

Data Submitted (UTC 11): 12/17/2019 9:00:00 AM

First name: Dawn

Last name: Jackson

Organization: Organized Village of Kake

Title:

Comments: Organized Village of Kake Comments with attachments

Please find attached letter with corresponding attachments. It will be uploaded to the USDA USFS website too.  
Please confirm receipt.

Gunalcheesh,

Dawn Khaaxw[acute]an Jackson

Executive Director

Organized Village of Kake

Core Purpose: Strengthen Tribal Community and Culture

Core Values: Respect, Collaboration, Endurance, Safety and Security

The following text was copy/pasted from an attached letter. The system cannot display the formatting, graphics, or tables from the attached original.

Ken Tu, Interdisciplinary Team Leader

Proposed Alaska Roadless Rulemaking

USDA Forest Service, Alaska Region

Ecosystem Planning and Budget Staff

P.O. Box 21628

Juneau, Alaska 99802-1628

Email: akroadlessrule@fs.fed.us

Dear Mr. Tu,

The Organized Village of Kake (OVK) is the federally recognized Indian Tribe organized under the authority of the Indian Reorganization Act of 1934 and 1936. OVK is empowered under its Constitution and By-Laws "To aid needy citizens and to protect the general welfare and security of the village." (see attached Constitution) One of OVK's highest priorities is to protect the Village's customary and traditional hunting, fishing and gathering areas and uses within the Kee??' Kwaan traditional territory 1 (see attached map that was submitted February 28, 2019 as a cooperating agency that the agency never attached to the DEIS released October 2019). These lands include national forest lands on Kuiu, Kupreanof, NW Prince of Wales, portions of Baranof & Admiralty Islands, as well as portions of the mainland.

"The doctrine of Trust" has been a major element in the U.S. Government's relationship with American Indians and Tribes for more than 125 years. The U.S. Federal Government is the 'trustee' of tribal resources, which means the government must act with good Faith and Loyalty to promote the Best Interests of the Indians. In 1988, the Secretaries of the Interior and Agriculture signed a Memorandum of Understanding (MOU) in recognition of their respective departmental responsibilities with American Indian Tribes.<sup>2</sup> The MOU focused on meeting the needs of American Indians by working in a Federal partnership to improve the delivery of services and programs. Agencies within the two departments signed additional agency level MOU's to plan and deliver USDA programs on Indian lands. The unique "trust" relationship between the federal government and Tribal governments now meant that other Federal agencies (e.g., NRCS and USFS) also carry a responsibility to ensure that agency actions are in the best interests of Indian Tribes.

How would one know what is in the best interest of the Indians and Tribal governments? The answer lies in the "Consultation" process, a government-to-government procedure of seeking, discussing, and considering the views of Native Americans on a wide range of environmental and cultural resource management issues. Effective consultation requires Federal representatives to understand the historical circumstances of the Tribes in relationship to the U.S. Government, including past conflicts, wars, any type of treaty, agreement, declaration, or statute, that have been entered into between a tribe and an agency of the U.S. government. An agency employee's unfamiliarity and insensitivity of historical circumstances might be enough to derail the important consultation process. There are number of legislative and Executive orders that provide instruction on consultation. For example, Executive Order 13175 states: "... In order to establish regular and meaningful consultation and collaboration with Tribal officials in the development of Federal policies that have Tribal implications, to strengthen the United States government-to-government relationships with Indian Tribes, and to reduce imposition of unfunded mandates upon Indian Tribes; it is hereby ordered as follows: Policies that have Tribal implications- referring to regulations, legislative comments or proposed legislation and other policy statements or actions that have substantial direct effects to one or more Indian Tribes, on the relationship between the Federal Government and Indian Tribes, or on the distribution of power and responsibilities between the Federal Government and Indian Tribes."<sup>3</sup> Regarding Tribal Consultation, E.O. 13175 states:

"Sec. 5. Consultation. (a) Each agency shall have an accountable process to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications. Within 30 days after the effective date of this order, the head of each agency shall designate an official with principal responsibility for the agency's implementation of this order. Within 60 days of the effective date of this order, the designated official shall submit to the Office of Management and Budget (OMB) a description of the agency's consultation process.

(b) To the extent practicable and permitted by law, no agency shall promulgate any regulation that has tribal implications, that imposes substantial direct compliance costs on Indian tribal governments, and that is not required by statute, unless:

(1) funds necessary to pay the direct costs incurred by the Indian tribal government or the tribe in complying with the regulation are provided by the Federal Government; or

(2) the agency, prior to the formal promulgation of the regulation,

(A) consulted with tribal officials early in the process of developing the proposed regulation;

(B) in a separately identified portion of the preamble to the regulation as it is to be issued in the Federal Register, provides to the Director of OMB a tribal summary impact statement, which consists of a description of the extent of the agency's prior consultation with tribal officials, a summary of the nature of their concerns and the agency's position supporting the need to issue the regulation, and a statement of the extent to which the concerns of tribal officials have been met; and

(C) makes available to the Director of OMB any written communications submitted to the agency by tribal officials.

