

Sonny Perdue, Secretary of Agriculture
Department of Agriculture
1400 Independence Ave SW
Washington, DC. 20250

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Subject: USDA Forest Service Proposed Alaska Roadless Rule

Comments submitted through: www.fs.usda.gov/project/?project=54511.

Dear Secretary Perdue,

I am writing to comment on the Alaska Roadless Rule DEIS as described and referenced in Federal Register Document 2019-22638.

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I. Alaska Roadless Rule Federal Register Notice

A. State Petition

The Federal Register Notice describes that, *“In selecting the proposed rule among the several alternatives considered, the Department has given substantial weight to the State's policy preferences as expressed in the incoming Petition... The State's views on how to balance economic development and environmental protection offer valuable insight when making management decisions concerning NFS lands within Alaska... The proposed rule provides local forest managers an avenue for a long-term durable approach for managing the Tongass National Forest, unencumbered by the 2001 Roadless Rule, through the local forest planning process....”*

Comment: The State of Alaska’s decision to ignore all of the Roadless Rule’s existing exemptions makes it clear that the purpose of the petition is to seek road building and logging permissions instead of protecting the unique benefits of undeveloped areas of the Tongass National Forest. The State of Alaska’s petition for rulemaking should have been denied by the Secretary.

The rationale presented does not reflect the national significance of the Tongass National Forest Roadless Areas. The need to protect the Alaska Roadless Areas is better described in the 2001 Roadless Rule,¹ which states in part that, *“Inventoried roadless areas... function as biological strongholds for populations of threatened and endangered species. They provide large, relatively undisturbed landscapes that are important to biological diversity and the long-term survival of many at risk species. Inventoried roadless areas provide opportunities for dispersed outdoor recreation, opportunities that diminish as open space and natural settings are developed elsewhere. They also... provide reference areas for study and research.”* Roadless Areas also protect Alaska watersheds from degradation. The State’s idea of local timber production desires should not supplant the national need to protect these National Forest System lands.

It is unfortunate that the Secretary is giving preference to the State of Alaska for managing the national resources of the Tongass National Forest and dismissing the Forest Supervisor’s rationale for the 2016 Plan Amendment decisions. The 2016 Forest Plan FEIS ROD on page 19 states that: *“Based on my review of the Final EIS and the project record, I believe the best way to bring stability to the management of roadless areas on the Tongass is to not recommend any modifications to the Roadless Rule. Harvest in roadless areas is not necessary to meet the purpose and need of the amendment. The Selected Alternative can be implemented without proposing any new regulations while still achieving transition objectives... Additionally, the Roadless Rule provides that the construction or reconstruction of roads in an inventoried roadless area may be authorized under certain circumstances. In May, 2012, the Chief of the*

¹ 66 FR 3243

Forest Service identified a process where the Chief reviews and may authorize certain activities to occur within roadless areas, when consistent with the Roadless Rule. Projects are reviewed by the Chief to ensure the Forest Service is applying a consistent approach to implementation of the 2001 Roadless Rule and that the agency is doing all it can to protect roadless area characteristics. Since 2012, the Tongass has requested and received timely approval from the Chief for qualifying activities within roadless areas, including those in support of hydroelectric energy projects and transmission, and road rights-of-way under applicable statutes....”

B. Rationale for the Proposed Rule

The Federal Register Notice describes that, “*The Secretary of Agriculture has broad authority to protect and administer the National Forest System through regulation as provided by the Organic Administration Act of 1897 (the Organic Act), the Multiple-Use Sustained Yield Act of 1960 (MUSYA), and the National Forest Management Act of 1976 (NFMA). These statutes provide the Secretary with discretion to determine the proper uses within any area, including the appropriate resource emphasis and mix of uses.*”

Comment: The proposed rule recognizes the authority of the NFMA for rulemaking. However, the proposed rule and alternatives were prepared following processes that are inconsistent with the requirements of the land and resource management plans requirements of 16 U.S.C. 1604 parts (a), (c), (f), (g) and (k). A specific concern is the rule proposal to modify desired conditions and land suitability decisions without amending or revising the Forest Plan. This is a critical flaw, and with this flaw, I recommend that the proposed 36 CFR 294.50 rule be withdrawn from the rulemaking process.

C. Forest Plan Management Direction

The Federal Register Notice describes that, “*The proposed Alaska Roadless Rule would not alter the Forest Plan's management area designations, harvest levels, substantive requirements (goals, objectives, standards, and guidelines), or the young-growth transition strategy, except for the administrative changes noted below concerning suitable lands determinations specifically issued to implement the 2001 Roadless Rule.*”

Comment: The assertion is unfounded that the Secretary has the authority without a Forest Plan amendment EA or EIS to effect a change to the 2016 Forest Plan FEIS decisions that established desired conditions and lands suitability. The effects of this change would eliminate the principle plan component that protects roadless areas on the Tongass National Forest. The 2016 Forest Plan FEIS does not address the effects on roadless areas of eliminating the *not suitable for timber production* decision.

The 2016 Forest Plan FEIS ROD states that, “*Because suitability is a Plan component under the 2012 Planning Rule, any changes to the suitable timber base must be made by amending or revising the Forest Plan.*” The integrated resource management decisions of the 2016 Forest Plan, including desired conditions and where timber suitability determinations apply, cannot be

modified by the Alaska Roadless Area rulemaking process as presented in the DEIS. The timber suitability plan component decision as proposed by the ARR DEIS action alternatives are not administrative changes; instead, the proposed changes would clearly modify the integrated resource management decisions approved by the FEIS ROD, including the determination that the plan is consistent with the Tongass Conservation Strategy. Apparently, not only does the Secretary feel encumbered by the 2001 Roadless Rule, but also by the requirements of the National Forest Management Act as implemented through Forest Planning amendment processes² for making changes to plan components. Appropriate National Forest planning processes for determining timber suitability and establishing other plan components is found in the National Forest Management Act³ as implemented through the 2012 Planning Rule⁴ and related directives.

The 2016 FEIS on page 2-14 describes that, *“Under Alternatives 1, 4, and 5 IRAs are withdrawn from timber production and not suitable for timber production (FSH 1909.12, chapter 60, section 61.11),”* and on page 2-33, *“As in Alternatives 1 and 4, the 2001 Roadless Rule would apply and no old-growth or young-growth harvest would occur in roadless areas.”* Alternative 5 is the selected alternative.

A roadless area on the Tongass National Forest is defined as, *“an area of undeveloped public land within which there are no improved roads maintained for travel by means of motorized vehicles intended for highway use. For purposes of the Forest Plan environmental impact statement analysis, this is a generic term that includes inventoried roadless areas and unroaded areas”* (Forest Plan, page 7-51).

