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Comments:

October 28, 2019

Objection Reviewing Officer

USDA Forest Service, Alaska Region 709 W. 9th Street

Juneau, AK 99801

Submitted electronically to: appeals-northern-regional-office@fs.fed.us

Re: Objection to Chugach Forest Plan Revision #40816

To whom it may concern,

The Prince William Sound Stewardship Foundation (hereafter "the Foundation") files this objection to the Chugach Forest Plan Revision Draft Record of Decision (draft ROD), Final Land Management Plan (Final Plan), and Final Environmental Impact Statement (FEIS), noticed August 30, 2019 (Responsible Official Jeff E. Schramm, Forest Supervisor).

The Foundation is a 501c3 nonprofit organization committed to protecting and enhancing the natural conditions in western Prince William Sound that we believe are essential to the ecosystem, a healthy human population, and a thriving recreation and tourism industry. We partner with state and federal agencies and other nonprofit organizations to perform conservation work in the Sound, including education, marine debris removal, invasive species treatment, trail and campsite restoration, and much more. We are proud to list the U.S. Forest Service among our many partners and believe the Chugach National Forest is an essential part of both the ecology and human communities of south-central Alaska.

The Foundation submitted timely comments on the Draft Environmental Impact Statement (DEIS) and Draft Forest Plan Revision (Draft Plan) on October 30, 2018. Therefore, we have standing to object under 36 CFR 219.54. Additionally, our board members Kelly Bender, Peter Denmark, Marybeth Holleman, and Paul Twardock, who signed the Foundation's October 2018 comments, also submitted comments on the following dates:

? Various individuals/businesses October 26, 2012 (incl. Denmark, Holleman, Twardock) ? Bender February 18, 2016 (signed as president of Whittier Chamber)

? Bender November 1, 2018 (signed as owner of Lazy Otter Charter ? Denmark February 13, 2016

? Holleman May 21, 2015

? Holleman January 18, 2016 ? Twardock February 2, 2016 ? Twardock October 28, 2018

The comments from Kelly, Peter, Marybeth, and Paul precede the November 2017 formation of the Foundation. These four individuals are founding members of our organization, whose mission to protect and enhance the wilderness character of western Prince William Sound can be considered in part an outgrowth of the Forest planning process. To provide efficiency for the Chugach National Forest (CNF), the Foundation, and the individuals named above, this objection encompasses all correspondence from the Foundation, Kelly Bender, Pete Denmark, Marybeth Holleman, and Paul Twardock, as listed above.

As demonstrated in the following objection, the issues raised in the nine correspondences are consistent and

overlapping for a period of over seven years.

We offer the following objections and resolutions to address what we see as Forest Plan components that undermine successful management of the Nellie Juan-College Fiord Wilderness Study Area (WSA) and lands acquired for restoration of the Exxon Valdez oil spill:

1. The Final Plan undermines successful WSA management by weakening the management standard from "wilderness character" to "presently existing character" and removing standards and guidelines tied to maintaining existing (wilderness) character.

For Item #1 of our objection, please see the attached eight correspondences from our group members submitted between 2012 and 2018. Throughout the correspondences we have used the terms "wilderness characteristics," "wilderness values," and "wilderness resources," to be synonymous with the term "wilderness character," as defined by the U.S. Forest Service (Landres et al 2008) and as described below.

a. From "wilderness character" to "existing character."

As we and many others have stated in public comment, "presently existing character" presents an undefinable standard for WSA management. We and many others believe this standard is a moving target that the Chugach National Forest is incapable of maintaining within the WSA. It is a far weaker management standard than the "wilderness character" standard that the Forest has applied to the WSA since the early 1980s, and which has been a central component of the 1984 and 2002 Forest Plans and remains central to the 2008 Alaska Region Supplement to the Forest Service Manual. As we have stated at various times throughout our correspondence, "wilderness character" has a specific definition that is used by the US Forest Service and other federal lands management agencies. While the FEIS is correct that "wilderness character" is a term derived from the 1964 Wilderness Act, it is essential to recognize that the 1964 statute did not specifically define "wilderness character," and nothing in the 1964 Act or any subsequent law or policy bars applying "wilderness character" to lands not federally designated as wilderness.

Furthermore, the Forest Service and other agencies did not officially define "wilderness character" until the 2008 Keeping it Wild process (Landres et al; [https:// www.fs.usda.gov/treearch/pubs/30394](https://www.fs.usda.gov/treearch/pubs/30394); <https://winapps.umn.edu/winapps/media2/wilderness/toolboxes/documents/WC/Keeping%20It%20Wild%20,%20GTR-340.pdf>). Because the definition was not offered until 2008, and because the definition was created outside of statutory or policy frameworks, and because nothing in policy or federal statute prevents applying "wilderness character" to lands outside the NWPS, we object to the FEIS claim that it is somehow improper to apply "wilderness character" to WSA management (beginning Vol. II, p. 32). To the contrary, as we have stated over the seven-year Forest Plan process, "wilderness character" is the only appropriate and effective term to use for WSA management. This is to protect existing conditions, but also because the entire WSA remains an EVOS injured resource and as such is still covered by the Exxon Valdez Oil Spill Recovery Plan (discussed later).

