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First name: Catherine
Last name: Heroy
Organization: State Of Alaska
Title:
Comments:

[ATTACHMENT COPIED BELOW. NOTE PDF CONVERSION AFFECTS FORMATTING. SEE ATTACHMENT FOR ORIGINAL.]

Department of Natural Resources

OFFICE OF PROJECT MANAGEMENT AND PERMITTING

th
550 West 7 Avenue, Suite 1430
Anchorage, AK 99501-3561
Main: 907.269-8690
Fax: 907-269-5673

February 24, 2025

Tongass National Forest
Attention: Erin Matthews
Plan Revision Coordinator
648 Mission Street, Suite 110
Ketchikan, AK 99901-6591

Submitted online at https://cara.fs2c.usda.gov/Public/CommentInput?Project=64039

Re: Tongass Forest Plan Revision Draft Assessments

Dear Ms. Matthews,

The State of Alaska (State) reviewed the Tongass Forest Plan Revision Draft Assessments. The sections of the Assessments will be integrated into the Final Assessment Report intended to inform the upcoming Tongass Forest Plan Revision. The range of topics covered in the Assessments are broad and include issues such as timber resources, land status and use, species of interest, and natural resource uses, among other things.

As noted in the User Guide to the Assessment documents, the 2012 final Planning Rule requires that an assessment report is created for all forest plan revisions, which will "inform(s) the

development of the plan components and other plan content." The 2012 Planning Rule identifies collaborating and working with others (States, Tribes, local communities, other land managers, etc.) across the landscape as a critical component of the final rule. The State values its long-standing working relationship with the Tongass National Forest and the Alaska Region of the U.S.D.A. Forest Service (Forest Service). The State's broad vision for the Tongass National Forest continues to center around balanced management that includes protections for fish and wildlife habitats, riparian areas, Wilderness areas, and water and soil resources while also providing for multiple uses, including timber harvest that meets market demands, and public access. The State looks forward to working with the Forest Service through the forest plan

revision process to ensure that this balance is incorporated into the Tongass Forest Plan.
The comments below incorporate input from the Departments of Natural Resources (DNR) and Fish and Game (ADF&G) on the draft Assessment documents. The State will also provide formal comments to the Forest Service when the National Environmental Policy Act review is initiated.
Our comments below are organized to address the various Assessment chapters in the order those chapters were posted on the review website, which should not be assumed to be an indication of the State's interest priorities.

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36 CFR Part 219, Final Rule and Record of decision, page 80, Section 219.6 Assessments.

State Interests and Authorities
ADF&G Authorities
In ADF&G's role as the manager of fish and wildlife populations within the State of Alaska, numerous staff participated in each of the relevant public assessment meetings. Despite the regulatory direction in the Planning Rule, ADF&G staff reports little to no contact with Forest Service staff occurred, outside the public meetings, in preparing these assessments. ADF&G recognizes the 2012 Planning Rule presents substantial planning challenges. We support the efforts the Forest Service has taken regarding early engagement with the public; however, we are concerned the information put forward in the assessments lacks the State perspective on fish and wildlife management.
We remind the Forest Service that the individual States are responsible for the sustainability of all fish and wildlife within their borders, regardless of land ownership or designation, and have the authority, jurisdiction and responsibility to manage, control and regulate fish and wildlife populations - including for subsistence purposes - unless specifically preempted by federal law. As such, ADF&G has primary management responsibilities with regard to fish and wildlife resources in Alaska, including but not limited to setting population objectives and determining harvestable surplus. ADF&G's authorities are not always captured fully correctly in some of the Assessments (e.g., The Tongass as an Indigenous Place and Subsistence and Other Harvest). The draft Forest Plan must recognize the unique legal authorities that state fish and wildlife agencies possess on federal lands. As a management agency, ADF&G works for the conservation of habitats capable of providing for sustainable and useable populations of fish, wildlife, and other resources. In so doing we recognize the need to provide for a variety of fish and wildlife uses, including subsistence, hunting, fishing, guiding, and wildlife viewing among a host of beneficial uses.
DNR Authorities
DNR has management authority for State lands, including submerged lands, water, tidelands, and shorelands of navigable waters within the State. This authority includes management of navigable waters, tidelands, and shorelands within and adjacent to the boundaries of federal lands, like the Tongass National Forest.
More information can be found at the DNR Navigability Project website: https://dnr.alaska.gov/mlw/paad/nav/. Additionally, a map of waters the State considers navigable can be found here by opening the Navigable Waters map in the left menu: https://mapper.dnr.alaska.gov/map#map=4/-16632245.12/8816587.34/0
Additionally, the State owns lands adjacent to Tongass lands where we manage timber resources. Changes to the Forest Plan can impact the State's ability to access and manage these resources, which are handled by the Division of Forestry and Fire Protection (DOF) and the Trust Land Office (TLO) on general State or Trust lands, respectively. The DOF works both independently

and collaboratively with federal, public, trust, and private forest managers to maintain and expand the sustainable forest products industry in Alaska. Diversified state-wide, regional, and local economies depend on a robust and stable industry to support healthy forest-dependent and timber-dependent rural communities, and to provide the skilled workforce and industrial capacity necessary to responsibly and scientifically manage our forests and related infrastructure for a positive range of economic, ecological, and cultural benefits across all forest ownerships. DOF's comments and recommendations are designed to help ensure future active management of