Suitability determinations and identifying where the plan components apply are inherently NFMA planning functions that cannot be dismissed through a resource allocation and management process as proposed in this DEIS. Instead, the Tongass National Forest Plan must be revised or amended to address changes to the assignment of plan components.

II. Record of Decision Forest Plan Amendment FEIS 2016

A. Forest Plan Amendment Record of Decision

ROD: The Record of Decision for the 2016 Forest Plan amendment EIS on pages 6-8 describes that, *“The decision I am making today is to approve the 2016 Forest Plan Amendment, which is Alternative 5 (the Selected Alternative) as described in the Final EIS... As required by law and regulation, this decision is fully supported by the environmental analysis documented in the Final EIS... I have made my decision after careful consideration of the public comments on the Draft EIS for the 2016 Tongass Land and Resource Management Plan Amendment...”*

² 36 CFR 219.13(a)

³ 16 U.S.C. 1604

⁴ 36 CFR 219

Alternative 5 is based on the recommendations from the Tongass Advisory Committee (TAC), a formally established Federal Advisory Committee that included representatives from Federally Recognized Tribes, Alaska Native organizations, Alaska Native corporations, national and regional environmental and conservation organizations, timber industry operators, Federal, State, and local governments, permittees, other commercial operators, and the general public...

The Selected Alternative allows old-growth harvest only within that portion of the Tongass included in Phase 1 of the timber sale program adaptive management strategy adopted by the Regional Forester as part of the Record of Decision for the 2008 Tongass Forest Plan Amendment. That strategy was aimed at reducing impacts to high-value roadless areas of the Tongass, based on a more recent inventory of roadless areas than that used in development of the 2001 Roadless Rule, including some areas not included in the 2001 Roadless Rule. The strategy separated roadless areas into three categories (low-, medium-, and high-value), and limited timber harvest to roaded areas of the National Forest and low-value roadless areas (called Phase 1) unless timber harvest reached 100 million board feet (MMBF) for two consecutive fiscal years, when harvest would also have been allowed in Phase 2's medium-value roadless areas... No old-growth or young-growth harvest will occur in roadless areas identified in the 2001 Roadless Rule...

Alternative 5 also incorporates TAC recommendations to protect certain watersheds known as the "Tongass 77" (T77), that have been identified by Trout Unlimited as high priority watersheds for protection due to their outstanding habitat values, fish production, and diversity of fish species present. In addition, the TAC recommended protection of "conservation priority areas" identified by The Nature Conservancy (TNC) and Audubon Alaska (Albert and Schoen 2007)... Old-growth harvest will not be allowed, however, and old-growth acres within these watersheds and conservation areas that are allocated to development LUDs are classified as unsuitable under Alternative 5. Young-growth timber harvest will be allowed in some of these watersheds and conservation areas."

Comment: The Tongass Forest Plan amendment selected alternative describes a decision that was based on recommendations by the Tongass Advisory Committee that no old-growth or young-growth harvest will occur in roadless area locations. The proposed ARR, cannot legally modify the timber harvest decision for *areas of undeveloped public land within which there are no improved roads* by simply declaring that these areas are no longer not suitable for timber production.

B. Forest Plan Amendment FEIS Alternatives – Future Roadless Rulemaking

ROD: The Record of Decision for the 2016 Forest Plan amendment EIS on pages 10-11 describes that, "Alternative 2... *the portions of inventoried roadless areas (IRAs) that were roaded before the 2001 Roadless Rule and during the 2001 Roadless Rule exemption period for the Tongass would be available for young-growth and old growth harvest. This would require rulemaking to modify 36 CFR 294.13(b)(4) (2001). The prohibitions of the 2001 Roadless Rule*

would continue to apply to these areas until the completion of rulemaking... Alternative 3... This alternative would allow young-growth and old-growth harvest in 2001 Roadless Rule IRAs. The prohibitions of the 2001 Roadless Rule, consistent with the District Court of Alaska's 2011 judgment reinstating the Roadless Rule on the Tongass, would apply until the completion of rulemaking...."

Comment: The 2016 Forest Plan Amendment FEIS considered and rejected approving management direction for the Tongass National Forest that was based on a future change to the Roadless Rule. The proposed ARR has the appearance of being an attempt to evade Forest Plan approval processes by avoiding NFMA planning requirements for the ARR proposed actions that would lead to resource developments and road construction.

C. Decision Description

ROD: The Record of Decision for the 2016 Forest Plan amendment EIS on page 22 describes that, "...The Selected Alternative will relax the S&Gs for the scenic integrity objectives to allow additional harvest... By shifting away from old-growth harvest, the Tongass will preserve undeveloped land in unroaded areas, contributing to unfragmented wildlife habitats and intact watersheds. Young-growth timber harvest will occur within the previously harvested footprint and maximizes the use of existing roads to access young-growth stands... Under the Selected Alternative, the annual Projected Timber Sale Quantity will be 46 MMBF during the first decade and 72 MMBF during the second decade... Therefore, more old-growth is retained under the Selected Alternative than under the current plan (Final EIS, Appendix D).

Under the Selected Alternative, 91 percent of the original POG forest is anticipated to remain over the next 100 years. This equates to approximately 400,000 more acres old-growth than were assumed during the development and evaluation of the Conservation Strategy. Likewise, under the 1997 Forest Plan approximately 8,500 miles of roads were anticipated to exist on NFS lands by 2095, whereas under the Selected Alternative less than 6,100 total miles of roads are anticipated to exist by 2095. This translates to substantially lower road densities than under the 1997 Plan. The additional area of POG will function as additional reserves, enhancing the existing reserves, and increasing the habitat quality when located around harvest units. Thus, the substantially greater spatial extent of old-growth forest on the landscape and fewer roads across the planning area will outweigh the local, adverse effects of young-growth harvest proposed by the Selected Alternative in the Old-growth Habitat LUD, the beach and estuary fringe, and RMAs (Final EIS, Appendix D)."

Comment: The proposed rule, without following the integrated resource management planning requirements of the NFMA, asserts that the Forest Service can clearly identify those areas within inventoried roadless areas that would have been designated suitable for timber production if it was not for the 2001 Roadless Rule. However, the 2016 Forest Plan Amendment ROD did not unmistakably identify those areas that were excluded from being suitable for timber production based solely on the Roadless Rule.

