

Central Tongass Landscape Level Assessment (CTLLA)

“Additional Thoughts and Input”
of
Rebecca Knight

April 30, 2018

Subj: CTLLA “pre-scoping”

Sent via: comments-alaska-tongass-petersburg@fs.fed.us

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Hello Mr. Zimmerman and Ms. Case,

Following, are my individual “input, and additional thoughts” for the Central Tongass Landscape Level Assessment (CTLLA), non NEPA, “pre-scoping” period. These comments are timely since they are submitted by the April 30 deadline as stipulated in your April 12, 2018 “Central Tongass Project Update” email. Please be sure to include this in the project’s administrative record.

The Forest Service is getting off to a bad start with this non-NEPA approved pre-scoping period and the pre-scoping questionnaire. It has created public confusion flowing from the invented pre-scoping process for the Assessment when the more broadly accessible and better-informed NEPA review process is where the Assessment should have begun. The agency PR has promoted the CTLLA to be a product of the people yet, the CTLLA has not yet entered the NEPA process, and the agency has already disqualified public input¹ and arbitrarily limited the scope of the project. This is a poor way to foster trust and confidence in your agency or the outcome of the process.

Departures from the NEPA process prevent inclusive public participation and fosters confusion

The pre-scoping process excludes full public participation and fails to follow NEPA regulations to ensure that participation. Unless an individual was included on a mailing list or other selective notification means as determined by your agency, the public at-large, including those from other regions in SE Alaska, and the greater U.S., are unaware of the proposed assessment. There has been no Notice of Intent filed in

¹ See CTLLA Project Summary/Spreadsheet: https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd576528.pdf Numerous public input was deemed to be “outside the scope” or a “forest plan issue” and thus removed from consideration for the Assessment.

the Federal Register and likewise it is not yet listed in the agency's Schedule of Proposed Actions (SOPA).

While the "Dear Participant Letter" claims that through this pre-scoping process, "Input from the tribes and the public will help determine the location and types of activities, and how extensively they will occur across the landscape."² that input has been artificially constrained from the get-go. This invented, pre-NEPA process, limits who will be informed and who will ultimately provide early participation.

In fact, had a member of the public heard, through the grapevine, about the proposed CTLLA and was curious, there would be no means to find online information or a method to respond to the questionnaire since the Assessment webpage, including the questionnaire, is buried deep, in the FS website. Moreover, it is buried so deeply, that a search on the agency's own website for the project provides "no results"³ and consequently without the link to the project webpage, supplied in the exclusive Dear Participant Letter, interested other public's were not provided the same access to project information and left largely left in the dark.

I request that you abandon this creative public process, start over, and instead fully implement NEPA beginning with an official scoping period as determined by a Notice of Intent (NOI) published in the Federal Register. I understand that a NOI is scheduled to be published in May, however given the predetermined nature of the process so far, it should be discarded in favor of one that fully complies with NEPA from the very beginning.

Despite assertions otherwise during the open houses, the CTLLA purpose and need and timber target has already been identified

I attended both open house sessions for the CTLLA held in Petersburg, AK on March 7, 2018 at the Holy Cross House. District Ranger Zimmerman explained that the purpose of the CTLLA was for the public to "help formulate ideas for projects" which could be "cleared" [for approval] for 10-15 years. Zimmerman further alleged:

"We have no alternatives yet. We don't even have a purpose and need written yet."

² Central Tongass Landscape Level Analysis Project (CTLLA) webpage. <https://www.fs.usda.gov/detail/tongass/landmanagement/projects/?cid=fseprd568085>

³ See Exhibit A. Search results screenshot. "No results for Central Tongass Landscape Level Analysis Project (CTLLA)."

However, not only does the January 18, 2018 "[Dear Participant Letter](#)", **clearly** identify a Purpose and Need⁴, but the online CTLLA webpage⁵ also reveals a different "purpose" and as explained below, a timber target has already been determined. Clearly, a purpose and need has already been chosen and with a predetermined timber target it appears a proposed action was established long ago. Moreover, in a Feb. 15, 2018_KFSK interview, Mr. Zimmerman revealed the CTLLA top-down, predetermined nature of the project when he said it was his "wish" as well as "the team, and the Forest Supervisor" to include one large timber offering and a few smaller ones.⁶ This statement was made long before the public weighed in on their ideas for the assessment and well outside the NEPA process. Working backwards, and filling the spaces in-between is all that remains.

During the first open house session, and prior to the public presentation, I was informed at the one-on-one "forestry and roads" table that there was no Proposed Action identified for the CTLLA, but that there was, a "timber target of 150 MMBF—10 MMBF per year for 15 years", and that, "you have to start somewhere". This figure was not disclosed later, during the public presentation portion of the meeting, when an audience member asked forest officials what the timber target is for the assessment. Instead of supplying the requested information, District Ranger Zimmerman, responded, "The *current* timber target in 18 [2018] is 40 million board feet. The out-year timber target in the up coming years is 60 million."

