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December 17, 2019

VIA EMAIL

Ken Tu, Interdisciplinary Team Leader
Alaska Roadless Rule
USDA Forest Service, Alaska Region
PO Box 21628
Juneau, Alaska 99802
akroadlessrule@usda.gov

Re: Gustavus supplement to 12/16/2019 letter regarding transcripts and recordings of public meetings for the Alaska Roadless Rule Draft Environmental Impact Statement administrative record

Dear Mr. Tu,

On December 16, 2019, environmental groups wrote to you to submit audio files, video files, and associated transcripts from 7 public meetings on the Alaska Roadless Rule Draft Environmental Impact Statement. At that time, we were not able to include the written transcript for the November 20 Gustavus meeting, but I now write to add the Gustavus transcript to the record.

We sent written materials on December 16 by email to akroadlessrule@usda.gov and also provided both the written material and the multimedia files on a thumb drive sent via certified mail. I now submit the Gustavus transcript only via email and ask that it be considered as part of the earlier submission. As with the earlier submission, please consider this transcript as part of the administrative record for the Alaska Roadless Rule DEIS and for the associated rulemaking. Please contact susan.culliney@audubon.org or jill_gottesman@tws.org with any questions regarding this letter or the earlier letter. Thank you for your attention to this important matter.

Sincerely,

Susan Culliney
Policy Director
Audubon Alaska

Public Meeting for the Alaska Roadless Rule DEIS
Gustavus, Alaska
November 20, 2019

Audio recorded by a member of the public and transcribed here using a paid online transcription service.

- Speaker 1: So that was in September and October, started in October through just this past September. Was the work on the draft environmental impact statement-
- Speaker 2: If I can interrupt again, how many of those comments supported keeping the road less rule, as it is?
- Speaker 1: The majority.
- Speaker 2: What's the majority?
- Speaker 1: Over 90%.
- Speaker 2: That's the vast majority. That's a good thing to put in there. Thank you.
- Speaker 1: So, you know, and I'll go through a little bit more specific on what we did with those comments, and what they led to as far as issue statements, and the alternatives, but that basically, that first step of the process was completed in late September and October. Preparation, I think it was. I get the dates mixed up sometimes, but basically that's when the DEIS was published in the federal register, and initiated this comment period.
- Speaker 1: So the proposed rule out right now is the full exemption. It exempts all 9.2 million acres from the regulatory direction of the road less rule. There would be no restrictions on timber harvest or road construction, other than those that the Palm spores plan include, all activities basically guided by the forest plan. For the two dash national forest of 2001 rule would remain applicable. The exception to that is there is an administrative direction, and modification provision that would apply to the Chugach.
- Speaker 1: We've gotten quite a bit of comment on that piece of it, especially up in Anchorage, when we went up to Anchorage for the public meeting, I think that the agency wasn't necessarily as clear as we needed to be as to what really constituted a correction or modification. The correction is really just a correction. There's an error, or the agency no longer owns the land because of land status, loss of land to an exchange or something, or there is a clear error on

the mapping. That's the correction provision, and basically that provision would allow the regional Forester to correct the maps with 30 day notice and comment. The modification provision is the one that's gotten the most questions. I don't think the agency intended for it to be interpreted as broadly as it's been intended. That being said ... Might be best if I just didn't elaborate on that.

Speaker 2: No, finish the thought.

Speaker 1: Well, administrations change. So if there is concern over that modification provision, you know that's certainly something that's have been comments on too. I think there is a need to clarify what the agency intended on that, and of course being clarified in a regulation has longer lasting effect than you know, other administrative decisions. So, I think that it will help to hear your comments, so that we know really how we need to clarify the intent of that modification. It's not intended to be, to give the regional Forester the ability to make broad scale changes in rule this area of boundaries. It's intended to look at things that have actually happened on the ground, where it makes sense to modify a road less area boundary. For example. There's already a big road through the road less area, and so it makes sense just to acknowledge that road, which that kind of goes beyond correction provision.

Speaker 1: But it's not clear in that proposed rule right now the scope of that. Anyway, that would allow the regional Forester to modify it. And again, I think we need to clarify what's meant by modification, but within 45 day notice and comment period. Alternative one is the other end of the spectrum, and it's an election rule. This rule will remain in place as is, no corrections or, roaded road less or anything like that. Just the 2001 rule in place of Congress, that's the only action. So that's kind of what the team knew we were bounded by from the beginning, but no action. And then what the state had actually requested in the petition, and the full exemption slide. So back to the 144 thousand comments that we received, and as Jim pointed out, and we have actually a scoping report on the project website that acknowledges this as well, the majority.

Speaker 1: I'm not sure if I'm allowed to say vast ... The majority of those comments basically asked us to keep the road less rule in place on the Congress. So they were in unsupportive and no active. There were other good comments in there, about how we could make some improvements to the rule, and that led to some of the other things I'll talk about. Some of the additional exceptions that we developed, that pertained to some, or all of the other alternatives. But again, the vast majority wanted the road less rule to remain in place, and that kind of led to this first key issue statement, is the conversation of road less areas.

Speaker 1: So that was the first key issue that we developed, and considered. The second issue is this is support communities, socioeconomic wellbeing. This doesn't just include how did I have ... I had a public member on the Polycon Hydaburg call it

Western ideals of economic prosperity. It includes things like timber production, mining, retro ism, kind of big industry things. But it also, the intent of this key issue is to also consider other ways the forest provides for social economic and community wellbeing, such as sixth sense use and, strong recreation use, and things like that. So it kind of goes beyond just resources extraction or commercial activities, and really tried to consider the more social values of the forest. Yes.

Speaker 3: Just back up one second, do you know what the break don was of Alaskan comments on the road less rule?

Speaker 1: The written comments? I am not -

Speaker 3: [crosstalk 00:07:10]

Speaker 1: I don't know the percentage. I do believe in majority of Alaskans who submitted written comments favor the no action as well. But I don't know the percentages of that. So, anyway that was the key issue to support community socioeconomic wellbeing. And then the third key issue kind of relates to that in some ways is the conservation of terrestrial and on product habitat. Recognizing that efficient wildlife for the Tongass really do play a key role, both in economic wellbeing of many communities on the Tongass, but also about that social aspect of things and personal recreation and tourism subsistence. So, you know, recognizing the need to conserve official wildlife habitat. So that kind of became the third key issue that we looked at in the journal of pass statement.

Speaker 1: Kind of the next thing we did, or we kind of did this at the same time, as we were looking at the issues, is we tried to look at road less areas ad reimagine what they could look like. Right now the road less rule applies to all road less areas. So, the exceptions to the rule apply to all road less areas across the nation, regardless of other values, or other ... It doesn't really recognize unique circumstances of certain areas I guess, is the only way to say it. So we try to look at road less areas, and think about what they could look like. So kind of went beyond just the mapping exercise, and we got into are there different ways we could look at road less areas, different areas we could apply different exceptions to. And this is really similar to what Colorado and Idaho did in those state specific rulemaking efforts.