Substantial changes to the 2001 Roadless Rule that allow for the construction of roads and timber production must follow both Special Area rulemaking guidance and Forest Plan amendment or revision processes. Otherwise, the Department would not be able to demonstrate that the agency acted holistically and used consistent rationale for decisions. Specifically, it would not be in compliance with the Administrative Procedures Act for the Secretary to reject the 2016 Forest Plan amendment decision rationale if a new decision is to be based on the narrow State of Alaska petition and the ARR DEIS planning framework.

III. Alaska Roadless Rule Draft Environmental Impact Statement

A. Compliance with NFMA, NEPA, and Other Laws

DEIS: The DEIS on page 1-1 states that, *“The Forest Service has prepared this draft environmental impact statement (DEIS) in compliance with the National Environmental Policy Act (NEPA) and other relevant federal laws and regulations. This DEIS discloses the potential environmental consequences that may result from the alternatives considered for the proposed Alaska Roadless Rule.”*

The DEIS on page 7-25 associates the ARR DEIS with the requirements of the NFMA when defining Suitability of Lands. *“A determination that specific lands within a plan area may be used, or not, for various multiple uses or activities, based on the desired conditions applicable to those lands. The suitability of lands determinations need not be made for every use or activity, but every plan must identify those lands that are not suitable for timber production (FSH 1909.12 chapter 20, section 22.15). (See FSH 1909.12 chapter 60 for timber production suitability,)”* and on page 7-27 in the definition of timber production suitability, *“a forest plan must identify the lands that are suited and not suited for timber production. (FSH 1909.12, chapter 60).”*

Comment: The purpose and applicability of the NFMA planning regulations describes that, *“This subpart sets out the planning requirements for developing, amending, and revising land management plans (also referred to as plans) for units of the National Forest System (NFS), as required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.) (NFMA). This subpart also sets out the requirements for plan components and other content in land management plans. This part is applicable to all units of the NFS as defined by 16 U.S.C. 1609 or subsequent statute... Consistent with the Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528–531) (MUSYA), the Forest Service manages the NFS to sustain the multiple use of its renewable resources in perpetuity while maintaining the long-term health and productivity of the land. Resources are managed through a combination of approaches and concepts for the benefit of human communities and natural resources. Land management plans guide sustainable, integrated resource management of the resources within the plan area in the context of the*

*broader landscape, giving due consideration to the relative values of the various resources in particular areas.”*⁵

The NFMA requires that a Forest Plan adhere to specific requirements.⁶ The ARR must adopt the Forest Service planning regulations; otherwise, and only if permissible by the NFMA, the agency must promulgate special rules for the development “permissions” that would be granted by the ARR.

B. Scope and Applicability

DEIS: The DEIS on page 1-2 states that, *“Roadless rules are narrowly focused prohibitions and exceptions established by the Secretary concerning whether and how timber harvest and road construction/ reconstruction may be allowed within specifically designated roadless areas. The alternatives evaluated in this DEIS focus on the particular prohibitions and exceptions. General guidance considering other discretionary aspects of management of the Tongass is better addressed through forest planning. Forest Plans are periodically revised and provide greater flexibility to adapt as the Forest Service gains greater understanding and/or circumstances change on the ground.”*

Comment: This characterization of the proposed ARR does not clearly disclose the development aspects of the proposed rule and should be amended to embed a statement such as, *“Previously, Roadless Areas have been designated to protect the Roadless Area Character of areas by establishing protective prohibitions with narrowly focused exemptions. However, the alternatives developed in the Alaska Roadless Rule DEIS identify both prohibitions as well as permissions to develop lands for such uses as timber production and road construction.”*

C. Purpose and Need

DEIS: The DEIS on page 1-4 states that, *“In response to the State of Alaska’s petition for rulemaking, the Forest Service and State of Alaska agree the controversy surrounding the management of Tongass roadless areas may be resolved through state-specific rulemaking. A long-term, durable approach to roadless area management is desired that accommodates the unique biological, social, and economic situation found in and around the Tongass. The Tongass is unique from other national forests with respect to size, percentage of IRAs, amount of NFS lands and subsequent dependency of 32 communities on federal lands, and unique Alaska and Tongass-specific statutory considerations (e.g., Alaska National Interest Lands Conservation Act, Tongass Timber Reform Act)... The USDA and Forest Service believe the 2001 Roadless Rule prohibitions on timber harvest and road construction/reconstruction can be adjusted for the Tongass in a manner that meaningfully addresses local economic and development concerns and roadless area conservation needs.”*

⁵ 36 CFR 219.1(a) and (b)

⁶ 16 U.S.C. 1604(f), (g), and (k)

Comment: The scope of the Alaska Roadless Area EIS includes not only protections, but also permissions to develop Roadless Areas. Providing for timber harvest flexibility in the ARR expands the scope in this rule beyond previous Roadless Rules. A clear and full statement of purpose and need is critical since it is the foundation for the formulation, evaluation, and comparison of alternatives. The statements of purpose and need for the ARR must be amended to clarify the purpose and need of the regulations for addressing key issues.

The scope of this EIS must include the purposes of Roadless Area Conservation, which should be addressed by adding the following purpose and need statements: (1) *“Roadless areas are important because they are, among other things, important fish and wildlife habitat, semi-primitive or primitive recreation areas, including motorized and non-motorized recreation opportunities, and naturally appearing landscapes. A need exists to provide for the conservation and management of roadless area characteristics;”* and (2) *“The Department and the Forest Service recognize that timber cutting, sale, or removal and road construction/reconstruction have the greatest likelihood of altering and fragmenting landscapes, resulting in immediate, long-term loss of roadless area characteristics.”*

D. Key Issues – National Forest Management Act

DEIS: The DEIS on page 1-7 describes that, *“NEPA regulations require the agency to identify and eliminate from detailed study those issues that are not significant or that have been covered by prior environmental review, to narrow the scope of the analysis. Reasons for eliminating issues from detailed study include when the issues are related to the following: ... Items addressed by other laws, regulations, or policies.”*

Comment: The NFMA is clearly the authority for establishing suitability determinations and for integrated resource planning. The proposed ARR provides for development permissions. Sustainable management of the Alaska Roadless Areas where resource developments are to be approved requires that the rule embrace the Forest Service planning regulations that address modifying plan components.

