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Tongass National Forest
Federal Building
648 Mission Street, Suite No. 110
Ketchikan, AK 99901-6591

Objection via online portal
Supporting supplemental materials via US Mail

Re: Cube Cove Restoration Project Objection

May 7, 2024

Dear Reviewing Officer,

Wilderness Watch submits its objection to the Cube Cove Restoration Project proposed in the Kootznoowoo Wilderness within the Admiralty Island National Monument on the Tongass National Forest. The responsible official is Marlene Duvall, acting District Ranger. As stated in the environmental analysis, the US Forest Service (USFS) proposes as follows:

- Recondition 9.1 miles of road between the Log Transfer Facility (LTF) on the shore of Cube Cove and Ward Creek to a drivable condition, which may include clearing landslide debris, brushing vegetation, and rebuilding bridge abutments and decking.
- Remove three bridges and abutments, remove 59 culverts, and breach road prism material (compacted rock) in 87 locations. These sites are a risk to hydrologic resources, due to an increased risk of blocked aquatic organism passage, inhibited natural drainage patterns, and sources of increased erosion and sedimentation effects to waterways.
- Restore large wood in 11 stream reaches where the condition has been identified as functional-at-risk or non-functioning and is expected to further degrade.
- Apply selective tree harvest thinning treatments to approximately 500 acres of young growth stands in riparian areas where: (i) timber harvest occurred within the riparian management areas of Class I and Class II (fish) streams, (ii) riparian stands are of appropriate age for thinning treatments, and (iii) conifers are the dominant stand species. In areas adjacent to stream reaches planned for restoration, cut trees will be used for large woody debris structures.
- Apply thinning treatments to approximately 450 acres of young growth stands in lakeshore riparian areas within 100 to 300 feet of the edges of Florence and Peanut

Lakes, and Lake Kathleen, where past logging activities left little to no old growth buffers. The distance from lakeshores and acreage of treatments would be determined at the project level dependent on vegetation, landform, and soil conditions (Tongass Forest Plan, Appendix D, 2008).

Accomplishing the above components, the USFS proposes heavy equipment, motorized and mechanized use, and explosives as well as establishing field camps and multiple helicopter landing zones.

Wilderness Watch objects to this project as it has been proposed for what the USFS has called designated Wilderness. We explain and support our objections below.¹

Issue: Project is much bigger than it was at pre-scoping and scoping, and true scale is still unclear and could grow in scope after a decision is signed.

The project outlined in the EA is bigger than pre-scoping and scoping proposals. In the pre-scoping and scoping letters, the USFS proposed to

Remove culverts, bridges, and road prism material (compacted rock) where road features have a high[] (22 locations) or moderate (28 locations) potential to divert streams resulting in long term impacts to water quality and fish passage. This includes removing all bridges and removing culverts or road prism material at drainage locations which have potential to divert streams, reduce water quality, impact fish habitat, or impede subsurface drainage that has altered wetland function.

The phrasing above reads as culverts, bridges, and road prism material comprise 50 locations that the USFS proposed to address. Wilderness Watch, in our pre-scoping letter at pages 4-5, noted concern because the USFS represented this project as large, and Wilderness Watch raised the issue that the true scale of this project is not clear, quoting the USFS's acknowledgment that surveys were limited. The agency even admitted that unsurveyed areas may have additional issues that the project would need to address. In Wilderness Watch's pre-scoping letter at p. 3, we asked if the USFS intended to prepare a single NEPA document for the entire project or a programmatic one with site-specific NEPA analysis to follow. We noted that the project is of a magnitude requiring an EIS. Wilderness Watch pre-scoping letter p. 1. In Wilderness Watch's scoping letter on pages 4-5, we again raised an issue with the ambiguity of the project. We also noted that the EA would fail as a project-specific document because it lacks specificity, and would fail as a programmatic document because the size of the project meant significant impacts. Wilderness Watch scoping letter, p. 5.

The EA has new information because it has new numbers. It proposes removing 3 bridges and abutments, removing 59 culverts, and breaching road prism material in 87 locations, which amounts to work at 149 locations for the same activities.

¹ In this objection we use the following abbreviations: EA (environmental assessment); NEPA (National Environmental Policy Act); ANILCA (Alaska National Interest Lands Conservation Act); USFS (United States Forest Service); MRA (minimum requirements analysis); WW (Wilderness Watch).

More alarmingly, however, the MRA requests approval for a project even bigger than the EA. In the Decision Memo that authorized the Acting Regional Forest's Request for Non-Emergency Use of Heavy Equipment to Improve Watershed Condition and Restore Fish Habitat in Kootznoowoo Wilderness (dated November 15, 2023), the Chief of the USFS approved removing 3 bridges, 80 culverts, and breaching roads in 87 locations. See Decision Memorandum for the Chief (November 15, 2023). This amounts to work at 170 different locations, which is three times the locations disclosed the last time the public had an opportunity to weigh in. This is over 20 more culverts with the methods proposed, including explosives. While the USFS in its official NEPA documents predicted three-to-five field seasons, the MRA approved by the Chief of the Forest Service and the Regional Forester approves work for six field seasons.

Yet, in the EA (p. 2), the USFS recognizes that it hasn't surveyed all places where there might be issues the agency would like to address, and sweeps everything unknown into this proposal: "This proposal includes restoring hydrologic function **to any additional road locations identified as a risk to hydrologic resources, or stream reaches identified as being in functional-at-risk or non-functioning condition with risk of further degrading...**" So, after this project is approved, the USFS could still increase its magnitude once it establishes more information.

This proposal violates NEPA because it pre-approves action without understanding, much less considering, the scope of the action, failing to be specific, failing to consider and disclose impacts, and for failing to take a hard look at the direct, indirect, and cumulative impacts. The proposal violates the Wilderness Act, too. The EA approves less work than the Chief of the Forest Service and the Regional Forester authorized as the minimum necessary activity, which means that either the Chief and the Regional Forester's findings in the MRA were inaccurate and arbitrary (discussed below as a Wilderness Act violation), or the EA does not disclose or analyze the true scope of the work.

Likewise, this proposal violates the National Environmental Policy Act because the EA assumes that the project would require future anticipated activities that have not been specifically identified or analyzed: "Any mechanized or prohibited uses **would undergo** a Minimum Requirement Analysis (MRA) to find the action along with the minimum tool necessary to complete the job..." (EA p. 3, emphasis added.) "Would undergo" signifies this will not be done before a decision is signed, and the public will be excluded from any further notification or comment on a changing project.

Finally, this proposal violates the National Environmental Policy Act because of its size and potential to set precedence. An environmental assessment is allowed for projects with no significant impact. Significance can be positive as well as negative, and this project is significant. The scale of this project, as further described below, will take place over five seasons, involves reconstructing roads, utilizes heavy machinery, flies helicopters into the Wilderness and builds landing zones for them, proposes using explosives, cuts down trees, and displaces animals, to name a few impacts. Furthermore, approving so many nonconforming uses in designated Wilderness will set precedent for large-scale projects elsewhere in the National Wilderness Preservation System. For these reasons, the Forest Service should have conducted an environmental impact statement.

