



Organized Village of Kake

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(Federally Recognized Tribal Government serving the Kake, Alaska area)

Mr. Frank Sherman, Supervisor
Tongass National Forest
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Submitted via <https://cara.fs2c.usda.gov/Public/CommentInput?Project=64039>

Dear Supervisor Sherman:

02/21/2025

On behalf of the Organized Village of Kake of Kake, Alaska, we thank you for the opportunity to provide comments on the draft Assessment reports supporting the revision of the Tongass National Forest land and resource management plan (forest plan or plan). Our Tribe's traditional territory encompasses approximately 6.2 million acres stemming from Point Gardner to Herring bay, Deep water point to Point Pybus, All of Northern Kuiu and all of Kuprenof Island down to 56.339064, -133.853631, then from Thomas Bay to Devils thumb and up to 57.567044, -132.621368 and we have stewarded these lands since time immemorial. Part of Chatham Straight, Fredrick Sound, and part of Stephens Passage within the Tongass National Forest are an integral part of our ancestral homelands. These lands not only provide sustenance and spiritual grounding but also are critical to the ecological balance and economic prosperity of Southeast Alaska. Our stewardship practices have preserved these ecosystems for millennia, and our continued involvement is essential to ensuring their resilience. The forest and the waters of the Tongass comprise the homes for our relatives, the resources that our people have always depended on for our physical, cultural, and spiritual sustenance. These resources, including Sitka Black Tail deer, Moose, Harbor Seal, Halibut, King and Dungeness Crab, Octopus, ShellFish, Sea Cucumber, Gumboots, Chinook, Chum, Silver, Pink, Sockeye Salmon, Pacific Herring, Black Bear, Porcupine, Grouse, Ducks, Geese, All the different Berries, Mushrooms, sustain not only our diets but also our ceremonies, ecological stewardship traditions, and their health is intrinsically tied to the health of the landscape itself. This is why one of the highest priorities for our Tribe has been the protection of the traditional and customary hunting, fishing, and gathering areas within our tribal territory.

Kake, Alaska, is a small Tlingit village located on Kupreanof Island in the southeastern part of the state. With a population of around 500, Kake is known for its strong Tlingit heritage, subsistence lifestyle, and deep connection to the land and sea. Fishing, hunting, and gathering traditional food remain central to daily life, while community events and ceremonies continue to honor Tlingit traditions. Despite our remote location, Kake thrives as a close-knit community that values culture preservation and self-sufficiency.

The revision of the Tongass forest plan represents an opportunity to address the ecological, cultural, and social challenges that have intensified since the United States Forest Service assumption of the management of the Tongass. As stewards of Kupreanof, Kuiu, southern Admiralty, eastern Baranof and other associated landscapes, we have nurtured these ecosystems for millennia, maintaining balance and resilience through our deep connection to the land, water, and the natural resources that sustain our people.

This process is an opportunity to implement meaningful commitments to Tribal sovereignty and co-stewardship. The federal government's Trust responsibility as enshrined in Joint Secretarial Order 3403, U.S. Department of Agriculture Departmental Regulation 1350-002, and the U.S. Forest Service Manual (FSM 1563), obligates the Forest Service to ensure that Tribes are full partners in managing the lands and resources that are our ancestral inheritance.

I. Recognition of Tribal Sovereignty and the Importance of Government-to-Government Consultation.

The Organized Village of Kake of Kake, Alaska unequivocally reaffirms our sovereign status and recognized rights to hunt, fish, gather, and protect resources on the lands now known as the Tongass National Forest. These rights are integral to the cultural, spiritual, and economic well-being of our people. The trust responsibilities of the United States, long recognized by the U.S. Supreme Court, Congress, and the Executive Branch, further reinforce the legal and moral commitment of the federal government to prioritize and uphold these rights in all forest management decisions.

In addition to the substantive protection and support of those rights, the United States' trust duties also implicate procedural obligations that require timely, meaningful, and decision-oriented government-to-government consultation. Rooted in the trust relationship, such consultation ensures the recognition and protection of Tribal sovereignty. Executive Order 13175, Joint Secretarial Order 3403, and U.S. Department of Agriculture Departmental Regulation 1350-002 all demand that consultation must be timely, transparent, and substantive, with the intent to reach mutual understanding and agreement.