Why the reluctance to publicly reveal the pre-conceived and massive 150 MMBF timber target for the life of the assessment? That the FS has already decided upon a timber target is contrary to the agency's claims that they are only "gathering ideas," and that public input will "help determine... how extensively they will occur across the landscape." As you well know, once a timber target has been decided upon, many of the most important, landscape level impacts are all but set-in-stone.

The agency's PR for the CTLLA largely promoted trails, cabins, and maintenance projects—on an equal footing with timber extraction projects—as possible outcomes of the CTLLA planning process. However, it appears that the public, hopeful that such projects will be implemented on a grand scale, is intentionally being played in order to legitimize the agency's actual plans for massive timber removals to benefit POW's Viking Lumber, Inc..

⁴ "The **purpose** of this landscape level approach is to plan a project on a large spatial scale and increase the number of activities authorized in a single analysis and decision. A goal of this approach is to get more on-the-ground work done to better meet the expectations of our partners and our communities. The **need** for this project arises from the differences between the existing and desired conditions within the project area. These needs include: [letter goes on to list predetermined needs]"

⁵ The **purpose** of the Central Tongass Landscape Level Analysis Project (CTLLA) is to improve forest ecosystem health on the Petersburg and Wrangell Ranger Districts, help support community resilience, and to use an integrated approach in meeting multiple resource objectives in order to provide economic development. <https://www.fs.usda.gov/detail/tongass/landmanagement/projects/?cid=fseprd568085>

⁶ KFSK. Forest Service starts planning for projects near Petersburg, Wrangell, Kake. Posted by Joe Viechnicki. Feb 15, 2018 "On Mitkof particularly we'll have I would suspect a larger sale and then it's my wish as well as the team and the forest supervisor's to have a more constant supply of smaller sales and wood available for the local sawmill owners that we have here," Zimmerman said.

Ironically, the timber target identified for this proposed assessment, is the same amount of timber approved under the 2013 Big Thorne Project on Prince of Wales Island, the nation's largest, which was intended to feed the timber industry's insatiable timber appetite for 10 years. Yet, only two years following the award of the BTP and logging began, Viking Lumber, Inc. was at it again, grieving about a shortage of timber and portraying themselves as destitute.⁷ This, as Regional Forester Pendleton acknowledged, despite there still being "...several years in that multi-year contract remaining for Viking Lumber."⁸ Ever obedient to the one percent timber industry,⁹ the Forest Service is once again, via this proposed assessment, planning to make yet more old growth available for Viking's unsustainable clearcut logging.

The formation of CTLLA "focus groups" would violate the Federal Advisory Committee Act

During the first open house proceeding, District Ranger Dave Zimmerman made a comment that:

"It would be sweet if during this process we had different focus groups that would get together and work with us. I don't mind working individually either and we'll do that to begin with, however long before maybe someone steps up. So by the end of this project I'd sure like to have some collaborative groups—the whole range of philosophies—so we can work together and do the best thing for the communities associated with this District and with the Wrangell District."

Why the need for "focus groups" in order to "work together and do the best thing for the communities associated with this District..." when the NEPA process already exists and fully and legally covers any need to work together as well as the "whole range of philosophies for the benefit of communities, associated with the PRD and WRD"? Could it be that the FS needs to form these groups so they can direct and control the development of alternatives and then claim that mere attendance during one or more of these "collaborative" sessions amounts to consent of your massive timber target?

Any development of CTLLA alternatives from formation of so-called focus groups with the encouragement, funding, or behest of your agency would be in violation of the Federal Advisory Committee Act (FACA). Formation of a Central Tongass Advisory Team or whatever you have planned to call it, is explicitly designed to advise in the formation of alternatives ignores NEPA's mandate to "[e]ncourage and facilitate public involvement in decisions which affect the quality of the human environment." [40

⁷ Southeast's largest lumber mill may close. Ed Schoenfeld KRBd. Apr 7, 2016. "The Viking Lumber Mill on Prince of Wales Island was awarded a contract to log part of the Big Thorne timber sale. But owners say it's not enough to stay in business past next year." (<https://www.krbd.org/2016/04/07/southeasts-largest-lumber-mill-may-close/>)

⁸ *Id.*

⁹ Timber removals in southeast Alaska overall at best provide 1% of total regional employment and 3% of total resource-based employment in the region. Federal timber was responsible for a fraction of a percent (0.2%) of regional employment in 2013. Timber worker earnings are less than 1% of total employment related earnings in the region

C.F.R. § 1500.2(d)]. The focus group(s) you likely intend to assemble would be a de facto advisory committee *within the meaning and coverage of FACA and will be subject to its requirements*. If it walks like a duck, it is a duck, and I urge you to stand down on this ill-begotten and unlawful venture.

