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Dear Supervisor Sherman:

On behalf of the Yakutat Tlingit Tribe, 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). The Yakutat Tlingit Tribe's traditional territory encompasses a vast area within the Tongass National Forest, extending from Strawberry Point to the north near Icy Bay to Lituya Bay to the south, covering approximately 260 miles of coastal lands and encompassing the Tsiu, Situk, Lost River, Ophir Creek, Akwe, Dangerous, and Alsek Rivers, as well as significant landmarks such as Mount Saint Elias, Mount Fairweather, and the Malaspina and Hubbard Glaciers (please see attached map showing traditional land).

The Yakutat Tlingit people, represented by the five clans consisting of the L'uknax.ádi, K'inéix Kwáan/Kwaashk'i Kwáan, Galyáx Kaagwaantaan, Teikweidí, and Shangukeidí, have a deep and enduring connection to these lands and waters, which we have inhabited and stewarded for countless generations. Our ancestors developed sophisticated resource management practices, such as the seasonal regulation of fishing activities, to ensure the sustainable abundance of salmon and other vital resources. These traditional practices continue to inform our stewardship today, as we work to maintain the ecological integrity of our homelands for present and future generations.

For thousands of years, our ancestors demonstrated a level of resource management that was truly top of the line. During times of abundance, when the rivers were overabundant with fish, a single steward was entrusted with the responsibility of overseeing the harvest. Even when fishing was permitted, a raised flag signified that no one could fish—ensuring that the natural cycles were respected so that fish could complete their runs and replenish for future seasons.

Today, this legacy of careful stewardship endures across our ancestral homelands. From the waterways of the Tsiu, Situk, Lost River, Ophir Creek, Anklin, Akwe, Dangerous, and Alsek, to the majestic landscapes of Yakutat—with its vast Malaspina Glacier, the forward-moving Hubbard Glacier, and peaks like Mount Saint Elias and Mount Fairweather nestled within the Tongass National Forest—these lands not only sustain our way of life but also heal and nurture our people.

Our traditions are woven into the fabric of these lands. The collection of seagull eggs on Egg Island, the gathering of seal meat in the summer, and the harvest of salmon are just a few examples of how our ancestors, and we continue to benefit from these bountiful resources. The forests and waters yield King Salmon, Sockeye, Coho, Pink Salmon, Steelhead (traditionally harvested and dried in a method passed down through generations), Dungeness Crab, Moose, Deer, Seal, Shrimp, various seaweeds, Halibut, Rockfish, clams, cockles, berries, mushrooms, Devils Club, Wild Rice, and many other plants. The Yakutat people believe that balance in all things is vital. By caring for our land, water, and air, we ensure that they, in turn, sustain us—providing not only physical nourishment but also cultural and spiritual grounding. This commitment to balance has preserved our ecosystems for millennia, and protecting our traditional hunting, fishing, and gathering areas remains one of our tribe's highest priorities.

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 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 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

The Yakutat Tlingit Tribe possesses inherent sovereignty and treaty-reserved rights to the lands and waters within our traditional territory. These rights are affirmed by the Treaty of Cession signed in 1867, which recognized our aboriginal title and reserved our right to hunt, fish, and gather in our traditional homelands. Furthermore, federal laws such as the Alaska National Interest Lands Conservation Act (ANILCA) and the Federal Acknowledgment

of the Yakutat Tlingit Tribe in 1994 further solidify our sovereign status and rights. The United States government has a trust responsibility to protect these rights and ensure that our voices are heard in all decisions affecting our lands and resources.

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 Departmental Regulation 1350-002 all demand that consultation must be timely, transparent, and substantive, with the intent to reach mutual understanding and agreement.

Highlighting consultation remains valuable even if local processes with the Yakutat Ranger District are working well. While our strong, ongoing government-to-government engagement with the YRD demonstrates effective collaboration-evident in projects like the management of Strawberry Point, restoration work, and community initiatives-it also serves as a model for how respectful consultation should occur.

By referencing both our positive local experiences and past negative examples, we:

? Acknowledge Historical Context: Recognize that many Tribes on the Tongass have faced challenges with inadequate consultation processes, which underscores the need for consistent, meaningful government-to-government engagement.

? Emphasize Broader Structural Needs: While our local consultation is effective, not every region or agency interaction reflects that level of collaboration. Highlighting these issues can help advocate for systemic improvements across all levels of government engagement.

? Reinforce Our Commitment: Stress that our continued efforts in consultation and the role of the Tribal Liaison are critical. Even though local processes are strong, our commitment to safeguarding our sovereignty and traditional practices must extend to all aspects of our relationship with the Forest Service and beyond.

Moving forward, the Tongass forest plan revision process shall ensure 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.

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, 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 for the federal government

to

honor its trust responsibility toward Alaska Native Tribes and their interests. As suggested by former Secretary of Agriculture Tom Vilsack, 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, they 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 community and the resources that we depend on. As such, these assessments 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.