While the Organized Village of Kake acknowledges both positive and negative experiences with the Forest Service regarding consultation, we are one of many Tribes on the Tongass that has faced similar challenges with inadequate consultation processes, which underunderscoring the need for structural changes to ensure meaningful government-to-government engagement.

We appreciate the Petersburg District Ranger's attendance to our monthly council meetings to provide updates on what is happening in our traditional territory and how we can weigh in. The Petersburg Ranger District's attendance to our community forest planning session on Kuiu island in 2023 was also a highlight of our relationship building. This kind of continued engagement, early and often, ensures that our Tribe is engaged early on in the process, that our input is incorporated, and that we can collaborate on seeking funding for restoration efforts that benefit all people. More often than not, these 'informal' engagements that are not official consultation improve the relationship between our two governments so that meaningful consultation is more in reach. Our collaboration on the Keex Kwaan Community Forest Partnership is another

example of positive collaboration between our Tribe and the Forest Service, which helps create local employment opportunities and restores the health and functioning of our forest. We also appreciate the Ranger District working with us on our subsistence moose and deer hunt during COVID-19 pandemic and these efforts to increase our food security. Another good example of collaboration that benefits our community is the Forest Service's participation in the Alaska Youth Stewards program that local Kake youth participate in. We encourage the Forest Service to continue building upon these positive examples of collaboration.

However, at times competing political directives from the highest levels of the US Government hinder the ability of the federal government to follow through on their trust responsibility. There are some examples that the agency can learn from what went wrong to improve their further relations with the Organized Village of Kake. For example, the Organized Village of Kake was a cooperating agency during the 2018 Alaska Roadless Rulemaking process. This process, which ended with the repeal of the 2001 Roadless Rule in a final decision that was issued in the waning days of the Trump Administration in 2020, failed to respect our sovereignty and our traditional and local knowledge, as decisions were made without adequately incorporating our concerns, resulting in adverse impacts on the forests, flora and fauna that we depend on for our cultural, ecological, and economic livelihoods. This outcome of this process was a completely politically driven decision that contradicted the desires of wide swaths of Southeast Alaska, including Tribal governments, municipalities, community members, fishermen, small business owners, tourism operators, subsistence harvesters, and more. It is difficult for our Tribe to move past the disrespect and disregard that we experienced during the Roadless Rule process, especially when this rule is used as a political football every four years. Trust must be built on a longer timescale, and continuing to pursue short-term politically motivated outcomes is contrary to this goal.

Moving forward, the Tongass forest plan revision process shall ensure consultation is comprehensive, ongoing, and respectful by:

- Engaging Tribes at the earliest stages of decision-making and maintaining regular communication throughout all phases of planning, implementation, and monitoring.
- Providing adequate time for Tribal review and feedback on management proposals, respecting Tribal schedules and resource constraints.
- Ensuring consultation outcomes are actionable and enforceable, with commitments formalized through agreements and protocols co-developed with Tribes.
- Accountability in consultation by requiring written records of consultation outcomes, timelines, and actions to ensure accountability.

As Native Peoples who have lived with and stewarded these sacred forests and waters since time immemorial, we submit the following comments on the draft Assessment reports supporting the forthcoming revised land and resource management (forest plan or plan) for the Tongass National Forest. Prior iterations of the Tongass plan did not authentically include the perspectives or deep involvement of Alaska Native Tribes, Native Corporations, communities, or other Indigenous populations. Therefore, there is a Need to Change the Tongass Plan to incorporate these perspectives, address the desired outcomes of these peoples, and for the federal government to honor its trust responsibility toward Alaska Native Tribes and their interests. As suggested by former Secretary of Agriculture Tom Vilsack, revising the Tongass Plan presents

the Forest Service with a meaningful opportunity to respond to the 2020 Tribal petition for a Traditional Homelands Conservation Rule, and to ensure that the long-term management and protection of traditional and customary use areas on the Tongass consider, respect, and provide avenues for implementing several Tribal and Indigenous needs and priorities.

II. General Comments.

Overall, while the assessments include useful information, they must do a better job of demonstrating the purpose and need for this plan revision. For example, climate change is one of the biggest stressors that faces our community and the resources that we depend on. As such, these assessments must address specifically how climate change and the stressors it will impose on the Tongass drive that Need for Change and how management must change holistically and adapt to respond to those changes.

