10. *Comment:* The definition of forest management plan in § 163.1 of the rule should be expanded to include language requiring that such plans meet the objectives of individual land owners in addition to those of tribes.

*Response:* The rule has not been revised because the wording of the definition is taken directly from 25 U.S.C. 3103(5).

11. *Comment:* The definition of forest management plan in § 163.1 of the rule implies that an integrated resource management plan must be completed prior to developing a forest management plan. This seems to contradict § 163.11(b) of the rule which states that a forest management plan may be developed without an integrated resource management plan.

*Response:* The preparation of forest management plans is required by 25 U.S.C. 3104(b)(1). The National Indian Forest Resources Management Act also requires that forest management plans be consistent with integrated resource management plans whenever such plans exist. However, while the act encourages preparation of integrated resource management plans it does not require them. The rule has not been revised because it provides clear direction in regards to the requirements for integrated resource management plans and the forest management plans in §163.11 of the rule.

12. *Comment:* The definition of Indian land in § 163.1 of the rule is not clear on whether Indian land is only trust land or includes fee land owned by a tribe.

*Response:* The rule has not been revised because the wording of the definition is substantively the same as in 25 U.S.C. 3103(10) and the language offers clear guidance on the type of land that constitutes Indian land for the purpose of the rule.

13. *Comment:* The definition of noncommercial forest land in § 163.1 of the rule does not adequately define land so categorized.

*Response:* The definition in § 163.1 of the rule has been revised to clarify criteria for categorizing forest land as noncommercial. The revision made emphasizes that such land is incapable of producing sustainable forest products within the general rotation period but allows for harvest from such lands.

14. *Comment:* The definition of productive forest land in § 163.1 of the rule is confusing because it states that such lands are unavailable for harvest.

*Response:* The rule has not been revised because the definition of productive forest land was developed to fit the land classification system used by the BIA Forestry Program and, therefore, must address forest land which has productive capacity but has been administratively withdrawn from the land base identified for management to produce forest products.

15. *Comment:* The definition of reservation in § 163.1 of the rule should specifically include Alaska Native allotments since they are a separate class of allotments which should be given the same status as reservations under the rule.

*Response:* The definition of reservation in § 163.1 of the rule has been revised to specifically include Alaska Native allotments to allow regulations in the rule to better address the unique situation of Alaska Native allotments.

16. *Comment:* The definition of reservation in § 163.1 of the rule should be expanded to clarify what lands constitute "former reservations in Oklahoma".

*Response:* The rule has not been revised because the definition of reservation in 25 U.S.C. 3103(12) refers to the Oklahoma Indian Reservations solely as "former Indian reservations in Oklahoma" and that description is adequate to identify such lands for the purpose of this rule.

17. *Comment:* The definition of sustained yield in § 163.1 of the rule should be related to a given level of production rather than a given intensity of management.

*Response:* The rule has not been revised because the wording of the definition is the same as in 25 U.S.C. 3103(14) and the definition is in harmony with the technical meaning of the term as used by the forestry profession.

18. *Comment:* The definition of trespass does not relate to § 163.29 of the rule and does not capture the intent of 25 U.S.C. 3106, especially in regards to damage resulting from fire.

*Response:* The definition of trespass in § 163.1 of the rule has been revised to better encompass the intent of 25 U.S.C. 3106 and specifically address trespass related to fire.

19. *Comment:* Is the word "initiated" in the definition of tribal forest enterprise in the rule necessary?

*Response:* The rule has not been revised because restricting tribal enterprises to those both "initiated and organized" by a reservation's recognized tribal government appropriately emphasizes the tribe's role in formation of such enterprises. The requirement of tribal sole ownership is excluded from the definition to provide tribes the flexibility needed to initiate and organize tribal forest enterprise through joint ventures or other business arrangements where enterprise ownership may not be possible or advantageous.

20. *Comment:* The definition of woodland in § 163.1 of the rule does not adequately provide for the classification of lands used for other than production of wood products.

*Response:* The definition of woodland in § 163.1 of the rule has been revised to emphasize that land classified as woodland may produce any forest product rather than just wood products.

163.3 Scope and Objectives

21. *Comment:* The objectives enumerated in § 163.3 of the rule are contradictory and lack specificity.

*Response:* The rule has not been revised because the objectives must be broad based to address the wide range of objectives tribes may have for managing their lands. The objectives are not contradictory in that tribes and the Secretary would not manage to achieve all objectives on a given tract of land at one time.

22. *Comment:* Include a clause requiring ecosystem management in the objectives enumerated in § 163.3 of the rule.

*Response:* The rule has not been revised because the concept of ecosystem management is embodied in the diverse objectives included in § 163.3 of the rule.

23. *Comment:* § 163.3(b)(2) of the rule should require that forest management plans be approved by tribes rather than requiring their consultation and participation in plan development.

*Response:* The rule has not been revised because the existing language appropriately acknowledges the intent of the National Indian Forest Resources Management Act which is to maintain the Secretary's trust responsibility on Indian land while emphasizing tribal sovereignty. Under normal circumstances the Secretary would not approve a forest management plan in the absence of the tribe's approval; however, the language in § 163.3(b)(2) of the rule intentionally maintains discretionary authority to fulfill the Secretary's trust responsibility.

24. *Comment:* Objectives enumerated in § 163.3(b)(2) of the rule should be expanded to provide for the improvement and maintenance of the road system.

*Response:* The definition of forest land management activities in § 163.1 of the rule has been revised to include all such activities enumerated in 25 U.S.C. 3103(4).

25. *Comment:* Suggest making the following language changes to § 163.3 of the rule. In § 163.3(b)(1) change the