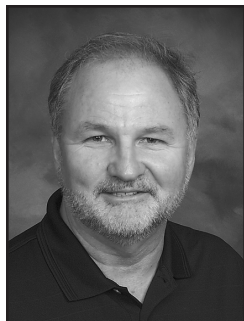




Intertribal Timber Council TIMBER NOTES

Winter 2014

Restoring Fire to the Landscape in Indian Country



James R. Erickson

The history of fire in Indian country covers thousands of years of acceptance and use of fire. More recent history (last 100 years) has disrupted this long-standing custom by controversial national policies governing how wildland fires were managed, policies that restricted and impacted Tribes ability to use wildland fire. Pre-settlement found Tribes respecting the natural role of fire on the landscape and selectively applying fire to meet diverse management objectives. Tribes used fire for many purposes including hunting, warfare, stimulating plant vigor, ceremonies, maintaining travel routes, controlling tree invasion, insect control, and home site cleanup as well as many additional applications. Suppressing natural fires was rarely considered necessary, short of protecting home sites.

Early in the 1900s national policy to suppress all wildland fires was adopted as a result of loss of fire fighter lives and resource damage. Since then, over one hundred years of fire suppression has resulted in an ecological shift of undesirable ingrowth in fire-prone ecosystems. Fires today are becoming larger, more intense and result in extensive undesirable resource damage.

But recently we have seen a reversal of national policy, especially on federal lands, to allow fires to burn to reduce fuel loadings and restore fire resilient ecosystems. What Tribes

practiced for thousands of years is now being professed by federal agencies. Traditional tribal practices have come full circle. Some agencies like the National Park Service and Fish and Wildlife Service have used fires for many years in meeting their management objectives and maintain fire-adapted ecosystems. Other federal agencies including the Forest Service and Bureau of Land Management have initiated efforts to restore fire to the landscape with mixed results. Occasionally these fires exceed agency prescriptions, causing unwanted resource damage and garnering unfavorable and excessive national attention. Unfortunately, fire like other resource management strategies does not always result in desired objectives. In spite of this, fire is a natural process that has and will always be an integral force on the landscape.

Today we as a nation are faced with some critical choices pertaining to wildland fire. The past three years has seen a national effort to develop the National Cohesive Wildland Fire Management Strategy (NCWFMS). The Intertribal Timber Council has been actively engaged in this process on behalf of its member Tribes. The NCWFMS is now reaching completion with the development of a national strategy and action plan that will provide guidance for the three regional strategy committees (East, South, West). Key for Tribes to benefit from this strategy is to engage their local neighbors in developing action plans to accommodate diverse resource management objectives that 1) restore and maintain resilient fire adapted landscapes; 2) provides for

fire-adapted communities; and 3) provides for safe and effective response to wildland fire.

So what does this mean for Tribes? The old axiom of the stars aligning may never be truer for Tribes and the management of their lands than it is today. In addition to the NCWFMS, several recent ITC projects that support tribal engagement in landscape scale treatments include:

- The third Indian Forest Management Assessment (IFMATIII) report which found that "Indian forestry has the potential to provide models for sustainable forestry and resource management, and that the influence and techniques of Indian forestry can find application on the federal forest estate."
- The current ITC Anchor Forest project has already identified two Tribes anxious to share their management style by implementing practices on neighboring federal lands.

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President's Message

by Phil Rigdon



Phil Rigdon

Good day everybody, and welcome to the new year. I hope your holidays were happy and safe and gave everyone a chance to celebrate with family and friends.

I am sure we are now all well rested and ready to get back into the woods, as well as, of course, to our desks and computers.

As foresters, and for tribal forestry, it is our time and efforts in the woods (and at our desks and computers) that make our forests and their management national examples of innovation, efficiency and effectiveness. Certainly, these achievements do not come easily; they often involve struggle and frustration and making the best out of what is at hand, but our positive results are increasingly widely recognized.

In this message, I want to thank you and commend you for making tribal forests and forestry what they are. I also want to encourage your heading into the new year with renewed dedication and enthusiasm, because forestry issues in general are receiving increasing attention nationwide and there could be federal public forest policy changes ahead. Tribes need to be aware of this policy debate and be prepared to pursue a significant role for tribal forestry within this discussion.

As you may have noted at home and around, local, regional and national media are devoting more and more coverage to forestry issues. Forest health, forest-based economies and wildfire are rising issues, and the U.S. Congress is also giving these issues increasing time and attention. Although the House and the Senate may not agree today on exactly how these issues should be addressed, both agree that federal forest policies need revision. Federal forest management gridlock is starving local governments of shared harvest revenues, diminishing forest health and resilience, and choking off rural jobs and economies. Fires are jumping in size, destruction and expense. Given these circumstances,

state governments are proposing greater roles in federal public forest management, including ideas for taking over federal public forests, with or without assuming ownership of the underlying property. Although Congress may seem dysfunctional these days, with such heightening interest, there is increasing potential for the parties to align and for change to occur, perhaps only on small forestry issues, but also perhaps on large ones.

Tribes need to be a part of this federal forest policy discussion and revision. While these discussions on federal public forest management law and policy may not apply directly to Reservation forests, they do directly apply to the National Forests and BLM lands adjoining or near tribal lands, where many tribes have reserved rights and interests as well as a stake in the health and productivity of those neighboring lands. The ITC is dedicated to doing all we can to make sure tribal interests are included in this national debate, but it is essential that the individual tribes themselves be informed about and engaged in these matters, including the tribes' forestry and natural resource professionals and your policy-making elected leadership. You have the most intimate and immediate knowledge of your forests and the broader landscape that surrounds your lands, and tribal elected leadership has the greatest familiarity and strongest relationship with your Congressional and state officials. These are the strengths and relationships that will be have to be called upon if national public forest policy starts to change and if tribes are to have a meaningful role.

I have no doubt that tribal council discussions regarding your forests are already difficult enough, dealing with the insufficient budgets, competing demands and seemingly unlimited other matters for just your own lands. But I would urge that councils also be informed about and kept up to date on the broader debate regarding national forest management policy, because the time could be upon us soon when all our voices will be needed to assure an active and effective role for tribes in any changing federal forest management policy.

Change presents both risk and opportunity. Risk is increased if we do not participate in this national forest policy debate. Tribal rights, interests and involvement in adjacent lands could be shifted or trimmed and our ability to protect our own resources could be diminished, unintentionally or otherwise. But change can also present an opportunity to improve and expand our role and involvement in adjacent federal forests, and to help those forests recover their vitality. In both cases – reducing risk and increasing opportunity – tribes need to be alert, informed and ready to engage.

As this national forestry debate unfolds, tribes are in a good position to play an active role. The third independent IFMAT report has confirmed our forest management as effective, innovative and efficient while also productive and sustainable. We have the Tribal Forest Protection Act already in place to facilitate our collaborative participation in the management of neighboring federal public forests, and we have the recently completed review of TFPA implementation. We have developed the Anchor Forest concept for coordinated forest management across the landscape and multiple stakeholders, with tribes playing a key role, and we are already engaged in Anchor Forest pilot projects, with interest in additional projects is being expressed at new locations throughout the U.S.. And tribes remain leaders in wildfire management and suppression.

But to take advantage of these strengths, tribes need to be aware of and tracking the national forest policy debate, and to be prepared to engage in it. The ITC is already pursuing an active role in this discussion, and will continue to do so, including updates and developing supporting materials. But the tribes yourselves will be essential in protecting and revising the tribal role in neighboring federal forests, and so need to be aware of this unfolding issue and be ready to take part as it moves forward. So, as soon as you can, please make sure your tribe's administrators and elected leadership are informed of this rising national forest policy issue, and are prepared to get involved. *Thank you.*



Fire Technical Specialist

by James R. Erickson

(Continued from page 1)

- The Tribal Forest Protection Act (TFPA) report found that “Tribes are becoming increasingly concerned that deteriorating conditions on FS lands that threaten their ability to protect on-reservation resources held in trust by the United States on their behalf and to exercise reserved rights.”

Collectively these point toward both a responsibility and opportunity for Tribes to take an expanded and more active role in influencing or actually implementing practices on neighboring federal lands to address social, political and economic concerns of local stakeholders while protecting tribal rights. True win-win situations that address the many challenges that face our nation and Tribes are within our grasp.

Two challenges of implementing any strategy facing Tribes will be 1) how to restore the traditional use of fire to the landscape and 2) developing solutions to fund landscape restoration and maintenance. Key to any strategy is the need to collectively recognize and embrace the core principle of fire-adapted ecosystems. In addition it will be essential to embrace and consider all available management options including timber harvest, biomass utilization, pre-commercial thin-

ning, mechanical fuel treatments, and most importantly the use of fire. Using resource values present to offset the cost of implementing treatments will be core to funding a sustainable and effective strategy.