We believe that those changes and adaptation can only be achieved through a concerted effort by the federal government to authentically and proactively engage Indigenous populations who have managed the lands and waters now known as the Tongass National Forest for much longer than the Forest Service's tenure. The agency must engage with us as sovereign nations and in a spirit of co-stewardship to develop a new forest plan that provides for true co-stewardship of the Tongass. Such a plan would include:

- **Co-Stewardship of Forest Resources:** The draft Assessments suggest the tremendous potential for co-stewardship of the Tongass between tribes and the Forest Service. The final Assessment must fully embrace this potential. This co-stewardship should involve shared decision-making, joint planning, joint research that is guided by tribal priorities, and collaborative implementation and monitoring of forest management activities. Co-stewardship can empower tribes in the stewardship of their ancestral lands, promote self-determination, and make more efficient use of limited federal resources.
- **Sustainable Forest Management:** The draft Assessments highlight the principles of sustainable forestry, but note that climate change and other stressors, including clearcut old growth logging and the expansion of mining projects and tailing dams, are threatening the ecological integrity of Tongass forests. Tribes can partner with the Forest Service to manage forests for multiple benefits, including timber production for local and cultural uses, habitat improvement and adaptation for deer, salmon, cedar and other species, and overall ecological integrity. This co-stewardship can ensure the long-term health and productivity of forests for future generations in the face of challenges from a changing climate.
- **Indigenous Knowledge (IK) Integration:** The final Assessment must emphasize the importance of incorporating IK in forest management practices. Tribes can collaborate by sharing their knowledge of local ecosystems, species, traditional culture, subsistence uses, and sustainable practices, information that must be protected from disclosure through Indigenous Knowledge sovereignty and confidentiality agreements. This collaboration can lead to more effective and culturally sensitive forest management strategies.
- **Collaborative Forest Restoration:** The draft Assessment reports discuss various forest restoration techniques. Tribes and the Forest Service can work together on restoration

projects, combining IK with western scientific approaches while strengthening opportunities for local economic and workforce development, and job opportunities for our tribal members. This collaboration can help restore forest health, enhance wildlife habitat, protect cultural resources, increase local economic security, and advance traditional cultural practices, and is a backbone of co-stewardship. The agency should build on and expand the multiple examples of successful collaborative forest restoration efforts that they already engage Tribes in, including community forest partnerships.

- **Economic and Workforce Development Opportunities:** The draft Assessments mention economic benefits associated with Tongass land management. Tribes can collaborate with the Forest Service to develop sustainable economic activities such as ecotourism, traditional timber products (canoes, totem poles, etc.), non-timber forest products, sustainable traditional harvesting of deer and salmon, and cultural resource management. This co-stewardship can create jobs, generate income, provide continued access for tribes to traditional areas, and support tribal communities. ANILCA local hire is another specific tool of Alaska's National Forests that can increase economic opportunities for our tribal members, and the authority should be utilized for higher level GS positions.

The final Assessment must also establish the Need for Change, including the need to:

- **Strengthen Tribal Capacity:** Providing opportunities for Tribal capacity-building will help Tribes effectively participate in co-stewardship and co-management activities. Tribal workforce development should be a core part of agency activities and contracting. Likewise, expanding programs that engage Tribal youth in co-stewardship of the Tongass and management activities such as restoration, research, and building recreation infrastructure ensures that the next generation of stewards are ready to implement the Seventh Generations Principle.
- **Address Historical Trauma:** Acknowledging and addressing the historical trauma experienced by Indigenous peoples in the revised plan, and the agency's role in perpetuating this trauma, is crucial for building trust, improving Government-to-Government relationships, and fostering collaboration. The agency has taken steps to acknowledge the historical and generational trauma caused by the burning of smokehouses and fish camps across the Tongass, and how that dispossessed our people from traditional uses of their land. The Forest Service should continue their efforts to make their staff aware of these past injustices so that our Tribes do not have to assume the burden of educating a new district ranger or line staff every 2-3 years.
- **Develop Co-Stewardship Agreements:** The revised plan should facilitate the development and implementation of co-stewardship agreements that clearly define roles, responsibilities, and decision-making processes for both the Forest Service and Tribes. The OVK wants to pursue co-management of everything that is in our traditional and customary use areas. We want an equal seat at the decision-making table; we want to be present to discuss all issues and projects coming up in our area and be able to contribute our thoughts and opinions and have them respected and incorporated into decision-making.