Speaker 1: So we came up with five different categories of road less that could be applied to the landscape in different ways under each of the alternatives, rather than just having one road less category apply to all of them in the same way. So, the first category that we developed ... And this is largely in response to the concern speaker about protecting the key watersheds on the canvass. Congress studies seven watersheds, and the nature Conservancy, Audubon conservation priority areas. So the first category we evolved was this watershed priority category. It is actually more restrictive than the current road less rule, as to the activities that could occur in road less areas that are assigned that category.

Speaker 1: There's a handout there, it's table 2.1. Straight out of the DEIS, but there's also a handout that kind of goes through all of the different exceptions for each of the categories. But the main thing here in this watershed priority category is some of the more discretionary activities that the current road less rule provides for, were not carried over into this category. So it just makes it a little bit more restrictive than the current rule.

Speaker 1: Again, recognizing the concern about some of those key watersheds, and what we can do to protect them. The second priority that was developed was the lead two category. This category is not applied to all of the alternative units, and it's considered kind of in different ways in the alternatives. The lead two areas, is everybody familiar with what a lead two area is? So lead two areas are stashed orally designated. So really it doesn't matter what we do with the role of status and those lead two areas, they maintain statutory protection for those areas. But there's been a lot of confusion over the years as to which direction applies.

Speaker 1: Right now, technically both in the lead two areas that are road less, and not all of them are road less, or not all of them are road less, both the road less rule, and the lead two direction applies to that, and there's been some confusion even internally as to how you interpreted that, whether one took precedence over the other. If I navigated what you could and couldn't do in those areas. And so the intent of this is to remove the duplication, and the confusion, and just make it clear that the statutory direction applies to those areas. So alternatives two. I know for sure alternative two, maybe all of them, but lead two, with the exception of alternative three, the lead two areas are assigned as lead two priority, which strictly refers to the statutory directions. What makes it clear that regardless of the status of those areas, road less or non road less, the statutory direction applies to all of them.

Speaker 3: I could add that lead means land use designation, and their lands management managed for the wilderness character.

Speaker 1: And then alternative three, treated road less, or the lead two areas a little different. It just removed them from road less. So again, the statutory direction still applies. It's just not specifically in their road less regulation. So it was just different ways of looking at those areas, but both ways really apply the same direction to those areas. The third category, the road less priority. This is the category that looks the most like the current road less rule. There are some more Alaska specific exceptions that were developed. A good example of that is there would be an exception that would allow the construction of a road to a fish hatchery, or culture facility.

Speaker 1: It would allow for the construction of road for a native and cultural use. And the current rule doesn't allow for, it allows for the construction of road and timber harvest in research areas in the experimental forests that we have on the Tongass. So there were a few really Alaska specific exceptions that were added.

But again, this is the one that looks the most like the current rules provisions. The fourth category is the community use priority category. I'm going to talk about that in a little bit, but it was developed largely, initially in response to some of the communities that wanted more opportunity in their vicinity. A good example is Juneau. Juneau requested, I think a three mile buffer around the city, where they didn't want the road less rule to apply, because they wanted more opportunity to build recreation facilities and things like that, if the need arises in the future. So initially, this priority was developed as a way of recognizing those entities, those cities, boroughs that wanted more opportunity for development.

Speaker 1: The team also recognized that this could be a way of protecting certain communities from large scale development, and I'll explain that a little bit more in a couple of slides. So it applies to certain communities, and could be applied to other communities upon request. And then the fourth part of the fourth road expansion categories is timber priority. So in the alternatives that include this, certainly road less areas where designated timber priority, and there basically are no restrictions on timber harvest, or road construction in those areas. Next slide.

Speaker 1: This is just a slide that shows the distribution of those different categories by alternative. The colors at the bottom are kind of hard to see, but it just shows which alternatives have which of those priority areas in them, and the percent distribution, the different categories. The other thing that the team did is the state of Alaska had convened their citizens advisory committee, that provided input to the state and States of cooperating agency providing it to us. And one of the things that committee felt very strongly about was the need to recognize Alaska. To have more Alaska specific road less area and characteristics defined for the Tongass.

Speaker 1: They didn't like the road less area characteristics that were defined in their original rule, and wanted to provide more of an Alaska emphasis on those characteristics. So this was the team's attempt at recognizing the importance of that to the various members of that community. And these characteristics were considered in a DEIS and kind of carried through. Next slide. So, basically all of that led to the development of one, two, three, four and five. Four different action alternatives in that range of alternatives. So alternative two is what we call the roaded road less alternative.

Speaker 1: It basically looked at those areas of the Tongass that have been roaded. There are about 110 thousand acres of the Tongass that were actually roaded. Most of that road construction occurred in that timeframe that the Tongass was exempt from the rule. So it looked at those areas, and because they don't really meet, they don't necessarily still have the character, the road less character that other road less areas have. This alternative removed those areas from road less.

Speaker 1: So, it just looked at the roaded road less acres, and removed them from the road less inventory. At the same time, we looked at areas of the forest that

were still un-roaded. At the time of the original road less rule, and the inventory that was used for that, there were areas that the forest had expected to see development, and that development never occurred. And so, this alternative picked up those other un-roaded areas, and added them to the road less inventory. It also looked at islands, offshore islands. There were several islands, and this was in response to some of the concerns we've heard from outfitter and guides that use those islands.

Speaker 1: They wanted to make sure that they would remain protected, and wild. I think that was their word they used. But basically, that they remained undeveloped. And so, those islands were picked up in the road less inventory in this alternative two. So, this alternative, if you look at the total acres in the end, it actually has more road less acres than the original road less rule. Again, it dropped the acres that were already roaded, but it picked up 133 thousand acres that weren't. So, those road less acres, and this alternative ... The watershed priority category was applied to all the T77 and Tongass 77 watersheds, and the TNC Audubon conservation priority areas. Five to lead two priority areas ... All the lead twos on the forest, and then their remaining area was assigned that road less priority category.

Speaker 1: Alternative three is a logical extension. It's what we call the logical extensions alternative. It looked at those broken road less acres that alternative two had identified, and then in an effort to provide more opportunity for timber harvest, it looked at logical extensions of those roaded road less areas. So, considering where the road was already in place, going beyond the harvest units that were already there, going beyond the end of the roads, where it made sense, and really looked at where the agency thought there was the most opportunity to provide some additional flexibility for timber harvest.

Speaker 1: So, it looked at what we call logical extensions of the roaded road less area. It provides moderate additional timber harvest. And I really don't like using words like [crosstalk 00:20:32], expensive or anything like that. But these are just kind of the words the teams settled on, I guess. Alternative three was basically determined to provide moderate additional timber harvest opportunity. It extended those motive road less areas to logical endpoints. It applied the watershed priority again to all the T77 areas, and the TNC conservation areas get applied road less priority areas to most of the remaining wilderness areas.

Speaker 1: But this is the one alternative that we also apply to community's priority too. Next slide. So community use priority. Again, initially we had one, two, three, four, five. We had five communities, and there scoping comments, and these were not comments from just any member of the community. These were actually the comments that we got from the boroughs, or the mayors of those communities, where they had really requested some additional opportunity in one way or the other around their community. So basically, this community use of priority allows for things like access to the utility systems, wastewater facilities, things like that. It allows roaded access for recreational development.