Each region of this country has their own unique fire history that must be considered and incorporated into strategies for treating landscapes. Fire will continue to part of the process, whether natural or human caused. The impact of fire on the land will be determined by our choices and actions.

It seems somewhat ironic that national policy has relegated tribal use of fire from a natural force and primary tool for ecosystem manipulation to one that is relegated to more of an after thought than a preferred alternative to land management. The NCW-FMS identifies the use of natural and man-made fires as key to reducing and maintaining fuels and restoring and maintaining landscape resiliency. Unfortunately for Tribes avoiding risk, satisfying requirements for burn permits, developing burn plans, acquiring plan approvals, identifying funding, personnel skill development and other associated hurdles have discouraged and greatly restricted the ability to adequately apply fire to the land.

While the use of fire to meet today's management objectives varies from reservation to reservation,

the general trend nationally has been greatly reduced acres burned compared to historic levels. Today's fires often have negative resource impacts such to soil, water, forest, woodlands, and culturally valuable resources. Some times the impacts are so severe resources are lost forever.

It seems the time is upon us for Tribes to re-discover their fire histories as they develop strategies to address fuels, maintain vibrant local economies, and protect important cultural values while restoring and maintaining resilient landscapes for their children and grand-children.

To do so, we must find less cumbersome and costly methods for treating our forests and re-introducing fire to the landscapes. One effort the ITC has initiated is to include a workshop at this year's coming symposium June 23-26, 2014 at the Coeur d'Alene resort. The workshop “Restoring Fire to the Landscape in Indian Country” will provide participants the opportunity to hear about creative ways Tribes and others are applying fire to meet management objectives; share ideas and concerns about applying fire; and develop a strategy to help Tribes to re-introduce fire appropriately to their landscapes. We hope you will be able to attend and help develop a strategy to assist Indian country expand their use of fire. 🌲

Awards Committee

by Jonathan Brooks



Jonathan Brooks

of business **January 17th, 2014!** Thank you to all of those who submitted nomina-

I hope everyone had a wonderful holiday season and a happy new year. The deadline for the Earle R. Wilcox Individual Achievement Awards and For-ester of the Year Awards was close

tions in support of one of our colleague's who is deserving of these awards.

We are very fortunate in Indian Country to have so many individuals devote so much of their time and energy for the benefit of our land, our resources, and our people. It is always an honor recognizing these individuals who work tirelessly to manage Tribal land and natural resources in a culturally sensitive, ecologically responsible, and financially beneficial manner.

Now that the nominations have all been turned in, ITC will review the ap-

plications to make sure they are complete with all the necessary supporting documentation. The criteria for the awards are very stringent and we critique the nominees through 8 different categories of management practices. These categories focus on the individual's character and achievements and how they are resourceful, effective, committed, accomplished, creative, and influential in all aspects of their job and at varying levels of government and agencies. This is explained in greater

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BIA – Central Office Forestry

by Faline Haven, Acting Chief Forester



Faline Haven

Forestry 2014 Forestry Budget Overview

The rollout of the 2014 Federal Budget began as Congress authorized the expenditure of funds through a Continuing Resolution (CR).

This CR was enabled through the passage of H.R. 2775, Public Law 113-46, making forestry funds available through January 15, 2014. On or before this date, Congress must pass another appropriation act to fund the remainder of the fiscal year or, some portion thereof.

The current CR authorizes the BIA to spend up to 29.32% of last year's budget (2013 Full-Year CR with sequester). The Office of Budget Management, who is responsible for the execution of the Forestry budget, distributed Forestry TPA funding shortly after the CR legislation was passed. Project funding under the CR was distributed the week of December 8th.

Last year's Forestry TPA distribution was \$25.4 million and \$7.5 million under this year's first CR. Last year's Forestry Projects distribution was \$16.3 million and \$4.8 million under this year's first CR.

Forestry Budget (\$ thousands)	FY12 FTE Count	2012 Enacted	2013 Full-Year CR w/Sequester	2014 CR#1 (29.32%)
Total Forestry Program	204	43,574	41,742	12,239
Forestry Program TPA	156	26,232	25,414	7,451
Forestry Projects	48	17,342	16,328	4,787

Forestry as a BIA program left \$4,580,000 "on the table" in FY2013. This amount is *not* lost but "carried over" into FY2014 as the appropriation containing Forestry funds is a two-year fund. However, it should be noted that examiners at the Office of Budget Management scrutinize high carryover to budget ratios. Consequently, it is a Division priority to decrease our current carryover rate of 11% to a level reflective of more judicious budget management. Any two-year funding not used by the end of the second fiscal year of that appropriation is lost if uncommitted for use.

Forest Health Protection Update

In FY 2013, the Division of Forestry received 22 Forest Protection Project Proposals for the treatment of

insect and disease problems in tribal forests. Of these 22 proposals, 17 were funded. A total of \$768,000 was distributed to tribes for project work such as mountain pine beetle density reduction at Ft. Belknap, armillaria root fungus treatment at Spokane, and dwarf mistletoe control at San Carlos.

Historically, BIA has received the highest amount of funding compared to other federal bureaus; although in FY-2013 the National Park Service (NPS) received approximately the same amount as the BIA. Of the \$2,016,000 transferred from the Forest Service to Department of Interior Bureaus for forest health protection work, \$773,000 was transferred to the Park Service, \$475,000 to the BLM, and \$768,000 to the BIA.

The Division of Forestry received 25 project proposals for FY-2014 funding totaling \$1.5 million to treat nearly 14,000 acres of trust land.

Of the 17 funded projects in for FY-2013, we received 8 accomplishment reports for 2670 acres treated. Accomplishment reporting for Forest Health Protection, Forest Development, Inventory and Planning, and other Forestry operations continues to be a Central Office priority. It is something every Bureau and Tribal Forestry Program must pay special attention to as the Office of Budget Management continues to scrutinize performance while Bureau competition for fewer dollars remains fierce in Washington.

Land Buy Back Program

In October the Division of Forestry and Wildland Fire Management- Central Office and the Branch of Forest Resources Planning (BOFRP) met with Jodi Camrud from the Land Buy Back Program to discuss Forestry's role in the program. The Cobell Settlement Agreement provides for a \$1.9 billion Trust Land Consolidation fund. The plan is to acquire fractional interests in trust or restricted land from individuals willing to sell their interests at fair market value over a ten year period (November 24 2012 – November 24, 2022). There are 2.9 million fractional interests on approximately 150 reservations that are owned by about 243,000 individuals.

Each tract will require appraisals to determine fair market value, including timber appraisals. BOFRP will

be the point of contact between the Regions, Tribes and Land Buy Back Program to coordinate the acquisition of timber appraisals on fractionated lands. Timber appraisal data will be centrally located and warehoused at the Lakewood Office.

Forest Management Plans

In April, 1999 a memorandum from the Assistant Secretary's office directed the BIA to put in place Forest Management Plans (FMP's) on all Forested Reservations. In 2004 BIA Forestry was directed by OMB to add Forest Management Plans to the Indian Affairs Performance Management System (IA-PMS) for FY 2005 and 10 years for 100 percent completion (September 30, 2015). Meeting or not meeting IA-PMS measures will directly impact Forestry funding.

As of September 30, 2013 there are 201 of the 307 forested reservations with FMP's. The FY 2014 target is 34 and 72 for FY 2015.

BOFRP will provide technical assistance to the Regions and Tribes to meet the deadline. By April 2014 our office should have an Indefinite Delivery Indefinite Quantity Contract (IDIQ) in place to simplify and shorten the hiring of contractors. The IDIQ will be available to Regions looking for contracting assistance when completing plans. Currently we are working on FMP templates, developing and gathering statements of work from other regions, progress has been made on clarifying handbooks and policy. David Wilson, Karen DeBord, and Stacie Holmes will work directly with their assigned Regions.

Status of Forest Management Plans by Region

Region	Plans Remaining	Completed Plans	Total	Percent Completed
ALASKA	7	4	11	36.4
EASTERN	6	16	22	72.7
EASTERN OKLAHOMA	1	13	14	92.9
GREAT PLAINS	0	14	14	100.0
MIDWEST	12	29	41	70.7
NAVAJO	0	1	1	100.0
NORTHWEST	7	36	43	83.7
PACIFIC	29	40	69	58.0
ROCKY MOUNTAIN	0	7	7	100.0
SOUTHERN PLAINS	18	4	22	18.2
SOUTHWEST	2	22	24	91.7
WESTERN	24	15	39	38.5
Totals	106	201	307	65.5

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BIA Central Office Forestry by Faline Haven, Acting Chief Forester

(Continued from page 4)

BOFRP is preparing to advertise for 2 GS 11/12 Forest Management Inventory and Planning Forester positions (FMI&P). Other duties as assigned for each will be primary coordinator for the Land Buy Back Program and Forest Management planning coordinator.

