAFWS

President to speak on an ONR panel. We used the ONR power point, which can be found at www.ournaturalresources.org, and also collected 4 x 6 cards as feedback from the 120 participants. 70% of the feedback concerned the need to support our youth and educate the public in general about tribal natural resources. It was interesting to attend presentations that included many forestry restoration projects supporting, fish, wildlife, water, TK and climate change. TK sessions were very popular and youth support was the major feedback on the cards. NAFWS would like a full ONR meeting during their next national meeting in Juneau, AK on May 20, 2015

United National Indian Tribal Youth (UNITY)

Right after the symposium, on June 30, 2014, I made a few two hour presentations about Indian Forestry, Anchor Forest and Our Natural Resources (ONR) to several Unity Youth Councils in Portland, Oregon. Approximately 900 students attended the conference and more than 80 students attended the forestry session. UNITY stands for United National Indian Tribal Youth. The Colville youth council knew about the Tribe's Anchor Forest project.

UNITY's mission is to, "foster the spiritual, mental, physical and social development of American Indian and Alaska Native youth, and to help build a strong, unified and self-reliant Native America through involvement of its youth." In keeping with its mission, UNITY has served the leadership needs of American Indian and Alaska Native youth for 37 years. UNITY is a national organization with over 140 youth councils operating in 35 states and Canada.

These youth councils represent thousands of Native American youth.

The students attending the forestry session received copies of the 2014 Evergreen Magazine's Indian Forestry issue.

International Union of Forest Research Organization (IUFRO)

The ITC convened a panel for presentations during an Indian Forestry Panel at the IUFRO World Congress held in Salt Lake City, UT, October 6-11, 2014. The panel members included Phil Rigdon, ITC President from Yakama Nation, who provided an overview on American Indian Forestry; Steve Andringa, Yakama Nation, who provided information on the Anchor Forest Project; Mike Dockry (Citizen Potawatomi), US Forest Service, who presented an overview of his research while working with Menominee Nation University and Serra Hoagland, (Laguna Pueblo), US Forest Service, who presented an overview of Native natural resource recruitment and retention.

The panel discussion explored the perspectives and forest stewardship

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President's Message

by Phil Rigdon



Phil Rigdon

Members and friends, good day. I hope your summer has been pleasant, safely productive and found some time to enjoy family. Since the Symposium in June, things calmed down a bit for the ITC, with people taking summer holidays, Congress being in recess, and the like. But a few things of interest did occur. The ITC and members of the Indian Forest Management Assessment Team did make a presentation to the Tribal – Interior Budget Council (TBIC) on the significant underfunding of BIA Forestry documented in the IFMAT III report. The TBIC advises the Interior Department on its development of upcoming proposed BIA budgets, and was pleased to receive the IFMAT III presentation.

Our presentation to TBIC is just one element of the ITC's continuing effort to broadly distribute and generate awareness of the IFMAT III report, as well as foster greater outreach and interaction between our organization and others, which will be highlighted in Don Motanic's article. Some of the meetings included an IFMAT III presentation to a gathering of Our Natural Resources (ONR—an assembly of tribal natural resource organizations) as well as participating in a western regions meeting of the National Association of Conservation Districts. Through-

out this fall, these efforts are continuing with ITC representatives and our information booth participating in the National Association of State Foresters' annual meeting September 22-25 in St. Paul, Minnesota, with an October 3 ITC / Seattle University School of Law Symposium on the Future of Trust Administration, and then with the International Union of Forest Research Organizations World Congress on October 8-11 in Salt Lake City, Utah. On November 12-15, the ITC's manned booth will go to Orlando, Florida for the American Indian Science and Engineering Society's National Conference to provide information to nearly 2,000 American Indian professionals, students along with non-profits, corporations and governmental agencies.

The ITC's on-going forestry projects are also making progress. The Anchor Forest pilot is concluding its planning phase, with BIA providing some appreciated assistance to help move to the next stage. There has also been increasing interest in tribes conducting forest health and fuels treatments on adjoining Forest Service land under the Tribal Forest Protection Act (TFPA). The House FY 2015 Interior Appropriations report cites tribal "sustainable forestry and hazardous fuels reduction" efforts in recommending a \$1.84 million BIA Forestry increase, and the USFS Cooperative Forestry portion of the report urges the USFS to make more use of the TFPA. With more than a dozen tribes now inquiring about TFPA projects, the Forest Service has most recently extended

needed and helpful support to ITC for several TFPA information and guidance workshops for tribes as well as local Forest Service and other potentially interested entities (see Jim Erickson's article for more information).

Of course, mid and late summer also bring the fire season to Indian Country, but this year, so far, things have not been too bad. The 926,000 acre Devil's Elbow in Washington State involved the Colville Reservation, there have been two fires on Warm Springs (10,000 and 42,000 acres), and the Happy Camp complex in northern California was on Karuk traditional lands and near their Reservation. The Indian Country fire scene has otherwise been comparatively quiet, but fire issues, including funding, continue to become more important for the tribes, the ITC and our fire colleagues in BIA and other federal agencies and departments.

On a final note, the ITC Board met in September at the Coquille Tribe's Mill Casino and Hotel in North Bend on the Oregon coast to start making arrangements for next June's Symposium there. I can tell you the Coquille Tribe is eager to be a wonderful host, and the facility and location are great. There is a nice variety of restaurants on the site, and the hotel includes a warm and comfortable Lodge and modern tower with views of Coos Bay. The whole facility is on the Bay's edge, and is exceptionally scenic and pleasant. I urge you to block out June 8 – 11, 2015 on your calendar now so you can be sure to attend. 🌲

Technical Specialist

by Don Motanic

(Continued from page 1)

practices used by Indian tribes in the U.S. to address contemporary challenges such as forest health, climate change, and declines in forest products processing infrastructure.

The panel presentation highlighted several points for the international audience that included the following:

- Tribes managed their forests

before Europeans occupied the United States through prescribe fire and the first federal forest regulation was on the Menominee Reservation in 1890, and not with the US Forest Service.

- National Indian Forest Resource Management Act (NIFRMA; 1990) and Tribal Forest Protection Act (TFPA; 2004)

have improved federal policies with tribes and documented the federal government's trust responsibility to tribes.

- Tribal forests are managed at \$2.82 per acre and US Forest Service lands are managed at \$8.57/acre with tribes addressing the same environmental laws. (IFMAT-III)

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Technical Specialist

by Don Motanic

(Continued from page 2)

- Anchor Forest is not a research project but a project to develop on the ground collaboration among multiple government land owners to sustain a large geographical forest with infrastructure.
- Tribal members have overcome historical trauma due to removal from homeland and families during federal government's policies and boarding school eras to evolve with new policies, like the NIFRMA and nonprofit organizations like the Intertribal Timber Council, American Indian Science Engineering Society, Society for the Advancement of Chicano and Native American in Science, Universities and others to provide support for tribal communities to gain education and tribal professionals to manage their forests. There is an immense investment opportunity in recruiting and retaining Indian people as future management leaders and recommendations such as integrated coursework and mentorships and internships specialized for Indian students can help facilitate the development of tribal students.