Alaska's national forests to include the production and harvest of commercial timber, which supports the State's ongoing efforts to sustain and grow the forestry sector in Alaska.
The TLO is a state corporation that administers the Alaska Mental Health Trust (Trust), a perpetual trust, to improve the lives of Trust beneficiaries. The TLO is contracted exclusively by the Alaska Mental Health Trust Authority to manage its approximately one million acres of land to generate revenue to better serve its beneficiaries. Beneficiaries of the Trust include Alaskans who experience mental illness, developmental disabilities, substance use disorders, Alzheimer's disease and dementia, and traumatic brain injuries. The majority of the Trust's annual budget is designated for grants, around $24M a year, to beneficiary serving organizations across Alaska that help improve the lives and circumstances of Trust beneficiaries.
The TLO is statutorily mandated to manage Trust lands and resources to maximize revenue returns for beneficiary programs. All decisions approving use of Trust lands and resources are made solely in the interest of the Trust and its beneficiaries in line with Trust principles and the Alaska Mental Health Enabling Act. The TLO also has a duty to protect and enhance the values of the Trust lands, and to manage them to ensure that revenue can be generated in perpetuity.
Many of the Trust's lands were selected because of their timber resources. Timber harvests play an important role in producing income for the Trust, generating over $60 million in timber receipts over the last 30 years. This accounts for a significant percentage of revenue returns for Trust beneficiary programs.
Chapter: User Guide
General Comments:
The State appreciates the concept of a user guide. Alaska land management units are on a scale unmatched in the Lower 48. The Tongass is the largest National Forest in the United States,
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covering 17 million acres and approximately 80% of the Southeast Alaska panhandle.
Planning documents put forth by federal land managers in Alaska have become quite massive. These overly lengthy and complex documents are difficult to follow and the intended management prescriptions get lost in the size of these documents. We suggest the Forest Service continue to incorporate a user guide into revised Assessment and Forest Plan documents, to clearly identify how readers should approach the document, applicable statutes, regulations, handbooks, and policies as well as to call out proposed changes from the current Forest Plan.
We recognize the planning team must comply with an array of statutes, regulations, manuals, handbooks, instruction memoranda, and policies. We appreciate the planning team has little latitude in deviating from the formal template of how information must be presented and analyzed in the plan. However, the 2012 Planning Rule clearly identifies engagement with the public as a goal intended to gain acceptance of the resulting plan and management strategies. Providing an overly complex plan that even seasoned agency staff struggle to comprehend and follow will not help the Tongass in providing a framework, easily understood by readers, that addresses the desires and needs of present and future generations of Alaskans and Americans.

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Tongass Forest Draft Assessment, User Guide, page 5.

Chapter: The Tongass as an Indigenous Place
Page Specific Comments:
p.28. The following paragraph speaks to a need for infrastructure for indigenous harvesting; such structures are allowed by the Alaska National Interest Lands Conservation Act (ANILCA) Sec. 1303(b) and 1316 and plan documents should include reference to these sections of ANILCA. The Forest Service should integrate indigenous harvesting infrastructure more broadly into land use designations, based off of Tribal consultation and request. Within the Tribal engagement process, Tribes mentioned specific items they would request be available for Tribes to manage within their traditional territories, such as warming shelters and smoke houses. These structures should be allowed in accordance with ANILCA. Co-stewardship with Tribes can also be a pathway to rectifying the loss of "ways of life" caused by past Forest Service actions.
p. 39. The following language fails to capture the State's management responsibilities for fish and wildlife. We suggest the following changes, (shown in underline and strikeout).
In 1989, the Alaska Supreme Court ruled that the rural residency preference violated the Alaska Constitution in McDowell vs State, 1988. Therefore, the management of federal subsistence hunting, fishing, and trapping on federal public lands and non-navigable waters became the responsibility of the federal government in 1990. The State of Alaska, through the ADF&G, continues as the primary agency responsible for policy development and management direction relating to fish and wildlife resource on State and federal lands, pursuant to applicable State and Federal Laws continues to manage hunting, fishing and trapping on non-federal lands and navigable waters for both Alaska residents and non-residents. WhileThe dual management of fish and wildlife resources is tied to land ownership, fish and wildlife populations often cross-over, often makes it confusing for subsistence users and other hunters, trappers, and anglers and creates ing conflict between the management agencies.
Chapter: Terrestrial Ecosystems
General Comments:
This draft assessment chapter summarizes the status of terrestrial ecosystem groups and subgroups for the entire Tongass. That is valuable for some purposes. However, due to the highly fragmented island archipelago nature of the Tongass, that assessment is of little value for gauging effects of forest management on terrestrial wildlife populations that are confined to individual islands. Summarizing the ecosystem group(s) most affected by management activities (e.g. well-drained and riparian old-growth forest, second-growth forest) for individual islands
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larger than some minimum area (maybe 100 km) would be more informative for wildlife managers and stakeholders.
This assessment summarizes habitat condition within the administrative boundary of the Tongass. However, some islands (i.e., Long, Dall, Prince of Wales, Kupreanof, and Chichagof) include substantial proportions of non-Forest Service public lands and private lands, and management of those lands affects populations of terrestrial wildlife confined on those islands. Forest Service management is limited to Forest Service lands, but we request, in accordance with