Fire Management

Leadership

The Branch of Fire Management completed an in-depth survey of each fire program in Indian Country. Data from this survey was used to document shortfalls in the BIA's Preparedness budget and measure program performance. The result of this survey was a document titled "Indian Country Wildland Fire Management Preparedness Program Situation Briefing" which will be submitted to BIA Leadership before the end of the year.

Budget Management

BIA-NIFC distributed FY14-CR1 funding to the regions and the Office of Self-Governance to fund Preparedness, Fuels, Prevention and Interagency Hot-shot programs. The final amount for the FY14 Prevention and Fuels budget has not yet been established.

For FY13, the USDA FS Washington Office reported spending \$1.342 billion suppressing wildfires while the DOI reported \$394 million. In total, \$1.736 billion has been spent in suppressing wildfires this year. The BIA spent \$56.8M in Suppression. This number will increase as tribal invoices and expenses from FY13 are paid through January, 2014.

The Hurricane Sandy reimbursement packages were sent the USDA Forest Service. They will submit these documents to FEMA for reimbursements.

Hazardous Fuels Program

Carryover

The HFR FY13 carryover amount of \$2.1 million representing 7.7% of the FY13 budget was the highest in six years. In the two prior years carryover was only 2.54% (\$1M) and 2.49% (\$831K). Contributing to this high carryover rate was the transition from FFS to Federal Budget Management System (FBMS). Other factors

included retirements in BIA in budget and contracting positions and new accrual process for end of year payroll.

In FY13 we did not sweep Fuels funds to pay for Suppression, but large dollar carryover amounts indicate specific regions have too much money and or lack capacity. The national office staff is examining a range of issues associated with persistent large regional carryover, and potential solutions.

FY14 HFR Budget

A Preliminary Program of Work (PPOW) has been completed for two budget levels, the Presidents and Senate proposed budgets. If another budget level is approved, we will adjust the PPOW accordingly. Under the Continuing Resolution, base funding for Fuels will be considered at the President's Budget (\$88M), until a formal budget decision is made.

FY15 Fuels Management Program

In FY15, the "Hazardous Fuels Reduction Program" will be renamed the "Fuels Management Program". At the heart of this name change is a new risk-based fuels management funding allocation system. BIA and Tribal task members are developing "sub committees" to help examine and disseminate information as this initiative evolves. Some key issues currently being discussed include incorporation of Tribal fiduciary trust concerns, how tribes will be impacted, and how tribal input will be collected and evaluated. BIA and Tribal fuels management experts are encouraged to keep tribes informed prior to formal consultation events.

Wildland Fire Prevention

National Trespass Responsibilities and Processes training course is being developed and nearing completion. The alpha version of this course will be delivered in Portland the week of May 19th.

The Okmulgee Agency and Eastern Oklahoma Region, Bureau of Indian Affairs produced two a fire safety videos. The purpose of the video production is to promote the role of fire and fire adapted communities. The first video, "A Return to Tradition" will be used to conduct educational outreach activities for public school, homeowner associations, tribal hous-

ing meetings and other educational forums. The link is: <http://www.youtube.com/watch?v=mUkkKEWFtry>

The second video talks about the traditional uses of wildfire and why it is important to keep the ecological knowledge of tribal people alive. http://www.youtube.com/watch?v=JgxWG2XknJc&feature=player_embedded

Operations

Fire Activity

Indian Country fire activity was notably lower in 2013 than the 10-year average this due to a wet spring in the Midwest, Eastern and other regions. To date, Indian Country has experienced 3,701 wildfires (64 % of the annual average of 5,856 wildfires). These wildfires burned 226,597 acres, (37 % of the annual average of 632,442 acres). In 2014, the Great Plains Region claimed 65 percent of the total workload that occurred throughout the nation.

While the number of fires and acres were well below 10 year averages, 2013 was one of the most tragic fire seasons ever. Not since 1994 has the wildland fire community experienced so many line-of-duty deaths (34). BIA experienced one fatality, though it was not a line of duty. Nine SAFENETs were filed on the BIA to document safety concerns, up three from 2012.

Of BIA's total wildfires, 34 were large (100+ acres in timber or 300+ acres in grass) and accounted for approximately 161,000 acres and costing about \$36 million to suppress.

Below is a table of the four largest wildfires in Indian Country this year. Although the Mile Marker 28 fire ranked fourth largest, it was the most expensive at nearly \$13 million.

Fire Name	Agency	Start Date	Controlled	Cause	Size	Cost
Sunnyside Turnoff	Warm Springs	20-Jul-13	3-Sep-13	H	51,340	\$ 4,000,000
BISON	Western NV	4-Jul-13	15-Jul-13	L	24,136	\$ 8,273,185
Creek	San Carlos	16-Jun-13	5-Jul-13	L	18,066	\$ 1,550,000
Mile Marker 28	Yakama	24-Jul-13	26-Sep-13	U	16,092	\$12,900,000

Wildland Fire & Aviation Program Management and Operations Guide

Updates to the document are complete. The full document and individual chapters are posted online at: <http://www.bia.gov/nifc/operations/bluebook/index.htm>

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BIA Central Office Forestry by Faline Haven, Acting Chief Forester

(Continued from page 5)

Interagency Hotshot Crews

BIA NIFC is continuing to sell Model 52 engines, hotshot crew/support vehicles and miscellaneous hardware to help defray the cost of new vehicle purchases. Because the Branch of Fire Management is unable to implement a Working Capital Fund to procure fire vehicles, planning and procurement of the 15-20 vehicles needed yearly creates budgeting challenges. However, the proceeds from the vehicles and equipment sold in FY12 and FY13 has allowed us to purchase 10 -14 fire engines, support vehicles, and hotshot carriers in FY14.

Safety

BIA-NIFC has received requests from the field to have Wildland Fire First Aid training provide at three more locations; 1) South Dakota Feb 3-7 2) Minneapolis Feb 10-14, and 3) Oklahoma May 12-15. At these sessions, students receive outdoor first aid medical training tailored to wildland fire.

Burned Area Emergency Rehab

The BIA BAER coordinator is working to get \$2.3 million dollars of FY 13 funding to tribes and agencies for projects. After meeting with DOI leadership, agreements will allow BIA to use FY14 funding for FY13 BAER projects. Projects include reforestation, emergency stabilization and burned area rehabilitation.

Training

Craig Cook, Deputy Training Officer is finalizing details on the prescribed fire training program held on the Seminole reservation in Florida. BIA NIFC Training and Fuels are working together to provide opportunities for BIA wildland firefighters interested in getting experience in prescribed fire.

For the second year in a row, there have been insufficient applicants to conduct a Technical Fire Management (TFM) class, impacting BIA employees currently enrolled in TFM. BIA-NIFC Training is working on options for currently enrolled students to acquire college credits to meet minimum education requirements for the GS-401 job series.

Fire Planning

Fire Planners are assisting with two Spatial Fire Management Plan (SFMP) projects. The first project is for Ute Mountain Ute Agency and is in the final stages of completion. The second project is an interagency endeavor between the U.S. Fish and Wildlife Service, Fire Planning, and the BIA Eastern Regional Office who are working together to develop an interagency SFMP that incorporates most of the state of Massachusetts (and Wampanoag Nation).

The advantage of SFMPs over traditional Fire Management Plans is that spatial information significantly eliminates the amount of text required in the FMP document. Map sheets contain succinct text, maps, tables, and other referenced elements thereby providing intuitive access to critical fire management information and decision criteria. Each unit will have one or more map sheets representing information themes, such as 1) Operational Planning, 2) Fuels Planning, 3) Current Conditions, etc.

Additionally, the fire planners are creating a template to assist Indian Country in streamlining the SFMP process.

Administration

As of January 1, 2014, Social Security numbers will no longer be used on OF-288 documents. A new 10-digit Employee Common Identifier (ECI) number will replace the Social Security number and the only identification number used in I-Suite while casual hires are on an incident. Existing casual hires that have already been paid have an ECI. They should obtain this number from their home unit after December 6th, 2013. The Casual Payment Center will generate an ECI number for new casual hires as hiring information is entered into the Federal Personnel Payroll System (FPPS).

It is very important that casual employees retain their ECI numbers. We suggest casual employees record their ECI number on their current Red Card. Further information can be obtained under "Publications" on the BLM Casual Payment Center web site: http://www.nifc.gov/programs/cpc_publications.html

There were 11,029 payments made

this year to pay 3,498 casual hires. \$15.2 million in suppression funding was paid to casual hires. This is 66 % of the BIA's 10-year average of \$23 million.

