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Dear Supervisor Sherman: February 24, 2025

On behalf of Central Council of Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida) 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).

Tlingit & Haida is a federally recognized regional tribal government representing over 37,000 Tlingit and Haida people. Our ancestors have lived in and stewarded the lands and waters of Southeast Alaska since time immemorial, long before the establishment of what is now known as the Tongass National Forest. This forest is not merely a resource; it is our homeland, our identity, and the foundation of our cultural and spiritual traditions. Our connection to these lands and waters is interwoven with our way of life, including our subsistence practices, traditional ecological knowledge, and our responsibility to protect and care for our environment for future generations. As a sovereign tribal nation, Tlingit & Haida remains committed to ensuring that federal policies governing the Tongass recognize and uphold our inherent rights, traditional knowledge, and the ongoing role of tribal governments in land stewardship.

In our view, although the draft Assessment reports contain myriad information, most reports[1] do not meet the expectations for Assessments set forth in the Forest Service's 2012 Planning Rule. Many draft reports simply establish existing ecological processes or socioeconomic settings, but do not evaluate conditions and trends, and their relationship to a land management plan, in the context of a broader landscape as required by the Planning Rule. 36 C.F.R. § 219.5(a)(1). Because Assessments are to be used during plan revision to determine whether there is a need to change the existing plan and to inform the development of plan components and other plan content, it is essential that the Assessment conduct the requisite "assessment." 36 C.F.R. § 219.7(c)(2). The comments below identify where each draft Assessment report can be improved to put the Tongass on the best trajectory for a successful revision and revised forest plan.

I. The Assessment Process.

We reiterate the basic requirements of the Assessments process here. While lengthy, this overview is necessary in order to compare the content of the draft Assessment reports with the requirements of the 2012 Planning Rule.

A. Planning for Diversity.

[1] A notable exception is the draft *Tongass as an Indigenous Place* Assessment report, which does an excellent job of meeting the expectations of the 2012 Planning Rule.

A key initial step in the Assessment process is identifying the attributes of ecosystem diversity, ecological integrity, and species persistence that will be measured and evaluated in the Assessment. These same attributes would then be considered in the development of plan components and the monitoring program. They may also be addressed as effects in the NEPA process. In order for the responsible official to determine whether plan components provide ecological conditions to maintain the diversity of plant and animal communities, the Assessment must ensure that information is provided about those conditions. The responsible official should include key conditions in the Assessment within the following categories:

- Ecosystem and habitat type diversity (36 C.F.R. § 219.9(a)(2)): variety and relative extent of ecosystems
    - Key characteristics associated with terrestrial and aquatic ecosystem types (and riparian areas)
    - Rare aquatic and terrestrial plant and animal communities
    - Diversity of native tree species

- Ecosystem integrity (36 C.F.R. § 219.9(a)(1)): quality or condition of these ecosystems
    - Composition
    - Structure
    - Function
    - Connectivity
    - Species composition and diversity
    - Focal species (since the stated purpose is inferences about integrity)

- Species persistence (36 C.F.R. § 219.9(b)): a prerequisite for species diversity and ecosystem integrity. Ecological conditions include human structures and uses as well as the biological habitat characteristics that may overlap with characteristics for ecosystem integrity. Amount, quality, distribution and connectivity of habitat should be included among these conditions:
    - Ecological conditions necessary to contribute to recovery of each threatened and endangered species
    - Ecological conditions necessary to conserve each proposed and candidate species
    - Ecological conditions necessary to maintain a viable population of each species of concern within the plan area

In order to make decisions about plan components that will meet diversity requirements of the 2012 Planning Rule, the responsible official must first determine what ecological conditions in the plan area are relevant to development of plan components. The responsible official must then identify existing information about those conditions relevant to the plan area and evaluate possible future trends in those conditions.

1. Identify Tentative Target Species.

The habitat needs of some individual species should be an important consideration in defining ecosystems and selecting their key characteristics. Consequently, the first factor that should be considered for an Assessment is target species for the revised plan.

Target species are those of sufficient interest or concern to monitor key ecological conditions for over time (*see* 36 C.F.R. § 219.12(a)(5)(iv)), and to consider directing management towards through the development of plan components, and therefore to identify and evaluate in the Assessment. Target species would be selected from among federally threatened, endangered, proposed and candidate species, and species of conservation concern identified pursuant to 36 C.F.R. § 219.9(b) (required as part of the Assessment by 36 C.F.R. § 219.6(b)(5)), focal species selected pursuant to 36 C.F.R. § 219.12(a)(5)(iii) (indicators of ecological integrity), and species commonly enjoyed and used by the public selected pursuant to 36 C.F.R. § 219.10(a)(5) (required as part of the Assessment by 36 C.F.R. § 219.12(b)(7)). These three categories of tentative target species represent different levels of responsible official authority and discretion for inclusion.

Public interest species are chosen entirely at the discretion of the responsible official. 36 C.F.R. § 219.10(a)(5). They may be included in the Assessment as ecosystem services (36 C.F.R. § 219.6(b)(7)), or multiple uses (36 C.F.R. § 219.6(b)(8)), but their requirements for ecological conditions may overlap those of species at risk, and they should be integrated into the Assessment of diversity factors.

Federally recognized species (endangered, threatened, proposed, candidate species) must be identified through the coordination with the ESA consulting agencies that is required during the Assessment by 36 C.F.R. § 219.4. These federally recognized species must be addressed by plan components if they "may be present" in the plan area, in accordance with 50 C.F.R. § 402.12, and should be included as target species.[2]

Species of conservation concern are the responsibility of the regional forester. 36 C.F.R. § 219.7(c)(3). The regional forester should designation SCC early enough so that their integration into the Assessment, including identification of key ecological conditions, does not delay the Assessment process. The rule contains only two criteria that the regional forester may use to identify SCC:

- A species must be known to occur in the plan area, and
- Best available scientific information indicates substantial concern about the species' capability to persist over the long-term in the plan area

36 C.F.R. § 219.9(c).

For some species, range-wide viability risk has already been reliably determined,[3] and they must be identified as SCC if they are known to occur in the plan area. (If a species is at-risk range-

[2] This initial Assessment step will also provide an opportunity for the consulting agencies to begin contributing information that may be used to design the proposed action. Early contributions to a new or revised plan by the consulting agencies should help streamline the Section 7(a)(2) consultation process for the plan and increase the likelihood of contributing to recovery of listed species and avoiding listing of proposed and candidate species (*see* 16 U.S.C. § 7(a)(1)).

[3] Such species include species with positive 90-day findings under the ESA, recently de-listed species that may be considered for re-listing, species that are classified under the NatureServe system as critically imperiled, imperiled,

wide, it is necessarily at risk wherever it is found.) Species with no recent occurrence records in a plan area may be excluded if the best available scientific information indicates they will not naturally repopulate the plan area, and collaborative efforts substantiate that no artificial reintroduction is likely. Species with recent occurrence records may be excluded if the best available science indicates they are accidental occurrences.

The regional forester should evaluate any suggested potential species against the criteria in 36 C.F.R. § 219.9(c) upon request. If the information about a species' abundance, distribution threats, trends or response to management indicates that the species may not continue to persist over the long term in the plan area with a sufficient distribution to be resilient, then the regional forester must select it as an SCC. If not, the regional forester must document the rationale for finding that a potential species does not meet the SCC criteria. Species considered as potential SCC but not meeting the criteria in 36 C.F.R. § 219.9(c) may be selected as public interest species.

This analysis of potential SCC must be included in the Assessment. 36 C.F.R. § 219.6(b)(5)). The regional forester must also document best science currently available and the nature of the information needs, which should be addressed in the monitoring program. 36 C.F.R. § 219.12(a)(4)(i).

During the process of determining if a species is at risk in the plan area, the regional forester should compile information about the ecological conditions necessary to comply with 36 C.F.R. § 219.9(b) for each species, including ecosystem composition, structure, function, and connectivity. These should include the most important habitat elements for a species, and should represent limiting factors or those being threatened by actions that may be influenced by plan components. This information should be largely applicable to a species across multiple plan areas. It would be provided to the responsible official to use in selecting key ecological conditions for these species.

An analysis of population viability may be appropriate to use to determine if a species is currently at risk and should be considered a SCC and should be already available to be used for an Assessment for a revised. A new analysis of projected population viability may be appropriate as part of the diversity evaluation that occurs in the planning phase pursuant to 36 C.F.R. § 219.9(b).

Identification of SCCs by the regional forester is a preliminary planning step. It consists of applying regulatory criteria to species in the plan area based on best available scientific information. While it requires the exercise of professional judgment, it permits no discretion by the Forest Service. It is appropriate and necessary for this determination to occur prior to most of the Assessment process. Selection of SCC may be revisited throughout the planning process as required by new information applicable to the two criteria in 36 C.F.R. § 219.9(c).

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or vulnerable globally or nationally (G/N/T 1-3), and species listed as sensitive by the Forest Service. The agency should also consider as "potential SCC" species those species that are known to occur in a plan area and for which concerns about the risk to persistence in that particular plan area exist and species with NatureServe S1 and S2 (state) rankings.

The rule only discusses *focal species* in conjunction with the plan monitoring program developed by the responsible official. 36 C.F.R. § 219.12(a)(5)(iii). However, the purpose of focal species is to provide "meaningful information regarding the effectiveness of the plan in maintaining or restoring the ecological conditions to maintain the diversity of plant and animal communities in the plan area." 36 C.F.R. § 219.19. Therefore, focal species should be part of the overall strategy for identifying species at risk and key ecological conditions, and the regional forester should play a role in identifying focal species as well as SCC. Effective monitoring may require that some SCCs be selected as focal species.

2. Identify Land Units for Integrity and Diversity Analysis.

The Planning Rule specifies three kinds of land units for which to evaluate integrity: 1) terrestrial ecosystems and watersheds; 2) aquatic ecosystems and watersheds; and 3) riparian areas. It also requires diversity of ecosystems and habitat types. An ecosystem is "a spatially explicit, relatively homogeneous unit of the Earth that includes all interacting organisms and elements of the abiotic environment within its boundaries." 36 C.F.R. § 219.19. An ecosystem is commonly described in terms of composition, structure, function, and connectivity. *Id.* Selected ecosystems should be characterized in a manner that encompasses these elements.

The choice of ecosystems should consider the appropriate scale for the Assessment and for plan components. The Planning Rule allows planning at the most appropriate scale to address issues and resource concerns specific to a plan area, and therefore planning topics must be identified early in the Assessment process. The scale for evaluating ecosystem integrity should recognize the scale of dominant disturbance regimes. In order to describe the relative contribution of the plan area to ecological sustainability, ecosystems may also need to be delineated at a broader scale. Nested ecosystems at multiple scales may need to be identified.

This ecological sustainability requirement of the Planning Rule specifically requires plan components to provide for integrity of riparian areas, and therefore the Assessment needs to address the seven factors listed in 36 C.F.R. § 219.8(a)(3)(i), which include "aquatic and terrestrial habitats" and "ecological connectivity," and widths of potential riparian zones. 36 C.F.R. § 219.8(a)(3)(ii). The Assessment must also include information about riparian areas on which to base decisions about widths for riparian management zones and decisions about appropriate plan components. The Assessment must also address air, soil, and water resources and quality. 36 C.F.R. § 219.6(b)(2). Though these are not directly included as elements of diversity in § 219.9, the Assessment should document how they may affect any of the elements of diversity above.

To facilitate planning across unit and jurisdictional boundaries, ecosystems and watersheds should be identified by regional foresters, in coordination with states and other entities operating at a broad scale. Broader-scale interests should determine what is needed to provide the context for plan area decision-making, including identification of regionally distinctive characteristics of the plan area. Without edge-matching ecosystems, the contributions of sustainability and diversity factors across boundaries may be more difficult to determine. Consistent use of ecosystems will facilitate the regional forester's identification of SCC, and also lead to better and more efficient broader-scale monitoring.

3. Identify Key Ecological Conditions.

The planning rule requires that plan components provide the ecological conditions to maintain the diversity of plant and animal communities and support the persistence of native species in the plan area. 36 C.F.R. § 219.9. Ecological conditions include "habitat and other influences on species and the environment," including structural developments and human uses. *Id*. The Assessment must identify the ecological conditions that will be most relevant and useful for developing plan components for diversity.

While the rule does not directly address the landscape pattern of ecosystems and patches, it is inherent in the dominant ecological conditions of composition, structure, function and especially connectivity. The structure of a landscape is determined by the spatial arrangement, size, shape, number, and kind of patches. Functional attributes are defined by the interactions among spatial elements. Habitat suitability for species at risk based on stand characteristics cannot be divorced from the spatial distribution of habitat types. Consequently, the Assessment should identify appropriate patch metrics as key ecological conditions.

The species composition and diversity aspects of ecological integrity should also be addressed by identifying key ecological conditions for the species at risk. The understanding of the relationship between these key ecological conditions and changes in species populations should be documented so that it can be tested. Grouping species with similar needs for ecological conditions may be appropriate for subsequent analysis if supported by the best available science.

During the planning phase, the responsible official must determine whether the likely future ecological conditions under the plan will maintain a viable population of species of concern in the plan area that will persist over the long term with sufficient distribution to be resilient and adaptable to stressors and likely future environments. The Assessment should therefore address species population distributions as key ecological conditions for species diversity.

Because they are included in the definition of ecological conditions, it is necessary to consider human structures and uses in the Assessment. Identification of these ecological conditions is needed during the Assessment to provide a basis for plan components that would manage human structures and uses. Ecological conditions include roads[4] and other structural developments and human uses. 36 C.F.R. § 219.19. The Assessment must address these as part of ecosystem services and multiple uses (including recreation) (36 C.F.R. §§ 219.6(b)(7), (8)), and infrastructure (36 C.F.R. § 219.6(b)(11)), but they should also be included in the discussion of species persistence. In most cases, it is likely that roads and their use will be the predominant direct human influence on diversity in the plan area, so these would be good candidates for key ecological conditions.

[4] The Forest Service has specific requirements for "roads analysis," which include determining the effects of the road system in the plan area on diversity. FSM 7712.1. This analysis should have been completed prior to revision of a forest plan. FSM 7712.15. The responsible official must use the results and findings of the roads analysis during land management planning (FSM 7712.12a). Information from the roads analysis relevant to diversity should therefore be included in the Assessment.

4. Identify Key Areas that Support Target Species.

For many species, there will be some places within the plan area that are more important than others. Some areas act as source areas or strongholds that export individuals, while in other areas survival and successful reproduction are more challenging. Some areas may provide key linkage zones between populations or source habitats. The location of areas of high value to species at risk should be considered in deciding what plan components to apply where.

The Assessment needs to recognize the relative importance of different areas at scales appropriate to each species. It needs to discuss the relative contribution of the plan area to broader-scale species viability. Within a plan area, specific ecosystems or watersheds or sites should be identified if they provide relatively high-quality habitat for a target species. Developing this context for developing plan components may indicate that species diversity or viability may depend on more protective management of portions of the plan area, or of the plan area as a whole.

5. Evaluate the Existing Information in Terms of Conditions and Trends.

For each of the key ecological conditions, the Assessment must: 1) identify existing relevant information; and 2) evaluate that information. 36 C.F.R. § 219.6(b). The Assessment should also distinguish areas important to species at risk if conditions and trends differ for such areas. For each ecological condition, this evaluation should answer these questions to address conditions, trends and sustainability and their relationship to the land management plan:

- What was the historic condition (where there is existing information)?
- What is the current condition?
- What are the relevant drivers and stressors?
- How has management of the plan area contributed to the current condition?
- What scenario is most likely for future drivers and stressors?
- What will the future trend be as a result of those drivers and stressors?
- What will the likely future condition be managing under the current plan?

36 C.F.R. § 219.5(a)(1). Section 219.5(a)(1) provides direction for how to evaluate the information compiled during the Assessment. It states that Assessments will evaluate information about "trends, and their sustainability and their relationship to the land management plan within the context of the broader landscape." It requires the responsible official to evaluate "existing and possible future conditions and trends of the plan area."

