

August 18th, 2022

Sent via Email to Joy.Korstjens@fire.ca.gov

Subject: JAG Meeting Comment

Dear members of the JDSF Advisory Group,

Please accept these comments on behalf of the Save Jackson Coalition.

I. Concerns with JDSF Advisory Group Process

The Save Jackson Coalition (Coalition) continues to have serious concerns about the JDSF Advisory Group's (JAG) meeting process. In our comment letter in response to the previous JAG meeting held on May 2nd, we detailed many of these concerns. We did not receive a response to that letter. If CalFire and the JAG wish to properly inform and engage with the public they must change the JAG meeting process to be more accessible.

a. The Time These Meetings Are Held Makes Them Inaccessible to Most of the Public

Holding JAG meetings on weekdays during working hours severely restricts the percentage of the public that can attend them. Most people work jobs that don't allow them to take a Friday off to be in the woods all day. By holding meetings at this time CalFire and the JAG are harming the public process. We raised this point in our previous letter but have not received a response.

We understand that members of the JAG are not compensated and potentially would prefer to meet on a weekday. We recommend that CalFire put aside funds to compensate JAG members and CalFire staff for weekend meetings. These funds will be worthwhile because they will permit far greater public participation in JDSF management decisions.

b. There is Insufficient Notice For JAG Meetings and JAG Meeting Materials

The public was made aware of the August 19th meeting on August 9th. This is insufficient notice for a public meeting. Especially one that takes place on a weekday in the woods. We request that the public be given at least 30 days notice for JAG meetings.

The Materials for the August 19th JAG meeting were posted online on August 9th, 10 days before the meeting. This is insufficient time for many members of the public to read and respond to JAG meeting materials. We request that JAG materials be made available 30 days before the meeting so that the public can have sufficient time to read and respond.

c. JAG Meeting Locations Are Unnecessarily Inaccessible

Currently, JAG meetings are held in the field. This makes sense for portions of the meeting that are meant to view specific activities within JDSF but doesn't make sense for the first part of the meeting where CalFire gives general updates and takes public comment. By holding the meeting in the forest, far from where people live, the JAG is limiting the members of the public that can attend.

Second, the JAG meetings involve attending multiple different locations. And yet, CalFire does not provide sufficient instructions for the secondary locations. This means that if a member of the public is unable to attend the first part of the meeting due to a conflict, they are effectively shut out of the entire meeting because they won't be able to find the secondary locations. Cal Fire also holds parts of these field visits behind locked gates which can make it hard for late members of the public to participate as well.

We request that the JAG meetings be split into two parts: An information session held in Fort Bragg or Willits (alternating) during which CalFire can give general updates and the public can more easily provide public comment. This section should also be held via zoom so that people can participate from their homes throughout the State. Jackson is State land and the entire State should have the opportunity to participate in meetings concerning its management. Then, if necessary, a second on-site portion of the meeting can be held in the relevant area of JDSF. CalFire will of course give detailed instructions on how to attend this second part so that members of the public can attend.

d. The Minutes of the May 2nd JAG Meeting Are Incomplete

Members of the Coalition who were able to attend the May 2nd JAG meeting noticed that the May 2nd Minutes are missing substantial information collected from the public during that meeting. For example, there are no notes from the field tour and not all public input was recorded.

This is likely a result of the fact that the meeting is held outdoors and in the woods instead of in a traditional setting. Having at least part of the meeting held indoors, with a dedicated minute taker, would help the JAG successfully receive public input received at meetings. While there is some advantage to holding the "field trip" section of the meeting in JDSF, there is no such advantage for the first part of the meeting where CalFire gives operational updates. We urge you to consider holding part of future JAG meetings in Fort Bragg or Willits (alternating locations) and via zoom so that information collected at these meetings can be properly recorded. Then, any necessary field trips can be held separately.

e. The Public Should Be Able To Recommend Places to Visit During JAG meetings

Most JAG meetings offer a very curated view of the forest. We would like to recommend future locations for JAG meetings so that the public can inform JAG members about the impacts of previous and proposed logging in JDSF.

f. CalFire and the Board of Forestry must communicate more effectively with local Tribes regarding management decisions

Native American tribes are sovereign nations that engage in government to government relations with the Federal Government and State of California. Because of this, the Coyote Valley Band of Pomo Indians has so far declined to deal directly with the JAG. That being said, the decisions that Cal Fire and the Board of Forestry make together with the JAG concerning the Tribe's territory are deeply important to the Tribe. The Coalition asks that CalFire publicize a plan to more effectively communicate with the Tribe regarding its management of JDSF.