(d) On issues relating to tribal self-government, tribal trust resources, or Indian tribal treaty and other rights, each agency should explore and, where appropriate, use consensual mechanisms for developing regulations, including negotiated rulemaking.

In the Alaska Roadless Rulemaking process, it is clear that the legally required tribal consultation has been completely inadequate. The State of Alaska was granted \$2 million to participate as a cooperating agency, while the tribal governments that participated in this capacity did not receive funds to pay the direct costs incurred (see attached OVK Invoice to USDA, USFS). Tribal officials were not consulted early in the process of developing the proposed regulation; we were notified of the rulemaking process after the State of Alaska's petition had been granted. We have not seen a tribal summary impact statement and we assert that our concerns have been inadequately addressed. We supported a no-action alternative and were told that the preferred alternative would be a full exemption. Despite creating a regulatory change for issues related to tribal trust resources, the USDA did not use 'consensual mechanisms' for developing regulations; our concerns were not heard or reflected in the AK.RR DEIS, our requests for government-to-government consultation were repeatedly denied and not responded to in a prompt or timely manner.

It appears that history on the Tongass is once again repeating itself. The 1947 Record on Hearings before the Committee on Agriculture, House of Representatives, Eightieth Cong., 1st session, on H.R. Resolution 2054, includes (at p. 48) the initial statement of James E. Curry, counsel for Indian claimants to what has become the Tongass National Forest. There, Mr. Curry points out: "There has been a lot of discussion of all the consultation that has gone on for 25 years, I guess, but nothing has been said that anybody has been consulted excepting people in the Government. The Indians themselves have not been consulted."

As noted in OVK's letter of September 7, 2018, OVK Resolution No. 2018-24, (see attached) the USDA and USFS are once again advancing with proposals that directly harm the interests of the federally recognized Indian Nations in Southeast Alaska without adequate consultation. Secretary Perdue found time to visit Southeast Alaska during the summer of 2018 and meet with representatives of the Forest Service, State of Alaska, and timber industry.<sup>5</sup> Our attempts this year to consult "chief-to-chief" with Secretary Perdue have proven unsuccessful. As recognized in OVK Resolution No. 2018-24, the existing National Roadless Rule protects lands that "not only provide our people with food, [but] they essentially define who we are and where we come from." Not only does the proposed full exemption threaten the lands and resources we have depended on since time immemorial, but the process followed by the U.S.D.A., Forest Service, and State of Alaska fails to ensure timely and meaningful government-to-government consultation and collaboration with the Tribe. This proposed rulemaking will impose significant and unique burdens on OVK's exercise of its priority government function - "protecting the general welfare and security of the village," which is accomplished by OVK's safeguarding of the Village's customary and traditional hunting, fishing, gathering areas and uses (also known as 'subsistence activities').

We are dismayed that the Forest Service is not using the best available scientific information for this rulemaking. Given the inadequacy of the information and analyses contained in the DEIS regarding potential costs and benefits of the proposed action, we question whether the agency can satisfy its responsibilities under the E.O. 12866 "Regulatory Planning and Review"<sup>6</sup> to make a reasoned assessment of the need for the proposed action and the costs and benefits of the action. We question the reasonableness of the agency's conclusion that this regulatory action will be a 'durable solution', promote economic growth, promote predictability and reduce uncertainty, or take into full account both the quantitative and qualitative costs and benefits of the action. Under agency planning regulations, the agency must document the basis for deciding that the information disclosed is the best available scientific information and "accurate, reliable, and relevant to the issues being considered." See 36 C.F.R. 219.3. The DEIS fails to meet these standards and the reasoning for the preferred alternative can be easily considered arbitrary and capricious.

Similarly, the Forest Service's failure to use the most updated roadless inventory data for this rulemaking concerns us greatly. Importantly, the updated inventory would include roadless areas in the Keex' K waan traditional area that were not included in the 1996 inventory used as the basis for the 2001 Roadless Rule, specifically critical lands in Three mile Arm, Seclusion Harbor, and No Name, Alvin, and Reid Bays. Although we continue to support the No Action Alternative, and urge the Secretary of Agriculture to pick it as the Preferred Alternative for this rulemaking, we also urge the Forest Service to update the existing National Roadless Rule to apply to all Tongass Inventoried Roadless Areas, particularly those important to Keex' Kwaan.

