



February 2, 2024

Regional Forester, U.S. Forest Service
1220 SW 3rd Avenue,
Portland, OR 97204

Submitted electronically to: <https://cara.fs2c.usda.gov/Public//CommentInput?Project=64745>

Re: Notice of Intent to Prepare an Environmental Impact Statement - Scope of the Analysis

To Whom It May Concern:

Thank you for the opportunity to comment on the U.S. Forest Service's Notice of Intent to Prepare an Environmental Impact Statement and Scope of the Analysis for the Northwest Forest Plan Amendments.

Save California Salmon is a 501(c)(3) non-profit dedicated to policy change and community advocacy for Northern California's salmon and fish dependent people, including Tribes. We support the fisheries and water protection work of the local communities, and advocate effective policy change for clean water, restored fisheries, and vibrant communities.

We commend the Forest Service for taking a hard look at its management and relationship with Tribes and for focusing on critical issues to the communities that rely on, and live within, the Northwest Forest Plan region. However, we do have some concerns regarding the Scoping Analysis. As such, we respectfully submit the following comments regarding areas that the Scoping Analysis is lacking, or areas that it needs to emphasize more.

Tribal Involvement

As stated in the NOI, *there is broad recognition, documented in numerous monitoring and research reports, 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.* In addition, in December 2022, the White House Office of Science and Technology Policy and Council on Environmental Quality released Guidance for Federal Departments and Agencies on Indigenous

Knowledge, also known as Traditional Ecological Knowledge (TEK). This Guidance recognized that in order to make the best science and policy decisions possible, the Federal government should value and respectfully include Indigenous Knowledge. Indigenous people have developed knowledge systems over millennia, and continue to do so based on evidence acquired through direct contact with the environment, long-term experiences, extensive observations, lessons, and skills. The Indigenous Knowledge that Tribes have is an invaluable component for facing climate change and preservation and protection of natural resources. We also encourage the Forest Service to adhere to the Forest Service 2012 Planning Rule which “requires decision makers to use best available science and to request information about tribal [TEK], land ethics, cultural issues, and sacred and culturally significant sites.”¹

Tribal management or co-management should be stated as the top priority for all land managers of the Northwest Forest Plan region.

There appears to be a lot of recognition for the fact that Tribes need to be included in land management and land management decision making processes. We applaud this. And: The Forest Service has an opportunity to implement this goal right now. As far as we understand, there is a hard deadline in April for NWFP amendment and only one more meeting in March that will serve as a mechanism for engaging with Tribes. We understand that there were also webinars for Tribes, but that they were poorly attended, perhaps because people were unsure of what was going on or may not have had capacity to attend at the time. Unfortunately, not enough time has been given and one more meeting is not enough to be able to engage with Tribes in meaningful ways. As such, we offer the following suggestions:

- The Forest Service should extend its amendment deadline and arrange for more tribal-engagement focused meetings. Those meetings should be held in different locations through the Northwest Forest region and be held in-person and online to allow for maximum participation. Those meetings should include notetakers that can report back to NWFP Federal Advisory Committee.
- The Forest Service should apply for adequate funding for the purpose of Tribal Inclusion.
- The Forest Service should compensate Tribes for their time, energy, and sharing of important information.
- The Forest Service should commit to turning Tribal recommendations into policy requirements, not suggestions.
- Tribal people should be hired by the government, including the Forest Service, in order to create trust and more open communication between Tribes and the Forest Service, and ensure Tribal voices are heard.
- The Forest Service should work with Tribes to identify opportunities for land return and long term exclusive use permitting.

The subcommittee meeting on January 31, 2024 made clear that there are categories of important topics to focus on including: biodiversity, fire resistance, climate change, and protecting old growth. Indigenous Knowledge is also listed as a bucket category, but it’s the only one that **also** helps address all the other categories. One committee member made the point that all efforts should be halted until Tribal inclusion is adequately addressed.