The Assessment must therefore consider possible future scenarios for stressors and other relevant factors beyond the control of the agency (including climate change), and identify those most likely to occur based on the best available scientific information. For the purpose of the Assessment, projections of future conditions must assume that current forest plan direction would be followed. (An evaluation of future conditions under a proposed revised plan will be completed during the planning phase.) Important Assessment conclusions will include the key

ecosystem conditions in the future, which necessarily reflect a trend from current conditions, and therefore indicate whether current conditions are sustainable.

The rule does not state that the Assessment must include an interpretation of current or future ecological conditions in terms of ecological integrity. Judging the merits of conditions can only occur after establishment of reference conditions that provide for integrity. Establishing reference conditions, and comparing them to future conditions, is part of identifying a preliminary need to change the existing plan and informing the development of a new or revised plan. 36 C.F.R. § 219.7(c)(2)(i).

The final step is to evaluate whether the future condition meets requirements for diversity. However, that evaluation will occur as part of the NEPA process rather than the Assessment, along with evaluation of the proposed new plan and alternatives.

B. Monitoring.

Assessments will also be used to inform the development of the monitoring program. 36 C.F.R. § 219.5(a)(3). The monitoring program must in turn be used to "inform adaptive management of the plan area." 36 C.F.R. § 219.12(d)(2). Adaptive management must therefore be built into the design of the Assessment by using existing information to establish hypotheses for testing. Adaptive management also requires that, where plan components are adopted based on existing information that is incomplete, missing information must be collected and evaluated to determine whether there is a need to change the plan components. The Assessment report must document that missing information. 36 C.F.R. § 219.6(a)(3).

Assessments represent the best opportunity to contribute information for use in the planning process. The responsible official is required to identify and consider information from various sources, both governmental and non-governmental, including private information that is voluntarily provided. The planning rule requires consideration of information contained in studies, monitoring reports, plans, other Assessments, and other kinds of documents, including - for our purposes – Indigenous Knowledge. 36 C.F.R. § 219.6(a)(1). The Assessment should also include the review of planning and land use policies of other entities such as Tribes. 36 C.F.R. § 219.4(b)(2). The responsible official is required to use the best available scientific information, including Indigenous Knowledge, to inform the Assessment. 36 C.F.R. §§ 219.3, 219.6(a)(3). In the Assessment report, the responsible official must document which information is the most accurate, reliable, and relevant to the issues being considered, and the basis for that determination. The responsible official must also document relevant information need. 36 C.F.R. § 219.6(a)(3).

The Assessment should consider the results of prior monitoring, and the Assessment report should include a summary of what was learned from monitoring of the existing plan, focusing on the effects of existing plan components. The Assessment also needs to evaluate the performance of monitoring itself. The best source of information about useful and practical plan monitoring should be prior experience with plan monitoring. Therefore, the Assessment should be designed and used to determine if there is a Need for Change in the monitoring program.

Requirements related to diversity (discussed infra) for the plan monitoring program should be considered during the Assessment and include:

- Watershed conditions
- Ecological conditions including key characteristics of terrestrial and aquatic ecosystems
- Focal species to address the ecological conditions required for species at risk
- Ecological conditions required for species at risk

36 C.F.R. § 219.12(a)(5).

II. Assessment Report Analysis.

In our view, while much useful information is contained in the Assessments, they must do more than just gather information on their subjects: they all must do a better job of demonstrating the purpose and need for this plan revision. As such, they 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.

As discussed supra, the information analyzed in Assessments should be used "to identify a preliminary need to change the existing plan and to inform the development of plan components and other plan content." 36 C.F.R. §219.7(c)(2)(i). Similarly, the Assessment report should describe "a clear base of information for identifying a need to change the plan." FSH 1909.12, ch. 10, sec. 11.3.

Overall, stronger linkages between Assessments and the forthcoming Need for Change are necessary in order to meet the 2012 Planning Rule's requirements to "document how best available scientific information was used to inform the assessment, the plan decision, and the monitoring program" and to "[i]dentify what information was determined to be the BASI, explain the basis for that determination, and explain how the information was applied to the issues considered." 36 C.F.R. §219.3.

The final Assessment should more clearly "document information needs" (§ 219.a)(3)) and identify "key assumptions, risks, areas of uncertainty, and how the assessment can inform the development of the monitoring program." FSH 1909.12, ch. 10, sec. 11.3. Identifying these information needs, assumptions, risks, and uncertainties will be essential to structure a more adaptive approach to planning in the future. Some of the Assessment reports identify information needs, but only in a cursory fashion, and there is often no corresponding discussion of how these information needs could be filled and their relevance to the monitoring program. Clearly identifying information needs will be critical to the development of a more adaptive planning framework.

The Tongass should make efforts to frontload information and partners early in the planning process. During the Assessment phase, the Forest Service should have made efforts to better populate the plan with relevant information. In our view, many sources of relevant information were not cited or used to inform the Assessment. Likewise, partners with relevant information - particularly Alaska native Tribes - should have been identified and actively invited to share such

data early in the process: this does not appear to have occurred for the Tongass Assessment. The Forest should not solely rely on those members of the public who "show up" and provide information. This mode of operation most often results in "hit or miss" data collection and data gaps are the result.

While the draft *Tongass as an Indigenous Place* Assessment report does an excellent job of describing traditional uses of the Forest, the other Assessment reports would be improved by providing a general discussion of historic and traditional uses by Alaska Tribes. Oftentimes cultural and historic resource condition Assessment reports are more focused on cultural archeology than on ethnography and anthropology of current human communities and their uses of the land. Although it is important to address historic uses, it is also imperative that Assessments contain information on current communities and living practices, their importance to the landscape, and the opportunities that exist to engage in balancing natural process and human species through forestland management. In particular, the Assessments should provide information on how traditional human communities are affected by current conditions and discussions on how communities will be affected by trends, stressors, and the future management (or lack of management) of ecosystem resources.

In revising the draft Assessment reports, the planning team should focus on presentation of information to increase utility and functionality (or usability) and applicability. The draft Assessment reports provide a wide variety of information on each of the Assessment topics, and while having a lot of information in one place can be helpful, this approach leads to Assessments that are unwieldy, not as strategically focused as they could be, and missing critical pieces of information necessary to inform the Need for Change and the revised plan.

A. *Tongass as an Indigenous Place.*

The Tongass National Forest has a unique and significant relationship with the indigenous people of Southeast Alaska, including the Tlingit, Haida, and Tsimshian, whose presence in the area spans over 10,000 years. These indigenous communities have a deep connection to the land, which is integral to their cultural practices, subsistence lifestyles, and spiritual beliefs. The Forest Service is required to encourage participation by Tribes and Alaska Native Corporations in the planning process, seeking their input on native knowledge, land ethics, cultural issues, and sacred sites. Indigenous people view the Tongass as their traditional homelands and have historically practiced stewardship of the land, emphasizing sustainable use and reciprocal respect for natural resources. The relationship is characterized by a need for co-stewardship and co-management to ensure that Indigenous perspectives and priorities are integrated into forest management decisions.

The revised forest plan, all Assessments, and indeed all land management the Forest Service conducts on the Tongass National Forest must address the history, needs, and concerns of the Native People who have always called what is now known as the "Tongass" home.

The main challenges faced by Alaska Native tribes, as highlighted in this draft Assessment, include:

1. **Historical Trauma and Dispossession**: The creation of the Tongass National Forest and other federal actions led to the dispossession of indigenous lands without consent or compensation, causing generational trauma and loss of traditional territories. The revised forest plan should acknowledge and seek to address this trauma and dispossession.
2. **Inadequate Consultation**: Tribes often experience inadequate and sometimes disrespectful consultation processes with federal agencies, including the Forest Service, leading to a lack of meaningful input in decision-making that affects ancestral lands and resources. The revised forest plan must not repeat the mistakes of the past and should utilize plan components to establish meaningful substantive and procedural requirements that center Indigenous needs and perspectives in future interactions with the Forest Service.
3. **Climate Change**: Climate change poses significant threats to subsistence resources, traditional practices, and community safety. Stressors include warming stream temperatures, changing precipitation patterns, increased landslides, and the die-off of yellow cedar. The revised plan must address these stressors through the use of plan components tailored to each stressor and its effects on Indigenous uses of the land and resources.
4. **Resource Management Conflicts**: Industrial-scale logging, mining, and other resource extraction activities have historically damaged subsistence habitats and cultural sites. There is also Tribal concern regarding second-growth timber planning and the impacts of tourism that must be addressed in the revised plan.
5. **Access to Cultural Resources**: Tribes face challenges in accessing forest resources for cultural uses, particularly cedar for totem poles and canoes. The bureaucratic process and high costs of harvesting suitable trees further complicate access. These are challenges that must be addressed in the revised plan.
6. **Food Security and Sovereignty**: Ensuring food security and sovereignty is a major concern for Alaska Tribes, including a need to protect traditional hunting, fishing, and gathering areas. Many Tribes believe that the legal term "subsistence" is inadequate to describe their cultural lifeways. The revised plan should better describe the breadth and depth of Tribal uses of natural resources on the Forest, and should manage for those resources beyond a mere "minimum" level: traditional forest resources should be plentiful and robust.
7. **Economic and Workforce Development**: There is a need for coordinated workforce development and economic opportunities that align with Tribal values and needs. This includes local hiring preferences, training centers, and support for Tribal businesses.
8. **Infrastructure and Deferred Maintenance**: Aging infrastructure, such as roads and facilities, affects access to subsistence use areas. Tribes also face challenges in taking over management of underutilized facilities and ensuring proper maintenance. The revised plan should include Management Approaches and other plan components that assist Tribes in the co-stewardship of such infrastructure at Tribal request.
9. **Vandalism and Theft**: Increased exposure of sacred sites has led to vandalism and theft of cultural resources, creating a tension between the sharing of Indigenous Knowledge for protection and keeping sites confidential. The revised plan must include plan components that address this tension.
10. **Trust and Relationship Building**: Building trust with federal agencies is difficult due to the federal government's history of broken promises, political changes, and high staff

turnover. Alaska Tribes seek long-term, respectful relationships with consistent engagement and understanding of their cultural context. The revised plan can take steps to rebuild trust with Tribes by providing for the development of co-stewardship agreements and other mechanisms at the request of Tribes.

Addressing these challenges requires meaningful Government-to-Government consultation, co-stewardship, and integration of Indigenous Knowledge and priorities into land management practices as embodied in the revised plan.

Tribal consultation in the Tongass National Forest is a government-to-government process that requires federal agencies to engage Tribes as equal partners in all land management decisions affecting their homelands. Consultation must be comprehensive, ongoing, and respectful, beginning at the earliest stages of decision-making and continuing through planning, implementation, and monitoring. It must allow adequate time for Tribal review, ensure outcomes are actionable and enforceable, and include written records of commitments and accountability measures. Most critically, consultation must go beyond advisory input—Tribes whose homelands are impacted must hold a voting seat in decision-making processes, ensuring their sovereignty and stewardship responsibilities are fully recognized and upheld.

The *Tongass as an Indigenous Place* Assessment highlights the historical relationship, and potential future relationship, between the Tongass National Forest and the Indigenous people of Southeast Alaska. Important considerations discussed in the Assessment report that should be carried forward into the Need for Change and revised plan include:

1. **Historical Connection**: The Tlingit, Haida, and Tsimshian people have lived in the area now known as the Tongass National Forest for over 10,000 years, with a deep cultural, spiritual, and subsistence connection to the land.
2. **Stewardship and Management**: Indigenous communities have historically practiced sustainable stewardship of the Tongass, emphasizing respect for natural resources. They seek co-stewardship and co-management roles in forest management to ensure their perspectives and priorities are integrated into the revised forest plan and all management going forward.
3. **Cultural Significance**: The Tongass is considered the traditional homelands of these indigenous groups, with numerous sacred sites, traditional harvesting areas, and culturally significant resources like cedar trees, salmon, and deer.
4. **Food Security and Sovereignty**: Protecting traditional hunting, fishing, and gathering areas is crucial for the food security and sovereignty of indigenous communities. This includes managing deer habitat and restoring anadromous streams.
5. **Climate Change**: Climate change poses significant threats to the Tongass ecosystem, affecting subsistence resources and traditional practices. Tribes have developed climate adaptation plans and seek proactive management strategies.
6. **Consultation and Trust**: Tribes emphasize the need for early and meaningful consultation in all management and project planning within their traditional territories. Building trust and understanding the historical context of federal policies and their impacts on indigenous communities are essential.

7. **Cultural Use Wood**: Access to cultural use wood, particularly cedar for totem poles and canoes, is a top priority. Tribes seek a long-term management plan and funded harvest program to meet current and future cultural needs.
8. **Economic and Workforce Development**: Tribes and Alaska Native Corporations (ANCs) prioritize coordinated land management, workforce development, and economic opportunities that align with their cultural and community values.

These points underscore the importance of integrating Indigenous Knowledge, priorities, and co-stewardship into the management of the Tongass National Forest. While a full complement of plan components can and should center these perspectives in the revised plan, co-stewardship agreements between Tribes and the Forest Service, entered into at Tribal request, represent perhaps the best way to achieve Tribal desired outcomes and to honor the federal Trust responsibility owed to Tribes. Co-stewardship agreements are crucial for Tribes for several reasons:

1. **Cultural Preservation**: Co-stewardship allows Tribes to actively participate in the management of their traditional homelands, ensuring that cultural practices, sacred sites, and Traditional Ecological and Indigenous Knowledge are respected and preserved.
2. **Sustainable Resource Management**: Tribes have practiced sustainable stewardship of the Tongass for millennia. Co-stewardship agreements enable the braiding of Traditional Ecological Knowledge (TEK) with western management practices, promoting the health and sustainability of the forest ecosystem and its associated human communities.
3. **Food Security and Sovereignty**: Through co-stewardship in land management decisions, Tribes can better protect and manage subsistence resources and First Foods such as deer, salmon, and botanical resources that are vital for Tribal food security and cultural practices.
4. **Climate Change Adaptation**: Co-stewardship agreements allow Tribes to implement proactive climate adaptation strategies, address the impacts of climate change on their traditional resources, and ensure the resilience of their communities. Moreover, co-stewardship agreements can integrate Tribal climate adaptation plans and resilience strategies.
5. **Economic Opportunities**: Co-stewardship agreements can create economic opportunities for Tribes through local hire preferences, workforce development, and the management of tourism and other commercial activities that align with Tribal cultural values.
6. **Building Trust and Relationships**: Co-stewardship fosters a collaborative relationship between Tribes and federal agencies, building trust through mutual respect, shared decision-making, and consistent engagement. Rebuilding these relationships is essential.
7. **Legal and Policy Advocacy**: Co-stewardship agreements provide a platform for Tribes to advocate for their rights and priorities in land management policies, ensuring that their voices are heard, and their needs are addressed.
8. **Youth and Community Engagement**: These agreements can support programs that engage tribal youth and community members in stewardship activities, fostering a sense of ownership and responsibility for their traditional lands.

Overall, co-stewardship agreements are essential for empowering Tribes to protect their cultural heritage, manage their natural resources sustainably, and ensure the well-being of their communities and the entire Tongass National Forest for future generations. The revised forest plan should include plan components that emphasize the use of co-stewardship agreements to better achieve the desired conditions set forth in the plan, which themselves should reflect Tribal priorities in addition to other multiple use objectives.

B. *Terrestrial Ecosystems.*

The revision of the forest plan presents an opportunity to improve adaptive ecosystem and ecocultural management on the Tongass using the framework of the 2012 Planning Rule. The Draft Terrestrial Ecosystems Resource Assessment forms the basis for those changes.

One key opportunity for change in the current plan is the braiding of Indigenous Knowledge and ecocultural values with ecosystem management and adaptation strategies. Eisenberg et al 2024. We recommend that tribal adaptation plans, such as the Tlingit and Haida Climate Adaptation Plan, be directly incorporated into planning, monitoring, and adaptive management processes. The draft *Terrestrial Ecosystems* Assessment acknowledges that "no management standards or guidelines specific to addressing or mitigating the effects of climate change are included in the current Forest Plan" thus highlighting the "blank slate" opportunity to develop meaningful ecocultural adaptation strategies in partnership with tribes. Terrestrial Ecosystems Draft Assessment Report, 14.