It also allows small scale to grow operations. Even in areas where we've heard a lot of opposition to large-scale timber harvest, there were some areas that wanted to maintain the opportunity for small operators to have access to timber.

Speaker 1: This community's priority, it's a provision that would allow for small scales. Small scales generally last [inaudible 00:22:26] Do you have a question for the panel?

Mike Taylor: I just wanted ... So Pelican, [inaudible 00:22:35] Saigon and asked for this-

Speaker 1: Pelican did not- [inaudible 00:22:40]I don't know [crosstalk 00:22:51]

Speaker 1: We have, I will say that the team had our pictures that we liked, and when this went up for clearance, it wasn't necessarily our pictures that were selected. So it's good to point that out. Pelican has- [crosstalk 00:23:08] I will say that Pelican has expressed quite a bit of interest more recently in rule making. But no, they did not request this. I don't think they submitted comments initially. The five communities that did, where Juneau [crosstalk 00:23:26] per angle on the epithet. Based on how we interpreted their scoping orders.

Speaker 1: Again, originally we were kind of interpreting it as one team more development opportunities for those communities. We overlooked in some ways, or just didn't understand what Kagan Heidelberg had asked for in their scoping comments. And so, the agency has acknowledged that this should have been applied to those communities. So it's not applied directly in the DEIS, or at least not within the map pockets that went Out with the DEIS. We do now have those areas now that have worked with those communities, and will continue to work with them on what those areas should look like.

Speaker 1: So again, I think there's just an acknowledgement that we should have applied it to Kagan Heidelberg too, and that'll be corrected, basic draft and signed.

Speaker 3: Were you aware that the city council passed a resolution, and submitted it to the forest service for a no action alternative?

Speaker 1: In the scoping and or-

Speaker 3: During the scoping period. So our city council also submitted comments- [crosstalk 00:24:40]

Speaker 2: But not for alternative three.

Speaker 3: One, no action, not a particular community use action, but a no action alternative.

Speaker 1: Right, and so I think the intent of this category is to provide opportunity for communities that wanted it, and even kick in hired or wanted some, were interested in some additional access to things like their native cultural sites, and things like that. That being said, this priority could be requested through other, could be requested by other community leaders. Again, it wouldn't be a request from an individual in the community that would spur this. It would be a request from the government, tribal government, or some other nonprofit community association. So if Gus Davis wanted this category applied to the road less areas around Gus Davis, that would be something that we could consider, and work on between drafting final. I don't know that really gets at your question there.

Speaker 3: I just wasn't sure whether you were aware that we had submitted as a city- [crosstalk 00:25:57]

Speaker 1: Gus Davis did. I don't think Gus Davis was the only one. I do know that all of those resolutions, there's been a slew of them that have come in recently too. I know they have all been submitted separately to the secretary at this time, so that they're not overworked in any kind of mass. You know, I think we're up to about 180 thousand comments right now. So, and I don't remember the entity that submitted them, but I did just see an email. So we are aware of those resolutions as they come in.

Speaker 1: Alternative four is the partial development [inaudible 00:26:37] alternative. So we had looked at areas of the forest plan that had been designated areas for timber production. Not all of them that didn't pick up all the development buds, but it picked up the timber production and modified landscape land use designations in the forest plan, and applied the timber priority category to those areas. Again, the timber priority category, there are no restrictions on timber harvest or road construction, so it was a way of providing that significant ... Again, there's a qualifier, don't always like those. But providing significant additional timber harvest opportunity by recognizing the road less nature of those areas, for providing a category that didn't include restrictions to it.

Speaker 1: So, basically it includes all the areas of alternative three. Those logical extensions that remove those road less. It applies the timber priority category to the timber development one by landscape [inaudible 00:27:43] It applies the lead two category to the lead two areas, and then the remaining road less areas were assigned the road less priority category. Next, alternative five is kind of similar. Maximal additional timber harvest opportunity by removing lands across private timber development, modified landscape, and scenic view shed. So this is a little different than alternative four in that it just removes those areas from road less. Alternative four keeps them in road less, but assigns that timber priority category.

Speaker 1: This alternative removed the road less [inaudible 00:28:30] areas. It also removed the road less from the minerals overlay. Again, this was kind of in response to the state of Alaska's concerns that road less ... There's a perception

that road less affects mineral development, and it's been very hard to clarify that with certain entities in the past. And so this was in response to the state, and again they heard this through their citizens advisory committee, that it would be better to lift road less from the areas that had been identified as high mineral. The minerals overlay, basically recognizes ... It's an overlay in the forest plan that recognizes the areas with the highest mineral potential, and so this alternative removed road less from that overlay.

Speaker 2: While the road less rule has been in effect, there've been a number of projects proposed in the Tongass, for minerals and for hydro, and stuff like that. How many have been proposed?

Speaker 1: About 58

Speaker 2: How many had been approved?

Speaker 1: 58 to 60.

Speaker 2: I mean, doesn't that say it all?

Speaker 3: Isn't it true that the mining law of 1872, according to the DEIS is controlling on federal lands, including [inaudible 00:29:55].

Speaker 1: The current road less rule recognizes the statutory rights provided by the 1872 mining law and other laws. There are other laws of providing statutory right to access. If you own private property, you have a statutory right to access your property. The state has a statutory right to ... I won't say the state actually does have a statutory right. The 4407 Easements. And please don't ask me to cite that law. I mean it was a section something of a big appropriation's law, that the state doesn't have a statutory right to certain easements on the forest. The federal highways act gives the federal highways administration ... Basically, they have the authority to decide when a federal highway is appropriate and national forest. And so the road less rule recognizes that. It recognizes, there's another category in there ... For hydropower projects, [inaudible 00:31:01] renewable energy, forecasts the ultimate decision-making authority for hydropower projects, and the forest service can't usurp that authority, so the rule acknowledges that as well.

Speaker 2: You said that 58 projects had been approved-

Speaker 1: I think it's actually 59, or 60 now-

Speaker 2: Being approved and being approved over a long period of time is hindering development. But how long did it take to approve these, these on average?

Speaker 1: Initially, on average less than a month, lately. Initially, when the secretary of agriculture first withdrew the authority of local line officers to make decisions. And that's really what this is about. There's not a separate process for road less approval. It's where the decision authority lies. And it is all back at the region now. The regional foresters now have the authority to make all decisions in road less, that are consistent with the rule of course. Initially, it did take several months for some of them. What the agency tried to do was really work that into the NEPA process.

Speaker 1: So, that approval request process we had to follow to seek that approval was built into the immediate process, to the extent it could be. But even then, there were some initial delays. Lately, generally we get approval. Well, now approval is very quick with the regional Forester, and basically as soon as we can get time on his calendar we approve of. When they were still at the Washington office, it was about-

Speaker 2: Thank you.