- **Ensure Stable Tribal Funding:** Sustainable funding mechanisms are essential for the long-term success of Tribal co-stewardship initiatives, and the revised plan should identify these mechanisms and other opportunities for Tribal capacity development.
- **Steward Sites of Indigenous Importance:** Current forest plan direction does not adequately protect Tribal cultural, historical, and sacred sites, which threatens Tribal identity and culture. There is a related need to integrate Indigenous languages and place names into maps and other landscape identifiers, and to develop management approaches at Tribal request for the restoration of Indigenous cultural properties and infrastructure including but not limited to fish camps, seasonal cabins, and smokehouses.
- **Facilitate Tribal Subsistence Use and Stewardship of First Foods** and other cultural resources (e.g., salmon, cedar, deer, etc.), including by restricting non-Tribal access to and use of these resources.
- **Ensure Tribal and Indigenous Access** to terrestrial, aquatic, and marine cultural landscapes and ancestral homelands to facilitate the exercise of traditional and customary practices that reflect a reciprocal relationship between native people and the land and resources they steward.
- **Identify and Designate Lands of a Particular Character and Other Lands** (i.e., salmon strongholds, areas of known Tribal importance, etc.) as suitable for Tribal/native co-stewardship and eventual co-management.
- **Conserve Old Growth Forests**, which are essential to ecological integrity of the landscape and the provision of cultural resources and subsistence uses.
- **Recognize the value of salmon**, which have sustained our communities since time immemorial and are an integral part of the development of our societies on these homelands. Salmon have immense cultural value, as well as commercial and ecological value, and the need for change should reflect the need to restore degraded salmon habitat to a healthy functioning state, due to its importance for the cultural, ecological, and economic health of our communities and peoples.

III. Specific Comments.

- Kake's main priorities are to strengthen and sustain our food security through creating a healthy living shoreline and land mass that will be around for the next 7 generations. Our communities are extremely food insecure and along with the rest of the region, we rely on barge service for 95% of our food to be imported. This reliance on barge service for food security should absolutely be reflected in the Socio-Economic draft assessment as it is a critical reason behind why our ability to practice subsistence is so important, along with the strengthening of our culture and way of life. OVK citizens experience this food insecurity and barge reliance viscerally. When our community faced food shortages due to supply chain disruptions during the COVID-19 pandemic, we bolstered our community's food security and exercised our sovereignty by applying for an emergency moose and deer hunt from the Federal Subsistence Board.
- We would like to see Roadless-type management for roadless areas regardless of the existence of an overarching rule that has been a political football. Take the roadless prescriptions of not building roads for commercial timber harvest or arbitrary reasons and

incorporate them into the management areas, standards, and guidelines of the forest plan. The assessment should reflect our Tribe's longstanding support for Roadless Rule protections, along with the support that other Tribes have voiced.

- We appreciate that the Forest Service put additional resources, time and effort into gathering feedback and input from Southeast Alaskan Tribes, Alaska Native Corporations and Indigenous people. As the assessment recognizes, we were the first inhabitants of Southeast Alaska and we will be here long after everyone else has left. Addressing and centering our Tribal priorities is of paramount importance for the Forest Service, and the agency should seek to continue supporting this increased engagement wherever possible. We strongly support the inclusion of the Tongass as an Indigenous Place draft assessment and do not want to see this draft assessment report diminished or excluded in any way. The other assessment reports should seek to incorporate traditional ecological information in a similar vein to the Tongass as an Indigenous Place draft assessment report. This report should absolutely remain the first chapter of the draft assessment.
- There are a few Tribal Areas of Importance missing from the Goldschmidt and Haas table in the appendix of the Tongass as an Indigenous Place draft assessment. When something has a place name, it means it was very important to local people. That is why it is important to have our place names reflected in the plan revision process and the final assessment, where possible. OVK considers all the areas that held clam gardens, food gardens, petroglyphs, fish camps, smokehouses, small communities, hunting camps, etc to be areas of tribal importance. We would like to have the following areas and their uses added to the table:
 - Washington Bay, Security Bay - fish camps, fall dog salmon run that was very important
 - Pybus Bay - fish camps, hunting camps
 - Southern Admiralty up to Point Gardner: we shared this area with Angoon, it hosted fish camps and hunting camps
 - Eastern Baranof watersheds including Falls Lake and Gut Bay host important sockeye runs used for subsistence harvest
 - Bay of Pillars watershed on Kuiu Island, as well as Tebenkof, hosts a sockeye run and had smokehouses and fish camps established there
 - Saginaw Bay, which we refer to as Skanax Bay held forts, and was owned by a specific clan that stewarded the fishbearing streams there. This place was bombed by the Navy. The name Saginaw, referring to the warship that bombed it, is offensive to our people, and we would like the Forest Service to consider what

