

Daines Introduces Tribal Forestry Legislation 05/27/16

U.S. SENATE — U.S. Senator Steve Daines today introduced major legislation that will improve the health of both Indian and federal forest land.

Daines' bill, the Tribal Forestry Participation and Protection Act helps keep Indian forest land and nearby federal forest land healthy by fostering greater cooperation between tribes and the Departments of Agriculture and Interior. This legislation will empower Montana tribes and federal agencies with a new tool to expedite critical restoration projects on certain federal lands, thereby increasing active management and improving forest health.

“We need commonsense forest management reform that cuts through the bureaucratic red tape, improves the health of our forests, creates good paying jobs and reduces the risk of catastrophic forest fires,” Daines stated.

The Senate Committee on Indian Affairs will hold a hearing on Daines' bill on [June 8, 2016](#).

Daines' bill will reduce the risk of wildfire on federal lands that neighbor tribal lands. The need for this legislation was demonstrated by last summer's Spotted Eagle Fire, which started in upper Lonesome Creek drainage in the Badger Creek area of the Lewis and Clark National Forest and expanded and crossed the forest boundary onto the Blackfoot Reservation. More details on that fire are available [here](#).

The Tribal Forestry Participation and Protection Act:

Cuts down on red tape and project delays:

- Requires the Secretary of Agriculture or the Interior to provide tribes an initial response on a Tribal Forest Protection Act project request within 90 days and a denial no later than 1 year after the request is received.
- Requires the Secretary to complete all necessary environmental reviews within two years.

Provides for enhanced forest management:

- Creates a ten-year pilot program that authorizes the Secretaries of the Interior and Agriculture, at the request of an Indian tribe, in consultation with state and local governments, to treat Federal forest land as Indian forest land for the sole purpose of expediting forest health projects on federal lands that have a direct connection to the tribe.
- Keeps the land in federal ownership and maintains public access, revenue-sharing with state and local governments, prohibitions on log exports, recognition of existing rights of way and county roads, and upholds environmental protections.
- Ensures no other uses of public lands are impacted.

Promotes tribal self-determination:

- Gives the Secretaries of Agriculture and the Interior authority to enter into 638 contracts with tribes to complete administrative functions under the Tribal Forest Protection Act of 2004, rather than requiring that the federal government do it for them.
- Daines' bill has the broad support of Montana's tribes and forest stakeholders.

The Confederated Salish and Kootenai Tribes Tribal Council Chairman Vernon Finley: “The proposed Tribal Forestry Participation and Protection Act of 2016 will provide additional opportunity for the The Confederated Salish and Kootenai Tribes to manage culturally and geographically related Forest Service lands previously ceded by Treaty with the United States and to foster great cooperation between the Tribes and the Departments of Agriculture and Interior.”

Chairman Finley's full letter of support is available [here](#).

Crow Tribal Chairman Darrin Old Coyote: “The Crow Tribe knows that tribal management of tribal forests is not only best practice, but an important expression of our tribal self-determination. It enhances our ability to stimulate the local tribal economy and provide employment opportunities, and income, for the Tribe as well as individual tribal members. The Act serves to provide additional opportunities to perform the above by authorizing tribal contracts with the federal government to manage federal forests within their former homelands as tribal forests.”

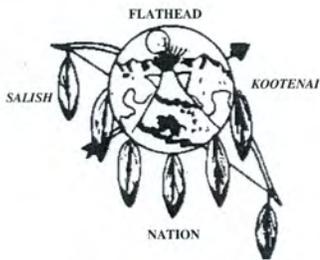
Chairman Old Coyote's full letter of support is available [here](#).

Blackfeet Tribal Chairman Harry Barnes: “The Blackfeet Tribe supports the Tribal Forestry Participation and Protection Act which will Federal greatly assist in fostering cooperative forestry management and planning on Tribal and forest lands. The Tribe appreciates Senator Daines efforts to bring about such cooperation which will significantly increase protections for Tribal forest lands.”

Intertribal Timber Council President Phil Rigdon: “We believe that, as the concepts and practices of forest management broaden across the landscape, the protection and participation your legislation affords Indian tribes are sensible and offer new, innovative and beneficial opportunities for all parties. We thank you for your sponsorship of the Tribal Forestry Protection and Participation Act of 2016, and look forward to working with you and your Senate colleagues to advance this legislation.”

President Phil Rigdon's full letter of support is available [here](#).

Executive Director of the Montana Wood Products Association Julia Altemus: “We applaud Senator Daines for introducing the “*Tribal Forestry Participation and Protection Act of 2016*.” This bill will not only protect tribal forest assets through the use of Stewardship End Result contracting but will provide prompt consideration of tribal requests by the Secretaries of Agriculture and Interior. Tools in the Act will help protect tribal timberland assets, will provide economic stability to tribal members, and will increase the ability of federal agencies meet their resource management goals.”