Speaker 1: So this slide just shows kind of the different verbal seekers by alternative, alternative one being the no action at 9.2 million acres. Alternative six, the full exemption, there would be no acres subject to the regulatory prohibitions, and then kind of the different allocations in the community, slide. This slide has generated a lot of questions too. It's a very, very poor attempt at summarizing table 211. In the EIS, there's a copy of table 211 on the table. Really, it was an attempt by a team member at looking at all the different subcategories that are all those key issues I talked about, and trying to come up with one common descriptor of what the effects might look like.

Speaker 1: I kind of think it failed miserably, and it generated a lot of questions, especially at the meeting in general. So, I wouldn't put a lot of stock into these kind of conclusions on this slide. Really, the better table to look at when you're really wanting to know, how does alternative three affect fisheries, or at least full minerals, or whatever your concern might be fickle. 211 is really the better table to look at.

Speaker 1: So, for more information, and there's a handout in the back that has this slide, and the next one on it for you to take home, so that you have this at your fingertips, and hopefully will use it to submit your comments. For more information to submit comments, you can go to these two websites here. The one on the left is the project website. It provides a lot of information about this specific project. It includes links that you comment on. A lot of documents associated with the road less rule, and the EDIS are on that project website. The website on the right side will also link you back to the project website, if you want to submit comments, but it's the national road less website. So it provides information on like the Idaho, and the Colorado rules as well.

Mike Taylor: And we're also taking written comments too.

Speaker 1: Correct, if you want to submit written comments tonight, mix up those two. So, the next slide, if for a map online tool. This slide is the backside of that handout. This is kind of a new tool for us. It's the first time I've seen it used. It is kind of exciting. It provides various tabs across the top that you can look at information about the role, all of this stuff that's in the slide now, Alternatives, the management area categories, et cetera are in here. The thing I think is kind of the coolest thing on this story map is the tab on the far right, if you put on that tab, you can zoom in on a specific role. This areas that you might be concerned about or interested in, and then you can really see what those areas would look like and maybe different alternatives, as far as what direction, if any, would apply.

Speaker 1: So again, there are links. There's a handout with both of those slides on it, so you have those links. And then, next slide. So how to comment. At the end, as Bosch said, we're happy to submit to take your written comment tonight, if you want to hand us comments. We've gotten a handful, I'd say at all the meetings I've attended, anyway. You can comment on the website at www.regulations.gov. Those comments, that's the website that the APA provides for, as far as submitting comments on the proposed rule. They all come back to the project comment box, too. The project website has a link to comments, to make your comments on. You can mail to the regional office. Those comments come to my desk. I will admit, that I am opening up all the comments that come to me. Mainly, because I want to know, I want to understand what the people in Alaska are saying. Because again, from the beginning, I've kind of viewed it as my job of making sure I do everything I can to voice Alaska's concerns throughout this process.

Speaker 1: So, I open up those comments. I make sure they're all related to the rule itself, and not a project, or that they're actually coming to me because of road less, and not something else. And then I mail them off each week to the contractor that's compiling a lot of comments for us. You could also submit our comments through the road less email right there. There's a lot of comments coming in right now, and I think somebody here had submitted a question to that email address. I have the answer to their question, but if you don't hear back from us right away, I'm happy to give you my direct, or email and you can send them directly to me, and if I don't have the answer, I'll try to get you an answer.

Speaker 1: But anyway, you can submit comments that way too, or you can hand them to us. The next steps, so again, right now we're on this kind of succeeding comment period. It does close on December 17th. I know that they don't have many requests for an extension of that at this time. How is it between ... There is an alignment in the Washington office that we are not going to extend the common period. So at this time, we are proceeding as if the comment grade goes up on the 17th. Between December and March of 2020, the plan is to take all the comments that were here, look at what we may have missed in the in the DEIS. Look at alternatives we may have missed. Look at ways that we might be

able to improve, either our analysis or the alternatives. Look at information we need to clarify.

Speaker 1: There's also two things we'll be doing in that timeframe, with the intent of having a final environmental impact statement by late spring or early summer 2020 with the final rule in the summer of 2020. [inaudible 00:39:31] The behavioral consultation is ongoing. We do have five. We're done to five property agencies, tribal property agencies. We have six. It's my understanding that organized village with pay has requested to, I don't know the correct terminology, but withdrawal from the MOU that they have with the property agency. I don't know the status of that yet though. But anyway, property agency status doesn't affect a a tribes right to ongoing consultations.

Speaker 1: The consultation is been ongoing in tribes throughout the process, and will continue a time when we get requests for consultation. The other thing that's ongoing is public outreach. We get asked to do this presentation, or provide updates to a variety of entities. I know I've spoken to the National Wildlife Society. We pretty routinely go to the general economic development council meetings in Juneau. So, any entity can request road less rule updates, and we're happy to either travel, or get on the phone and provide information or answer questions. So that's ongoing.

Speaker 1: And I think that's the last slide. And it looks like we have ... Is that cut right? five to six? So we have about 35 minutes that we're happy to answer questions if you'd like.

Speaker 2: Can I just say first, if anyone here hasn't signed in, on the USFS sign in sheets, please do that. I'd just like to make sure we have a [inaudible 00:41:21] record before we go. I will be sending out messages to everyone I see here, who I know, who are reminders on the comments. So-

Mike Taylor: Also, [inaudible 00:41:33]

Speaker 1: I do really encourage you to sign in. I know we get questions at the end of every meeting. How many people did you get? What was the tone of the comments? People really are listening. I know it doesn't seem like it sometimes, but I know we're listening. So definitely sign in if you're not already on the project website, or project mailing list, and want to be on it, and include your name and address, and we'll make sure that you're added to that. We're also wanting to start with the signup sheets, as a way of calling people up for this hearings. So if you want to, if you know you're going to stay for this hearing, and you want to provide a role, we'll start with those sheets and go from there. If you haven't signed in and still want to provide testimony, we'll make sure that we ask that. But we'll start with the sheets.

Speaker 2: A couple of questions. We're now a week and a half away from the end of a 60 day comment period for a highly contentious rule making process. Given the

fact that the preferred alternative is opposed by greater than 90% of the commentators, I'm astounded that the forest service, and the Department of Agriculture have not agreed to allow a 30 day extension on the comment period. That seems very unusual to me, and I'd like you to pass that up the chain. My second question has to do with comments in general. I note that your excepting verbal testimony, and comments on this subsistence portion, yet you're only accepting written comments for the rule in general. And I'm wondering if you can explain to me why that is? You can either explain why you're not accepting verbal comments on the larger rule, or why you're not similarly accepting only written comments for the subsistence portion.

