

**An Assessment of Indian Forests
and Forest Management
in the United States**

**INDIAN FOREST
MANAGEMENT
ASSESSMENT TEAM**

“IFMAT III”

IFMAT III Members

- **John Gordon – Co-chair**
- **John Sessions – Co-chair**
- **Mike Sterner – Coordinator**
- **John Bailey – Fire/Silviculture**
- **Vincent Corrao – Forest Operations**
- **Larry Mason – Education/Enterprise Management**
- **Mark Rasmussen – Forest Planning**
- **David Cleaves – Forest Policy/Climate Change**
- **Adrian Leighton – Education/ Silviculture**
- **Hal Salwasser – Fish/Wildlife/Administration**
- **Don Motanic – ITC support**
- **Graduate Students – Laurel James, Serra Hoagland, Breanna Gervais**

Origin

- **National Indian Forest Resources Management Act (NIFRMA)**
 - Public Law 101-630, Title 3, 1990, directs the Secretary to obtain an Independent Assessment of Indian Forests each 10 years
- **Secretary enters into contract with ITC**
- **ITC selects team of forest management specialists for the Independent Assessment**
- **Report to be delivered to ITC who transmits report to Congress, BIA, Tribes, and other parties.**

Initial Congressional Findings

- **Forest lands are among the most valuable assets of Indians**
- **United States has a trust responsibility toward Indian forest lands**
- **Existing federal laws do not sufficiently assure the adequate and necessary trust management of Indian forest lands**
- **The federal investment is significantly below the level of investment in, and management of forest lands by other agencies and owners.**

Eight "Questions" or Elements of NIFRMA as they relate to IFMAT

- **A. In-depth analysis of management practices and level of funding compared to similar federal and private lands**
- **B. Survey of condition of Indian forest lands**
- **C. Evaluation of staffing patterns of BIA and tribes**
- **D. Evaluation of procedures employed in timber sale administration and accountability of proceeds**
- **E. An analysis of potential of reducing or eliminating procedures, rules and policies of the BIA consistent with federal trust responsibility**

Eight Questions (con't)

- **F. Comprehensive review of adequacy of Indian forestland management plans to meet tribal needs and priorities**
- **G. Evaluation of the feasibility and desirability of establishing minimum standards against which the adequacy of the forestry programs of the BIA in fulfilling its trust responsibility can be measured**
- **H. A recommendation of any reforms and increased funding levels necessary to bring Indian forestland management programs to a state-of-the-art condition.**

ITC Additional Issues

- **Evaluate opportunities to develop more Indian professionals in natural resource management through enhanced educational opportunities**
- **Evaluate economic contribution of Indian forests to tribal and regional economies**
- **Evaluate opportunities of Indian forests to become “anchors” of forest infrastructure**

Methods & Process: Information Gathering

- Visited 20 tribes during 2012 to develop a snapshot of current forest condition, BIA and tribal programs, and sample tribal input on the adequacy of the forestry program
- BIA Regional and Area Office meetings or conference calls: Albuquerque; Portland; Minneapolis; Phoenix; Sacramento
- Washington, DC meetings with BIA, BLM, USFS, NRCS. 11/27-29
- NIFC 1/13

Methods

- Reviewed BIA databases, Funding and Position analyses, Forest Plans, IRMPs
- Review other federal and state databases (e.g., FIA)
- Tribal Colleges and education focus groups.
- Regular, on-going calls, email w/ BOFRP.
- Questionnaires (1. perceptions of forest resource (used in IFMAT-I & II; 2. workforce)