Suggested remedies: 1. Withdraw the project; or 2. Conduct an EIS with a reduced scope of the project limited to locations where the agency has data that can describe in detail the impact on fish-bearing streams (e.g., which stretches of which streams, their current existing condition, the work proposed, and impacts of that work).

Issue: The USFS failed to include reasonable alternatives and failed to properly analyze or consider a “no action” alternative, ignoring the benefits to Wilderness arbitrarily minimizing a large and intrusive action alternative.

In our pre-scoping comments on page 2, we asked “what natural restoration has already taken place in the area?” On the same page in our pre-scoping comments, we requested two alternatives: “The analysis should include and fully evaluate an alternative that uses non-motorized hand tools and an alternative that allows natural processes alone to reclaim the area.” In our scoping comments on page 4, Wilderness Watch said, “[T]he Forest Service must consider an alternative that allows natural processes to recover the area.”

The USFS failed to adequately consider or discuss the ongoing reclamation by natural forces in its “no action” alternative in addition to failing to consider a more minimal proposal that could be accomplished with non-motorized hand tools. While the agency did not directly and explicitly disclose the existing condition, we can infer that the Tongass, a temperate rainforest, has already made its own natural recovery in the intervening decades. One may see so in the satellite imagery provided as well as the old logging road that the Southeast Alaska Watershed Coalition and the Angoon Youth Conservation Corps hike down to remove a culvert by Kathleen Lake (link below and video included with objection materials, and two screenshots of that hike are included in the “Roads” section below). One may infer how nature has already reclaimed these roads by the work proposed to essentially reconstruct them (also discussed below).

The Wilderness Act prescribes that, moving forward, natural processes are allowed to govern, and a “no action” alternative should have considered that. Instead, the USFS arbitrarily categorized all past intrusions before an area was Wilderness as degrading wilderness values, and used that category to justify more intrusion into lands the agency now considers to be Wilderness. Not all past intrusions necessitate future ones. For example, the EA on page 10 proposes to leave nine culverts in place because “[t]hey all have low diversion potential, are far from fish habitat, and have shallow fill with water-bars across the road that allow for higher flows to cross. Together, this information indicates they pose a negligible risk to hydrologic and fish resources.”

The agency inappropriately minimized this extensive new intrusion, which includes reconstructing drivable roads, manipulating vegetation, and displacing critters who have already moved back into the area as well as displacing humans who visit it to seek solitude. Most of these extensive intrusions that can impact the natural, undeveloped, and untrammelled quality of what is there now can be found on the page that discusses how to minimize impacts, including “the footprint of ground disturbance,” “riparian vegetation disturbance,” erosion, “equipment in streams,” “in-channel construction activities,” and procedures to prevent or minimize oil pollution or hydraulic fluid spills. These effects and potential risks should they occur negatively

impact Wilderness values more than the status of current natural reclamation, but the agency minimized this discussion.

The agency also minimized the benefit of natural processes in the EA's "no action" alternative. For example, the USFS has proposed work, sometimes with explosives, to reestablish hydrologic activity. But in the "no action alternative," the agency suggested that beavers would "cause flooding in additional areas." EA p. 9. If muskegs are ideal habitat for beavers, and beavers "flood" areas, as the USFS says, would not beavers reconnect muskegs or naturally accomplish some of what the USFS is proposing? The odd word choice to associate beavers with "flooding" instead of their potential to "reestablish hydrologic connectivity," suggests the USFS might be dismissing beaver activities as a negative in the "no action" alternative because beavers wouldn't work in the exact places the USFS has selected or on the exact timeline the USFS has planned.

The EA violates NEPA because the agency hasn't taken a hard look at the benefits of a reasonable no-action alternative and letting nature heal the lands or a using minimal-tools in the most discretely problematic areas. The agency has not properly developed or analyzed those reasonable alternatives, nor has the EA properly weighed those alternatives against the very intrusive cumulative impacts from the action alternative, which include building new roads, using heavy equipment, and even using explosives in an area that has already been recovering for two decades or more.

Suggested remedy for NEPA failure in respects to the no-action alternative: 1) Withdraw the project; 2) Reanalyze the project with an environmental impact statement that discloses properly assesses the current; and analyze the ongoing natural reclamation compared with the action plan of heavy equipment and roadbuilding.

Issue: This proposal is not appropriate for Wilderness and it does not comply with the 1964 Wilderness Act, the Alaska National Interest Lands Conservation Act (ANILCA), or the National Environmental Policy Act.

Wilderness Watch took specific note of the anomaly of road mileage, rock quarries, bridges, and culverts inside of Wilderness. WW pre-scoping letter p. 1. Wilderness Watch asked why many aspects of the project were necessary. Wilderness Watch asked for an analysis to evaluate whether massive restoration using heavy equipment is appropriate inside of designated Wilderness. WW pre-scoping letter p. 2.

In our scoping comment, Wilderness Watch repeated all the concerns from pre-scoping. Although we recognize and respect the aims of certain ecological restoration activities in heavily damaged, many of the activities, including the ones in subsections below, are inappropriate and unlawful in designated Wilderness. WW scoping letter. Wilderness Watch pointedly asked how this proposal would differ from any proposal outside of Wilderness. WW scoping letter p. 4. This question remains unanswered.

The USFS arbitrarily concluded this project was necessary at this massive scale. In the minimum requirement analysis (MRA), the Chief and the Regional Forester approved more activities as minimally necessary than the EA analyzes and the draft decision approves, which renders the MRA arbitrary and inaccurate on its face. The EA and MRA do not adequately explain or

support why the work it approves (still on a massive scale) is the minimum necessary activity, despite Wilderness Watch's pre-scoping and scoping comments. The USFS stated the need for the project is to have functioning (unimpaired) watersheds and maintained and improved fish habitat. Out of the 100 miles off class I and class II streams that the MRA states that Cube Cove lands have, 1.2 miles of stream are non-functioning and 1.7 miles of stream are functioning at risk. Minimum Requirements Analysis pdf p. 5. To make these functioning streams and improved fish habitat, the USFS wants to reconstruct nine to fifteen miles of road and log 1,000 acres to recruit old growth that, given time, will develop naturally. This scale is unnecessary.

The agency cited the features associated with past logging and cited the existence of 214 roads, 89 culverts, and 3 bridges as impeding on all of the values of Wilderness: untrammelled, undeveloped, natural, unconfined-recreation, and subsistence values. While the presence of those intrusions does degrade wilderness values, the test for any proposed management action that involves any of the prohibited uses is whether it is necessary to meet minimum requirements to administer the area as Wilderness. Most importantly, the Wilderness Act is a forward-looking statute meant to allow nature to play the hand it was dealt. Here, that hand was a previously logged area, and natural forces have already been at work shaping these forces. Studying what nature is doing could inform the USFS going forward for other non-wilderness areas. Wilderness Watch pointed out this educational opportunity to learn how nature deals with such harms on page 4 of our scoping comments.