We strongly disagree with the agency's conclusion in the DEIS that "[a]n ANILCA Section 810 evaluation and determination is not required for the Alaska Roadless Rulemaking because it is a programmatic level decision and not a determination whether to "withdraw, reserve, lease, or otherwise permit the use, occupancy, or disposition." (DEIS at 3-255). How can the opening of old growth forests to logging by stripping roadless protections for these lands not be considered a withdrawal of existing protection for roadless areas and the resources they support? This conclusion is even inconsistent with the other facts reported in the DEIS. For example, the DEIS acknowledges that under all the action alternatives "[t]he reduction of biodiversity associated with old-growth forest and fragmentation would be greatest in the Kupreanof/Mitkof Island, Etolin Island & Vicinity, and North Central Prince of Wales biogeographic provinces." The DEIS also reveals that in 1990 hunters "reported that old-growth forests were mentioned as the most reliable by 90 percent of the households harvesting deer [ and] were most often used areas by 91 percent of the households." (DEIS at 3-249). The DEIS contains no data refuting these previous reports, which indicates that the selection preferred alternative is based on incomplete and faulty reasoning and political motivations.

OVK is concerned that following a full repeal of the 2001 Roadless Rule from the Tongass, the Forest Service will next attempt to revise the 2016 Tongass Land Management Plan, (TLMP) and amend it to authorize logging in roadless areas on a project-by-project basis. In such circumstances, it is likely the agency will turn to the analysis contained in any relevant EIS previously prepared for the Tongass National Forest for this rule making, including the analysis contained in the Alaska Roadless Rule DEIS. Given the agency must consult and coordinate forest planning on the Tongass NF with Alaska Native Tribes (36C.F.R.291.4), we are gravely concerned that the agency's failure to consult and collaborate adequately with the tribe on this Alaska-specific roadless rulemaking process will impair the agency's performance of its responsibility to consult and coordinate with Tribe regarding any future DEIS for the Tongass. Both outcomes impair the Tribe's responsibility to "protect the general welfare and security of the village." As OVK listens to the public comment at other community meetings, a large majority of the Alaska citizens are wanting to keep the roadless rule intact and not changed; in fact, in many cases more protections are being asked for. OVK was one of the original Cooperating Agencies from the beginning along with the State of Alaska and 5 other Tribes in Southeast. All tribal cooperating agencies signed a joint letter when the DEIS was released in October 2019 expressing profound disappointment with the manner the roadless rule exemption process has been handled (see attached Tribal CA letter to Secretary Perdue October 2019, and Tribal CA Press Release 2019). In this world of climate change, the USDA should preserve what is left rather than loosen the regulations to have more development on the pristine Tongass roadless areas. Furthermore, the

impacts of climate change that would result from increased development authorized by a full exemption from the 2001 Roadless Rule stand to disproportionately affect minority communities, especially rural Alaska Natives communities in Southeast Alaska. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," directs each Federal Agency to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations," including tribal populations. The fact that OVK tribal citizens rely on the surrounding intact habitat provided by inventoried roadless areas for our food security, cultural

practices and traditional way of life means that compliance with E.O. 12898 has been insufficiently analyzed in the Alaska Roadless Rulemaking process. Our tribal communities will be disproportionately impacted by proposed regulatory changes and this is a potential violation of the U.S. government's own regulations concerning environmental justice. Please find attached three (3) resolutions from the Affiliated Tribes of Northwest Indians, Alaska Federation of Natives, and the National Congress of American Indians that support a no change alternative, supporting OVK's efforts to keep the Roadless Rule intact on the Tongass National Forest.

We, the Federally Recognized Tribe of the Village of Kake, were not granted Sovereignty; we have always maintained it, since time immemorial. The U.S. Government is our Fiduciary Trustee of natural resources, which means the government must act with Good Faith and Loyalty to promote the best interests of the Indians. To achieve that end, the Organized Village of Kake advocates for no changes to the road less rule apart from inclusion of the aforementioned inventoried roadless areas that were excluded from original protections underneath the 2001 Rule. The Organized Village of Kake supports a no action alternative and urges the U.S. government to respect the wishes of the communities it seeks to serve.