Example Site Visit Agenda

- **Day One**
- **8:00am - 8:30am** Meet with Forestry Staff (Breakfast before or during). Introduce IFMAT process, team bios and purpose
- **8:30am - 10:30am** Presentation by Forestry staff / Discussion
- **10:30am - 10:45am** Break
- **10:45am - 11:45am** Meet with Tribal Council representatives; and / or with other N.R. staff (wildlife, range, etc.) environmental, water resources, fisheries,
- **12:00 - 1:00** Lunch with Forestry
- **1:00 - 2:30pm** Focus Group (8 to 12 members of the tribal public who are not employed by forestry office).
- **2:30 pm to 3:30pm** Meet with Enterprise management. Mill tour, if applicable.
- **3:30 - 5:00** Follow up/ Gather data from forestry staff on 8 NIFRMA questions
- **5:00pm - 6:00pm** Break
- **6:00pm - 8:30pm** Reception and Dinner / Social with Tribal Leaders, Forestry Staff, IFMAT
- **Day Two**
- **8:30am to 4:00pm** Forestry field tour (Lunch in the field)
 - Recent, ongoing timber sales
 - Thinning work
 - Roads, bridges, culverts
 - Cultural sites / special management areas
 - Fuels reduction treatments; TFPA sites, if any
 - Watershed restoration
- **4:00pm to 4:30pm** Closing Remarks/Exit Visit with Tribal Council

ITC Question 1: 3 most important trustee functions

- Adequate recurring and assured funding of essential trust management activities, with an allocation scheme based on a base level and an incentive scale, geared to tribal vision, priorities and plans.
- State of the art technical assistance in planning (IRMP, FMP), technology, and management that is available flexibly and geared to individual tribal needs.
- Effective trust oversight including fiscal management and accounting, coordination among US agencies, and adequate review of plans by a system geared to tribal vision, priorities and objectives.

ITC question 2. Type of involvement of tribes with the Government's oversight of trust natural resources?

- Transfer of forest assets to a fully private trustee (bank, law or consulting firm) seems to risk losing the flexibility and direct US government participation needed to meet tribal goals as tribal vision and objectives evolve
- Current public model suffers from making the BIA both the de-facto deliverer of the trust activities and the oversight to see if the activities are appropriate and well executed

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- IFMAT I recommended an independent commission to periodically review performance against Tribal plans, accepted by the Secretary of the Interior, and with power to require corrections when departure from the plan, or plan obsolescence
- Possible model is Nuclear Regulatory Agency

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- Allottees should be included in all phases of forest planning and operations and allotted forest lands should be repurchased by tribes on a willing seller/willing buyer basis.
- A strong case can be made that the allotment system was a consequence of a mistaken approach to the discharge of the trust responsibility, and therefore should be modernized as part of the trust responsibility.

ITC question 3. What are your top three recommendations that you think would improve or strengthen trust management and/or administration for the Commission to consider?

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1. Adequate recurring funding geared to tribal goals under a trust system as above.
2. Improved technical assistance and cooperation, with greatly improved US interagency delivery.
3. Implement the trust oversight recommendations of IFMAT I to make tribal goals, capacity and self-governance central.

IFMAT I had four gaps listed as its "most significant findings":

- 1) the gap between the visions that Indians express for their forests and how these forests have been managed;
- 2) the gap in funding between Indian forests and comparable federal and private lands;
- 3) the [relative] lack of coordinated resource planning and management; and
- 4) the need for a better method of setting and overseeing trust standards for Indian forestry. These gaps resulted in one major recommendation and a set of supporting recommendations.

The Major Recommendation:

- Redefine the U.S. government's role in discharging its trust responsibility so that tribal governments have primary responsibility for directing Indian forestry.

IFMAT II noted that the IFMAT I "gaps" had narrowed in some instances, but were still observable

IFMAT II made 6 "Primary" Recommendations:

1. Bring per acre investment in Indian forestry to levels comparable to that available for similar federal, state, and private forests over a ten year period. This echoes IFMAT I, and adds state lands as a comparison and proposes a 10 year (IFMAT cycle) time period.
2. Implement a management and oversight structure to endure effective trust oversight in implementing plans that reflect the visions of individual tribes for forest sustainability. This again echoes the IFMAT I call for a triangulated model of tribal vision and management, US technical support, and separate US trust oversight.

IFMAT II Primary Recommendations

3. Maintain BIA technical services capacity at least at the 1993 level. This also suggested a call for a Small Tribes Technical Service Center in the West.
4. Provide adequate funding to support the development of Integrated Resource Management plans (IRMPs).
5. Fund a "willing buyer/willing seller" program to enable tribes to consolidate tribal and allotment lands.
6. Continue the 10-year cycle of Indian Forest Management Assessments, with improved, continuous and coordinated interim data collection techniques and to provide adequate funding for a consistent monitoring process.
