



February 18, 2016

Terri Marceron
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Submitted via email

Dear Ms. Marceron:

The Alaska Wilderness League, Alaska Quiet Rights Coalition, Winter Wildlands Alliance, Sierra Club and The Wilderness Society (collectively “groups”) write to submit comments on the Proposed Revised Land Management Plan for the Chugach National Forest (“Plan”).¹ We represent more than 5,000 supporters in Alaska, and more than 1 million supporters throughout the country who treasure Alaska’s wilderness resources.

We would like to thank the Forest Service for acknowledging the importance of the Chugach National Forest (“Chugach” or “Forest”) to the lives of Alaskans and to the economy of the region. We wholeheartedly agree that “the Chugach National Forest has played an important role in shaping the environment, cultures, customs, and economies of southcentral Alaska.”² We share your objective of protecting the ability of Alaskans to visit, utilize, and experience the Chugach today, while also ensuring that future generations have the same opportunity.

The Chugach is truly a land of many uses, including the opportunity to enjoy a world class wilderness experience, as well as outstanding opportunities for recreation and tourism. Despite not having any designated Wilderness, the Chugach is a remarkable wilderness resource, providing the opportunity for visitors and residents to enjoy independent and primitive recreation in a stunning natural, untrammelled setting. These wilderness values form an important component of the Chugach as a whole, and support many other uses, including economic opportunities. For example, managing the designated WSA to protect its wilderness values helps to support the region’s \$230 million per year fishing industry, which depends on the unspoiled habitat provided by the Chugach. And recreational jobs — such as water taxis and guided trips — are driven largely by the public’s desire to access these wild places. The entire Chugach provides opportunities for residents of Southcentral Alaska, other Alaskans, and visitors from all

¹ All page references are to the pdf of the proposed plan found at http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd486944.pdf.

² Plan at 9.



over the world to enjoy a wide variety of world-class activities, including hiking, fishing, hunting, skiing, biking, and sightseeing. The importance of the Chugach to Alaska is highlighted by its accessibility to Alaska's largest population center, only a 30 minute drive away. These opportunities should be enhanced, while protecting the resources of the Chugach that make it so special in the first place.

The Chugach should remain a place where Alaskans of diverse interests and backgrounds converge for recreation, subsistence, jobs, and solitude. Today, wilderness characteristics are still found throughout most of the Forest. But changes in technology and increases in visitation have begun to erode these characteristics — and will only increase if actions aren't taken today to mitigate impacts. While we agree with the Plan's vision and with many of its desired conditions, we are concerned with how the Plan proposes to manage Wilderness-quality lands on the Chugach National Forest. The Plan must establish a management approach for the Nellie Juan-College Fiord Wilderness Study Area (WSA) that protects its wilderness character.

I. THE PLAN MUST FULLY PROTECT THE WILDERNESS RESOURCES OF THE CHUGACH NATIONAL FOREST.

A. The Forest Service Should Manage the Nellie Juan-College Fiord Wilderness Study Area to Protect its Wilderness Character at the Time of Designation as a WSA.

Wilderness is a valuable resource, and designating part of the Chugach National Forest as Wilderness will ensure that future generations have access to the same experiences and opportunities that Alaskans enjoy today. It is critically important that the Forest Service protect WSAs to allow time for Congress to take action. This proposed Plan would reduce protections from the previous plan and fails to recommend the entire WSA for Wilderness designation.

1. *The Plan Reduces Protections for the WSA Provided for by the 2002 Plan.*

As currently worded, the Plan reduces protection for the WSA provided by the previous plan, placing the wilderness resources at risk and potentially undermining a future Wilderness designation. The 2002 Plan directs the agency to manage the WSA consistently with the Wilderness Act, ANILCA, and the Regional Manual.³ In contrast, the proposed Plan drops any reference to managing the WSA in accordance with the Wilderness Act or the Regional Manual and only directs the Forest Service to manage the WSA as directed by ANILCA.⁴ The reason for this omission is unclear, as the Plan cannot remove the legal protections under the Wilderness Act afforded to WSAs, and by seemingly directing that the Regional Guidance no longer applies

³ Region 10 Forest Service Manual § 2320.3.

