



Tongass Women for Forests

July 21, 2020 Wanda J Culp comments to **Office of Information & Regulatory Affairs**
OIRA

To simply say that Alaska is unique to the contiguous 48 States is a gross understatement that must accompany a description to visualize the vastness of an area whose population is close to Washington, D.C.'s. Alaska encompasses 420M acres of land, or 656,424 square miles, 60% of which is federally controlled (wildlife refuges, military, N. Slope National Petroleum Preserve, NPs, N Forests, and Native Trust lands), administered by 14 federal agencies.

Alaska became the 49th State in 1959, I was 11 years old. According to NOAA, the U.S has 95,471 miles of coastline, 33,904 of it belongs to Alaska that borders the Arctic Ocean to the N, the Bearing Sea to the W, and the Pacific Ocean to the S, all under State of Alaska jurisdiction.

The Tongass National Forest in S.E Alaska's "panhandle" is made up of 16.7M acres of the largest Temperate Rain Forest ecosystem in the nation and is protected under the 2001 ROADELESS RULE. Approximately 70,000 of us inhabit 32 coastal communities in S.E, the majority of which are Native Village tribal groups who have used and occupied the Tongass far beyond the reach of recorded time. Alaska's capital city, Juneau, is in the Tongass Forest. The terrain has rugged steep mountains, glacial ice caps, deep fiords and thousands of large and small islands are surrounded by 11,000 miles of coastline.

Because Alaska is home 230 indigenous tribes, near half of America's federally recognized tribes, 5 federal agencies administer the customary and traditional use, "subsistence" of fish and wildlife. The agencies are the SOI's FWS, BLM, NPS, BIA, and SOA's FS, and compose a Federal Subsistence Board authorized under the 1980 Alaska National Interest Lands Conservation Act (ANILCA), a spawn of the 1972 Alaska Native Claims Settlement Act (ANCSA). The State of Alaska administers ANCSA under corporate banking and securities laws, where tribal settlement land surrounding traditional villages has been converted into "private property".

ANILCA belongs to federal public lands and is 2-fold. First, it specifically addresses the conservation protection of public lands; second, is to accommodate Native use of fish and game, providing for "priority use" during resource shortages. This is how the Federal Subsistence Board fits into the regulatory process in Alaska.

The problem is that the FSB has given up half of its governing authority to the State of Alaska Department of Fish and Game – in a dual management scheme. This mind-cramping management challenges common sense and must be properly re-adjusted, given the complexity and outreaching obligations of both ANCSA under State government and ANILCA under federal jurisdiction.

The FSB uses the State of Alaska's 10 sport fish and game regions and 26 specific game units – rather than ANCSA's 12 regional corporation boundaries and associated tribal villages within each of the 12 regions. An oversight that could be an easy fix and serve to re-affirm federal agency rank in the regulatory decision-making process, review, coordination, and planning obligations since the State of Alaska being out of compliance of ANILCA has proven to legally work against the Alaska Native beneficiaries', rather for us.

The current federal governing in Alaska is unnecessarily convoluted, it makes no good management sense! Close examination of both federal and state jurisdictions is critical in the interpretation of statutes that clearly oppose each other. Co-management

Agreements, or Memorandum of Understanding is the most appropriate mechanism to replace the states attempts to weaken the federal system in order to favor other powerful interests.

Tongass Women's Earth & Climate Action Network (WECAN) is using the controversial 2019 ROADLESS RULE draft Environmental Impact Statement as a prime example today. The State of Alaska has made aggressive and deceiving moves to exclude the Tongass Forest from the national ROADLESS RULE to accommodate the logging and mining industries exploitation of S.E. Alaska. Alaska's (R) congressional delegation in D.C has aggressively driven the DEIS through the SOA, Sonny Perdue's office, directing the U.S Forest Service to open road building capability to accommodate timber sales and mining exploration asap. This meant overlooking the statutory process of two especially important environmental and land conservation laws: National Environmental Protection Act (NEPA) and ANILCA. The forced DEIS does nothing to protect the environment or improve the economy, health, safety, or well-being of the grass-root, regional, or national interests.

What is important here is an integrated and wholistic approach for analysis and treatment of lands, rather than used as pieces to parts that do not fit together. Further, science and management must become compatible. Science in ecology identifies living relationship patterns within an environment that includes our traditional knowledge and use patterns throughout history within identified boundaries between Alaska Native groups, like those 12 regions identified in ANCSA.

The Forest Service has never been able to responsibly monitor "subsistence" activities on its federal public lands, it has basically been disregarded. This is an insult and negates ANCSA's compromised ANILCA protections. A question: why is the Environmental Protection Agency not a part of Alaska's Federal Subsistence Board given the legal interest connections of NEPA and ANILCA?

Think of it: AGRICULTURE is the science and practices of enclosed cultivating of the soil to produce crops resulting in products for market. FORESTRY is the science of caring for multiple unenclosed landscapes thick with the growth of trees and underbrush that intertwines with indigenous life of which Alaska Natives are an intrinsic part of. The management of these two sciences have nothing to do with one another. To lump farming and forestry into one shoe size is inappropriate and problematic in operation.

There was a time that we had all that we needed, we lived well, healthy, planned well and coordinated with each other and all other surrounding group interests. Since Alaska Statehood, the passage of ANCSA, and then ANILCA, our lives have diminished to where we are illegal within our own midst under State of Alaska laws. Alaska's extreme terrain require new ideas, approaches, and an integration of indigenous knowledge into the principles of capability, competence, aptitude, and appropriateness.

We are not proposing new laws. We are submitting a proper perspective and adjustments of interpretation of laws created on behalf of beneficiaries, rather than despite them. The Alaska Native people deserve a regulatory system that works for us not against us – whether it be in the federal or state realms, our historic presence cannot continue to be ignored. It is the indigenous women who bear the future generations and hold the responsibility of assuring their human right into the future. It is the way it has always been, the woman's voice equal to the men in survival. The ultimate respect for balance that considered our children and youth as a priority is not activated today. This is why, as indigenous Women of Alaska, we are working hard to turn this situation around.

I hope I have not confused your minds too much, explaining how it is for us.