In order to make effective Need to Change determinations, it is important to estimate ecosystem trends for ecological integrity with the explicit assumption that existing plan direction remains in place and assuming the influence of a changing climate. FSH 1909.12. In practice, this requires an evaluation of the effect of the current plan on the key characteristics of ecosystem integrity. The draft Assessment touches on current plan direction, for instance noting that 20 percent of the Forest is allocated within development land use designations, but there does not appear to be an evaluation of how the existing LUD framework, and the specific plan direction within the LUDs, affects trends in ecological integrity. References to the results of current plan monitoring programs that could be used to evaluate the effectiveness of current plan direction and Need to Change are limited in the draft report.

Issues of scale are paramount when assessing ecosystem conditions on the Tongass in order to develop effective plan direction to meet ecological integrity and species viability requirements. The Alexander Archipelago is naturally fragmented across 5,000 islands, many of which have "distinct climatic, botanical, and faunal differences." Species of Conservation Concern (SCC) Draft Assessment, 11. This fragmentation is both natural and the result of anthropogenic activities and stressors. Human activities, albeit limited to a relatively small footprint (e.g., 4 percent of the Tongass has experienced logging), nonetheless have further fragmented ecosystems and habitats. SCC Draft Assessment, 11. Characteristics of ecosystems, for example landscape structure and connectivity/fragmentation, as well as species distribution and abundance, should be built into the spatial analysis framework.

Assessment of ecological integrity on the Tongass must factor influences of island biogeography and avoid falling into a macro level analysis that limits the evaluation of integrity at appropriate ecological scales to appropriately inform management direction. The Forest Service Directives call out this concern: "Spatial scales…should be sufficiently large to adequately address the interrelationships between conditions in the plan area and the broader landscape, but not so large that these interrelationships lose relevance in guiding land management planning." FSH 1909.12. For example, under the current classification scheme, the Well Drained Forest ecosystem type spans 3.48 million acres (elsewhere the document states that there are 5.5 million acres of productive forest type).

The draft Assessment report presents criteria for ecosystem integrity assessment, and states that key characteristics were established per ecosystem. It is unclear what those selected key characteristics are, because they are not listed or described in the report. The selection of key ecosystem characteristics indicative of compositional, structural, functional, and connective ecosystem integrity is vital as they will be the cornerstone for development of measurable Desired Conditions and other plan components, as well as the subject of monitoring and adaptive management strategies. Key ecosystem characteristics play an essential role in the proposed criteria for assessment: according to the criteria listed on page 10, the characteristics may exhibit ranges of variation that were either common or uncommon in the past. To some degree the key characteristics are suggested within the ecosystem write ups; we would recommend documenting the selected characteristics in one place, for example in relation to Table 2 on page 11.

The development of ecosystem specific adaptation strategies are warranted in cases where climate change is driving changes in ecological integrity. In some instances adoption of monitoring provisions may be the primary action taken, for example within alpine and subalpine systems, including monitoring of rare plants.

Evaluating the impacts of historical and ongoing (current plan) timber harvest on key characteristics of ecological integrity is an important issue for analysis. P. 12 of the assessment introduces timber harvest effects on productive old growth (POG) forest and riparian areas. This analysis frame suggests that old growth (and its structure, composition, function, connectivity) is a key system characteristic of the productive forest ecosystem type. Indicators of key characteristics of old growth are suggested on p.13 (canopy layers; interspersion of trees of multiple age classes; presence of snags, decadent trees, and fallen trees; presence of forbs; variation in amounts and distribution of live trees), yet it does not appear that old growth system integrity was evaluated against these definitional characteristics.

The Assessment report should document and evaluate the characteristics of old growth system integrity from the Tongass Old Growth Conservation Strategy to support a determination of whether that strategy needs to change to respond to new information and meet Planning Rule requirements. Clear evaluation of the effectiveness of the reserve system and corridor network, along with existing Standards and Guidelines, is necessary to support either status quo or change determinations based on principles of ecological integrity (i.e., landscape structure and connectivity). It is not clear to the reader if the Conservation Strategy is meeting Planning Rule requirements for diversity and integrity, or whether the strategy needs to be updated to accommodate climate adaptation considerations.

As noted above, it is important that the Assessment evaluate ecological integrity at appropriate scales so as to enable effective plan direction. For example, the analysis of Well Drained Forest ecosystems states that these systems exhibit "overall high integrity" because "human disturbances such as timber harvest have occurred on a *relatively small portion* of this ecosystem, with a current trend toward less harvest, particularly in old-growth stands." Draft Terrestrial Ecosystems Assessment Report, 23 (emphasis added). While a measure of relative impact is of interest for understanding system condition, there is also a need to evaluate those impacts on attributes of integrity, particularly within a naturally fragmented planning area. The draft Assessment notes the effects of past harvest on key characteristics of system integrity, including less complex stand structure, less understory plant diversity, and less presence of snags and down wood debris. *Id.* at 25. As important are broader effects to landscape structure (e.g., fragmentation) and connectivity as key characteristics of integrity measured within the broader ecosystem.

The draft Assessment report states that "some areas" of well drained forest ecosystems have experienced more focused impacts (such as loss of old growth forest) and could thus be suffering from compromised integrity. Of the 430,000 acres that has been harvested on the Forest, approximately 50% occurred on the "southern third" of the Forest, with much of that impact on Prince of Wales Island. According to the draft Tongass National Forest Vulnerability assessment: "In Southeast Alaska, large-tree (old growth) forests have been reduced by 28 percent, and landscapes with the highest volume of contiguous old growth by 66 percent, with some bioregions being more heavily harvested than others. For example, on north-central Prince of Wales Island, contiguous high-volumer forest was reduced by 94 percent by logging. The legacy of this non-climate stressor will exacerbate climate-change impacts on species dependent on large-tree conifer forests." Holofsky et al., lines 4506-4514.

Ecological integrity should be evaluated through the lens of natural and anthropogenic fragmentation, species endemism, and climate change impacts. Specific geographic areas within the Forest may warrant tailored ecocultural restoration and adaptation strategies. In addition, while it is important to note that "very low levels of harvest have occurred from the early 2000s through the present" it is also important to note what level of harvest is allowed under the current plan, particularly within existing unharvested areas that have been subject to focused historical harvest and may suffer from compromised integrity (e.g., Prince of Wales Island) as there is an important planning distinction between how a plan has been implemented and how it *could be* implemented moving forward under existing plan direction.

It is important to understand what types of activities could occur within high integrity unharvested stands under the current plan, specifically where those activities may occur, and whether those activities effectively maintain ecological integrity and are not maladaptive (contribute to vulnerability). The assessment catalogues unharvested forests (well-drained, poorly drained, and riparian) as moderately vulnerable to climate impacts; but the degree to which that vulnerability may be compounded by maladaptive activities allowable under the current plan is unclear thus warranting further examination of the impacts of allowable human activities such as timber harvest and road building on the integrity of unharvested systems within a highly fragmented planning area. This type of geographic specific analysis should be extended

beyond timber harvest to other potential anthropogenic stressors to system integrity such as mining, roadbuilding, and energy or other infrastructure developments.

The draft Assessment does a good job of documenting integrity conditions in previously harvested/second growth productive stands to support the development of need to change determinations and plan components. For example, unthinned post-harvest stands include key characteristics that can guide restoration; plan direction to improve understory and stand structure heterogeneity may be warranted after considering what is in the current forest plan and whether it is leading to necessary improvements in integrity. The assessment shows some ambivalence about whether to take actions to accelerate and enhance key stand characteristics of integrity, stating that unthinned stands have low ecological integrity yet "are expected to proceed through structural succession without management assistance" but that pre-commercially thinned stands have moderate ecological integrity and "tend to reach later structural stages more quickly; because tree growth increases substantially." Draft Terrestrial Ecosystems Assessment Report, 31. This same framing appears in the discussion of Poorly Drained and Riparian forests as well. More discussion is warranted on whether the current plan needs to change to facilitate actions that improve the ecological integrity of harvested and unthinned riparian forests, keeping in mind concerns over risks to aquatic resources associated with riparian silviculture treatments.

As a general matter, forest plan direction should be based on the Assessment's characterization of system drivers, including expected climate change impacts. For example, in Well Drained ecosystems, frequent fine-scale, low-intensity disturbance drives and maintains ecological integrity. Silviculture that mimics this disturbance type is warranted to maintain ecological integrity; yet, the draft Assessment report does not reveal if the current plan does so. If climate change is expected to increase the frequency and/or severity of disturbance, this should be recognized as a Need to Change the current plan to develop adaptive silvicultural practices; and spatial data indicating locations on the Forest more likely to experience these changes in disturbance regimes could support condition- or geographic-based adaptive silviculture strategies and prioritization of ecosystem adaptation management activities. This is the case in both the terrestrial and aquatic ecosystem realms.

Based on the draft Assessment report, it appears there is a Need to Change the current plan to enable cultural burning to maintain integrity in Well Drained systems, specifically to improve production of important plant species such as edible and medicinal plants and cedar. The final Assessment should use these as key characteristics of ecocultural integrity and build plan components around them and that support ecocultural Desired Conditions.

The analysis of Well Drained forests highlights the need for clear selection of measurable key ecosystem characteristics in supporting planning for diversity. The draft Assessment states that downed wood and snags in well-drained systems "are important as favorable for snag-dependent wildlife species such as marten and woodpeckers," Draft Terrestrial Ecosystems Assessment Report, 29, but neither establishes levels to support those species nor indicates if the current plan is sufficient or needs to change management of those parameters.

Plan components in Well Drained forests should also be considered for understory vegetation used by deer, non-timber forest products such as berries and mushrooms, and plant and fungi

species that are important subsistence foods and sources for traditional medicine. The same recommendation applies to poorly drained ecosystems. Note that the Tlingit & Haida Adaptation Plan suggests resilience strategies for Wild Berries. Tlingit & Haida Adaptation Plan, 37 (Table 8).

The revised forest plan should result in a clear conservation and adaptation strategy for yellow-cedar given widespread mortality over 500,000 acres and clear climate stress. While the draft Assessment notes current management direction for yellow-cedar, it does not forecast integrity trends based on that current direction; nonetheless it seems that there is a Need for Change to conserve this this important ecocultural system. Partnering with Tribes to incorporate strategies from Tribal adaptation plans - including conservation and management activities, assisted migration, and monitoring and reporting processes - is a good course of action for yellow-cedar. *See*, Tlingit & Haida Adaptation Plan, Table 5 ("Resilience Strategies for Cedar").

C. *Species of Conservation Concern.*

It is important to integrate the ecosystem level analysis (terrestrial and aquatic) with the SCC analysis. The draft SCC Assessment states: "Most species will be maintained by plan components in the revised plan…that maintain broad level ecosystem integrity and diversity." Draft SCC Assessment Report, 5. This can only be the case if coarse-scale plan components provide the conditions necessary for viability. As noted in our comments on the draft Terrestrial Ecosystem Assessment, at this stage it does not appear that key characteristics for system integrity have been systematically selected, thus making it difficult to evaluate whether coarse-filter plan direction would provide necessary conditions for at-risk species. Many plans revised under the 2012 planning rule have cross walked the habitat needs of individual species with ecosystem characteristics to display how coarse-filter strategies will meet species-specific needs, and the Tongass should do the same.

The draft SCC Assessment lacks key information to enable effective public comment. For example, under the "Methods" section, it states that the Forest "developed a process paper that describes the identification of SCC" for the revision; the reference is "Species of Conservation Concern identification process for Land Management Plan Revision" but we could not locate this document online. The Plan Revision Library and Supplemental Information page, under the SCC Process tab, states that information is "coming soon" despite the draft Assessment stating that "more detailed information on the process of identifying SCC can be found on the Tongass National Forest Plan Revision webpage."

As such, it is difficult to comment on the process undertaken to identify and filter the potential SCC. We understand that 416 initially identified Species to Consider were filtered down to 254 "Species Under Review." It appears that criteria regarding whether the species are native and known to occur on the Forest were applied at this stage, along with ESA-listed or -candidate species. "Known to occur" determinations can be complex and nuanced, so it is therefore important that external parties have access to these screening processes to weigh in and provide effective comment.

The draft Assessment states that 18% of terrestrial wildlife species were not carried forward into the Species Under Review List, including for possibly not meeting NatureServe ranking or local concern criteria. This also applied to 83% of the screened out aquatic species. It is important for the public and others to understand how those criteria have been interpreted and applied. For example, the planning rule Directives state that species with status ranks of G/T3 or S1 or S2 on the NatureServe ranking system "should be considered" as potential SCC. Species with those NatureServe ranks are automatically "of concern" in that they are not "secure" across their range and may be vulnerable or at-risk, including within the Tongass planning area. In those cases, the Forest would determine that notwithstanding established definitive broad concern regarding those species, a determination was made that the species was "secure" within the planning area. While making such a finding is legitimate, it warrants careful and transparent analysis.

Similarly, the "local conservation concern" direction is intended to pick up species that do not appear on definitive lists of concern where additional information indicates such concern in the planning area. In all cases where species have been filtered out of the process, it is imperative that the Forest be able to support a conclusion that the species is "secure" within the planning area after considering all stressors. Documentation should be made publicly available to support any determinations that Regional Forester Sensitive Species that have already been determined to be at-risk are now determined to be secure within the planning area.

Careful attention should be given to determinations that there is insufficient scientific information available to determine if there is substantial concern in the plan area, or if the species are secure. According to the draft Assessment, 65% of species fall into this category. However, for species already identified definitely by NatureServe as being not secure, sufficient scientific information indicating concern *is already available*. As noted, if there is new information that indicates a once not secure species is now secure, the Forest Service must make that information publicly available.

The draft Assessment notes that the Alexander Archipelago is made up of over 5,000 islands and that the Tongass is "naturally fragmented by islands and steep glacial terrain with glacial fjords and major river systems dissecting the mountainous mainland region." Draft SCC Assessment Report, 11. Such natural fragmentation results in "distinct climatic, botanical, and faunal differences" and "many endemic subspecies and genetic lineages." *Id.* This natural fragmentation and endemism has been compounded by fragmentation and ecosystem degradation associated with human activities such as logging and road building. Natural ecosystem fragmentation and endemism are important factors to take into account when making SCC determinations. The Directives recognized this key issue when highlighting that local conservation concern determinations could be warranted in cases of: "Restricted ranges (with corresponding narrow endemics, disjunct populations, or species at the edge of their range." FSH 1909.12. Wildlife inhabiting areas that have been strongly affected and degraded by human activities should be carefully evaluated for triggering local conservation concern and potential SCC status.

The draft Assessment report describes current management practices, stating that existing plan components "include protections for all types of ecosystems, general wildlife, and some specific species" as well as the Tongass Old Growth Conservation Strategy. Draft SCC Assessment Report, 12. An appropriate process to evaluate the Need to Change existing plan direction would

be to document the ecological conditions necessary for the viability of each SCC and crosswalk those with existing plan direction for ecosystems; this should also be done in the ecosystem assessment for key ecosystem characteristics and their natural range of variation. By documenting the specific ecological conditions necessary for SCC viability, and factoring in climate impacts, existing coarse filter components can be evaluated for need to change, and the need for additional species–specific (fine-filter) components can be identified.

D. *Watershed Condition and Water Resources.*

Chapter 4 of the Tongass National Forest Climate Change Vulnerability Report (Halofsky et al. 2024) lays out a driving question for assessing the need to change the current land management plan: "There is considerable concern about the impacts that climate change will have on watersheds that drain the TNF, and the capacity for these watersheds to sustain healthy salmon populations in the future." Halofsky et al. 2024, lines 781-783. Given that Southeast Alaska's economy, culture, forest health, and communities depend on healthy salmon habitat and populations, wild salmon are arguably the most important "output" on the Forest: thus, a revised plan that prioritizes protection of unimpaired watersheds and restoring natural watershed processes is essential.

Prioritization of protection, adaptation, and restoration activities based on analysis and robust community engagement will be of vital importance in the revised plan, given the number of watersheds on the Forest (921 subwatersheds) and limited resources.

Bellmore et al. recommend prioritizing conservation of unimpaired watersheds that support current and expected future salmon productivity. Updates and additions to the 77 high value salmon and trout watersheds identified in the 2016 forest plan amendment should be made as needed based on new information and analysis of present and future conservation value, for example areas of projected climate refugia and in those glaciated systems forecast to become more productive. Bellmore et al 1970. The Forest Service should incorporate metrics of salmon habitat productivity into the revised forest plan through plan components and monitoring provisions and should guide both conservation and watershed/aquatic ecosystem restoration planning and decision making.

