# REPORT ON THE STATUS OF INDIAN FOREST LANDS
# FISCAL YEAR 2022

AS REQUIRED BY SECTION 312 (C)
OF THE

**NATIONAL INDIAN FOREST RESOURCES MANAGEMENT ACT**
**P.L. 101-630**

SUBMITTED TO

**COMMITTEE ON NATURAL RESOURCES**
**UNITED STATES HOUSE OF REPRESENTATIVES**

AND

**COMMITTEE ON INDIAN AFFAIRS**
**UNITED STATES SENATE**

SUBMITTED BY

**DEPARTMENT OF THE INTERIOR**
**BUREAU OF INDIAN AFFAIRS**
**OFFICE OF TRUST SERVICES**
**DIVISION OF FORESTRY AND WILDLAND FIRE MANAGEMENT**
**ALBUQUERQUE, NM**

March 2023

**Indian Forestry Status Report to Congress**
**Bureau of Indian Affairs, Office of Trust Services**
**Division of Forestry and Wildland Fire Management**
**Fiscal Year 2022**

## Purpose

Public Law 101-630, Title III, 104 Stat. 4532, entitled the *National Indian Forest Resources Management Act* (NIFRMA), requires the Secretary of the Interior to submit an annual Indian Forestry Status Report to Congress. Section 312 (c) of this Act reads as follows:

> *STATUS REPORT TO CONGRESS- The Secretary shall submit, within 1 year of the first full fiscal year after the date of enactment of this title and within 6 months of the end of each succeeding fiscal year, a report to Committee on Interior and Insular Affairs of the United States House of Representatives, the Select Committee on Indian Affairs of the United States Senate, and to the affected Indian tribes a report on the status of Indian forest lands with respect to standards, goals and objectives set forth in approved forest management plans for each Indian tribe with Indian forest lands. The report shall identify the amount of Indian forest land in need of forestation or other silviculture treatment and the quantity of timber available for sale, offered for sale, and sold for each Indian tribe.*

This Report is prepared and submitted by the Bureau of Indian Affairs (BIA); the primary Federal agency responsible for fiduciary trust oversight of forest management activities on Indian forest lands.

## The BIA Forestry Mission

The mission of the BIA, Office of Trust Services, Division of Forestry and Wildland Fire Management is to provide specialized budget and policy oversight and technical expertise in forest and wildland fire management to American Indian tribes and Alaska Natives. In cooperation with 314 tribes, over 19 million acres of tribal and allotted trust forest lands are actively managed for a variety of purposes. Forests provide a key source of revenue and jobs for tribes and individual Indians and play an important role in sustaining tribal cultures and traditions. Management activities within forest lands are governed by forest management plans which outline ecologically and biologically sustainable forest management practices formulated to meet tribal goals and objectives. Forest management activities include timber sales, timber stand improvement (thinning and pruning), prescribed burning, and reforestation.

The BIA has a trust responsibility to help tribes manage forests to provide a sustained yield of forest products and to restore and maintain resilient and ecologically-functional lands. BIA's interdisciplinary approach to forest resource management includes partnerships with tribal forestry and fire programs, Federal, State, and local land management agencies, the Intertribal Timber Council, academia, and non-governmental agencies. Tribes actively work with cooperators such as the U.S. Forest Service and the Bureau of Land Management through the Tribal Forest Protection Act and other authorities which create opportunities for larger, cross-jurisdictional treatments. The BIA supports tribal goals aimed at achieving a balance of the

protection of valued landscapes with the production of economic benefit through active forest management.

## Fiscal Year 2022 Accomplishments

Accomplishments for fiscal year (FY) 2022 include the following.

- 23,627 acres planted (Reforestation)
- 26,329 acres thinned (Timber Stand Improvement)
- 713 million board feet of timber volume available for harvest (allowable annual cut)
- 313 million board feet of timber volume harvested generating $79 million in tribal income

| | FY2019 | FY2020 | FY2021 | FY2022 |
|---|---|---|---|---|
| **Timber Harvested (thousand board feet)** | 342,197 | 392,860 | 395,426 | 313,268 |
| **Timber Available for Harvest (thousand board feet)** | 748,000 | 738,487 | 733,022 | 712,753 |
| **Stumpage Income Generated** | $49,994,527 | $53,491,721 | $79,857,236 | $79,050,564 |
| **Thinning Acres** | 18,809 | 16,835 | 23,952 | 26,329 |
| **Reforestation Acres** | 19,240 | 14,608 | 13,425 | 23,627 |

The attached spreadsheet provides both national and regional detail on the FY 2022 data. In the spreadsheet, MBF stands for one thousand board feet.