Gunalcheesh,

[Signature]

Joel Jackson

President

1 Keex' Kwaan Traditional Use Area Map, as detailed in Goldschmidt and Haas, Haa Aani, 1999.

2 Tribal Consultation: A Guide for NRCS Employees (2009) [https://www.nrcs.usda.gov/Internet/FSE DOCUMENTS/mes143021895.pdf](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/mes143021895.pdf)

3 Executive Order 13175 of November 6, 2000: 'Consultation and Coordination With Indian Tribal Governments' <https://www.federalregister.gov/documents/2000/11/09/00-29003/consultation-and-coordination-with-indian-tribal-governments>

4 United States. Congress. House. Committee on Agriculture. (1947). Sugar Situation: Hearings before Subcommittee of the Committee on Agriculture, House of Representatives, Eightieth Congress, first session, January 21, 1947

5 Sen. Murkowski Hosts Sec. Perdue in Southeast Alaska (2018) <https://www.energy.senate.gov/public/index.cfm/2018/7/sen-murkowski-hosts-sec-perdue-in-southeast-alaska>

6 Executive Order 12866 of September 30, 1993 "Regulatory Planning and Review"

7 Executive Order 12898 of February II, 1994 "Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations"

Resolution No. 2018-24: Continued Tribal Support for Application of National Roadless Rule on the Tongass National Forest

the Organized Village of Kake (hereinafter OVK) is a federally recognized Indian Tribe under federal law and is empowered under its Constitution & By-Laws to execute agreements and contracts with the United States to benefit its members; and,

OVK is further defined as an Indian Tribe in the Indian Self-determination and Education Assistance Act, PL 93-638 and as such is entitled to contract with the Federal Government for the operation of any federal programs, services, activities or functions serving its member; and,

WHEREAS, our traditional territory includes lands on Kupreanof, Kuiu, Eastern Baranof, and southern Admiralty Islands, and along the mainland, including Port Houghton and as far as Taku River south to Port Houghton; and

WHEREAS, protection of our inherent right to harvest and use our traditional and customary foods requires careful cultural stewardship and protection of our environmental and natural resources; and

WHEREAS, our care of the lands now classified as "inventoried roadless areas" (IRA) and within the Tongass National Forest stretches for millennia; and

WHEREAS, these lands not only provide our people with food, they essentially define who we are and where we come from; and

WHEREAS, inventoried roadless areas protect healthy watersheds that ensure a clean drinking water supply for our Tribal citizens

WHEREAS, inventoried roadless areas contain many sites sacred to Tribal citizens and other Alaska Natives who use these roadless areas for spiritual and religious practices and other customary uses and activities; and

WHEREAS, inventoried roadless areas conserve natural diversity, serve as a bulwark against the spread of invasive species; and

WHEREAS, inventoried roadless areas help ensure the continued protection of indigenous fish and wildlife habitat as it relates to our spiritual, social, nutritional, and ecological values; and

WHEREAS, given Southeast Alaska's cool wet weather, the amount of stored carbon in our intact old-growth forest and soils, the Tongass National Forest represents one of the highest carbon stores in the world and the conservation of intact inventoried roadless areas

on the Tongass is essential for maintaining America's resilience and slowing down climate change throughout the world; and

WHEREAS, the Roadless Rule prevents the disturbance of soils and wasteful construction of damaging roads in inventoried roadless areas; and

WHEREAS, according to the State of Alaska's own economic experts, Tongass timber is uncompetitive because of permanent and fundamental changes in global timber markets, high labor costs, distance from markets, and less expensive substitutes; and

WHEREAS, the Tongass timber industry represents less than one percent of today's jobs and earnings in Southeast Alaska; and

WHEREAS, there are over 5,000 miles of roads already crisscrossing the Tongass National Forest, fragmenting valuable wildlife habitat, threatening salmon by blocking fish passage, and serving as the primary source of sediment into fish streams; and

WHEREAS, spending millions of taxpayer dollars to build roads in inventoried Tongass roadless areas makes no economic sense, particularly given the agency's enormous road maintenance backlog; and

WHEREAS, at hearings held across Southeast Alaska in 2000 on the proposed roadless rule, nearly 60 percent of the Southeast Alaskans who spoke at the hearings supported including the Tongass National Forest in the final roadless rule, and has only grown to upward of 80 percent to date; and

WHEREAS, after the hearing held in Ketchikan during the summer of 2002 on the draft supplemental environmental impact prepared to evaluate recommendations for designating additional inventoried roadless areas on the Tongass as Wilderness, the Ketchikan Daily News reported that roughly 85 percent of the public who testified supported more Wilderness;

WHEREAS, the State of Alaska petitioned the United States Department of Agriculture (USDA) to exempt Tongass inventoried roadless areas from the Roadless Rule on January 19, 2018;

WHEREAS, for all the above reasons, the State's petition severely mischaracterizes the actual extent and impacts of the Roadless Rule on Southeast Alaska; and

WHEREAS, the State's petition ignores the fact that the USDA narrowly tailored the Roadless Rule to limit only two activities in roadless areas, road construction and commercial logging; and

WHEREAS, the State of Alaska's petition ignores the Rule's established exceptions, including Federal Aid Highway projects connecting communities, access to mining claims, and logging incidental to otherwise permitted activities, including utility corridors and hydropower projects; and

