

PROFILE: RESTORING FORESTS AND BUILDING TRIBAL ECONOMIES

The Indian Dispute Resolution Center's National Demonstration Project¹

In 2006, the Indian Dispute Resolution Services, Inc., (IDRS, Inc.) initiated a project: *Restoring Forests and Building Tribal Economies* as a national demonstration project to help Tribes implement and realize the full potential of the Tribal Forest Protection Act passed by Congress in 2004.

The Tribal Forest Protection Act is designed to enable Tribes with land adjacent to public forests and grasslands to enter into contracts with the National Forest Service and the Bureau of Land Management for work on public lands that will protect nearby Indian lands from fire, insect infestation, and invasive species that originate on public lands. Tribes increasingly view the Tribal Forest Protection Act as an important strategy for collaborative management of public lands. It opens up hundreds of thousands of acres of public forest and grasslands to restoration initiatives by Tribes in partnership with public agencies.

The demonstration project initially set out to work with five Tribes and is currently working with four:

• **Klamath Tribes in Southern Oregon**

The focus with the Klamath Tribes is acquiring forestlands, creating businesses and jobs in forest restoration (biomass facility, green houses, small diameter poles and posts, firewood, pellets), and collaborative management of the Fremont-Winema National Forest, which is part of the Tribes' former reservation.

• **White Mountain Apache in Arizona**

The White Mountain Apache projects include creating businesses and jobs in natural resource restoration (after a catastrophic fire), operating a Tribally-owned nursery/greenhouse, and offsetting private corporations' carbon footprints by selling carbon credits.

• **Grindstone Rancheria in Northern California**

The project focus is to develop a three-pronged forest restoration and economic development strategy that includes: creating a licensed day care/preschool center for working parents, expanding the Tribe's work on the forest by establishing a forest management business, and developing a Tribal plant nursery operation.

• **Ramah Navajo in New Mexico**

The Ramah Navajo are pursuing use of woody materials from forest restoration work to fuel a biomass facility which will reduce energy costs to the Tribe by \$1 million/year, as well as the development of a green house to be heated by thermal energy from a woody biomass facility and development of a Tribal restoration crew that will diversify and expand its field services.

Indian Tribes and Community Forestry

There are over 350 Indian Tribes that have forestland, most of which is near or adjoining public lands. At one time most of these publicly-managed lands were ceded by the Tribes to the federal government – often under considerable duress. Tribes today still have a deep attachment to their ancestral lands and yearn to return to fulfill their historical role as stewards of the land. Tribes still see themselves as part of the ecological equation, interacting with the natural landscape, keeping things in balance, engaging in cultivating and harvesting, and protecting the resources. For thousands of years Tribes were working the lands. For the last several hundred years, Indian people have stood on the sidelines restricted from accessing their former lands and watching essential resources “die out and dry up.”

Tribal communities have all the interests and concerns of other rural communities about forest health and the management by under-funded federal agencies. Indian Tribes are increasingly well positioned to do something about it. They have a framework for initiating restoration work through the Tribal Forest Protection Act. In addition, they are legal self-governing entities that are structured to undertake development. As sovereign nations, they can establish, regulate, and enforce laws within the boundaries of their reservations; they are “parties of interest” in transactions with adjoining political jurisdictions; they can negotiate with federal and state agencies on a “government-to-government” basis; they can receive tax-exempt contributions and grants from private foundations and governments; and they can borrow, lease and purchase assets and enforce retained treaty rights on their ancestral lands that are now controlled by federal agencies. They can sue and be sued and can call for responsible behavior by federal agencies which have a “trust” responsibility to protect Tribal rights and resources.

Tribes, however, do not always have the capacity to

¹ The material from this Profile is attributed to Steven Haberfeld, Ph.D., Executive Director of the Indian Dispute Resolution Services, Inc. (IDRS, Inc.).

fully engage in and take advantage of these opportunities. IDRS, Inc., established the National Demonstration Program: “Restoring Forests While Building Tribal Economies” because it recognized the need for a “third party” or “intermediary” to help initiate and facilitate new collaborative relationships between the Tribes and agencies and to assist the Tribes in building their capacity to effectively engage in economic development.

IDRS, Inc., is acting as the intermediary for the demonstration project and operates on five basic principles:

1. The third entity has to have experience and credibility with Indian Tribes to be able to properly relate to, understand current conditions, and anticipate difficulties associated with development initiatives on reservations. This background is also essential to understanding how Tribes and outside agencies might regard one another as partnerships are established and efforts to bridge cross-cultural differences are made. In many ways, development in low-income communities in this country resemble more the experiences of third world countries than development in more prosperous sectors of our ongoing economy. This is certainly true when it comes to development of Indian Tribes in remote rural areas of the U.S.

2. We do not believe that Tribes (or any other community organization) can sustain their involvement in resource protection and restoration unless they can make enough money on the activities to pay the workers and pay for the Tribe’s business expenses and capital investments (e.g. equipment, supplies, transportation, administration, etc.). Tribes have to make a paradigm shift from “running programs” to “operating profitable businesses.” A whole new mindset is required. They have to develop real, viable businesses.

3. Tribes will not be able to engage in restoration work today on a profitable basis unless they combine restoration work with the utilization of the woody material left over after the restoration treatment. The woody material not only has to come out of the forest instead of being burned and added to the carbon in the atmosphere, but it has to be transformed into a marketable product by developing and operating “value-added” businesses that generate needed income. This includes biomass energy production, wood pellets, chips, fire wood, and small diameter poles and posts, and nursery/greenhouses that get the steam from the biomass facility as the heat source. If these businesses can create additional year-round employment, a consistent income stream, and business profits, they

can help justify the lower net income generated by the restoration contracting business.

4. Building economic development capacity, while essential, is not an overnight proposition. The best way to learn is by doing, and by doing with experienced experts that can assist temporarily. There have to be organizations that can in effect augment the Tribal staff by serving as an “adjunct staff” for a certain period of time. This adjunct staff has to take the Tribe through a process of: strategic planning, identification of projects that are congruent with their values/aptitudes/interests, rigorous financial and market feasibility analysis, business plan development, creative financing (using government and foundation grants, loans, new market tax credits, carbon credit sales, cash flow, etc.), creative marketing, and joint venturing with investors who can bring to the table private capital, markets, political connections, and business expertise. The learning curve is much too steep to expect Tribal staff to learn how to do all this quickly and alone, but they can learn by accompanying an “adjunct staff” through the steps as a strategy for internal capacity building.

5. Some, if not most of the economic development opportunities available in this area of forest protection and restoration, are the same at each reservation. Therefore, opportunities exist to develop models that can be replicated, and just as important, opportunities to develop “confederated business networks” (or a type of production and marketing cooperative) that bring groups of Tribes together around certain production and marketing activities. For example, more than one Tribe can grow native plants and seedlings for reforestation, enhancing highway banks and cultivating buffer areas and riparian corridors — and marketing together to federal and state agencies that are purchasing these products. (All federal agencies today have a native plant policy.) The same might be true for more than one Tribe packaging and marketing firewood or manufacturing wood pellets (in short supply nationwide) for household fireplaces, wood chips for flowerbeds and doggy beds, etc. These products could be marketed together if there were a mechanism in place. Biomass conversion facilities might be established if Tribes either work together, individually or collectively, on a confederated Tribal basis. Tribes need help identifying the appropriate technology, lining up the technology and technical assistance, packaging the financing, etc. — but once it is done with one or two Tribes that model could be replicated in a number of different locations.