

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

Dear Supervisor Sherman:

February 24, 2025

On behalf of Central Council Tlingit & Haida Indian Tribes of Alaska (Tlingit & Haida), we thank you for the opportunity to provide comments on the draft Assessment reports supporting the revision of the Tongass National Forest land and resource management plan (forest plan or plan).

Tlingit & Haida is a federally recognized regional tribal government representing over 38,000 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.

The revision of the Tongass forest plan represents an opportunity to address the ecological, cultural, and social challenges that have intensified since United States Forest Service (USFS or Forest Service)) assumption of the management of the Tongass. As stewards of the lands and waterways that now comprise the Tongass National Forest, we have nurtured these ecosystems for millennia, maintaining balance and resilience through our deep connection to the land, water, and natural and cultural resources that sustain our people.

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

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

Tlingit & Haida unequivocally reaffirms our sovereign status and recognized rights to hunt, fish, gather, and protect resources on the lands now known as the Tongass National Forest. These rights are integral to the cultural, spiritual, and economic well-being of our people. The trust

responsibilities of the United States, long recognized by the U.S. Supreme Court, Congress, and the Executive Branch, further reinforce the legal and moral commitment of the federal government to prioritize and uphold these rights in Tongass National Forest management decisions.

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

While Tlingit & Haida acknowledges both positive and negative experiences with the Forest Service regarding consultation, many Tribes within the Tongass faced similar challenges with inadequate consultation processes, underscoring the need for structural changes to ensure meaningful government-to-government engagement.

It has been great to see the success of recent rural community-led projects with the Forest Service. These projects allowed Tribes to engage early in planning processes, incorporated our input, and provided funding for collaborative restoration efforts, setting a positive precedent for meaningful consultation and lasting impact.

Conversely, the consultation process for Tribal engagement on Tongass management has historically failed to respect our sovereignty, as decisions were made without adequately incorporating our concerns, resulting in adverse impacts on our lands, water quality, and fish habitat, and our government-to-government relationships with USDA and USFS.

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 is comprehensive, ongoing, and respectful by:

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

As Native Peoples who have lived with and stewarded these sacred forests and waters since time immemorial, we submit the following comments on the draft Assessment reports supporting the forthcoming revised land and resource management (forest plan or plan) for the Tongass

National Forest. Prior iterations of the Tongass plan did not authentically include the perspectives or deep involvement of Alaska Native Tribes, Alaska Native Corporations, communities, or other Indigenous populations. Therefore, there is a Need to Change the Tongass Plan to incorporate these perspectives, address the desired outcomes of these peoples and the rural communities whom they represent, and for the federal government to honor its trust responsibility toward Alaska Native Tribes and their interests. Revising the Tongass Plan presents the Forest Service with a meaningful opportunity to respond to the 2020 Tribal petition for a Traditional Homelands Conservation Rule, and to ensure that the long-term management and protection of traditional and customary use areas on the Tongass consider, respect, and provide avenues for implementing several Tribal and Indigenous needs and priorities.

II. General Comments.

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

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

- **Co-Stewardship of Forest Resources:** The draft Assessments suggest the tremendous potential for co-stewardship of the Tongass between tribes and the Forest Service. The final Assessment must fully embrace this potential. This co-stewardship should involve shared decision-making, funding, joint planning, joint research that is guided by tribal priorities, and collaborative implementation and monitoring of forest management activities. Co-stewardship can empower tribes in the stewardship of ancestral lands, promote self-determination, and make more efficient use of limited federal resources in remote and rural communities.
- **Sustainable Forest Management:** The draft Assessments highlight the principles of sustainable forestry, but note that climate change and other stressors, including clearcut old growth logging and the expansion of mining projects and tailing dams, are threatening the ecological integrity of Tongass forests and waterways and therefore, Alaskans. Tribes can partner with the Forest Service to manage forests for multiple benefits, including timber production for local and cultural uses, habitat improvement and adaptation for deer, salmonids, cedar and other species, and overall ecological integrity. This co-stewardship can ensure the long-term health and productivity of forests for future generations in the face of a rapidly changing climate.
- **Indigenous Science Integration:** The final Assessment must emphasize the importance of incorporating Indigenous science in forest management practices. Tribes can

collaborate by sharing their knowledge of local ecosystems, species, traditional culture, subsistence uses, and sustainable practices, information that must be protected from disclosure through Indigenous science sovereignty and confidentiality agreements. This collaboration can lead to more effective and culturally sensitive forest management strategies.

- **Collaborative Forest Restoration:** The draft Assessment reports discuss various forest restoration techniques. Tribes and the Forest Service can work together on restoration projects, combining Indigenous science with western scientific approaches while strengthening opportunities for local economic and workforce development, and job opportunities for our tribal citizens. This collaboration can help restore forest health, enhance wildlife habitat, protect cultural resources, increase local economic security, and advance traditional cultural practices, and is a backbone of co-stewardship. The agency must build upon and expand the multiple examples of successful collaborative forest restoration efforts that they already engage Tribes in, including community forest partnerships and community-led restoration projects.
- **Economic and Workforce Development Opportunities:** The draft Assessments mention economic benefits associated with Tongass land management. Tribes can collaborate with the Forest Service to develop sustainable economic activities such as ecotourism, traditional timber products (canoes, totem poles, etc.), non-timber forest products, ecosystem monitoring, and cultural resource management. Co-stewardship can create jobs, generate income, provide continued access for tribes to traditional areas, and support tribal communities. ANILCA local hire is another specific tool of Alaska's National Forests that can increase economic opportunities for our tribal members, and the authority should be utilized for higher level GS positions within the Forest Service.