The IUFRO World Congress had more than 4,000 attendees from around the world and many visited the ITC booth at the exhibit hall and nearly 100 attended the American Indian Forestry Panel. Many of the attendees around the world had questions about the tribe's forestry program and particularly about the reservation system. The Indian Forestry panel provided many of the answers along with the Evergreen Magazine on Indian Forestry.

The IUFRO World Congress did a spotlight for the panel and website is: <http://www.iufro.org/publications/view/article/2014/09/24/iufro-spotlight-28-2014-iufro-world-congress/>



(L-R, Don Motanic, Serra Hoagland and Phil Rigdon at ITC Booth in Salt Lake City, UT)

The Future of Trust Administration

On October 3, 2014, the ITC and Seattle University School of Law, Center for Indian and Law Policy co-hosted a workshop, The Future of Trust Administration.

The workshop format had four panels with first, the viewpoints from the federal administration and congressional perspectives; second a panel using the report from IFMAT-III as a case study; third, a panel on emerging models for trust administration; and finally a panel with many of the previous panel members discussing the challenges and opportunities for

re-forming trust administration.

The workshop presenters included; Kevin Washburn, Eric Eberhard, Paul Anderson, Anthony Walters, Mark Trahan, John Gordon, Phil Rigdon, Vincent Carrao, Gary Morishima, Stacy Leeds, Douglas Maccourt, Mary Christina Wood, Fawn Sharp, Robert Anderson, Thomas Schlosser, Alex Skibine and David Mullan.

During the dialogue at the end of a very long day, three time IFMAT chair and co-chair John Gordon summarized his team's independent assessment about re-forming trust for natural re-

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Kevin Washburn, Assistant Secretary of Indian Affairs, USDOJ.

Symposium Committee

by Howard Teasley, Jr.



Howard Teasley, Jr.

I would like to welcome the Intertribal Timber Council guests and colleagues to Southwest Oregon, the area of bays, dunes, and fresh air. Come and visit the Coquille Indian Tribe, June 8th – 11th, 2015, North Bend, Oregon for the Thirty-Ninth Annual National Indian Timber Symposium. The theme of this year's symposium is *"A Vision for the Future"*.

Currently, we are going to be golfing at Bandon Dunes for the Sunday ITC Pre-Symposium Golf Tournament. Our workshops for Monday are coming along – Traditional Crafting, Drones, Mill & Fire Tour, and Fire Update. Tuesday of the symposium is shaping up with IFMATIII, Anchor Forest, and TFPA panel discussions. Thursday morning will open with the traditional updates with three workshops to follow, The Carbon Marketplace: Opportunities on Tribal Lands, Fire, and Climate Change

We are currently preparing for our quarterly meeting in Portland, OR, December 9th -11th, 2014. The symposium committee and the staff of the Coquille



Indian Tribe will solidify the rest of the symposium details for next spring.

See you in North Bend, Oregon!!

Thank you - Qe'ciyew'yew 🌲



Picture of Coos Bay from Mill Casino Lodge

Technical Specialist

by Don Motanic

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sources, "It's about the money and the lack of money from the federal government for tribal forestry."

The workshop is on streaming video through the ITC website, www.itcnet.org and also through the Seattle University School of Law at: www.law.seattleu.edu/continuing-legal-education/online-and-on-demand/cle-multimedia-library/2014-tribal-trust

The website provides the following workshop overview:

"A convergence of several factors

could substantially alter the course of future trust administration. Tribal leaders and resource managers are gaining recognition, respect, access to capital, and political clout. The Secretarial Commission on Trust Administration and Reform issued its report and recommendations in December, 2013. The fiscal challenges confronting the federal government have already dramatically altered workforces and budgets for domestic discretionary programs, which includes the programs charged with carrying out the trust

responsibility. External forces beyond the boundaries of Indian Country continue to adversely affect the environment and threaten the ability of tribes to access and utilize resources that are vital to sustaining their cultures and economies. The opportunity to significantly improve the benefits that tribal communities can gain from sound management of their natural resource heritage is fleeting. The time is ripe for creative, thoughtful exploration of alternative futures for trust administration and resource stewardship." 🌲

Education Committee

by Orvie Danzuka, Chairman



Orvie Danzuka

The Education Committee has finalized dates for the 2015 Truman Picard Scholarship Announcement. The Deadline this year is January 16, 2015. If you are interested, or know someone interested, please encourage them to submit an application before the application deadline. Visit the ITC website or call the ITC office for more information. In addition, announcements will be sent out to tribes and agencies. Please help yourself by beginning the process early so that you give yourself ample time to present your best depiction of yourself. I know Laura will also appreciate the effort because she wouldn't have so many applications to screen before sending on to the selection committee.

The Truman Picard Scholarship is offered annually to Native Americans pursuing higher education in the field of natural resources. In light of tuition hikes in the recent past the Education Committee has decided to increase the scholarships by \$500 for each category. This equates to \$2,000 for high school recipients and \$2,500 for un-

dergraduate and graduate recipients.

The increase in scholarship amount will result in a decrease in scholarship recipients if we were to disburse the same dollar amount in 2015. This will once again increase the level of competition, so please spend adequate time preparing your application and ask for feedback from trusted individuals.

Scholarship applicants will be rated on five criteria: application letter, resume, academic merit, reference letters, and financial need. The application letter needs to address the students' interest in natural resources as well as their commitment to their education, community and culture. Please do not sell yourself short, this scholarship is very competitive and finding references who can detail your accomplishments is very important.

There will be a Scholarship Selection Committee who will review the applicants and grade them on the above criteria. It is important for all applicants to understand that the awards are not based on any political influence or by the amount a tribe participates with ITC. Picard Scholarships are all based on the merits of the students and the potential they will bring to Indian country natural resources.

Individuals selected for an ITC scholarship who declare an eligible

major at the University of Washington or Salish Kootenai College and who are eligible for resident tuition will receive full in-state tuition for the academic year that the ITC scholarship is in effect. The Education Committee will be sending out letters to other schools in which previous recipients have been enrolled to hopefully "spread the wealth" to students attending their respective schools.

As usual, the students that attended the ITC symposium impressed the right people and another exciting opportunity has materialized. The Education Committee met with the Research Sub-committee and that is all I will say, so that I don't "steal any thunder" from Adrian Leighton as he addresses this new opportunity for students.