THE CONFEDERATED SALISH AND KOOTENAI TRIBES
OF THE FLATHEAD NATION
P.O. BOX 278
Pablo, Montana 59855
(406) 275-2700
FAX (406) 275-2806
www.cskt.org



A People of Vision

A Confederation of the Salish,
Pend d' Oreille
and Kootenai Tribes

May 5, 2016

Honorable Steve Daines
United States Senate
Washington, DC 20510

Via Electronic Mail To:

Sophie_Miller@daines.senate.gov

Subject: *Tribal Forestry Participation and Protection Act of 2016*

Dear Senator Daines:

I write on behalf of the Tribal Council of the Confederated Salish and Kootenai Tribes in support of the Tribal Forestry Participation and Protection Act of 2016. As you know the Tribes manage forest resources on the Flathead Indian Reservation, along with many programs formerly operated by the United States. The Tribes promote keeping Indian forested land and nearby Federal forest land healthy by fostering greater cooperation between the Tribes and the Departments of Agriculture and Interior.

The proposed Tribal Forestry Participation and Protection Act of 2016 will provide additional opportunity for the Confederated Salish and Kootenai Tribes to manage culturally and geographically related Forest Service lands previously ceded by Treaty with the United States and to foster greater cooperation between the Tribes and the Departments of Agriculture and Interior. We understand there are some additional and fairly minor definitional changes being contemplated. As we understand those changes, we are comfortable with them.

We appreciate your efforts in supporting this legislation and look forward to working with you and your colleagues to ensure its swift passage.

Sincerely,

Vernon Finley
Tribal Council Chairman

TRIBAL COUNCIL MEMBERS:

Vernon S. Finley - Chairman
Len Twoteeth - Vice Chair
Troy Felsman - Secretary
Anita Matt - Treasurer
Ronald Trahan
Shelly R. Fyant
Leonard W. Gray
Carole Lankford
Dennis Clairmont
Patty Stevens

CROW TRIBE EXECUTIVE BRANCH

Bacheeitché Avenue
P.O. Box 159
Crow Agency (Baaxuwuashé), Montana 59022
Phone: (406) 638-3732/638-3786
Fax: (406) 638-7301



Office of Chairman Darrin Old Coyote

Darrin Old Coyote

CHAIRMAN

Dana Wilson

VICE CHAIRMAN

Alvin Not Afraid Jr.

SECRETARY

Shawn Backbone

VICE SECRETARY

May 16, 2016

The Honorable Steve Daines
US Senate
Washington, DC 20510

Dear Senator Daines:

I am writing, on behalf of the Crow Tribe, to express our support for the Tribal Forestry Participation and Protection Act of 2016 (the "Act"). The Act appears to present an improvement over existing federal legislation, which would more than likely present a "win-win" situation for all parties involved in the administration and management of tribal and federal forests by streamlining the process, providing clear deadlines for approval and denials of tribal proposals, and overall providing additional opportunities to tribes interested in managing forests to which they are culturally and historically connected.

The Crow Indian Reservation, located in southeastern Montana between Billings and Sheridan, Wyoming, covers an area of over 2,226,000 acres. The Tribe, in conjunction with the Bureau of Indian Affairs (BIA), cooperatively manages approximately 27,395 acres of managed forestland, 19,627 acres of woodlands, and over 60,000 acres of tribally reserved forest.

The Crow Tribe knows that tribal management of tribal forests is not only best practice, but an important expression of our tribal self-determination. It enhances our ability to stimulate the local tribal economy and provide employment opportunities, and income, for the Tribe as well as individual tribal members. The Act serves to provide additional opportunities to perform the above by authorizing tribal contracts with the federal government to manage federal forests within their former homelands as tribal forests.

As you are likely aware, according to the 2013 Indian Forest Management Assessment Team Report to Congress, Tribes have proven they are more capable of carrying out active forest management than their similarly situated federal counterparts. Specifically, the report indicated that Tribes were able to accomplish more, on their forests, with far less funding, than other federal managers, even while complying with the same federal laws that national forests are currently subject to.

The Great Apsáalooke Nation: "Teepee Capital of the World"

The Honorable Senator Steve Daines
May 16, 2016
Page 2

As such, the Crow Tribe is happy to send this letter in support of the Tribal Forestry Participation and Protection Act of 2016.

Sincerely,

A handwritten signature in blue ink that reads "Darrin Old Coyote". The signature is stylized and written in a cursive-like font.

Darrin Old Coyote, Chairman
Crow Tribe of Indians



Intertribal Timber Council

BOARD OF DIRECTORS

President Philip Rigdon, Yakama Nation; Vice President Vernon Stearns, Jr., Spokane Tribe; Secretary Orvie Danzuka, Confederated Tribes of the Warm Springs Indian Reservation of Oregon; Treasurer Timothy P. Miller, Grand Portage Band of Lake Superior Chippewa BOARD MEMBERS: Billy Nicholson, Colville; Carole Lankford, Confederated Salish & Kootenai; Larry Blythe, Eastern Band of Cherokee Indians; Darin Jarnaghan, Sr., Hoopa; Shannon Wheeler, Nez Perce; William Albert, Tanana Chiefs Conference; Dee Randall, San Carlos Apache Tribe