E. Features Common to Multiple Alternatives

DEIS: The DEIS on page 2-1 states that, *“Except for the timber land suitability determinations described below, none of the alternatives would make any changes to the Forest Plan including the following: Goals and Objectives; Land Use Designations or Management Prescriptions; Forest-wide Standards and Guidelines; Plan Components developed under the 2012 Planning Rule; and/or Projected Timber Sale Quantity (PTSQ), Projected Wood Sale Quantity (PWSQ), and the Young-growth Transition... Activities that are not otherwise prohibited are permissible in roadless areas under all alternatives, including the no-action alternative (2001 Roadless Rule), if not restricted by other law, regulations, and/or policies.”*

Comment: The proposed change to the timber suitability decision would have a cascading effect of daylighting management prescription flaws in the Forest Plan. For example, the Forest

Plan fails to establish appropriate Recreation Opportunity Spectrum (ROS) desired conditions plan components for roadless areas.⁷ The effect of removing the “*not suitable for timber production*” plan component for Roadless Areas would lead to Roadless Modified settings in some alternatives for areas where the plan should have protected unroaded characteristics by establishing more primitive ROS settings. This is a specific resource example for why the proposed timber suitability change must follow amendment or revision processes.

Regulated forest structure conditions maintained by periodic stand tending, forest harvest and regeneration, and associated road construction and reconstruction is incompatible with providing for Primitive, Semi-Primitive Non-Motorized (SPNM), and Semi-Primitive Motorized (SPM) ROS class desired conditions and must not be classified as suitable for timber production. These observations are based on my experience and understanding of the ROS planning framework as demonstrated by coauthoring a ROS Planning Handbook: *Recreation Opportunity Setting as a Management Tool Technical Guide* by Warren Bacon, George Stankey, and Greg Warren.⁸

The Alaska Roadless Area rulemaking EIS should recognize the need to change the Forest Plan roadless areas ROS plan components. The existing Forest Plan should be amended or directed by this rule to establish a Forest Plan standard for roadless areas describing that, “*Resource management actions and allowed uses must be compatible with maintaining or restoring Primitive, Semi-Primitive Non-Motorized, or Semi-Primitive Motorized ROS class settings. Accepted ROS class inconsistencies include activities and uses that are provided for in ANILCA and TTRA. Manage ROS class inconsistencies with the objective of minimizing effects on roadless area values.*” An ARR management prescription should include a timber suitability plan component that states, “*Lands are not suitable for timber production.*”

ROS standard and guidelines are described in Appendix I of the Forest Plan and Desired Conditions are defined on page 7-47 of the 2016 Forest Plan. The describe settings and indicators adequately define ROS settings for the Tongass National Forest and should be adopted for the ARR.

DEIS: The DEIS on page 2-2 states that, “*Alternatives 2, 3, 4, 5, and 6 would result in an administrative change to the timber land suitability determinations made in the 2016 Forest Plan. Specifically, lands identified as suitable for timber production that were deemed unsuitable solely due to roadless designation in the Plan would be designated as suitable for timber production. This administrative change would apply to lands removed from the roadless inventory and to lands identified as “Community Priority” or “Timber Priority” in Alternatives 3 and 4, respectively. This change to the Tongass suitability determinations does not preclude future suitability determinations as part of Forest Plan amendment or revision processes.*”

⁷ 36 CFR 219.10 (b)(1)(i), FSH 1909.12 23.23a(2)

⁸ http://nstrail.org/carrying_capacity/ros_tool_1986.pdf

Comment: Timber suitability and where it applies is a plan component that cannot be changed by an administrative decision unless the change is in accordance with a law or regulations that are consistent with the requirements of the NFMA for granting development permissions. Since the proposed action purpose is to allow for the development of roadless areas vs. describing regulations to avoid degradation of these areas, the proposed rule is subject to NFMA planning requirements for preparing a Forest Plan amendment or through revision processes.

The 2016 Forest Plan FEIS timber suitability decisions and Roadless Areas are not clearly associated. The ROD states or describes decisions that are not solely related to a *not suitable for timber production* plan component, which would continue to be in effect even if the directed administrative change to modify the timber suitability plan component was enacted. Examples of other related decisions include:

- The decision, “*allows young-growth harvest in all three phases of the 2008 timber sale program adaptive management strategy, but only outside of roadless areas identified in the 2001 Roadless Rule...*”
- *The Selected Alternative allows old-growth harvest only within that portion of the Tongass included in Phase 1 of the timber sale program adaptive management strategy adopted by the Regional Forester as part of the Record of Decision for the 2008 Tongass Forest Plan Amendment. That strategy was aimed at reducing impacts to high-value roadless areas of the Tongass, based on a more recent inventory of roadless areas than that used in development of the 2001 Roadless Rule, including some areas not included in the 2001 Roadless Rule...*
- *No old-growth or young-growth harvest will occur in roadless areas identified in the 2001 Roadless Rule....”*

These decisions describe a location for where the direction applies (e.g., outside of 2001 roadless areas) that cannot be nullified by an administrative change. Changing these timber harvest location decisions would require a plan amendment or be addressed through revision following EIS processes.

The timber suitability component of the proposed rule goes beyond redacting the not suitable for timber production decision for roadless areas, but adds new direction for lands suitability stating that, “*This administrative change would apply to lands... identified as “Community Priority” or “Timber Priority” in Alternatives 3 and 4.*” If for no other reason, Alternatives 3 and 4 must be dropped from further consideration in this Alaska Roadless Area rulemaking process, since assignment of desired conditions and lands suitability is clearly outside of the scope of what is allowed by an administrative change to the Forest Plan.

Any further consideration of mandating that Alaska Roadless Areas be managed for timber production should be addressed through the 36 CFR 219 rulemaking processes and not 36 CFR 294 Special Area regulations. Specifically, 36 CFR 219.11—*timber requirements based on*

the NFMA—should be supplemented to include specific direction for Alaska Roadless Areas.

DEIS—Definitions: The DEIS on page 2-2 define Alaska Roadless Areas as, “*Lands within the Tongass National Forest designated pursuant to this subpart and identified in a set of maps maintained by the national headquarters office of the Forest Service.*” The Glossary on page 7-22 defines roadless area as, “*See Inventoried roadless area (IRA) definition. Within this document, roadless areas may also be used to describe areas proposed to be designated as Alaska Roadless Areas.*” On page 7-11 inventoried roadless area (IRA) is defined as, “*Areas identified in a set of inventoried roadless area maps, contained in Forest Service Roadless Area Conservation, Final Environmental Impact Statement, Volume 2, dated November 2000, which are held at the National headquarters office of the Forest Service, or any subsequent update or revision of those maps. (36 CFR 294.11).*”

Comment: The Forest Service Roadless Area Conservation, Final Environmental Impact Statement, Volume 1, dated November 2000, states that, “*An inventoried roadless area is described as, “Undeveloped areas typically exceeding 5,000 acres that met the minimum criteria for wilderness consideration under the Wilderness Act and that were inventoried during the Forest Service’s Roadless Area Review and Evaluation (RARE II) process, subsequent assessments, or forest planning.” The 2016 Forest Plan defines an inventoried roadless area as, “An undeveloped area typically exceeding 5,000 acres that meets the minimum criteria for Wilderness consideration under the Wilderness Act... Areas identified in a set of inventoried roadless area maps, contained in Forest Service Roadless Area Conservation, Final Environmental Impact Statement, Volume 2, dated November 2000, which are held at the National headquarters office of the Forest Service, or any subsequent update or revision of those maps. (36 CFR 294.11).*”

To be consistent with the expectations of Special Areas,⁹ any area designated as an Alaska Roadless Area should exhibit the characteristics of being undeveloped and be managed to provide for Primitive, Semi-Primitive Non-Motorized, or Semi-Primitive Motorized (with no roads) ROS setting desired conditions.