As mentioned, the final Assessment must also establish the Need for Change. The inclusion of the Need for Change in the Tribal assessment chapter is of paramount priority, and each chapter should endeavor to provide a similar rationale for why the Tongass plan must be updated to accommodate for different pressures and stressors on the function and condition of the watersheds and landscapes of the Tongass. The Need for Change should reflect the need to:

- **Strengthen Tribal Capacity:** Workforce development opportunities will provide Tribal capacity-building to enhance effective participation in co-stewardship and co-management activities. Tribal workforce development should be a core part of agency activities and contracting. Likewise, expanding programs that engage Alaska Native youth in co-stewardship of the Tongass and management activities such as restoration, research, and building recreation infrastructure ensures that the next generation of stewards are ready to implement the Seventh Generations Principle. An example of this is our Alaska Youth Stewards program.
- **Address Historical Trauma:** Acknowledging and addressing the historical trauma experienced by Indigenous peoples in the revised plan, and the agency's role in perpetuating this trauma, is crucial for building trust, improving government-to-government relationships, and fostering collaboration. The agency has taken steps to acknowledge the historical and generational trauma caused by the burning of smokehouses and fish camps across the Tongass, and how that dispossessed our people from traditional uses of their land. The Forest Service should continue their efforts to

make their staff aware of these past injustices so that our people do not have to assume the burden of educating a new district ranger or line staff every 2-3 years.

- **Develop Co-Stewardship Agreements:** The revised plan should facilitate the development and implementation of co-stewardship agreements that clearly define roles, responsibilities (including funding), and decision-making processes for both the Forest Service and Tribes.
- **Ensure Stable Tribal Funding:** Sustainable funding mechanisms are essential for the long-term success of Tribal co-stewardship initiatives, and the revised plan should identify these mechanisms and other opportunities for capacity development.
- **Steward Sites of Indigenous Importance:** Current forest plan direction does not adequately protect Tribal cultural, historical, and sacred sites, which threatens Tribal identity and culture. There is a related need to integrate Indigenous languages and place names into maps and other landscape identifiers, and to develop management approaches at Tribal request for the restoration of Indigenous cultural properties and infrastructure including but not limited to fish camps, seasonal cabins, and smokehouses.
- **Facilitate Tribal Subsistence Use and Stewardship of Traditional Foods** and other cultural resources (e.g., salmon, cedar, deer, etc.), including by restricting non-Tribal access to and use of these resources.
- **Ensure Tribal and Indigenous Access** to terrestrial, aquatic, and marine cultural landscapes and ancestral homelands to facilitate the exercise of traditional and customary practices that reflect a reciprocal relationship between Alaska Native people and the land and resources they steward.
- **Identify and Designate Lands of a Particular Character and Other Lands** (i.e., salmon strongholds, areas of known Tribal importance, etc.) as suitable for Tribal/native co-stewardship and eventual co-management.
- **Conserve Old Growth Forests**, which are essential to ecological integrity of the landscape and the provision of cultural resources and subsistence uses, including deer and moose habitat.
- **Conserve Wild Salmon (habitat)**, which have sustained our communities since time immemorial and are an integral part of the development of our societies. Salmon have immense cultural value, commercial, and ecological value, and the Need for Change should reflect the need to protect intact salmon habitat and restore degraded salmon habitat, including within transboundary watersheds shared with Canada, to a healthy productive state, for cultural, ecological, and economic health of our communities and peoples. The assessment currently does a poor job of reflecting the importance of salmon and healthy salmon habitat to our communities, now and into the future. [Please view our collaborative report with NOAA for more information.](#)

III. Specific Comments.

- Tlingit & Haida will work with USDA and USFS in government-to-government consultation through the Assessment process and development of the Need for Change to improve management of the Tongass National Forest and ensure local and rural community needs are at the forefront.

- Tlingit & Haida will work with USDA and USFS to improve management of wild salmon, deer, and moose habitat, including within U.S./Tongass portions of transboundary watersheds shared with Canada.
- [Tlingit & Haida's 2019 Climate Adaptation Plan](#)

IV. Conclusion.

The Assessment phase of forest planning is only the first step in the revision process, and we understand that there is much more to come. Tlingit & Haida looks forward to partnering with the Forest Service to integrate our expertise, experience, and knowledge into this, and future forest plan revision phases. The Tribal Assessment is a good start for the Forest Service's understanding of our long history and use of this area, and our relationships with all the beings that depend on it. Furthermore, we maintain that the forest plan can integrate and build on the variety of successful examples of co-stewardship and co-management that are already happening on the Tongass, throughout Alaska, and throughout other parts of the United States.

These models demonstrate the tremendous potential for co-stewardship across a range of issues facing our forest lands. Co-stewardship in the Tongass presents exciting possibilities that can bolster our communities, our economies, and the health of our landscapes. The Forest Service must continue to build their relationship with the sovereign Tribes of the Tongass, as we work together to ensure the long-term health and sustainability of this invaluable ecosystem. Healthy Tribes make healthy communities; we look forward to working with you.

Sincerely,



Richard J. Peterson
President