As an organization, Save California Salmon is open and happy to work with the Forest Service in order to achieve timely and meaningful tribal inclusion. We have been conducting interviews with Tribal

¹ Long, Jonathan and Frank K. Lake, Kathy Lynn, and Carson Viles, “Chapter 11: Tribal Ecocultural Resources and Engagement,” Synthesis of Science to Inform Land Management Within the Northwest Forest Plan Area, (2018), P. 889. https://www.fs.fed.us/pnw/pubs/pnw_gtr966_chapter11.pdf. See also, “2012 Planning Rule,” U.S. Forest Service, (2012). <https://www.fs.usda.gov/detail/planningrule/home/?cid=stelprdb5359471>

members, cultural fire practitioners, basket weavers, and cultural teachers in order to be able to offer recommendations that reflect Tribal visions, and Traditional Ecological Knowledge or Indigenous Knowledge. While we cannot speak for Tribes, we can share contacts, recommendations, and advice.

Cultural Resource Protection

When it comes to forest planning, protection of cultural resources is a concern for Tribes. It is one of the reasons Tribal engagement is so important. Use of chemical herbicides and/or pesticides in forest management presents a threat to cultural resources, specifically related to basket weaving materials such as tule, willow, beargrass, fern, hazel, and conifer roots. The use of these chemicals could have negative long term impacts on the Tribal communities. Traditional tribal harvesters have rational concerns over the potential exposure to environmental toxins when herbicides or pesticides are used.² Dangerous exposure can come through terrestrial and aquatic food resources. Exposure can also occur through traditional basket materials that people place in their mouths during the basketweaving process.³ We urge the Northwest Forest Plan managers to refer to the statement made by the California Indian Basketweavers Association on the use of pesticides on cultural resources.⁴ Indigenous peoples within the Northwest Forest Plan region managed forests for centuries without the use of chemical herbicides and pesticides. The Forest Service has the resources to manage forests in the same way now.

Fire Resistance, Resilience, and Cultural Burning

The NOI states that *Indigenous fire stewardship and cultural burning regimes can contribute to the ecological health of NFWP forests*. We would like to make it clear that indigenous fire stewardship and cultural burning are both needed and imperative to preventing large-scale, catastrophic fires, as well as caring for the ecological health of forests. Cultural and Tribally-led prescribed burning promotes biodiverse habitats and creates critical shade fire breaks on the landscapes. For instance, studies show that cultural and prescribed burning greatly improves Elk habitat and plant species diversity.

The Amendment should include proposals to fund and fasttrack cultural and prescribed burning. Returning fire to a landscape where it has been excluded and plantation creation has been a priority, has made burning complex and expensive. In some cases, extensive pretreatment is needed - even in lands that are not designated as ‘matrix.’ It has required local flexibility and planning structures that the Forest Service not only discourages, but often stands directly in the way of.

It is important to note that the amount of fire-based restoration needed is far higher than what the Forest Service supports.

In addition to greater allowances in general for prescribed and cultural burns, we recommend that burning regulations either: (a) be evaluated and applied to smaller areas, or (b) allow for greater flexibility within larger regulatory jurisdictions. Presently, there are communities that are thousands of miles apart, but still subject to the same no-burn rules. This creates a situation where either critical burn windows are not used or community members have to burn during non-ideal times. Modifying burn regulations in this way will aid in adapting to a changing climate.

² Long at p. 889.

³ *Id.*

⁴ “Pesticides & Basketweavers,” California Indian Basketweavers Association. <https://ciba.org/ciba-policy-statement-on-pesticides/>

Fighting Wildfires with Tribes

Plans to fight wildfires should be made in partnership with local Tribes and communities whenever possible.

For example, during the 2023 summer the Karuk Tribe, Forest Service, National Weather Service, and CalFire worked together to place fire lines and create burn plans during the Peach Fire in Orleans, California. Utilizing local knowledge, Tribal fire crews, and creating regulatory flexibility not only saved homes and culturally important areas from stand replacing fires, but it also allowed for low intensity back burns within threatened neighborhoods and in wildlands. In this way, the Peach wildfire acted like a prescribed fire. The Peach fire left the towns of Somes Bar and Orleans more fire resistant. Impacts to watersheds were also mainly positive. Years of fire safe preparation, prescribed fires, real time utilization of Traditional knowledge, and new technology made this possible.

In contrast, recent fires in and around the town of Klamath River were quick moving. There, fire lines were placed in creeks and mid slopes. Untreated plantation and high fuels from poor management, coupled with roaded areas that exceeded 5 miles of road per mile of forest, exacerbated this situation. The result has been an ecological disaster that has impacted over one hundred miles of the Klamath River.