## Current Challenges

*Reforestation.* The BIA is a contributor to the national revegetation and reforestation effort across the Department of the Interior and the Department of Agriculture. Investments in tribal greenhouses that grow conifer seedlings is needed to meet the reforestation goals identified in EO 14072. On the ground site preparation often requires post timber harvest fuels treatments to allow for successful replanting. Air quality regulations can negatively impact successful reforestation efforts when burn permits are not issued.

*Backlog of Need.* Reducing the backlog of acres in need of treatment remains a challenge. Thinning acres increased by 2,377 acres and planting acres increased by 10,202 acres over the FY 2021 level, but the total backlog of acres in need of treatment also increased by 59,863 acres and 43,143 acres for thinning and planting, respectively. Thinning and reforestation efforts could improve by adding additional field forestry staff, GIS staff, contracting officers dedicated to forestry, and streamlining the contracting process.

Other current challenges to Indian forestry include: high rates of staff turnover; field locations that are distant from wood processing facilities; limited infrastructure, hampering transportation and communication; lack of a dedicated budget to maintain, repair and replace aging field offices and facilities, hindering recruitment and retention; and climate change factors that contribute to

catastrophic wildland fires, insect infestations and disease outbreaks, invasive species, and weather extremes. Predominant issues include the following:

*Workforce*. These issues include natural turnover of the workforce from retirements of Baby Boomer generation workers, accelerated by other workforce challenges such as low rates of recruitment and retention of new hires due to remote locations, difficult working conditions, and aging facilities. Across the 12 BIA Regions, Forestry has many facilities in need of repair or replacement at an estimated cost of $40,000,000. Most BIA Forestry offices are currently located in decades-old facilities that need repair or lack modern infrastructure, are not compliant with the Americans with Disabilities Act, or meet current National Fire Protection Association requirements. The lack of trained tribal personnel in forestry has a direct adverse economic impact on the tribes. Despite a target specified by policy of preparing 100% of the annual allowable cut for harvest, because of these staffing challenges, in FY 2022 only 56% of the annual allowable cut was prepared and 44% of the annual allowable cut was harvested.

Workforce development is a current priority for the BIA. We have identified workforce gaps and training needs in Forestry and Wildland Fire. Standardized position descriptions have been developed to fill vacancies through standard and mass recruitment efforts. BIA Forestry also established a Timber Team in FY 2020 that travels to field units to help complete forest management projects. This not only accomplishes important field work but also provides training and recruitment opportunities for BIA and tribal foresters.

*Markets*. The forest products industry has been in a state of rapid change since the mid-1990s. While some of this is due to the adoption of new technologies and changes in consumer demand such as the replacement of paper products by electronic equivalents, much of it is due to other market dynamics. Individual companies have merged, eliminated work divisions in favor of using contractors, and closed outdated facilities rather than modernizing them. Smaller companies, including some operated by tribes, struggle due to lack of capital needed to update outdated mills, or due to uncertain supply chains caused by changes in availability of timber from Federal lands, natural disruptions such as large wildland fires, and shifts in operating costs tied to energy prices. Tribal forest management is often geared toward a single market, and lack of secondary market outlets makes forest product sales vulnerable to the economic externalities that affect primary markets.

*Infrastructure – Forest Roads.* Over 46,900 miles of roads located on Indian trust forest lands were inventoried to assess road condition and maintenance needs. All twelve BIA Regions reported maintenance needs for roads that are necessary for the management and protection of Indian trust tribal forest lands. Approximately 3,000 miles of roads inventoried required no immediate maintenance but will require periodic maintenance over time. Of the remaining 43,000+ miles of roads requiring maintenance, the estimated cost for repair and maintenance is $1,326,292,504. This amount includes rock, grading, resurfacing, adding drainage features, cleaning/adding or replacing culverts, bridge needs or repair, cattleguard cleaning/adding or repair and road signs throughout the reservations.

*Climate Related Impacts.* The impacts of climate change and other forest health factors, including catastrophic wildland fires, insect infestations and disease outbreaks, invasive species, and weather extremes, disrupt or destroy forests, nearby communities, and forest-related economies. In many cases, local tribal governments remain unprepared for natural disasters

including wildfires, floods, hurricanes, tornadoes, and other severe weather events. The BIA is currently using Lidar when possible to gather landscape level data that can be used to determine forest health and show where forests are at higher risk for loss due to wildfire, insects, and disease, and does coordinate with other Federal land managers in determining the larger risks to tribal and Federal forests. This effort can provide critical data to allow for planning to avoid future resource loss. BIA's Tribal Resilience program supports initiatives from tribes to better prepare for natural disasters but grant funding for these projects is limited compared to the numerous and often immediate tribal vulnerabilities and threats to tribal forests are often not prioritized. The result is not all priority areas can be fully covered to bring about desired conditions that could fully protect communities and forests.