⁴ Plan at 44.



to the WSA only exacerbates the confusion over WSA management. Any confusion the Forest Service is seeking to resolve over WSA management should be addressed by clearly explaining this to the public, not by removing or reducing protections that are legally required.

The Plan further weakens WSA protections by abandoning language from the 2002 Plan regarding wilderness character. In the 2002 plan the Forest Service described Desired Conditions (4-12, 4-16) consistent with wilderness character: "Ecological processes, largely unaffected by human activity, dominate this management area" and highlights "outstanding opportunities for solitude" and primitive recreation. By omitting this language, the Plan opens the door to projects listed suitable on page 42 of the Plan that are contrary to managing an area for wilderness character. As a result, the Plan opens the WSA to personal use timber cutting and soil, watershed, and wildlife projects not currently allowed.⁵ The Plan also softens protective guidelines on other types of projects, such as fish habitat projects.⁶ This would allow the State, researchers, and other agencies to manipulate and experiment with natural processes in western Prince William Sound, altering vegetation, water courses, and habitat. It would also allow individuals to perform small-scale timber cutting. Even more troublesome is that the allowed activities will likely bring motorized equipment and permanent structures to western PWS. Already, USFS has changed the wilderness character of Western Prince William Sound by permitting the construction of weirs, fish ladders, small dams, fish hatcheries, and a large communication site. We recognize that certain fishery projects may be permitted in the WSA under § 1315(b) of ANILCA, but these projects must be done in a way that minimizes impacts to wilderness character. Allowing such manipulations is counter to the Plan's stated purpose of preserving wilderness character and would degrade the wilderness characteristics that sustain jobs and the high quality experiences Alaskans expect from the Chugach.

The Plan also weakens protections for wilderness values by omitting any direction on motorized uses and mechanical transport in the WSA. The 2002 Plan and Alaska Regional policy⁷ have specific prohibitions and guidelines for motorized uses, including helicopters, snow machines, airplanes, generators, and chainsaws. Similar provisions to maintain current management practices for the forest should be included in the Plan. Removing these restrictions creates confusion and contradicts the Plan's Wilderness Area Inventory and Evaluation, which — for example — states that the College Fiord Inventory Area is closed to motorized uses.⁸

The Forest Service has an obligation to manage the WSA as designated Wilderness and protect its wilderness character until Congress makes a determination as to these lands inclusion

⁵ Compare Plan at 42 to 2002 Plan at 4-13, 4-17.

⁶ Compare Plan at 42 to 2002 Plan at 4-13, 4-17.

⁷ Region 10 Forest Service Manual § 2320.3.

⁸ <http://go.usa.gov/CBWvQ> at 53. See also Wilderness Area Inventory and Evaluation: PWS Islands, p. 47; College Fiord, p. 51; Nellie Juan, p. 42).



in the Wilderness Preservation System. Weakening protections for the WSA is a move in the wrong direction and not supported by the Wilderness Act, ANILCA, and other applicable laws and regulations.

2. *The Forest Service Must Manage the WSA to Protect Wilderness Conditions Existing When the WSA Was Designated.*

Under the Wilderness Act, the Forest Service must manage the WSA to protect its wilderness qualities at the time it was designated as a WSA.⁹ Weaker protections deprives Congress of its opportunity to decide whether to designate the area as Wilderness.

The Nellie Juan-College Fiord Wilderness Study Area (WSA) should be managed to protect the wilderness character that existed *at the time of designation as a WSA*, not just the “currently existing” wilderness character. This is required by applicable law, and protects a critical component of the Chugach while giving Congress the opportunity to protect this resource for future generations and leaving approximately 3.5 million acres of the Forest available for broader activities.