OVK Resolution No. 2018-24

WHEREAS, on August 2, 2018, the Forest Service signed a Memorandum of Understanding (MOU) with the State of Alaska to develop an Alaska-specific roadless rule that addresses management of inventoried roadless areas on the Tongass National Forest; and

WHEREAS, three days before the MOU was signed and six months after the State filed its petition, the Forest Service informed OVK by a letter dated 30 July 2018 that the U.S. Secretary of Agriculture Perdue and State of

Alaska Governor Walker had reached an agreement to prepare an Alaska-specific rule that would replace the Roadless Rule and "provid[e] for activities needed to further the State of Alaska's economic development while conserving roadless areas for future generations;" and

WHEREAS, the July 30th letter served as an invitation from Acting Regional Forester David E. Schmid to a "Tribal Leader" inviting "government-to-government consultation in advance of a formal public comment period and an opportunity for your Tribe to participate as a cooperating agency" because of our "expertise on subsistence and potential impacts to specific communities within Alaska" during preparation of an environmental impact statement (EIS) to evaluate the proposed Alaska-specific roadless rule for the Tongass National Forest, and other alternative; and.

WHEREAS, the U.S. Department of Agriculture, which includes the Forest Service, published a Notice of Intent (NOI) published on August 30, 2018 announcing its intent to prepare an environmental impact statement (EIS) and initiate a public rulemaking process; and

WHEREAS, the joint announcement issued by the Forest Service when the MOU was signed promises to leave unaffected Tongass lands designated Wilderness by Congress, no mention is made of the fate of nearly 900,000 acres of Legislated LUD II lands designated for perpetual protection from logging and roadbuilding by Congress in the 1990 Tongass Timber Reform Act and the 2014 Sealaska Lands Bill; and

WHEREAS, Kuiu Island and the surrounding smaller islands are important to the residents of Kake, especially the coastal areas near Kake. Areas most often associated with higher values include the Keku Islands, Kadake Bay and Creek, Port Camden, Rocky Pass, and the East Kuiu Roadless Area on the south and east side of Kuiu Island in addition to all of Kupreanof;

WHEREAS, any rule that weakens or eliminates Roadless Rule protections within our traditional territory in what became Inventoried Roadless Areas of the Tongass National Forest will substantially affect the existing 2016 Tongass Land Management Plan Amendment; and

WHEREAS, the 2016 Plan Amendment excluded all roadless areas from the available timber base, the agency's failure to consult and coordinate forest planning with OVK will impair the Tribe's ability to fulfill its responsibility to "protect the general welfare and security" of Tribal citizens; and.

WHEREAS, pursuant to Executive Order 13175, Departmental Regulation No. 1350-002, and Forest Service Manual (FSM), the United States Forest Service adopted an official policy (FSM 1563.02, paragraph 4) to "[s]upport the aspirations of the UN Declaration on the Rights of Indigenous Peoples." Specifically, this means "that agency officials should consult with indigenous people [mdash] the duly elected officials of federally recognized tribes and the traditional holders of Indian religions, knowledge, and practices [mdash] early in their decision-making processes;" and

WHEREAS, as provided in FSM 1563.03, it is the policy of the Forest Service that "Indian tribes will be provided the opportunity for timely and meaningful government-to-government consultation regarding actions which may have tribal implications" and such consultation requires the agency to "[c]ollaboratively involve Indian tribes, as early as possible, in the development of regulatory and management policies, resource and land management plans, study plans and actions, and Federal undertakings that may have tribal implications;" and

WHEREAS, the USDA and Forest Service entered into an MOU with the State of Alaska and issued the NOI for



preparation of an EIS for an Alaska-specific roadless rule without prior consultation or collaboration with OVK;  
and

WHEREAS, the Forest Service has not explained adequately why it failed to fulfill its responsibilities to consult with the Tribe; and the State of Alaska continues to resist all efforts to develop and work in a government to government relationship with the Tribes and never consulted with the OVS before filing its petition with the USDA; and

WHEREAS, WHEREAS, WHEREAS Governor Walker issued Administrative Order 299, establishing the Alaska Roadless Rule Citizen Advisory Committee (CAC) on September 5, 2018; and Alaska Governor Walker appointed 13 Alaskans to the CAC, including the Alaska State Forester, to advise the State of Alaska on the future management of inventoried roadless area in the Tongass National Forest; and the Governor appointed a single Alaska Native to represent all Tribal perspectives for the seventeen federally-recognized Tribes of Alaska Natives in Southeast Alaska on the CAC, a gigantic and unrealistic burden for one person; and

