Senate Committee On Natural Resources and Wildfire Recovery
Oregon State Capitol
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Chair Golden, Vice Chair Heard and distinguished Committee Members, thank you for the opportunity to appear before you today. I'm going to share about the importance of engaging tribal sovereign nations, tribal natural resource departments, tribally-led cultural fire management organizations, and indigenous communities to help advance Opportunities for Maximizing Prescribed Burning in Oregon.

My name is Belinda Brown, and I am an enrolled member of the Kosealekte Band of the Ajumawi-Atsuge Nation, formally recognized by the federal government as the Pit River Tribe. Our ancestral land base encompasses a "hundred mile square" that spans from the four northeastern-most counties of California—Modoc, Lassen, Shasta and Siskiyou—across stateliness into the Goose Lake Valley of Lake County in Oregon. I am also descended from the Gidutikad Band of the Northern Paiute, whose ancestral land base stretches from Warner Valley in Oregon to Surprise Valley in California, reaching across what is now called the Modoc National Forest into the Fremont-Winema National Forest.

I present this testimony as a traditional cultural practitioner who grew up practicing aboriginal fire use, and also in my current capacity as Tribal Partnerships Director for Lomakatsi Restoration Project, a non-profit organization based in Ashland, Oregon, and as Chairwoman for the Inter-Tribal Ecosystem Restoration Partnership. I have previously served as a tribal elected official, holding office on the Pit River Tribal Council and as a Cultural Representative.

My homeland encompasses the vegetation gradients of juniper woodland sagebrush steppe habitat, to ponderosa pine bitterbrush, to mixed conifer systems. These are cultural landscapes that have been shaped by aboriginal people for time immemorial, through thoughtful ecocultural stewardship and regular tending of the land with carefully applied fire—now known as prescribed burning. Our people used fire to create ecological diversity and maintain an abundant landscape that supported a subsistence lifestyle. Antelope, mule deer, elk, fish, edible plants, roots and juniper are important examples of resources that provide for food, housing, ceremony and medicine for the Kosealekte people. Our people are also known for our basketry, which relies upon the highest quality plant fibers that we cultivate and tend using regular fire. Fire was and is a part of our life, interconnected through our DNA and genetic memory. We are a natural resource-based people, an indigenous pyro-cultural people.

As a child, I grew up on the XL Ranch Indian Reservation in Modoc County, near Alturas, California, minutes from the Oregon border. My father and grandfather taught me how to burn the land to maintain its vitality and cultural resources, and to maintain our way of life. I remember waking early in the morning every spring and fall to help them bring fire to the meadows and edges of the woodlands,

when the conditions were right. I would carefully rake embers across the bunch grasses, herding the flames to help spread low intensity, mild fire.

To our people, fire is an integral part of how we live and care for the land. It is an important spiritual and cultural practice that has been refined and passed down through the generations. By observing lightening and the fires created by this natural phenomena, we learned to live with, and carefully apply fire. Our people developed a deep understanding of how fire behaves during different seasons and weather conditions, and when to burn to benefit specific plants and animals that we rely on. We also know that regular burning maintains balance in the landscape by reducing excess vegetation—and thus our people have also been using fire to protect our homes and villages.

The Challenge We Face

This past wildfire season was the most destructive on record in Oregon. Over a million acres of land burned across the state, necessitating that 40,000 people flee their homes over the course of wildfire season. There were a dozen deaths, and fires caused an estimated $1 billion in property damage. In the Rogue Valley, the September 2020 Almeda Fire alone claimed three lives and destroyed 2,400 homes, devastating the towns of Phoenix and Talent before it was eventually stopped in south Medford.

This situation has been building for decades. With the removal of the keystone species—tribal people—as the first, best stewards and primary caretakers of the land, and the resulting 100-150 years of near complete fire suppression, forests are far denser than their historic conditions. Extensive industrial logging followed by high-density, mono-culture tree plantations and overgrazing have exacerbated the issue. What were once thriving forests dominated by old, fire-resistant trees and largely open understories are now crowded with incredibly dense, more flammable younger trees. Now when fires do occur, they are much more likely to have devastating impacts to humans and the environment, as we are seeing year after year across Oregon.

The challenge ahead will only grow, as climate chaos is increasing the frequency and severity of wildfire. We need to reexamine our relationship with the land, and with fire. We need to bring the forests, rangelands and watersheds of Oregon back into balance. In fire-adapted ecosystems—such as those in Southern Oregon—it is not a question of if wildfires will occur, but a question of when. Preparing the landscape and setting the stage for the careful return of fire is a big task, but a necessary one. The time and effort we invest now will help prevent untold costs to the people and the land if no action is taken.

Collaborative Solutions

Fortunately, there are solutions that we know work. Indigenous stewardship practices, including the use of frequent, low-severity fire, have maintained balance across the landscape. Natural fires caused by lightening, combined with indigenous burning, fostered a patchwork mosaic of vegetation communities that supported biodiversity and an abundance of subsistence resources, including foods, medicines, and cultural bounties like basketry plants.