We recently toured the facilities at the Coquille Tribe for the 2015 symposium. Considering the topics that are shaping the theme of the symposium I am excited for another year!

The committee would like to reach out to past scholarship recipients to find out where you are and what you are currently doing. We will be sending out a short form and we hope you will consent to a brief article in our newsletter.

You can get more information by calling the ITC office or visiting the website. 🌲

Awards Committee

by Jonathan Brooks



Jonathan Brooks

The Intertribal Timber Council is currently accepting nominations for the Earle R. Wilcox Individual Achievement, and National Forester of the Year awards. **The deadline to submit nominations for these awards is January 16, 2015**, which at the time of writing is less than 3 months away. If you are curious about the awards and what they are, or wondering what it takes

to nominate someone, please check the ITC awards website at www.itcnet.org/about-us/awards. For those who need a break from the computer, here is some information about the awards and what it takes. For full details please see the website or contact the ITC office. 1-503-282-4296.

- The application requires filling out a form and getting 3 letters of support.
- The awards are focused on contributions to Tribal forestry programs at local to national levels. Other natural resource specialists whose work is significant, and benefits tribal

forests will be considered as well.

- You can email or mail the applications to ITC. You can also fax, but you must mail the original as well.
- Candidates can be nominated for regional awards or the national award based on their contributions to Tribal efforts.
- If someone was nominated in the past but did not receive an award, they can be nominated again.

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BIA – Central Office, Division of Forestry and Wildland Fire

by Faline Haven, Acting Chief Forester



Faline Haven

Forestry Budget:

The combined Forestry Budget for the Forestry Program (TPA) and Forestry Projects increased by \$6 million in FY14. This increase was based on initiatives related to maintaining productive levels of forest inventory and planning while advancing science-based technical support and capacity. Wildland fire saw a nearly \$3 million dollar increase in the Preparedness budget with a fractional increase to the Fuels Management program.

The FY15 forestry budget maintains the FY14 level with the exception of a nearly \$2 million decrease in Forestry TPA due to a transfer to OSG associated with the compacting of the Warm Springs program. The 2015 Wildland Fire Management budget request included an increase of \$25.0 million to strengthen BIA and Tribal wildfire management capabilities and to fulfill the Department's trust responsibilities to Tribes. This included a \$15.0 million increase in the Preparedness program and a priority redirection of \$10.0 million in Fuels Management base funds to conduct treatments that support tribal land restoration priorities on reserved treaty rights land. Although the Fuels Funding redirection took place, the \$15 million Preparedness increase will be contingent upon the execution of a regular appropriations bill.

In FY14 there was a renewed emphasis in the Division of Forestry and Wildland Fire to prevent excessive carryover amounts. At the 2014 fiscal year end, the Division carried over only 7.6% of the budget, compared to nearly 21% for the Indian Affairs budget overall. The Fire Management Branch of the Division did very well, particularly in the fuels program. Division-wide however, there is still room for improvement.

BUDGET LINES		2012 ENACTED	2013 FULL-YEAR CR [W/SEQUESTER] FINAL OPERATING PLAN	2014 ENACTED	2015 PRESIDENT'S BUDGET REQUEST	C.R. 1 Oct. 1 - Dec 11 P.L. 113-164 19.73%
INDIAN AFFAIRS (A2100DD)						
A0N9C	Forestry Program (TPA)	26,232	25,414	27,567	25,737	5,439
A0N3E	Forestry Projects	17,342	16,338	20,168	20,224	3,979
Totals		43,574	41,752	47,735	45,961	9,418
OFFICE OF THE SECRETARY (A1125TR)						
AF100	Preparedness	57,493	48,386	51,191	65,084	10,100
AF310	Hazardous Fuels	33,499	27,326	27,487	37,389	5,423
Totals		90,992	75,712	78,678	102,473	15,523

\$-thousands

Status of FY14 Obligations through end of FY14 (\$ in thousands)			
Program	CONSUMABLE	OBLIGATED	% OBLIGATED
TPA Funding - Forestry (A0N9C)	27,598	24,439	88.55%
Project Funding - Forestry (A0N3E)	20,168	16,486	81.74%
Preparedness Funding (AF100)	51,191	48,707	95.15%
Hazardous Fuels Funding (AF310)	27,487	27,077	98.51%
Totals	126,406	116,710	92.33%
Operation of Indian Programs - All Appropriations	2,564,143	2,027,553	79.07%



Silviculture Discussion at Cloquet Forestry Center.

Photo by Matt Anderson.

Youth Initiatives:

BIA TREES Pathways Program

The Midwest Region hosted the first BIA Pathways Program Field Trip focusing on regional silviculture and forest management in Minnesota and Wisconsin this summer. The week-long program, developed by Matt Anderson, Midwest Regional Forester, featured practical classroom overviews of what it takes to be a Forester working for the BIA or a tribe. Forest Management, Inventory and Planning, Silviculture, Timber Sales Preparation and Administration, Forest Development, and Fire Ecology were the primary field trip focus areas.

The BIA continues to address the shortage of entry level Foresters in the BIA and Tribal programs through the BIA TREES Pathways program administered by the Salish Kootenai College. New students continue to periodically enter the program as the Di-

vision is targeting 40 students by the end of FY16.

Students enrolled in the BIA TREES Pathways Program receive annual tuition assistance, summer employment in a Forestry position, and attend both the Intertribal Timber Council Symposium and a Regional Forestry Field Trip each year.

Next year's Field Trip will be hosted by Pacific Region in Northern California and will immediately follow the ITC Symposium.

Youth in the Great Outdoors – DOI Initiative

The BIA, Division of Forestry and Wildland Fire Management funded 17 youth projects in FY14 which focused on teaching or employing youth under the age of 26. Over \$1 million dollars in Forestry Project funding was distributed to tribes to fund projects

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BIA – Central Office, Division of Forestry and Wildland Fire

by Faline Haven, Acting Chief Forester



Timber Sale Administration, Lac Courte Oreilles Reservation. Photo by Matt Anderson.

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ranging from employing youth on CFI measurement projects to bringing forestry topics into classrooms to support existing school-to-work and work-to-school transition programs. The projects funded by the BIA in FY14 will impact the lives of 352 youth. FY15 will see continued budgetary support of this Departmental initiative.

Central Office Detail Strategy:

The Division of Forestry and Wildland Fire Management continues to provide detail opportunities for leaders throughout our organization to work on special projects that are national in scope, here in our office in Washington, DC. Our objective is to create knowledge “redundancy” throughout our Division to support workforce succession planning efforts, and prevent critical holes from occurring if and when the limited Central Office positions are vacated.