- Speaker 1: Those are good questions. I can't say that the agency never submits, or never accepts verbal comments at these type of information meetings, because I've never been on a team that has held these meetings.
- Speaker 2: No, they usually do actually.
- Speaker 1: Do they usually? So I-
- Speaker 2: And they're entered into the record.
- Speaker 1: I-
- Speaker 2: Is there a chance the forest service doesn't want to hear what people may say?
- Speaker 3: Well, part of the written comment period for comment is that we get the common correctly. Sometimes the equipment fails.
- Speaker 2: So that begs the question then of why you're only accepting written comments for the subsistence portion.
- Mike Taylor: That's a good point.
- Cal: I'd like to take that one. [inaudible 00:45:00] A subsistence hearing is required by section 8:10 of [inaudible 00:45:04] and it requires the decision maker to hold a public hearing on effects of any decision that they make would have on the subsistence uses by rural Alaska residents of the lands in question. So because these lands could have an effect on subsistence uses, they in fact are required to hold these public hearings for subsistence impacts. That's art of section [inaudible 00:45:40] Section 8:10 is somewhat of a toothless tiger in a way. In NOFA, [inaudible 00:45:49] but the fact is they have to listen, they have to hold us here. They have to hold that [inaudible 00:45:49], and that was [inaudible 00:45:49], and I presume somebody has to listen to it. So, that's one weird thing of 8:10. People have said their too tired of it.

Speaker 1: I will say, the subsistence hearings will be recorded, and that is different than the comments we're hearing here. I really, I don't know why the decision was made to not accept verbal comments. Again, I think it probably has. I don't, I don't want to say that it's because we don't want to hear you.

Speaker 2: Oh, just tell the truth. That's all you have to do.

Speaker 1: I am trying to tell the truth. I don't know. I don't know. It was the same way during the scoping meetings. We didn't hear it to the extent that we're hearing it now. During the scoping meetings, we had a couple of people that that came to those meetings with the expectation of being able to provide verbal comments, and they weren't necessarily happy when they couldn't. We've definitely heard it more during these meeting. So, that's good feedback to include in your comments too. As Cal said, the subsistence hearings are kind of a whole other beast in a way, guided by 10 of the [inaudible 00:47:33]

Speaker 1: Those will be reported, so anybody is welcome to stay and submit verbal testimony then. Those are recorded and then they're transcribed by a contractor. So word for word transcription. We're currently in the process of modifying that contract because we didn't anticipate ... We should have. We didn't anticipate thinking ahead of language being spoken at some of the hearings, and it has been, and I am all for recognizing that. I you know, I think we have an obligation to respect that.

Speaker 1: So we are working on those contracts right now. But the hearings will be recorded, and then they'll be transcribed. And that written testimony will be coded, and grouped, and summarized like all of the other public comments.

Speaker 3: And can you submit written comments for subsistence?

Speaker 1: You can also submit written comments for subsistence. Often times. I know just by looking through subsistence comments in the past in response to issues that we've gotten in the past on subsistence use, we've looked at both the audio recordings, and the transcripts, and written comments. A lot of times, people will give oral testimony, but they'll submit the same thing in writing, or either or, or both.

Speaker 6: I am rather curious to hear what the general response to preferred alternative has been in the main communities that you've given this presentation to.

Speaker 1: I would say the vast majority if not all of the communities we have attended have been opposed to the proposed rule. We do have ... I think Haida central council has weighed in, and all of the six property agencies all signed a letter unifying behind their opposition to the general proposed rule. And it's not only in Alaska. They have gotten the support of some native American congresses, and I'm going to call these groups the wrong thing, and I certainly don't do that out of lack of respect for them. But there have been different gatherings of

native peoples in the lower 48 [inaudible 00:50:18] to what they're doing from our native communities up here too, and coming together in the support of the native communities here.

Speaker 6: It's on the whole ongoing negotiations within the forest service, means different tribal entities ... I mean it says right there. Tribal and Alaska Native constitution ongoing. What is that?

Speaker 1: That is government to government consultation. All federal agencies have ... And Bosch might be able to help me with the correct terminology here. But we have a trust responsibility with native American tribes, and we're required to offer consultation on activities that might affect them. And so, that consultation with native tribes is ongoing. It's government to government consultation. Sometimes it goes beyond that. It's government to government, but native tribes can also request like a staff to staff, to make sure that their staff understand what's going on. And so we have met staff to staff with a lot of native entities on the Tongass throughout this process too. But it's just an ongoing requirement that all federal agencies have with tribes that their activities might affect.

Speaker 2: Why did kick drive up drop out?

Speaker 1: There's a letter in the record, and I'll let that letter speak to itself but they are ... I guess the best way of summarizing it is disappointed in how the process was worked to me. But there is the letter from [inaudible 00:51:53], it's in the record.

Mike Taylor: Thank you for coming out here to speak with us [inaudible 00:51:59] The original notice of intent, you said that forest service received something like 144 thousand comments, and over 90% favors the road less rule as it is. Now we have this decision. Not a decision yet. A preferred alternative, that is the most extreme alternative on opposite end of the spectrum from the vast majority of the comments. So, that doesn't give me a lot of faith in the public process. To our concerns tonight, many times you've said pick those comments. Make sure you get those comments in. I don't know how else to put this other than what assurance do we have that our comments and not being completely ignored?

Speaker 1: Well, I can say I'm not ignoring your comments, and I don't know how the team is. We really tried hard, both the scoping. Well, we don't have a lot of comments on the draft yet. I know when we got those comments in scoping that we really tried hard to look at them, and to develop ways of responding to the state's desires here. They submitted a petition based on their belief that the road less rule is [inaudible 00:53:26], economic prosperity on the forest, or you know, they could've made their petition. And so we had to recognize the state's request here, what we were directed to do. But we tried hard to really look at the specific concerns we've heard. You know, there's a lot of people that submit comments and they're either just advocating for one alternative over the other,

and those are certainly taken and considered, and recognized. And we clearly recognize that the majority of those comments were in opposition to this. They wanted an election.

Speaker 1: Those comments that provided site specific information or resource specific information like, we want the no action because they were concerned about effects on fisheries, or they were concerned about effects on operation and tourism, or whatever the specific concerns they provided were. That's how we came up with the different exceptions, the different road less categories, the different ways of looking at the forest, to provide more of that range of alternatives. The state requested the full exemption, that's all one end. The no action is on one end. Both of those are still, obviously viable alternatives And then different ways of responding to everything we've heard in between. We certainly heard what people have said to us. These meetings have been difficult to say the least. I've prided a few of them. I'll try not to cry here. You know, it's hard!

Speaker 1: People have a lot of emotions around this, and we recognize that, and the design is really important. So, get your comments in. They'll be considered. It's also important to recognize that the secretary hears from other people. So, get your comments to those people that the secretary is here in [inaudible 00:55:31] [crosstalk 00:55:31]

Cal: Donald Trump.

Speaker 1: Our professional delegation [crosstalk 00:55:37] has made it very clear they support the full exemption. So, make sure that they know where you're at. They're supposed to represent you, too. I think right here first, and then-

Speaker 2: Comments on the process. I doubt if you have a lot of internal [inaudible 00:56:01], I'll speak to you as if you do. Excuse me if I'm not properly recognized. But, yes there are a lot of emotions around this, and this process almost seems to be designed to bottle yours up, and side them. I don't know. To present things in this amount of detail, which anybody could tell you, you couldn't possibly assimilate all of it. A summary that perhaps gave a quarter of it, that hit the really high points, and then opened it up to comments which were recorded, and which perhaps responded to the bylaw.