The scope of the project violates the Wilderness Act because it proposes activities and methods prohibited in Wilderness, and there has been no justified explanation as to how this massive scale fits into the narrow exception for nonconforming activities minimally necessary to administer lands to preserve their wilderness character. How the lands heal going forward, however, is mandated by the Wilderness Act, and the project as proposed on this scale violates that. The scope of the project violates ANILCA because ANILCA only allows for "reasonable access" to restore and rehabilitate fish habitat, and many of the below activities are not necessary to restore and rehabilitate fish habitat.

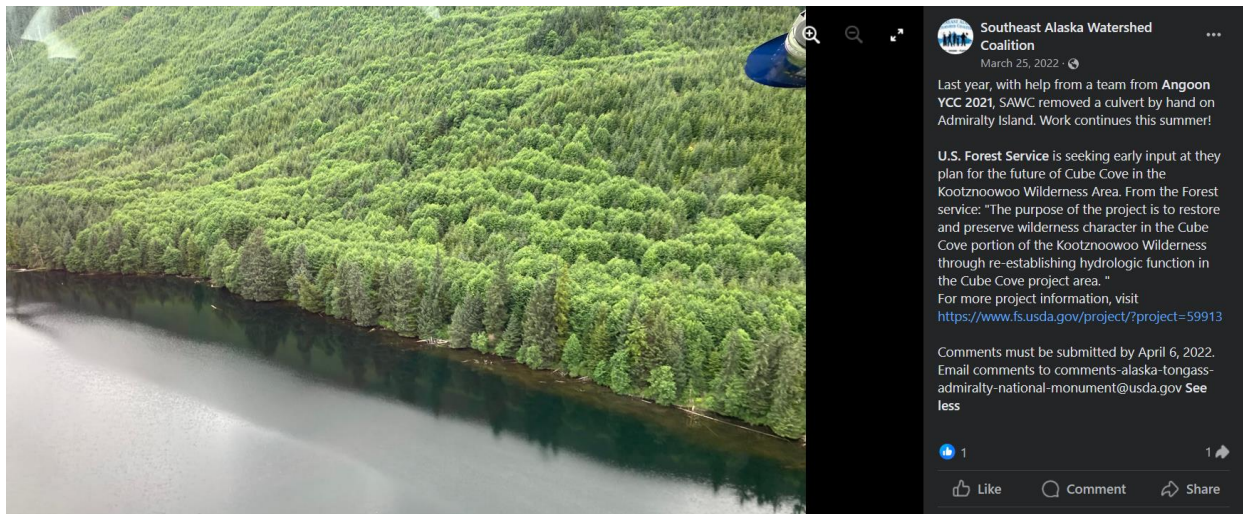
The following are specific activities within the scale of this project where either the activity itself or the method propose to accomplish that activity violate the Wilderness Act, ANILCA, and NEPA. Not all of the below project activities are necessary to administer and preserve Wilderness. The tools needed for activities that might be considered necessary do not require heavy machinery. Because using heavy machinery is not necessary or reasonable, the activities required to accommodate that heavy machinery—i.e., reconstructing roads, rebuilding bridges, and installing or reinstalling culverts—is also not necessary or reasonable.

A. Culverts and breaching road prisms

Wilderness Watch raised issues with culverts on page 1-2 of our pre-scoping letter when we asked why it was necessary to use heavy equipment for culvert removal, and reincorporated those same questions in our scoping letter on page 4 when we said we found it alarming that the USFS has proposed such heavy equipment to remove, among other things, culverts where the USFS considers to be Wilderness. We noted that,

While it might be necessary to take [discrete] actions (i.e. blocking a road to prevent ATV [all-terrain vehicle] access, removing a culvert that is likely to fail and cause significant damage) to protect the area from further harm, the scoping letter and proposed action are lacking in sufficient detail to identify where these sites are or whether the management action is feasible without motorized equipment. We recognize that restoration of some forms of damage might take longer by allowing natural processes to work, but expediency isn't the appropriate test in Wilderness.

The scale of this project is not necessary, and the methods of heavy equipment and explosives are not necessary. The bodies of water the USFS has identified as “functioning at risk” or “non-functional” is far less than the work proposed. Also, culverts and road prisms can be breached by hand and not with heavy equipment that requires road reconstruction, as the Southeast Alaska Watershed Coalition and the Angoon Youth Conservation Corps have demonstrated.



https://www.facebook.com/alaskawatershedcoalition/photos/a.418640021551815/5004818442933927/?type=3&locale=ms_MY&paipv=0&eav=AfaXLr_IWUQxGBMLEmU5OQDV0lmDeu8FX493WIpmS7VpLMCu91PbFRgZ4JZdqYABPz8&_rdr

The above March 25, 2022 Facebook Post celebrated the Southeast Alaska Watershed Coalition and the Angoon Youth Conservation Corps because they “removed a culvert by hand on Admiralty Island.” The Southeast Alaska Watershed Coalition (SAWC) also produced a video about working with the Angoon Youth Conservation Corps on removing a culvert in the Cube Cove lands. The video may be accessed at <https://vimeo.com/629287158>, and we have submitted it with our objection materials. Removing the culverts blocking fish passages with hand tools is both possible and compatible with the Wilderness Act. The SAWC and Angoon Youth Conservation Core demonstrated many tools and methods compatible with the Wilderness Act while accomplishing the goal of removing roadbed to access a culvert, and removing that culvert to reestablish fish passage. It is impressive and exemplary.

The USFS has not justified why heavy machinery is necessary to remove culverts, especially as there is an example of a youth conservation core accomplishing this with reliance on hand tools over the course of a weekend. While the USFS inspected 80 of 89 culverts, they found less than

half of the culverts blocked, and only six blocked culverts were in Class I or Class II fish streams. The USFS fails to explain why problematic culverts cannot be removed by hand, prioritizing the most problematic culverts first. The USFS proposed removing all of the culverts, even the nine it had not surveyed for which the agency has no information. If a youth core can remove roadbed materials by hand, surely the USFS could do the same for road locations impeding drainage, yet the USFS did not explain why this, too, required building a road for heavy machinery.

The EA violates NEPA for approving action (culvert removal for culverts that have not been surveyed) without knowledge of the existing condition or discussion or quantifying the impacts of disturbing soil, which will cause sedimentation and erosion into waterways. The EA still lacks sufficient detail about each of these sites. There is no discussion as to how ground-disturbing activities might contribute sedimentation, no discussion of how effective “best management practices” are, and no discussion as to whether or where this project might add sediment to streams that are already impaired. For these reasons, the EA fails to take a hard look at the cumulative impacts of the project.