One issue warranting further analysis is whether existing forest plan riparian buffers are sufficient to maintain watershed/aquatic habitat integrity given climate change impacts and considerable concern over watershed and salmon population conditions on the Forest. An analysis of the effectiveness of those buffers is likely warranted given that they date from the early 1990s and may not reflect best available science. The 2021 Planning Rule requires that "The plan must include plan components, including standards or guidelines, to maintain or restore the ecological integrity of riparian areas in the plan area, including plan components to maintain or restore structure, function, composition, and connectivity" and "Plans must establish width(s) for riparian management zones around all lakes, perennial and intermittent streams, and open water wetlands." 36 C.F.R. § 219.8(a)(3).

The Directives appropriately note that forest planning teams should evaluate "the effects of climate change on stream flows that may affect the size of riparian management zones" when

considering widths. FSH 1909.12 Chapter 20. The forest planning team may consider reviewing portions of Chapter 7 of the *Synthesis of Science to Inform Land Management Within the Northwest Forest Plan Area* (PNW GTR 966); that chapter (*The Aquatic Conservation Strategy of the Northwest Forest Plan - A Review of the Relevant Science After 23 Years*) includes a thorough discussion on emerging science concerning riparian zone delineation and management that is likely relevant to the Tongass plan area. However, riparian areas can be difficult to delineate, and "The current spatial distribution of riparian stands across the Tongass National Forest is undetermined, with only approximations provided from spatial modeling, without sufficient field or aerial verification." Halofsky et al., lines 2721-2726.

While the draft Assessment states that all subwatersheds are functioning properly as evaluated under the Watershed Condition Framework, it found that some subwatersheds are bordering on functioning at risk and exhibiting certain indicators rated as fair or poor, including red flags for aquatic habitat conditions, riparian and wetland vegetation condition, and roads and trails condition. Draft Watershed Condition and Water Resources Assessment Report, 12. The report goes on to say that aquatic habitat conditions have declined in 41 subwatersheds (mostly due to acquisition of degraded lands via land exchange) while 6 subwatersheds saw declines in wetland vegetation conditions. *Id*. at 15.

This information suggests that the revised plan may need to update priority watersheds for restoration with updated watershed restoration action plans (WRAPs) to target specific degraded habitat and vegetation conditions in priority areas. The draft Assessment report references new priority watersheds that have already been identified, including those that overlay with the T77 watersheds. Updating and expanding the priority watershed work would build on the success of the Forest's existing WRAP program (which has completed the second highest number of action plans within the NFS), and take advantage of strong partner and community support for watershed restoration.

About five percent of the Forest's riparian forests have been harvested, much of which occurred within sensitive process groups that also contain high quality fish habitat. Draft Watershed Condition and Water Resources Assessment Report, 16. According to the report, *timber harvest* in riparian areas was only expected to affect 10 acres per year, under the 2016 amendment. *Id.* Elsewhere the draft Assessment documents riparian vegetation treatments declining over time and only affecting 20 acres per year since 2017, within young-growth stands (presumably previously harvested stands). The final Assessment should differentiate between purposes, needs, and impacts of timber harvest versus riparian vegetation treatments. Presumably, harvest is the purposeful removal of trees for wood fiber use (and perhaps other multiple use purposes), whereas vegetation treatments are for ecological purposes and do not include a commercial component. Considering declines in riparian vegetation conditions in certain watersheds, there is an opportunity in the revised plan to establish plan direction to increase the number of riparian vegetation improvement projects that are designed (and monitored) to improve riparian area integrity. Given risks to riparian areas under certain management activities, including road building, it is important that the revised plan set robust components governing restoration of riparian vegetation for integrity and habitat improvement purposes. In the same vein, it is important to note that passive management in degraded riparian areas may miss opportunities to

enhance key ecological processes, including developing desired structural conditions (see comments on draft Terrestrial Ecosystem Assessment).

The assessment notes trending declines in the number of aquatic and restoration projects accomplished on the Forest, including declines in treating problematic road stream crossings, Draft Watershed Condition and Water Resources Assessment Report, 19, and aquatic habitat improvement projects, *id*. 17. Declines seem related to accomplishment of initial priority restoration and improvement activities followed by a lack of subsequent priorities. A revised forest plan provides an opportunity to set new priorities and objectives for aquatic and watershed restoration activities. If one of the issues is capacity to accomplish restoration activities, Goals, Management Approaches, and other plan content can articulate strategies to work with partners - particularly Tribal partners - to improve capacity to accomplish aquatic habitat and watershed restoration objectives. The Planning Rule encourages "optional plan content" including "partnership opportunities or coordination activities." 36 C.F.R. § 219.7(f)(2). We encourage the Forest Service to engage with local and Tribal communities to develop these strategies.

We noted that the draft Assessment provided no specific metrics on road decommissioning, yet it appears that this activity did contribute to improvements in road and trail conditions in over 100 subwatersheds. Draft Watershed Condition and Water Resources Assessment Report, 15. The revised plan offers an opportunity to establish new priorities and objectives for road decommissioning as a key factor within the Watershed Condition Framework, where appropriate and warranted to improve watershed condition, integrity, and function.

Updates to the watershed components of the forest plan monitoring program may also be warranted. For example, Bellmore et al. suggest "key characteristics" for monitoring including shifts in flow, temperature, habitat, and aquatic food-web conditions. The authors suggest identification of "focal watersheds" for more intensive monitoring of watersheds and salmon populations. The revised forest plan can use Goals to articulate the types of monitoring and research partnerships that are necessary to accomplish this work. 36 C.F.R. § 219.7(e)(2) (Goals are optional plan components that are "broad statements of intent, other than desired conditions, usually related to process or interaction with the public").

Certain wild salmon populations should also be considered as Focal Species under the revised forest plan monitoring program. While the draft Assessment does not consider this opportunity, doing so may be warranted based on the functional role that salmon play in maintaining watershed, aquatic and terrestrial system integrity, along with significant contributions to regional social and economic sustainability.

E. *Aquatic Ecosystems.*

In noting that the previous plan "did not evaluate the ecosystem integrity of the Tongass National Forest ecosystem as a whole," the draft Aquatic Ecosystems Assessment report identifies that the plan revision provides an opportunity to emplace direction for the integrity of the Forest's aquatic ecosystems. The Need to Change the current plan is thus quite evident, yet still relies on an evaluation of the performance of the current plan against an ecological integrity benchmark. The driving question for planners and stakeholders at this stage is: How is the current plan

performing against benchmark characteristics of aquatic system integrity? The components of the system - the key ecosystem characteristics - are used in the analysis as reference benchmarks for evaluating the need to change the current plan to best meet planning rule requirements.

When assessing ecosystem integrity under the 2012 Planning Rule it is useful to, at the outset, clearly establish the key system characteristics - whether they be compositional, functional, or structural at varying and relevant ecological scales; doing so helps the planning audience understand the logic of the analysis. Overlaying and analyzing drivers and stressors on those selected characteristics then allows for the development of targeted plan components. Of course, in the real and messy world of ecology, it is not always simple to neatly classify ecosystems in this manner.

The need for a clear ecosystem management framework is more pronounced in systems that respond to and that are subject to management intervention (i.e., actions that manipulate elements of system composition, structure, or function). And changes in generally unmanaged systems, such as glacier systems responding to changes in system drivers, can have profound impacts on connected systems that are the subject of management frameworks. The examples of glacier reduction increasing potential salmon habitat or exposing access to mineral development are noted in the assessment. The draft Assessment does a good job of framing this interconnectedness.

River and stream systems on the Tongass are subject to management frameworks, although the draft Assessment, in various places, notes the relatively small footprint of Forest that has been subject to management intervention. It is also worth noting that the absence of historical management action does not necessarily translate into system functionality, as this is the subject of climate adaptation strategies and interventions that respond to system vulnerabilities, even within systems that have not been subject to historical management.

The rivers and streams section of the draft Assessment rightly focuses on the fact that the Tongass is a salmon forest. The revised plan should center and highlight the role of salmon in defining the Forest's "Distinctive Role and Contribution" within the broader landscape of Southeast Alaska (and beyond). Centering the plan revision around salmon will effectively integrate social, cultural, economic, subsistence, and ecological elements of the plan.

The draft Assessment references anthropogenic threats to aquatic system integrity on the Forest, including road building, mining, timber harvest, landslides, dams, and invasive species. These are the management domains that can be governed by the revised forest plan. Yet the draft Assessment does not point to areas in the current plan that may need to change. A summary key finding states that "Development, including timber harvest, mining, and roads may alter aquatic ecosystem integrity at a localized scale." Draft Aquatic Ecosystems Assessment Report, 26. The issue of scale is important here and should be fully fleshed out to understand the effects of the current plan on integrity. The implication seems to be that local impacts to integrity are acceptable given the function of the larger system; however, the function of the assessment and planning process is to demonstrate that plan implementation maintains or restores system integrity (either the current or the proposed plan). Second, degradations of integrity at "local"

scales can still have significant implications for system function; the Forest Service should address this relationship and the issue of scale in the final Assessment.

To determine what Needs to Change in the current plan, it is necessary to understand how (and where) these potential stressors are affecting characteristics of system integrity. The draft Assessment states that "Best management practices are used to reduce effects to ecosystems; however, some influences continue to have short- and long-term impacts on the function and condition of ecosystems." Draft Aquatic Ecosystems Assessment Report, 14-15. The Forest Service must expand the discussion of the use of "best management practices" to maintain or restore aquatic ecosystem integrity. Is this a reference to plan components in the existing plan? The planning directives make it clear that the assessment should evaluate "on the ground conditions and estimate the trends, assuming the existing plan remains in place…." FSH 1909.12 Chapter 10. However, there does not appear to be a Status and Trends analysis section in the rivers and streams section of the draft Assessment that evaluates the effectiveness of current plan direction in either maintaining or restoring the selected key characteristics of aquatic system integrity. This analysis will be necessary to make determinations to change or add plan direction to the current plan.

In our experience, we have found that tables (or other means of organizing and presenting complex information) that clearly crosswalk current plan direction with key system characteristics and their measures of integrity (i.e., estimated natural ranges of variation) are useful heuristics for this type of analysis. The Forest Service is encouraged to uses these tools in the final Assessment.

As in the Watershed Condition and Water Resources draft Assessment report, the draft aquatic system Assessment notes the effects of human activities on aquatic system integrity, including degradation of riparian areas due to timber harvest. This report adds additional information regarding degraded previously-harvested riparian areas by noting that "large wood is decreasing in all streams, regardless of management history" and that "fish may have greater opportunities for refuge from late summer, low flow conditions in watersheds with greater than 42% old growth." Draft Aquatic Ecosystems Assessment Report, 15 (*citing* Filtcroft et al. 2022). This information reinforces the opportunity to: 1) examine options for designing plan direction to improve ecological conditions within riparian areas; and 2) to maintain and restore old growth conditions, particularly in watersheds that may be depauperate in that structural condition, as a strategy to conserve fish populations.

The karst section of the report does include a discussion of status and trends, and suggests potential implications of the current plan on system integrity. For example, "Evidence suggests that timber harvest increases available surface waters, thereby increasing sediment and debris transport capabilities and flooding passages which have not flooded for centuries." Draft Aquatic Ecosystems Assessment Report, 19. This conclusion implies an impact to functional integrity based on process measurements that depart from the natural range of variation, and thus may have implications for overall system integrity (and may be a Need to Change).

The Forest Service does note that implementation of the current plan on karst system integrity may not be causing deleterious effects: "Current harvesting techniques leave the slash within the

unit, which helps to protect the shallow fragile soils from erosion and drying." Draft Aquatic Ecosystems Assessment Report, 19. This suggests that perhaps the current plan direction for slash retention is effective, and may not need to change; but this analysis of the effectiveness of current plan direction can be presented in a more direct manner.

On the other hand, elsewhere the draft Assessment suggests that the current plan is *not* maintaining system integrity for key characteristics, including soil structure and function with implications for regeneration:

> A considerable percentage of the easily accessible low-level karst areas have been harvested. Timber harvest is now moving onto steeper, higher elevation karst areas which are characterized by shallower, better-drained soils. Observations suggest that with harvest atop these soils, much of the soil may be removed if adequate log suspension is not achieved. Often, only a thin organic mat covers the karst. The exceedingly shallow soils become excessively dry once the protective forest canopy is removed. The high rainfall of the area can rapidly move these fragile soils into the well developed epikarst. Observations suggest that these steeper, higher elevation karst areas show less than desirable regeneration or remain as bare rock slopes within harvested units.

Draft Aquatic Ecosystems Assessment Report, 19. The observed regeneration problems in steep, higher elevation karst areas suggest that such areas may not be suited for timber production or timber harvest for other purposes. The Planning Rule at 36 C.F.R. § 219.11(a)(v) states that if there is "no reasonable assurance that such lands can be adequately restocked within 5 years after final regeneration harvest" those lands shall be identified as not suited for timber production. Similarly, 36 C.F.R. § 219.11(d)(2) states that non-production based timber harvest can only occur "where soil, slope, or other watershed conditions would not be irreversibly damaged" and (d)(3) requires that harvest "be carried out in a manner consistent with the protection of soil, watershed, fish, wildlife, recreation, and aesthetic resources." The final Aquatic Ecosystems Assessment report should clarify whether the Forest Service should designate these karst lands as not suitable for timber production in the revised plan.

F. *Timber Resources.*

The draft Timber Resources Assessment report appropriately notes not only the importance of the timber resource to the socioeconomic setting of the plan area (as well as its decline), but also that suitability determinations, sustained yield limits, and projected wood and timber sale quantities will be calculated based on the proposed action and alternatives for the revised plan. Other draft Assessment chapters are beginning to examine where the current plan may need to change to meet Planning Rule requirements. We note that managing timber resources must be integrated with other multiple use objectives as required by NFMA and the 2012 Planning Rule. *See*, 36 C.F.R. § 219.11 ("*While meeting the requirements of 219.8 through 219.10*, the plan must include plan components…regarding timber management" (emphasis added)).

This draft Assessment properly includes a discussion of the effectiveness of implementing the current plan (which is missing in many other draft reports), as it suggests potential Needs to Change in the revision. One such Need for Change is better integration of the young growth

management strategies into revised forest plan. For example, the draft Assessment notes that forest management and timber harvest goals found in the 2016 plan were not achieved due to a "variety of factors including budgets, staffing, shifting management priorities, and litigation." Draft Timber Resources Assessment Report, 7 (*citing* 2023 Meridian Institute report). The Meridian Institute report found that the 2016 amendment (which was developed under the 2012 Planning Rule) did not effectively integrate with the base plan developed under the 1982 Planning Rule.

In addition to updating the young growth strategy based on implementation experience, there remains a need to integrate the 2016 amendment with updated surrounding content under the 2012 rule framework. One of the prime challenges of the 2016 amendment was drawing boundaries between the amended content and the remainder of the 1982 Rule-era plan given the interconnected nature of the 2012 Planning Rule. Understanding whether conflicts or discrepancies occurred over the past 8 years of implementation between the 2012 Planning Rule and older direction is necessary to formulate an accurate Need for Change.

The draft Assessment notes that precommercial thinning (PCT) presents opportunities for integrating ecological and economic objectives, including aquatic and terrestrial wildlife habitat enhancement. However, the draft Assessment documents that 6,000-8,000 acres of PCT is needed per year within the 85,000 acres that are in need of that treatment.[5] The Meridian 2020 (PCT Task Force Recommendations Report) and 2023 (5-Year Review of the 2016 Amendment) reports offer suggestions on how to better meet PCT objectives. Several of those suggestions could be embedded in the revised plan, including use of plan direction to highlight the importance of PCT to achieve multiple resource benefits and prioritization of PCT where those benefits will be greatest. The PCT Task Force suggested that advancements in remote sensing could be employed to support prioritization; that data and analysis could be integrated into the revised forest plan. Desired Condition DC-YG-01 of the amended plan states that "Treatments occur where highest productivity, harvest operability and access is favorable," which could be modified to include additional resource priorities in the revised plan.