the direction in 36 CFR 219.5(1) and 219.6(b)(1)3, that assessments of habitat for terrestrial wildlife on individual islands also take into account management and the status of habitat on non-Forest Service lands.
The anticipated effects of climate change on ecosystems are discussed throughout the assessment. That is valuable because the direct and indirect effects of climate change are and will continue to affect habitat and terrestrial wildlife. The revised Forest Plan should discuss ways managers can minimize or mitigate ongoing or anticipated effects of climate change during its anticipated lifespan.
Page Specific Comments:
p. 11. Drivers and Stressors - Consider including roads as a stressor. Roads allow mechanized human access for numerous activities that affect terrestrial and aquatic habitat and the fish and wildlife species living there. Roads can also contribute to stream sedimentation and block fish passage. The current Tongass Land Management Plan and Interagency Wolf Habitat Management Program (USFS 2017) recognizes road density as a stressor for wolves.
p. 34. Poorly Drained Forest, Ecosystem Services - Please explain what is meant by "transitional habitat for deer and bears" and support the explanation with citations. Do deer and bears avoid this habitat at other times of year?
p. 37. Riparian Forest, Ecosystem Drivers and Stressors - Timber harvest is listed as a stressor that can cause erosion and slumping that affects riparian forest. Both are true, but observations of ADF&G biologists indicate that windthrow resulting from clearcutting adjacent to riparian leave strips is a far more common and widespread stressor to riparian forest.
p. 38. Please revise as follows:
Provides opportunities for sport and both federal subsistence and State regulated fishing and hunting.
p. 50. Please revise as follows:
Provides subsistence and recreational fishing, federal subsistence and State regulated hunting, foraging, and wildlife-watching opportunities.
p. 53. Shrublands, Ecosystem Drivers and Stressors, Herbivores - By land area most shrublands on the Tongass are on steep mountain slopes, so this section should specify that shrublands that provide browse for moose are generally associated with low elevation riparian habitat.
p. 53. Shrublands, Ecosystem Services - Shrublands on steep slopes provide foraging opportunities for bears (emerging spring plants, berries). Brown bears also commonly den in subalpine shrubland habitat (see Crupi et al. 2020).
Chapter: Aquatic Ecosystems
General Comments:
This chapter identifies several studies that are needed to better understand these systems. Are these studies going to be completed prior to developing the plan or will the plan be developed without this information that has been identified as important to the process? Please clarify.

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These sections of the 2012 Planning regulation require the Forest Service to evaluate existing information about relevant ecological conditions, trends and sustainability and their relationship to the land management plan within the context of the broader landscape,

The Marine section identifies waters that are state waters and submerged lands with the exception of lands specifically withdrawn by Congress. This includes the discussion of "vulnerable groundfish" or other marine species without clarity how these are related to the forest, when the forest boundary generally stops at the mean high tide line. At a minimum, these waters should be identified in the Forest Plan and EIS as State-managed waters and a discussion

on how vulnerable groundfish and other marine species relate to the forest.
Chapter: Federally Recognized Species: Threatened, Endangered, Proposed, and Candidate Species
General Comments:
Marine mammals/ threatened and endangered (T&E) species are relevant to discuss and T&E species are required to be discussed in this document per the 2012 planning rule (36 CFR 219.6(b)(5)), however it is unclear how "important species" were chosen/designated. This chapter needs more explanation on the relevance of these species to the Tongass and the process for how species were determined as "important".
* Should Fin whales, Humpback whales (Mexico DPS), Sperm whales, and Short-tailed albatross be designated as "important" to the Tongass, due to their rare occurrence in the area? If so, there should be detailed information included in this chapter on how the Forest Service came to those conclusions. You may consider creating two lists. One that is comprehensive and includes T&E species that may occur or be impacted by activities on the Tongass, and perhaps another list that is focused on T&E species that regularly use the Tongass or have biologically important areas/critical habitat established within the Tongass (as shown in Fig. 1, page 7 of this Chapter).
* There is no mention of leatherback sea turtle (leatherback is specified in the "List of Species to Consider" table as excluded due to being ESA-listed which would leads one to think it would be mentioned in this chapter). While not all of these species may be "important" to the Tongass, it seems appropriate that they are mentioned, and an explanation is provided as to why or why not they are important to the Tongass and thus will or will not be discussed in further detail in this report.
* The status and trends section focuses on whales, Steller sea lions, and the sunflower sea star, but leaves out Short-tailed albatross. If they are going to be included as relevant to the Tongass they should also be included in this section. If the Forest Service has determined the Tongass is not important to the life history for this pelagic seabird, this determination should be clearly stated.
Chapter: Species of Conservation Concern (SCC)
General Comments:
Current Management Practices section should reflect that ADF&G is the primary manager of fish and wildlife. We also recommend the cooperative efforts between Forest Service and ADF&G biologists be discussed throughout the assessments. Highlighting the cooperative relationship between our agencies will benefit the implementation of any future plans and bring awareness to those who will write the plan that these cooperative relationships exist.

We recommend the following language:
The State of Alaska has unique responsibilities for, and control over, the conservation of its fish and wildlife resources as recognized in our State Constitution and the Alaska Statehood Act. Title 16 authority for managing fish and wildlife resources across all lands in Alaska is delegated to the Commissioner of Fish and Game, with certain responsibilities assigned to the Board of Fisheries and the Board of Game. The boards are authorized to regulate "the conservation, development, and utilization" of fish and game (see AS 16.05.251 (a)(12) and AS 16.05.255(a)(10)). The combined authorities of the boards and ADF&G include the establishment of seasons, quotas, bag limits, and harvest levels and regulation of commercial, recreational, guided, subsistence, and personal uses of fish and wildlife through fishing, hunting, trapping and other activities. ADF&G and

the Boards of Fisheries and Game are empowered to establish the methods and means employed in the pursuit, capture, transport, and related uses of fish and wildlife. On federal lands, state biologists conduct research and other activities based on these management responsibilities. Cooperative efforts between state and federal biologists inform both management of fish and wildlife and federal land management plans.
We are concerned that several species, that would have been expected to be on the SCC list, do not appear to have been considered for assessment. Specifically, we believe the Prince of Wales Spruce Grouse, the Muskrat, and the Fisher should be included for the reasons listed below. Each of these species are Tongass Old Growth species and should have been identified based on the species' natural history and distribution in Southeast. We request the draft Forest Plan and Environmental Impact Statement (EIS) address each of these species, their relevance to the Tongass, the threats they are facing, and possible management the Tongass could implement.
* Prince of Wales Spruce Grouse (Franklin's Grouse), Falcipennis canadensis - A species only found on Prince of Wales. There was a study conducted by a graduate student at the University of Alaska, Fairbanks around 2009 or so, but there probably has not been an assessment of the species since then. ADF&G biologists suggest that local knowledge says they are not as common as they once were, but little else is known about their current status.
Regarding the Prince of Wales Spruce Grouse, we request consideration and discussion of the following relevant literature.
? Jack Gustafson, 1994, ADF&G Report: The Franklin's Grouse of Southern Southeast Alaska.
? Amy Russell, 1999, Master's Thesis: Habitat Relationships of Spruce Grouse in Southeast Alaska, Texas Tech University.
? Barry and Tallmon, 2010, Genetic Differentiation of a Subspecies of Spruce Grouse in an Endemism Hotspot. The Auk 127: 617-625.
? Aleya Nelson, 2010, Master's Thesis: Ecology of Prince of Wales Spruce Grouse, University of Alaska Fairbanks
* Muskrat, Ondatra zibethicus - This species has likely lost the greatest proportion of its distribution in Southeast Alaska over the last 50 years than any other species. Once relatively common across Southeast, they are pretty much gone from Yakutat to Haines