Final approval of the 2014 DOI Administratively Determined Pay Plan is expected in March or April 2014.

Communication/Education

Interviews

Native People's magazine journalist, Vincent Schilling, conducted an interview with Lyle St. Goddard, Chief Mountain Hotshots Superintendent, to highlight cultural values of tribal wildland firefighters. The resulting article, "Dragon Tamers, Native Firefighters Strive to Live with Fire", was published in the May-June issue and will be available online at: <http://www.bia.gov/nifc/library/FireArticles/index.htm>


National Public Radio interviewed people from the San Carlos Reservation and Geronimo Hotshot Crew this year as well. The name of the interview is called, "Elite Native American Firefighters Join Crews at Yosemite," by Kirk Siegler. A link to the article is posted at: <http://www.bia.gov/nifc/library/FireArticles/index.htm>

Facebook

The BIA Forestry and Wildland Fire Management Facebook (FB) page continues to grow. Currently there are 2,200 followers and each post reaches between 2,000-8,000 people internationally. Each week, posts reach over 200,000 people through friends of fans. This year, the Page experienced an increase in use as more people from the internet used the messaging tool to ask questions pertaining to job hiring and current fire information.

Other

BIA-NIFC Guidance Memorandums and other documents have been posted on the BIA Fire Library and are available to for tribes. Documents can be viewed on the website at: <http://www.bia.gov/nifc/library/Memos/index.htm>

The "Smoke Signals" newsletter will no longer be printed and sent out. The PDF version will continue to be posted online. A complete archive can be retrieved at: <http://www.bia.gov/nifc/library/signals/index.htm> 

Education Committee

by Orvie Danzuka, Chairman



Orvie Danzuka

By the time you get this newsletter the deadline will have already passed to submit an application for the Truman Picard scholarship. The deadline this year was January 17, 2014. I hope you applied and/or encouraged deserving students to apply. Announcements have been sent out to tribes and agencies.

The Truman Picard Scholarship is offered annually to Native Americans pursuing higher education in the field of natural resources. Included in the last round of scholarships, current college students received \$2,000 while high school applicants were awarded \$1,500. In light of recent tuition hikes 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 undergraduate and graduate recipients.

Scholarship applicants will be rated on five criteria: application let-

ter, 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 will be even more competitive as the number of students increases while the amount of money available decreases.

At our most recent quarterly board meeting the education committee had a good discussion about potential topics for a workshop that will be hosted in the future to increase the amount of money that is allocated for the scholarship. The first workshop will most likely be held in the Pacific Northwest, and the intent is to branch out into other regions.

A Scholarship Selection Committee has been formed and they will review the applicants and grade them on the above criteria. It is very 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.

The scholarship applications will be graded and we will notify the recipients as soon as possible so that students will have more time to make travel arrangements to accept the scholarship in person at the Annual Symposium. Students that attend have opportunity to meet with potential employers. There is also a chance to hear discussion about the current and upcoming issues that are, and will be, prevalent in Indian Country.

I would also like all of the students to know that the NCCE-SCEP announcement is out. This internship is another avenue for native students to apply for a scholarship. In addition, a paid summer internship is added to this valuable scholarship for native students majoring in a natural resource program. For applications or additional information please contact the NCCE office at (785) 749-8427, (785) 749-8493 or ekiefer@fs.fed.us or bjbrown@fs.fed.us

Please visit the ITC webpage for other opportunities that are helpful for students to seek assistance while attending school.

I hope that you all had a Merry Christmas and will enjoy a wonderful new year! 🌲

Research Sub-Committee

by Adrian Leighton and Laurel James



Adrian Leighton

Happy New Year from the Research Sub-Committee. We are looking forward to a new year filled with lots of research access and opportunities that are relevant and available to tribes.

With the increased availability of online, open access journals, more and more research should be publically available. If you haven't tried researching topics of interest on your favorite search engine recently, it may be time to try again. Also, the Research Sub

Committee and the US Forest Service are nearing completion on an agreement that would make it easier for you to get access to journal articles that you are seeking. Send any requests to me at adrian_leighton@skc.edu, and I will be happy to be seek out and send articles that you can't get online.

The BIA Climate Change Coordinator, Sean Hart has just completed the first round of grants for tribal climate change adaptation planning and training. Congratulations to College of Menominee Nation and all tribes that received funding. The FY 2014 announcement is coming up soon. Subscribe to BIA Climate Change news to receive information and updates at bia_climate_news@bia.gov

The October 2014 meeting of Society of American Foresters is being held jointly with the Canadian Institute of Forestry and the International Union of Forest Research Organizations.

ITC will be organizing a panel on tribal forestry and this jam packed conference will include presentations from foresters around the world. For more information, go to the IUFRO 2014 site at <http://www.iufro.org/events/congresses/2014/>. Hope to see you there. 🌲



Laurel James

Washington DC Update

by Mark Phillips and Matt Hill



Mark Phillips

1) Do-nothing Congress ends First Session.

The gridlocked First Session of the 113th Congress ended December 20, having accomplished little other than a modest compromise budget for FY's 2014 and 2015 (see next item). As of this writing, only 57 laws have been passed and signed, compared to more than 100 on average for other recent Sessions. The House has only been in Session about 150 days, and the Senate only about 155. In 2011, the House met for 175 days and the Senate for 170 days.

The Second Session of the 113th Congress will convene January 6, 2014 for the Senate and January 7 for the House. All bills introduced in the First Session will carry over to the Second Session.

2) Modest FY '14-15 Budget agreement suspends sequester.

After being embarrassed by causing a sixteen day federal government shutdown (see next item) over a Patient Protection and Affordable Care Act (aka "Obamacare") funding spat, the House and Senate adopted in December a modest compromise budget outline for Fiscal Years 2014 and 2015 that suspends for those two years the otherwise mandatory across-the-board cuts called the sequester and provides a slight increase in discretionary spending for the same period. The adoption of the same budget total by both Chambers should enable the passage of regular appropriations bills for each of the two years. An omnibus FY 2014 appropriations bill is now expected by January 15, 2014.

Just after the October 17 end of the shutdown, Members of the House Budget Committee led by Chairman Paul Ryan (R, Wisc.) and the Senate Budget Committee led by Chair Patty Murray (D, Wash.) convened a conference to resolve differences between the House-proposed FY 2014 budget of \$967.5 billion and the Senate's \$1.058 trillion proposal. On December 10, they announced their compromise of \$1.012 trillion for FY 2014 and

\$1.014 trillion for FY 2015. The two year agreement is intended settle Congressional budget disputes until after the November 2014 elections.

The House-Senate compromise revises House Joint Resolution 59, newly titled the Continuing Appropriations Resolution 2014, which the House revised and passed December 12, the Senate passed December 18, and the President signed into law on December 26. H.J.Res 59's FY 2014 compromise total of \$1.012 trillion is \$26 billion above the FY 2013 sequestered budget total. Of the increase, about \$13 million will go to military spending and \$13 million to non-military spending. The \$1.012 trillion is \$45.8 billion over FY '14 budget caps if the FY '14 sequester had been implemented, which was otherwise due to occur in January 2014.

The House and Senate agreement on the \$1.012 trillion amount for FY 2014 discretionary spending will now enable the House and Senate Appropriations Committees to fashion regular FY 2014 bills. The dozen appropriations bills that collectively fund the federal government for each fiscal year will probably be combined into an omnibus appropriations bill, which would need to be passed and signed by January 15, when the current continuing resolution expires. It will be up to the Chairmen of the House and Senate Appropriations Committees to distribute the additional FY '14 budget spending among their dozen subcommittees, which will then have to resolve differences with the other Chamber's version. For the Interior, Environment and Related Agencies bill, which funds BIA, IHS, and US Forest Service, the final House-Senate compromise amount will likely fall somewhere around the middle of the difference between the House total of \$24.3 billion and the Senate total of \$30.8 billion – say roughly \$27 billion. What this means for specific BIA, IHS, DoI, and Forest Service programs, including fire, remains to be seen.

The additional funding provided for FYs 2014-15 is more than offset by various spending reductions and fee increases over the next ten years, including restraining cost-of-living increases for some military and federal civilian pensions and increasing airport TSA fees on airline tickets.



Matt Hill

It is important to note that the Bipartisan Budget Act allows the sequester to go back into effect in FY 2016, and does not deal with the "budget ceiling," which is the statutorily-set limit

on the total amount the U.S. can borrow to help finance its operations. The current ceiling has been waived until February 7 and will need an increase after that date, but Republicans have already vowed to fight any such increase, once again potentially placing the funding and operation of the federal government at risk.

3) Republican objection to Obamacare shuts the federal government for 16 days.