Detailers will gain insight and experience in Central Office operations including an understanding of where the Division fits in the larger BIA organization, exposure to senior leadership, budget formulation and execution, and what it takes to enact new policy. We will continue to sup-

port this strategy, one that was implemented but dropped several years ago with the “Forester of the Month” program. Prospective candidates will be contacted by the Division.

Forest Management Inventory and Planning (FMI&P):

BOFRP had a busy summer with the hiring of three full time Foresters as well as sponsoring an Intern. Two of the three are recent graduates of the BIA TREES Pathways Program. Jennifer Kennedy graduated from the University of Montana, Missoula. Jennifer is in training to be the GIS Forester. Weston Cain graduated from Oklahoma State and will be working to provide field support on forest inventory, planning, and training.

Dawn Patterson, the new Forest Inventory and Planning Forester, is a graduate of Northern Arizona University. She worked at the Fort Carson Army Base as the Forest Manager for 5 years. Dawn will be working with the current staff on inventory and planning projects.

Travis Blacketter, our summer Intern, is majoring in GIS at the University of Minnesota-Duluth. Travis worked on developing GIS for both forestry and fire management.

Land Buy Back:

The Division of Forestry and Wildland Fire Management is providing assistance to BIA and Tribal staff for Land Buy-Back Program tracts which may have a commercial timber appraisal component. Coordination for this effort is handled by the Branch of Forest Resources Planning. Inquiries regarding the Land Buy Back timber appraisal process should be directed to Michael Benedict, Chief, Branch of Forest Resources Planning, michael.benedict@bia.gov, (720) 484-3206 or Bill Yemma, Forester William.Yemma@bia.gov (720-484-3202).

Forest Management Planning:

Progress is being made toward completing Forest Management Plans pursuant to our GPRA requirement. We are expecting to have 40 plans approved by the end of this fiscal year leaving approximately 60 to complete before the end of Fiscal Year 2015. All forested reservations must be covered by a Plan by the end of Fiscal Year 2015.

Fire Management

Fire Activity:

To date, the number of fires on Trust land in 2014 is 45% of the 10 year average. The BIA has reported only 2,970 wildfires in 2014 that burned a total of 144,747 acres. The 10 year average for acreage burned is 433,896 (a 25% decrease).

Tribal Resource Management Initiative (FY15):

Planning for the Tribal Resource Management (TRM) Initiative continues. The Regional Fire Management Officers spent this quarter working with tribes and agencies to identify needs and staffing to improve the capability of the Wildland Fire Program. Because of the likelihood of a Continuing Resolution, funding in FY15 will be at the FY14 allocation level. Planning efforts will continue, as the TRM initiative will stay in the Wildland Fire Management FY16 budget proposal.

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BIA – Central Office, Division of Forestry and Wildland Fire

by Faline Haven, Acting Chief Forester

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Hazardous Fuels Reduction:

The FY14 BIA HFR Budget allocation was approximately \$29 million. A major priority this year in the Fuels Program was to minimize carryover balances. This year, 98.5% of the Fuels budget was obligated – a record year. The Office of Wildland Fire has historically swept up carryover funding, which was detrimental to our cause. However, this policy was rescinded this year and any future carryover balances will be redistributed to the Bureaus.

The Salish Kootenai College, in collaboration with the BIA and Tribes, agreed to develop a BIA specific regional allocation model for Fuels.

Risk Based Wildland Fire Management (WFM):

Many BIA and Tribal staff participated on Task Teams and sub committees for this new allocation process. The Division of Forestry and Wildland Fire Management would like to thank them for their efforts. Their participation clearly signified Indian Country's passion and enthusiasm for natural resource management solutions. As we move forward, our participation will be critical to ensure that BIA and tribal concerns and objectives are considered.

Wildfire Prevention/Trespass/Investigation:

The Joint Fire Science Program study on the effect of wildfire prevention programs on accidental and incendiary wildfires on tribal lands is complete. The study was conducted using seven years of wildfire prevention data, involving 17 tribal units that had funded wildfire prevention programs. It indicated that wildfire prevention programs effectively reduced human caused ignitions. The study also indicated the benefits of continuing wildfire prevention programs, as measured by the reduction in suppression expenditures, outweighs the costs of funding wildfire prevention programs on every unit studied.

The Wildfire Arson Awareness Campaign is well under way. Two arson awareness videos have been developed. The videos will be broadcast, via television networks, on reservations with historically high wildfire arson occurrence. Radio public service announcements and newspaper articles are also being developed as part of this campaign.

The first stage of The National Trespass Responsibilities and Processes Course is complete. The course developers are revising and preparing the beta version, which is expected to be ready for delivery by January of 2015. The Midwest Region expressed interest in hosting a beta test course and other sites are being looked for.

The Office of Justice Services (OJS) position was established specifically to help Indian Country deal with wildfire crimes. While this position was vacated in August, BIA NIFC is working with OJS to develop a plan to ensure momentum gained in this area will not be lost.

Fire Operations:

Safety:


On July 18, a Type 4 wildland fire engine from the Confederated Tribes of Warm Springs was involved in a single vehicle accident en route to a new fire start, Incident 73. Two firefighters were injured. One firefighter was transported by life flight medical personnel to Portland, Oregon and the other firefighter was treated locally and released. The patient transport via life flight was listed as serious but stable September 2.

On August 13th, two Navajo Hotshot crew members were injured when a log rolled over them on the South Cle Elum fire, in Washington. One firefighter was taken to Harbor Hospital in Seattle. No broken bones or internal injuries were found and the firefighter was released with extensive bruising and a strained back. The second firefighter was examined and released at a local hospital with minor cuts and bruising.

Burned Area Emergency Response:

The program has seen below average needs to date this year. The lighter fire season in the Southwest produced one BAER project of mention from the Dehose fire on the White Mountain Apache tribe lands. The above average monsoonal moisture in the Southwest caused additional flooding on Santa Clara Pueblo in northern New Mexico where the 2011 Las Conchas wildfire burned, but nothing of significance resulted from it.

The heavy fire activity in the Northwest region produce two BAER incidents of significance with the Logging Unit/Shaniko Butte fires on the Warm Springs reservation and the Devil's Elbow fire on the Colville reservation. Both of these incidents will require reforestation through the BAR program and may produce some flooding impacts later this winter.

The small tribal community in Skull Valley, UT was impacted by heavy rainfall that caused significant mud and flood damage. BAER program managers are assessing the damage. 



The Intertribal Timber Council Newsletter is published three times a year by the Intertribal Timber Council Executive Committee as a service to Tribes/Native Alaskan Corporations with timber resources or interest. We encourage information relating to Indian forestry to be submitted for publication and welcome suggestions.

