



## STATE OF WASHINGTON

December 16, 2019

By Regulations.gov and USDA.gov

Ken Tu  
Interdisciplinary Team Leader  
Alaska Roadless Rule  
U.S. Forest Service  
P.O. Box 21628  
Juneau, Alaska 99802-1628

RE: Proposed Rule Exempting the Tongass National Forest from the Roadless Rule, 84 Fed.  
Reg. 55522 (Oct. 17, 2019).

Dear Mr. Tu:

As the Attorney General and Governor of a state with close cultural and economic ties to Alaska, we urge the Forest Service to reconsider its reckless proposal to exempt the Tongass National Forest from the 2001 Roadless Rule. The Forest Service's proposed exemption puts at risk an invaluable natural, recreational, and economic resource, and sets a dangerous precedent that threatens to undermine the integrity of our roadless areas nationwide.

We echo the concerns expressed in the detailed comments submitted by a coalition of state Attorneys General led by California that the Forest Service's proposed rule does not comply with the Administrative Procedure Act, the National Environmental Policy Act, and the Endangered Species Act.<sup>1</sup> We write separately to highlight our concerns about the specific impacts to Washington from the Forest Service's ill-conceived proposal to exempt the Tongass National Forest from the Roadless Rule.

Although miles apart, Washington and the Tongass National Forest share a strong connection. Washingtonians frequently travel to southeast Alaska to participate in the tourism and fishing industry and several hundred Washington residents hold commercial salmon fishing licenses in southeast Alaska. As the Forest Service notes, the Tongass National Forest produces an abundance of wild salmon, supporting the vast majority of commercial and recreational fishing

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<sup>1</sup> Comments from the California Office of the Attorney General, et al. to U.S. Forest Service re Proposed Rule Exempting the Tongass National Forest from the Roadless Rule (Dec. 16, 2019).

in southeast Alaska.<sup>2</sup> These healthy salmon runs exist because the Tongass remains largely undisturbed by roadbuilding and timber harvesting.<sup>3</sup>

The Tongass also provides important habitat for wildlife that migrate between Alaska and Washington's borders. For example, the National Marine Fisheries Service has confirmed that Southern Resident killer whales, a critically endangered species of significant importance to our State, travel as far north as Chatham Strait, a waterway within the Tongass.<sup>4</sup> Road development in the Tongass threatens to diminish the quality of these waters and impair habitat for salmon that provide a vital food source for Southern Resident killer whales. Salmon that spawn in Washington also travel north to forage in Alaskan waters, including in southeast Alaska. These fish could be adversely impacted by diminished water quality and forage fish availability from road development in the Tongass.

The vast temperate rainforest landscape of the Tongass also plays a critical role in our efforts to fight climate change. Washington is at the vanguard of the fight against climate change and recently passed a suite of laws designed to combat emissions within our borders. But the fight against climate change does not stop at our borders. More forest carbon is stored in the Tongass than any other national forest in the United States.<sup>5</sup> Removing roadless protections threatens to destroy the important role the Tongass plays in the climate fight.

Finally, we are deeply concerned by the precedent set by this proposal. Exempting the Tongass from the Roadless Rule threatens the integrity of Washington's more than two million acres of roadless federal lands. These roadless areas supply clean drinking water to our communities, support the biological diversity of our forests, provide important habitat for our salmon, help mitigate climate impacts by sequestering carbon, and keep our state green. Outdoor recreation in these wild and rugged roadless areas forms a vital part of Washington's economy and culture.<sup>6</sup>

We will not allow the Forest Service to take action that impairs the preservation of roadless areas on our federal lands. Washington successfully fought previous attempts to roll back the Roadless

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<sup>2</sup> See U.S. Forest Service, Tongass Salmon Factsheet, [https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd554592.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd554592.pdf).

<sup>3</sup> *Id.*

<sup>4</sup> Nat'l Marine Fisheries Serv., Proposed Revision of the Critical Habitat Designation for Southern Resident Killer Whales, Draft Biological Report, at 19–20 (Sept. 2019).

<sup>5</sup> Barrett, T.M., United States Department of Agriculture, Forest Service, Storage and Flux of Carbon in Live Trees, Snags, and Logs in the Chugach and Tongass National Forests, at 39 (Jan. 2014), [https://www.fs.fed.us/pnw/pubs/pnw\\_gtr889.pdf](https://www.fs.fed.us/pnw/pubs/pnw_gtr889.pdf).

<sup>6</sup> See Briceno, T., Schundler, G., Earth Economics, Economic Analysis of Outdoor Recreation in Washington State, Earth Economics (Jan. 2015), <https://rco.wa.gov/wp-content/uploads/2019/06/EconomicAnalysisOutdoorRec.pdf>; Mojica, J., Armistead, C., Briceno, T., Earth Economics, Gem of the Emerald Corridor: Nature's Value in the Mt. Baker-Snoqualmie National Forest (2018), [https://static1.squarespace.com/static/561dcdc6e4b039470e9afc00/t/5b8067600e2e72fa78e92960/1535141767581/GemoftheEmeraldCorridor\\_EarthEconomics\\_May2018.pdf](https://static1.squarespace.com/static/561dcdc6e4b039470e9afc00/t/5b8067600e2e72fa78e92960/1535141767581/GemoftheEmeraldCorridor_EarthEconomics_May2018.pdf).

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Rule and will not hesitate to do so again to protect the wild places essential to our health, biodiversity, economy, and culture.

We strongly encourage the Forest Service to abandon this short-sighted proposal.

Sincerely,



BOB FERGUSON  
Attorney General of Washington



JAY INSLEE  
Governor