On September 30 at midnight, House Republican insistence on trying to derail the implementation of the Patient Protection and Affordable Care Act – aka Obamacare – instead only derailed a continuing resolution seeking to fund the federal government beyond the October 1 start of FY 2014 and, with no funding, caused a shutdown of much of the federal government that lasted 16 days, until early October 17. During the shutdown, many emergency or forward funded programs excepted under the Antideficiency Act were kept operational, including wildland fire fighting, but about two thirds of the BIA staff was furloughed.

As public disapproval of the shutdown mounted, the Republican controlled House started considering "mini-appropriations bills" to resume funding for popular federal activities, like operating the National Parks, or for those shut-downs that were bad public relations, like providing services to Indian tribes. While the House passed or started consideration of a number of these mini-bills, including one to resume funding for BIA and IHS programs (H. J. Res. 80, which started but did not complete House floor consideration), those that did pass were dead in the Democratically controlled Senate and, in any event, faced an Obama veto threat.

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Pressure to reopen the government mounted, and the Senate, including a number of its Republicans, on October 16 passed H.R. 2775, the Continuing Appropriations Act, 2014 on a vote of 81 to 18. The House passed the bill that night on a vote of 285 yeas to 144 nays (all Republican). Obama signed it just past midnight on the morning of November 17, making it Public Law 113-46.

Division A of the bill basically extends FY 2013 funding, including the FY 2013 sequester, until January 15, 2014. Division B waived the statutory limit on federal borrowing, or the “debt ceiling,” until February 7, 2014. The debt ceiling was otherwise due to be breached on October 17, curtailing the federal government’s ability to borrow money to continue operations.

Among provisions of interest in Division A are Section 115, providing retroactive pay for furloughed federal employees, Section 137 providing an additional \$36 million to Interior for wildland fire management activities, including coverage of previous year costs, Section 138 providing an additional \$600 million to the Forest Service for wildland fire management activities, including coverage of previous year costs, and Section 139 extending Stewardship Contracting (but just through the duration of the CR).

4) Hastings forestry bill passes House, Wyden issues “O&C” bill with tribal land.

On September 20, the House passed legislation mandating harvest levels on National Forests. Rep. Doc Hastings’ “Restoring Healthy Forests for Healthy Communities Act” (H.R. 1526, H. Rpt. 113-213) passed the House 244 yeas - 173 no. Seventeen Democrats joined all but one Republican in supporting the bill. The centerpiece of the bill in Title I creates “Forest Reserve Revenue Areas” in every National Forest System unit capable of producing at least 20 cubic feet of timber per acre. Each FRRRA is to include at least 50% of the unit’s commercial timber, with a mandated harvest level of 50% of the FRRRA’s sustained yield. NEPA and ESA are also constrained in FRRAs.

Title II of the bill seeks to focus federal fuels reduction projects in “high

risk areas” designated by state governors and also declares Tribal Forest Protection Act projects to be a “priority.”

Title III seeks to revive timber harvest revenues to western Oregon counties from BLM “O&C” lands in the State by dividing the lands between no-harvest old growth areas and designated harvest areas to be managed under state law. The Title also creates a 17,500 acre Cow Creek Reservation and a 14,800 acre Coos, Siuslaw and Lower Umpqua Reservation for those Oregon tribes.

In the Senate, H.R. 1526 was referred to the Energy and Natural Resources Committee chaired by Ron Wyden (D, Ore.), where most of the bill – especially the FRRAs and state-designated fuels projects portions – is dead.

On December 9, Wyden introduced his own O&C timber bill (S. 1784) that similarly divides the BLM lands into harvest and no-harvest areas, but the harvest areas are to remain under federal law. NEPA is to be streamlined into two comprehensive analyses, for the “moist” and “dry” forest areas, to last 10 years. The ESA is also extensively revised, supposedly to somewhat constrain its application.

The bill also creates 17,826 acre Cow Creek and 14,804 acre Coos reservations, and removes the restriction that the Coquille Indian Tribe’s trust forest comply with the standards and guides of the NW Forest Plan, placing it instead under federal Indian trust land law, including NIFRMA, except barring log exports and requiring open bidding on sales.

5) Clean Water/Forest Roads bills approved by House committee; Farm Bill fix delayed.

On October 29, the House Transportation and Infrastructure Committee unanimously approved H.R. 2026, the free-standing Clean Water/forest roads bill (the Silviculture Regulatory Consistency Act). The bill would override a federal court decision requiring Clean Water Act pollution discharge permits for almost every culvert or water discharge point on forest roads. The same provisions are included in the House version of the Farm Bill, H.R. 2642, the House – Senate conference on which stalled in mid-December over differences in food stamp and farm subsidy programs. It is hoped the conference

can be revived early next year.

6) ITC sets out priorities for Farm Bill conference.

On November 4, the ITC sent a letter to Senators Debbie Stabenow (D, Minn.) and Thad Cochran (R, Miss.) and Representatives Frank Lucas (R, Okla.) and Collin Peterson (D, Minn.), the lead negotiators on the FY 2013 Farm Bill House-Senate conference (H.R. 2642. The Federal Agriculture Reform and Risk Management Act), outlining the ITC’s preferences on eight topics subject to the conference discussions, including –

1) rejecting the too-low House \$1.5 million for the Community Open Space program,

2) adopting the House Stewardship Contracting proposal, to keep the current program,

3) expanding use of the Healthy Forest Restoration Act’s expedited procedures for environmental analysis and administrative and judicial review on fuels projects in designated forest areas beyond the WUI,

4) adopting the Senate’s inclusion of Native American trust and fee land in the Healthy Forest Reserve program, which provides assistance for ESA-related easements,

5) opposing the state Good Neighbor authority in the House bill as too broad,

6) adopting the House study on wood supply for mills,

7) adopting the Senate authorization of a DoAg Tribal Relations Office, and

8) adopting the House provision waiving Clean Water Act permits for forest roads and silvicultural activities. The ITC is one of about 150 signatories on a letter organized by the National Association of Forest Owners to the Farm Bill conference leaders urging adoption of the House Silviculture Rule. A free-standing House Silviculture Rule bill (H.R. 2026) was approved by committee October 29, 2013 (see Board Update item 5).

In mid-December, the Farm Bill conference stalled over unresolved differences on reductions to food stamp and farm subsidy programs, among other things. The outcome of the ITC’s issues will not be known until if and when the conference is concluded.

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7) Senate Ag hearing on inadequate wildfire funding.

On November 5, Sen. Mike Bennet (D, Colo.) chaired a Senate Agriculture Subcommittee on Conservation, Forestry and Natural Resources oversight hearing on "How Tight Budgets and Management Decisions Can Increase the Risk of Wildfire." Bennet's home state of Colorado, which has been particularly hard hit by declining forest health and wildfire, was a principal focus of the hearing. Witnesses included:

Panel I

1. Mr. Jim Hubbard, Deputy Chief, U.S. Forest Service, Washington, DC (former Colorado State Forester)

Panel II

1. Ms. Sallie Clark, Incoming Vice President, National Association of Counties, Commissioner El Paso County, Colorado

2. Mr. Davey Pitcher, President and CEO, Wolf Creek Ski Area, Pagosa Creek, Colorado

3. Dr. Chris Topik, Director, Restoring America's Forests Program, The Nature Conservancy, Washington, DC, and

4. Mr. Tom Troxel, Executive Director, Intermountain Forest Association, Rapid City, SD.

Gary Morishima provided the following hearing summary:

In his opening statement, Conservation, Forestry and Natural Resources Subcommittee Chairman Michael Bennet (D-CO) noted that expenses for wildfire fighting have "quadrupled" in recent years at the expense of other US Forest Service (USFS) programs such as trail maintenance and timber contracting. The now routine borrowing from other accounts has happened "for the seventh time over the last twelve years," according to Chairman Bennet. He also discussed the various negative effects of wildfires including damage to land and water infrastructure, soil erosion, mudslides and flash floods with many of these effects occurring residually a year after the original wildfire. Chairman Bennet emphasized the importance of preemptive mitigation of wildfires, asserting that a report from the nonpartisan Congressional Budget Office found that for every dollar the federal government invested in wildfire mitigation and prevention saves over five dollars in future costs

of suppressing wildfire outbreaks.

Ranking Member John Boozman (R-AR) noted that Congress' tendency to implement repeated short-term continuing resolutions (CR) as well as omnibus spending measures as opposed to stand alone long-term bills has made it difficult to plan comprehensive long-term strategies for managing wildfires. He also called on measuring the effectiveness of USFS programs in light of the current fiscal constraints. (In contrast to stand-alone appropriations, omnibus spending measures and CRs tend not to provide the degree of specific direction that stand alone bills do).