Formation of a so-called focus group has one purpose only—to direct and control the entire process via agency recommendations and to ultimately legitimize alternatives already conceived by them. If recent history is any guide, the groups will be loaded with agency personnel and yes men and women to achieve this purpose. Formation of a focus group will further constrain who will participate. Such formation is inappropriate and illegal, especially when NEPA is the gold-standard guiding law when considering actions that may affect the quality of the human environment.

CTLLA Questionnaire Responses:

Do you have an idea for a project on the Central Tongass?

Yes, following are four ideas.

Idea 1. Verifiable correction of massive maladministration problems identified in 2016 Washington Office Activity Review

This is the most compelling “need” for the PRD to undertake. The maladministration problems should be clearly identified in the Assessment EIS as well as actions undertaken to rectify those problems. This is NOT outside the scope of the Assessment, nor is it a Forest Plan issue—it is a PRD (and TBRD) issue.

During the CTLLA question and answer period, it was asked how your agency could possibly ensure that timber sales approved under this plan would be adequately appraised, administered, and monitored when there has been no apparent proof that the massive maladministration problems identified in the WO Activity Review for the Tonka and Big Thorne Projects have been addressed. The question was met with obfuscation, and a response that it should be discussed “in private”. Clearly, the agency has no will to correct the problems associated with timber theft, fraud, faulty appraisals, and even monetary kickbacks to the tune of \$12 MM as an award for their lawlessness and failure to abide by the terms of their timber and contract.¹⁰ Left unaddressed or with only lip service, the PRD will continue to allow timber industry to operate in a lawless manner. Planning for this assessment is premature, until the agency has its house in order. Left unaddressed, history will repeat itself.¹¹

¹⁰ See May 31, 2017 memo to Forest Service Chief Thomas Tidwell, from Acting Regional Forester Rebecca Nourse requesting “permission to negotiate ‘revised rates retroactive to the beginning of harvest activities’ in order to prevent Viking from filing a claim “which puts the Forest Service at risk of significant damages” adding that “correcting the situation on Big Thorne...is a high priority.”; and Nourse argues that this off-the-books arrangement is necessary because, “there is no contractual mechanism to correct these errors and inequities, which we think will cost the Purchaser money under the contract.” This time, the basis is a claim the company is owed more timber volume. [https://www.peer.org/assets/docs/ak/7_10_17_Nourse_memo%20\(1\).pdf](https://www.peer.org/assets/docs/ak/7_10_17_Nourse_memo%20(1).pdf)

¹¹ Look at long history of commercial timber theft on the Tongass. White Paper. Stealing the Tongass. Playing by Alaska Rules in the Tongass. November 1996.

For this reason, the findings of the Activity Review and concrete measures to remedy the maladministration issues it identified should be a “Significant Issue” in your upcoming assessment. The agency must begin the NEPA process by disclosing these findings, explaining the resulting impacts of the maladministration disclosed in the WO Activity review, and offer measures to mitigate the adverse impacts in the Assessment EIS. Left uncorrected and with further cover up of this major issue will only lead to more demands for investigation by the public.

Idea 2. Fully updated Aquatic Organism Passage Assessment and passage repair program, and road closures and maintenance program.

A full, Aquatic Organism Passage Assessment and passage repair program, and road closures and maintenance program should be included in the CTLLA EIS. Please implement a fully updated AOP assessment and long overdue development of a program to replace red pipes and improve fish passages. Also, a CT area-wide road maintenance program and closures within the Central Tongass road system is needed. This program must include *meaningful* measures to address past habitat degradation for the *entire* road system within the CTLLA project area. After all, this project is an “assessment” and your agency is seeking ideas from the public for implementation, so what could be more appropriate? The public has been asking for this for decades, yet the FS continues to pay lip service to the issue. If the agency can find \$12 MM to award Viking Lumber an off-the-books payment¹² for Big Thorne and allow nearly \$4 MM of value from Big Thorne and Tonka timber to be devalued, then they can surely find the money to fund red pipe repairs and road maintenance and closures.

Although annual surveys are conducted to update the existing AOP study, a fully updated survey to determine the adequacy of aquatic organism passages for *all* Central Tongass fish passages should be conducted. As you are aware, passages degrade over time, and structures that were in fine condition in one year, are not necessarily so in subsequent years, which makes a full assessment necessary. This is especially so since the life of the CTLLA is 10-15 years. The actual habitat remediation needs—that is, reducing sediment inputs into streams from the poorly maintained transportation system and repair of red pipes—are road maintenance projects for which there is existing local labor and infrastructure which occurs independently of timber workers. A fully updated assessment followed by a meaningful program will benefit all.