One of the challenges raised in the 2023 Meridian report was budget uncertainty. This raises issues with the vagaries surrounding implementation of a forest plan: for example, planning objectives are to be based on "reasonably foreseeable budgets," 36 C.F.R. § 219.7(e)(ii), yet in the real world budgets may be less than reasonably foreseeable, even if based on trend analysis of recent budget obligations. Offering a range of objectives tiered to different potential budget scenarios is one method to provide for necessary adaptive flexibility.

At this early stage in the planning process it can be challenging to foresee where integration issues and tensions may be surfacing, although there are known touchpoints that can be emphasized in analysis and engagement with the public. One such area is the relationship and compatibility between timber production suitability and the achievement of desired conditions and objectives. In the current (2016) analysis, 393,648 acres were recognized as unsuited for timber production because it is not compatible with other plan components. At the Assessment

[5] The draft report notes that young growth suitable for commercial harvest will come online around 2030. Draft Timber Resources Assessment Report, 27. The revised plan must take this into account when developing plan components and harvest schedules.

stage it would be useful to begin to understand if those plan components may be subject to change (either more expansive or diminished) given new Assessment information or due to other factors. It is also likely that climate change impacts are altering system conditions such that previous determinations of production compatibility have now changed: an example of this would be new information on the ability to adequately restock stands in light of changing climatic conditions.

The draft Assessment suggests that even-aged management (typically clearcutting) can be compatible with landscape mosaic (structure or pattern) that is desired for resource protection. Draft Timber Resources Assessment Report, 16. This suggestion is worth more discussion in the final Assessment report, particularly in thinking about the compatibility and effects of even-aged management systems on terrestrial system integrity, at relevant spatial scales (including how regeneration harvests and climate informed reforestation can be used strategically to further cedar adaptation strategies). There could be an opportunity to integrate elements of spatial landscape design with harvest objectives, perhaps taking advantage of new spatial inventory and analysis capacity. *Id*. at 14, FN 2. In young growth, existing DC-YG-03 states that "Harvesting of young growth stands provides opportunities to improve or maintain fish and wildlife habitat by accelerating old growth conditions." The revised plan could include additional direction for fish and wildlife habitat that establishes metrics for evaluating habitat improvement (for example by including necessary habitat characteristics for SCC). The same premise applies to DC-YG-04 by establishing or updating fish and wildlife habitat improvement metrics for riparian ecosystems.

PCT can also accelerate timelines for achieving commercial thinning viability by 10 years (from 70 without to 60 with PCT), while improving indicators and characteristics of ecological integrity. Opportunities for commercial thinning on the Forest may be expanding given more research into the practice. For example, a recent publication by Crotteau et al (2022)[6] may be of interest as it discusses findings associated with results of CT on overstory and understory development, among others. The draft Assessment notes that within the 410,000 acres of inventoried young growth on the Forest, 8,750 acres is considered commercially viable in 2026 for a total of approximately 198 MMBF. More discussion is warranted in the final Assessment on what portion of that cohort may be viable for commercial thinning and how that method could contribute to other revised forest plan direction.

Halofksy et al. supports PCT activities and suggests that the "Recent transition towards predominantly young-growth forest management supported by restoration of previously clearcut forests should accelerate return of old-growth forest functions and enhance future climate resilience for Tongass NF wildlife species." Halofsky et al., lines 4378-4381. The final Assessment should discuss the use of PCT and other harvest methods to accelerate development of old-growth forest structures and functions in light of changes in climate stressors.

The draft Assessment identifies other Needs to Change, including the need to develop plan components for land now managed as the Tongass National Forest as a result of a large land

[6] Crotteau, J.S.; D'Amore, D.V.; Barnard, J.C. 2022. Commercial thinning strategies in Southeast Alaska: establishment and effects of the Prince of Wales commercial thinning study. Gen. Tech. Rep. PNW-GTR-1012. Portland, OR: US Department of Agriculture, Forest Service, Pacific Northwest Research Station. 77p.

exchange, the departure of SeaAlaska from the timber industry, the Southeast Alaska Sustainability Strategy, new information presented by climate change, a new timber demand study (which is scheduled for completion in March 2025), and a smaller harvestable landbase in response to resource protection concerns. The draft Assessment notes that the current plan is unclear on direction for salvage harvest thus clearly indicating a need to change and an opportunity to balance and integrate ecological adaptation strategies that respond to changing drivers and stressors in forest systems (insect and disease outbreaks) with management tools such as salvage harvest that focus on recouping economic value. Finally, the draft report highlights the concerns with yellow-cedar regeneration and sustainability due to climate change: given the importance of yellow-cedar to Tribal communities, the revised plan must include plan components to address this cultural need.

As with many other resources, the draft Timber Resources Assessment report notes that partners - especially co-stewardship with Tribes - can help ameliorate some of the workforce and capacity constraints experienced in the plan area. It explains:

> To meet future opportunities and fill employment demand in the industry, the maintenance of a trained timber and restoration workforce is critical. Several workforce development and training programs have been implemented to help recruit, train, and retain local employees (Meridian Institute 2023). Examples of these include agreements with the State of Alaska Division of Forestry, Prince of Wales Vocational & Technical Education Center, Alaska Youth Stewards, the 2016 Forest Academy, hiring initiatives through the ANILCA, and various community native forest partnerships such as Hoonah Native Forest Partnership, Klawock Indigenous Stewards Forest Partnership, and Keex' Kwaan Community Forest Partnership.

Draft Timber Resources Assessment Report, 25. The draft Assessment goes on to highlight additional opportunities to co-steward with Tribes:

> The Tongass timber management program has offered several recent workforce development and skills enhancement opportunities in the local communities. One notable example is the Forest Academy, held periodically on Prince of Wales Island. The first two Forestry Academies in 2016 and 2017 were the result of a Challenge Cost Share Agreement between the Tongass National Forest and State of Alaska. These initial academies were designed to train locally recruited residents a variety of technical skills in natural resource management such as timber stand inventories and collection of aquatic, wildlife, and cultural resource information. Twenty residents participated in the 2016 and 2017 academies with the majority applying their learned skills in seasonal or permanent jobs with the State of Alaska, USFS, Sealaska, or local forestry contractors. Following the successes of the 2016 and 2017 academies, the Tongass hosted a follow up multi-week Forest Academy in 2019 that included a week of forestry skills, a week of aquatic organism passage survey methods, and a week of learning aquatic habitat mapping techniques. The 2019 academy had sixteen participants and was partially led by four previous academy participants now serving as teachers and field assistants to USFS staff. These Forest Academies have led to additional trainings and workshops with an increasing range of partners, including local community forest partnerships and

> conservation based non-profit organizations, to continue providing forestry and natural resource management training and workforce development opportunities for residents.
>
> The Alaska Youth Stewards (AYS) is an employment program for rural and Indigenous youth of Southeast Alaska. AYS offers place-based on-the-job experiential education and training to care for our lands, waters, and communities, with varied projects focused on stream restoration, community harvest efforts, forest inventorying, and a suite of other forestry projects.

Id. at 30. The draft report also notes that authorities such as stewardship contracting and Good Neighbor Authority can provide local jobs and stewardship opportunities, and we strongly encourage the Forest Service to include plan content in the revised plan that incentivizes the use of these authorities and to right-size projects using them to serve local community needs.

G. *Soil Resources.*

The draft Soil Resources Assessment report provides a good description of landforms and processes related to the soil resource. While the report could have been more upfront regarding the existing plan direction relating to the protection of the productivity of soil resources, the draft Assessment does eventually disclose that based on "extensive" soil monitoring over the past 35 years (the nature of which is not disclosed[7]), that the Tongass believes that management actions are meeting those requirements. Draft Soil Resources Assessment Report, 14. Noting that vegetation management (timber harvest) and road construction have the greatest deleterious effects on soils, the draft Assessment posits that based on that monitoring, that nutrient rich soils on the Forest may be more resilient to disturbance than initially believed.[8] *Id*., 14-16.

In sum, the draft Assessment concludes that there is *no* Need to Change the existing forest plan provisions pertaining to the soil resource. Draft Soil Resources Assessment Report, 15. However, at the same time, the report acknowledges that climate change is likely to change how carbon is sequestered in soils, and given that most carbon on the Forest is soil carbon, there is room for improvement in plan components that serve to conserve soil function and process: the Forest Service should address this issue in the final Assessment.

Similarly, the draft Assessment only briefly mentions the potential for climate change to exacerbate existing concerns regarding invasive plant species that may compromise soil ecological integrity. Draft Soil Resources Assessment Report, 17. This, too, is an issue the agency should consider addressing with climate mitigation-focused plan components in the revised plan.

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[7] The draft Assessment also notes that the Forest is studying the effects on soils from the harvest of root wads for restoration purposes. Draft Soil Resources Assessment Report, 17. This is interesting work, and the agency is encouraged to share the results with the public and to consider engaging partners, particularly Tribal entities, in this work.

[8] While this may be true for nutrient rich soils, this statement presents an incomplete picture: elsewhere the Forest notes that Karst soils are not resilient to disturbance and risk the permanent loss of productivity. *See*, Draft Aquatic Ecosystems Assessment Report, 19. In the final Assessment, the Forest Service should ensure that its various subject matter experts are aware of the findings of other subject matter experts and should present a unified conclusion regarding effects of the current plan on the various natural resources.

H. *Recreation & Tourism Resource.*

This draft Assessment report emphasizes the importance of sustainable recreation management to balance ecological, social, cultural, and economic needs as well as the importance of recreation and different forms of tourism to the Alaska economy. As opposed to some draft Assessments, this report includes several explicit Needs to Change:

- The current plan does not contemplate or address the evolution of the recreation and tourism industry (particularly the growth of the cruise ship industry and its traffic) and the advancement of recreation-based technology (e.g., more powerful snowmachines), which are compromising ecological integrity of the Forest;
- There is a need for more interpretive information and infrastructure (including signage and information in Native languages);
- Existing recreational sites are difficult and expensive to maintain, and the Forest is not keeping up with the need to maintain these sites;
- There is a need to address unsustainable off-road vehicle use that is harming soils, vegetation, water, and other resources;
- There is a need for boat access for the public and Tribal needs;
- There is a need for new infrastructure at Tribal request;
- There is a need for additional trail connections between communities and more recreational trail access overall;
- There is a need to address an increase in recreational pressure (stressor) facilitated by social media, which is drawing increased visitors to increasingly remote and fragile locations. In addition to compromising the ecological integrity of these areas, increased non-Indigenous access to some areas has resulted in the destruction and theft of cultural resources important to Tribes;
- There is a need to address climate change and how it is affecting all resources on the Forest;
- There is a need to address the changing seasonal and duration recreational use of the Forest and its surrounding waters;
- Increasing recreational use is leading to user conflicts, including conflicts between Indigenous populations and the general public, and voluntary segmentation of uses does not appear to be addressing the issue;
- There is a need to streamline the outfitter and guide permit process, and to institute a Tribal preference program;
- There is a need to protect wildlife from increased recreation stressors;
- There is a need to address declining air quality around cruise ship ports and other infrastructure where vehicular access/use is concentrated;
- There is a need to address the conflict between Tribal cultural and subsistence uses of the Forest with non-Tribal recreation and tourism use;
- There is a need to increase Tribal co-stewardship opportunities; and
- There are conflicting user expectations regarding access to recreational and tourist opportunities, with many Tribes expressing both concern about increased non-Tribal access to sensitive sites and the desire for Indigenous-led tourism businesses and cultural tourism opportunities.

The draft Assessment goes on to explain:

> Some of the important themes to emerge from these conversations include: a desire for diverse recreational opportunities across the forest; the importance of recreational infrastructure and the need for maintenance of existing infrastructure; the need to minimize recreational impacts on subsistence opportunities; a desire for increased education on responsible recreation; a desire for increased flexibility in permitted uses on the forest; the need to preserve the natural environment and wilderness character of the forest; and the need for balance between use, preservation, local recreational use of the forest, and forest-based tourism (USDA 2024, Summary of public feedback).

Draft Recreation & Tourism Resource Assessment Report, 24. These illustrative Needs to Change the existing forest plan provide excellent fodder for the development of plan components to address the identified stressors and facilitate the partnerships that the Forest Service will need to be successful in meeting public and Tribal expectations for sustainable management of the Forest.

While this draft report captures well the Need to Change the current forest plan, the report also acknowledges that it has not collected comprehensive data since 2019, the year before the covid pandemic. Draft Recreation & Tourism Resource Assessment Report, 20. While some information is available showing a general rebound in tourism to the Tongass, given the importance of tourism and recreation to the Forest, the agency should present more current data to inform the revision process.

The draft Assessment is also candid that the Forest is unable to meet many of the recreation and tourism needs on the Tongass, and that partnerships are essential to meeting this demand:

> In the recent past, the amount of money the Forest Service has dedicated to these recreation-related partnerships has been second only to the amount of money dedicated to road maintenance partnerships (Huber-Stearns, 2020). The need has been identified, however, for increased Forest Service involvement with partner organizations to meet the growing recreational demands placed on the forest. The 2022 Tongass National Forest Sustainable Trails Strategy calls out a need for increased Forest Service investment in partner organizations on a monetary and relational level. This is particularly important in the many rural areas and smaller communities of Southeast Alaska where populations aren't as large and the capacity for partnership work may not be as developed as it is in larger communities (Alaska Trails 2022, p. 5-13).

Draft Recreation & Tourism Resource Assessment Report, 35-36. Similarly,

> Ideas identified in the Sustainable Trails Strategy for fostering these partnerships include creating a culture of responsiveness in the Forest Service when approached by partners, sending Forest Service staff to participate in partner planning processes, sharing training resources among partners, regular Forest Service consultation with partners, and including partners in internal Forest Service planning processes (Alaska Trails 2022, p.

> 14). An additional idea for partnership generated during the Sustainable Cabin Strategy planning process was for the establishment of an adopt-a-cabin program to aid in the maintenance of forest public use cabins (USDA Forest Service, 2020).
>
> "There is also ample opportunity for increased collaboration with tribal organizations for recreation management, cultural education on the forest, and the provision of culturally informed recreation opportunities on the Tongass. These are discussed below in Cultural Sustainability Considerations.

Draft Recreation & Tourism Resource Assessment Report, 36. The Forest Service recognizes that co-stewardship with Tribes is one very powerful tool and partnership resource, explaining that:

> The need for increased co-stewardship is recognized across the Forest Service, and there is the opportunity for the Tongass National Forest to build on these existing successful examples (USDA, 2023, Strengthening Tribal Consultations and Nation-to-Nation Relationships). The local tribes have also expressed a need for tribal preferences for permits, a need to assess the number of Native owned operations on the Tongass and the need for tribal priority in management, for example on Admiralty Island Bear viewing areas.

Draft Recreation & Tourism Resource Assessment Report, 37. We strongly encourage the Forest Service to work with its Tribal partners to meet the demand for more co-stewardship opportunities on the Tongass.

I. ***Air Quality.***

The draft Air Quality Assessment report is generally very good, showing that there are minor (but growing) concerns near one mine on Admiralty Island and around cruise ship ports. The draft Assessment does a good job of discussing the lichen sampling program, which provides the majority of the air quality data for the Tongass. The Assessment notes that more lichen air sampling points are needed: the revised plan could include plan components to encourage the expansion of this program, monitoring provisions to specifically capture this data, and partnership opportunities to facilitate implementation.

The draft Assessment notes that pollution from one mine (Greens Creek Mine) may be increasing under a new permit issued in 2024. Despite identifying this stressor, the draft Assessment suggests no potential solutions other than unspecified project design, "additional mitigation and monitoring measures," and

> The Forest Service will also seek to establish a Collaborative Integrated Monitoring Panel that will, among other duties, evaluate trends in air quality, fugitive dust, water quality, sediment, and biomonitoring data to validate the effectiveness of BMPs and mitigation measures and consider additional monitoring and adaptive management.

Draft Air Quality Assessment Report, 13-14. The report does not indicate when or how such a panel will be stood up or who would be involved: the Forest Service should clarify in the final Assessment the details of this Panel and/or develop plan components in the revised plan to facilitate its convening and work.