B. The Forest Service Should Manage the WSA to Only Allow Snowmachine Use for Activities that are truly “Traditional” under § 1110(a) of ANILCA.

The WSA should be protected from an overly-broad interpretation of what qualifies as a traditional use under ANILCA. The Forest Service’s definition of “traditional” allows the exception to swallow the rule and will cause the degradation of the wilderness resource by activities that are not those sought to be protected by ANILCA § 1110(a).

ANILCA provides guidance on Wilderness management that reflects the unique conditions in Alaska and the unique relationships that Alaskans have with the land based on gathering resources from the land. The traditional activities that Alaskans engage in are not locked in the past, but represent a fluid and meaningful relationship with the land. The Agency has an obligation to allow traditional activities but must be careful to avoid an inappropriate expansion of the definition of traditional activities, particularly when new technologies – in some instances – may impact the wilderness character of the WSA. Western Prince William Sound offers unique opportunities for a wilderness experience in close proximity to Anchorage and there are extensive opportunities for mechanized, non-wilderness-dependent activities on other lands in and around the Chugach.

⁹ See ANILCA § 708(b)(3) (directing that areas “not designated as wilderness or for study . . . need not be managed for the purpose of protecting their suitability for wilderness designation”).



The Forest Service interpretation of ANILCA Sec 1110 'traditional activities' is too broad when it includes recreational snow machine use. While sightseeing and primitive recreation are appropriate uses of Wilderness, 36 CFR 13.950 rejects recreation and sightseeing as traditional activities. In addition, Sec 1110(a) of ANILCA states that the use of snow machines for traditional activities "shall be subject to reasonable regulations...to protect the natural and other values..." This language clearly gives discretion to the Forest Service to ensure that the wilderness character remains intact. Nothing in ANILCA implies "traditional activities" include recreational use. The Park Service defines "traditional" as an activity that occurred when ANILCA was enacted and that involves the consumptive use of one or more natural resources of Old Denali Park, such as hunting, trapping, fishing, or berry picking. We encourage the Forest Service to utilize this same definition. There are few places left for those who are seeking to enjoy pursuing traditional activities and recreation without non-mechanized transport. The Chugach is a land of many uses, and we hope the Forest Service will support the abilities of Alaskans and visitors to enjoy the wilderness experience.

While we recognize the importance of ANILCA's direction on permitting certain motorized uses for traditional activities, motorized use in Western Prince William Sound can be detrimental to the WSA's wilderness character if allowed improperly (proposed Plan, p. 11, 14; Assessment, p. 160-1). The Plan appears to do away with guidelines or reasonable checks on motorized uses. The Plan should outline restrictions and limitations to motorized uses and mechanical transport that are consistent with ANILCA and Alaska Region policy for the WSA to maintain the wilderness characteristics of the WSA.

While there are many areas on the Chugach where recreational snow machine use is appropriate, this use is not an activity that is compatible with management that aims to protect wilderness character. In contrast, snow machine use for traditional activities such as hunting can be managed in a way that does not detract from wilderness values. We are confident that the Forest Service can craft reasonable regulations that allow snow machine use for traditional and subsistence activities while also protecting wilderness character.

C. The Forest Service Should Make a Strong Wilderness Recommendation So That the Wilderness Values of the Chugach Receive the Permanent Protection They Warrant.

We hope that future generations will enjoy the same opportunities that we have today to enjoy a Wilderness experience in the Chugach. We urge the Forest Service to make a robust Wilderness Recommendation that includes all places with outstanding wilderness character and to uphold its commitment to preserving the resources within the WSA. The Forest Service should recommend to Congress Wilderness protections for all of the lands recommended in the original Wilderness Study Area.



Thank you for considering these changes to the Plan. If you have any questions about the specifics of our concerns, please let us know.

Signed,

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