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Comments: I am glad that the new Forest plan has a section on Tribal areas, but I don't think it goes far enough.

It is extremely disappointing that the Forest 1986 plan did not give validity to tribal input and even more disappointing that the Forest has continued to ignore tribal rights and sovereignty clear to the present (we are a fifth of the way through the 21st century already). Based on numerous laws, court cases, and treaty rights, the Forest should still have been coordinating closely with the Ute Tribe regarding projects that have affected Ute Treaty rights and resources.

I propose that you designate a Management Area that encompasses the original Uintah Valley Indian Reservation or the area referred to as Indian Country by multiple court decisions.

Within this area the Ute Tribe has specific treaty rights that the Tribe have never been given up.

Within this management area, the plan components should specify the need for tribal consultation prior to implementing projects to ensure the protection of treaty rights.

The Forest should ensure that Forest Service resource staff and Ute Tribal resource staff are meeting and talking frequently regarding activities in this management area.

I understand that Forest Service is hesitant to "give up control" of the forest in this area, but the Ute Tribe has treaty rights within the original reservation boundaries that should secure us a place at the table whenever the Forest Service makes decisions regarding resources that are included in the Tribe's treaty rights within the original reservation. Currently, the Ute tribe is not even given the same respect and courtesy as the Forest Service gives to other government entities such as the State of Utah, County Governments, and Utah Division of Wildlife Resources. But the Ute Tribe has sovereignty with treaty rights that are at least equal to (if not greater than) these county and state governments.

Plan components for the proposed management area should include:
1.Quarterly meetings between Forest resource staff and Ute Tribal Resource Staff to discuss upcoming projects or management plans within the original reservation.
2.Recognition that the Ute Tribe has a claim to ownership of wildlife and fish within the original reservation boundary. We understand that the State of Utah and UDWR dispute this claim vehemently, but the Forest Service can give equal credence to both claims and just stay out of the fight. At a minimum, the Forest should stop giving predominance to the State of Utah's claim of ownership and work with both entities to manage ecosystems for the benefit of wildlife and fish. The Tribe would be glad to share the language from federal treaties and federal court cases to demonstrate the Tribe's claim. We also encourage the Forest to request information from the State of Utah to see if they can validate their claim for the right to manage wildlife and fish within the original reservation boundary.
3.Recognition that the Ute Tribe has a right to gather resources that have been used for traditional and ceremonial purposes within the original reservation boundary. This right also extends outside of the original reservation boundary to all lands traditionally and historically used by the Utes, but at a minimum this right should be solidified within the original reservation boundary. Traditional resources include a variety of annual plants used for ceremonial or traditional uses. The resources also include lodgepole, ponderosa, spruce, douglas fir, sagebrush, pinyon, juniper, ephedra, and a variety of bushes and perennial plants. There are also minerals, rocks, clay, and other natural resources that are used for traditional or ceremonial purposes. The list is too long to include here, but the rights should be discussed in the management area.

4.Tribal approval must be secured before Forest Service projects can start within the original reservation boundary. If this feels too much like giving up "jurisdiction" by the Forest Service, then at least have a formal objection process that the Tribe can use within this management area to give the tribe a voice and some level of control over projects. The objection process could be modelled after the Forest Service Grievance process or could be modelled after the NEPA objection process. But it should be separate from NEPA and be developed in concert with the Tribe.
5.Roads across tribal lands that access the forest and are within the original reservation should be approved by the Tribe. Perhaps a joint effort between the Tribe and the Forest Service can help.
6.Include plan components from various resources when they would differ from forest wide management - including air quality, watershed management, wildlife, areas of tribal importance, cultural and historic resources, timber, land status, special uses, etc.

In general, the Ute Tribe should be much more involved in what is happening of Forest Service lands within the original reservation boundary. Forest wildlife biologists should be working with the Ute Tribe Fish and Game as much as they are working with UDWR. NEPA specialists should be working closely with the Ute Tribe Environmental Group. Law enforcement should be coordinating with Tribal law enforcement.

Fort Duchesne is only 15 minutes from the Ashley NF headquarters in Vernal, yet there is almost no interaction with Forest Service staff and Ute Tribal staff. How many Forest Service staff have even been to the offices of their counterparts on the Ute Tribe, or even know where their offices are? At a minimum, the Forest should recognize the treaty rights and roles that the Ute Tribe has within the original reservation boundary. Once that minimal recognition is in place, then the Tribe and Forest can have a conversation about Treaty rights within the original Ute Homeland, which includes almost the entire Ashley National Forest as well as Forest lands on the Wasatch Range and in Colorado.

Thank you for the opportunity to share my concerns and comments.