



Organized Village of Kake

P.O. Box 316

Kake, Alaska 99830-0316

Telephone 907-785-6471

Fax 907-785-4902 / www.kake-nsn.gov

(Federally Recognized Tribal Government serving the Kake, Alaska area)



November 11, 2019

To the Esteemed Congressmembers of the House Natural Resources Committee:

Tlingit culture is based on oral tradition. Our rituals, our practices, our entire culture has been passed down through millennia of storytelling. In that tradition, I have a story to tell you. It is a story of injustice, colonialism, and intergenerational trauma and dehumanization writ over several centuries. The Alaska Roadless Rulemaking process is the latest chapter in a long book of injustice against the Tlingit people of Southeast Alaska.

Kake's history of colonization began long before the United States illegally purchased the Alaska territory from Russia in 1867. The decimation of our Tlingit people began with diseases spread from Spanish, Russian, and American colonizers in the 1700s. Our first experiences with the American government were particularly traumatizing, when Kake was shelled into submission by the U.S.S. Saginaw in 1869. One hundred and fifty years later, the means have changed but much of the intent remains the same. The erasure of indigenous voices and indigenous knowledge from this rulemaking process is intended to marginalize us and our experiences. The U.S. Forest Service treats us as a box to be checked, an obstacle to be worked around or overcome so that corporations can access our homelands and pilfer the resources we depend on. We are not an obstacle. We are the Tlingit people. We are the embodiment of resilience. We have experienced cultural genocide, the stealing of our people, the raping and pillaging of our lands and waters, and we have lived through these challenges to sit before you here today and tell you that the Alaska Roadless Rulemaking process is just one more attempt to pillage our lands, sell them off for corporate profit, impoverish our people, and degrade our resources and way of life. We will not accept this dehumanization sitting down. We are fighters, and we are still here.

I've lived on the traditional homelands of Keex' Kwaan all my life; I've spent 63 years in this community. I grew up immersed in our Tlingit way of life, and was forced into the Western world at a young age. I had to work in it to make a living, and thus was trained in many different skills. I've been a commercial fisherman, a roadbuilder, a logger, and a Chief of Police. When the mills shut down in Southeast Alaska, we were forced to stop logging and look at the results of our activities. The results were sobering - and ever since then, my most important occupation has been advocating for my community and the protection of what we have left.

In 2001, the Roadless Rule was instituted on the Tongass. The State of Alaska immediately filed suit against it, but Kake was in favor of this Rule. Our lands were suffering from heavy clearcutting over the previous twenty years, which was supposed to bring our communities jobs, money, and prosperity. I myself took part in this economic boom, thinking that it would improve our economic and social conditions and challenges. Only now do I realize the damage that has been done, and ever since I have advocated for the healing of our homelands

and our community. In 2003, the Bush Administration attempted to illegally exempt the Tongass National Forest from the 2001 Roadless Rule. The Organized Village of Kake was the original litigant in this court case, which was taken all the way to the Alaska Supreme Court. We won our original lawsuit and all the subsequent appeals, although the State of Alaska has never accepted this loss and has continually fought to appeal the decision. Once the State saw a favorable administration change in Washington D.C., they pounced on the opportunity to again exempt the Tongass from the Roadless Rule, and we are back where we were before - this time, with a political disadvantage.

We will do what we have to do to protect our ancestral grounds, and that is why I am here today. I know the effects of logging and we have had to live with them. We see them in our degraded forests, waterways, streams. We see them in the reduced populations of deer that overwinter in these forests, the diminished salmon that spawn in our streams. The land is starting to heal, and the wildlife is coming back - but this is a precarious, careful balancing act that would be threatened by removing the Roadless Rule. You may ask why our lands and waters, our fish and wildlife are so important to us. And I will tell you - these homelands have sustained our people and culture since time immemorial. They allowed us to thrive, to flourish in what is for the most part a cold, inhospitable landscape.

Participating in harvesting, processing, sharing, distributing amongst our community; this is our culture. Living off our lands is our way of life - it is who we are. This also means that when the deer were chased off our land by the lack of habitat, we have to go further afield. We have to provide for our families, for our community; we must engage in our traditional harvesting. A couple years ago, we lost three men crossing over from Admiralty Island to Kupreanof Island. One was a young teen - him and his father both died. The teen's body was never recovered. These tragic deaths make it all the more important to protect the resources on our island, Kupreanof. Our ability to harvest is essential to our food security in rural Alaska.

In 2019 we have had our biggest year in many years - over 25 deer were harvested from our island. These are promising improvements to years prior, but we must not endanger the ability of these lands to recuperate from past effects of logging. We have lived off these lands for thousands of years, from the alpine, to the old growth valleys, to the wetlands, all the way to the tidelands and depths of the ocean. We must protect our lands and waters so that we can continue to teach our youth to survive off our land, to practice our traditional ways of life, to ensure the survival of our culture, as our ancestors did before us.