Write or call the ITC office:

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Operations Committee

by Jim Durglo, Chairman



Jim Durglo

The Department of Interior, Secretary of the Interior, Sally Jewell paid a visit to the Confederated Salish and Kootenai Tribes on the Flathead Indian Reservation, Montana

on August 20, 2014 to discuss many issues and upcoming projects being proposed by the tribes. Among the items included the Cobell Land Buy Back program, the pending purchase of the Kerr hydro-electric complex, probate backlog, Safety of Dams, and Forestry and Fire Management issues. I had an opportunity to briefly talk with Secretary Jewell about the Indian Forest Management Assessment Team (IFMAT) III report and Forestry and Fuels Management funding issues. Accompanying the Secretary was Jon Tester, Montana Senator and the Chairman of the US Senate Indian Affairs Committee, and Mike Black, the BIA Director.

The Cobell Land Buy Back was the major topic discussed. 566 Federally recognized tribes are subject to the Land Buy Back Program, with \$1.9 billion allocated. So far, \$95 million has been paid out, and 250,000 acres of fractionated lands have been consolidated in Pine Ridge and Rosebud tribes in South Dakota, Makah, in Washington state, and Fort Belknap in Montana (CharKoosta News, 9,24,2014).

Continuing efforts toward implementing the 68 recommendations in the IFMAT III report and Fire Management issues continue to be high



Photos courtesy of Adriana Fehrs, CharKoosta News

priorities for the ITC. Other Operations Committee meeting agenda topics included: Anchor Forest update;

ITC Carbon Working Group update; the proposed National Environmental Policy Act (NEPA), and Tribal Forest Protection Act (TFPA) amendments; implementation of the recommendations from the TFPA assessment; assignment of a National Association of State Foresters conference speaker; progress in developing a Memorandum of Understanding with the Department of Agriculture; and providing recommendations to the board for representatives to the national Wildland Fire Leadership Council (WFLC), the National Strategy Committee, and the Western Regional representative for the Cohesive Strategy.

As you can see, the ITC continues to be busy on many fronts. Your support is encouraged and very much appreciated. Our next scheduled meeting will be held in Portland, Oregon on December 10, 2014. We hope to see you there. 🌲



DOI Secretary Jewell and US Senator Jon Tester visited CSKT and to listen to concerns of the tribes.

Awards Committee

by Jonathan Brooks

(Continued from page 5)

- Regional award recipients can be nominated again, but not within ten years of receipt of first or prior award. Past winners of the

National Award can not receive the award again.

- Please ensure that all information is filled out completely and

accurately and all supporting documentation is included. Incomplete applications will not be considered. 🌲

Washington DC Update

by Mark Phillips and Matt Hill



Mark Phillips

1) Gridlocked Congress hustles out of town, will return after elections.

Following a five week August recess, the unproductive 113th Congress returned to DC September 8 for just eight days in Session - just long enough to pass a needed continuing resolution (see next item) - and then, on September 18, left again until November 12, after the November 4 elections, when they will reconvene for a post-election “lame duck” session. It is unclear how long they will be in session in November and December, but the current “CR” only runs until December 11, so they will have to pass some form of additional FY 2015 appropriations before the 113th Congress’s *sine die* adjournment by the end of the year.

At the conclusion of the 113th Congress, all bills not signed into law expire, although they can be reintroduced after the 114th Congress convenes January 3, 2015.

To date, the gridlocked, highly partisan 113th Congress is on track to be the least productive Congress ever. The 112th Congress had only 283 bills signed into law, many of which were simply ceremonial, such as naming post offices. So far, and with maybe only three weeks of lame duck legislative time remaining, the 113th has only generated 145 laws, including numerous ceremonial bills. The so-called “Do Nothing Congress” back during Harry Truman’s Presidency produced 906 laws.

2) December 11 CR passed.

On September 18, Congress passed a continuing resolution (House Joint Resolution 124) to keep the federal government funded at FY 2014 levels from October 1, 2014, the start of federal Fiscal Year 2015, until De-

cember 11 2014. The President is expected to sign the passed CR, which is relatively free of controversial “rider” amendments. As of this late September writing, not a single FY 2015 appropriations bill has yet cleared Congress. The House has reported all of the twelve FY 2015 appropriations that collectively fund the federal government and has passed seven of them. The Senate has reported eight approps bills (not including those released in draft like the Interior Approps bill) and not passed any.

With Congress returning November 12, a lame duck session could run a month or longer, providing some time – if the spirit is willing – for the potential finalization of some FY 2015 appropriations bills. But given the gridlocked nature of this Congress and the prospect that Republicans could win the Senate majority starting next January, the completion of FY 2015 appropriations bills during the lame duck still appears unlikely, so another CR, perhaps running into March, should not be unexpected.

3) FY ’15 Interior Approps reported in House, released in Senate.

The FY 2015 Appropriations bills for Interior, Environment and Related Agencies, which fund BIA, IHS, the DoI Office of Wildland Fire Management, and the US Forest Service among other agencies, have been introduced and reported in the House (H.R. 5171, House Report 113-551) and released as a draft bill and report in the Senate. A summary of recommended funding levels for programs of interest can be seen on the next page. More complete excerpts from the funding tables at the back of the House report and Senate draft report are available on line at the House and Senate Appropriations Committees.

For a regular FY 2015 Interior, Environment and Related Agencies appropriations bill to be completed, customarily the House and Senate pass their respective versions, differences are settled in a House – Senate

conference, and the compromise documented in a conference report is passed by both Chambers and sent to the President. However, there are many variations on this process,

including taking bills directly to conference without being passed by their Chambers, or rolling many or all of the approps bills into an omnibus approps bill, or even just extending a CR at the previous year’s levels for the entire new fiscal year – a “full year CR”. It remains to be seen what path FY 2015 funding for Interior, Environment and Related Agencies will take. In the meantime, notes on the House and Senate recommended FY 2015 funding levels for selected programs are below.

BIA

Contract support: The House and Senate agree with the Administration’s \$246 million request for contract support, so, should the two Chambers go to conference and participate in an eventual FY 2015 appropriations bill, this amount should be settled at \$246 million.

Natural Resources General: The House and Senate agree with the Administration’s request of \$5.089 million.

Endangered Species: The House and Senate agree with the Administration’s request of \$2.675 million for Endangered Species management on trust lands.

Cooperative Landscape Conservation (climate change): The House cut the \$9.948 million request by \$4 million to \$5.948, claiming BIA “took advantage of its unique budget flexibility in fiscal year 2014 by increasing this program from \$947,000 to \$9,947,000.” The Senate keeps it at the requested amount.