and down to Juneau. Folks have reported them around Ketchikan, but we have not received any confirmed reports in the form of a picture of an animal or a pop-up on a frozen lake. Overall, there is a lack of knowledge on their current distribution across Southeast.
* Fisher, Martes pennanti - A locally present species around Juneau and up to Haines. Because of the small population of this species, it would be expected to be vulnerable to impacts and to long-term persistence.
We request the Forest Service re-consider the evaluation for Canis lupus ligoni, Alexander archipelago wolf.
* The draft assessment states the Alexander archipelago wolf was evaluated and that threats do not appear substantial. Recommendations from the following documents do not appear to have been considered:
? Wolf Technical Committee. 2017.
? Interagency Wolf Habitat Management Program: Recommendations for Game Management Unit 2.
? Management Bulletin R10-MB-822. USDA Forest Service, USDI Fish and Wildlife Service, and Alaska Department of Fish and Game.

ADF&G requests the inclusion of the following recommendations in the draft Forest Plan/EIS.
Wolf Recommendations
We recommend, in accordance with the direction in 36 CFR 219.14, the Forest Service use the best available scientific information to inform plan components, content and the plan monitoring program, including the following information. Because of its apparent isolation from other wolf populations, management issues generally focus on the Game Management Unit 2 (GMU 2) wolf population. ADF&G has developed a science-based management strategy for that population which includes annual population monitoring and takes into consideration views of affected stakeholders. The Alaska Board of Game has established a fall population objective for wolves in GMU 2. ADF&G also supports a robust research effort to inform wolf management. The Forest Service assists with annual wolf monitoring in GMU 2, but as a land management agency its role is to manage habitat that supports wolves and their primary prey (deer) and roads that enable access for hunting and trapping. When developing the revised Forest Plan, the Forest Service should take into account recent research and closely coordinate with ADF&G's wolf and deer managers and researchers.
Wolf Den Recommendations
We recommend the Forest Service continue to follow the recommendations in the Interagency Wolf Habitat Management Program: Recommendations for Game Management Unit 2, March 2017, prepared by the Forest Service, ADF&G, and the United States Fish and Wildlife Service (USFWS). These recommendations include, among others, direction to perpetually protect the integrity of all documented wolf dens (active and inactive) with noncircular polygons of not yet determined size, generally centered around the dens, as determined by interagency biologists (ADF&G, Forest Service, USFWS 2017). The goal is to ensure each den remains attractive to wolves by protecting habitat to maintain a degree of isolation from development and human activity. Whenever possible, landscape features (hills, ridges, etc.) should be used to provide

isolation. The size and shape of these relatively small, protected areas should be based on the best available scientific information, which includes the Roffler et al. studies (Roffler et al. 2018a, Roffler et al. 2018b, Roffler et al. 2023).
Other SCC Updates
In reviewing the SCC species list, it is difficult to provide feedback on those which have been selected as "threats may be substantial," because no additional sections were provided on what these threats are or how the Tongass plans to manage them. ADF&G would like to see additional information on threats for the selected species and we would like to provide additional input prior to publication of the draft Forest Plan/EIS. Specifically, we would like to see the Queen Charlotte goshawk, Accipiter gentilis laingi, and Aleutian tern, Onychoprion aleuticus, evaluated, as well as any species that are under review now that may be elevated to "threats may be substantial."
* The chapter states that the selection process for SSC species includes species with positive 90-day findings, however it has excluded two species that fall under this category and should be considered: the Northern Bog Lemming, Synaptomys borealis, (range includes the Tongass) and Mckay's Bumblebee, Bombus mckayi, (which is being evaluated simultaneously with the Western Bumblebee).
* As part of the SCC selection process, the species considered include those included on the "tier 1 State Wildlife Action Plan (SWAP)." Included in the State's SWAP is the State's official Species of Greatest Conservation Need (SGCN) from the 2015 published SWAP, however ADF&G is required to update the SWAP in 2025 and revisions to the 2015 list are currently underway. The updated 2025 SWAP is not available at this time, but it is expected to become available by April or May of 2025. Some substantial changes

are being made to this list and we recommend that you use the newer list if your timeline allows. Please contact SWAP Coordinator, Julie Hagelin, to request the new SGCN list at julie.hagelin@alaska.gov.
* A number of species listed as "under review" on the SCC list have been worked on by ADF&G's Threatened, Endangered, and Diversity (TED) Program staff, who may be able to provide additional information. Listed below are the contact details for individuals associated with each species. Feel free to reach out to them.
a. Western and McKay's bumblebee- Jenell Larsen Tempel: jenell.larsentempel@alaska.gov
b. Suckley's bumblebee- Jenell Larsen Tempel: jenell.larsentempel@alaska.gov
c. Aleutian tern- Jenell Larsen Tempel: jenell.larsentempel@alaska.gov
d. Red Knot- Jenell Larsen Tempel: jenell.larsentempel@alaska.gov
e. Little brown myotis, Keen's myotis and long-eared myotis - Karen Blejwas: karen.blejwas@alaska.gov and Tory Rhoads: tory.rhoads@alaska.gov
Numerous statements of purported fact are made throughout this Chapter, yet no references are provided (e.g., page 12 discussion of the seasonal availability of prey as correlated with the local distribution of humpback whales, and the identification of Cape Fairweather, Summer Strait, etc. as other areas of importance to humpback whales). Please review the chapter and include