The EA violates the Wilderness Act. In addition to lacking detail about these sites, the EA fails to consider where management action is feasible without motorized equipment. Heavy machinery is unnecessary to accomplish removing culverts, and the goals of removing culverts and breaching problematic places in the road could be done by hand with discrete priorities and more minimal methods. Better yet, beavers—nature’s engineer contractors—could “cause flooding,” and reestablish hydrologic connectivity naturally. The Forest Service should have clearly explained why each action is necessary and why the “minimum tool” at each site is motorized/mechanized equipment.

The EA violates ANILCA. ANILCA only allows reasonable access to restore and rehabilitate fish habitat. The Southeast Alaska Watershed Coalition and the Angoon Youth Conservation Corps demonstrate what is reasonable access to remove a culvert, and it is far less than that the industrial methods (including the roadbuilding) the USFS proposes.

Suggested remedy: 1) Withdraw the project; 2) Complete an EIS: vastly reduce the scope of the project, instead identifying discrete locations that need work, and conduct a critical reanalysis of the activities and tools minimally necessary based on what the SAWC and Angoon Youth Conservation Core has shown to be reasonable and possible.

B. Bridges

Wilderness Watch identified concern about the work involved with removing bridges and the use of heavy machinery. WW pre-scoping letter pp. 1-2, WW scoping letter pp. 1, 4, 5. We asked why bridge removal was necessary, noting that bridges rarely create watershed impacts like culverts do and also noting the Forest Service has a record of doing major projects, like pack-bridge replacement, using pack animals or human power. WW pre-scoping p. 2. The USFS did not answer these questions in the EA. The USFS does not disclose any maps or otherwise identify where these bridges are in the EA.

Below is a diagram of a general design for bridges where they connect with land, which informs the objection.

STANDARD PLAN DIAGRAM

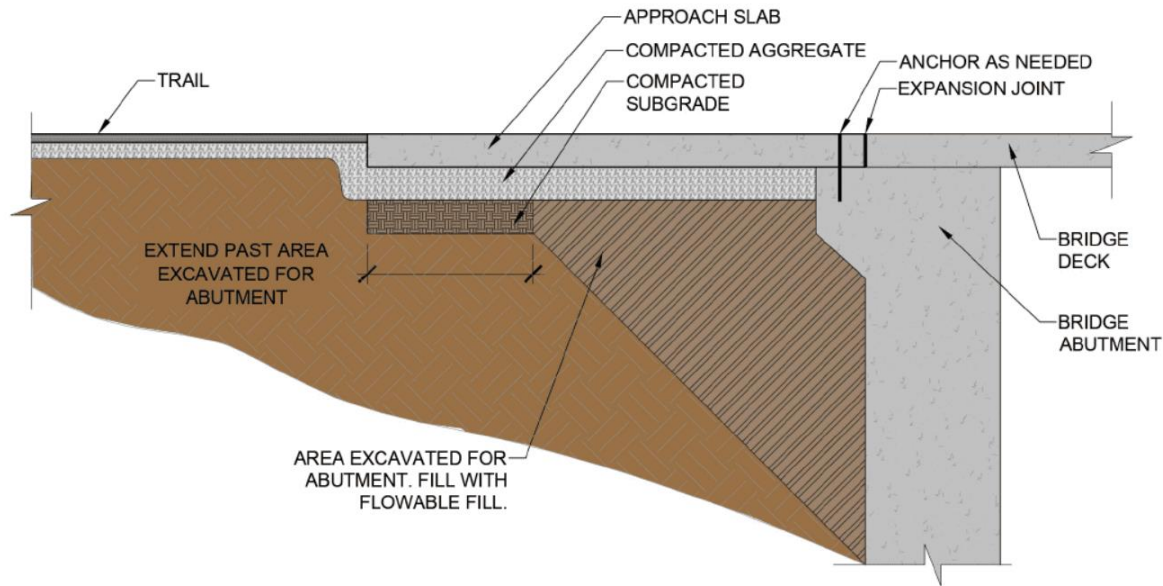


Diagram from <https://greatriversgreenway.org/design-guidelines/trail-design/bridge-abutment-standards/>.

The proposal to enter Wilderness to remove entire bridges violates the Wilderness Act because much of the removal process is unnecessary. Bridges are road features that do not create watershed impacts like culverts do. The EA did not disclose the material with which the bridge is made. Is it steel? Leaving steel and letting time will do the trick, as marine-salt air and time is harsh on metal; the natural elements will corrode, rust, and degrade metal. As suggested by the diagram above, it is unlikely that steel girders would deteriorate and fall so as to completely block the streams below. The course of action compatible with the Wilderness Act is allowing nature to reclaim the steel parts of the bridge. The USFS failed to describe this in the no-action alternative, but steel will decompose with enough time.

Railroad ties could negatively impact Wilderness, but the agency could address these with far less cost and intrusion in to Wilderness than the current scope of this project. Railroad ties could leak creosote and pollute bodies of water, and thus potentially negatively impact stream habitat. However, a more targeted activity that removes just the railroad ties, leaving the steel, could surely be accomplished more minimally than rebuilding miles of road to drive in heavy machinery.

The use of heavy equipment is the reason the USFS in its pre-scoping and scoping proposed a temporary bridge. Wilderness Watch repeatedly raised issues with the heavy equipment proposed in Wilderness. WW pre-scoping pp. 1-2. Wilderness Watch also raised issue with the ambiguity of the project. WW scoping letter p. 4. In the scoping letter for this project, the USFS discusses removing bridges, but also notes that project actions “may include...[i]nstalling a temporary

bridge using large equipment to provide access to Kathleen Creek Watershed.” While the EA does not expressly repeat that it plans to install a temporary bridge, the activities disclosed in the EA includes “rebuilding bridge abutments and decking.” EA p. 2. Thus, the EA hints that the USFS is still building at least one bridge. The EA does not disclose whether this is for one bridge or more, nor do the maps identify where the bridges might be rebuilt.

The installment of bridges where the USFS considers the land to be Wilderness violates the Wilderness Act. Bridges are installations, and installations are generally prohibited under section 4(c) of the Wilderness Act. Rebuilding bridges here does not fall into the exception as an activity minimally necessary to administer Wilderness because the extensive use of such heavy machinery (for which bridges are being rebuilt) is not necessary to administer Wilderness. Reinstalling bridges violates ANILCA because rebuilding bridges for the extensive heavy machinery is not reasonable access. Reinstalling bridges violates the National Environmental Policy Act; the agency has not disclosed where these bridges are, what shape they are in, or have considered the environmental impacts (e.g., erosion, sedimentation) that would result from rebuilding them other than merely stating that the agency will mitigate impacts. Replacing abutments, as suggested in the EA, will disturb and recompact soil. Currently the public doesn’t know if the USFS has proposed this work along a stream that is already nonfunctional or functioning at risk. Bridgework likely add sediment to a stream. For these reasons, the agency has not taken a hard look at this activity or disclosed any potential effects to support a finding of no significant impact.