USFS Deputy Chief Jim Hubbard noted the impact of climate change on the intensity of wildfires as well as the length of wildfire season. In response to concerns from Ranking Member Boozman on the time spent on National Environment Policy Act (NEPA) compliance, Hubbard stated that the litigation caused by court challenges to NEPA are greater than any problems in implementing the law. Hubbard asserted that USFS is working to address concerns with NEPA before the litigation process starts in an effort to reduce this burden.

The hearing's panelists included Chris Topik with The Nature Conservancy who touted his organization's work on controlled burns and seconded Chairman Bennet's earlier remarks regarding the need to increase funding for hazardous fuel reduction programs and the Collaborative Forest Landscape Restoration Program. Topik also called for the establishment of a separate "wildland fire suppression disaster prevention fund." He also touted the importance of nonfederal partnerships to collaborate in fire suppression efforts.

8) Tribal energy bill with biomass demonstration program reported in the House.

On November 12, the House Committee on Natural Resources reported H.R. 1548, the Indian Energy Act, making the bill eligible for movement to the House floor. The bill includes a biomass demonstration program that seeks to compel the US Forest Service to enter at least four biomass demonstration projects with tribes over each of the next five years. The reported version of the bill includes an amendment in the nature of a substitute that changes many of the bill's provisions, although the Biomass Demonstration Project is largely unchanged. The Committee's explanatory report number is House Report 113-263.

The Senate has not produced either a companion or alternative bill. Unlike last Congress, the Senate Indian Affairs Committee's Democratic and Republican leadership have not been able to reach agreement on a bill to introduce.

9) Joe Durglo notes BIA Forestry funding inequities, IFMAT in White House summit remarks.

As part of the November 13 Tribal Leaders White House Summit, CSKT Chair and former ITC President Joe Durglo was given the opportunity to present an address to the Summit, including a host of Departmental Secretaries in attendance, on federal funding shortfalls and inequities affecting Indian Country. As part of his address, which covered a wide range of disparity issues, he included the following statement on forestry: "The recently completed third independent assessment and report on the status of Indian forests and forestry finds that BIA funding for Indian trust forest management is only one third of that for the U.S. Forest Service. This report by a blue-ribbon independent national Indian Forest Management Assessment Team (IFMAT) is required by federal statute every ten years, and the third report (IFMAT III) was completed this past summer."

10) Rep. Ken Calvert (R, Calif.) new House Interior Approps Chair.

On November 13, Rep. Ken Calvert, a Republican from California's 42nd District (in southern California's Riverside County east of L.A.), was named Chairman of the House Appropriations Subcommittee for Interior, Environment and Related Agencies. House Appropriations Chair Hal Rogers (R, Ky.) made the announcement as part of several subcommittee chair shifts caused by the October 18, 2013 death of Defense Subcommittee Chair Bill Young (R, Fla.). Among the shifts, Rep. Mike Simpson (R, Idaho) moved from chairing the Interior Subcommittee to chairing the Energy and Water Development Subcommittee, enabling Calvert to move up to the Interior Subcommittee Chairmanship. Simpson was noted for his stout protection of Indian budgets during these difficult fiscal times. Hopefully, Calvert will follow that path.

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11) Yosemite Rim Fire and N.M. salvage bills seek federal law exemption.

On November 14, the House Natural Resources Committee marked-up and approved H.R. 3188, a bill by Rep. Tom McClintock (R, Cal.) directing that salvage operations on the large Rim Fire that burned parts of Yosemite National Park “proceed immediately and to completion notwithstanding any other provision of law,” including any application of NEPA, the National Forest Management Act, the Forest and Rangeland Renewable Resources Planning Act, and the Federal Land Policy and Management Act, as well as barring any administrative or judicial review. The bill is staunchly opposed by environmental interests but was approved on a 16 to 15 party-line vote, with Republicans in support. The bill is certainly dead in the Senate.

On October 30, Rep. Steve Pearce (R, NM) introduced H.R. 3432, an almost identical bill directing that salvage on the 2012 Little Bear and Whitewater-Baldy Complex Fires and the 2013 Silver Fire in New Mexico also “proceed immediately and to completion notwithstanding any other provision of law” and be barred from administrative and judicial review. That bill was also referred to the House Natural Resources and the Agriculture Committees but was not included in the Natural Resources Committee’s November 14 mark-up. It also has no chance of becoming law.

The two bills’ blanket exemption from all federal law raises questions about their effect on any tribal lands, rights or interests that may be within the bill’s area of application.

12) Senate hears bill to expedite fuels projects.

In a November 20, 2013 hearing on 11 miscellaneous public lands bills, the Senate Energy and Natural Resources Subcommittee on Public Lands, Forests and Mining heard testimony on S. 1479, a bill by Sens. Mike Lee (R, Utah), John Barrasso (R, Wyo.) and Jeff Flake (R, Az.) requiring the Secretary of Agriculture and the Secretary of the Interior to expedite forest management projects relating to hazardous fuels reduction, forest health, and economic development. Witness Steve Ellis of the

BLM opposed the bill for its reduction of environmental protections. US Forest Service Deputy Chief Leslie Welton also similarly opposed the bill.

The hearing also covered S. 339, the Southeast Arizona Land Exchange and Conservation Act, against which San Carlos Apache Chair Terry Rambler testified. The bill would transfer sacred tribal land now held by the US Forest Service to Resolution Copper for mining. Testimony was also heard from the Chairs of the Confederated Coos, Siuslaw and Lower Umpqua Tribe and Cow Creek Tribe in Oregon (the state of full Committee Chairman Ron Wyden) on bills (S. 1414, S. 1415) to create reservations for those Tribes.

13) ITC submits Senate testimony on sequestration impacts on Indian natural resources.

On Thursday, November 21, the ITC submitted testimony entitled “The Consequences of Sequestration on Native American Natural Resources” to the Senate Committee on Indian Affairs for the Committee record of its November 14 oversight hearing on “Contract Support Costs and Sequestration: Fiscal Crisis in Indian Country.” The ITC testimony, based on Gary Morishima’s powerpoint presentation to NCAI on the impacts of sequestration on Indian natural resources, emphasizes that federal funding for tribal natural resources is already low, that further reductions will have wide-spread negative impacts on tribal members, communities, governments, and the resources themselves, and place added strain on the federal government’s already insufficient ability to carry out trust and treaty obligations.

14) House hears bill to turn federal forests over to states.

On Thursday, November 21, the House Natural Resources Subcommittee on Public Lands and Environmental Regulation held a hearing on five bills that included H.R. 3294, the State-Run Federal Lands Act introduced October 15 by Rep. Don Young (R, Alaska).

H.R. 3294 would allow states to take over management of federal public lands (parks, USFS, BLM and USFWS) without any time limit. State management would be under state law, so long as it is “more restrictive” than corresponding federal law. The state

would have to petition to take over the land and negotiate a cooperative agreement with the Secretary, with the negotiation and approval process skewed toward the state. The state would have to contribute at least half the management funding (including in-kind) for the federal lands they take over, and revenues from the land would be split as per the funding match. The bill makes no mention of Indian tribes or tribal rights.

The overall theme of the five bills in the hearing, including H.R. 3294, was state takeover of federal lands or functions. Chair Rob Bishop (R, Utah), in his opening statement generally condemning the poor management by big federal government, specifically noted testimony from a previous hearing that tribes in the Northwest are more efficient in their forest management than USFS and BLM. Ranking Democrat Rep. Raul Grijalva (D, Az.) in his opening statement condemned H.R. 3249 as a “sucker’s deal,” saying the bill does not require a state to assume any responsibility for the takeover lands, leaving all liability with the feds. Rep. Don Young, sponsor of H.R. 3294, stressed in his opening statement on the bill that it is intended to “jump start the discussion” on alternative federal land management ideas, implying it is not expected to move.

There were two witnesses on H.R. 3294. Bruce Sheaffer, Comptroller for the National Park Service, testified for the Administration against all five bills, saying it “strongly opposes” H.R. 3294.

The other H.R. 3249 witness was Robert Nelson from the University of Maryland, who worked at Interior from 1975 to 1993. He testified in general support, giving a history of the increasing “dysfunction” of federal public land management and commenting on the bill, saying it will “help open the discussion” on “desperately needed” change in federal public land management. His written testimony says “The most important role for the Congress at present is to create a statutory basis for opening up a much wider range of devolved public land management alternatives and to set the terms for subsequent oversight of these alternatives as they are put into practice. There should be opportunities not only for state govern-

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Washington DC Update

by Mark Phillips and Matt Hill

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ments but also local governments and private local non-governmental groups to propose innovative devolved land management strategies and a process by which these proposals can be fairly and expeditiously reviewed at the federal level.” Among his additional suggestions were federal “sidebars” to place some limits on state management, as well as federally-triggered retrocession for mismanagement.