citations for such statements. Citations should also be included for photographs used within the chapter.
Additionally, please review the following literature and incorporate it into the draft Forest Plan/EIS:
* Mountain sentinels in a changing world: review and conservation implications of weather and climate effects on mountain goats (Oreamnos americanus), KS White, B Cadsand, SD Côté, T Graves, S Hamel… - Global Ecology and Conservation, 2024
* Of goats and heat, the differential impact of summer temperature on habitat selection and activity patterns in mountain goats of different ecotypes, A Michaud, KS White, S Hamel, JH Richard, SD Côté - Oecologia, 2024
* Snow avalanches are a primary climate-linked driver of mountain ungulate populations, KS White, E Hood, GJ Wolken, EH Peitzsch, Y Bühler… - Communications Biology, 2024
* Projecting the future of an alpine ungulate under climate change scenarios, KS White, DP Gregovich, T Levi - Global change biology, 2018
Page Specific Comments:
p. 21, Table 2. Mountain goats were evaluated, and it was determined that threats may be substantial. Please clarify. If the threat is forest encroaching into alpine habitat due to climate change, that is worth noting, but please consider whether that is likely to have a measurable effect or can be mitigated within the anticipated lifespan of the revised Forest Plan.
p. 20, Table 2. Pacific marten, Martes caurina -- Evaluated, and it was determined that threats may be substantial. Please review the following literature and incorporate into the draft Forest Plan/EIS add the following citation: Colella et al. 2021, Kotch 2016, and Stone et al 2002., J.P., Lan, T., Talbot, S.L., Lindqvist, C. and Cook, J.A. (2021).
Chapter: Subsistence and Other Harvest (Non-Commercial) Resource Assessment
General Comments:
Throughout this chapter, references are made to competition between subsistence users and other users of fish and wildlife resources. Decisions about these issues are appropriately made through the existing public processes of the Federal Subsistence Board and the Alaska Boards of Game and Fisheries; they should not be made in the draft Forest Plan.

It is unclear where the designation "Species of Special Interest for Harvest on the Tongass National Forest" came from nor what the intent is of the designation. If this designation is maintained in the draft Forest Plan/EIS, the legal authorities should be clearly identified, and a definition of the term should be included in the glossary.
Page Specific Comments:
p. 6. Please revise as follows:
* Establishes the rural subsistence priority by prioritizing the taking on public lands of fish and wildlife for nonwasteful subsistence uses over the taking on such lands for other purposes Requires that subsistence use is the priority over all other consumptive uses of

fish and wildlife on federal lands in times when the take of fish and game must be restricted. (Section 804).
* Sets requirements for federal land managers to evaluate effects of land use decisions on federal lands to evaluate effects to subsistence uses and needs, the availability of other lands for the purposes sought to be achieved, and other alternatives which would reduce or eliminate the use. If the evaluation determines the use would significantly restrict subsistence uses or an EIS is being prepared, the head of the federal agency must give notice and hold hearings prior to approving the land use.
p. 8. State Subsistence & Personal Use - State harvesters of fish and wildlife can subsistence hunt and fish throughout Alaska, including in non-subsistence areas, yet there is no state subsistence priority in non-subsistence areas. We request the following edits as the plan moves forward.
ADF&G manages a state subsistence program for all Alaska residents by identifying subsistence and non-subsistence areas. State subsistence hunting and fishing is not authorized throughout Alaska. In non-subsistence areas there is no subsistence priority but the area may be open to Personal use harvest for Alaska residents, offering more liberal harvest limits and or methods and means than sport regulations in these areas.
p. 8. Sport Harvest - While fishing does have sport fishing regulations, wildlife harvest is regulated under "Hunting Regulations" which govern general, subsistence, and commercial uses of Alaska's wildlife. We request the following edits recognize that wildlife harvest managed by ADF&G is not regulated under Sport Harvest.
General and Sport Harvest
General and Sport harvest of fish, wildlife, and shellfish is managed by ADF&G throughout Alaska, including on federal public lands such as the Tongass National Forest. General and Sport regulations apply to Alaska residents and non-residents but may differ based on residency. General and Sport harvest is managed through state hunting, trapping, and fishing licenses, registration hunts and draw hunts. Many Federally qualified subsistence users participate in state general and sport harvest to help meet their harvest needs, as well.
p. 16. Please revise as follows:
Access restrictions are rare in Alaska. The Federal Subsistence Management Program regulations generally allow for use of vehicles (helicopters aircraft are prohibited) save that the vehicle cannot be moving and that it cannot be used to drive, herd, or molest wildlife.
p. 19. Please revise as follows:
The Federal Subsistence Board has regulatory authority over some marine areas, including Makhnati Island area in Sitka Sound; and roughly 160 parcels of submerged lands within the boundaries of the Tongass National Forest. These areas were determined

to be pre-statehood withdrawals. The submerged lands parcels came under the

jurisdiction of the Federal Subsistence Board when the Final Rule for the Subsistence Management Regulations for Public Lands in Alaska-Applicability and Scope; Tongass

National Forest Submerged Lands (83 FR 23813) was published in the Federal Register and became effective April 3, 2024, under Agriculture 36 CFR 242 and Interior 50 CFR 100. These areas are expressly open to subsistence uses.

p. 41. Please revise as follows:

The Tongass National Forest is managed for multiple uses. Under ANILCA Sec. 804, subsistence uses by rural Alaska residents have priority over all other consumptive uses in times when the take of fish and game must be restricted. However, some competing uses occur outside federal jurisdiction and their effects cannot be managed through the forest plan (e.g., commercial, guided use, and tourism off the national forest).

p. 42. Please revise as follows:

Permitting or restricting other activities that may significantly affect subsistence resources, such as infrastructure development, recreational activities, outfitters and guides, and tourism.