We believe that those changes and adaptation can only be achieved through a concerted effort by the federal government to authentically and proactively engage Indigenous populations who have managed 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 and in a spirit of co-stewardship to develop a new forest plan that provides for true co-stewardship of the Tongass. 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, 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 their ancestral lands, promote self-determination, and make more efficient use of limited federal resources.

? 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. 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, salmon, 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 challenges from a changing climate.

? Indigenous Knowledge (IK) Integration: The final Assessment must emphasize the importance of incorporating IK 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 Knowledge 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 IK with western scientific approaches while strengthening opportunities for local economic and workforce development, and job opportunities for our tribal members. 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 should build on and expand the multiple examples of successful collaborative forest restoration efforts that they already engage Tribes in, including community forest partnerships.

? 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, sustainable traditional harvesting of deer and salmon, and cultural resource management. This 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.

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: Providing opportunities for Tribal capacity-building will help Tribes effectively participate 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 Tribal 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.

? 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 Tribes 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, 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 Tribal 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 First 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 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.

? Recognize the value of salmon, which have sustained our communities since time immemorial and are an integral part of the development of our societies on these homelands. Salmon have immense cultural value, as well as commercial and ecological value, and the need for change should reflect the need to restore degraded salmon habitat to a healthy functioning state, due to its importance for the 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.

### III. Specific Comments

The Yakutat Tlingit Tribe has long embraced the dual reality of working with the Forest Service- experiencing both positive partnerships and challenges that underscore a broader need for systemic change in consultation practices. Our positive experiences include early engagement during Tribal Consultation with the local Yakutat Ranger District for projects like the management of Strawberry Point, along with our regular government-to-government meetings. Through these efforts, our input has helped shape projects ranging from

the restoration of DOD sites and salmon restoration to water sampling, caretaking sacred sites, and even supporting community programs like Youth Stewardship and the Yakutat Radio Station. This ongoing collaboration demonstrates a respectful and effective model of consultation.

However, we are also reminded of past instances where consultation fell short of respecting our sovereignty. There have been situations in which decisions were made without properly incorporating our concerns-actions that once included the un-consulted burning of sites, an act that our Elders likened to an act of war. While we recognize the significant strides made in recent years, these negative experiences continue to serve as a critical reminder of the need for structural changes that ensure truly meaningful government-to-government engagement.

Moreover, as we look toward the future of managing our traditional lands, the issue of stewardship becomes even more significant. In one of our past Elders meetings Lorraine Adams encapsulated this sentiment: "Well, they are good caretakers of our lands (USFS/NPS) for the time being." Tleik'w Was'ee Lorraine Adams

This quote reflects an understanding that while the USFS and NPS currently serve as responsible caretakers, it is ultimately our destiny to resume full management of our ancestral territories. If the level of USFS management is set to lessen, it naturally opens the conversation about returning more control to the Tribe-a return to the management our traditions and ancestral wisdom have long upheld. This transition is not just about management, but about reclaiming our heritage, ensuring our values and traditional knowledge guide the future of our lands, waters, and communities.

Co-stewardship is essential to ensuring the sustainable management of the Tongass National Forest and respecting the Yakutat Tlingit Tribe's inherent rights. We recommend the following steps to implement co-stewardship:

- Establish a formal co-stewardship agreement between the Yakutat Tlingit Tribe and the Forest Service.
- Create a joint decision-making body with equal representation from the Tribe and the Forest Service.
- Develop a co-stewardship plan that outlines shared goals, objectives, and management strategies.
- Provide adequate funding and resources to support the Tribe's participation in co-stewardship activities."

Cultural Resource Protection:

The Tongass National Forest contains numerous cultural and historical sites of vital importance to the Yakutat Tlingit Tribe. We recommend the following measures to protect these irreplaceable resources:

- Conduct a comprehensive cultural resource survey of the Yakutat Tlingit Tribe's traditional territory.
- Develop a cultural resource management plan in consultation with the Tribe.
- Restrict access to sensitive cultural sites to prevent damage or desecration.
- Involve the Tribe in the interpretation and management of cultural sites.
- Incorporate Tlingit place names and language into maps and signage.

Subsistence Rights:

The Yakutat Tlingit Tribe has an inherent right to harvest fish, wildlife, and other resources within our traditional territory for subsistence purposes. We recommend the following policies to support the exercise of our subsistence rights:

- Prioritize the allocation of salmon and other fish stocks for subsistence use.
- Ensure access to traditional hunting and gathering areas.
- Implement co-management strategies for key subsistence resources.
- Support the Tribe's efforts to monitor and manage subsistence harvests."

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. We look 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 still believe 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 valuable ecosystem. We look forward to making this journey with you, together for each step.

Gunalchéesh,  
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