There were only a couple of questions on H.R. 3294, primarily from Rep. Young, and Mr. Nelson’s very long answers discouraged more. Based on Young and Nelson’s comments, it appears H.R. 3294 is not expected to move, but is rather intended to stimulate ideas and discussion about alternative federal public land management ideas.

15) Senate committee approves bills to streamline harvest in Oregon, Montana, extend Stewardship Contracting.

On December 19, the Senate Energy and Natural Resources Committee chaired by Sen. Ron Wyden (D, Ore.) approved bills (with extensive amendments) that seek to end gridlock and facilitate health and harvest projects on federal public forests in eastern Oregon (S. 1301) and Montana (S. 37). The

Montana bill by Senators Tester and Baucus includes wilderness provisions. Also, as reported by The Oregonian newspaper, “Wyden said at the committee meeting Thursday morning that he intended to work with [Ranking Sen. Lisa] Murkowski next year on developing a bipartisan bill laying out management of federal forests throughout the country. Murkowski echoed Wyden’s statements, adding that both sides agree “that the status quo is unacceptable.””

Additionally at the Senate E&NR Committee’s December 19 mark-up, it approved S. 1300, a bill to extend Stewardship Contracting authority until 2023. There is no free-standing House counterpart legislation.

16) Bill seeks disaster funding for large wildfires.

On December 19, Sen. Ron Wyden (D, Ore.) and Sen. Mike Crapo (R, Idaho) introduced S. 1785, a bill to provide that the costs of federal wildfires that exceed 70% of the ten year average are to be paid as federal natural disaster funds, which come from a budget account separate from the US Departments of Agriculture and Interior, and so would not cripple those Department’s budgets and could free up funding for fire prevention. The bill was referred to the Senate Budget Committee.

17) Wyden may soon vacate Energy & Natural Resources Chair.

Senate Energy and Natural Resources Committee Chairman Ron Wyden (R, Ore.) may vacate that Chairmanship as soon as February to, potentially, become Chair of the tax-writing Senate Finance Committee. Current Finance Committee Chair Max Baucus (D, Mont.) plans to retire at the end of 2014, but could leave sooner to become ambassador to China. The next in line at Finance, Sen. Jay Rockefeller (D, WV), has indicated he is content to stay as Chair of the Senate Commerce Committee until he retires at the end of this term. That would open up the Finance Chair for Wyden. Wyden’s vacating the E&NR Chair would open it up for Tim Johnson (D, SD), who also plans to retire and could even leave early, in which event Mary Landrieu (D, La.) could be chair. Behind her is Maria Cantwell, who, were she to get the E&NR chair, would probably have to give up the Indian Affairs chair. Of course, there is also the possibility that, following the November 2014 federal elections, Democrats may lose the Senate majority, putting Republicans in all the committee chairs. 🌲

Awards Committee

by Jonathan Brooks

(Continued from page 3)

detail on the website http://www.itcnet.org/about_us/awards.html.

If the individuals meet the criteria they are approved for an award, results are given to ITC Program Manager who orders the awards. The awards will be presented at this year’s symposium hosted by the Coeur d’Alene in Worley, Idaho. The nominators are contacted by ITC so that they ensure the recipient can be in attendance at the symposium. In the case where a nomination does not meet the criteria, the nominator is informed of that as well, and often the case is not that the work doesn’t deserve recognition, its

either that this is not the appropriate scale to recognize the work, or more commonly, that the application and supporting documentation did not do justice to the individual being nominated.

If you are going to nominate someone, or you did nominate someone, make sure that the applications are complete and that your submission is clear, concise and details the accomplishments. The support letters should be very detailed as well, and should highlight significant achievements at the appropriate management level(s); local, regional, and/or national. For those of you who might have missed the deadline or are interested in the nomi-

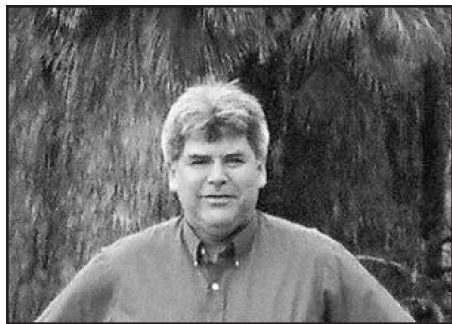
nation process, we will accept awards for 2015 starting now. It is never too early to nominate someone, we just ask that the application package be complete with all supporting documents (nomination form, reference letters) and sent to ITC by the deadline.

On behalf of the Awards Committee, Happy New Year and I hope to see you all in Idaho.

If you have any questions on anything you can always check the website (www.itcnet.org), contact the ITC office at 503-282-4296 email: itc1@teleport.com, or contact me at jbrooks@wmatforestry.com, 928-338-1665, and we will answer any questions. Thank you. 🌲

Technical Specialist

by Don Motanic



Don Motanic

Technical Service Providers (TSP) – Money in the Tribes' Bank

"We did the work, but now we can receive the money, because we're a NRCS Technical Service Provider (TSP)" is what Kurt Mettler said after he participated with several other Tribes during the workshop to become a certified TSP. In the past, the Tribe would receive Environmental Quality Incentives Program (EQIP) funding from USDA Natural Resources Conservation Service (NRCS) to assist with forest plans and/or conservation practices, but they would do the plans then need to send the work to a TSP and pay the contractor to basically rubber stamp the plan. Now that the Tribe has TSP certified staff, they receive that funding directly and its money in the Tribe's bank.


The Tribes that participated in the training include; Quinault, Burns Paiute, Confederated Grand Ronde, Nez Perce, Lummi and Coeur D'Alene.

The November 2013 training, designed for tribal forestry staff, was held at Tamátslikt Cultural Institute on the Umatilla Indian Reservation and coordinated through Kathy Ferge, NRCS, Oregon State-wide Tribal Liaison. It is a direct result of a request made during a recent training for Oregon and Idaho Tribal Advisory Council members also held at Tamátslikt and coordinated through Katherine Minthorn Goodluck, Intertribal Ag Council and NRCS Oregon, and conducted by the Wisconsin Tribal Conservation Advisory Council. Ferge notes, Oregon is committed to providing the resources necessary to help tribes access NRCS programs and get conservation on the ground in a manner that meets the needs and interests of the tribes.

NRCS is reviewing the feedback from the participants and may plan to conduct more training in the future.

For more information about the training, you can contact Kathy Ferge at 503-414-3239 or kathy.ferge@or.usda.gov.

ferge@or.usda.gov.

Here are some of the highlights from the NRCS website about how to become a TSP. <http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/technical/tsp/> 

What is a Technical Service Provider or TSP?

Technical Service Providers (TSPs) are individuals or businesses or tribal that has technical expertise in conservation planning and design for a variety of conservation activities. TSPs are hired by farmers, ranchers, private businesses, nonprofit organizations, or public agencies to provide these services on behalf of the Natural Resources Conservation Service (NRCS). Each certified TSP is listed on the NRCS TSP online registry, TechReg. The TSP registration and approval process involves required training and verification of essential education, knowledge, skills and abilities.

What kind of work can a TSP do?

TSPs provide conservation technical services to NRCS clients in two broad areas: Conservation Activity Plan (CAP) development and Conservation Practice design, installation and checkout. There are 17 separate CAPs and several different practice categories, each with individual TSP eligibility requirements.

The 2008 Farm Bill amended the 1985 Farm Bill, which authorized use of TSPs, by requiring the USDA to allow participants to receive technical assistance by individuals and entities other than NRCS. This provision is designed to ensure NRCS has the capacity to address the significant workload associated with implementing Farm Bill programs. TSP assistance is another tool for NRCS to use in the implementation of conservation programs.

TSPs must be competent to perform technical services in conservation planning, design, layout, installation, and checkout of conservation practices they are certified to perform.

TSPs are defined as third-party providers under section 1242(e) of the Food, Conservation, and Energy Act of 2008, previously defined as third-party providers under section 1242(b) of the 2002 Farm Bill, and third-party vendors under section 1242(d) of the 1996 Farm Bill.

NRCS may pay a participant with whom NRCS has a program contract or other applicable agreement for conservation technical services if all of the following conditions are met:

- (1) The participant selects an individual, entity, American Indian Tribe, or public agency from the list of certified TSPs.
- (2) The provided technical services meet all legal, technical, and programmatic requirements.
- (3) Funding is available.
- (4) The practice must be obligated in the Conservation Practice Contract prior to TSP services being commenced.



Symposium Committee

by Howard Teasley, Jr.



Howard Teasley, Jr.

Winter News Now

M e e l i
Kismes & 'Eey
sin'. Merry
Christmas and
Happy New
Year! TWO
THOUSAND
AND FOUR-
TEEN is here. ☺

I would like to
ask for continued

blessings to our ITC family, committees
and friends. To our Symposium Com-
mittee, Thank you for your outstanding
work this past year, and the coming. Let
us all have a great blessed year.