Integrated Resource Information Program: The House only provides a

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Matt Hill

Washington DC Update

by Mark Phillips and Matt Hill

Amounts in \$ millions

BIA [selected programs]	FY 2014 Final appropriation	FY 2015 Admin. request	FY 2015 House recommendation	FY 2015 Sen. draft recommendation
Contract Support	\$ 242.000	\$ 246.000	\$ 246.000	\$ 246.000
Natural Resources General	5.165	5.089	5.089	5.089
Endangered Species	2.673	2.675	2.675	2.675
Coop Landscape Conservation - climate	9.947	9.948	5.948	9.948
Integrated Resource Info Program	1.996	3.996	2.496	2.996
Forestry	47.735	45.895	47.735	45.895
Fish, Wildlife and Parks	13.823	13.577	13.577	13.577

Amounts in \$ millions

Dol Office of Wildland Fire Management				
Preparedness	\$ 281.928	\$ 318.970	\$ 318.970	\$ 318.970
Suppression	285.878	268.560	291.657	268.560
Fuels Management	145.024	146.287	160.000	146.287
Resilient Landscapes initiative	-0.000-	30.000	-0.000-	30.000
Burned Area Rehabilitation	16.035	18.035	22.035	18.035
Fire Facilities	6.127	6.127	6.127	6.127
Joint Fire Science	5.990	5.990	5.990	5.990
Wildland Fire emergency appropriation	-----	-----	-----	240.000
FLAME	92.000	-0.000-	92.000	-0.000-
Suppression adjustment cap (disaster)	-0.000-	240.440	-0.000-	-0.000-

Amounts in \$ millions

US Forest Service [selected programs]				
State & Private Forestry – Coop Forstry				
Forest Stewardship	\$ 22.398	\$ 23.036	\$ 29.000	\$ 23.036
National Forest System				
Collab. Forest Lndscpe Restoration	\$ 40.000	\$ 60.000	\$ 40.000	\$ 50.000
Wildland Fire Management				
Preparedness	1,057.580	1,080.840	1,210.840	1,080.840
Suppression	680.488	708.000	708.000	708.000
Additional or emergency suppress.	600.000	-0-	470.000	954.000
Hazard Fuels	306.500	358.564	381.575	358.564

(Continued from page 10)

\$500,000 increase, with no explanation, instead of the \$2.0 million increase requested. The Senate gives an increase of only \$1.0 million, with no explanation.

Forestry: The House added \$1.840 million to BIA Forestry, restoring it to its FY 2014 amount. The House report states the increase is “in recognition of the importance of tribal forestry management in the larger national effort to minimize major wildland fires through sustainable forestry and hazardous fuels reduction.” The Senate leaves Forestry at its \$45.895 million requested level.

Fish, Wildlife and Parks: The

House and Senate agree with the requested amount of \$13.577 million.

Dept. of the Interior Office of Wildland Fire Management

Overall, OWFM is proposed to increase from \$769.5 million in FY 2014 to \$804.8 million in the House and to \$1.0344 billion in the Senate.

Preparedness: The Administration’s proposal to dedicate \$9.0 million for tribal contract support costs and \$6.0 million for BIA workforce development within the Preparedness budget was tacitly accepted (not expressly reversed, limited or questioned) by the House and Senate, and so should go into effect when (and if) a regular FY 2015 Interior Appropria-

tions bill becomes law. The House and Senate agreed with the Administration’s \$318.970 million Preparedness request.

Suppression: The House provides \$291.657 million, an increase of \$23.1 million over the \$268.560 million requested by the Administration and adopted by the Senate.

Fuels Management: The House and Senate both tacitly accepted the \$10 million set-aside announced by the Administration for tribal projects on federal treaty rights lands. The House provides \$160.0 million, an increase of \$13.7 million over the Administration’s \$146.287 million request that is

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adopted by the Senate. The differing amounts should not affect the \$10 million set-aside.

Resilient Landscape initiative: The House eliminated the Administration's \$30.0 million request. The Senate adopted the request.

US Forest Service

Forest Stewardship (in Coop Forestry): The House report states on page 75 "The Tribal Forest Protection Act (Public Law 108-278) authorizes the Secretaries of Agriculture and Interior to give special consideration to tribally-proposed Stewardship Contracting or other projects on Forest Service or Bureau of Land Management (BLM) land bordering or adjacent to Indian trust land in order to protect Indian trust resources from fire, disease, or other threats coming off Forest Service or BLM land. These stewardship agreements are an important tool for fighting the ever-growing threat of wildfires in the West. The Committee encourages both the Department of Agriculture and the Department of the Interior to make wider use of these agreements." The House report also urges the Forest Service to make more use of Stewardship to engage woodland owners, and suggests states be given a larger role in administering woodlands stewardship. The Senate draft report calls for a Forest Service report on making the Stewardship program more effective. The House provides \$29.0 million for Stewardship, \$6.6 million over the \$23.036 million request adopted by the Senate.

Cooperative Forest Landscape Restoration Fund (Nat. Forest System): The House leaves the CFLR program at the FY 2014 amount of \$40.0 million. The Senate provides \$50.0 million, \$10.0 million below the Administration's \$60.0 million request.

Wildland Fire Preparedness: The House provides \$1.2108 billion. The Senate provides the requested amount of \$1.0808 billion.

Hazardous Fuels: The House provides \$381.575 million, \$23 million over the \$358.564 million requested and adopted by the Senate. The House

and Senate both accept the \$10 million set-aside in the Hazardous Fuels budget for biomass utilization grants.

Disaster cap adjustment for emergency suppression

House: The House rejected the Administration's proposed statutory language to increase the spending cap in the emergency natural disaster relief account, which sought to allow the disaster account to pay wildland fire suppression costs exceeding 70% of the 10 year average. The House noted adopting such a statutory proposal is not within the Appropriations Committee's normal jurisdiction. Additionally, House Budget Committee Chairman Paul Ryan opposes such legislative proposals (including H.R. 3992 and S. 1875) to lift the disaster cap to accommodate wildfire suppression funding. Instead, the House adopted additional suppression funding of \$23.0 million for DoI OWFM and of \$470.0 million for USFS.

Senate: The Senate adopted statutory language for the Administration's disaster cap proposal, authorizing the program. But because it is against the Senate rules to both authorize and fund a program in the same appropriations bill, the Senate for FY 2015 instead provided separate one-year Wildland Fire Management emergency suppression appropriations of \$240.0 million for DoI OWFM and \$954.0 million for USFS Wildland Fire Management. Next year, with the cap adjustment already authorized (should it make it into law), the appropriators can then fund the cap adjustment.

4) Immigration emergency approps bill w. fire disaster cap stalls in Senate.