DEIS: The DEIS on page 2-3 describes Roadless Area Characteristics. Remoteness is defined as, “*Roadless areas provide economic opportunity due to rich primitive, semi-primitive motorized, and semi-primitive non-motorized classes of dispersed recreation.*”

Comment: The “remoteness” attribute in this list should be replaced with desired Recreation Opportunity Spectrum (ROS) descriptions. The FEIS should describe that, “*Primitive, semi-primitive non-motorized, and semi-primitive motorized Recreation Opportunity Spectrum class settings have a natural or natural-appearing environment. These ROS settings are not suitable for timber production.*”

⁹ 36 CFR 294

DEIS: The DEIS beginning on page 2-4 describes Alaska Roadless Area Land Management Categories and states that, “*Alternatives 2, 3, 4, and 5 provide for a variety of management approaches within roadless areas through ARA land management categories which include Land Use Designation (LUD) II Priority, Watershed Priority, Roadless Priority, Community Priority, and Timber Priority. The management categories prohibit timber harvest, road construction, and road reconstruction with a range of exceptions that are applied differentially across the alternatives. A brief description of each management category follows....*” The categories are: LUD II Priority (Alternatives 2, 4, and 5), Watershed Priority (Alternatives 2 and 3), Roadless Priority (Alternatives 2, 3, 4, and 5), Community Priority (Alternative 3), and Timber Priority (Alternative 4).

Comment: I find no compelling reason to collapse LUD categories from those that are found in the Forest Plan. An ARR should use the same LUD categories that are found in the Forest Plan to allow for better integration of the rule direction and plan components.

DEIS: The DEIS further describes in this section that, “*Notably, Alternative 3 proposes to remove all LUD II areas from roadless designation rather than designating LUD II lands into an ARA. LUD II areas under Alternative 3 would continue to be managed as directed by their congressional designations... In all cases, activities within Community Priority ARAs would have to be consistent with the underlying Forest Plan LUD requirements. This is to say that even if a timber harvest, road building, or other activity would be permissible under the Alaska Roadless Rule, it may not be allowable because of Forest Plan requirements specific to the LUD that applies to the area.*”

Comment: One of the strongest combinations of protecting National Forest System lands from degradation is overlapping special area designations. Overlapping designations within unroaded areas would help ensure National Forest System lands are protected for current and future generations by protecting roadless area, watershed priorities, LUD II lands, and more primitive ROS setting values. These overlapping designations provide a complimentary framework for a high-level of protection from overuse and development of federal lands. The LUD II Priority lands; Watershed Priority; Roadless Priority LUDs; and Primitive, SPNM, and SPM ROS settings should be overlaid and the most restrictive provisions would control.

It is confusing and inappropriate to include the Timber Priority LUD within the ARR boundary. Timber production is incompatible with protecting roadless area values. Alternative 4 should describe exempting/excluding 749,000 acres of the Timber Production Priority LUD land from the ARR or preferably be eliminated from further consideration in this rulemaking process.

DEIS: The DEIS on page 2-5 states that, “*As with all roadless rule provisions, the new prohibition would supersede the current and future forest plans, with the plan continuing to provide management direction in other regards.*”

Comment: The new rule permissions were not developed following NFMA processes and should be discarded. There is no demonstrated urgent need for the ARR. Rulemaking and

Forest Plan revision should occur as parallel processes to develop integrated management direction for the Tongass National Forest in a revised Forest Plan and associated ARR.

F. Alternatives Considered in Detail

DEIS: The DEIS on page 2-9 states that, *“Based on information obtained during scoping, Cooperating Agency input, and consultation with Alaska Native tribes, the Forest Service developed six alternatives for detailed analysis, including the no action and proposed action alternatives.”*

Comment: The 2016 Tongass Forest Plan Amendment failed to protect roadless area values where the plan established “Development LUDs” within roadless areas. For example, the Timber Production LUD management prescription is generally managed for a Roaded Modified ROS setting, which is inconsistent with protecting Roadless Area Characteristics. Removing roadless area protections provided by the “not suitable for timber production” plan component would lead to actions that substantially degrade Tongass National Forest unroaded area values.

Proposed New Alternative: A principle concern that is not addressed in the presented alternatives is establishing additional plan components to protect roadless area values. A reasonable alternative to be considered in detail is to modify the Tongass Forest Plan to remove “Development LUDs” designations from roadless areas. In this new alternative, and as part of the rule decisions, the Development LUD areas would be reassigned to Natural Setting LUDs. In addition, Natural Setting LUDs would establish an ARR standard stating that the Alaska Roadless Area must be managed for a Primitive, Semi-Primitive Non-Motorized, or Semi-Primitive Motorized ROS setting.

G. Development Alternatives

DEIS: The DEIS on page 2-12 thru 2-17 describes:

- Alternative 2 changes, *“a net of 18,000 old-growth acres and 10,000 young-growth acres previously identified as unsuitable timber lands would become suitable timber lands.”*
- Alternative 3, *“converts a net of 76,000 old-growth acres and 14,000 young-growth acres, previously identified as unsuitable timber lands, to suitable timber lands.”*
- Alternative 4 converts a net of 158,000 old-growth acres and 15,000 young-growth acres previously identified as unsuitable timber lands to suitable timber lands.
- Alternative 5 also converts a net 165,000 old-growth acres and 17,000 young-growth acres previously identified as unsuitable timber lands to suitable timber lands.
- Alternative 6 converts a net total of 165,000 old-growth acres and 20,000 young-growth acres previously identified as unsuitable timber lands to suitable timber lands and includes an administrative correction and modification provision for the Chugach National Forest only.”