We can achieve these conditions again. Research demonstrates that prescribed fire is one of—if not the—most cost-effective solution for maintaining balance across a diversity of landscapes, and reducing

the risks of severe wildfire and the devastating impacts it can bring to communities across Oregon (Kolden 2019).

While prescribed fire is an excellent long-term tool for maintaining the landscape, we must also recognize that because of the current conditions, most areas are not ready for fire. There are too many trees, and too much downed wood and leaf litter on the forest floor from decades of fire exclusion (Franklin et al. 2013). To “reset” conditions, and prepare the landscape for fire, we can use best practices of holistic restoration including ecological thinning. One model we use is called Individuals, Clumps and Openings, which treats the landscape in a more natural and sustainable manner, replicating more fire-resilient historic conditions (Churchill et al. 2016). We must also work together, across jurisdictions and cultural boundaries. There are several excellent examples of collaborative, large-scale restoration initiatives that are doing just that around the state.

Lomakatsi Restoration Project has been working across Oregon and Northern California for 26 years, forging diverse partnerships to restore ecosystems with a holistic, ecological approach. By bringing together federal and state agencies, tribes, non-profit organizations, and forestry industry partners, we’ve been able to leverage multiple funding sources and legal mechanisms for accomplishing restoration work on thousands of acres of forests and miles of streams. For more than 15 years, we’ve been working directly with tribal communities throughout two states, incorporating Traditional Ecological Knowledge into our approach and, when requested, assisting tribes in building their technical capacity to restore their ancestral lands. “Lomakatsi” is the Hopi word for “Life in Balance”.

Collaborative stewardship projects utilize ecological thinning and prescribed fire to reduce fuel loads, while also enhancing habitats and creating jobs. They are guided by the National Cohesive Wildland Fire Management Strategy, and more regional strategies such as the Rogue Basin Cohesive Forest Restoration Strategy, which prioritizes restoration treatments in and around Southern Oregon’s Rogue Valley to maximize the impact of investments in this work (Metlen et al. 2017).

By using existing legal mechanisms, such as the US Forest Service’s Shared Stewardship framework, federal agencies can partner with state and municipal agencies, tribes, and non-profit partners to increase the pace and scale of fuels reduction and maintenance. These agreements also allow commercially-viable timber products that are removed as part of the ecological thinning process to be sold and re-invested into more restoration—including prescribed fire treatments. Such mechanisms, acts and authorities include Stewardship contracts and agreements, Joint Chief’s Landscape Restoration Partnership, Good Neighbor Authority, and the Collaborative Forest Landscape Restoration Program. Not only do these collaborative frameworks allow us to accomplish more restoration—they also support jobs at local mills and employment of forestry contractors and fire professionals.

The primary barriers to doing more of this collaborative restoration are enough funding and capacity. A silver lining of the past few wildfires seasons has been increased awareness of the need for more of this work—we know this has inspired current and pending legislation, and hope to see more funding allocated for restoring our forests through ecological thinning and prescribed burning. To address capacity, Lomakatsi layers workforce training and development programs into all our initiatives, creating opportunities for youth and adults to advance their skillsets in the art and science of ecological restoration. We also support and incubate tribal businesses. More investment in programs that foster highly-trained, effective workforces are needed to provide the necessary capacity for restoring the millions of acres across the state in urgent need of treatment.

In advancing these solutions, the state of Oregon should consider engaging the nine sovereign tribes within the state, tribes with ancestral ties that cross jurisdictional boundaries in the four states bordering Oregon, and traditional tribal communities to be part of the team and partnership network.

Cultural Fire Management

Tribes bring a wealth of knowledge and cultural practices that can help guide the path forward. These include the application of indigenous fire to increase vegetation for wildlife habitat, and to decrease disease and what would today be considered "hazardous fuels". Indigenous fire was and is applied carefully and diligently to increase forest health and subsistence lifestyle cultures.

With millennia of successful ecosystem stewardship experience, and more recent intergovernmental affairs coordination expertise, tribes bring Traditional Ecological Knowledge that can inform research and the development of science-based best practices for land stewardship. Tribes continue to emphasize the essential role of fire in promoting the well-being of socio-ecological systems, particularly through cultural burning. Continuing the ancestral tradition of actively using fire promotes many values that go far beyond the objectives of typical burn "prescriptions," which often focus on reducing fuels and minimizing damage to overstory trees (Burr 2013). For one example of current, more limited policies, the current California Native Plant Society policy on use of fire reflects a narrow emphasis on minimizing "damage to native plant species and their habitats." To tribes, ceremony and ritual are at the basis of this aboriginal knowledge and practice.