Chapter: Timber Resources

General Comments:

Over the course of the preceding three years, and in response to very limited and insufficient timber sale offerings from the Tongass, the DOF and the TLO have prepared and sold volumes of both old-growth and young-growth "bridge timber" to sustain the Southeast Alaska timber industry during the Tongass transition period. However, due to the State's very limited land base in the region, both agencies have nearly exhausted their ability to continue to provide large-scale economic timber sales. For the next 30-40 years, the Forest Service is the only regional forest manager with the forested land base and the ecological capacity to supply young-growth timber necessary to sustain the local forest industry. Unless the Forest Service can successfully implement the Southeast Alaska Sustainability Strategy (SASS) and fully achieve the young-growth forest management goals and objectives contained in the 2016 Tongass Land Management Plan, the family-owned logging and sawmilling businesses in Southeast Alaska will cease to exist within the next few years.

On page 11 of this chapter, in the Tongass Timber Demand section, the assessment notes, "one of the components of the [SASS] called for ending large-scale old growth timber harvest on the Tongass [National Forest] and focusing resources to support forest restoration, recreation, climate resilience, and sustainable young-growth forest management....recent years have seen a reduction in old growth harvest on the Tongass NF to less than 5 MMBF per year." There is no explanation for the abrupt change that SASS made to the 2016 Forest Plan, which established harvest targets of 46 MMBF. Additionally, the 2016 plan states that when young growth volume of less than 41MMBF is offered, the remainder will be made up in old growth. The Timber Assessment should mention that the Tongass hasn't met its target since the inception of the 2016 plan and explain the reasons for the lack of volume offered.

Trust Land Office

The TLO, functioning as an office within DNR and a contractor to the Alaska Mental Health Trust Authority to manage its 1 million acres of land to maximize revenue for the Trust and its beneficiaries, opposes ending or scaling back of timber harvest on the Tongass National Forest. This action could impose a negative impact statewide on programs providing services to

Alaskans with behavioral health conditions and developmental disabilities because it effectively reduces the value of timber resources on Trust-owned parcels of land. The proposed action by

the Forest Service negatively impacts the value of Trust lands and resources, builds uncertainty in the Southeast Alaska economy, and impedes our ability to generate revenues and to abide by the Alaska Mental Health Trust Enabling Act.

The Trust has invested significantly, both financially and with staff time, in finalizing a land exchange with the Forest Service to ensure that timber remains a significant asset in its revenue portfolio. The Forest Service has stated the land exchange with the Trust is meant to serve as a bridge timber program to maintain the timber industry while Forest Service young growth stands mature. The Trust will experience significant adverse impacts caused by the loss of a timber industry as a component of the Southeast Alaska economy, which will thereby drive down the timber resource value on Trust land. The gross extent of this harm and statewide impact must be considered when evaluating this action.

By halting timber harvest in the Tongass, the Forest Service is impacting revenue generating opportunities to develop adjacent Trust lands as well as harvest Trust timber resources. Thereby disallowing the Trust to generate critical and statutorily mandated revenue on its lands for its beneficiaries. The Forest Service is also acting in contradiction to their authority for management of the renewable surface resources of the National Forest System in a multiple-use and sustained-yield context.

Sawmill Capacity and Production

On page 22, the Forest Service notes, "Between 2000 and 2019, more than half (59 percent) of these sawmills were closed and uninstalled and sawmill capacity had contracted to produce a fraction of their 2000 output (Daniels et al. 2023)."

The State does not dispute this statement but earlier in the document under the 'Tongass Timber Volume Offered, Sold, and Harvested' section (page 12) there is a table that shows in the year 2000 a fairly consistent reduction in volume offered at less than 100 million board feet (MMBF) and starting in 2019, consistently less than 10 MMBF. The section on Timber Industry Workforce Availability (page 25) similarly explains that timber industry employment has declined for decades and that the workforce demographic is aging, and a lack of skilled workforce is ongoing. There is no recognition in the document that the reduction in workforce capacity is a result of the reduction in timber offered from National Forest land. The State requests that the Forest Service acknowledge the role that the reduction in available sawtimber played in the decline of the sawmill industry, and include a discussion of the relationship between industry decline and the loss of investment and labor development.

Page 27: "The Tongass NF is not the only source of timber available to Southeast Alaska timber operators."

This is an accurate statement but nowhere in the document does it state that the volume of sawtimber that has been made available by the Tongass is in fact a smaller proportion of the forest relative to the areas managed for timber harvest under non-federal ownership. In PNW-GTR-1023 (Simmons et al. 2024) it shows that the Tongass represents 77 percent of the standing sawtimber volume in the southeast but only 6 percent of the total harvested volume in 2019. The Forest Plan and EIS should acknowledge the volume of timber in the Tongass and accurately represent the scale of the Tongass as a source, to clearly explain the impact of the timber restrictions on the Southeast and state economy.