'Qe'ciyew'yew - Thank you.

The 2014 symposium will be held
June 23rd through 26th at the Coeur
d'Alene Casino Resort & Hotel, Wor-
ley, Idaho and hosted by the Coeur
d'Alene Tribe. The theme of this year's
symposium is *"Managing Trust Lands
Among Non-Trust Neighbors: Work-
ing Together for the Greater Good"*

Sunday, June 22th. The annual
golf tournament will be held at another
location to be disclosed later. Current-
ly, the Coeur d'Alene Tribal Elders are
having their own three day golf tour-
nament over the same weekend.

Monday, June 23th. Pre-symposium Workshops:

Workshop #1: Traditional Cedar Bas-
ket Weaving and Camas Digging

Workshop #2: GIS Refresher

Workshop #3: Idaho Forest Group
– Mill Tour

Workshop #4: Coeur d'Alene Forestry
Tour

Workshop #5: Fire Update

The fees for individual workshops
are: \$105/participant **before** May 25,
2014 and \$120/participant **after** that
date. Make sure you register early. All
workshops are provided with refresh-
ments and lunches. And please dress
appropriately for field workshops.

Symposium Registration starts
at 3:00 pm, and runs until 8:00pm in
lobby of the Coeur d'Alene Casino
Resort & Hotel Conference Center.

Ice Breaker will be held at the
Chinook Meadows from 6:00 pm to
8:00 pm, which is sponsored by the

Coeur d'Alene Tribe.

Tuesday, June 24th. Registration,
Exhibits, and the Raffle begin at 7:00
am. The symposium officially starts
at 8:00 am with the Opening Ceremo-
nies – Invocation, Posting of the Col-
ors, and Welcomes from Chief Allan,
Chairman, Coeur d'Alene Tribe &
Davis Matheson, CEO, Coeur d'Alene
Casino Resort & Hotel, and our ITC
President Phil Rigdon. The Keynote
Address will be by Ernie Stensgar,
Vice Chairman, Coeur d'Alene Tribe.

In the morning our first panel will
start with IFMAT III, titled, "Respond-
ing to Recommendations", with three
sections that include Education and
Leadership, Climate Change – On the
Ground Impacts, and Anchor Forest.

ITC Leadership Lecture Series Lun-
cheon will be announced at later date.

The first afternoon panel is titled
"Cobell Settlement/Land Buyback/
Trust Reform", and our final panel
of the day will deal with Student Re-
search from under graduate, graduate,
and doctoral studies.

The Host Tribe Regional Presen-
tation will be presented by the Alfred
Nomee, Natural Resources Director,
Coeur d'Alene Tribe.

This will conclude the afternoon
sessions and the evening events will
start at 6 pm with the Host Tribe Wel-
come at Camp Larson for the Tradition-
al Dinner, Drumming and Dancing.

Wednesday, June 25th. The Coeur
d'Alene Tribal Tour will give sympo-
sium participants an opportunity to
see natural resource activities occur-
ring on the reservation.

The stops will include beaver dam
and stream restoration, and Forest
Management on the Coeur d'Alene

After the tour, there will be a Gen-
eral Membership Meeting, which will
be an open forum with topics of discus-
sion given at a later date. This will also
give member Tribes the opportunity to
communicate with the ITC Board of
Directors about their concerns.

Thursday, June 26th. The day's
activities will start with the ITC Presi-
dent's Report, then the updates from the
BIA Chief Forester, Legislative update,
a National Association of State Forest-

ers (NASF) Update, and a USDA For-
est Service Tribal Relations Update.
Immediately following the updates our
ITC Workshops will start simultane-
ously: Workshop 1: "Challenges of
Managing on a Checkerboarded Res-
ervation", with the goal of the work-
shop is to explain the many challenges
that occur in the management of tribal
lands with adjacent ownerships – pri-
vate, state, & federal in Indian Coun-
try. Workshop#2: "Restoring Fire on
the Landscape in Indian Country", the
workshop will look to the past, pres-
ent and future of fire on Indian Lands.
Workshop #3: "Timber Economics",
this workshop will concentrate on the
current and future timber markets on
local, national, and international levels.

Following the workshops, there
will be the Annual ITC Business
Meeting. The 38th Annual National In-
tertribal Timber Symposium will con-
clude with our Annual Awards Banquet
to honor and recognize the recipients
of any regional or national Earle Wil-
cox Awards, and the recipients of the
Truman D. Picard Scholarship, and
winners from the Poster Board Ses-
sion. And finally, the winners of the
various Education Committee Raffle
prizes will be presented at this time.

Lodging Information will be
available on the ITC website at www.itcnet.org soon.

Help: Intertribal Timber council
is nonprofit organization and is always
looking for donations and/or sponsor-
ships during the Annual Timber Sym-
posium. The break sponsorships are
full, but ITC will accept banquet spon-
sorships that can be of any amount. If a
Tribe or business is interested in making
a donation, please contact ITC directly.

Here are the future Symposium
dates for planning purposes:

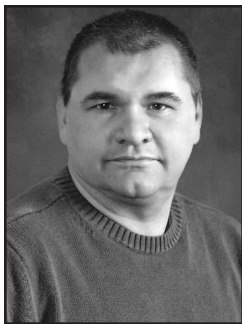
2014 – June 23-26, 2014, 38th Annual
National Indian Timber Sym-
posium hosted by the Coeur d
Alene Tribe of Idaho

2015 – June 8-11, 2014, 39th Annual
National Indian Timber Sym-
posium hosted by the Coquille
Indian Tribe, North Bend, OR

(Continued on page 15)

Operations Committee

by Jim Durglo, Chairman



Jim Durglo

What is the federal trust obligation to Indian Tribes? This is a question that many struggle with. It also seems that no one person has a clear definition. A

commission has been assembled to look at this and has recently issued a final report of their findings titled; Report of the Commission on Indian Trust Administration and Reform, December 10, 2013.

As part of the Cobell settlement, then Secretary Ken Salazar established a Secretarial Commission on Indian Trust Administration and Reform by secretarial order No. 3292, on December 8, 2009. The Order states that there needed to be:

A thorough evaluation of the existing management and administration of the trust administration system to support a reasoned and factually based set of options for potential management improvements. It also requires a review of the manner of which the Department audits the management of the trust administration system, including the possible need for audits of management of trust assets.

The commission acts solely in an

advisory capacity to the Department of Interior, and exercises no program management authority. In the final report, the commission delivers numerous and wide ranging recommendations.

The commission finds that there is



Photo courtesy of Roian Matt, CSKT

not a clear definition of trust responsibility and not clear understanding of the responsibility that federal agencies have in building a government-to-government relationship with Indian Tribes. It is also stated in the report that many agencies sometimes view the trust responsibility as that of the Bureau of Indian Affairs, or DOI, if the agency is outside of Interior. The Commission states in the report “this is not the case. The trust obligation run to all agencies as they carry out activities that affect on and off reservation trust rights, customs, religion, and traditions.”

The latest Indian Forest Management Assessment (IFMAT) report also refers to the trust obligation. Stating

that “The fulfillment of the federal trust duty depends upon standards against which performance can be evaluated. A central part of the trust responsibility is to see that each tribe has the means to develop its vision and management plans with adequate technical resources and personnel.”

With this in mind, it seems that each tribe needs to develop their own respective standard, based on existing management plans. The same could be said for minerals, lands, or other natural resources management. We need the resources and personnel to successfully implement our vision and respective management plans.

Understanding that each tribe is unique and autonomous, the ball may be in the Tribe’s court in defining what the ‘Trust’ means to you, and clearly articulate what resources are needed to implement your respective management plans.

Please plan to join the ITC in discussions about the trust commissions report and the IFMAT report implementation strategy at our next scheduled board meeting on February 19, 2014 in San Diego, California. 🌲

Symposium Committee

by Howard Teasley, Jr.

(Continued from page 14)

2016 – Dates TBD, 40th Annual National Indian Timber Symposium hosted by the Mississippi Band of Choctaw Indians, Choctaw, MS

2017 – Dates TBD, 41th Annual National Indian Timber Symposium hosted by the Yakama Nation, Toppenish, WA

We hope to see all of you back in June

2014, Worley, ID, hosted by the Coeur d’Alene Tribe. Check the ITC Website periodically at www.itcnet.org for 2014 Symposium information updates.

Take Care and God Bless.
Qe’ciyew’yew

If you are not on the ITC mailing list and would like to receive correspondence, please contact the ITC Office by phone at (503) 282-4296, or email at itc1@teleport.com, or view the ITC website online – www.itcnet.org 🌲



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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