Speaker 2: I know I'm going to leave this with just one more layer of cynicism about the process, which I was hoping to kind of assuage. I hate being this negative about the processes. It's the only thing that matters to me. But, I'll give an example. There were some things in the alternatives, that I think if I were able to feel comfortable about processing, about the reason the process has been pushed down on us like this, I would happily entertain. I think there's a couple of things in the middle alternatives that made some good sense.

Speaker 2: I can't support them, because I don't have any trust that the way that this is handled suggests atmospherically to me, just psychologically speaking that we're doing anything being shined on, and that leaves us with a really bad taste, at least it does me. I would like to ask them the next time that this is done, that whoever designs this thinks about not hitting the problems that I just mentioned. That would be pretty easy to open the floor after a brief summary to us, and let us talk among ourselves what to do, and we make it a bylaw, and we clear things up in the process. This isn't that. And I'm sorry, I'm sorry for you that you have to present that.

Speaker 1: Thank you.

Speaker 3: I could add that we have received some comments that combined alternatives, that they liked something about two, and they liked something about they were suggesting that those be combined. So, you don't have to stay with these alternatives. Your comments can suggest changes.

Speaker 1: Right here, and then here, and then there.

Mike Taylor: My experience actually addressed much the same idea as the last couple, and I'll give you only a piece of what I wrote it here. I'm Mike Taylor, I'm one of the council members here, and a former mayor, have long appreciation for forest having grown up in Oregon, and timber country, and worked for forest service here for Pinchot National Forest. I surveyed logging roads, and clear cuts and different Pinchot, and for the [inaudible 00:59:02] back home at Tillman tree farm. So I have spent some time in forest, and I appreciate them very much, and the work that you as professionals do also to manage them on our behalf.

Mike Taylor: Related to the comments that we just heard, a fundamental principle of are democracy, is that governments derive their just powers from the consent of the governed, a line that appears as the second sentence in the Declaration of Independence. We on the Gus Davis city council remind ourselves of this concept quite frequently. Key actions and proposals are subject to public hearing. Our public let's us know what they think. Sometimes we find that our planned action is not broadly supported by the public, we're obliged to drop it or modify considerably, despite our personal use on the matter.

Mike Taylor: If we do not have the public's consent, we can't do it. In the first decade of the 20th century, Gifford Pinchot and President Teddy Roosevelt fought wealthy special interests, who were trying to corner the natural resources in the West for their own private profit, and Pinchot and Roosevelt persevered to establish the national forests for all the people of the United States. Forests are the property now of all Americans, and the public should be able to determine how they're managed and used.

Mike Taylor: In 2001, when the national road less rule was subject to public comment, the public gave its consent, and the rule was adopted. In 2019 you have returned to

the public proposing to reverse the rules for Alaska. The public is clearly saying no, and so my question for ... I guess for the secretary is does he not understand that he does not have the consent of the public to do away with the road less rule for Alaska? It's a basic constitutional environment.

Speaker 1: And I can't answer for the secretary.

Speaker 2: Maybe you can pass the question up the chain. We're in Q&A right now, right? We're not in comments. That's his question.

Mike Taylor: I realize that's something you can't answer correctly. But it'd be for the secretary.

Speaker 1: I don't want to sound cynical here either, but if you don't submit comments, then he doesn't hear you at all. You know, so the best advice I can give is submit your comments, share your comments, talk to your neighbors and make sure they're submitting their comments. I think in that range of alternatives, there's a durable solution for Alaska, and we want to maintain his ability to find out what that solution is. So, I can't respond for him. I don't know what decision he is ultimately going to make, but he's not going to hear you at all if you don't comment.

Speaker 3: And I can say as a line officer, when we make any kind of decisions on the district level, that we do listen to comments, and it does change the plan if there's a strong informational component that we have realized, or a crowding issue of some kind, or sociopolitical issue. That's our mission, is to hear from [inaudible 01:02:37] people. And we try to do that as best we can.

Mike Taylor: Thank you.

Speaker 3: What's the forest services motto?

Speaker 1: [inaudible 01:02:44] the land, and serving the people?

Speaker 3: What about ignoring the people?

Speaker 1: Huh?

Speaker 3: What about maybe having ignored the people?

Speaker 1: I will say that when I first started with the forest service, I think the first month or so, I had to go to an orientation, new employee orientation where we learned about Gifford Pinchot, and he's got 12 maxims or something like that. And you know, I bought it. This is the agency I wanted to work for. I think regionally, we do try to listen, and we're going to make sure that our concerns

are expressed. I can't, I can't say what the secretary is going to do with them, but we're going to make sure they're heard anyway.

Speaker 3: Just to remind you, Gifford Pinchot said the greatest good for the greatest number for the longest time.

Mike Taylor: There you go. And that's what I was just about to say.

Speaker 3: So this is just like anything. I mean, we all do our jobs, we pass it up the chain, and the chain does what they're supposed to do, which is, give or take. It's just, we can put the same thing on our local politics. It's like decisions are made, different people say stuff, different people come in, and it all changes. So let's just assume that there's no hope for the people at this particular juncture. That the secretary picks number six, the preferred alternative that actually passes, or is that the right term?

Speaker 1: Becomes a final rule.

Speaker 3: Becomes a final rule. So then let's say I'm a big company, and I want to go and log all of [inaudible 01:04:27], the nearest road less area to us, because that's what I'm most familiar with. So what's the process then? I want to do that. Do I just go do it? I mean, I need to permit of some sort, I assume.

Speaker 1: If you want to log it yourself.

Speaker 3: So there's a lot. No, if-

Speaker 1: That would be timber theft.

Speaker 3: If I want to cut down all the trees. Well, yeah. I don't know what happens then, because there's obviously a process, because you said it was the Tongass management plans 2016, or something. So what does that ... What will stop people from cutting down everything? That's what I want to know.

Speaker 7: So we still have to follow our forest plan. We have timber target in our forest plan, which will not change. So we're not adding to that target. We're just, if the final rule is the preferred alternative, it's just the locations of where timber can be harvested, but the overall target does not change. And so we still have to follow all our processes including National Environmental Policy Act, and Historic Preservation Act, and all the other acts. We'll go through our viable analysis, and determining effects, and decide whether that particular sale will go through or not.

Cal: And other [crosstalk 01:05:46] will not change? How do we know the forest plan will not change?

Speaker 7: Well, we're following the 2016 forest plan, and that's usually for 10 to 15 years.

Speaker 3: And so does the forest plan. So then, there are lots of rules and regulations that would prevent roads and trees cut in certain areas of that area. I assume, like they couldn't go around them watershed [crosstalk 01:06:18] and rivers-

Speaker 1: So, it depends on what ... The first thing that the agency would look at it if somebody expressed the desire to do an activity in the curative area. The first thing the agency would look at is what does the plan say? What is that area? Forest plan kind of zones areas for different types of development or not development. So it would look at the land use designation or that area. And so there are kind of three land use designations that we kind of consider developed [inaudible 01:06:53] production modified landscape and scenic view shed, which have very few limitations in the broader area on what could accrue there. So timber production kind of grow in those areas.

