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March 5, 2025

USDA Forest Service
Attn: Northwest Forest Plan Amendment DEIS Comments
1220 SW 3rd Avenue
Portland, OR 97204

Re: NWFP Draft Environmental Impact Statement (Draft EIS) Comments

Ayukii (Greetings) U.S. Forest Service NWFP Amendment Team,

The Karuk Tribe submits this letter in response to the Northwest Forest Plan (NWFP) Amendment Draft Environmental Impact Statement (Draft EIS).

Our Tribe, located in the Klamath Region, has stewarded over a million acres of land since time immemorial. The Six Rivers and Klamath National Forests within the NWFP amendment area, overlap with our aboriginal territory. These lands are critical to the ecological balance and economy of the region.

Thriving with an economy supported by rich natural endowments, Karuk forest management has shaped the region's ecological conditions for millennia and continues to do so. Our management practices have cultivated the landscape for millennia, and our continued involvement is essential to ensuring their resilience. Stewardship of these resources are Tribal rights that have never been ceded.

The NWFP amendment represents a pivotal opportunity to address the challenges that have intensified since the Plan's inception in 1994. This process is an opportunity to address the lack of involvement of Tribes in the original NWFP and to implement meaningful commitments to Tribal sovereignty and shared management. The federal government has a trust responsibility to honor Tribal sovereignty and to ensure that Tribes are full partners in managing the lands and resources that are our ancestral inheritance.

We recognize the efforts of the Federal Advisory Committee (FAC), whose recommendations to the USFS reflect an important step toward modernizing the NWFP. In particular, appreciate the FAC's focus on Tribal relations and fire resilience. We also appreciate the Affiliated Tribes of Northwest Indians (ATNI) Resolution #24-07 which provides a unified and collective framework for Tribal involvement in this process, emphasizing the centrality of Tribal sovereignty and treaty rights in forest management. The Karuk Tribe appreciates the steps taken to incorporate Tribal input through roundtables, consultations, and the Draft EIS process, including the Yreka Roundtable which we co-hosted as well as the involvement of our staff in the drafting process.

The Draft EIS includes many important measures to expand Tribal participation across the NWFP area. By supporting Tribal leadership and advancing co-stewardship/co-management, the NWFP can fulfill its promise to build economic resilience and sustainability for future generations. Many of the proposed Amendment's Tribal-specific plan components should be applied to the NWFP, but also beyond - into how the US Forest Service carries out its trust responsibility with all Tribes.

However, much work remains to fully integrate Tribal treaty and other rights and trust responsibility obligations into the NWFP amendment. This letter highlights the areas where the Draft EIS falls short and provides specific recommendations to strengthen the Plan.

In our area, the lack of Tribal and other land management practices have resulted in significantly increased wildfire risk. Therefore, we strongly encourage the USFS to include the FAC's Tribal Inclusion recommendation preamble in the Final EIS and Record of Decision, with special emphasis on the section:

“Over a century of fire suppression, coupled with regulatory restrictions, and removal of Indigenous practitioners and practices (including cultural fire) across the landscape have led to today's increased risks from catastrophic wildfire and has also created structural barriers and mechanisms preventing Indigenous peoples from enacting sustainable stewardship.”

Regarding the Alternatives, we believe that **Alternative B's** approach to **Tribal relations** is most likely to be successful in meeting the Forest Service's goals, in that it includes concrete requirements that national forests must meet within specified timeframes. Collectively, these components represent critical steps toward fostering meaningful government-to-government relationships and ensuring that Tribes can actively participate in forest management. (Please note, while the Amendment uses the term “Tribal Inclusion”, we use the term “Tribal Relations,” as the political status of Tribes, the unique and important government-to-government relationship we have with the U.S. federal government, and the legal implications of the trust responsibility are not related to “inclusion” policies or any DEI context. See Secretarial Order 3416 Sec. 6d.). Specifically, Alternative B will better enable Tribal fire and forest management while reducing the regulatory burden around things like cultural burning, Endangered Species Act compliance, and co-stewardship.

Thus, we recommend the USFS adopt most of Alternative B's Tribal plan components (Goals, Desired Conditions, Objectives, Standards, Guidelines, and potential Management Approaches) as written in the Draft EIS into the preferred alternative, with the recommended changes and additions mentioned in **Appendix A** to this letter. Though we have not had the time to review every part of the amendment, we recommend USFS adopts the language included in the Alternative B Tribal Inclusion plan components as written in the Draft EIS for all Tribal plan components NOT mentioned in Appendix A.