tools are in their jurisdiction and authority to help tell this story and advance our efforts to rename this bay.

- Red cedar is extremely important to our Tribe and as noted in the Tongass as an Indigenous Place draft assessment, we were a signatory on a letter sent to the Secretary of Agriculture in 2020 requesting an inventory and creation of a long term cultural use wood management plan. We do not want to see any more totem quality cedar cut and exported to the lower 48 or abroad. All remaining cedar that is suitable for cultural use wood should remain in Southeast Alaska to support our Native carving, weaving, storytelling, and cultural heritage.
 - There is a red cedar stand on Lower Shamrock Road that we would like to see protected like the North Hamilton Special Use area that is in the 2016 TLMP.
 - There are also a couple stands of red cedar on Kuiu Island that need to be mapped and then should be put into special use area designations to protect the cedar in them for local and cultural use.
 - Our tribal members also harvest cedar bark along the Kake Access road, as well as firewood and personal use wood.
- Blueberries are an important cultural resource for our community. We are seeking a grant to do blueberry development and enhancement close to Kake to increase picking opportunities for local food security. This could also lead to economic opportunities. The importance of blueberries to our Tribe and other communities should be reflected in the appropriate draft assessments, including but not limited to the Tongass as an Indigenous Place report.
- We disagree with the definition of sacred sites that the Forest Service currently uses, and we would like to see this definition expanded to include all our traditional harvesting sites. These are areas where we practice our culture, connect with the land, transmit history, and connect with our sacred relatives. We have some sacred sites documented that we do not want to talk with the Forest Service about, for many myriad reasons, many of which some of which are documented in the assessment already. It is important for the agency to keep in good communication with our Tribe about what kind of activities they are planning across our traditional use areas so that we can let them know if they are inadvertently planning anything that might disturb our sacred sites.
- We appreciate the reference in the Subsistence assessment report to the disturbances that charter fishing are causing for subsistence harvest. This point could be strengthened by adding our local knowledge. Charter lodges on Kuiu Island and Pybus Point have begun to come closer to our community use areas, thus increasing competition for the resources that we depend on for subsistence harvest. Subsistence harvest and traditional use should

be the first priority that the Tongass National Forest and all associated special use permitting is managed on the basis of, as required by ANILCA Title 8.

- Climate change is one of the largest threats to our way of life and the resources that we depend on. Many of our food security projects are meant to help adapt and mitigate the worst impacts of climate change. The assessment must reflect the importance of addressing climate change impacts to local communities, the importance of relying on the Tongass as a carbon sink and protecting the old growth and the soils that it contains.
- Please include the attached map of our traditional territory in the assessment.

IV. Conclusion.

The Assessment phase of forest planning is only the first step in the revision process, and we understand that there is much more to come. We look forward to partnering with the Forest Service to integrate our expertise, experience, and knowledge into this, and future, forest plan revision phases. The Tribal assessment is a good start for the Forest Service's understanding of our long history and use of this area, and our relationships with all the beings that depend on it. Furthermore, we still believe that the forest plan can integrate and build on the variety of successful examples of co-stewardship and co-management that are already happening on the Tongass, throughout Alaska, and throughout other parts of the United States. These models demonstrate the tremendous potential for co-stewardship across a range of issues facing our forest lands. Co-stewardship of the Tongass presents exciting possibilities that can bolster our communities, our economies, and the health of our landscapes. The Forest Service must continue to build their relationship with the sovereign Tribes of the Tongass, as we work together to ensure the long-term health and sustainability of this valuable ecosystem. We look forward to making this journey with you, together for each step.

Sincerely,



OVK President

02/22/25
Date