



Intertribal Timber Council

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February 1, 2024

Jacqueline Buchanan
Regional Forester
U.S. Forest Service
1220 SW 3rd Ave.
Portland, OR 97204

Dear Ms. Buchanan:

On behalf of the Intertribal Timber Council, I am submitting these comments in response to the scoping announcement for the U.S. Forest Service's intent to prepare an environmental impact statement for amending the Northwest Forest Plan.

Established in 1976, the ITC—based in Portland, Oregon -- is a nonprofit nation-wide consortium of Indian Tribes, Alaska Native Corporations, and individuals dedicated to improving the management of natural resources of importance to Native American communities. ITC and our member tribes and organizations are actively working with the Department of the Interior and the U.S. Forest Service to improve forest health conditions and reduce the threat of catastrophic wildfire across the landscape. Many tribes have treaty rights, subsistence or ceremonial interests for plants, fish, and wildlife on federal lands in Region 6 of the Forest Service.

Background

Since time immemorial, the Indian peoples of the Pacific Northwest have inhabited and managed the forests of western Oregon, Washington, and northern California. The lands encompassing modern National Forests were ceded in treaties signed between tribes and the United States and tribes have maintained a connection to these forests.

Process

The federal advisory committee created to produce recommendations for improving the Northwest Forest Plan included several tribal representatives. This NOI also acknowledges the need for tribal input:

- “...there is broad recognition, documented in numerous monitoring and research reports (see Changed Conditions below), that tribal involvement in the development of the 1994 NWFP was overlooked and that engaging tribes in addressing the challenges faced in the NWFP area is critical to success.
- “The Forest Service is proposing to amend NWFP direction...including addressing environmental justice concerns and ensuring tribal inclusion in developing and implementing plan direction in the NWFP.”
- “...fires have resulted in considerable harm to communities, including tribes, compounding existing social and economic sustainability challenges.”
- “Equitable and meaningful Tribal co-management and co-stewardship related to fire is needed, including recognition of the importance of Indigenous fire stewardship and cultural burning regimes to the ecological health of NWFP ecosystems.”
- “Tribal communities are on the front lines of climate change, both in experiencing significant impacts of climate stressors and as leaders in climate change monitoring, planning, mitigation, and adaptation. The NWFP should reflect Tribal knowledge and a significant role for Tribes in monitoring the effects of climate change, conducting research on these effects, and developing strategies to address climate change adaptations and responses across the NWFP area.”

While the ITC appreciates the NOI’s stated emphasis on tribal engagement and consultation, we are concerned that the Forest Service has not provided a plan for achieving this important goal. As I describe below, there should be –at the very least-- individual government-to-government processes with each tribe affected by Northwest Forest Plan.

This is critical to ensure that the NOI/EIS does not impede current or future consultation, co-management, or co-stewardship activities with tribes in the Northwest Forest Plan area. Tribes are trying to bring resources and traditional ecological knowledge to inform and carry out restorative forest management activities.

Likewise, the ITC is concerned that the timeline for the Northwest Forest Plan Committee’ work was effectively cut in half. The ITC believes that consensus-driven recommendations must derive from a deliberative process. The ITC also believes that the committee’s recommendations should have been allowed to develop prior to any public process for amending the Northwest Forest Plan, as contemplated by this NOI.

Coordination With Tribal Land Management

The Federal Land Policy and Management Act requires the Secretary of Agriculture to “coordinate” land use plans in the National Forest System with those “of and for Indian tribes” by considering approved tribal land resource management programs. This goes beyond simple consultation with tribes and requires active consideration of tribal forest management approaches.

The ITC recommends that the Forest Service initiate a government-to-government process to coordinate potential changes to the Northwest Forest Plan with tribal land management priorities.

Need For Active Management

In scoping potential changes to the Northwest Forest Plan, the ITC urges the Forest Service to reconsider the whole notion of rigid reserves that work well on paper but not on the ground. It would be useful for the agency to learn more about tribal forest management, and how tribes protect various forest values with different methods.

While the NOI addressed “Indigenous fire stewardship,” the ITC notes that traditional and cultural burning practices can only be accomplished where forest conditions are appropriate. Significant active treatment and stand density reduction will be needed across the landscape before tribes can safely reintroduce fire.

Capacity Support; Co-Management

Tribes manage their forests for a small fraction of what federal agencies are appropriated. In order to ensure that tribes are able to fully participate in this revision process and provide the Forest Service the level of analysis it needs, the ITC requests that the Forest Service work with the ITC to provide capacity support to tribes within the Northwest Forest Plan area. This could include funding for technical support, analysis, mapping, meeting facilitation, field visits, etc.

The ITC also believes that the Forest Service should create a long-term co-management mechanism for perpetual tribal involvement in the planning and implementation of management on federal forests.

Treaty Rights and Other Tribal Interests in the NW Forest Plan Area

Any amendment to the Northwest Forest Plan must consider the effects on the tribal treaty and reserved rights and other tribal cultural and subsistence interests on National Forest System lands.

The establishment or expansion of limited management areas (such as Late Successional Reserves) can have direct, negative impacts on our tribal rights and interests. This could include management and restoration of huckleberry patches or deer/elk habitat. Setting aside areas for single species management can have negative consequences for other purposes.

Wildfire Risks

Wildfire affects Indian tribes on a number of levels, including direct threats to tribal communities situated near Forest Service land. High intensity fires alter the landscape, destroy habitat, and can convert forest conditions to those inconducive to subsistence resources. The ongoing risk of large, high intensity fires threatens nearby tribal forest resources, including wildlife, timber, carbon, etc.

Likewise, the lack of post-fire fuels reduction on federal land is leaving massive amounts of standing dead wood that will eventually reburn at even higher intensities and with limited suppression options. Northwest Forest

Plan reserve designations have and will continue to limit options for post-fire fuels management – putting tribal lands at heightened risk of destruction for decades to come.

The 2020 Bioregional Assessment of Northwest Forests (citing Marcot et al, 2018) recognizes the limitation of the current reserve system in meeting fire resilience and multi-species sustainment goals in a changing climate:

- “The needs of some species associated with old forests that experience dynamic disturbance events are not being met by the static boundaries of late-successional reserves. (Marcot et al. 2018) Managing large reserves as dynamic mosaics of vegetative conditions that meet the needs of various wildlife species as well as goals for resilience to climate change and fire might better align with current goals.”¹

The rigidity and complexity of existing Northwest Forest Plan directives have also hindered the scale and scope of stewardship partnerships with the tribes. Any amendment to the Plan must consider how it affects future tribal co-management and co-stewardship opportunities.

Species Diversity

It is important to consider species other than the Northern Spotted Owl and values significant to tribes. Single species management has not been effective, as is evidenced by the significant loss of old growth forests for wildfire.

¹ [USDA Forest Service \(2020\). Bioregional Assessment of Northwest Forests \(“Recommendation 2”\), p 25.](#)

For wildlife and species habitat, the Forest Service must better engage on the biodiversity need for change identified by the FACA committee.

Thank you for your consideration of the ITC’s comments. We would like to work with the agency to ensure that tribes are treated as partners in this process.

Sincerely,



Cody Desautel
President