On July 31, the Senate was unable to achieve the three-fifths majority (60 votes) needed to overcome a point of order against S. 2648, the FY 2014 Emergency Supplemental Appropriations bill, basically killing the bill, the primary purpose of which was to increase funding to address the current wave of illegal immigrants, many of

whom are children. The \$3.5 billion bill included in Title II \$615 million for supplemental FY '14 USFS wild-fire suppression (none for DoI) and authorization for charging USFS and DoI suppression amounts over 70% of the ten year average to disaster emergency spending accounts. The bill also sought funding for Israel's Iron Dome missile defense system.

5) Tribal energy bill with biomass demonstration project reported in the Senate.

The Senate Committee on Indian Affairs has amended, approved and on July 30 reported S. 2132, Sen. John Barrasso's (R, Wyo.) Indian Tribal Energy Development and Self-Determination Act Amendments of 2014. The report (Senate Report 113-224) was published the second week of August.

The bill as reported generally seeks to streamline the BIA energy resource development process on Indian trust lands, particularly for oil and gas, but Section 202(b) of the bill also amends the Tribal Forest Protection Act to establish a tribal biomass demonstration project in which the Secretaries of Agriculture and Interior must approve (in combination) at least four tribal biomass demonstration projects on federal land, including USFS and BLM land, in each of fiscal years 2015 - 2019. Stewardship contracts under the demonstration project are authorized for up to 20 years, with extensions of up to 10 years. Current law otherwise limits stewardship contracts to 10 years. The Colville Tribe has been diligently pursuing this tribal biomass demonstration program legislation for years.

Separately, Section 202(c) of the bill creates a similar biomass demonstration project for Alaska Native corporations, but not as an amendment to TFP. A separate Alaska Native corporation program is needed because TFP protections apply only to Indian lands that are trust or restricted lands, and most Alaska Native corporate lands are owned in fee.

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Even if the Senate passes S. 2132 by unanimous consent during a lame duck session, prospects for finalization remain dim because the House still has not passed its version of the legislation, the Native American Energy Act (H.R. 1548, H. Rpt. 113-263), since it was reported November 12, 2013. Reportedly, concerns about the bill's expedited energy development process are hanging it up.

6) Tribes included in Hastings' ESA Transparency bill passed by the House.

Indian tribes are specifically included, along with state and local governments, in a bill by Rep. Doc Hastings (R, Wash.) to ease law suit costs and increase transparency for the Endangered Species Act that was passed by the House July 29. The bill, H.R. 4315 (H. Rpt. 113-537), the 21st Century Endangered Species Transparency Act of 2014, passed 223 ayes to 190 noes along almost entirely partisan lines.

The bill's provisions include –

- A requirement that data used in determining a species' listing be available on the internet;
- Consultation with tribal, state and local governments on proposed listings, as well as factoring data from tribal, state and local governments into listing decisions and that such governmentally provided data is to be considered "best available science." This was a point of controversy in the bill. Opponents suggested more lawsuits would arise from various governments' differing "best available science." An amendment by Rep. Rush Holt (D, NJ) to remove that declaration was defeated 204 ayes to 215 noes.
- Administration tracking and on-line availability of ESA law suit costs to the U.S.; and

- Apply hourly fee caps for attorneys suing the US on ESA matters.

Upon House passage, the bill was transmitted to the Senate and referred to the Committee on Environment and Public Works, where it is dead for the remainder of this Congress.

7) Senate Republicans introduce two wildland fire bills.

McCain : On July 10, Sen. John McCain (R, Az.) introduced S. 2593, the FLAME Act Amendments of 2014, with several cosponsors, including Sen. John Barrasso (R, Wyo.). The long, complex and perhaps unworkable bill would –

- try to force significantly increased appropriations for federal fire suppression based on a more comprehensive funding formula at 100% of the last 5 years' average cost (instead of 70% of the last 10 years);
- require an amount equal to half of suppression funding to be provided for fuels reduction projects, including specifically citing projects authorized by the Tribal Forest Protection Act (Sec. 103(a) at "(E)(i)(II)(aa)");
- ban so-called "fire borrowing" among USFS programs and Interior agencies. If less than adequate funding is appropriated for suppression and FLAME (which McCain's bill would modify to serve as emergency back up funding), this borrowing ban could interfere with suppression efforts;
- revamp the FLAME fund to serve as an emergency suppression fund (this seeks to avoid the budgeting objections to using the off-budget disaster relief account); and
- require "forest treatment projects," including harvest, on 7.5 million acres of USFS land over 15 years, with limited EAs with 180

day deadlines, expedited administrative review and binding arbitration.

Heller cat-x bill: On July 31, Sen. Dean Heller (R, Nevada) introduced the Emergency Fuels Reduction Act of 2014 (S. 2768) with four cosponsors, including Sen. John Barrasso (R, Wyo.). The bill seeks to expedite wild-fire prevention projects by giving them expanded categorical exclusions from NEPA if the project is within 500 feet of infrastructure (no apparent acreage limitation), or includes habitat for federal or state T&E species (up to 10,000 acres), or is within two miles of a WUI (no apparent acreage limitation). Wilderness, lands with restricted vegetation removal, and Monuments are excluded.

Both bills were referred to the Senate Committee on Energy and Natural Resources where, even in the unlikely event they get a hearing, they are dead for this Congress.

8) Tribal general welfare tax exclusion bill clears Congress.

On September 18, just before recessing, the Senate unanimously approved H.R. 3043, the Tribal General Welfare Exclusion Act sponsored by Rep. Devon Nunes (R, Calif.) with 61 cosponsors, clearing it to be sent to the President, who is expected to sign it. The bill passed the House September 16 under suspension of the rules. The bill codifies the policy that general welfare services provided by tribes to their members are not subject to being taxed as income to those members. The IRS had been examining tribal general welfare programs to see if the value of such programs' benefits to tribal members should be subject to taxation as income, but in the face of wide and strong tribal resistance, backed away from the activity and, on June 3, 2014, issued Internal Revenue Procedure 2014-35 providing final guidance that such programs are not to be taxed. The bill basically incorporates that guidance

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Fire Technical Specialist

by James R. Erickson



James R. Erickson

Wildland Fire Update

In this newsletter I am providing highlights of emerging issues and efforts that are significant for Indian country and our nation to address.

National Cohesive Wildland Fire Management Strategy: The three-year effort to unite and focus our nations wildland fire efforts has now reached the implementation phase, a phase where the rubber meets the road by implementing active land management treatments to restore and maintain healthy-resilient landscapes; by people and communities taking personal responsibility in the creation and maintenance of fire adapted communities; all while allowing for safe and effective management and response to wildland fires. Indian country has an opportunity to not only participate, but to lead the way for the nation based upon historic and current management styles. Traditional tribal fire use has again become a critical component of how our nation will address fire in the future. Restoring fire to its more natural role could have tremendous benefits for ecosystem health at greatly reduced expense.