Suggested remedy for bridge violations: 1) Withdraw the project; 2) Reduce the scope of the project so it does not involve heavy machinery, and reanalyze the activities and methods necessary, fully evaluating an alternative that does not involve reconstructing bridges or removing the parts of bridges that nature would reclaim.

C. Roads

Because heavy machinery and explosives are not necessary or are not the minimal tools necessary, rebuilding and brushing roads for that heavy machinery are also not necessary. All references to road decommissioning imply only the activities to reestablish hydrologic connectivity, and does not address the future of the roads reconstructed for this project.

Wilderness Watch repeatedly raised concerns with the heavy equipment planned and highlighted the agency’s ambiguous description of project scale in the agency’s scoping and pre-scoping documents. WW pre-scoping letter pp. 1-2; WW scoping p. 4. Heavy equipment is the reason for the roadwork the USFS has proposed. While the USFS discussed in pre-scoping and scoping old roads constructed two decades ago—built before the lands came back to public ownership—neither of the USFS’s scoping or pre-scoping documents disclosed specifics for road construction.

The EA and MRA disclosed new information on how the project would accommodate this heavy equipment. The EA disclosed, for the first time, that there would be over nine miles of the main-road “reconditioning” from the shore of Cube Cove to Ward Creek to make it “drivable.” This “reconditioning,” the agency said, “may include clearing landslide debris, brushing vegetation, and rebuilding bridge abutments and decking.” EA p. 2. The Chief of the Forest Service,

however, in the MRA, which the public did not see until this objection period, authorized over six more miles of brushing road spurs than what the EA disclosed. “Brushing” is sanitized language for clearing road and reconstructing an old road that nature is healing and reclaiming. Because this project has not discussed what brushing is, Wilderness Watch submits with our material a USFS example. *See fseprd730873-1_Example of brushing (USFS project Minnesota).*

“Brushing” includes removing trees that are in the road or encroach on the clearing limits on either side of the roadway. Clearing limits can be eight feet from the shoulders of both sides of the road. The work description can vary between clearing trees and bushes less than six inches diameter at breast height (dbh) and clearing trees and bushes over six inches dbh. This includes logging when trees are larger than six inches dbh. “Brushing” also includes removing windfall that are within clearing limits; this could mean removing large trees that have fallen across the road. *See fseprd730873-1_Example of brushing (USFS project Minnesota).*

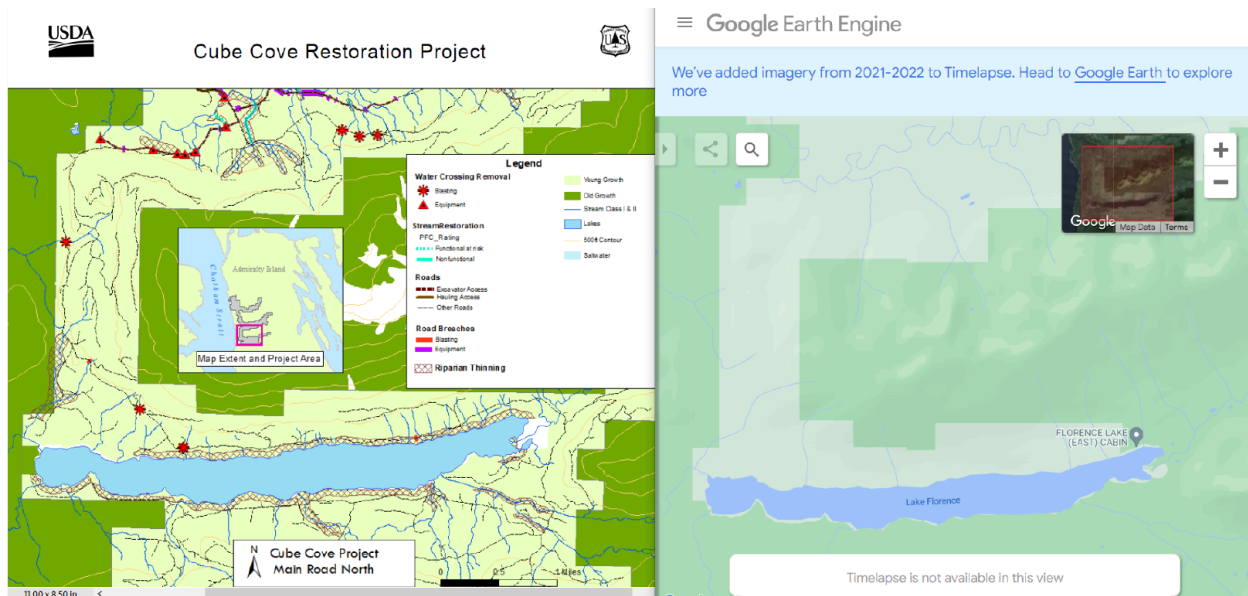
As mentioned in the EA’s deficient discussion in the “no action” alternative, the EA has not adequately discussed the current condition of the roads. We must infer that nature already reclaimed many of them by reference to the intense work required to bring them to a “drivable condition.” Admiralty Island is part of a coastal temperate rain forest, and vegetation grows fast in rainforests, which suggests that nature reclaiming many of these old logging roads is well underway. The Southeast Alaska Watershed Coalition produced a video about removing a culvert, featuring Angoon’s Youth Conservation Core. About a half-minute into the video, the caption said, “the team took a mile-long trek on an old logging road to get to the site.”