Many tribes in Oregon and California have evolved fire-dependent cultures and continue to use fire to this day (Lake and Christianson 2019). Such cultural burn efforts are underway throughout California, including one in a blue oak and meadow system near Mariposa, California, led by the North Fork Mono Tribe and members of other local tribes. They rely on cultural burning to increase the quality and quantity of plants, limit pests, enhance germination or re-sprouting, and promote desirable forms of growth (Lake and Long 2014; Long et al. 2018).

Partnering with Tribes to Increase the Pace and Scale of Prescribed Fire

The Executive Order 13175 of 2000 (EO 13175)—Consultation and Coordination with Indian Tribal Governments—established a Federal Trust Responsibility to sovereign Tribal Nations for the US Department of Agriculture and associated agencies. These agencies have a responsibility to engage with tribes on matters related to their welfare, interests and values. They must operate in a way that honors tribal sovereignty, and recognizes tribes' invested interest in managing lands, waters and natural and cultural resources across the multiple jurisdictions of their ancestral territories. As sovereign nations, relationships between agencies and tribes are government-to-government. In 2001, Oregon became the first state to pass a state-tribal government-to-government relations law—Senate Bill 770 (SB 770), which established a framework for communication between state agencies and tribes.

The US Department of Agriculture, including the US Forest Service and Natural Resources Conservation Service (NRCS), have been expanding partnerships with tribes in recent years, increasingly recognizing tribal sovereignty and the mutual benefits that collaboration brings. Other agencies and departments, such as the US Department of the Interior, Homeland Security and Indian Health Services are also partnering in new and different ways. Tribes bring a vested interest in responding to the challenges of

environmental degradation, conservation of threatened and endangered species, and building resilience to climate change and wildfire (Raish et al. 2007).

Tribes can also access federal funding that can be co-invested in community wildfire protection, forest restoration, and prescribed fire work to protect both tribal and non-tribal communities across jurisdictions. Specifically, Public Law 93-638 (P.L. 93-638)—the Indian Self-Determination, Education and Assistance Act—provides a legal framework for tribes to access funding from the US Bureau of Indian Affairs (BIA) for this work. The BIA has a Division of Forestry and Wildland Fire Management that specifically appropriates funding for the purpose of treating and restoring tribal landscapes within and adjacent to reserved treaty right lands.

Through inter-agency agreements, tribes are bringing funding to support restoration and fuels mitigation within their ceded territories, ancestral lands and cross-boundary project areas. Another example of how tribes can operate in an all-lands context to increase fuels mitigation and prescribed burning is through Indian Forest Lands Assistance Accounts (IFLAA). IFLAAs are established by tribes utilizing Service First Authority, which allows funds to be transferred between agencies (e.g. from BIA, to a tribal IFLAA, to NRCS), to support restoration on private non-industrial lands bordering reservations or within ancestral territories.

These acts, agreements, and legal mechanisms that allow tribes to work in a shared stewardship context with state and federal agencies and non-profit organizations are under-utilized, and could play a key role in increasing the pace and scale of prescribed fire usage.

Moving Forward

After decades of suppressing small and gigantic fires alike, Oregon is now embarking on a course correction. Alongside huge expenditures on firefighting staff and gear, the state is making new investments in prescribed burning. The question is who gets to decide where the fire goes, what it burned, why it burns and who are the stewards of this timeless natural element? Sovereign Tribal Nations are revitalizing their right to indigenous cultural burning, a practice that was criminalized for decades.

Tribal practitioners consider the relationships among fire, land, water, people, animals, and plants. As the past several years of extreme wildfire events in Oregon have proven, we can no longer ignore the importance and fundamental interconnectedness of these relationships. I believe involving the first, best stewards of the land in caring for their ancestral lands is an incredibly important step towards meeting the challenges that all the people of Oregon face today.

There are nine federally-recognized tribes in Oregon. Additionally, some of the tribes located in adjacent states—California, Nevada, Idaho and Washington—have ceded and ancestral lands that extend into Oregon. Lomakatsi is currently co-investing, planning and implementing projects with 10 tribes across Oregon and California. Some tribes are not federally-recognized themselves, but may be represented by other federally-recognized tribes. Therefore, Oregon legislators and agencies can benefit from working across state lines to engage tribes with ancestral lands that cross these jurisdictional boundaries. This will increase collaboration, co-investment and co-management of our terrestrial and aquatic systems that we all depend on for subsistence and survival.

Best practices require a Whole Community Approach to prevent, respond, mitigate and recover from catastrophic events. We can no longer do this work in a think tank or vacuum. We must work together, use time-tested solutions, and create better mechanisms and policies to engage a collective political will and leverage the funding that it will take to begin cleaning up our own backyard.

Not only is more funding needed to support restoration—including ecological thinning to lay the groundwork, followed by prescribed fire—Oregon's leaders could also involve Sovereign Tribal Nations and aboriginal fire practices in meeting the challenges of today. It is the right thing to do, and there is much to gain by working together. Teamwork Makes the Dream Work!

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