Additionally, there are some plan components included within **Alternative D**, which we appreciate and would like to also see incorporated into the preferred alternative, and/or combined

with plan components already included in Alternative B. We describe these in **Appendix B** to this letter.

We are also concerned that the effects analysis in the Draft EIS provides insufficient discussion of Tribal plan components, as required by the National Environmental Policy Act. These components collectively form the necessary framework for managing for wildfire resilience based on the best available science, honoring treaty and Tribal rights, fostering workforce development, and improving the health of our forests. Furthermore, the Draft EIS should explicitly highlight the major differences between the No Action Alternative and Alternative B regarding Tribal Relations, as this comparison is essential for understanding how the Proposed Action would advance the federal Trust responsibility, support Tribal sovereignty and impact the environment. We urge the Forest Service to collaborate with Tribes to provide a more comprehensive analysis that reflects the breadth and importance of the proposed Tribal-specific plan components. This will ensure that the final analysis accurately captures the scope of Tribal priorities and the impacts of the proposed amendment on Tribes.

Lastly, to address the shortcomings in the Draft EIS and ensure the NWFP amendment aligns with Tribal priorities and responsibilities, we provide the following recommendations:

1. **Formalize Enforceable Shared Stewardship & Co-management Agreements:**
 - Establish binding shared stewardship and co-management agreements with Tribes that support Tribal decision-making authority, measurable outcomes, and include funding. These agreements must recognize Tribal sovereignty and Tribal management authority.
2. **Integrate Indigenous Knowledge (IK) into Forest Management:**
 - Require consultation with Tribes at all stages of management, from planning to implementation and monitoring.
 - Establish a formal IK consultation process, co-developed with Tribes, ensuring IK is applied with respect, consent, and in recognition of tribal sovereignty.
3. **Protect Tribal Data Sovereignty and Sensitive Information**
 - Confidentiality provisions must safeguard sensitive Tribal information and ensure that its use aligns with the principles of Tribal sovereignty and self-determination.
4. **Address Wildfire Risks with Tribal-Led Strategies:**
 - Support and accommodate Tribal fire stewardship and use with measurable targets to reduce wildfire risk and enhance ecosystem resilience.
5. **Foster Sustainable Economic Opportunities:**
 - Support the Tribal fix to the Good Neighbor Authority to ensure that Tribes can retain receipts from timber sales and reinvest that income in revenue-generating funds to sustain the workforce necessary for forest and fire management.
6. **Advance Adaptive Management and Flexibility:**
 - Enable Tribes to implement their own land management standards and guidelines, with provisions allowing these standards to supersede NWFP components where necessary to support Tribal sovereignty and fulfill trust obligations. This could be through the establishment of Territorial-scale Management Areas, or the application of Integrated Resource Management Plans at the territorial scale.

In summary, the Karuk Tribe urges the U.S. Forest Service to take the following actions:

1. **Revise the Draft EIS** to incorporate the recommendations outlined in this letter into the preferred alternative, ensuring that Tribal sovereignty, treaty and Tribal rights, fulfilling the trust responsibility, and shared stewardship are central to the final NWFP amendment (See Appendices A & B).
2. **Improve consultation processes and the implementation of the U.S. Forest Service's trust responsibility within and beyond the NWFP area** by implementing comprehensive, government-to-government protocols that ensure early and continuous engagement with Tribes throughout all stages of planning, implementation, and monitoring.
3. **Schedule a meeting** with members of our Natural Resources Department and Tribal Council by **April 17, 2025** (one month after the comment period closes) to discuss these recommendations in detail and establish a roadmap for addressing our concerns in the Final Environmental Impact Statement (FEIS).

We respectfully request a written response from the USFS within 30 days acknowledging receipt of this letter and outlining next steps for addressing the issues raised. Please contact Colleen Rossier (crossier@karuk.us) with such response as well as any questions or follow up.

The Karuk Tribe thanks the U.S. Forest Service for the opportunity to participate in this critical process. We appreciate your attention to our concerns, your efforts to better implement the federal trust responsibility and to honor our Tribal rights, and your willingness to collaborate to better manage the lands and resources that are our ancestral inheritance.

Yôotva (Thank you),



Russell "Buster" Attebery
Karuk Tribal Chairman