WHEREAS, the only other Alaska Native on the CAC represents Sealaska Corporation; and

WHEREAS, Sealaska is an Alaska Native for-profit Corporation established under the Alaska Native Claims Settlement Act -- not a Tribe; and

THEREFORE BE IT RESOLVED, OVK strongly supports lasting protection for all inventoried roadless areas within OVK's traditional territory now within the Tongass National Forest as provided for in the Roadless Rule;  
and

THEREFORE BE IT FURTHER RESOLVED, given the serious and long lasting Tribal implications from any reduction in current Roadless Rule protections, we strongly object to the Forest Service's failure to consult with OVK before deciding to grant the State of Alaska's petition and begin a review under the National Environmental Policy Act and public rulemaking process;

THEREFORE BE IT FURTHER RESOLVED, the only changes to the Roadless Rule that OVK can support is an update to the inventory used to define inventoried roadless areas subject to the Rule on the Tongass to include approximately 350,000 acres excluded from the 1995 inventory used for developing the 2001 Roadless Rule because the agency assumed approved logging development would occur [mdash] when it did not;

BE IT FINALLY RESOLVED, the Forest Service must also initiate consultation, coordination, and accommodation of Tribal interests in any changes to TLMP connected with this rulemaking process.

2019 Annual Convention  
Suquamish, Washington

RESOLUTION #19 - 58

"SUPPORT OF THE 'NO-ACTION ALTERNATIVE' AS THE PREFERRED  
ALTERNATIVE IN THE TONGASS NATIONAL FOREST, ALASKA ROADLESS  
RULEMAKING PROCESS"

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, tribes of Alaska's southeast region are federally recognized Indian Tribes under federal law and these Tribes' traditional territory includes lands within and around the Tongass National Forest; and

#### AFFILIATED TRIBES OF NORTHWEST INDIANS RESOLUTION #19 - 58

WHEREAS, protection of the inherent right to harvest and use tribal traditional and customary foods requires careful cultural stewardship and protection of tribal traditional environmental and natural resources; and

WHEREAS, indigenous peoples' longstanding care of the ancestral lands, now classified as "inventoried roadless areas" (IRA) and, within the Tongass National Forest, has been in place for millennia and these lands not only provide indigenous people with food, they essentially define who we are and where we come from; and

WHEREAS, inventoried roadless areas protect healthy watersheds which provide cold, clean water that has sustained Tribal ways of life since time immemorial and, inventoried roadless areas contain many sacred sites integral to Tribal spiritual, religious, and traditional practices; and

WHEREAS, inventoried roadless areas conserve natural diversity and help ensure the continued protection of indigenous fish and wildlife habitat as it relates to our spiritual, social, nutritional, and ecological values; and

WHEREAS, given Southeast Alaska's cool wet weather, the amount of stored carbon in our intact old-growth forest and soils, the Tongass National Forest represents one of the highest carbon stores in the world and the conservation of intact inventoried roadless areas on the Tongass is essential for slowing down climate change throughout the world; and

WHEREAS, according to the State of Alaska's own economic experts, Tongass timber is uncompetitive because of permanent and fundamental changes in global timber markets, high labor costs, distance from markets, and less expensive substitutes and the Tongass timber industry represents less than one percent of today's jobs and earnings in Southeast Alaska; and

WHEREAS, at hearings held across Southeast Alaska in 2000 on the proposed roadless rule, nearly 60 percent of the Southeast Alaskans who spoke at the hearings supported including the Tongass National Forest in the final roadless rule, and has grown to upward of 80 percent to date; and

WHEREAS, any rule that weakens or eliminates Roadless Rule protections within Tribal traditional territory of the Tongass National Forest will substantially affect Southeast Tribes' inherent Tribal rights to traditional and customary uses of the land; now

THEREFORE BE IT RESOLVED, the Tribes enjoying customary and traditional uses of the Tongass National Forest strongly support lasting protection for inventoried roadless areas within the Tongass National Forest as provided in the 2001 Roadless Rule; and

BE IT FURTHER RESOLVED that ATNI requests the Secretary of Agriculture to select the 'no-action alternative' as the preferred alternative in the Tongass National Forest, Alaska - Roadless Rulemaking process.

2019 ANNUAL CONVENTION PAGE 2

AFFILIATED TRIBES OF NORTHWEST INDIANS RESOLUTION #19 - 58

CERTIFICATION

The foregoing resolution was adopted at the 2019 Annual Convention of the Affiliated Tribes of Northwest Indians, held at Suquamish Clearwater Casino Resort, Suquamish, Washington, on October 7-10, 2019, with a quorum present.