In anticipation of your standard statement that red pipes “may” be replaced, I request that you avoid use of this term and make a full commitment to a program to repair all red pipes. Any Forest Service action to improve watershed function “must” prioritize fish passage improvements by repairing blocked/impaired passages on a massive scale. Such action would also fulfill one of the purported “needs” of the CTLLA to “improve forest ecosystem health on the Petersburg and Wrangell Ranger Districts”.¹³ Repairing 2 or 3 passages annually or refurbishing roadways to be used by the timber industry in anticipation of a timber sale (and to subsidize timber operators) is not

¹² *Id.*

¹³ *Id.*

enough. Band-aid measures to address these issues hardly demonstrate any will to repair CT aquatic organism passages and sediment delivery to streams.

Idea 3. Wildlife travel connectivity/corridors identification and expansion of and improvements to the Central Tongass' old-growth reserve network

One of my favorite ideas for a project is expansion of and improvements to the Central Tongass' old-growth reserve network as well as cessation of old growth logging in the CT. The Tongass timber shop should accept what other national forests already have—that logging old growth is not sustainable, destroys irreplaceable habitat for a variety of OG dependent species, and is simply no longer socially acceptable. Moreover, I believe that the Forest Service needs to reconsider its approach to second growth logging in the project area. I request that the analysis carefully assess the value of allowing those forests to recover to the point of attaining old-growth habitat features of value for wildlife. As you are aware, thinning for wildlife is expensive and its benefits are quite temporary.

Moreover, existing travel corridors for wildlife in the CT of should be identified and remain off-limits to logging. This is a serious problem that needs attention. Travel corridors that were left on the first entry, are routinely logged on the second entry (aka “the best of the rest”), creating “creeping mega-cuts” that are of little use to wildlife and create potentially miles-long, impassable blockades for them. For instance, an important travel corridor for wildlife to access the shoreline/uplands on the S. Lindenberg Peninsula was mowed down to make room for the Tonka timber sale sort yard. Either the IDT failed to accurately access wildlife needs or failed to take a look at wildlife corridors previously identified in the S. Lindenberg Timber Sale Wildlife Resource Report which covered much of the same project area as for Tonka. Previously established wildlife corridors must be identified and remain intact under the CTLLA.

Idea 4. A program to assess, in depth, the loss of potentially important and economically valuable species of fungi in the CTLLA project area.

Serious consideration should be given to the topic of fungal health on the Tongass and the impact of logging old growth and second growth forests on these species. Second growth is mentioned here because under the current management ideology, these stands will never be allowed to reach old growth conditions again. Multiple use on the Tongass needs to reflect modern understandings of the importance of preserving intact fungal habitats. The CTLLA should include a program to assess, in depth, the loss of potentially important and economically valuable species of fungi. For instance, the long-lived fungal conk, *Fomitopsis officinalis* (Agarikon) contains anti-microbial and anti-viral agents, and have been shown effective in treating a variety of other medical conditions.¹⁴ It is found in southeast Alaska (as far south as northern CA) on old growth Sitka spruce, western hemlock, and Shore pine. Because an extract of it is one of the most effective treatments for pox-related viruses, the Food and Drug Administration officials have introduced it to worldwide markets and their

¹⁴ [Phys.org](https://m.phys.org/news/2014-10-mycologist-agarikon-possibility-counter-antibiotic.html). Mycologist promotes agarikon as a possibility to counter growing antibiotic resistance. October 24, 2014. <https://m.phys.org/news/2014-10-mycologist-agarikon-possibility-counter-antibiotic.html>

governments. As old growth forests are removed, the loss of this species before its beneficial use is realized, is an important consideration. In fact, Dr. Paul Stamets, a world class expert on mycology, advocates that ecosystems such as old growth forests should be declared part of our national defense system because they could possibly hold cures to diseases unleashed by bioterrorists.¹⁵


Unfortunately, the USFS lists this conk as a hazardous species and will remove trees with Agarikon growing on it – the USFS is operating with an outdated idea of fungi importance, failing to integrate modern science of fungi mycelia interactions into sound, sustainable forest planning.¹⁶

What forest activities or resources are you interested in?

My forest interests and activities include old growth Sitka spruce, Western hemlock, and the cedars for carbon sequestration purposes (not cap and trade), recreation including wildlife viewing, camping, and hiking, subsistence uses, and protection of fisheries habitat including hugely important headwaters/watersheds. Protection of these beneficial uses, is far more important than timber extraction to benefit, Viking Lumber Inc. and the Alcan/Transpac group—a 100% timber exporter.

In short, I request that you cease planning for a massive timber sale for Viking Lumber, Inc. who has had the run of the Tongass for far too long, and truly incorporate many of the non-extractive and creative ideas the public has taken the time to inform you about for the Assessment.

Sincerely,



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¹⁵ *Id.*

¹⁶ See <http://osha.oregon.gov/OSHAPubs/reserve-trees.pdf> at 42).