The Intertribal Timber Council has been actively supporting these efforts on your behalf through their participation on several wildland fire governance groups and their IFMAT III report, the Anchor Forest projects in Eastern Washington, and implementation of recommendations from the Tribal Forest Protection report "Fulfilling the Promises of the Tribal Forest Protection Act of 2004". Collectively these efforts provide Tribes with effective tools to help showcase Indian forestry and expand its benefits and influence across much broader national landscapes.

The ITC has been engaged at

many levels of wildland fire governance on your behalf, including:

Wildland Fire Leadership Council (WFLC): The WFLC will continue to be our nation's policy leadership group for wildland fire. The ITC holds a position on this council to represent timber tribes. Tony Harwood, Confederated Salish and Kootenai Tribes, has represented the ITC for some time, speaking up on your behalf. His skillset and reputation will be missed as he pursues other activities. Vernon Stearns, Spokane Tribe Fuels, is the new ITC WFLC representative. He brings a wealth of experience as the Spokane Tribes Fuels Specialist, ITC Vice President and Fire Sub-committee chairman. In addition, the BIA holds another seat on behalf of Tribes.

National Strategic Committee (NSC): The NSC is a proposed group of diverse experts that will address implementation issues and barriers identified by the WFLC in order to assist stakeholders through the regional strategy committees to more effectively achieve the three goals of the Cohesive Strategy. This group is yet to be approved and stood up. The ITC plans to nominate myself as your representative to this group.

Regional Strategy Committees (RSC): The nation is divided into three RSCs representing the Northeast, South and West. For the past three years Tribes have had representation on the East and West RSCs. Steve Olson, Fond du Lac Tribe in Minnesota and Tom Remus, BIA, have participated on your behalf on the NE RSC. Tony Harwood, CSKT; Bill Tripp, Karuk; and John Philbin, BIA, have participated on the West RSC. Tony Harwood has also served as co-chair of this committee for the past three years. Bill Tripp will now assume the role of co-chair on your behalf.

Department of Interior Office of Wildland Fire (DOI OWF): The DOI OWF and the Intertribal Timber Council have been actively engaged in dialog on wildland fire issues for

the past two years, including funding shortfalls identified by the IFMAT III report. Jim Douglas, Director of DOI OWF has visited the Yakama Indian reservation in 2013 and has maintained regular dialog with ITC through quarterly ITC Fire Subcommittee meetings, attendance at our annual symposium, conference calls, and meetings during ITC trips to Washington, DC. This active engagement has resulted improved dialog and some DOI OWF supported 2015/2016 budget initiatives on behalf of the BIA and Indian country. Other topics include:

FY 2015 DOI Budget Direction: The DOI OWF recently released "Preliminary Guidance for Fiscal Year (FY) 2015 Funds Execution Wildland Fire Budget Allocations" in anticipation of a federal 2015 Continuing Resolution (CR). The President signed this CR on September 22, 2014. The DOI OWF direction demonstrates a continued effort by DOI OWF to help address funding shortfalls and inequities in BIA wildland fire funding.

What is most interesting in the 2015 CR is the increase in BIA fuel funding during a time of stagnant budget allocations. Fuel funding in this CR increases from \$27.5 million on 2014 to \$37.5 million on 2015. The additional \$10 million is earmarked for "Fuels Funding for Fulfilling Trust Responsibilities on 'Reserved Treaty Rights Lands' (RTRL). This DOI effort was originally described as additional funding to address primarily off-reservation treaty rights. The current language appears to offer a more general description that is open to interpretation. This allocation is the perfect test case for the DOI consultation policy. Who better than Tribes to define these criteria? ITC has made a request for just such a consultation.

It also remains to be seen what Congress will do for the full 2015 fiscal year, as a lot will depend on this fall's election outcomes.


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Fire Technical Specialist

by James R. Erickson

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Tribal Consultation: The DOI OWF released its official policy “Tribal Consultation and coordination for the Department of Interior Wildland Fire Management” on September 8, 2014. The full DOI OWF Tribal Consultation Policy can be accessed at:

<http://www.doi.gov/pmb/owf/upload/Final-Signed-Tribal-Consultation-Memo-090814.pdf>. The policy states “The Office of Wildland Fire will engage in consultation on national level programmatic and policy wildland fire management matters that may have a substantial and direct effect on Indian tribes...” It would appear that many topics, including annual BIA fire allocations, would be one such topic for consultation. It will be important for Tribes to remain engaged and informed of these important topics in order to engage in effective consultations. Stayed tuned for future updates. 

Tribal Forest Protection Act Workshops

The Intertribal Timber Council and the USDA Forest Service are developing two regional TFPA implementation workshops in Spokane, WA and Albuquerque, NM late in 2014 or early in 2015. The workshops are intended to stimulate greater awareness and use of TFPA. The workshops will be designed to help Tribes and their partners (FS/BIA/others) develop specific proposals with milestones and timelines identified.

I encourage Tribes to take advantage of this unique training opportunity. Contact Jim Erickson to confirm your interest and request additional information.

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Washington DC Update

by Mark Phillips and Matt Hill

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into the Internal Revenue Code. The bill also directs the Internal Revenue Service to establish a Tribal Advisory Committee to advise on matters regarding taxation of tribal governments, requires IRS agent training on federal Indian law and implementation of the general welfare exclusion, and temporarily suspends IRS audits of tribal general welfare programs. In the Senate, Senator Jerry Moran (R-KS) introduced a companion measure, S. 1507.

9) Vince Logan confirmed as new Special Trustee.


Investment advisor Vincent Logan (Osage) was sworn in July 7, 2014 as the Special Trustee, the head of the Interior Department's Office of the

Special Trustee for American Indians. Logan's nomination was approved by the Senate Indian Affairs Committee January 29, 2014 and confirmed by the full Senate June 26. Originally from Norman, Oklahoma, Logan was educated at Oklahoma State, University of Oklahoma College of Law, Oxford, and the Columbia University School of International and Public Affairs. He worked for the Justice Department and as a corporate finance attorney before joining Merrill Lynch as a private banker in New York. From there, he became President of the Nations Group LLC advising tribes on finance and investments.

10) House Resources Chair Doc Hastings to retire.

Rep. Doc Hastings, a Republican

representing central Washington State, including Yakama and Colville, and Chairman of the House Committee on Natural Resources, announced February 17, 2014 he will retire at the end of this Congress. Hastings is 73 years old.

Rep. Rob Bishop (R, Utah), now Chair of the Public Lands and Environmental Regulation Subcommittee, is likely to be the new chairman of the Committee. Longtime Committee member Rep. Don Young (R, Alaska), currently Chair of the Subcommittee on Indian and Alaska Native Affairs, has already chaired the full Committee for three terms and is ineligible to again move up to Chairman. 



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First Class
