

Mooretown Rancheria of Maidu Indians

Testimony to the House Subcommittee on Forestry and Horticulture

September 10, 2025

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Chairman LaMalfa, Ranking Member Salinas, thank you for the opportunity to address the Subcommittee committee. As you recognized in your remarks, we face a nationwide forest health crisis and in the West fires are the number one public safety, forest health, and environmental concern. Healthy forests are critical to the environment and the economy, to rural communities and Tribes. Tribal governments like Mooretown Rancheria, a federally recognized tribe in Northern California, can be a force multiplier to address this crisis, and we are already doing so through an innovative model using the Service First authority.

Mooretown Rancheria is located in Butte County, California. The Maidu peoples' ancestral lands stretch from Mount Lassen in the North to the Yuba River in the South, from the Sacramento River in the West over the crest of the Sierra Nevada Mountains to Honey Lake in the East. Within these lands are three National Forests and a National Park, along with several state parks and other public lands. Mooretown's members historically worked largely in California's forest products industry and many lived in the town of Feather Falls, until it was destroyed by wildfire in 2020. Today Mooretown has a small reservation near the City of Oroville, though we also manage nearby Bureau of Land Management and Forest Service lands through co-management and co-stewardship agreements.

Subcommittee members likely recall the Camp Fire, which destroyed the Town of Paradise and took 85 lives in 2018, but since that time we have also faced the 320,000-acre North Complex fire, which killed 15 and destroyed 2,500 structures; the million-acre Dixie Fire, the largest fire in California history; and, just last year, the 430,000 acre Park Fire, the fourth-largest in California history. Our community is ground zero of the national forest health crisis, and while we have cultural and economic purposes for our forest management efforts, it is also a matter of necessity.

I am here today to tell you about our use of the Service First authority to provide forest management for the U.S. Forest Service ("USFS") as a federally recognized Tribe, allowing us to deploy funds appropriated by Congress in a timely manner, often within weeks, and respond to this crisis at the pace and scale that it requires. The Service First model can be used to rapidly address hazardous conditions and other forest management needs across the nation, without requiring new legislation or regulatory changes. At the same time, using Service First with tribes

can support tribal economic development and bring to bear the skills and knowledge of those who have managed our forests for thousands of years.

We participate in Interagency Agreements between the USFS and Bureau of Indian Affairs (BIA) through Service First Authority, which enables USDA and the Interior Department to share federal resources to efficiently complete projects. Without the Bureau of Indian Affairs' California Central Forestry Department, a critical partner, we would not be able to conduct thousands of acres of fuels reduction for the Forest Service as we have every year since 2017.

Under this Service First model, BIA and USFS enter into an Interagency Agreement including Mooretown as an implementing partner; USFS funds are transferred to Interior, then to a trust account held on the Tribe's behalf; finally, we begin project implementation and are reimbursed as we submit expenses to BIA for work completed. The process allows us to initiate work as soon as funds are placed in our trust account, while maintaining strict federal accounting and reporting requirements.

It's important to note that Mooretown does not just work on our reservation and the aboriginal territories of the Tribe, but that we provide forest management anywhere it is needed. For example, when Congress appropriated Wildfire Crisis funding, that funding was directed to the many National Forests designated as Wildfire Crisis Landscapes. A number of National Forests in California and Nevada initiated Interagency Agreements with the BIA and Mooretown to fund forest fuels and ecosystem enhancement projects; this included removing hazard trees, creating fuel breaks in the wildland urban interface, and road repair to restore public and management access. Our tribal member-led crews are working as I speak on fuels reduction projects under these agreements, using both hand crews and a fleet of large equipment like masticators and log processors. When the Tribe conducts work outside of its ancestral lands, we partner with local tribes to train and employ their members, helping them build capacity to take on their own projects in the future.