ALASKA FEDERATION OF NATIVES  
2019 ANNUAL CONVENTION  
RESOLUTION 19-56

TITLE: DECLARATION FOR CLIMATE CHANGE STATE OF EMERGENCY IN ALASKA

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 191 federally recognized tribes, 171 village corporations, 12 regional corporations and 12 regional nonprofit and tribal consortiums that contract and compact to run federal and state programs; and

WHEREAS: the mission of AFN is to enhance and promote the cultural, economic, and political voice of the entire Alaska Native community; and

WHEREAS: The First Alaskans Institute Elders and Youth Conference is the largest statewide convening of Alaska Native Elders and youth representing our diverse Alaska Native cultures and language groups in order to enhance and perpetuate the unique spirits and identities of our people; and

WHEREAS: The purpose of the Elders and Youth Conference is to connect Elders and youth for cultural knowledge transmission, strengthen statewide relationships, amplify the power of participants as leaders today, and advance solutions such as these resolutions to challenges faced by our Native peoples and our communities; and

WHEREAS: We the indigenous youth and future leaders of Alaska are concerned for the survival of our future

generations, ways of life, traditional lands, intact ecosystems, emotional, spiritual, and mental well-being due to Climate Change; and

WHEREAS: Our indigenous lands and waters are warming at twice the rate as the rest of the world. Many communities across the state face hardships directly correlated with Climate Change, such as the extreme warming temperatures which melt the permafrost, causing mass erosion, resulting in the relocation of entire communities along with devastating the natural habitats of our animal and plant relatives. These impacts have disrupted indigenous seasonal hunting and gathering traditions; and

WHEREAS: In recent years we have lost community members due to unpredictable and unsafe ice conditions, have seen the die off and disease of seals, salmon, migratory birds, shellfish, whales, polar bears, and recognize that these are also our relatives; and

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WHEREAS: We, the Alaska Native youth, are asking our tribal leaders to consider, as is traditional, the future of their grandchildren and the generations to come.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2019 Annual Convention of the Alaska Federation of Natives will reinstate a climate action leadership task force within the Alaska Federation of Natives to advance indigenous voices and advocate for strong climate policies that will ensure the survival of future generations and to declare a state of emergency on Climate Change.

ALASKA FEDERATION OF NATIVES  
2019 ANNUAL CONVENTION  
RESOLUTION 19-57

TITLE: PROTECT CLEAN WATER AND WATER DEPENDENT SPECIES

WHEREAS: The Alaska Federation of Natives (AFN) is the largest statewide Native organization in Alaska and its membership includes 191 federally recognized tribes, 171 village corporations, 12 regional corporations and 12 regional nonprofit and tribal consortiums that contract and compact to run federal and state programs; and

WHEREAS: the mission of AFN is to enhance and promote the cultural, economic, and political voice of the entire Alaska Native community; and

WHEREAS: the First Alaskans Institute Elders and Youth Conference is the largest statewide convening of Alaska Native Elders and youth representing our diverse Alaska Native cultures and language groups in order to enhance and perpetuate the unique spirits and identities of our peoples; and

WHEREAS: the purpose of the Elders and Youth Conference is to connect Elders and youth for cultural knowledge transmission, strengthen statewide relationships, amplify the power of participants as leaders today, and advance solutions such as these resolutions to challenges faced by our Native peoples and our communities; and

WHEREAS: Water was always treated with the utmost respect, and traditional and customary foods requires careful cultural stewardship and protection of indigenous environmental and natural resources; and

WHEREAS: Alaska's indigenous peoples have relied on clean water; the health of our water is the most important issue in protecting our wild salmon, the entire ecosystem, and all species that rely on water; and

WHEREAS: Our spiritual connection to the land, air, sea and resources which are abundant; gives our people purpose and identity which is more than just water and food, it provides the ability to harvest resources from nature which gives each person, family, and community a reason to live in the areas we have inhabited for millennia.

NOW THEREFORE BE IT RESOLVED that the delegates of the 2019 Annual Convention of the Alaska Federation of Natives agree that the future of the generations yet to come hinge upon actions taken today by tribal, regional non-profits, ANCSA Corporations, state and federal leaders to protect the health of our waters and wild salmon therefore any current or future regulation, statute change, or new statute must meet this standard of protecting our traditional Native ways of living and will use the tribal consultation to do so.