Speaker 1: The next step, beyond looking at just what that land use designation is, is looking at what other standards and guidelines apply to those areas. And so that's kind of where Tongass 77 watersheds come in. There are certain watersheds that have been given this level of protection under the forest plan, where old-growth timber harvest were fitted, again growth is allowed. There's other protections, like there's guidelines that limit what we can do, and visual priority routes. So they're standard in timelines and things, and so you start with what the area is actually zoned for. What activities are allowed in that particular area, and then you go from there as to what restrictions on those activities. There may be based on other things.

Speaker 7: But at that point, it's the regional foresters decision? Is that what I gather?

Speaker 1: Typically decisions are either made by the forest supervisor. So down here, the Tongass forest supervisor, and then Rangers also have authority to make certain decisions, and there's different delegated authorities, so I don't really know.

Speaker 7: Based on volume?

Speaker 1: Based on volume, based on area, based on whether or not it's one district, or it spans two. Sometimes if it spans more than one district, the forest supervisor will be the one to make the decision for that. So it kind of depends on what the delegated authority is, but it's a local line officer making the decision.

Speaker 7: So just last follow up is then ... So being federal employees basically, only if there are restrictions in place by some of these other things, not the road less rule. Would there be ...Would the forest supervisor, whoever makes that decision be able to stop the petitioner from doing that? Does that make sense?

Speaker 1: So, line officers can always choose no action. We can't necessarily say no to things. Some things we can't say no to a personal development mining claim.

They have a right to develop their mining claim. We can impose restrictions on that, but we can't say no. So there are certain instances where we can't say no. Timber sales were not usually proposed by any one entity, as the agency looking at where it makes sense to go for timber, with an understanding of where industry is, where the mills are, where it makes sense to go. Those are typically proposed by us, and so the regional Forester or the forest supervisor would look at different areas. If they decided to look at [inaudible 01:09:57], he could select an alternative there. It would go through a separate need for process, and in the end, he could decide or not decide.

Speaker 7: Okay, thank you. I just-

Speaker 1: So, I had a question back here. I don't know if, still have one. [crosstalk 01:10:11], and then I'll come back to somebody, Cal.

Speaker 8: Okay, so you say submit your comments, submit your comments. We can't be heard unless you submit the comment. And then you have alternatives two through six, with preferred being six being very detailed [inaudible 01:10:30] a lot of time on them. When 90% or more people during scoping over a year ago said they wanted no action. Clearly, we're not being heard. Our audits might be in red, but we're not being heard, if over 90% said no action, how did it not just end at scoping saying clearly the public doesn't want a change the end.

Speaker 8: Instead you have all of these, all of this time spent on all these attorneys [crosstalk 01:11:01] and a comment apparently doesn't make a difference at all, because you've clearly listened to the other 10%, or whatever percentage it was, and developed all these nice detailed plans based on the other 10%. So the state of Alaska is at home with Tongass National Forests. The U.S Forest Service doesn't own Tongass National Forest. The U.S. public owns the forest, and we're not being heard. I just don't understand why it didn't end at scoping, when it was pretty clear what day you guys covered the plan. [crosstalk 01:11:50]

Speaker 1: I don't know what to say. I know that we were bad. And I know that we meaning myself, and the other Alaska realist coordinator on the team, I think you guys know where [crosstalk 01:12:05] was my counterpart, she left me to take a detail, at a very certain station.

Speaker 1: But I know that when we looked at all those scoping comments, and the content analysis we got on those, and it was clear that the majority expressed support for the no action, we made clear that was clear in our scoping report. We came up with a summary scoping report, and we thought it was important to include that, to acknowledge that. And we did that. I don't want to say that the no action was given less consideration than the other alternatives. You know, that's kind of the deeper process. You come up with the proposed action. In this case, the state pushed a full exemption. You always have to consider the no action, and then you kind of look at ways to respond to everything you've heard. And so the other alternatives reflect, and attempt to respond to some of those and to

respond to, both what the state was asking for at that time. To respond to some of those specific Alaska things, that even the agency recognizes would be helpful.

Speaker 1: But that doesn't mean that the no action isn't still an alternative on the ropes. I'll have [crosstalk 01:13:27]

Speaker 2: Secretary- [crosstalk 01:13:33]

Speaker 8: You guys might be listening, but he's not listening, because I don't know. [inaudible 01:13:39], and you don't have to.

Speaker 1: Sorry, Cal first [crosstalk 01:13:46] I'll come back to you.

Cal: I want to go back to this ASQ question, because I think the next step after this, is going to be a change to the ASQ, because you put more [inaudible 01:13:56]. You're putting more land in the timber base. ASQ generation changes. To sit there and say that the ASQ hasn't been a change, I guarantee you the next step is going to be that.

Speaker 3: What's ASQ

Speaker 6: Allowed [crosstalk 01:14:12]

Speaker 2: Even the preferred equipment more timber back into the base. Some leave the middle engraved. You put more timber back into the base, of course the ASQ is going to be calculated. Whether you guys want to do it or not, the same people pushing this preferred alternative, is going to be the same people pushing the change to the ASQ. Just watch, mark my words.

Speaker 3: It's caused smoke. I mean anything's possible in the future. It's possible. It's possible, the forest plan we revised in the future.

Speaker 2: Tomorrow after this passes.

Speaker 3: But the fact is that the timber target has gone down the past few years. So it's all about supply and demand. Can that change? Maybe, but mills have gone away as well. It's expensive to harvest timber and to process it. We've had sales on the shelves that haven't sold, so ...

Cal: You just said process timber. You said process timber-

Mike Taylor: And so this is going to help somehow? That's going to help that situation.

Cal: You said process timber, but the stuff is getting exported to China.

Speaker 3: No, not currently, because of the tariffs.

Cal: Well, because of the tariff is what happened there, but without the tariffs, it'd be going right this minute.

Speaker 1: I will say, the 2016 plan was the first amendment under rated times rules? So ASQ is now called the potential timber sale quantity, PTSQ. The agency, the forest service, and autonomous is obligated to look at a market plan, the language of seek to meet market demand. And so with any planning effort, we have to identify what we think that demand is. And it is largely based on what the end products is.

Speaker 2: The end product is round logs going to China?

Speaker 1: We made the assumption it might be, I mean it might be. made the assumption early on that wrote this rulemaking wasn't going to drive up timber, the volume cut, because the forest plan would remain in place, and there was nothing that indicated that 46 million board feed that the forest plan identifies, and that was based on what we believe market demand is for Tongass timber in the longterm in that 15 year forest plan, life in the forest plan. We did look, Nicole looked at that again, and there is no information right now that indicates that anything has changed. You know, the underlying assumptions in that analysis remain valid today. There's nothing that tells the agency that we need more timber off the Tongass. And I think that validates our belief, that level of timber harvest really isn't going to change much. Right now, economics are even poorer than they have been in the past, because of tariffs, and other things going on in the destination markets.

Speaker 1: That's really what drives Tonga's demand. That's what drives industry to buy and harvest, and in markets aren't great right now.

Speaker 2: You have to add in the fact that the best Timber of the Tongass is long gone, and it's more expensive now.