II. Concerns with JAG Meeting Substance

a. The JAG, CalFire, Board of Forestry, and State Must Respect Tribal Knowledge and Sovereignty By All JDSF Management Adequately Protects Sacred Sites And Not Continue to Destroy Them

The Coalition fully supports the Coyote Valley Band of Pomo Indians who are seeking to manage and protect their territory. Decades of logging and road construction have severely damaged sacred sites located within the forest. Since at least 1999, and the completion of the Betts Report, the State has known that continued logging and road construction/maintenance directly threaten Native American sacred sites located on State property within JDSF. This State sponsored archeological report recommended that no timber operations or road building activities be conducted in the areas of sacred sites until their boundary could be adequately surveyed and a road maintenance plan be developed for their protection. Despite this, the State has continued to conduct these activities and actively harm Native American sacred sites until protests were able to halt logging and road construction. To date, the State has focused on timber production at the expense of Native American sacred sites and cultural ways. All future management in JDSF must adequately protect sacred sites located within JDSF. Whether or not protection is adequate must be determined by the tribes, not CalFire or the JAG.

In addition, the Sacred Sites on the Soda Gulch and Caspar 500 THPs are still not adequately protected. There have been no changes made on the Caspar 500 THP in regards to sacred sites and the proposed changes to the Soda Gulch THP are inadequate. Neither the Board of Forestry nor CalFire have responded to Priscilla Hunter's letter to Kevin Conway dated May 19th, 2022 (attached) which described why the proposed changes in Soda Gulch were inadequate. The Coalition demands that no work resume until these issues can be resolved between the tribes and Cal Fire. JDSF is a cultural landscape from the ridge top villages to the midslope to the rivers. Adequate protection requires more than just drawing a small barrier around the few archeological sites that CalFire has managed to locate.

Moreover, as the new Management plan is being developed, the Coalition demands that the tribes have a genuine seat at the table in dictating forest management policy. For co-management to be genuine and not merely a whitewashed version of the old management, the tribes must be developing and dictating policy with the State. This is the only way to ensure that

Native American cultural ways are adequately protected during forest management. In order to further this goal, we encourage CalFire to seriously consider the recommendations in the JAG's Tribal Relations SubGroup's letter dated May 18th, 2022. As far as we are aware, there has been no action taken in response to these recommendations.

Since *Epic v Johnson*, the State has been required to consult with Native American tribes concerning timber harvest plans. However, in order to make that requirement meaningful the State must do more than merely send a notice letter briefly before a THP is approved. That's why it was promising when, in 2019, Governor Newsom issued a Statement of Administration Policy which states in part "it is the policy of this administration to encourage every State agency, department, board and commission (collectively, "entities") subject to my executive control to seek opportunities to support California tribes' co-management of and access to natural lands that are within a California tribe's ancestral land and under the ownership or control of the State of California."

This policy held real promise for California's many Native American tribes that have been dispossessed of their lands by the State. Unfortunately, there has been relatively little action on this policy taken throughout the State. JDSF ought to be a demonstration how the State can comanage land with local Native American tribes. In order to facilitate this, we demand that the State make funding available to the Tribe so that they can better participate in all future discussions regarding JDSF as was recommended by the JAG's Tribal Relations subgroup. This is necessary for the forest to begin to heal and reach its full potential.

It is time for the State of California to stop breaking its promises to California Native American tribes and work together with them to sustainably manage State lands and protect sacred sites.

b. The Tribes and Public Must Be At the Table During the Drafting of the New Management Plan

The Coalition demands that the public and the tribes be given real seats at the table during the drafting of the new management plan. We do not want to argue over every management decision piecemeal and would rather have a comprehensive process that can determine the future of the forest. In order for the new management plan to be successful it must have community and tribal buy-in and that will require a democratic and open process. We are concerned that we have not heard any updates from CalFire concerning this process since it was announced that a new management plan was being written. We urge CalFire not to repeat the mistakes of the past and to develop the new management plan through a robust, democratic process with Tribal leadership.

III. Conclusion

Given all of the above concerns, the Save Jackson Coalition continues to demand CalFire not resume any management activities in Jackson.

Sincerely,
Save Jackson Coalition

CC: Secretary Wade Crowfoot, CNRA
Deputy Secretary Jessica Morse, CNRA
Deputy Secretary Geneva Thompson, CNRA
Senator Mike McGuire
Jason Liles for Senator Mike McGuire
Assemblymember Jim Wood
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