MEMBER TRIBES

Alabama-Coushatta Indian Tribe
of Texas
Association of Village Council Presidents
Bois Forte Band of Chippewa
Choctaw Nation of Oklahoma
Chugachmiut, Inc.
Coeur d'Alene Tribe
Confederated Salish & Kootenai Tribes
Confederated Tribes of Coos,
Lower Umpqua & Siuslaw
Confederated Tribes of Grand Ronde
Confederated Tribes of Siletz Indians
Confederated Tribes of
the Colville Reservation
Confederated Tribes of the
Umatilla Indian Reservation
Confederated Tribes of the Warm Springs
Indian Reservation of Oregon
Coquille Indian Tribe
Cow Creek Band of Umpqua Tribe
Eastern Band of Cherokee Indians
Fond du Lac Band of Lake Superior
Chippewa
Forest County Potawatomi Community
Grand Portage Band
of Lake Superior Chippewa
Hoopa Valley Tribe
Hualapai Tribe
Kalispel Tribe
Karuk Tribe
Kawerak, Inc.
Keweenaw Bay Indian Community
Klamath Tribes
Leech Lake Band of Ojibwe
Makah Indian Tribe
Menominee Tribal Enterprises
Mescalero Apache Tribe
Metlakatla Indian Community
Muckleshoot Indian Tribe
Nez Perce Tribe
Passamaquoddy Tribe
Penobscot Nation
Quileute Tribe
Quinault Indian Nation
Red Lake Band of Chippewa
Round Valley Indian Tribes
Saint Regis Mohawk Tribe
San Carlos Apache Tribe
Sealaska Timber Corporation
Seminole Tribe of Florida
Skokomish Indian Tribe
Southern Ute Indian Tribe
Spokane Tribe
Stockbridge-Munsee Community
Tanana Chiefs Conference
Tulalip Tribes
Tule River Tribe
Turtle Mountain Tribe
White Earth Reservation
White Mountain Apache Tribe
Yakama Nation
Yurok Tribe

May 17, 2016

The Honorable Steve Daines
320 Hart Senate Office Building
U.S. Senate
Washington, DC 20510

Dear Senator Daines:

On the behalf of the Intertribal Timber Council (ITC), I am writing to express the ITC's support for your legislation, the "Tribal Forestry Participation and Protection Act of 2016." This legislation will improve the ability of Indian tribes and the United States to protect tribal trust forest assets by establishing more certainty in the consideration and implementation of the 2004 Tribal Forest Protection Act (TFPA). Your bill will also allow tribes to more effectively participate in the holistic, active and landscape-based concepts that are increasingly guiding today's forest management activities. And your bill will enable tribes to directly conduct approved TFPA projects. All of these authorities are to be exercised working with and through the Secretaries of Agriculture and Interior.

Within the family of federal forests, and perhaps within the family of all American governmental forests, Indian forestry brings unique perspectives and capacities to forest management, and particularly the management of federal forests. Our forests are managed by and for our tribes, and our long history and experience of living in concert with the natural landscape informs and guides how we manage our forests both for today and far into the future. Indian forests are held in trust for our benefit by the United States, requiring the highest standard of fiduciary care by our federal trustee while also placing our forests within the broad scope of federal law. Pursuant to statute, tribal forests are also the only federal forests, and perhaps the only governmental forests in the United States, to be the subject of mandatory decadal independent reviews and assessments.

Management of Indian forests today is principally conducted under the National Indian Forest Resources Management Act of 1990, the most modern and flexible federal forest management law. In addition to its management provisions, the law directs the Secretary of the Interior to provide for the conduct of independent reviews and assessments of Indian forests and their management every ten years. To date, three Indian Forest Management Assessment Teams (IFMATs) have conducted their reviews and issued their reports (IFMAT reports of 1993, 2003 and 2013). These reports have consistently found that the U.S. underfunds and inadequately fulfills its fiduciary obligations for Indian forestry, but that tribal forest management nonetheless facilitates innovative and integrated forestry practices. The reports further find 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.

Senator Daines, your legislation draws upon and enhances these unique aspects of Indian forestry. It strengthens the federal trust protection of tribal forests by providing tribes a clearer and timelier path for addressing fire, health and other concerns on adjacent federal forests. It will allow tribes and the Secretaries of Agriculture and Interior, working in conjunction on a demonstration basis, to explore the potential benefits of applying tribal forest management on adjacent federal forests. Your legislation will also help alleviate burdens on federal forest managers by enabling tribal governments to apply their capabilities in the conduct of Tribal Forest Protection Act projects.

We believe that, as the concepts and practices of forest management broaden across the landscape, the protection and participation your legislation affords Indian tribes are sensible and offer new, innovative and beneficial opportunities for all parties. We thank you for your sponsorship of the Tribal Forestry Protection and Participation Act of 2016, and look forward to working with you and your Senate colleagues to advance this legislation.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Phil Rigdon', with a long horizontal flourish extending to the right.

Phil Rigdon
President