We do not live in a city. Shopping for all our meat and produce at the grocery store is simply not an option, as costs of goods, gas, and electricity in rural Alaska are extremely high. We harvest our food from the land - and as long as we take care of it, the land will provide for us. Unemployment rates in Kake hover around 85%. It is very hard to get jobs. Our tribal government, the city, and the village ANCSA corporation are trying to get sustainable economic development and workforce development initiatives started. Logging is not the economic stimulus for this region that it once was - the pulp mills already took all the economical timber. There have been sales sitting on the books for years, like the North Kuiu timber sale - Tongass timber simply doesn't pencil out.

The pulp mills in Sitka and Ketchikan have been gone for over twenty years, and the big sawmill in Wrangell has gone along with them. There are small, mom-and-pop logging operations, and only one medium-sized mill in the entire region in Klawock. Logging makes up less than 1% of the industry in Southeast Alaska, but seems to claim 100% of the Forest Service's attention. It has always been a boom and bust operation. Now the State is saying that it wants to create jobs in rural communities - but all the loggers are retired. The logging operations bring in their own men, their own food, and fuel. Man camps for logging have created violence near our communities and lead to increased rates of missing and murdered indigenous women. Nothing is contributed to our community and no economic gain is experienced by us, an experience that has been felt in other communities as well. It is no longer a viable economic activity. We've seen the effects and have lived with them for years. Destruction of our forests. Streams no longer filled with fish. It will not work for our lands, our community to go through that experience again. We would rather have our fish and our animals, and keep our culture.

We are currently investing in tourism as an economic opportunity. Tourists that come here are very impressed with our area even though it has been logged - the green, young growth forests are coming back and disguising the scars that the clearcuts left. The tourists assure us that they would not want to come back to see new clearcuts. They also don't depend on Sitka black-tail deer for their meals throughout the winter, and cannot tell the difference in productivity between these new forests and the large, old growth stands that we mowed down 50 years ago.

Since we are hunter gatherers, our food is important. Salmon are one of our keystone species, on which our whole culture depends. We look forward to their return every year; their healthy, nutritious meat nourishes our bodies and our souls. We don't have to buy this food in the grocery store, without knowing who touched it and where it came from; we can harvest it ourselves, and continue honoring our ancestors by perpetuating our culture.

Protecting our homelands is essential for perpetuating our culture. We originally signed on as cooperating agencies in the Alaska Roadless Rulemaking process with five other tribes in Southeast Alaska. Kake signed on because we wanted to know what the Forest Service was planning to do. We didn't want to be on the outside looking in, we wanted to be at the table where the decisions were being made. The process was rushed from the start, and we experienced a year of talking, biweekly teleconferences, rushing to meet seemingly arbitrary deadlines to provide comments on preliminary draft environmental impact statements. However, after we provided comments for the preliminary draft environmental impact statement, suddenly the documents stopped returning to us for comment. We did not get to review the final draft of the draft environmental impact statement before it was released to the public, nor did we receive written notification of the document. We only discovered upon the release of the draft environmental impact statement that all our input had been for naught, as the Forest Service didn't include any of our suggestions or concerns when they chose a full exemption as the preferred alternative.

Throughout the process we were talking with and working the other tribes, the multiple sovereign governments that were participating in this process. In Southeast Alaska, we are one people but we have different communities with different needs, so we tried to respect each other for that. We spent a lot of our own resources and money to travel, participate in these

teleconferences, committed extensive staff time, and lost productivity for other projects - it cost us hundreds of thousands of dollars to participate in this process. The State of Alaska was granted \$2 million from the Forest Service to participate. The State then contracted the Alaska Forest Association, a timber industry group, for “consultation and expertise”. Meanwhile, our local and indigenous knowledge of the land, gathered and tested over millennia, was disregarded and degraded. The process was designed to shut us out. The tribes received no money to participate in the process as cooperating agencies, nor did they have their resources, expertise, or staff time reimbursed. We did not receive a cent from the Forest Service or the State.

In February of 2019, myself and President Lee Wallace of the Organized Village of Saxman requested in-person government-to-government consultation between Secretary of Agriculture Sonny Perdue and our tribes, offering. We offered to fly back to Washington D.C. for the occasion, due to the importance of the issue to us. We did not hear a response for four months. When we did receive one, the Secretary denied to meet with us in Washington D.C., even despite the fact that he had met with representatives of conservation interests and timber interests. We, as presidents of our tribal councils and representatives of our communities, were denied a meeting with the Secretary of Agriculture. We were offered a meeting with the Undersecretary Jim Hubbard in Washington D.C., which we denied because we didn't desire to travel 3000 miles to meet with an official that has no actual decision-making power. We took a call from the Undersecretary, and he said he was going to continue the process with all 6 alternatives on the table. Little did we know that at this point, the decision to pursue a full exemption had already been made after an Air Force One meeting between President Trump and Alaska Governor Mike Dunleavy.

Shortly after, the cooperating agencies were called to Juneau for another meeting. The Forest Service announced that the USDA would be pushing for a full exemption in the Alaska Roadless Rulemaking process. The tribes expressed that we were very upset and felt very disrespected by this choice. We contributed our time, money, expertise, and effort to this process; all things that could have been better spent improving the lives of our tribal citizens and working on a sustainable economic, social, and ecological future for our communities. Instead, these efforts, resources, and knowledge were wasted, disregarded and thrown aside due to a politically motivated decision.