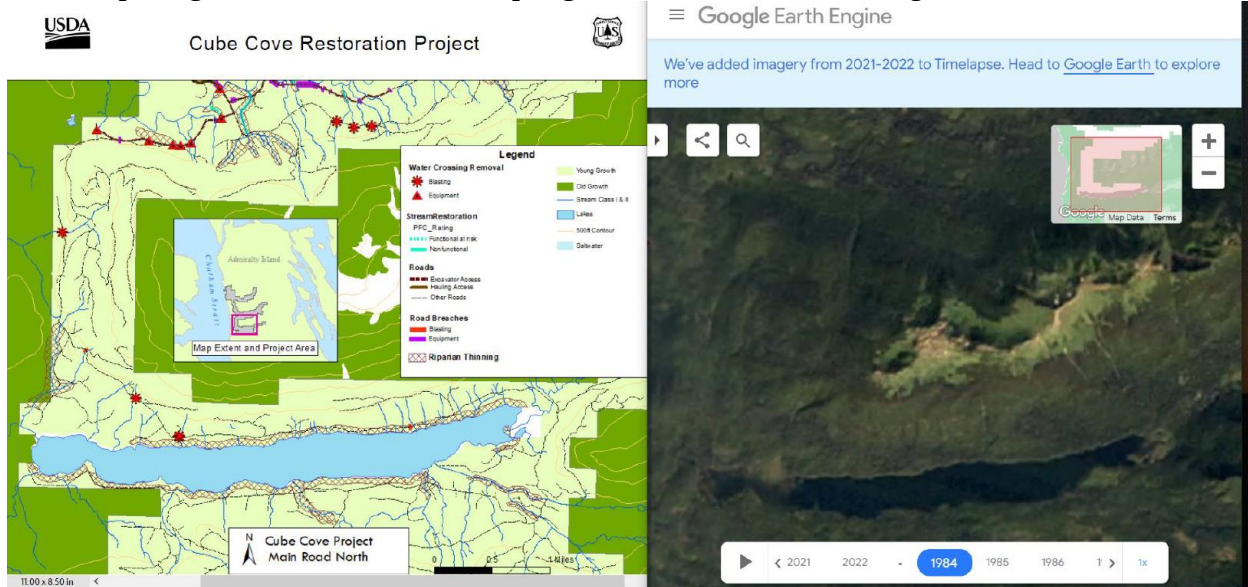
After arriving to the Florence Lake cabin by float plane and crossing the lake by boat, the team took a mile-long trek on an old logging road to get to the site.



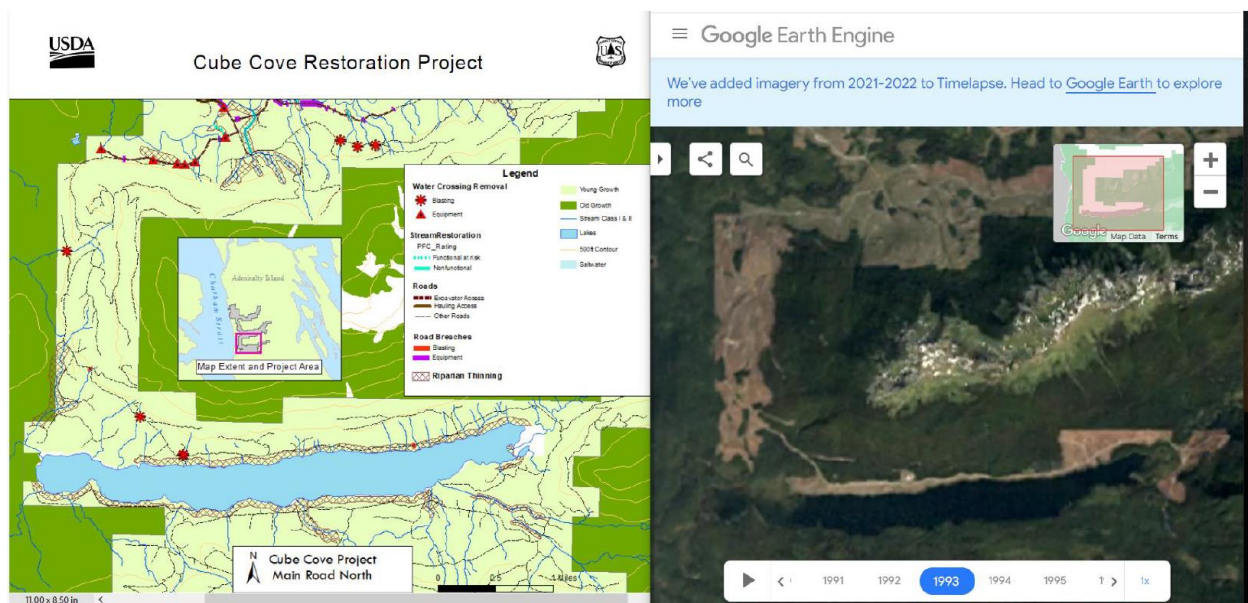
The caption implies that the above feature upon which the team is hiking is an old logging road. The USFS, on page 3 of the EA, the USFS noted that work would begin “after road access is established,” implying that there are naturally occurring barriers, i.e., trees that have been growing for two decades. Enclosed with Wilderness Watch’s supplemental materials is a slide show of satellite imagery around Lake Florence before and after logging, including the current state. *See file 5. Cube Cove EA p. 24 map Lake Florence compared to Google Timelapse.* The following clips are excerpts from that document.



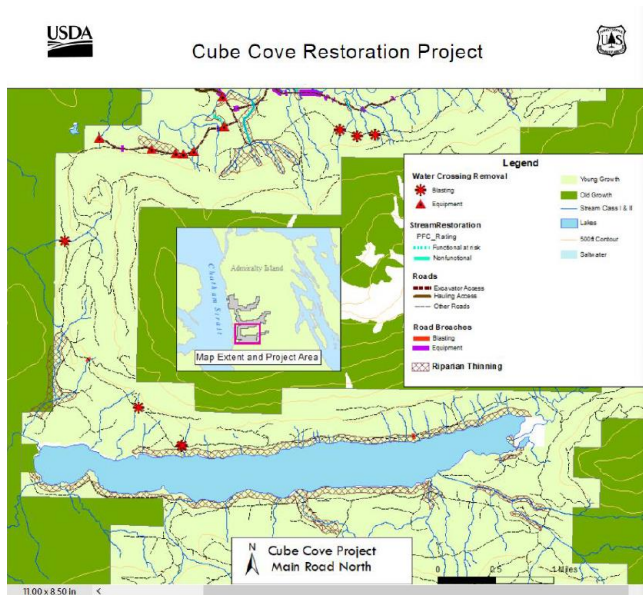
The satellite imagery below depicts the logging and the recovery. The unlogged natural state of the area is a deep, dark green. Areas with sharp geometric shapes that depict brown are recently logged units. Notice as time elapses, a light green takes over the brown geometric shapes and with the passage of time becomes a deeper green. This is nature healing itself.