Log Transfer Facilities (LTFs) (page 21)
"Many LTFs constructed as logging infrastructure have since been converted to recreation facilities and therefore are no longer available to support logging"
Comment: Was this an official decision by the Forest Service or was this something that just happened over time? This transfer of use affects the economics of timber sales which further contributes to a decline in the ability to manage timber resources.
Limited Export Policy (page 26)
"Timber harvested from state and private lands has no export restrictions"
This is an incorrect statement. State timber sales authorized under AS 38.05.120 can be used for export but sales authorized under 38.05.118 require local manufacture of wood products or wood fiber. The draft plan and EIS should correct this statement and should cite the statutes above to provide clarity.
Chapter: Energy and Minerals Assessment
Power Generation Infrastructure in State Submerged Lands
The State appreciates the acknowledgement of State interest in tidelands, shorelands, and submerged lands in the "Energy and Minerals Assessment" chapter. Development of power generation infrastructure for tidal, wave, or other energy projects will need to be coordinated with the DNR Southeast Regional Office (SERO) in Juneau.
Withdrawal Areas
The "Energy and Minerals Assessment" chapter describes the 4,560-acre Mendenhall withdrawal completed by the Bureau of Land Management (BLM) in 2023 through Public Land Order (PLO) 7922. The State has objected to this withdrawal on numerous occasions on the grounds that when considered in the context of an adjacent withdrawal area that was created through PLO 829, this action constitutes a withdrawal greater than 5,000 acres in the aggregate and therefore should have required notice and Congressional approval pursuant to ANILCA Section 1326(a). The Forest Service has responded in the past by asserting that 1) ANILCA Section 1326(a) applies only to "future" withdrawals in the aggregate of greater than 5,000 acres, and that 2) the two areas were withdrawn for different purposes and therefore should not be considered as a single aggregate.
In response to the first justification, the State holds that it is impractical to consider the 2023 withdrawal as separate and apart from the adjacent existing Mendenhall Lake Scenic and Winter Sports Area withdrawal and must be considered cumulatively. If applied widely, this policy would allow incremental public land orders to gradually withdraw land adjacent to pre-1980 withdrawal boundaries so long as each stayed under 5,000 acres, thereby circumventing the intent of ANILCA. In response to the second, the State holds that the purpose and duration of a withdrawal are immaterial as ANILCA Section 1326(a) makes no reference to these factors. Again, applied widely, such a policy would allow the Executive Branch to piece together incremental withdrawals exceeding 5,000 acres in aggregate by simply changing the purpose or duration of each adjacent withdrawal.
Notwithstanding these policy concerns, additional elements support the State's position that the 2023 withdrawal would not have been under consideration but for the existing Mendenhall Lake Scenic and Winter Sports Area and that the two areas should be considered in the aggregate per ANILCA. In the Draft Assessment, the Forest Service describes the Mendenhall Glacier

Recreation Area (MGRA) as a single withdrawal area, indicating that the intent of the proposed withdrawal was to expand some of the purposes of the existing recreational area (e.g., protecting viewsheds from the existing visitor's center; expansion of existing MGRA recreational opportunities into the proposed withdrawal area as the glacier recedes). Practically, PLO 829 included withdrawal from mineral entry, therefore encompassing the same purpose as the

proposed, adjacent withdrawal. Finally, the Forest Service states that the "requested withdrawal would be a new withdrawal rather than an expansion or modification of PLO 829" (Draft EA, p. 2). The State holds that ANILCA Section 1326(a) applies regardless of whether the proposed withdrawal is a modification of an existing withdrawal or a new, adjacent withdrawal, and we again assert that ANILCA 1326(a) does apply to this matter, thereby requiring notice in the federal register and to both bodies of Congress.

Chapter: Lands: Status, Ownership and Uses

State Inholdings of Submerged Lands

The "Lands: Status, Ownership and Uses" chapter mentions the State of Alaska as an adjacent landowner and describes the title transfer process including lands transferred by the Alaska Statehood Act. However, there is no mention of the State's inholdings of submerged lands below navigable waters. The State should be included in the discussion of coordination on land management and described in the "Land Ownership and Management" sections as the landowner and manager of the submerged lands beneath navigable waters. The Forest Service and BLM have been directed by the Interior Board of Land Appeals (IBLA 2010-136-1, April 8, 2011 Order) that the submerged lands beneath navigable waters within the Tongass National Forest passed to the State of Alaska at Statehood per the Alaska Statehood Act, the Submerged Lands Act, and the "Equal Footing Doctrine" applied through the Alaska Right of Way Act of 1898.

Easements

Planning decisions that may affect easements located on or providing access to State lands must be coordinated with DNR. The State requests that any discussion of easements in plan revision documents also acknowledge the State's interest in easements within the Tongass, and the Forest Service's responsibility to notify, consult, and coordinate with DNR on decisions related to easements.

Chapter: Infrastructure

General Comments:

This Chapter fails to include any references to ANILCA and its intent that federal land managers allow for infrastructure development. Congress recognized Alaska's lack of roads and infrastructure in Title XI of ANILCA and established a process to ensure proposed transportation and utility projects that affect conservation system units (CSUs) would be fairly considered and not summarily dismissed by federal land management agencies otherwise tasked with protecting CSUs, including designated Wilderness.

ANILCA SEC. 1101. Congress finds that - (a) Alaska's transportation and utility network is largely undeveloped and the future needs for transportation and utility systems in Alaska would best be identified and provided for through an orderly, continuous decision-making process involving the State and Federal Governments and the public;…

Ironically, this assurance does not apply to inventoried roadless areas in Alaska because they are not congressionally designated CSUs. This conundrum of an administratively designated area having greater restrictions than a congressionally designated area is also found in the administratively designated "eligible" Wild, Scenic, and Recreational Rivers LUDs and areas that have been found suitable and recommended for Wilderness designation, which are all managed under the current Forest Plan as if they are CSUs with development restrictions but no Title XI process for development approval. Additionally, the limited exceptions included in the 2001 Roadless Rule are much narrower than the decision criteria identified by Congress in the ANILCA Title XI process. The draft Forest Plan/EIS needs to meet the clear congressional intent in ANILCA to allow the State and local communities to develop needed roads and infrastructure. We request the draft Forest Plan/EIS appropriately recognize Congressional direction in

ANILCA. Sections should be included in the draft Forest Plan discussing the degree the draft Forest Plan may contribute to maintaining roadless area characteristics and the effects (both social and economic) this will have on local communities. The draft Forest Plan should include specific exemptions allowing construction of linear transportation and utility projects throughout the Tongass, in the 1997 Forest Plan this was accomplished through the inclusion of a Transportation and Utility System (TUS) LUD. We recommend reinstating the TUS LUD in this draft Forest Plan/EIS.

