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Organization: San Francisco Soil & Water Conservation District

Title:

Comments: RE: Objections for the Gila National Forest Land Management Plan - Responsible Official: Camille Howes, Forest Supervisor, 3005 E. Camino del Bosque, Silver City, NM 88061

The San Francisco Soil & Water Conservation District (District) participated in all of the technical meetings concerning the plan revisions.

#### Objection Statement 1

We consistently questioned the baseline for determining the desired future condition as presented in the Forest Plan Assessment. The baseline concern is having the forest lands returned to pre-European settlement conditions. Our objection is this direction is not achievable and will have detrimental unintended consequences.

We stated in our Assessment and Need for Change Comments that, Friederici 2004 points out [ldquo]natural range of variability[rdquo] (NRV) alternately referred to as the [ldquo]historic range of variability[rdquo] (HRV) may not ever be achievable. (Attachment A).

#### Improvement Suggestion

We requested in our assessment and need for change comments that the Gila National Forest reduce tree densities through thinning and timber harvesting. A proper baseline assessment would be conditions that existed between 1970 and 1978. This would be a proper assessment of [ldquo]present and anticipated uses[rdquo] that conforms to Congressional intent in the National Forest Management Act of 1976.[1] &[2] instead of the NRV unlawful departure in 36 CFR 219.

#### Objection Statement 2

The District[rsquo]s requested consideration of a number of needs for change did not get incorporated in the final plan and therefore did not receive any environmental impact analysis (EIS). Those need for changes are:

1. Develop desired conditions to create a varied mosaic across the landscape to create ecological resilience.
2. Update plan to incorporate Catron County and other community Wildfire Protection Plans and incorporate direction from the Healthy Forest Restoration Act.
3. There is a need for a desired condition for water impoundments for storage and use for agriculture and erosion control.
4. Flood protection is a missing need for change.
5. Air quality has been suffering from the effects of prescribed and wildland fires. A need for change exists to describe how the Gila NF will consider fire management impacts on air quality particularly effects on human health.
6. A missing need for change is recognizing the benefit of more public dispersed use. This is desirable to reduce concentrated use impacts. If the HRV of pre-European condition is to be used then we have to recognize that Indians exercised dispersed use to the extreme and carried out active management and use of the forests and rangelands.
7. Need for change to provide infrastructure improvements for resource protection and resource harvesting.
8. No net loss of private lands is a policy of a number of state and local governments and is missing from the needs for change.

### Improvement Suggestion

The plan's description of desired conditions, standards and guidelines are vague and laden with potentially subjective direction that will not allow for a determination of plan efficacy. Without a means to determine if plan objectives are being achieved it is rendered useless. Adaptive management cannot be accomplished if one does not know if one is effectively reaching specific goals.

The GNF should conduct a proper assessment and need for change in order to create objective directions. Without this a meaningful plan cannot be created and the EIS is rendered meaningless.

### Objection Statement 3

As stated in our comments on the Draft Revised Gila National Forest Plan (Attachment B) we had serious concerns with using Ecological Response Units (ERUs) as a planning basis. We stated, "With a predetermined desired natural ecosystem concept (presented as ERUs) being introduced and implemented in the draft GNF plan, it would be reasonable to also present the expected future ecosystem characteristics (ERUs) under continued multiple use, sustained yield management."

### Improvement Suggestion

Proper functioning condition (PFC) is a result of having a mosaic of uneven age patches across the landscape. PFC requires hands-on management. The final plan relies on GIS computer driven polygon management. The District suggests returning to having trained personnel in silviculture and range management that serve long durations at the ranger district level. This will allow managers to become knowledgeable of the resource needs and serve long enough to determine if their management actions achieved their objectives.

### Departure From Statute and Regulations

We find no mention of ERU, NRV or HRV in the National Forest Management Act of 1976. On the contrary we find that the primary intent is management "to improve and protect the forest within the boundaries, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States." [3]

### Objection Statement 4

The final Gila National Forest Plan states, "The Gila National Forest is also dedicated to expanding the respectful application of Indigenous Knowledges in coordination with the Interagency Indigenous Knowledge Working Group. Indigenous Knowledges are proprietary information and require special safeguards and permissions to ensure that they are considered and applied in a manner that is prescribed by Tribes, Pueblos and indigenous communities in accordance with the Cultural and Heritage Cooperation Authority."

The Draft Revised Forest Plan and all of the previous drafts the District reviewed and commented on had "Tribal Importance and Use and Tribal Relations sections. The terms "Indigenous Knowledge(s)" and "co-stewardship" did not exist in any of the drafts.