Through this Service First model, the Tribe has partnered with BIA and other federal agencies to conduct nearly 40 million dollars of forest treatments since Mooretown Forestry Contract Services began operating. We have completed over 10,000 acres of fuels reduction, cleared hundreds of miles of roads of post-fire hazards, and built fuel breaks to make communities safer and our forests healthier.

We could not do this work without our partners at BIA Forestry, who serve a critical role in developing agreements, processing funding, and coordinating with USFS. We are also grateful for the many USFS personnel who recognize the unique benefits the Service First model provides, and who have energetically worked with us to deploy our teams wherever they can be most effective.

The Tribe does use other types of agreements, including a Master Service Agreement with Plumas National Forest, our closest partner, and hopes to enter Good Neighbor Authority to allow us to more efficiently and quickly move forest products, including timber, off the landscape. We are grateful for the Committee's efforts to address Good Neighbor Authority and are hopeful that the Fix Our Forests Act is enacted this year.

However, we have experienced some challenges in working with USFS under the Service First model:

- We've found that USFS personnel can be hesitant to use new tools like our Service First model unless they have already done so previously. At times funding transfers have been delayed because of a disconnect between USFS field staff, who understand our model, and grants and agreements staff, who may not have experience with it.
- Capacity challenges in some USFS districts have actually precluded them from approving projects supported by outside grant funding, preventing valuable work which does not rely on federal funding.
- Even when funding is available, environmental review is complete, and we have an existing Interagency Agreement, we must rely upon USFS personnel to prepare a scope of work. Younger staff often haven't been trained to develop these key planning materials, and we've seen an exodus of older, experienced personnel.
- At times we've also been told we should work directly with USFS, rather than use the Service First model with BIA participation. Service First is often superior to other agreement types because it is less cumbersome, faster, and does not require the Tribe to sign a limited waiver of sovereign immunity.

To address many of these challenges, and to stop the bleeding, we have hired retired USFS personnel who can write scopes of work, and that are from the districts we work in, know what work is ready to proceed, and can coordinate with remaining USFS staff to help them use existing agreements and create new ones.

We have had preliminary discussions with USFS leadership about developing training to ensure personnel are familiar with the Service First model and know its advantages. I am hopeful that the Committee will support this effort, and appreciate Chief Schultz's willingness to discuss this concern with us.

The Tribe is also working to develop an overarching MOU with the BIA to provide a firm structure to the Service First model, in part to reassure USFS personnel of the process and also to make our interactions with both agencies more predictable, routine, and durable.

We are fighting a war on catastrophic wildfire and we are trying to get ahead of it with basic forestry practices, while recovering from decades of forest mismanagement in an era where the Forest Service is reeling from major personnel reductions. In our region, that mismanagement began with the onslaught of the California Gold Rush and resulted in mass genocide and displacement of the communities that had managed the forests for millennia. The Tribe truly believes that if we take care of the Forests, they will take care of us; that rural communities are in need of wildfire protection; that watersheds are need forest management to protect water supplies for humans and wildlife; and, that key habitats hang on a razor's edge, vulnerable to being wiped out by a single fire.

In summary, Mooretown Forestry has demonstrated that tribes using Interagency Agreements with the BIA and USFS are *the* fastest means of deploying forest management funding, and certainly faster than using non-profit partners that rely upon the same laborious contracting requirements as the USFS. Mooretown can and does just get out there and do the work.

We are honored to come here to tell you that the Service First model of working with BIA and USFS using Interagency Agreements is working. We are proud of how much we have done, but recognize how much more work is needed. Looking forward, we hope that the Committee will support more widespread adoption of the Service First model, help us secure training for USFS personnel, and, when appropriating forest management and wildfire crisis funding, recognize that Service First is the fastest means of getting projects underway.

Finally, I would like to close by thanking Chairman LaMalfa for his long-term support of the Tribe and our Forestry program, and Chairman Thompson for visiting us in Northern California, viewing the impacts of wildfire firsthand, and inviting the Tribe here today to testify.