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NOWBE IT RESOLVED that the delegates of the 2019 Annual

The National Congress of American Indians  
Resolution #ABQ-19-029

TITLE: Oppose Rulemaking that Weakens or Eliminates Protections of the Roadless Rule within Tribal Traditional Territories and Support the 'No-Action Alternative' in the Alaska-Specific Roadless Rulemaking

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States and the United Nations Declaration on the Rights of Indigenous Peoples, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, tribes of Alaska's southeast region are federally recognized Indian tribes under federal law and these tribes' traditional territory includes homelands within and around the Tongass National Forest; and

WHEREAS, protection of the inherent right to harvest and use tribal traditional and customary foods requires careful cultural stewardship and protection of tribal traditional environmental and natural resources; and

WHEREAS, indigenous peoples' longstanding care of the ancestral lands now classified as "inventoried roadless areas" (IRA) within the Tongass National Forest has been in place for millennia and these lands not only provide

indigenous people with food, they essentially define who we are and where we come from; and

WHEREAS, inventoried roadless areas protect healthy watersheds that ensure a clean drinking water for our tribal citizens and inventoried roadless areas contain many sites sacred to tribal citizens who use these roadless areas for spiritual, religious, and traditional practices and other customary uses and activities; and

WHEREAS, inventoried roadless areas conserve natural diversity and help ensure the continued protection of indigenous fish and wildlife habitat as it relates to our spiritual, social, nutritional, and ecological values; and

NCAI 2019 Annual Resolution ABQ-19-029

WHEREAS, given Southeast Alaska's cool wet weather, the amount of stored carbon in intact old-growth forest and soils, the Tongass National Forest represents one of the highest carbon stores in the world; and

WHEREAS, the conservation of intact inventoried roadless areas in, for example, the Tongass National Forest - the largest temperate rainforest in the United States - is essential for slowing down climate change throughout the world; and

WHEREAS, according to the State of Alaska's economic experts, Tongass National Forest timber is uncompetitive because of permanent and fundamental changes in global timber markets, high labor costs, distance from markets, and less expensive substitutes and they also note that the Tongass timber industry represents less than one percent of today's jobs and earnings in Southeast Alaska; and

WHEREAS, at hearings held across Southeast Alaska in 2000 on the proposed roadless rule, nearly 60 percent of the Southeast Alaskans who spoke at the hearings supported including the Tongass National Forest in the final roadless rule, and this support has only grown to upward of 80 percent to date; and

WHEREAS, the best available science and traditional ecological knowledge support the conclusion that the 'no action alternative' should be the preferred alternative to the roadless rule changes.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) opposes any rulemaking that weakens or eliminates Roadless Rule protections within tribal traditional territories, including the Tongass National Forest; and

BE IT FURTHER RESOLVED, such change would substantially and negatively affect the inherent rights of tribes to use the land in traditional and customary ways; and

BE IT FURTHER RESOLVED, that NCAI opposes any action that negatively affects traditional lands and waters without the affected tribes' consent; and

BE IT FURTHER RESOLVED, that in light of proposed changes to the Roadless Rule protections as applied to the Tongass National Forest, the National Congress of American Indians strongly supports a 'no-action alternative' to narrowing the protections provided by the Roadless Rule to all National Forest lands within tribal traditional territories; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

[Attached is the Constitution and By-Laws of the Organized Village of Kake Alaska]

[Attached is a Kake Community Use Map]

[Attached is a letter to Secretary Perdue and receipt for services rendered that includes but not limited to the Organized Village of Kake's (OVK) capacity for specialized knowledge and expertise on land management, subsistence, natural resources, and potential impacts to specific communities within Alaska in regard to the Alaska specific Roadless Rulemaking process that started fall of 2018.]

[Attached is a letter from the Organized Village of Kake submitted as part of the scoping period on September 7, 2018.]

[Attached is a response on the Roadless Rule in Alaska from the Organized Village of Kake submitted to Ecosystem Planning and Budget Staff on October 10, 2018]

[Attached is Resolution No. 2018-24: Continued Tribal Support for Application of National Roadless Rule on the Tongass National Forest]

[Attached is are two maps of the territory of the Kake Tiingit]

[Attached is a letter submitted to Secretary Perdue requesting an official government to government consultation with regards to proposed Alaska-specific roadless-rule dated on February 5, 2019.]

[Attached is a letter to Secretary Sonny Perdue, Secretary of Agriculture, expressing concern over lack of consultation]

[Attached is a press release from Tribal Leaders expressing concern over the handling of the proposed Alaska-specific Roadless Rule dated October 29, 2019]

[Attached is Resolution #19-58 in Support of No Action Alternative]

[Attached is Resolution #19-56 a DECLARATION FOR CLIMATE CHANGE STATE OF EMERGENCY IN ALASKA]

[Attached is Resolution #19-57 to PROTECT CLEAN WATER AND WATER DEPENDENT SPECIES]

[Attached is Resolution #ABQ-19-029 from the National Congress of American Indians expressing opposition to the proposed Roadless Rule changes].

[Attached is are 58 additional resolutions from the 2019 Annual AFN Convention Resolutions.]

[Position]

[Position]