The Final Forest Plan states, "With the heightened emphasis on co-stewardship, there will be more collaboration and integration of Indigenous Knowledges into the management of the Tribe's and Pueblo's ancestral lands and waters. Co-stewardship offers a path forward. One in which the Indigenous Knowledges and practices that have allowed Native peoples to survive climatic change over millennia can inform future management decisions that will influence the trajectory of our natural and cultural environment. Co-stewardship that values and integrates all voices and knowledges is key to climate change adaptation."

The District objects to insertion of management directions we had no opportunity to comment on. Further, co-stewardship and the use of Indigenous Knowledges has no scientific basis.

#### Departure From Statute and Regulations

There is no provision in the National Forest Management Act of 1976. 36 CFR 219 in effect at the time the drafts of the Gila National Forest Plan did not contain any reference to Indigenous Knowledge(s) or co-stewardship. In fact, those provisions were not added until 2024[4] four years after completion of the Draft Revised Gila National Forest Plan.

The Forest Service has acknowledged that Indigenous Knowledge could be withheld from the general public thereby preventing examination and scientifically verifying that information. This is a violation of the Data Quality Act and the OMB implementation guidelines.

#### Conclusion

The District participated as a Cooperating Agency and commented on the Assessment and Needs for Change and the several drafts of the forest plan. We also participated in all the technical committee meetings. We believe that if the Final Plan is adopted the Gila National Forest will continue to decline ecologically and the communities and peoples living in and using the forest resources will continue suffer socially, culturally, economically.

Sincerely,

Howard Hutchinson, Chair

[1] Sec. 2. Findings.-The Congress finds that- "(3) to serve the national interest, the renewable resource program must be based on a comprehensive assessment of present and anticipated uses, demand for, and supply of renewable resources from the Nation's public and private forests and rangelands, through analysis of environmental and economic impacts, coordination of multiple use and sustained yield opportunities as provided in the Multiple-Use, Sustained-Yield Act of 1960 (74 Stat. 215; 16 U.S.C. 528-531), and public participation in the development of the program;

[2] (c) The Secretary shall report in the 1979 and subsequent Assessments on: "(1) the additional fiber potential in the National Forest System including, but not restricted to, forest mortality, growth, salvage potential, potential increased forest products sales, economic constraints, alternate markets, contract considerations, and other multiple use considerations;

[3] 16 U.S. Code [sect] 475 - Purposes for which national forests may be established and administered

[4] Federal Register Notice 36 CFR Part 219 RIN 0596-AD60 May 6, 2024

2. Amend [sect][thinsp]219.4 by revising paragraph (a)(3) to read as follows:

[sect][thinsp]219.4

Requirements for public participation.

(a) \* \* \*

(3) Indigenous knowledge and land ethics. As part of tribal participation and consultation as set forth in paragraphs (a)(1)(v) and (a)(2) of this section, the responsible official shall request information about Indigenous Knowledge, land ethics, cultural issues, and sacred and culturally significant sites.

\* \* \* \* \*

3. Amend [sect][thinsp]219.19 by removing the definition [ldquo]Native knowledge[rdquo] and adding the definition [ldquo]Indigenous knowledge[rdquo] in alphabetical order to read as follows:

[sect][thinsp]219.19

Definitions.

\* \* \* \* \*

Indigenous knowledge. A body of observations, oral and written knowledge, innovations, practices, and beliefs developed by Tribes and Indigenous Peoples through interaction and experience with the environment. It is applied to phenomena across biological, physical, social, cultural, and spiritual systems. Indigenous Knowledge can be developed over millennia, continues to develop, and includes understanding based on evidence acquired through direct contact with the environment and long-term experiences, as well as extensive observations, lessons, and skills passed from generation to generation. Indigenous Knowledge is developed by Indigenous Peoples including, but not limited to, Tribal Nations, Native Americans, Alaska Natives, and Native Hawaiians. Each Tribe or Indigenous community has its own place-based body of knowledge that may overlap with that of other Tribes. Indigenous Knowledge is based in ethical foundations often grounded in social, spiritual, cultural, and natural systems that are frequently intertwined and inseparable, offering a holistic perspective. Indigenous Knowledge is inherently heterogeneous due to the cultural, geographic, and socioeconomic differences from which it is derived, and is shaped by the Indigenous Peoples' understanding of their history and the surrounding environment. Indigenous Knowledge is unique to each group of Indigenous Peoples and each may elect to utilize different terminology or express it in different ways. Indigenous Knowledge is deeply connected to the Indigenous Peoples holding that knowledge.