Page Specific Comments:

Page 6: Marine Access Facilities and Log Transfer Facilities that are sited on tidelands, shorelands, or submerged lands and are not located within any federally withdrawn areas require authorization from Alaska DNR. The State requests that the Forest Service acknowledge this requirement in the plan revision and coordinate with the DNR SERO office in Juneau on any projects involving facilities or supporting infrastructure of this nature.

Pages 8 - 11: The State asks that the Forest Service address the following questions during the development of the revised management plan:

* Do any of the roads proposed for decommissioning impact access to State lands?
* How will the Forest Service notify the public and/or DMLW when road closures may affect access to State lands?
* Are there any older bridges or bridge abutments along navigable water? If so, how will Scour Plan Actions coordinate with DMLW or other state agencies?
* Will bridge decommissioning projecs impact the land below OHV on navigable waterways?

Chapter: Recreation & Tourism

General Comments:

Recreational opportunities are important public benefits derived from the Tongass. Use of the national Recreational Opportunity Spectrum classes is complicated as the majority of the Tongass qualifies as "Primitive." We support the Assessment's stated intent to reduce the number of acres found in the "Primitive" designation. The "Primitive" designation should be further limited to existing designated wilderness areas. We recommend the placement of roads and visitor-related infrastructure in Remote Recreation and other non-development LUDS, to allow for greater distribution of recreational uses in areas of the Tongass.

As stated earlier in this letter, the draft Forest Plan should not seek to resolve conflicts among hunters and anglers; these conflicts are the purview of the Alaska Boards of Game and Fish and the Federal Subsistence Board.

Chapter: Scenic Resources

General Comments:

The Forest Service is leaning into scenic resources with the Scenery Management System adopted in 2008, for the purpose to "provide a systematic approach for inventory, analysis, management, and monitoring scenery resources and ensure high-quality scenery for future generations." (Page 6). Some State permit holders may be within the described 'viewshed', but as stated on page 10:

Scenery resources will be discussed in the context of lands within the Tongass National Forest boundary, and in the broader landscape. Many of the viewsheds on the Tongass are viewed from travel routes, communities, or recreation areas that are not located within the National Forest boundaries. Because of that, any discussion of scenery considers an entire landscape perspective. Plan direction will only apply to lands within the boundary of the Tongass National Forest and will have no bearing on management of other lands, but this assessment will consider the broader landscape when discussing existing conditions.

While State authorizations could have effects on their viewshed, the State requests that the Forest Service clarify that rules regarding the alteration of scenic viewsheds would not apply to State authorizations.

Chapter: Designated Areas Assessment

General Comments:

The Designated Areas Assessment states "As part of the Forest Plan Revision Process, the Tongass will be evaluated to determine if there is additional land suitable for inclusion in the National Wilderness Preservation System and determine whether to recommend any such lands for wilderness designation. This stated evaluation is contrary to ANILCA and the State's position on the designation of new CSUs on the Tongass. The designation of additional areas is also contrary to the desires of some participants in the assessment engagement. This is documented in the last sentence of this chapter, in the section "Looking Forward: Conclusions and Concerns", page 35, which acknowledges that participants in the assessment engagement "wanted to see fewer areas on the [Tongass] in the revised plan" rather than additional designated areas.

Many areas of the Tongass are already administratively managed as de facto designated areas without Congressional action. For example, too many rivers (31) are already administratively managed as suitable wild and scenic rivers (WSR) even though ANILCA Section 1326(a) states no withdrawals 5,000 acres or greater can be made administratively:

(a) No future executive branch action which withdraws more than five thousand acres, in the aggregate, of public lands within the State of Alaska shall be effective except by compliance with this subsection. To the extent authorized by existing law, the President or the Secretary may withdraw public lands in the State of Alaska exceeding five thousand acres in the aggregate, which withdrawal shall not become effective until notice is provided in the Federal Register and to both Houses of Congress. Such withdrawal shall terminate unless Congress passes a joint resolution of approval within one year after the notice of such withdrawal has been submitted to Congress.

Furthermore, this assessment, in proposing additional studies of areas for wilderness designation and evaluating rivers for inclusion in the WSR System, violates 1326(b) of ANILCA that prohibits studies of additional areas of designation without further direction from Congress:

(b) No further studies of Federal lands in the State of Alaska for the single purpose of considering the establishment of a conservation system unit, national recreation area, national conservation area, or for related or similar purposes shall be conducted unless authorized by this Act or further Act of Congress.

The Assessment states that an inventory of eligible rivers for inclusion in the WSR System is required by Section 5(d)(1) of the Wild and Scenic Rivers Act (WSRA) and the Forest Service's 2012 Planning Rule. These statements fail to recognize that ANILCA modified the WSRA and designated all WSR units in Alaska as ANILCA CSUs. As stated above, Congress specifically prohibited these sorts of actions.

We request the Forest Service not continue with these special designation evaluations. Congress, in establishing Land Use Designations II (LUD IIs) in the Tongass Timber Reform Act (TTRA), ANILCA Amendment, Section 201, has proven that when it wants to add new designations to Alaska, it will do so through legislation.

Chapter: Drivers, Stressors, and Climate Change

General Comment:

The discussion on sea level rise or decline is confusing. The isostatic rebound is seemingly considered sea level rise or decline. While this is certainly a factor to where the sea and land meet, it is difficult to understand how rising land equals sea level rise or decline. It seems perhaps that the depth of the ocean is being reduced by isostatic rebound, but the sea level does

not change. We recommend these terms be clarified by simplifying them in the discussion.

Closing

Thank you for the opportunity to review and comment on the assessment documents that will inform the proposed Forest Plan. We look forward to working with the Forest Service to ensure the State's perspective and management needs are incorporated into the next round of documents. Please contact me at (907)269-0880 or by email at catherine.heroy@alaska.gov to coordinate any follow up discussions.

Sincerely,

Catherine Heroy
Federal Program Manager

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