The only mention of Indigenous knowledge in the draft Assessment states: "In general, the incorporation of Indigenous Knowledge and Traditional Ecological Knowledge has been lacking or absent in previous planning efforts regarding air quality. This presents an important data gap that should be addressed." Draft Air Quality Assessment Report, 14. However, the draft Assessment fails to address this data gap. Considering the USFS's admitted need for more lichen sampling, the use of local native personnel and organizations to expand and operate more of the main monitoring program (lichen plot samples) would be a natural fit. Dozens of Alaska Youth Stewards out in the Forest collecting lichen from plots throughout the Forest would be an awesome introduction for the participants to botany, chemistry, atmospheric science, and how connections to the land and science mesh, braiding western and Indigenous science, all in one very useful data program for the Forest Service. Add in a set of participants who interview elders and other tribal members about air quality, lichens, and how that all intertwines with other areas (the health of deer, salmon, and cedar, for example), and the agency would have a great educational program that also gives the Forest Service the data it needs on this issue. Just because "air quality" is, relatively-speaking, a minor issue on the Tongass is no reason to overlook it for a tremendous opportunity for more community involvement that is, compared to some other areas, relatively easy and inexpensive to implement.

J. *Carbon Stocks.*

The draft Carbon Stocks Assessment report explains that the Tongass is a carbon sink and is predicted to remain so through the end of the century, with most carbon stored in the soil (altho a significant and appreciable amount of above-ground carbon is stored in old growth forests more than 200 years old, the most common stand age class on the Forest). The draft Assessment concludes that the Tongass will continue to be a net carbon sink until at least 2100, but outyear projections are unknown. The draft Assessment acknowledges that there is some concern that existing models do not adequately account for soil carbon, which casts doubt on the report's analysis and conclusions. That said, the report's analysis does not include data from Wilderness areas, so overall carbon stores are likely much higher than reported in the draft Assessment.

The assessment acknowledges that climate change will impact the storage and uptake or loss of carbon: as temperatures warm, carbon stocks and stores will change. The draft Assessment does not address how these changes will play out and which will have more impact on the carbon storage of the Forest.

Other than this general background information, however, the draft Assessment does not discuss any existing forest plan content relevant to carbon stocks or how this direction is performing: without that information - which is the purpose of the Assessment - it is impossible to develop an accurate Need for Change. Presumably the existing plan does not contain this direction, but given conclusions in other draft Assessments regarding the effects on those resources from climate change and the framework of the 2012 Planning Rule, the Forest should still have

prepared a Carbon Stocks Assessment that presages what the Need for Change could look like. We look forward to reviewing an improved final Carbon Stocks Assessment report.

K. *Cultural & Historic Resources.*

Although this draft Assessment references Indigenous (cultural) sites in passing and acknowledges the long Indigenous occupation of the National Forest (all areas of the Forest are associated with at least one Tribe and cultural resources are found everywhere across the entire Forest), overall the report is more focused on colonial and settler "historic" resources. The draft Assessment also notes that very little of the National Forest has been surveyed for cultural resources, altho what sites have been surveyed range in condition from good to destroyed.

While the draft Assessment report does not identify any existing plan content pertaining to cultural and historic resources (again, the lack of this information precludes the ability to develop an accurate Need for Change analysis), it does identify several stressors including heritage tourism, climate change and associated disturbances (floods, landslides, fire), lack of Forest Service workforce capacity, likely increase in project size,[9] adverse effects to cultural resources, looting and theft, and lack of availability of data. Despite the increase in heritage tourism on the Forest, there has not been a commensurate increase in funding for interpretation, education, maintenance, and mitigation that is compromising cultural and historic resources. The Forest Service acknowledges that it lacks the financial and human capacity to meet the need to manage cultural sites, provide interpretation, and mitigate adverse effects on these resources: the need for partnerships - including with Tribes - is therefore a Need for Change well-suited to new plan components in the revised plan.

The draft Assessment spends a fair amount of time discussing the Forest Service's struggle with competing philosophies regarding access to cultural sites vs. protecting them from access. There is no known correlation between access and harm to cultural sites, but nor does it appear that this has been well-studied on the Tongass (and the conclusion appears inconsistent with Tribal feedback). Social media has increased access and harm to cultural sites, and Tribes have expressed concerns about this exposure of sites and their locations via social media. While the Forest Service recognizes it has little ability to influence what people post online, this situation still drives a Need for Change in how the agency - along with its Tribal co-stewards - prioritizes, researches, and protects those sites.

The final Cultural & Historic Resources Assessment report should include an analysis of how existing plan components are performing in order to provide a strong foundation for the forthcoming Need for Change analysis. Additionally, given the Indigenous presence on the Forest, and the clear need for partnerships to steward cultural and historic resources on the Forest, the final Assessment should incorporate ways in which Tribal co-stewardship of these resources can help the Forest Service deliver on mission critical expectations.

L. *Designated Areas.*

[9] As projects (fire suppression, vegetation management, recreation) grow in size, the Forest Service will continue to fall short in having the resources to support these projects, all of which require surveys and analysis.

This draft Assessment lists all currently designated areas and the basic legal parameters regarding such areas. But there is little to no details regarding the ecological integrity of those areas, how the current plan is affecting them, or the need for new or revised designated areas. Importantly, there is nothing in this draft report regarding Tribal interest in special or officially designated areas.

While the draft Designated Areas Assessment report is sorely lacking in this information, the draft *Tongass as an Indigenous Place Assessment Report* does provide some detailed information regarding designated areas:

> *Special Interest Areas*
>
> The 2016 Tongass Forest Plan, Appendix J, Special Interest Areas, identifies a cultural/botanical special interest area designation that was led by Native carvers in Kake. Sukkwan Island near Hydaburg was discussed as receiving a similar designation, but paperwork was never signed. Tribes have expressed increasing interest in these types of designations to protect productive cedar groves.
>
> The North Hamilton River redcedar area is located on Kupreanof Island. It is an 80-acre stand of timber with a high component of red cedar. North Kupreanof is the furthest north where redcedar is present. It occurs only along the western side of Kupreanof Island as a minor component of the forest with a scattered distribution. This stand is unique because of the high proportion of redcedar it contains, which is unusual at this latitude. The stand was identified as being significant for subsistence and cultural uses by the native wood carvers of Kake in 1974, and the Hamilton River Timber Sale was modified to exclude the redcedar area from the sale. A high priority of the citizens of Kake is to set aside the redcedar grove for cultural and subsistence uses. This is the only redcedar in the immediate area that is easily accessible. The traditional uses of redcedar include carving, medicines, sewing materials and construction materials (2008 TLMP Appendix F-4).
>
> *Traditional Cultural Property* is another designation that has been used to document and protect areas of special Interest for Tribes. Chuck Smythe writes: The X'unáxi Traditional Cultural Property, or Indian Point, encompasses the location of the first Auk Tlingit Village in the Juneau vicinity. Chuck Smythe (n.d.) writes, "It is described by Tlingit people as a shamanic landscape due to the presence of shamans' graves and is considered a spiritual place and a ceremonial space used by contemporary Tlingit people. The area is a place to go for spiritual renewal, a place to acquire spirits, and where Tlingit people feed the spirits of their ancestors.
>
> The village site is listed on the National Register of Historic Places as a traditional cultural property, which provides requires certain conditions to be met for documentation as such and provides a certain level of protection. Other national forests have used the TCP designation to protect larger cultural sites, and the Forest Service should work to make sure Tribes are informed of this designation for critical areas of cultural heritage (Chippewa National Forest, n.d.)

Draft Tongass as an Indigenous Place Assessment Report, 32-33. The final Designated Areas Assessment report should be at least as adequate as the *Indigenous Place Assessment* on the Need to Change the current plan in how designated areas are managed and how new ones are added in the future to address Tribal needs and desired outcomes.

M. *Energy & Minerals.*

Acknowledging that energy and mineral development is an important economic driver in Alaska, the draft Energy & Minerals Assessment report provides an analysis of the energy and mineral development status quo in Southeast Alaska and how development of these resources could grow in the future. Although most of the non-wilderness Tongass is open to mineral exploration, the draft report explains that potential locations of foreseeable mining are all known and under development or permit.

Pertaining to permitting, operation, and reclamation of mining claims, the Assessment points out that "tribes have expressed that they want to work with the Forest Service in developing these reclamation plans, mitigation measures and other decisions about these claims." Draft Energy & Minerals Assessment Report, 15. The draft report goes on to note additional Tribal concerns:

> Concerns were raised during the 2024 assessment public engagement about mineral extraction on the Tongass, expressing the need that any extraction is done in a sustainable, regenerative way that considers generations to come, protecting the Forest long-term (USDA 2024c). The Tribes, especially Tlingit & Haida, Wrangell, Yakutat, Ketchikan, Klukwan, Douglas Indian Association, Saxman, Kake, Craig, Metlakatla, Petersburg, Kasaan and Sitka Tribe of Alaska expressed concern about mineral development and potential contamination on their traditional territories and how it may impact subsistence resources that depend on a healthy ecosystem. Many Tribes also brought up existing mining projects across the border in Canada that have potential for the downstream impacts on salmon and their habitat. The Southeast Indigenous Transboundary Commission elevates the concerns of Indigenous nations on both sides of the borders about these projects and calls for coordination from the State Department. On the United States side of the border, these rivers run through lands of the Tongass National Forest. Tribes have advocated for increased protections of these watersheds.

Id. at 16. And, the draft Assessment acknowledges that

> There are a few key uncertainties regarding the status and trends of renewable energy and mineral resources on the Tongass National Forest. In general, the incorporation of Indigenous Knowledge and Traditional Ecological Knowledge has been lacking or absent in previous planning efforts regarding renewable and non-renewable energy and minerals. This presents a particularly large data gap that should be addressed.

Id. at 18.

Along with other stressors,[10] energy and mineral development is a stressor on ecological integrity and is compromising Tribal cultural and subsistence resources suggesting a clear Need to Change the existing plan.

N. *Geology and Geologic Hazards.*

The plan area's geology and associated hazards are well known and heavily studied. Since the 1997 Plan and subsequent changes, plan components meant to address and mitigate most of these geologic hazards seem to be working as intended.

The draft Assessment does mention repeatedly that climate change will affect (mostly increase) and, in some instances, change many of these hazards and that more adaptive measures will be needed to respond: clearly there is a Need to Change the existing plan to better address these stressors, but how the need for these adaptations will affect the Plan revision is not discussed.

Road access for Tribal and subsistence use is extremely important to native communities, and yet the draft Assessment report[11] does not discuss how Indigenous Knowledge could be incorporated into the revised plan to mitigate the effects of geologic hazards on infrastructure in the context of a changing climate. A reference to the need to coordinate with other agencies and landowners that deal with roads does not suffice for greater co-stewardship with Native communities to address geologic hazards, particularly landslides that may preclude Tribal access to important sites and resources.

O. *Infrastructure.*

The draft Infrastructure Assessment report identifies road maintenance, and its funding are very challenging for the Forest Service, which affects Tribal access to the Forest for cultural and subsistence needs. Specifically:

> The Tribes and other community members in Southeast Alaska have expressed a need for increased consultation and broader community conversations whenever road closures are proposed, as these have become community assets used for subsistence harvesting after periods of resource extraction. For example, increased government-to-government consultation and increased public involvement in Access Travel Management (ATM) plans would be beneficial.

[10] The draft Assessment also has a good, albeit cursory, review of how climate change could affect all the different energy sources available into the future and how receding glaciers may allow for the staking of mineral claims in areas heretofore inaccessible. This is another potential stressor that should be addressed with plan components in the revised plan.

[11] Other draft Assessments do mention the need to coordinate roads management with Native Peoples and organizations. *See* Draft Infrastructure Assessment Report, 10. The failure to discuss that fact is a major failing of the draft Geology and Geologic Hazards Assessment. Landslides close roads in the Tongass every year and are expected to increase due to climate changes. Working with Tribes to address this stressor and risk is a natural fit, and should be facilitated in the revised plan.

Draft Infrastructure Assessment Report, 9.[12] Furthermore, "Tribes have expressed concerns about the ability of the agency to maintain infrastructure like roads and facilities. Many Tribes have incorporated National Forest System roads into their road inventories so that they can undertake maintenance responsibilities in order to keep roads open to important harvest areas." *Id*. at 10. Likewise, "There are also two buildings planned for decommissioning. Some Tribes have expressed a desire to take over management of underutilized Forest Service facilities. The Organized Village of Kake has done just this, with an old administrative building in Portage Bay." *Id*. at 11.[13]

Given the Forest Service's lack of capacity and the desire on the part of some Tribes to co-steward infrastructure on the Forest, the final Assessment should explore these opportunities with the objective of including them in the Need for Change analysis.

P. *Scenic Resources.*

The draft Scenic Resources Assessment report is a disappointment and misses several key issues. The report does not describe existing plan content related to this resource, and at least in some respects it is not adequately performing. For example, "Flightseeing and other air travel routes are not considered or managed as VPRs in the current Forest Plan." Draft Scenic Resources Assessment Report, 10. Given that both the cruise industry's excursions and other local tourism industry make heavy use of flightseeing and air travel (flights to take hunters and fishers to remote camps and lodges, etc.), especially in the warmer months, consideration of these impacts to scenic resources should have been addressed in the draft Assessment.

Similarly, the draft Assessment has no mention of Tribal concerns or issues pertaining to this resource, despite what appears in other draft Assessments such as:

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[12] Although absent from the draft Infrastructure Assessment report, the draft *Tongass as an Indigenous Place Assessment Report* explains that

> Tribes want to be consulted and have broader community conversations whenever road closures are proposed, as this infrastructure has often become community assets that is used for subsistence harvesting after periods of resource extraction. Tribes and harvesters should be involved when prioritizing or determining road closures. A specific example is government-to-government consultation and increased public involvement in Access Travel Management (ATM) plans. The ATM section should include standards and guidelines on how to work with Tribes' Tribal Transportation Program with Federal Highway Administration in assuring important roads stay open, allowing for Tribal Transportation Funds to help with maintenance. ANCs would like greater coordination and management of Forest Service road easements that cross their land and are important to Tribal communities.

This is another instance where Forest Service subject matter experts do not appear to be aware of the work of other subject matter experts preparing other reports: the information in the *Indigenous Place* report should have found its way into the *Infrastructure* report so that information is consistently presented to commenters. We urge the agency to better coordinate amongst its experts in the preparation of the final Assessment.

[13] The draft *Tongass as an Indigenous Place Assessment Report* explains that "Tribes should also be consulted regarding the decommissioning of other public infrastructure, such as trails and cabins, to ameliorate concerns over impacts to subsistence harvesting access." Draft Tongass as an Indigenous Place Assessment Report, 57. We agree, and plan components that provide this process should be included in the revised plan.

> Increasingly, some Tribes and many Alaska Native Corporations (ANCs) have made significant investments in businesses that rely on cruise tourism, underscoring the importance of the Tongass National Forest as a scenic and recreational draw. ANCs with large-scale cruise tourism enterprises, such as Huna Totem, Goldbelt, and Shee Atiká, contribute to local economies while relying on public lands for excursions and activities that extend beyond their private land bases. This impacts Forest Service management and priorities regarding road systems, recreation infrastructure, and the need to maintain the forest's scenic appeal. Smaller-scale tourism efforts, like those led by Kootznoowoo and Klawock Heenya, provide more localized opportunities but are similarly connected to the natural beauty and accessibility of the Tongass.

Draft Tongass as an Indigenous Place Assessment Report, 56. The draft Scenic Resources Assessment report is silent on these concerns, reflecting a need for collaboration among agency issue experts to ensure that Tribal concerns are adequately and accurately reflected in *all* Assessment reports.

Finally, we note that no information in the draft report has been updated since 2006:

> The data used for both tables above has not been fully updated since 2006, when the data was developed for the 2008 Plan Amendment. There is a need to update the data, to account for many changes, both on the ground and in the types and quality of data that has become available in the 18 years since the data was created. Updating this data will be a key part of the work for this Forest Plan revision.

Draft Scenic Resources Assessment Report, 12. Clearly the lack of current scenic resource data is a Need for Change, but in order to foster adequate comment, this information really must be presented earlier in the process. We look forward to reviewing this information in the final Assessment report.