Speaker 1: We're over our time. I'll take a couple more questions, and then we need to break, instead of just- [crosstalk 01:17:53] Oh sorry. I know, I'm sorry, back to you first.

Speaker 9: Just a couple of comments. One of 90% is [inaudible 01:17:58] they are [inaudible 01:18:12] politicians. And I think that we send in our [inaudible 01:18:12] forest service, so whatever's sent to your last delegation, say 80 guys. Three's a lot of people who are saying what we're saying. You should listen to us. That's all in respect [crosstalk 01:18:21]. However, but first of all do that. Thank you.

Speaker 6: I'd just like the clarification, because we're going to take a break here, and the second half of this is going to be subsistence hearing. There's probably many of

us in the room that have comments about the road less, and it's a bigger issue than just subsistence. And so I'm wondering what you're looking for, and what's acceptable in comments, because I have three reasons why I think that we should be doing alternative one and no action. And in the final paragraph, it talks about subsistence. So is that being, I'm not welcome to speak in the second half, or I have to give my comments, just about subsistence.

Speaker 6: This is a big issue, and the ramifications for all of us that use the Tongass, if we go with alternative six it's big, and it's bigger than subsistence. So, what are you looking for in second half?

Speaker 3: Well, we're asking that testimony be related to how the final rule could affect your subsistence lifestyle, [crosstalk 01:19:29] and any other comments you're welcome to write down. With that being said, in some of the hearings, other things have come out, but it was focused on the effect of subsistence.

Speaker 1: I mean I think, if I can add to that, I know that the other hearings, people expressed a variety of concerns. The one thing I want to make sure we respect is that we have two hours for the hearings. I don't know how many people want to provide testimony. I'm certainly not going to cut anybody off, because of my interpretation of whether you're comments are really relevant to what section 8:10 provides for.

Speaker 1: We just need to be respectful that the intent is to really come to an understanding of how this proposal might affect some systems use, and just recognize that depending on the number of people we have that want to provide testimony, we need to make sure everybody has an equal amount of time. So, I don't know. We'll take a look the sign in sheets, and how many people want to provide testimony, kind of divide the time up. We'll probably start with a time limit, just to make sure we cover everybody that wants to provide testimony, and then we can certainly circle back around if we have time to do that.

Speaker 3: Could we have a show of hands who will be providing testimony?

Speaker 2: I think there's a signup sheet wasn't there that went up. [crosstalk 01:21:02]

Speaker 1: I know those signup sheets were confusing. Deborah invited Mark that they wanted to Yes, I'm sorry. The signup sheets were very confusing.

Speaker 3: Another show of hands perhaps.

Speaker 1: You know, we'll just go off the signup sheets, and if it's clear on the signup sheets, I think there's a why under some names here, meaning testimony. Yes. We'll start with that, but we're not going to end at the last person on the signup sheets. So if you intend, if you want to give testimony, we'll go through these sheets, and then we'll open up to others in the room. Or you can go back to

where you signed in, and put a Y in that first column, so that we know for sure you want to give testimony. I'll take a look at those numbers and then kind of come up with that initial limit, so that we can make sure everybody's-

Speaker 2: Reduce this for subsistence? Just comments or, in general.

Speaker 1: Again, like Bosch said, the intent is to provide testimony on how the proposal will affect

Speaker 2: Just for subsistence, or is it more progressive?

Speaker 1: It's a subsistence hearing. [inaudible 01:22:31]

Cal:]Be creative in how you define subsistence. [crosstalk 01:22:40]

Speaker 3: Take a break.

Speaker 2: So, you said 90% of people who lived in communities of the Tongass? Is it statewide 90%, nation 90%?

Speaker 1: It was actually over 90%, and I don't know the exact percent [crosstalk 01:23:01] nationally, that was nationally.

Speaker 2: So, do we know how much the percentage was for the communities living in the Tongass-

Speaker 1: I think it did vary. It was still the majority. Some communities were 100% in favor of no action. We did hear in some communities people who supported it. But again, the majority-

Speaker 2: Would it be fair to say like 80% majority-

Speaker 1: I don't guess- [crosstalk 01:23:25], over 50%

Speaker 2: So, if I remember the slide you said alternative five was supported by Ketchikan, Juneau, and a couple of other communities

Speaker 1: That was the community use priority. They supported some additional economic opportunity in their communities.

Speaker 2: Okay, so guess is that when you make a selection, to choose alternative one, two, three, four, five, and six, right?. You don't get to choose multiple alternatives, but when you said 90% or majority, you're saying that the people who responded, and the response is once election, or can you respond with multiple selections?

- Speaker 1: Can the agency respond?
- Speaker 2: You said most of the people who responded. So, I'm assuming that means individuals.
- Speaker 1: Oh could could they respond with identifying different-
- Speaker 2: I'm guessing they respond with one choice. That would only be skewed, say 90% [inaudible 01:24:28]. What I'm trying to get to is you have a population. You say the majority of that population who made a selection chose alternative one. But you're saying that the two most populous areas selected alternative five?
- Speaker 1: No, I would not say that Juneau wanted alternative five. I don't exactly know-
- Speaker 3: Use alternatives three-
- Speaker 1: I think-
- Speaker 2: Oh, so it's three.
- Speaker 3: But they supported the community use designation. But of those, some still preferred no action.
- Speaker 1: I would have to go back to the letter that we got from the city and borough of Juneau, but I don't think it was in full support of an exemption. I think it just asked for additional, like a buffer of some sort. Juneau was the letter that I know had three mile buffer, where they wanted to be able to do additional activities in the borough. But I would not characterize the Juneau letter as being supportive of full exemption. There have been like Ketchikan Gateway Bureau has passed a resolution in favor of full exemption. At the same time, the Ketchikan Indian tribe has submitted comments requesting the no action. So even in communities there are clearly opposing viewpoints.
- Speaker 2: So, I guess I'm getting to the what we can do, if those local governments are not representing the majority of the people who are speaking. Perhaps there's an opportunity to address those assemblies and say, why aren't you listening to the majority of your people who are in favor of alternative one?
- Speaker 1: I think that's a very good idea. I know that in Petersburg, they had two different proposed resolutions in Petersburg. Both of them were voted down, I think because the Petersburg borough wanted additional time to think about it. They have one more borough meeting, or city meeting, city council. I don't know what it is in Petersburg. Was it a borough or city a council? But, whatever. They have one more meeting before the close and the comment period that they expected those resolutions

Mike Taylor: The reporting on that was very poor, because there was a vote, there was a proposal to support the full exemption. It was voted down six to one. I mean that's pretty decisive.

Speaker 1: That was in the article that I saw actually. And the one in support of the full exemption was a much narrower, and I think that the agreement there was that the city council, or the borough assembly, or whatever it's called in Petersburg, would take it up again at their next meeting, which is prior to the close of the market period. So yes, that's a very good, if you don't think your locally elected officials are representing your interests or positions, I would write to them as well or, get an audience with them as well. So we really do need to take a break, so I make sure that the recorders are ready to go, and we'll start up again.
[crosstalk 01:27:52]