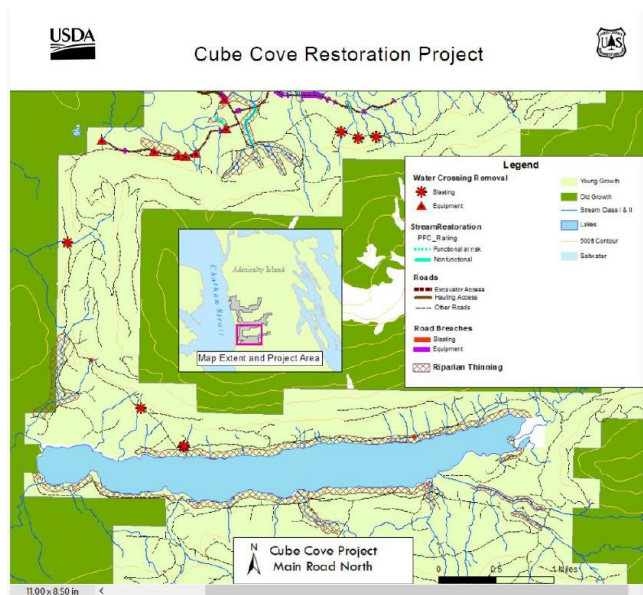
Florence Lake 1984, pre-logging



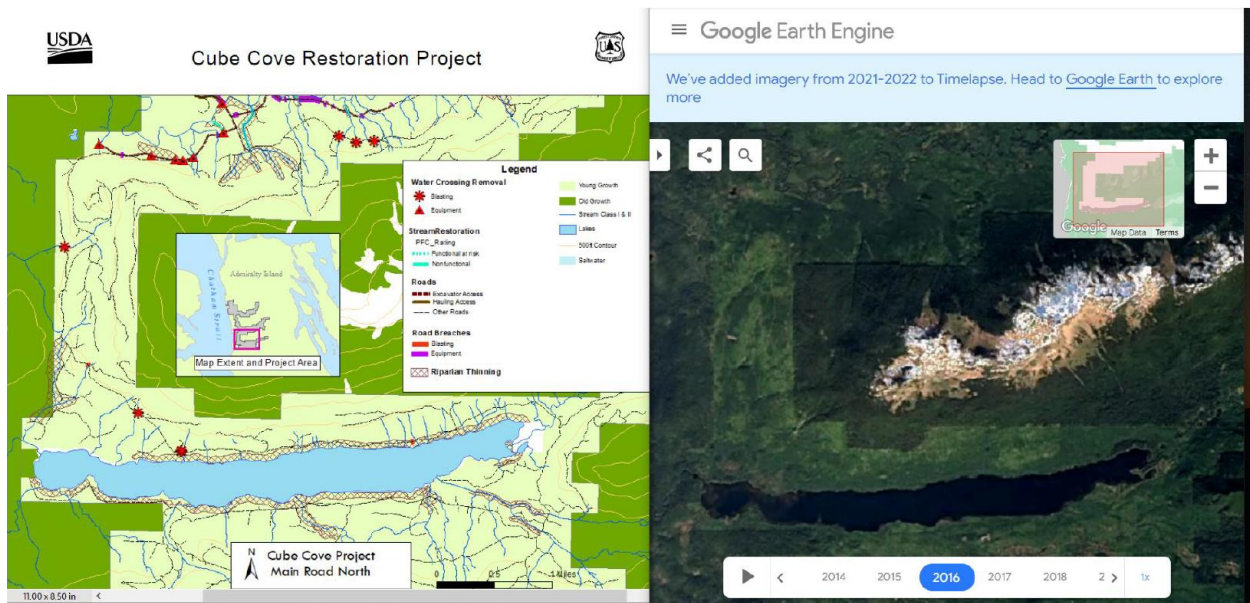
Florence Lake 1993, logging started



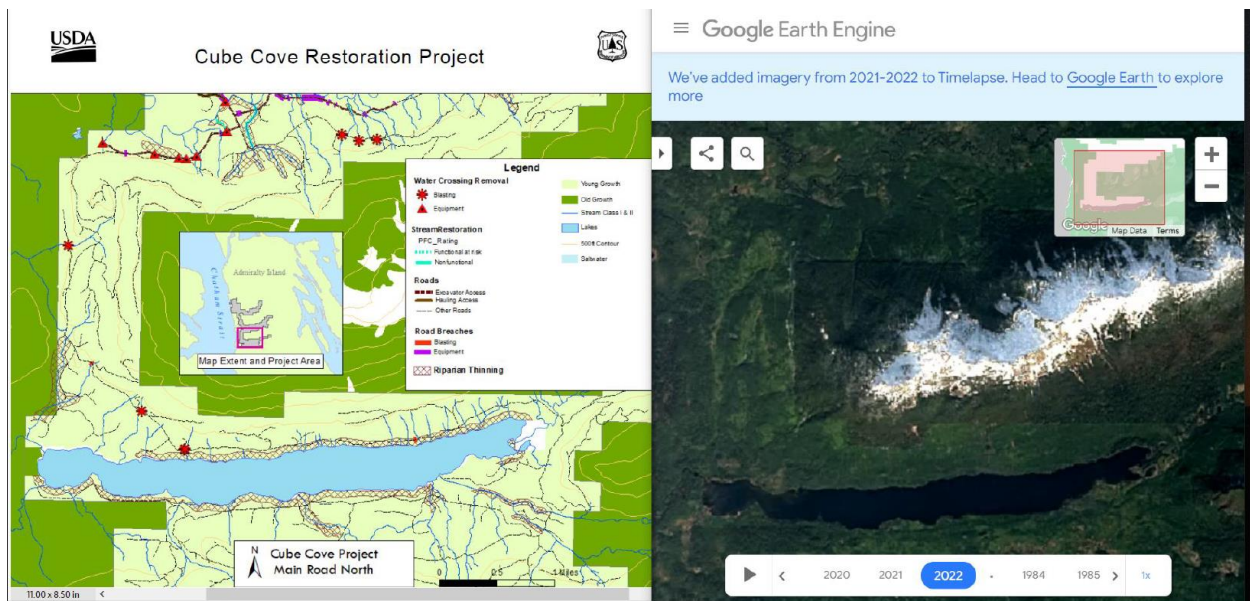
Florence Lake 2003, logging concluded



Florence Lake 2009, post-logging



Florence Lake 2016, post logging



Florence Lake 2022, post logging

The Youth Angoon Conservation Corps hiked along an old logging road from this lake, so the above satellite imagery would look like below on the ground.



This natural healing has been occurring project wide. In Wilderness Watch’s objection materials, we have taken each map in the EA, zoomed to the area on Google Timelapse, and took screenshots of the recovery. We refer the Forest Service to the following supplemental documents provided to accompany the objection.

1. Map Cube Cove EA p. 20 Peanut Lake and Kathleen Lake compared with Google Timelapse
2. Cube Cove EA p. 21 Main Road South of Kathleen Lake compared with Google Timelapse
3. Cube Cove EA p. 22 map Kathleen Lake and east compared with Google Timelapse
4. Cube Cove EA p. 23 map Ward Creek and Google Timelapse
5. Cube Cove EA p. 24 map Lake Florence compared to Google Timelapse.

The roadwork proposed would reverse some of this healing. Roadwork would likely include removing trees and bushes *under and over 6 inches dbh* from in the road and up to eight feet on either side of the road, clearing landslides, and rebuilding bridges. If the USFS is proposing “brushing” activities for old logging roads like the ones depicted above, this activity is much more than road “reconditioning”; it is road reconstruction. The EA also did not discuss the future of roads it plans to reconstruct and clear. The removal of culverts may make some areas unpassable to motorized or mechanized use, or it may not; the public doesn’t know because the EA never addressed it.