Q. *Drivers, Stressors, & Climate Change.*

The draft Assessment report addressing Drivers, Stressors, & Climate Change notes that climate - along with the island biogeography nature of much of the Forest - drives the vegetation and other biophysical communities on the Tongass. Because the existing forest plan does not contain plan components addressing climate change as a stressor, there is a significant Need to Change the plan to incorporate this information, which the draft Assessment does a good job of acknowledging. Several key areas necessitating Needs to Change the current Tongass forest plan include:

- **Climate Adaptation**: The current plan lacks direction on climate adaptation. The new plan must consider system drivers and stressors, including climate change, and the ability of ecosystems to adapt to these changes.
- **Temperature and Precipitation Changes**: Significant increases in temperature and precipitation are projected, necessitating adjustments in forest management to address these changes.

- **Insect and Disease Outbreaks**: Warming climates are expected to exacerbate insect and disease outbreaks, requiring proactive management strategies.
- **Invasive Species**: The spread of invasive species is a growing concern, and the plan needs to include measures to prevent and manage these threats.
- **Glacial Melt and Sea Level Change**: Accelerating glacial melt and differential sea level changes due to isostatic rebound require adaptive strategies to manage new land surfaces and changing shorelines.
- **Ocean Chemistry and Sea Surface Temperatures**: Ocean acidification and rising sea surface temperatures will impact marine ecosystems and traditional subsistence practices, necessitating integrated management approaches.
- **Fire Management**: Although historically low, the risk of wildfires may increase with changing climate conditions, requiring preparedness and management plans.
- **Wind Dynamics**: Changes in wind patterns and increased storm frequency need to be considered in forest regeneration and management practices.

Draft Drivers, Stressors, & Climate Change Assessment Report, 6. Overall, the draft Assessment emphasizes the need for a comprehensive revision of the Tongass Forest plan to incorporate climate adaptation, address emerging stressors and threats, and ensure the sustainability of the terrestrial and aquatic ecosystems.

The draft Assessment explains that

> Climate change is a top issue for many Tribes. Concerns have been expressed about how climate change will impact the health of harvested resources (especially fish, deer, berries, mushrooms, and cedar) and the habitat that they depend on. In light of this concern, many Tribes have created climate adaptation plans including the Sitka tribe, Central Council of Tlingit & Haida Indian Tribes of Alaska, Metlakatla and the Hoonah tribe. Hoonah Indian Association in particular is planning proactive climate adaptation strategies to create better anadromous stream habitat for fish, to create deeper pools with more oxygen flow.

Draft Drivers, Stressors, & Climate Change Assessment Report, 9. Tribal concerns regarding climate change that should be addressed in the revision include:

- **Impact on Harvested (Subsistence) Resources**: Climate change is expected to affect the health and availability of key resources such as fish, deer, berries, mushrooms, and cedar, which are central to the Tribes' subsistence and cultural practices.
- **Habitat Degradation**: Changes in climate are likely to degrade the habitats that these resources depend on, further threatening their availability at sufficient harvestable levels.
- **Invasive Species**: The spread of invasive species, which can crowd out native plants and disrupt ecosystems, is a significant concern. Tribes are actively working on mitigation plans to address this issue.
- **Yellow-Cedar Decline**: The decline of yellow-cedar, a culturally and economically important species, due to root freezing injury exacerbated by reduced snowpack, is a pressing issue.

- **Stream Habitat for Fish**: Proactive strategies are being planned to improve anadromous stream habitats for fish, which are vital for subsistence fishing.
- **Traditional Food Harvesting**: Sea level changes, ocean acidification, and warming sea surface temperatures are expected to impact the ability to harvest traditional foods and resources, affecting the livelihoods and foodways of local communities.

These concerns highlight the need for climate adaptation strategies that protect and sustain Tribal natural resources and cultural practices on the Tongass National Forest. We urge the agency to incorporate actionable provisions from Tribal climate adaptation plans into the revised forest plan.

R. *Subsistence and Other Harvest (Non-Commercial) Resources.*

The Draft Assessment on Subsistence and Other Harvest (Non-Commercial) Resources[14] provides a substantive but incomplete synthesis of existing, available, and relevant information[15] needed to "identify a preliminary need to change the existing plan and to inform the development of plan components and other plan content."[16] In order to meaningfully meet that requirement, the Draft Subsistence Assessment should be revised to incorporate additional consideration of the legal and historical framework in which the Assessment is being conducted. Though the Assessment includes some important aspects of that context, such as an overview the 2016 Forest Plan and the general structure for subsistence management required by the Alaska National Interest Lands and Conservation Act (ANILCA), the Assessment fails to adequately consider the critical role that forest planning and the corresponding management of subsistence resources play in fulfilling the United States' longstanding trust duties to Alaska Native Tribes.

In addition, the Draft Subsistence Assessment does not include or rely on numerous additional resources that demonstrate how the plan revision process and updates to the forest plan could and should reflect a more comprehensive approach to Tribal engagement and co-stewardship in the management of subsistence resources.

1. Legal and Historical Framework.

Because the health and management of subsistence resources on the Tongass National Forest is a critical component of the United States' government-to-government relationship with the Alaska Native Tribes intimately connected to that region, the Draft Subsistence Assessment should be revised to better consider the legal and historical context in which this forest plan revision is taking place. Doing so could begin to rectify the long-standing and widespread frustration of many Alaska Native Tribes with the management of subsistence resources. On the Tongass, that frustration largely stems from a consistent failure on the part of the USFS and its forest plans to adequately consider Tribal rights to, perspectives on, and interests in subsistence resources. Thus, the Draft Subsistence Assessment should be revised to inform the need to change the plan

[14] U.S. Forest Service, *Subsistence and Other Harvest (Non-Commercial) Resource Assessment: Tongass National Forest Plan Revision* (Nov. 2024) [hereinafter Draft Subsistence Assessment]. Though we rely on the term "subsistence" to avoid confusion, we acknowledge it is merely a legal term of art and inadequately captures the import and context of the traditional and customary uses of natural resources by Indigenous peoples across what is now Alaska since time immemorial.
[15] 36 C.F.R. §219.6.
[16] 36 C.FR. §219.7(C)(2)(i).

revision process and the revised plan to ensure that Tribal rights to and interests in subsistence resources and their management are finally properly represented and reflected.

The Draft Subsistence Assessment does provide some support for this need to change. Importantly, for example, the USFS acknowledges in the Draft Subsistence Assessment that "there is little direction in the existing plan on how best to ensure that the management of the Tongass National Forest prioritizes subsistence uses, as well as for other uses of fish, wildlife, and plant resources."[17] The 2016 Tongass Plan fails to provide substantive protection to "subsistence resources" and offers no meaningful direction for the USFS to make subsistence-related decisions. Instead, the 2016 Plan's "standards and guidelines" mostly restate existing laws, regulations and the Region 10 Subsistence Management and Use Handbook.[18]

But absent from the Draft Subsistence Assessment is any consideration of how the current plan's shortcomings reflect a longer-term trend. Beyond just the 2016 Forest Plan, the USFS has not engaged in any meaningful or systematic consideration of the rights of Alaska Native Tribes in *any* forest planning process relevant to the Tongass. Since the 1979 Forest Plan, which was issued before passage of Alaska National Interest Lands and Conservation Act (ANILCA) in 1980, these forest planning processes have centered on timber management-related conflict, appeals, litigation and piecemeal amendments, often without acknowledging—much less meaningfully considering and incorporating—the concerns and interests of Alaska Native Tribes, such as those set forth in The Tongass as an Indigenous Place.[19]

Those concerns and interests are especially relevant in the context of subsistence resources and their management. As detailed in The Tongass as an Indigenous Place and in the many additional resources discussed below, the forest "is, and always has been, the traditional homelands of the Tlingit, Haida, and Tsimshian people, who hold over 10,000 years of stewardship and recorded history on these lands and waters."[20] The United States, through Congressional enactment of ANILCA, sought to ensure those connections could continue through what it termed "subsistence uses," that Congress found to be "essential to Native physical, economic, traditional, and cultural existence."[21] To do so, Congress established a framework, set forth in ANILCA's Title VIII, to prioritize these uses and to ensure that Federal land management agencies, like the USFS, work to ensure their management decisions protect and uphold that commitment. Congress also called for those agencies to ensure "*a meaningful role* in the management of fish and wildlife and of subsistence uses on the public lands in Alaska" for subsistence users most knowledgeable about those resources.[22] In recognition of the unique legal status of Native Nations under federal law, Congress relied in part on its "constitutional authority

[17] Draft Subsistence Assessment, at 8.
[18] U.S. Forest Service, *Tongass National Forest: Land and Resource Management Plan* (2016), 4-65-4-67.
[19] *See*, *e.g.*, Tongass as an Indigenous Place, at 33-39 (describing existing Alaska Native Tribal rights in the Tongass).
[20] *Id.* at 5.
[21] Alaska National Interest Lands Conservation Act [hereinafter ANILCA], Pub. L. No. 96-487, 94 Stat. 2371 (Dec. 2, 1980), §801(1).
[22] Alaska National Interest Lands Conservation Act [hereinafter ANILCA], Pub. L. No. 96-487, 94 Stat. 2371 (Dec. 2, 1980), §801(5).

over Native affairs" as a legal basis for enacting that framework.[23] Thus, although ANILCA's Title VIII also acknowledges the importance of such uses for non-Native rural residents of Alaska, the interests of Alaska Native Tribes in the management and health of subsistence resources are critical to fulfilling ANILCA's mandate and upholding Congress' commitment to honor and protect the millennia of relationship between Indigenous people and those uses.

The Draft Subsistence Assessment does not address the significance of tribal interests to ANILCA and its history. For example, the history of Title VIII is an important starting point because it was enacted "in order to fulfill the policies and purposes of the Alaska Native Claims Settlement Act."[24] Similarly, Title VIII's recognition of the specific importance of subsistence uses as "essential to Native physical, economic, traditional, and cultural existence,"[25] and its corresponding call for a participatory framework that is designed to shape and influence regulations, policies and management decisions pertaining to subsistence,[26] provide necessary context for assessing subsistence management and considering how the existing Forest Plan should change to better reflect those principles.

Congress' recognition in ANILCA of the importance of the interests of Alaska Native Tribes is also rooted in a deeper and longstanding legal relationship between the United States and Tribes. That relationship, the federal trust relationship, rests on over two centuries of government-to-government relations between the United States (and even its sovereign European predecessors) and Native Nations. In some of its earliest decisions, the United States Supreme Court analyzed those relations and concluded that the United States assumed important responsibilities of protection consistent and concurrent with acknowledging the sovereignty of Native Nations.[27]

From those foundations, all three branches of the federal government have routinely and repeatedly acted in furtherance of that duty, which has provided the basis for the federal government's responsibility to consult with Native Nations[28] and work with them to pursue the co-stewardship of federal lands and waters,[29] among other important federal-tribal interactions. In the early 1990s, the United States affirmed that it maintains the same relationship with the federally recognized Alaska Native Tribes intimately connected to the Tongass region, who "have the same governmental status as other federally acknowledged Indian tribes by virtue of

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[23] Alaska National Interest Lands Conservation Act [hereinafter ANILCA], Pub. L. No. 96-487, 94 Stat. 2371 (Dec. 2, 1980), §801(4).
[24] ANILCA, §801(4)
[25] ANILCA, § 801(1)
[26] 16 U.S.C. §3115. *See also* §801(5) requiring "an administrative structure be established for the purpose of enabling rural residents who have personal knowledge of local conditions and requirements to have a meaningful role in the management of fish and wildlife and of subsistence uses on the public lands in Alaska."
[27] *See* Cherokee Nation v. Georgia, 30 U.S. 1, 17-18 (1831).
[28] *See*, *e.g.*, §2(a) Executive Order 13175 of November 6, 2000, *Consultation and Coordination with Indian Tribal Governments*, 65 Fed. Reg. 67,249 ("The United States has a unique legal relationship with Indian tribal governments as set forth in the Constitution of the United States, treaties, statutes, Executive Orders, and court decisions. Since the formation of the Union, the United States has recognized Indian tribes as domestic dependent nations under its protection.")
[29] *See* Section 1, Order No. 3403, *Joint Secretarial Order on Fulfilling the Trust Responsibility to Indian Tribes in the Stewardship of Federal Lands and Waters*, 1 (Nov 15, 2021) ("In managing Federal lands and waters, the Departments are charged with the highest trust responsibility to protect Tribal interests and further the nation-to-nation relationship with Tribes.")

their status as Indian tribes with a government-to-government relationship with the United States; are entitled to the same protection, immunities, privileges as other acknowledged tribes; [and] have the right, subject to general principles of Federal Indian law, to exercise the same inherent and delegated authorities available to other tribes."[30]

Despite the centrality of that government-to-government relationship and its importance to the USFS approach to and obligations for managing subsistence resources, the Draft Subsistence Assessment is silent about the trust obligations of the United States and what those obligations may demand of the USFS and its forest plan.

This context provides an important and necessary starting point for assessing subsistence uses and interests on the Tongass and should be better reflected in revisions to the Draft Subsistence Assessment. The revised Tongass Forest Plan will play a critical role in fulfilling or failing to honor the purposes of ANILCA's Title VIII. The Plan's desired conditions and other plan components will determine the direction by which the USFS carries out Title VIII's subsistence priority and preference scheme. Pursuant to ANILCA, that direction must ensure that forest management causes "the least adverse impact" on subsistence uses, and that the USFS protects "the continued viability of all wild renewable resources," among other requirements provided in §802 and elsewhere in ANILCA. As explained in the USFS's Subsistence Handbook, subsistence-based decisions often "tier" back to the Forest Plan "for prescription and desired future condition."[31] But, as noted above, the 2016 Forest Plan provides little direction in this regard, other than the broad requirements imposed by Title VIII and NEPA.

That lack of direction reflects a deeper need to change how future forest plans can enhance subsistence management going forward. Those revised plans must provide more substantive protections for subsistence resources and, in recognition of the foregoing legal and historical context, commit to empowering Alaska Native Tribes with a meaningful role in developing and implementing those protections. Thus, the Final Subsistence Assessment should more comprehensively acknowledge the extensive legal and historical foundations for moving in that direction and include in its Executive Summary-Key Takeaways a statement that the current Forest Plan does not provide sufficient direction regarding how subsistence-based decisions will be made and that this needs to change. Ideally, in recognition of its trust obligations to Alaska Native Tribes, the USFS will engage in meaningful government-to-government consultation with Tribes through the next stages of plan development to co-create protocols for further consultation, cooperation, and co-stewardship, and then continue to work collaboratively with Tribes to incorporate them as plan components and "management strategies" in the plan revision.

2. Additional Resources and Information.

To help support and ensure more solid foundations for any "need to change" recommendations for the existing forest plan, the Draft Subsistence Assessment should also be revised to include

[30] U.S. Dep't of the Interior, Bureau of Indian Affairs, *Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs*, 58 Fed. Reg. 54,364, 54, 366 (Oct. 21, 1993); Federally Recognized Indian Tribe List Act of 1994, Pub. L. 103-454, 108 Stat. 4791 (Nov. 2, 1994); Tlingit and Haida Status Clarification Act, Pub. L. 103-453, 108 Stat. 4792 (Nov. 2, 1994).
[31] U.S. Forest Service Handbook, 2609.25 *Subsistence Management and Use Handbook*, at 46.

and assess additional relevant resources. For example, by leaving out pertinent and recently developed reports, the Draft Subsistence Assessment fails to appropriately acknowledge the deep and widespread criticism of subsistence management on the Tongass and throughout the federal public land system in Alaska. Though the Draft Subsistence Assessment includes discussion of the complicated trade-offs and differences of opinion when it comes to managing different facets of subsistence on the Tongass—from timber harvest impacts to roads and road access—it does not offer any suggestion of a need to improve how that management is implemented based on existing critiques. While there may be "no one agreed-upon position by all users" on the particulars of subsistence management,[32] there is broad-based dissatisfaction with implementation of ANILCA's Title VIII. Many of the resources described in this section offer detailed and well-informed critiques of the existing state of subsistence management. Other resources demonstrate the momentum of current trends toward expanded tribal co-stewardship. All of these resources would therefore enhance the information on which the Draft Subsistence Assessment relies, thereby improving and strengthening its conclusions.