President Wallace of Saxman and I invited Undersecretary Hubbard to meet us on our homelands, before we knew about the full exemption; however, after we learned of it we did not withdraw our invite. We wanted him to come to these lands so that he could see and experience for himself what they mean to us. We extended an invite to the other four tribes acting as cooperating agencies, and met with him in Juneau on November 2, 2019. We told him that we were very dissatisfied with the whole process, and that as a response, the tribes had come together in an unprecedented show of unity against a full exemption. All of us had continually voiced preferences that ranged between a no action alternative and a partial exemption; not a single tribe advocated for a full exemption. Even though we have different ideas of what is needed in our communities, we are united in the belief that a full exemption is the wrong decision for Southeast Alaska.

In response to the discrimination and dehumanization that we experienced, the Organized Village of Kake has made the difficult decision to withdraw as a cooperating agency. This is how strongly I feel about being disrespected. We do not wish to withdraw our expertise, to abandon our place at the table, but it has been obvious that the table has already been set, the meal has already been eaten, and we were not invited to partake. The Forest Service and the State of Alaska have colluded to disregard input from tribal governments in this process, and we simply cannot stand by and watch this happen as 'cooperating agencies'. We will not 'cooperate' in the destruction of our homelands and way of life. We will not 'cooperate' to give this process the sheen of legitimacy it desires so that the Forest Service can state that they fulfilled their NEPA requirements. We will continue to engage in government to government consultation to stay up to date on how the rulemaking progresses, but we will not be complicit in this sham of a public process.

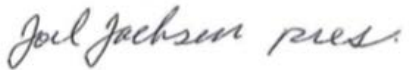
We will continue to try and work with the Forest Service on a regional level to accomplish objectives that enhance our community. Undesired timber sales for corporate actors are not part of these objectives. We understand that the regional line officers are just doing their job, and we will continue to engage with them. However, the damage has been done between the Forest Service's Washington office and our community. The trust will take years to repair, if it ever can be. We understand that these short-sighted actions are the political whims of a tempestuous president that has no understanding of the situation on the ground. The Undersecretary confirmed as much to us when he said that 'of course, you all know about the meeting with your governor and the President on Air Force One back in June'.

We will not stay in the dark with our heads down, working on meeting arbitrary deadlines to contribute valuable local knowledge that is disregarded and unaddressed by the Forest Service. We had misgivings about being a cooperating agency from the beginning, from the first meeting when the Forest Service expressed forcefully to us that we were not to discuss the happenings of these meetings with anyone, not to receive consultation, basically putting a gag order on us. This is further harmful to our reputation as we used our public money to participate in this process. I cannot hide from my tribal citizens where I am going and what I am doing while I am using their public funds. We live in a small community, and everyone knows who is coming and going - we have a responsibility to them to tell them what is going on, how their money is being spent. At the end of the day, I am only responsible to my community, my tribal citizens, my ancestors, and this land itself.

As is to be expected from our long history, the trust that tribes have had with the federal government has always been on shaky, unstable ground. Now, it has been dealt another blow. How much can this trust be degraded before it is irreparably harmed? I recently welcomed the Sustainable Southeast Partnership to Kake, a group of young, innovative entrepreneurs, creative minds, and community leaders that seek to move our region past boom and bust economics towards a future for Southeast Alaska that is socially, economically, and ecologically resilient. I told them on the first day that I have a very big issue with trust and outsiders, one that is extremely hard to work past. I realize that catalyzing creative solutions to the problems that we face today depend on cultivating collaboration and trust between partners - and I work hard to engage in this trust-building with people who come in good faith.

The Forest Service's Washington Office officials did not engage in the Alaska Roadless Rulemaking process in good faith. The State of Alaska did not engage in this rulemaking process in good faith. It was a process that was designed from the start to diminish our voices, exclude our input, and break down our resistance. The State repeatedly lobbied the Forest Service to reduce tribal engagement in the rulemaking process by complaining when tribes were signed on as cooperating agencies and claiming that tribes couldn't engage in a meaningful way and had no expertise or insight to offer the process. I believe strongly that the agency will not show us respect, and I will not be a willing participant of what they intend to accomplish on the Tongass National Forest. Just as my ancestors and my community have guided me to Washington D.C. to deliver this message, they will guide my fight into the future. The land needs to heal, and we will not be deterred from our responsibilities to future generations. We will continue to fight for our ancestral grounds, to fight for our culture, to fight for our future.

Gunalchéesh for listening to my words today,

A handwritten signature in cursive script that reads "Joel Jackson pres.".

Joel Jackson
President, Organized Village of Kake

Joel Dáxhajúon Jackson of the Kàach.ádi clan, a child of the Tsaqueidi clan, is a lifelong resident of Kake, Alaska. He currently serves as the council president of the federally recognised tribe, the Organized Village of Kake. He has been on the tribal council for almost 30 years. He was formerly employed as a road builder for the Kake Tribal Corporation for twenty-two years, the Chief of Police for Kake for three years, and as a commercial fisherman.