Comment: The regulations for each alternative should restate the information that is summarized in Table 3.1-2.

Table 3.1-2
Roadless Areas by Alternative and Management Category

Roadless Category (acres)	Alternative					
	1	2	3	4	5	6
	No Action	Roaded Roadless	Logical Extension	Partial Dev. LUDs ¹	All Dev. LUDs	Full Exemption
Total Roadless Area	9,200,000	9,220,000	8,103,000	8,857,000	6,905,000	0
ARA Management Categories						
LUD II Priority	N/A	856,000	0	856,000	828,000	0
Watershed Priority	N/A	3,250,000	3,208,000	0	0	0
Roadless Priority	N/A	5,114,000	4,653,000	7,252,000	6,078,000	0
Community Priority	N/A	0	241,000	0	0	0
Timber Priority	N/A	0	0	749,000	0	0
Change in Roadless Area Acres						
Roadless Area Removed	0	113,000	1,202,000	375,000	2,298,000	9,200,000
Roadless Area Added	0	133,000	105,000	32,000	3,000	0
Net Change	0	20,000	-1,098,000	-343,000	-2,295,000	-9,200,000
Old-Growth Acres Suitable for Harvest						
Total Acres	230,000	247,000	305,000	388,000	395,000	395,000
Net Change	0	18,000	76,000	158,000	165,000	165,000

N/A = not applicable

¹ Includes Timber Production and Modified Landscape LUDs, but not Scenic Viewshed.

The DEIS ARA management category prescriptions, including the proposed changes to suitable timber lands and old growth harvest acres, must be addressed through Forest Plan amendment or revision processes if the change is to be consistent with the NFMA and forest planning regulations. To be clear, these changes cannot be deemed as administrative in nature based on this arbitrary ARR rulemaking process.

Reviewing Officer Beth Pendleton in response to Forest Plan objections stated that, “*Objectors express concerns about the relationship between the status of the Roadless Rule and the activities allowed under the Selected Alternative. The IRAs identified in the maps as depicted in the 2000 Roadless Area Conservation Rule EIS, Volume 2, are identified as lands not suitable for timber production under the Selected Alternative [FEIS, p. 2-41]. Therefore, no timber harvest or associated road construction or reconstruction would occur in these IRAs regardless of the status of the Roadless Rule... If the status of the Roadless Rule were to change with regard to its applicability to the Tongass National Forest, a forest plan amendment would be necessary if the Forest decided to pursue modifications to the suitable timber base to include IRAs....*”

H. Forest Products Industry Economic Opportunities

DEIS: The DEIS beginning on page 2-20 describes that, “*None of the action alternatives would result in changes to the PTSQ and the timber objectives of the Forest Plan would continue to require transitioning to primarily young-growth harvest... However, the alternatives do vary in terms of the amount and location of acres suitable for timber production. Greater acreage of suitable land would provide greater flexibility in the selection of future timber sale areas, as well as the potential for more flexibility in sale design, depending on the planning areas selected... Under Alternative 1, about 230,000 acres of old growth... are currently suitable for timber*

production... For old growth, however, the suitable acreage increase would range from 7 percent for Alternative 2 to 72 percent for Alternatives 5 and 6. For Alternatives 3 and 4 the increase would be 33 percent and 69 percent, respectively....”

Comment: The ARR DEIS states that, “alternatives do vary in terms of the amount and location of acres suitable for timber production.” Establishing suitability of lands is a requirement of the NFMA as implemented through planning regulations,¹⁰ which is outside of the scope of developing a Special Area protection rule. Suitability determinations must occur through Forest Plan amendment or revision processes.

I. Alaska Roadless Area Land Management Categories

DEIS: The DEIS on page 3-4 describes that, “Alternatives 2, 3, 4, and 5 provide for a variety of management approaches within roadless areas through ARA land management categories which include Land Use Designation (LUD) II Priority, Watershed Priority, Roadless Priority, Community Priority, and Timber Priority. The management categories prohibit timber harvest, road construction, and road reconstruction with a range of exceptions that are applied differentially across the alternatives....”

Comment: Land use allocations that allow for timber production and road building in roadless areas must be established following NFMA amendment or revision processes. It is misleading to describe that the development permissions are exceptions to the roadless rule. For example, the Timber Priority area as presented in Alternative 4 is not a narrowly focused exception to roadless area desired conditions.

DEIS: The DEIS on page 3-12 describes that: “Altogether, these special LUDs cover 273,000 acres within 2001 roadless areas (Alternative 1). Under Alternative 2, these acres would actually increase slightly to 275,000 acres, and they would be little changed under Alternatives 3, 4, and 5 at 270,000 acres, 268,000 acres, and 272,000 acres, respectively. However, under Alternative 6, the roadless acreage within these special LUDs would decrease to zero.”

Comment: This section should clearly state that the designated Alaska Roadless Areas and LUD II Priority lands are not suitable for timber production, since timber production and road construction is inconsistent with Roadless Area and LUD II desired conditions. The *Change to Timber Land Suitability* acres must be corrected to reflect that timber production will not occur in Alaska Roadless Areas.

J. Environmental Consequences – Forest Products

DEIS: The DEIS beginning on page 3-43 describes that, “This DEIS provides an assessment of the potential impacts that may result from the alternatives considered for a proposed Alaska Roadless Rule... Overall timber harvest levels and composition (old-growth versus young-

¹⁰ 16 U.S.C. 1604(g),

growth) are expected to remain unaffected by the final rule. Timber program output levels are expected to remain constant and involve a similar number of acres under all alternatives, varying only by the location of timber harvest.”

Comment: I disagree with the description that, “*Overall timber harvest levels and composition (old-growth versus young-growth) are expected to remain unaffected by the final rule.*” Table 2-11 describes that timber suitable old growth would change from 230,000 to 395,000 acres in development focus alternatives, which would result in substantially more habitat fragmentation, watershed degradation, and other resource impacts across broad landscapes.

