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Ben Burr, Executive Director
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May 12, 2025

Barbara Miranda, Acting Forest Supervisor (Objections Reviewing Officer)
Tongass National Forest
Federal Building
648 Mission Street, Suite No. 110
Ketchikan, Alaska 99901-6591

RE: Objections to Thorne Bay Basin Integrated Resource Management Project

Dear Objection Reviewing Officer:

Please accept these objections to the Draft Record of Decision (“DROD”) for the Thorne Bay Basin Integrated Resource Management Project, as well as the associated Final Environmental Assessment (“EA”). The Responsible Official is Barbara Miranda, acting Forest Supervisor. These objections are submitted on behalf of BlueRibbon Coalition (BRC), including BRC’s individual and organizational members who have enjoyed, and plan in the future to enjoy, access to the Thorne Bay Basin.

These objections are submitted in accordance with 36 C.F.R. part 218. BRC filed comments on the Thorne Bay Basin Integrated Resource management project EA raising the stated issues or otherwise providing a basis for these objections. The point of contact for this objection is Simone Griffin, please direct all communication regarding these objections to Simone Griffin at PO Box 5449 Pocatello, ID 83202. We formally request a resolution meeting in accordance with 36 C.F.R. § 218.11. We hereby authorize, indeed encourage, the Reviewing Officer to extend the time for a written response to objections, particularly if it will facilitate a thorough effort to explore opportunities to resolve objections. See, 36 C.F.R. § 218.26(b).

I. Interest of the Objector

BRC has a unique perspective and longstanding interest in motorized vehicle use in the Tongass National Forest. BRC is a nonprofit corporation that champions responsible recreation and encourages individual environmental stewardship. BRC members use various motorized and nonmotorized means to access public lands and waters, specifically including use of the Tongass National Forest. BRC has a long-standing interest in the protection of the values and natural resources addressed in this process, and regularly works with land managers to provide recreation opportunities, preserve resources, and promote cooperation between public land visitors.

II. Objection Issues

We note at the outset that the agency has conducted a lengthy process, and addressed many of our concerns. We want to express our appreciation for the agency's thoughtful effort, support of stakeholder involvement and collaboration, and patience in this lengthy process. Still, there remain concerns with the current approach, and we raise the following objections, which provide a legal basis for our requested changes to the Draft ROD.

The objection process necessarily anticipates the possibility and potential likelihood of success in subsequent litigation brought by an objector. In such a challenge the Administrative Procedure Act (APA) waives the United States' sovereign immunity for those aggrieved by "final agency action." 5 U.S.C. §§ 702, 704; *Lujan v. National Wildlife Federation*, 497 U.S. 871, 882 (1990). APA section 706(2) provides the relevant standard of review: a reviewing court shall "hold unlawful and set aside agency action, findings, and conclusions found to be—(A) arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; [or] (C) short of statutory right; [or] (E) unsupported by substantial evidence...." This standard of review is "narrow" but the agency:

must examine the relevant data and articulate a satisfactory explanation for its action including a rational connection between the facts found and the choice made....Normally, an agency rule would be arbitrary and capricious if the agency has relied on factors which Congress has not intended it to consider, entirely failed to consider an important aspect of the problem, offered an explanation for its decision that runs counter to the evidence before the agency, or is so implausible that it could not be ascribed to a difference in view or the product of agency expertise.

Motor Vehicle Mfrs. Ass'n. v. State Farm Mutual Automobile Ins. Co., 463 U.S. 29, 43 (1983) (citations omitted). This is considered a deferential standard of review. Still, there always exists some level of litigation risk, and we believe the decision can be improved.

A. General Support for Project Proposal

In 2022, BRC expressed overall general support for the proposed project. BRC advocates for responsible and proactive forest management practices, including timber harvest and vegetation treatments, as essential tools for maintaining the health, accessibility, and resilience of our public lands.

Active management strategies, such as thinning and salvage logging, are crucial for reducing hazardous fuel loads, mitigating the risk of catastrophic wildfires, and promoting ecological balance. The USFS's initiatives to expedite the review of timber salvage projects align with these goals, enabling timely removal of dead and dying trees that contribute to fire hazards.

Timber harvest operations not only contribute to forest health but also provide significant economic benefits to rural communities. By facilitating commercial timber harvests before the timber loses its commercial value, these projects support local economies, sustain jobs, and generate revenue.

The U.S. Forest Service has a clear directive to move forward with projects like this under the Executive Order on the Immediate Expansion of American Timber Production signed by President Trump on March 1, 2025. This executive order requires federal agencies, including the Forest Service, to take immediate action to increase domestic timber production, reduce regulatory barriers, and implement large-scale vegetation treatments to protect communities from wildfire and strengthen national supply chain resilience. Projects that involve mechanical thinning, commercial timber harvest, and post-disturbance salvage operations are directly aligned with the goals of this order. Delaying implementation would not only undermine these national priorities but would also leave overgrown and fire-prone landscapes unmanaged, increasing risks to public safety, wildlife habitat, and recreational access. The Forest Service must act swiftly and decisively to meet the mandates of this executive order and fulfill its obligation to manage public lands for both ecological health and economic productivity.

B. Road Decommissioning, Temporary Roads, and EXPLORE Act Compliance

The proposed action includes the construction of temporary roads that will be decommissioned upon project completion, along with the decommissioning of existing system roads. The decommissioning of temporary roads that have already been built and used to carry out the project and existing access routes raises serious concerns regarding long-term access, emergency response, and recreational use—especially in light of new statutory mandates.

The EXPLORE Act, passed in 2024, directs federal land management agencies, including the U.S. Forest Service, to prioritize the maintenance and expansion of public access for motorized recreation. This includes keeping roads open to accommodate a growing demand for dispersed recreation, hunting, and emergency access, especially in rural and fire-prone areas.

Decommissioning roads—especially those historically used by the public or essential for fire suppression and search and rescue—directly conflicts with the intent of the EXPLORE Act. The agency must demonstrate how this proposed road decommissioning complies with this new legislative mandate.

In addition, under 36 CFR § 219.3, the Forest Service is required to use best available scientific information to inform planning decisions. Any decision to decommission roads should be based on current data regarding wildfire risk, public use patterns, and local transportation needs. Similarly, 40 CFR § 1502.9(d) requires supplemental analysis when significant new information becomes available that could affect the environmental impacts of a proposed action. The passage of the EXPLORE Act, coupled with new data on rural emergency response needs, qualifies as such new information and must be addressed in the NEPA analysis.

C. Conclusion

In conclusion, the BlueRibbon Coalition fully supports the proposed timber harvest and forest treatment activities as necessary and beneficial for improving forest health, reducing wildfire risk, supporting rural economies, and complying with national forest management directives, including recent executive orders. These treatments represent responsible, science-based land management that aligns with the multiple-use mission of the U.S. Forest Service.

However, we urge the Forest Service to re-evaluate the proposed actions regarding the road system. Access infrastructure is essential not only for implementing active management but also for ensuring ongoing public access, recreation opportunities, and emergency response capabilities. Any proposed road decommissioning or restrictions must be carefully

reviewed to avoid unintended consequences that undermine the long-term success of this project and the public's ability to access their public lands. We encourage the agency to prioritize road maintenance, upgrades, and connectivity to fully support both management objectives and shared-use access.

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Sincerely,

A handwritten signature in dark ink, consisting of stylized initials 'BB' followed by a long horizontal line.

Ben Burr
Executive Director
BlueRibbon Coalition

A handwritten signature in dark ink, appearing to read 'Simone Griffin' in a cursive script.

Simone Griffin
Policy Director
BlueRibbon Coalition