The roadwork alone violates the Wilderness Act. Section 4(c) of the Wilderness Act is clear that there shall be no permanent road. The EA doesn’t clearly detail the future of these roads, so this work could amount to a permanent road. Even if all culverts were ripped out, without recontouring, this old road might become an unauthorized trail. The conversion of roads to trails is an issue Wilderness Watch raised in its pre-scoping letter on page 2 due to wildlife impacts for increased human use. Even a temporary road would still likely violate the Wilderness Act. Temporary roads are only permissible in section 4(c) “except as necessary to meet minimum

requirements for the administration of the area for the purpose of this chapter,” and the purpose of the Wilderness Act is to preserve wilderness. If the minimum requirements analysis approved over 15 miles of roadwork, but the EA and draft decision approve less, 15 miles of roadwork is not minimally necessary on its face. Also, there is no discussion as to why making road spurs drivable is “minimally necessary.” Given the USFS has proposed the roads for the heavy machinery to remove culverts and bridges, but these could be addressed without heavy machinery, heavy machinery is not necessary. If heavy machinery is not necessary, neither is road reconstruction. These activities are not covered by the 4(c) exception.

This roadwork violates ANILCA. Section 1315(b) states, “[r]easonable access solely for the purposes of this subsection, including temporary use of motorized equipment, shall be permitted in the furtherance of research, management, rehabilitation and enhancement activities subject to reasonable regulations as the Secretary deems desirable to maintain the wilderness character, water quality, and fish and wildlife values of the area.” Roads degrade fish habitat, as the EA repeatedly highlights. So reconstructing roads, especially without plans for their future after the work undermines Section 1315(b), which aims to the permissions of which is for the goal of restoring fish production. “Reasonable access” does not encompass the reconstruction of permanent roads or temporary roads when the work can be accomplished by means other than heavy machinery that requires road reconstruction.

The roadwork violates NEPA because the EA didn’t consider the scope of the roadwork, which is larger in the MRA than what the EA disclosed or considered. The EA did not consider the impacts of road reconstruction to wildlife habitat; the increased risk of reconstructed roads from landslides (and possible additional impacts to water bodies); how the USFS plans to prevent unauthorized use of these new roads and the efficacy of that strategy; or whether the roadwork is likely to grow with the scope of the project because of the places that have not yet been surveyed because the equipment is “already nearby.” Other than mentioning that road reconditioning, heavy equipment access, road decommissioning, and instream hand tool restoration activities would have short-term and minor negative effects to water quality due to increases in suspended sediment and turbidity, the EA did not discuss where or attempt to quantify this impact. For the reasons above, the EA violates NEPA for failing to be specific, for failing to consider and disclose impacts, and for failing to take a hard look the direct, indirect, and cumulative impacts of the project.

Suggested remedy for roadwork violations: 1) Withdraw the project entirely, or 2) Conduct an EIS and very critical reanalysis of what is minimally necessary for administration of the area as wilderness, analyze the impacts not disclosed or considered above, and design a way to accomplish it to avoid re-constructing any roads or using any heavy machinery.

D. Thinning

In our pre-scoping letter on page 2, we asked, “Why is there an immediate need to create downed woody material in the logged riparian areas? Wouldn’t natural processes eventually achieve that goal?” In our scoping letter on page 4, we noted, “We recognize that restoration of some forms of damage might take longer by allowing natural processes to work, but expediency isn’t the

appropriate test in Wilderness.” We resubmitted our pre-scoping letter with our scoping letter (scoping letter p. 4) because our concerns were unchanged.

Logging to produce downed woody material violates the Wilderness Act. The Wilderness Act requires an agency to manage for wilderness character first. The Act defines Wilderness as “[A]n area where the earth and its community of life are untrammelled by man...” In subsequent sentences the definition adds that Wilderness “is protected and managed so as to preserve its natural conditions and which... generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable....” 16 U.S.C. §1131(c). In describing how the definition of “wilderness” relates to the concept of “wilderness character,” which managers are required to protect, the author of the wilderness bill explained,

In this definition the first sentence is definitive of the meaning of the concept of wilderness, its essence, its essential nature—a definition that makes plain the character of lands with which the bill deals, the ideal. The second sentence is descriptive of the areas to which this definition applies—a listing of the specifications of wilderness areas; it sets forth the distinguishing features of areas that have the character of wilderness.... **The first sentence defines the character of wilderness**, the second describes the characteristics of an area of wilderness (emphasis added) (Zahniser 1963b).²

Logging, which the EA calls “thinning,” is manipulating vegetation. So is placing large wood in 11 stream reaches. The EA suggests that the idea behind this work is to put large woody debris in streams and foster development of old growth: “The degraded condition for each of these 11 stream reaches was attributed to the lack of large wood in the channel and the lack of large trees in the riparian area available for future recruitment.” EA p. 6. The EA (pdf p. 9) implicitly acknowledges that, with enough time, nature will accomplish what the USFS had proposed: “Thinning riparian stands would accelerate tree growth rates and reduce the time gap for natural recruitment of large wood into streams.”

The thinning activities proposed violates the Wilderness Act. Nothing in the Wilderness Act allows for vegetative manipulation to speed up a process that would otherwise naturally occur. The EA doesn’t sufficiently describe the need for this process in the stream reaches or lakeshores that the USFS has not identified as at risk. This is not a necessary activity because old-growth will naturally develop with time.

Allowing untrammelled nature to operate freely on the Cube Cove lands will create the natural conditions the Wilderness Act seeks to protect.

Suggested remedy: Withdraw this proposed activity and let nature govern this reclamation as the Wilderness Act prescribes.

² Zahniser, Howard, 1963b. Supplementary statement in National Wilderness Preservation Act hearings. As cited in D. W. Scott, 2001–2002. “Untrammelled,” “wilderness character,” and the challenges of wilderness preservation. *Wild Earth* Fall/Winter 2001-2002: 72-79.

Conclusion

Considering the project at its current scale violates the law, and the types of activities proposed also violate the law. Our overall suggested remedy for this project is to withdraw the project entirely. Alternatively, the USFS should conduct an environmental impact statement, which is necessary to comply with NEPA for significant impacts, both negative and beneficial. The USFS must also conduct critically reanalyze the activities necessary (if any) to administer this area as Wilderness and the minimum tools necessary to accomplish that. Wilderness Watch would not necessarily oppose narrower and targeted actions within this area that would protect and even enhance wilderness values, such as removing creosote railroad ties from bridges that are leaching into streams, or digging out a culvert that is blocking fish passage with wilderness-compatible tools and methods. But these actions must be discretely analyzed and logically justified, which the EA and the MRA both fail to do.

Lastly, because of the terrible, precedential nature of the proposed action in Wilderness and the lack of any need for immediate action, we urge the Forest Service to set aside the decision for now and work with interested parties in seeking direction from Congress to address the unique situation here.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Katie Bilodeau". The signature is written in a cursive, flowing style.

Katie Bilodeau
Legislative Director / Policy Analyst