Despite these challenges, tribes are assuming greater leadership in Indian Forestry through self-determination and self-governance. BIA and tribal programs have the potential to provide models for sustainable forestry and resource management for the nation's forests.

**The Indian Forest Management Assessment Team**

During the development of the NIFRMA, Congress declared the United States has a trust responsibility toward Indian forest lands and that Federal investment in Indian forest management is significantly below the level of investment in United States Forest Service, Bureau of Land Management, or private forest land management (25 USC § 3101). The NIFRMA requires the Secretary of the Interior to conduct an independent assessment of Indian Forestry every 10 years. This assessment is conducted through the Indian Forest Management Assessment Team (IFMAT) process following regulations prescribed in 25 CFR §163.80. The most recent IFMAT process (IFMAT-III) was carried out from 2011 to 2013 and found "the federal government continues to inadequately fulfill its trust obligations to Indian forestry" and that "funding and staffing levels are lower now than at the time of IFMAT-I and well below those of comparable public and private programs." The fourth iteration of the IFMAT process commenced in 2021, with the final report expected in 2023.

The complete 2013 IFMAT assessment can be found at:
http://www.itcnet.org/issues_projects/issues_2/forest_management/assessment.html

**Further Information**

For questions related to this report, please contact Peter Wakeland, Chief Forester, Division of Forestry and Wildland Fire Management, BIA Office of Trust Services, at (541) 294-0431 or, peter.wakeland@bia.gov.

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# FY 2022 INDIAN FORESTRY STATUS REPORT TO CONGRESS

| Region | Current Approved Managment Plans | Reforestation | | Stand Improvement | | Available Volume | | Timber Volume | | Timber Harvested | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Planted Acres | Need Acres | Thinned Acres | Need Acres | Timberland (MBF) | Woodland (MBF) | Offered (MBF) | Sold (MBF) | Volume (MBF) | Value ($) |
| **ALASKA** | 11 | 0 | 0 | 16 | 1,517 | 11,869.1 | 0.0 | 44 | 0 | 0 | $0 |
| **EASTERN** | 23 | 0 | 0 | 0 | 0 | 36,245.0 | 0.0 | 4,563 | 4,507 | 6,760 | $363,438 |
| **EASTERN OKLAHOMA** | 14 | 29 | 50 | 320 | 180 | 2,944.3 | 4,596.0 | 97 | 97 | 97 | $11,490 |
| **GREAT PLAINS** | 15 | 150 | 14,188 | 0 | 6,973 | 3,680.0 | 39,221.0 | 42 | 42 | 42 | $985 |
| **MIDWEST** | 41 | 745 | 61,292 | 2,081 | 26,376 | 172,832.0 | 0.0 | 74,939 | 72,655 | 55,922 | $5,054,124 |
| **NAVAJO** | 1 | 0 | 0 | 0 | 0 | 15,900.0 | 65,404.7 | 43 | 43 | 43 | $280 |
| **NORTHWEST** | 47 | 19,650 | 413,551 | 20,487 | 159,753 | 353,099.8 | 0.0 | 301,319 | 267,840 | 226,793 | $71,145,249 |
| **PACIFIC** | 72 | 1,236 | 1,527 | 544 | 750 | 17,445.1 | 8,790.2 | 8,592 | 3,245 | 4,661 | $1,325,070 |
| **ROCKY MOUNTAIN** | 7 | 1,451 | 33,882 | 215 | 53,250 | 14,700.0 | 16,900.0 | 467 | 467 | 467 | $250 |
| **SOUTHERN PLAINS** | 22 | 0 | 0 | 0 | 0 | 600.0 | 0.0 | 0 | 0 | 1,050 | $17,474 |
| **SOUTHWEST** | 23 | 231 | 2,763 | 1,676 | 137,574 | 32,917.3 | 47,360.0 | 2,966 | 3,173 | 2,924 | $137,734 |
| **WESTERN** | 37 | 135 | 64,065 | 990 | 79,178 | 50,520.0 | 6,918.0 | 4,189 | 14,260 | 14,509 | $994,470 |
| | | | | | | | | | | | |
| **TOTAL** | **313** | **23,627** | **591,318** | **26,329** | **465,551** | **712,752.6** | **189,190.0** | **397,261** | **366,329** | **313,268** | **$79,050,564** |