K. Environmental Consequences – Recreation Opportunity Spectrum

DEIS: The DEIS on page 3-167 thru 171 describes that, “*Recreational visitors with an expectation of a remote experience would be most affected by timber production in Primitive, SPNM, and SPM settings... Changes in roadless area designations have the potential to affect the spatial distribution of future development activities, especially timber harvest... Alternatives 4 to 6 would result in relatively large increases in suitable old-growth acres available for harvest in SPNM ROS settings... Timber harvest and associated road construction in Primitive and Semi-Primitive (SPNM and SPM) ROS settings has the potential to affect recreation activities and users dependent on remote, natural settings with low to no evidence of human use. Harvest in these settings could affect the quality of the recreation experience and displace visitors to other parts of the Forest... Impacts are likely to be most acute in Primitive and Semi-Primitive areas where recreation use is already at or near capacity, including areas where competition already exists between resident recreationists, independent visitors, and commercial outfitter/guide operations....*”

Comment: Planning regulations require that lands identified as suitable for timber production be consistent with ROS desired conditions and aligned with mapped ROS class boundaries. Similar to a Management Area/LUD, ROS classes is a land area identified within the planning area that has the same set of ROS plan components. To meet the analysis requirements of using the Best Available Scientific Information and to ensure CEQ requirements for Methodology and Scientific Accuracy, ROS plan components must include not only desired conditions, but also supporting standards, guidelines, and suitability of land determinations that define and protect the established ROS class conditions.

As previously discussed, the 2016 Forest Plan Amendment did not establish compatible Roadless Area ROS class settings for roadless areas, but instead relied solely on those lands being protected by a suitability of lands plan component that established that roadless areas were not suitable for timber production. Suitability of lands is a plan component that identify areas of land as suitable or not suitable for specific uses is based on the desired conditions. Appropriate ROS class settings for Roadless Areas would be Primitive, Semi-Primitive Non-Motorized, and Semi-Primitive Motorized with allowance for limited inconsistencies. These ROS classes are not suitable for timber production, since timber production is inconsistent with the desired

conditions for these ROS settings. The Forest Plan should have established ROS settings that would have protected unroaded areas from being subject to the impacts that are described in this section of the DEIS.

The proposed changes to suitable timber lands for each of these alternatives must be addressed through Forest Plan amendment or revision processes if the change is to be consistent with the NFMA planning regulations. To be clear, changes to suitability, desired conditions, and objectives cannot be deemed as administrative changes to the Forest Plan.

L. Alaska Roadless Areas Rule Regulatory Language

DEIS: The DEIS on page G-1 states that: “§ 294.10 *Purpose. The purpose of this subpart is to provide, within the context of multiple use management, lasting protection for inventoried roadless areas within the National Forest System.*”

Comment: The purpose of the 2001 Roadless Rule is narrowly focused on the protection of roadless areas within the National Forest System.

DEIS: The DEIS on pages G-7, G-23, and G-30 states for Alternatives 2, 4 and 5, “§ 294.50 *Purpose. The purpose of this subpart is to provide, in the context of multiple-use management, State-specific direction for the conservation of roadless areas for the Tongass National Forest while providing for local concerns for economic and community development. This subpart sets forth the procedures for management of Alaska Roadless Areas.*”

The purpose of the Tongass Forest Plan is described as, “*This Land and Resource Management Plan (Forest Plan) guides all-natural resource management activities and establishes management direction for the Tongass National Forest. It describes resource management practices, levels of resource production and management, and the availability and suitability of lands for different kinds of resource management... This Forest Plan embodies the provisions of the National Forest Management Act, the implementing regulations, and other guiding documents. The Forestwide desired conditions and multiple-use goals and objectives (Chapter 2), Land Use Designation Standards and Guidelines (Chapter 3), Forest-wide Standards and Guidelines (Chapter 4), and Plan Content1 Developed Under the 2012 Planning Rule (Chapter 5) constitute a statement of the Forest Plan's management direction*” (Forest Plan, page 1-1).

Comment: The purpose of the Alaska Roadless Rule is beyond the scope of the protection of the special areas that are found on the Tongass and Chugach National Forests. The proposed action and alternatives clearly align with a Forest Plan purpose of providing for the protecting and development of resources through integrated planning that result in one plan. Specifically, changes to desired conditions and plan components (e.g., timber suitability) must be addressed through Forest Plan amendment or revision processes to be valid.

DEIS: The DEIS on pages G-8, G-16, G-24, and G-32 describes for Alternatives 2 and 4 that, “§294.53 *Road construction and reconstruction in Alaska Roadless Areas... (b) LUD II Priority. Notwithstanding the prohibition in paragraph (a) of this section, a road may be*

constructed or reconstructed in an Alaska Roadless Area designated as LUD II Priority... ”
Alternative 3 describes road construction for Community Priorities.

Comment: LUD II Priority and Roadless Priority allocations should not be separate. Instead, they should be overlaid where the most restrictive road construction provision prevails.

DEIS: The DEIS on pages G-10, G-18, G-26, G-34, describe for Alternatives 2, 3, 4, and 5 that, *“Timber harvest is needed for one of the following purposes and will maintain or improve one or more of the roadless area characteristics: (i) To maintain, restore, or improve fish and wildlife habitat....”*

Comment: Providing for Roadless Area Characteristics does not need timber harvests to maintain, restore, or improve fish and wildlife habitat. Since 1994, the State of Alaska has been managing wildlife in accordance with the state’s Intensive Management principles laid out in the Alaska Code (ALASKA STAT. § 16.05.255). The State of Alaska wildlife management mandates are at odds with maintaining desired ecosystem characteristics in roadless areas. This part should be deleted, since the State could influence wildlife habitat management proposals which has happened with this ARR proposal.

DEIS: 294.56 Scope and Applicability – The DEIS at G-11, G-19, G-27, and G-35 describe that: (d) *“The provisions set forth in this subpart shall take precedence over any inconsistent land management plan component of the Tongass Land Management Plan. Land management plan components that are not inconsistent with this subpart will continue to provide guidance for projects and activities within Alaska Roadless Areas. This subpart does not compel the amendment or revision of any land management plan, but the Tongass Forest Supervisor shall issue a ministerial Notice of Administrative Change pursuant to 36 CFR 219.13(c) identifying plan changes made in conformance with the regulatory requirements of this subpart, including rescission of the portion of the December 9, 2016, Record of Decision concerning suitable timber lands attributed to implementation of the January 12, 2001, Roadless Area Conservation Rule (66 FR 3244)”*

Comment 294.56 Part (d)—All Action Alternatives: The ARR does not clearly described those parts of the Forest Plan that are “not inconsistent” with the proposed rule and alternatives. The direction fails to disclose effects that are due to the unknown Forest Plan management direction that would be discarded by the rule, which does not allow for informed comments on the proposed change.

