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First name: Brandon

Last name: Rogers

Organization: Yakima Nation

Title:

Comments: USDA Forest Service

Attn: Northwest Forest Plan Amendment DEIS Comments 1220 SW 3rd Avenue

Portland, OR 97204

RE: Comments Northwest Forest Plan Amendment

Dear: Ms. Buchanan

The Confederated Tribes and Bands of the Yakama Nation (Yakama Nation) appreciates the opportunity to comment on the Northwest Forest Plan (NWFP) Amendment Draft Environmental Impact Statement (DEIS). Yakama Nation is a sovereign, federally recognized Native Nation located in southcentral Washington state with our Treaty Territory extending through most if not all the areas managed under the NWFP. Yakama Nation have lived in and stewarded these lands since time immemorial and takes great pride in conserving and protecting the tribe's natural and cultural resources including water, fish, wildlife, forest, and our cultural foods and medicines.

We appreciate the U.S. Forest Service's (USFS) recognition that Indian tribes were largely excluded from the development of the original NWFP. The agency has gone to great lengths to include tribal perspectives in the development of the DEIS and its content. We strongly support the many elements of the DEIS/Preferred Alternative that improve USFS coordination with tribes on federal land management. These include specific recommendations for tribal access and gathering, co-stewardship, coordination of indigenous knowledge, respect for treaty and protected tribal rights, recognition of cultural burning, and increased utilization of the tribal workforce. These components should be implemented regardless of the outcome of the remainder of the DEIS.

That being said, many requests from tribes have gone unanswered during this process, including:

- * Tribal requests that all elements of the NWFP should be reviewed, including land use allocations and reserve-focused management. The USFS should consider a subsequent comprehensive plan revision that includes statutory coordination with tribes and their own management plans for tribal lands;
- * Tribal requests for direct capacity support to analyze and provide feedback during this process. Few tribes have excess capacity to fully engage in this process and provide meaningful comments;
- * Inclusion of aquatic resources as a standalone topic for amendment.

Further, we request that the DEIS/Preferred Alternative be amended to include tribal requests that were relegated to Alternative D. These include:

- * providing additional opportunities for tribal stewardship and use, including within "moist" LSR;
- * expansion of plan direction associated with additional tribal plan components geared toward the restoration of protected plants that are also culturally important and which may require disturbance rather than avoidance for restoration;

* providing more tribal input on post-disturbance management in areas that are culturally important to Tribes.

The proposed changes in the DEIS may provide incremental improvements, but catastrophic wildfires will continue to devastate cultural resources in our Treaty areas and impact our traditional foods for generations to come. We are concerned that the pace and intensity of these catastrophic wildfires continues to outpace any beneficial effects of the NWFP. Only a full plan revision with the full participation of tribes within the NWFP area can achieve a meaningful change in direction that improves wildfire resiliency across the landscape.

Specific Provisions

The Yakama Nation appreciates that the DEIS Alternative B/Proposed Action attempts to improve the presence and role of tribes in the management of National Forests. Recent reductions in USFS staffing compound this issue and we are concerned that these concepts might never be implemented. Regardless, we believe that these provisions should be adopted and implemented independent of the land management provisions of the DEIS.

* Treaty and Protected Tribal Rights: Yakama Nation supports the protection of the Treaty with the Yakamas of 1855 (12 Stat. 951) (Yakama Treaty). Furthermore, we recommend strengthening the language on Treaty Rights and separation between Treaty and Executive Order Tribes. Yakama Nation Treaty rights and our relationships with the lands and the rights to said area should be shaped under those said authorities, ratified by the United States Congress in 1859.

* Access and Gathering: Yakama Nation appreciates the direction to co- develop a long-term strategy to improve tribal access to important cultural places (TRIBAL-AG-OBJ-01) and to work with Tribes to address issues regarding gathering, access, sustainability, etc. However, the increasing impact of wildfire and failed post-fire reforestation strategies are reducing the acres suitable for cultural practices. More than anyone, tribes are negatively impacted by changing landscapes and forest conversion. Locking in the existing LUA's fails to address the full risk of wildfire - particularly in moist LSR's, where we have seen the most catastrophic fires in recent years.

* Co-stewardship: There is proposed new plan direction to engage and collaborate with Tribes as co-equal sovereigns to develop and implement agreements for the co-stewardship of federal lands and waters. Yakama Nation supports tribal co-stewardship/management, cultural burning, beaver habitat and reintroduction, protection of culturally significant species that are categorized as Forest Products. Once again, this is limited to the existing framework and does not allow tribal review and input on the underlying NWFP framework, which has fundamental flaws.

* Management of Aquatic Resources: Although not addressed in the NWFP Amendment process, we feel strongly that Yakama Nation should have a role in assessing and restoring aquatic habitat commensurate with the co-stewardship discussion above. As a Treaty Tribe and having significant areas of National Forest within our Treaty Territory, Yakama Nation should be working as an equal to the USFS, and not as just another stakeholder. We would also like to reiterate our previously stated concern that the Aquatic Conservation Strategy is not as effective as is sometimes portrayed, given the widespread lack of high functioning stream habitat on lands administered by the USFS.

* Forest Stewardship: We support accommodating Indigenous fire use for cultural and ecological purposes and entering into agreements with Tribes to co-design, plan, and implement habitat enhancement projects for culturally significant species and practices. It is unclear how these agreements would be funded or if they are subject to available appropriations.

* Indigenous Knowledge: Alternative B proposes better coordination with Tribes to ensure privacy and confidentiality is maintained for sensitive topics such as cultural practices, locations, and traditional cultural use species. We support this provision.

* Tribal Workforce: We support the intention of these components in Alternative B.

Thank you for the opportunity to comment on the NWFP revision process. If you have any questions, please call me at 509-865-5121 x4655.

Sincerely,

[], Superintendent

Yakama Nation Department of Natural Resources

ATTACHMENT-LETTER TEXT: YN Comments NWFP_final_Signed.pdf; this is the same content that is coded in text box; it was originally included as an attachment