Need to Restore, Not Just Protect Watersheds

Among many of the important topics covered in the Northwest Forest Plan, the NOI lists protecting riparian areas and waters as one of its primary purposes. The Aquatic and Riparian Effectiveness Monitoring Program has identified key subwatersheds⁵ as areas for monitoring and protection efforts. Save California Salmon urges Northwest Forest Area managers to also identify and take on large-scale watershed restoration in order to protect endangered species such as Chinook, Steelhead, Chum, Bull Trout, and Coho Salmon.

As outlined in the NOI, climate change is impacting waters that either originate or run through the Northwest Forest Plan area. Watersheds within the Northwest Forest Plan region are critical to the well being of millions of people as well as the survival of a number of endangered species. Critical water supplies should be identified and analyzed for protection and restoration as a part of the Scoping Analysis.

A century of mismanagement (including heavily roaded landscapes, undersized culverts, unthinned monoculture-style plantations, grazing, and mining) has left NWFP region watersheds with serious impairments including: damaged fish passage, debris torrents, chemical runoff, and damaged aquatic habitat. For example, in the case of road-related sediment input, the presence of some fine sediment along the channel bed is normal and benefits some species, such as native lamprey, but excess fine sediment deposition can be detrimental, such as when it reduces salmon egg-to-fry survival by clogging spawning

⁵ The AREMP monitoring plan chose hydrologic unit code HUC12 (subwatersheds) as its basic analysis unit; it was the finest level of resolution of boundaries at the time (Reeves et al. 2004)

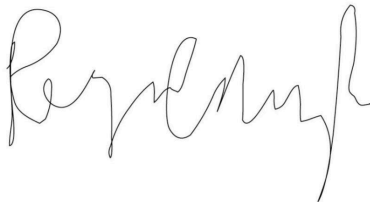
Reeves, G.H.; Hohler, D.B.; Larsen, D.P.; Busch, D.E.; Kratz, K.; Reynolds, K.; Stein, K.F.; Atzet, T.; Hays, P.; Tehan, M. 2004. Effectiveness monitoring for the aquatic and riparian component of the Northwest Forest Plan: conceptual framework and options. Gen. Tech. Rep. PNW-GTR-577. Portland, OR: U.S. Department of Agriculture, Forest Service; Pacific Northwest Research Station. 71 p. <https://doi.org/10.2737/PNW-GTR-577>.

gravels.⁶ These impairments render watersheds vulnerable to the impacts of climate change, including temperature increase, duration and intensity of drought conditions/reductions in precipitation, river instream flows, and groundwater recharge. Therefore restoring, not just protecting watersheds and riparian areas is critical. Other actions that are critical for the survival and well-being of fisheries and fish-dependent communities include: removing unneeded roads, improving needed roads, replacing culverts, as well as restoring floodplains, wetlands, and estuaries. We would like to see effective climate change adaptation and resilience through this type of watershed management that adequately responds to the crises of our time.⁷

The Aquatic and Riparian Effectiveness Monitoring Program identifies upgrading roads, replacing culverts, and facilitating the growth of larger trees along streams as solutions to improving fish passage. We recommend that roads - especially old logging roads - be identified for removal as a part of the Scoping process. We also recommend utilizing Indigenous Knowledge sciences and working with communities and agencies in order to restore critical watersheds and floodplains, and to remove or maintain system roads. This would protect communities and help restore biodiversity in the watersheds and forests.

Thank you for the opportunity to comment on the U.S. Forest Service's Notice of Intent to Prepare an Environmental Impact Statement and Scope of the Analysis. Save California Salmon looks forward to reviewing and commenting on the draft EIS scheduled for June. Please feel free to reach out to us with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Regina Chichizola', written in a cursive style.

Regina Chichizola
Executive Director
Save California Salmon

⁶ Dunham, 2023. Northwest Forest Plan—the first 25 years (1994–2018): watershed condition status and trends. U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station. <http://dx.doi.org/10.2737/PNW-GTR-1010>.

⁷ When fire suppression and climate whiplash is added to this equation we have situations such as at the McKinney Fire where one high severity fire on heavily roaded lands can pollute an entire large river system and kill everything living in it.