This part describes that, *“the Tongass Forest Supervisor shall issue a ministerial Notice of Administrative Change....”* However, the Secretary authority for establishing a rule that assigns Forest Plan suitability determinations is the NFMA. The Secretary does not have the authority through this Special Area rulemaking process to direct that an administrative change be made to Forest Plan desired conditions and suitability plan components that were approved in the 2016

Forest Plan FEIS ROD. Instead, Planning Rule amendment or revision processes must be followed to make any change to plan components.¹¹

The Federal Register Notice of Final Planning Directives (80 FR 6683) state that, “*FSM 1920 and FSH 1909.12 (planning directives) provide policy direction, objectives, instructions, and guidance for Forest Service Line Officers and primary staff to plan and execute the process of developing, revising, amending, and making administrative changes to land management plans to provide for the sustainability of ecosystems and resources; meet the need for forest restoration and conservation, watershed protection, and species diversity and conservation; and assist the Agency in providing a sustainable flow of benefits, including economic benefits, services, and uses of NFS lands. The 2012 Planning Rule and the FSM 1920 and FSH 1909.12 together provide requirements and guidance for the Agency in land management planning pursuant to the National Forest Management Act.*”

The Planning Rule Federal Register Notice, in response to comments, describe that, “*Plan components are the plan’s desired conditions, objectives, standards, guidelines, suitability of areas, or goals described in § 219.7. An amendment is required if a change, other than correction of a clerical error or a change needed to conform to new statutory or regulatory requirements, needs to be applied to any of these plan components... Administrative changes are made to correct clerical errors to plan components, to alter content in the plan other than the plan components, or to achieve conformance of the plan to new statutory or regulatory requirements. A clerical error is an error of the presentation of material in the plan such as phrasing, grammar, typographic errors, or minor errors in data or mapping that were appropriately evaluated in the development of the plan, plan revision, or plan amendment. An administrative change could not otherwise be used to change plan components or the location in the plan area where plan components apply, except to conform the plan to new statutory or regulatory requirements.*”

The ARR proposed action and alternatives were developed following processes that are inconsistent with the requirements of the NFMA; and therefore, cannot establish management direction that would supplant the amendment and revision requirements of the planning rule (36 CFR 219).

DEIS: 294.56 Scope and Applicability – The DEIS describes that: (e) “*The prohibitions and permissions set forth in this subpart are not subject to reconsideration, revision, or rescission in subsequent project decisions or land and resource management plan amendments or revisions undertaken pursuant to 36 CFR part 219.*”

Comment 294.56 Part (e): The 2012 Forest Service planning regulations were promulgated under the principles of the Multiple-Use Sustained-Yield Act of 1960.¹² Planning regulation

¹¹ 36 CFR 219.13(a); FSH 1909.12 part 21.3

¹² 16 U.S.C. 1604(g)

describes, “*Purpose and applicability. (a) This subpart sets out the planning requirements for developing, amending, and revising land management plans for units of the National Forest System (NFS), as required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.) (NFMA). This subpart also sets out the requirements for plan components and other content in land management plans. This part is applicable to all units of the NFS as defined by 16 U.S.C. 1609 or subsequent statute.*”¹³

Unlike the 2001 Roadless Rule clauses that addressed “prohibitions and restrictions,” this proposed substantive rule grants “permissions” that are not “*subject to reconsideration, revision, or rescission in subsequent project decisions or land and resource management plan amendments or revisions undertaken pursuant to 36 CFR part 219.*” There is no authority to grant “permissions” for changing desired conditions and timber suitability determinations and locations that are apart from the requirements of the NFMA amendment and revision processes.

IV. Review and Recommendation

The Alaska Roadless Rule (ARR) proposes to grant timber production and road development permissions¹⁴ and to rescind the 2016 Forest Plan FEIS timber suitability decision for Roadless Areas. The draft ARR declares that a timber suitability modification to the Forest Plan would be a mere administrative change. However, Department planning regulations require that such permissions be addressed through amendment¹⁵ or revision¹⁶ processes. As proposed, the ARR would not legally modify the Forest Plan roadless area timber harvest decisions by simply declaring that these areas are no longer *not suitable for timber production*. The proposed rule was prepared following processes that are inconsistent with the requirements of the NFMA.¹⁷ The proposed rule permissions and processes do not result in one integrated Forest Plan as required by NFMA.¹⁸

I recommend that the Secretary withdraw the Alaska Roadless Area proposed rule and EIS. Increasing the timber management program flexibility is not a compelling reason for expending resources to prepare an ARR, especially since the DEIS describes similar outcomes for each alternative. If modifying the Roadless Rule continues to be an interest, the Forest Service should revise the Tongass Forest Plan and the Department should establish an Alaska Roadless Rule as parallel and coordinated processes. This holistic approach to planning may result in a sustainable solution to address the management of Roadless Areas on the Tongass National Forest.

¹³ 36 CFR 219.1

¹⁴ 36 CFR 294.56

¹⁵ 36 CFR 219.13(a)

¹⁶ 36 CFR 219.7(a)

¹⁷ 16 U.S.C. 1604 parts (a), (c), (f), (g) and (k).

¹⁸ 16 U.S.C 1604(f)(1)

In recent congressional testimony, retired Chief Mike Dombeck describes that, *“The Roadless Rule, finalized in 2001, ended the most damaging and expensive threats to those roadless areas. But carefully designed exceptions allow for some new road construction on a case-by-case basis, where that is in the public interest. Roads are permitted for firefighting, forest health, energy development and access to private inholdings, for instance, as well as public thoroughfares between communities. For example, on the Tongass National Forest alone, all 58 requests for entry into roadless areas since the Rule has been in place have been granted. These include roads for mining projects, hydropower and intertie projects, a geothermal lease, a road realignment, road reconstruction, and U.S. Coast Guard and Alaska Army National Guard projects, among others. Most projects are approved within a month, and that time is expected to become even shorter since authority to approve requests was delegated to the regional foresters in October 2018....*

The Tongass is also one of the last remaining intact temperate rainforests in the world and a globally significant storehouse of carbon. According to Forest Service estimates, Tongass trees contain 650 million tons of carbon, which is equivalent to 2.4 billion tons of CO₂. This is nearly half (45%) of the total carbon emissions for the entire U.S. in 2017...

For the Tongass, where two-thirds of the high-volume timber stands have already been logged at an immense social and economic cost, the Forest Service should focus on addressing the \$100 million backlog of watershed restoration needs and the \$68 million road maintenance backlog...

The 2001 Roadless Rule in my view is conservative public policy. It maintains the status quo, keeps options open for the future, and saves taxpayer money. The time and money spent attempting to roll back roadless area protections on the Tongass or any of the National Forests is a big step backwards to the era of gridlock and costly litigation.”

Recommendation: After considering the information in the DEIS and the history of timber management and road construction and maintenance on the Tongass National Forest, I recommend that the Secretary select the **No Action** alternative.