Most critically, the Draft Subsistence Assessment appears to ignore a significant amount of work done by both the USDA and the Department of the Interior to gather feedback and assess the United States' efforts to fulfill Title VIII's mandate. The *Federal Subsistence Policy Consultation Summary Report*, issued on June 14, 2022, integrates feedback from roughly 445 individual subsistence users and representatives from Alaska Native Villages, Tribal Consortia, Alaska Native Organizations, and Alaska Native Corporations who participated in the listening sessions and consultations in January 2022.[33]

Several drivers and stressors reviewed in the Draft Subsistence Assessment also emerged as dominant themes in these consultation sessions. However, one overarching theme evident in the sessions—but not detailed in the Draft Subsistence Assessment—is a demand to have "more meaningful involvement" by Alaska Native Tribes in the subsistence decision-making process.[34] Those participating in these sessions suggested several different ways of doing so, from expanding tribal co-stewardship of the Tongass to working more closely with the Southeast Alaska Regional Advisory Council (SEARAC). Notably, although these sessions resulted in changes to the composition of the Federal Subsistence Board (FSB) that added three public members nominated or recommended by federally recognized Tribal governments[35] and reorganized the administrative structure of the Office of Subsistence Management (OSM),[36] the Draft Subsistence Assessment apparently failed to consider the extensive input received by USDA during those consultations.

The 2022 Consultation Report and other recent developments reveal profound frustration with the so-called "dual management" system of subsistence in Alaska, a model that often leaves Alaska Native Tribes caught between federal and state management systems. As stated by the Alaska Federation of Natives in Subsistence Resolution 24-01:

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[32] U.S. Forest Service, Subsistence Assessment, at 16.
[33] U.S. Department of Interior and U.S. Department of Agriculture, *Federal Subsistence Policy Consultation Summary Report* (June 14, 2022).
[34] *Id*., at 6.
[35] 89 Fed. Reg. 83,622 (Oct. 17, 2024)
[36] *See* Secretarial Order 3413, *Transfer of the Office of Subsistence management to the Office of the Secretary* (June 27, 2024).

> The failures of state and federal management to protect Alaska Natives' subsistence needs throughout Alaska, including in all navigable waters, have left Alaska Natives inequitably placed in the middle of two inconsistent and insufficiently protective systems, neither of which protects Alaska Native subsistence rights, our way of life, cultures, and traditions.[37]

Another common criticism found in these sources and others is frustration with implementation of §810 of ANILCA. That section requires a two-tiered evaluation of federal land use decisions in light of their impacts to subsistence users and needs. This important provision provides a framework to assess the connections between subsistence and land use, but its application is inconsistent and often places Tribes in a position of having to react and respond to decisions already made or to agency-written proposals that they had no role in shaping. This criticism is found throughout the rulemaking record for the 2020 Tongass Roadless Rule,[38] and was one basis on which the USFS relied when repealing the 2020 Rule in 2023. In doing so, the USFS referenced input from the SEARAC.[39] That input focused on the misapplication of the 810 process, which would have had serious implications across 9.3 million acres of inventoried roadless areas on the Tongass.[40]

Another important source of information not incorporated into the Draft Subsistence Assessment is the 2020 Inter-Tribal Administrative Procedure Act Petition "To Create a Traditional Homelands Conservation Rule for the Long-term Management and Protection of Traditional and Customary Use Areas in the Tongass National Forest."[41] Though discussed in the Tongass as an Indigenous Place,[42] it is not referenced in the Draft Subsistence Assessment. The Traditional Homelands Petition provides a vision and set of principles rooted in tribal interests and according to which the Tongass could be managed in the future, with several recommendations pertaining to subsistence management.[43]

Though not a "land use plan" per se, the Petition offers a vision and framework for land management that could be "coordinated" with the Tongass Plan revision, as required in the

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[37] Alaska Federation of Natives, 2024 Annual Convention, Resolution 24-01. Additional background materials and presentations available at https://nativefederation.org/subsistence-updates/. *See also* Alaska Federation of Natives, *The Right to Subsist: Federal Protection of Subsistence in Alaska* (Anchorage, AK: AFN, 2010).
[38] 85 Fed. Reg. 68,688 (Oct. 29, 2020).
[39] 88 Fed. Reg. 5256 (Jan. 27, 2023).
[40] *See e.g.,* Testimony of Southeast Alaska Subsistence Regional Advisory Council members, submitted to Office of Information and Regulatory Affairs and Office of Management and Budget (Sept. 2, 2020).
[41] Organized Village of Kasaan, Organized Village of Kake, Klawock Cooperative Association, Hoonah Indian Association, Ketchikan Indian Community, Skagway Traditional Council, Organized Village of Saxman, Yakutat Tlingit Tribe, Central Council Tlingit and Haida Indian Tribes of Alaska, *Petition for USDA Rulemaking to Create a Traditional Homelands Conservation Rule for the Long-Term Management and Protection of Traditional and Customary Use Areas in the Tongass National Forest* (July 16, 2020) [hereinafter *Traditional Homelands Rule Petition*].
[42] Tongass as an Indigenous Place, at 51.
[43] *Traditional Homelands Rule Petition*, at 7.

NFMA planning regulations.[44] The Petition highlights several criticisms of how Title VIII, and §810 in particular, is being implemented—or not implemented at all—by the USFS. The Petition also provides feasible steps that could be taken to fix these problems, all of which rely upon existing tools and legal authorities. The Petition's signatory Tribes expressed deep dissatisfaction with subsistence and other decision-making processes used by the USFS. If a federal rulemaking is not forthcoming in response to the Petition, it provides an important basis on which the Draft Subsistence Assessment could, as Secretary of Agriculture Thomas Vilsack suggested, ensure that the USFS "fulfill the [P]etition's intent through forest planning, consultation, co-stewardship, and decision-making at the local level."[45]

Though referenced in Tongass as an Indigenous Place,[46] the Draft Subsistence Assessment also fails to describe the significant trends in the development of Tribal networks, partnerships, and other programs on the Tongass (e.g., Southeast Indigenous Guardians Network, community forest partnerships, the Alaska Youth Stewards program, Yakutat River Rangers program, Tribal Conservation Districts, Hydaburg Subsistence Fisheries Monitoring Program, etc.). Neither does the Draft Subsistence Assessment reference the recently signed co-stewardship MOUs at Mendenhall Glacier. Though not all of these developments specifically focus on the collaborative management of subsistence resources, they do convey the strong and growing interest, professional capacity, and success for to tribally co- stewardship of subsistence resources on the Tongass. The growth of these networks and partnerships is a significant trend warranting further consideration by the USFS and discussion in the Draft Subsistence Assessment. The 2016 Forest Plan needs to change in order to further encourage and clarify the existing authorities that can be used to nurture, grow, and invest in these mutually beneficial relationships.

Similarly, the 2016 Forest Plan should reflect recent trends in updated laws, policies, and other guidance for the USFS. In fact, the 2012 Planning Rule requires "that plans are to [be] consistent with and complement existing, related Agency policies that guide management resources on the NFS."[47] But much of what is referenced in the 2016 Forest Plan is a carry-over from the 1997 Plan, meaning several legal authorities and developments are not acknowledged at all. The Draft Subsistence Assessment provides a broad overview of the federal subsistence management program and its regulations ("Federal Subsistence Management Program" and "Brief History of Federal Subsistence and Current Subsistence Management"). There, the document provides a concise overview of Title VIII and recent changes to its administration, including the move of the Federal Subsistence Board (FSB) to the Department of Interior's Office of Policy, Management and Budget and new regulations requiring the addition of three Tribally nominated members to the FSB.

That discussion leaves out several new laws, regulations, policies, and internal guidance pertaining to tribal rights and interests on forest lands for which the USFS is responsible. This

[44] *See* 36 C.F.R. §219.4(b) ("The responsible official shall coordinate land management planning with the equivalent and related planning efforts of federally recognized Indian Tribes, Alaska Native Corporations, other Federal agencies, and State and local governments.")
[45] Thomas Vilsack, Secretary U.S. Department of Agriculture, Response to Tribal Leaders for Petition to Create a Traditional Homelands Conservation Rule (Aug. 9, 2023).
[46] Tongass as an Indigenous Place, at 51-52.
[47] 77 Fed. Reg. 21162 (Apr. 9, 2012).

information will help identify a need to change the existing plan and to inform the development of plan components and other content. For example, the USDA Office of General Counsel recently conducted a legal review of Secretarial Order 3403, which reviewed and cataloged a number of these authorities.[48] Furthermore, after doing so, the OGC Report clarified that the USFS has "significant latitude…in the types of co-stewardship agreements or other arrangements that may appropriately support USDA operations without an inappropriate transfer of federal authority."[49] That latitude builds on Title VIII's authorization of cooperative agreements in §809. Several agreements pertaining to the co-stewardship of subsistence resources on public lands have been signed using this authority, including the Kuskokwim, Ahtna, and Gravel-to-Gravel MOUs and agreements. Though within the Department of Interior, the USFS has the same authority under Title VIII's cooperative agreement provision.[50] These are significant trends in the administration of Title VIII that, consistent with the development of additional relevant laws, regulations, policies, and internal guidance, also warrant recognition in the Draft Subsistence Assessment.

3. Summary.

Our review of the Draft Subsistence Assessment aims to provide a resource for considering how that document could be improved. Consistent with the USFS' 2012 Planning Rule, we focused on important information, themes, and trends that are missing from the current draft but that we believe are critical to informing a "need to change" the existing 2016 Tongass Forest Plan. As described in more detail above, the Draft Subsistence Assessment could be improved in this regard by greater inclusion and consideration of:

- The legal and historical context of subsistence resources and management on the Tongass National Forest, specifically:
    - The unique significance of subsistence resources to Alaska Native Tribes (as supported by The Tongass as an Indigenous Place);
    - The meaningful recognition and representation of that importance in ANILCA - both its history/context and text;
    - The federal government's government-to-government trust relationship with Alaska Native Tribes, which further supports and informs both ANILCA and the unique status of those Tribes;
    - The failure of the 2016 Forest Plan, as well as prior plans, and existing subsistence management on the Tongass NF to adequately account for, consider, and incorporate those important principles; and
    - The importance of forest planning and substantive plan provisions to effective subsistence management and the health of subsistence resources

[48] *See* Office of the General Counsel, U.S. Department of Agriculture, Legal Review of Joint Secretarial Order 3403 (2022).
[49] *Id.* at 6.
[50] 43 U.S.C. §1712(b); 36 C.F.R. §219.4(b).

- Additional resources and substantial available information documenting the current state of subsistence management and the widespread public dissatisfaction with such management, including but not limited to:

    - U.S. Department of Interior and U.S. Department of Agriculture, *Federal Subsistence Policy Consultation Summary Report* (June 14, 2022), https://www.bia.gov/sites/default/files/dup/tcinfo/final-subsistence-consultation-summary-report_6.10.22_508.pdf
    - Organized Village of Kasaan, Organized Village of Kake, Klawock Cooperative Association, Hoonah Indian Association, Ketchikan Indian Community, Skagway Traditional Council, Organized Village of Saxman, Yakutat Tlingit Tribe, Central Council Tlingit and Haida Indian Tribes of Alaska, *Petition for USDA Rulemaking to Create a Traditional Homelands Conservation Rule for the Long-Term Management and Protection of Traditional and Customary Use Areas in the Tongass National Forest* (July 16, 2020), https://www.alaskawild.org/wp-content/uploads/2020/07/FINAL-Southeast-Tribes-APA-Petition-7-17-2020-Nine-Tribe-Signatures.pdf
    - Office of the General Counsel, U.S. Department of Agriculture, Legal Review of Joint Secretarial Order 3403 (2022), https://www.fedbar.org/wp-content/uploads/2023/04/P72-Climate-Change-supporting-1.pdf

S. ***Socioeconomic Conditions.***

This draft Assessment report does a good job of collecting and presenting the many various data sets and research about socioeconomic conditions in Southeast Alaska, including the main economic drivers in the plan area. All this gathered data, however, is not used to make a case for the Need to Change the current plan, which is the primary purpose of an Assessment. The Forest Service should address this shortcoming in the final Assessment report.

We note that this report does a poor job of addressing Tribal socioeconomic needs and concerns.[51] While the report acknowledges that the socioeconomic integrity of the plan area is directly related to the ecological integrity of the Forest - and that human communities are inextricably linked to ecological communities - it fails to include any meaningful discussion of actual socioeconomic issues relevant to Tribes compared to some other Assessments such as the draft Tongass as an Indigenous Place Assessment report, which does an excellent job of connecting these issues. For example, the draft Socioeconomic Conditions Assessment report states that "In addition to Alaska Native uses for timber and wood products, local community

[51] The draft Assessment's ***entire*** section on Tribal socioeconomic issues states: "Tongass National Forest contains the traditional homelands of many Alaska Native Tribes. Management decisions on the forest may affect lands that the tribes assert have cultural or spiritual significance or that are important for subsistence hunting or gathering activities. For more information on Tribal history, significance, and cultural practices, please see the Tongass as an Indigenous Place assessment." Draft Socioeconomic Assessment Report, 50. Subsistence issues are similarly summarily deferred to other Assessment reports: "Collecting and analyzing historic knowledge may supply information for restoration and mitigation efforts and is crucial to understanding ecological-human dynamics and patterns in harvest reliant communities of Southeast Alaska. For more information about the important of and impacts to subsistence and other non-commercial harvest, see the Subsistence and Other Non-Commercial Harvest and Tongass as an Indigenous Place Assessments." *Id*. at 51.

members rely on wood for personal use like firewood and other household needs." Draft Socioeconomic Conditions Assessment Report, 48. But the report does not explain what those "Alaska Native uses" are or what their economic impacts may be. On the other hand, the draft *Tongass as an Indigenous Place Assessment* report specifically provides real-world examples of how Native uses for timber can create a real and entirely quantifiable economic impact. *See*, Draft Tongass as an Indigenous Place Assessment Report, 48-49 ("The total economic estimated costs associated with the commissioning of a single 25-foot pole for the project was $218,500 in direct spending with an additional $65,000 on indirect and induced spending").

The draft Socioeconomic Conditions Assessment report often refers to Native views, issues, and concerns, but never characterizes them as such, which is a major infirmity. For example, the draft report explains that

> In community feedback discussions, many comments focused on developing an interest in high value, low volume timber products, as well as thoughtful timber management for conservation of other subsistence-use species such as deer. Some comments showed interest in preserving old growth near more populated areas and cutting second growth in more remote area to protect viewsheds. There was also interest in keeping processing local, minimizing export of logs, and investing in timber production for local Alaskan needs. Comments also showed a negative opinion of even-aged management. Overall, there was strong interest in regenerative and sustainable practices that consider whole ecosystems.

Draft Socioeconomic Conditions Assessment Report, 48. The draft Tongass as an Indigenous Place Assessment report goes into great detail about how these issues are all very Tribally focused, but in the Socioeconomic Conditions report, these issues are presented as generic public concerns. We again encourage agency staff to coordinate with each other to ensure that relevant subject matter expertise is reflected in all relevant Assessment reports, rather than appearing in isolation.

The only place where this Assessment does discuss Tribal socioeconomic issues pertains to education and partnerships:

> Co-Stewardship efforts like the Alaska Youth Stewards program and the co-stewardship agreement in place at the Mendenhall Glacier Recreation Area are forging new pathways for the Forest Service to fulfill its trust responsibility to tribes and to work with tribal entities to develop culturally inclusive programs and materials. Volunteering on National forests gives communities a chance to interact with management projects that may affect their region's ecological, economic, and social well-being. Their participation in projects and activities are also of important value to the forest: Tongass National Forest volunteers contribute a value of over one million dollars a year and in the 2023 fiscal year, volunteers worked a total of 52,289 hours on the Forest.

Draft Socioeconomic Conditions Assessment Report, 50. We agree that partnerships - and in particular co-stewardship and co-management - are essential to the agency's ability to meet

public and Tribal expectations on the Tongass, and strongly encourage the Forest Service to highlight these opportunities in the final Socioeconomic Conditions Assessment.

III. Conclusion.

Thank you for the opportunity to comment on the draft Assessment reports for the Tongass National Forest plan revision. The Tongass is unique in the National Forest System, and as a result has been the center of attention for not only Southeast Alaska but also the nation. Revising the forest plan presents an opportunity to address numerous shortcomings of the existing plan, particularly the need to center Indigenous perspectives and co-stewardship in the future management of the Forest. Our comments contribute important information and suggestions to assist the Forest Service in achieving these objectives.

Sincerely,

Richard J. Peterson
President