

17 December 2019

USDA Forest Service  
Attn: Alaska Roadless Rule  
P.O. Box 21628  
Juneau, Alaska 99802

Dear sirs,

Please see the attached comments on the Roadless Rule. These comments were developed by the Southeast Regional Advisory Council at our noticed FACA meetings in 2018 and 2019 and at working group meetings held by council members to flesh out details of our concerns. These comments have been submitted through official Office of Subsistence Management channels.

A number of council members wish to submit these comments as our INDIVIDUAL comments as well. Council members wish to continue to be engaged in the determination of a final Roadless Rule. By commenting as individuals, we will have standing to participate in whatever appeals may be made after the issuance of a final record of decision.

We strongly support no reduction in the protections that have been provided by the very successful Roadless Rule. We further recommend inclusion of additional lands in the roadless designation. The roadless inventory needs to include lands that were erroneously omitted from the inventory when it was prepared circa 2001. The inventory also needs to include lands that have acquired roadless characteristics after the original inventory was prepared. These are lands that may have had roads built to facilitate industrial logging prior to 2001 but have had no road use for decades; these lands may include decommissioned roads, temporary logging roads that are now reforested in second growth, and other roads that are not useable at this time.

Our extensive comments detail numerous problems with the DEIS and its failure to meet NEPA standards. We are particularly concerned with how the DEIS completely ignored ANILCA Sec. 810 requirements and how the DEIS perpetuates and accentuates a colonial attitude to the Native and rural residents of Southeast Alaska. As we elucidate in some detail, Sec. 810 provides vital statutory protections for subsistence uses of fish and wildlife. Sec. 810 requires thorough examination of subsistence uses in lands affected by proposed federal land use actions, including comprehensive discussion of Native cultural uses, presentation of mapped data showing subsistence use areas and clan and kwaan territories, harvest level data, and cumulative effects of past federal land use actions. An adequate Sec. 810 analysis then leads to a finding of whether or not the proposed federal action "may significantly restrict" subsistence uses. If a positive finding of "significant restriction" is made, then and only then Forest Service must hold Sec. 810 subsistence hearings.

As we have noted, the DEIS did not make the required Sec. 810 finding and actually questioned whether or not Sec. 810 applied to this most significant land use action! The DEIS team has held what it has called "subsistence hearings." In the absence of a Sec. 810 finding, such hearings do not meet the requirements of Title 8 of ANILCA.

Secondly, we are appalled at the colonial attitude taken by the DEIS team in its interactions with Native and rural people in Southeast Alaska. Forest Service's regional and Tongass NF staff have worked long and hard to redress the colonial attitudes that characterized much of the interaction of Forest Service with local residents of the Tongass. The disrespect shown by the DEIS team sets back the more productive interactions that have taken place since assumption of federal management of subsistence uses on federal land.

Thank you for considering our comments,

Yours truly,

Don Hernandez, Point Baker, Alaska

Harvey Kitka, Sitka, Alaska

Patricia Phillips, Pelican, Alaska

Bob Schroeder, Juneau, Alaska

Elijah Winrod, Klawock, Alaska

Frank Wright Jr., Hoonah, Alaska