Aside from there being nothing in policy or statute that precludes use of "wilderness character" for the WSA, we object to the Final Plan's use of "presently existing character" as an impossible standard to meet, and which will undermine the plan's central goal of maintaining the character of the WSA. The nut of this point is the definition of wilderness character created in 2008 by the Forest Service and other federal

i. Untrammeled ii. Undeveloped
iii. Solitude iv. Natural
v. Other Features

As an incontrovertible demonstration of the connection of this definition to long-standing WSA management, see the Final Plan's Forest Monitoring Program, which includes a monitoring question for the WSA that is clearly

predicated on the Forest Service definition of "wilderness character." We and many others applauded CNF for its long history of using this monitoring protocol and recommended it be continued in the 2019 Final Plan.

The connection between the WSA and "wilderness character" is also clearly evident in Chapter 70 of the 2012 Planning Rule, which governed development of the Final Plan's Wilderness Recommendation, which applies to nearly 1.4 million acres of the WSA. As Chapter 70 states, those recommended lands are to be managed for many of the precisely same qualities outlined in the Forest Service's definition of "wilderness character." (See Chapter 70 here: <https://www.fs.usda.gov/detail/planningrule/home/?cid=stelprd3828310>)

Conversely, the Final Plan puts forth no definition or reasonably attainable standard for the term "presently existing character," as we and many others described in our public comments. Additionally, no substantive public comments or rationale in the FEIS explains why the new language will be more effective than "wilderness character" for managing the WSA. To the contrary, we believe the "presently existing character" language undermines the Desired Conditions of the Final Plan (to maintain character).

The FEIS claims that loosening the standard is not a "watering down" of management (Vol. II, p. 32). But "presently existing character" is a clear dilution of the management standard applied to the WSA for the last 30 years, if only for the fact that there is no definition for the term. As such, we believe the use of the term makes it impossible for the short-staffed and underfunded national forest to maintain the presently existing character of the WSA, to say nothing of enhancing the qualities damaged by the Exxon Valdez oil spill, chainsaw vandalism, unauthorized developments, recreational impacts, marine debris, invasive species, litter, campfire scars, or the many other actions and events that have affected the WSA's character over the last three decades.

We further object to the FEIS rationale (beginning on p. 32 of Vol. II) for why the Forest has backtracked from "wilderness character" to "existing character." The rationale appears based on a partial reading of the Alaska Region Supplement to the Forest Service Manual (AK FSM), which states:

Subject to valid existing rights, the wilderness study area shall, until Congress determines otherwise, be administered to maintain presently existing character and potential for inclusion in to the National Wilderness Preservation System. Management of the study area will follow the same direction provided for wildernesses established by ANILCA, to the extent consistent with law. (2320.3 Policy)

The second sentence clearly states that the WSA is to be managed the same as ANILCA national forest wilderness areas, to the extent that is consistent with law. Any serious reading of that policy must conclude that since wilderness character is the central management standard for ANILCA wilderness, it must be the standard for the WSA. Again, nothing in law or policy says that only lands designated as federal wilderness may be managed for "wilderness character." To the contrary, the AK FSM policy has used the "wilderness character" bar dating back to the 1980s.

b. Weakening/Removal of standards and guidelines that maintain existing (wilderness) character

Furthermore, and crucial to our objection, the 2018 Draft EIS and Draft Forest Plan led us to believe there were standards and guidelines in place to protect certain specific qualities of wilderness character. They include:

- i. Reasonable limitations on on-shore motorized equipment and mechanized transport
- ii. Continued common-sense criteria for commercial filming
- iii. Use of minimum impact fire suppression techniques
- iv. Use of the Minimum Requirements Analysis (MRA) to guide management decisions in the WSA

Each of these examples, which were all changed from the 2018 DEIS to the 2019 FEIS, are tied to protecting

specific qualities of wilderness character, a central theme to varying degrees in our nine correspondences during the Forest Plan Revision process.

In the first example, the 2018 draft Forest Plan included the following standard on page 72, #4:

The use of chainsaws, generators, and other motorized equipment...or mechanized transport shall not be authorized, except for uses directly and necessarily related to:

- a.Activities described in ANILCA (sections 1303, 1315b, 1316) b.Mineral activities under an approved plan of operations
- c.Utilization of subsistence resources, or
- d.Activities described in other management area 1 standards and guidelines and management intent sections.

Without FEIS explanation, this essential guidance for maintaining the area's exiting (wilderness) character and potential for inclusion in the NWPS was eliminated from the Final Plan. For over three decades, visitors and members of the recreation and tourism industry have valued the WSA as a generally nonmotorized environment. Chainsaws, generators, and other motorized equipment were rare and approved only under special use permit or through MRA analysis. The new direction leaves the door open for the agency, the State, permit holders, and others to use a wide array of motorized equipment, permanently altering the social and ecological characteristics of the area, which contradicts the 2012 Planning Rule direction for Recommended Wilderness.

Allowing these uses to become common establishes another obstacle to the area's potential inclusion in the NWPS, especially for lands where research facilities, recreation, hunting, or other uses develop steady use of motorized equipment.

In another example, the Draft Plan presented to the public in 2018 reflected the current policy to adopt national Forest Service interim direction for commercial filming in wilderness for the WSA. It stated (p. 73):

Commercial filming should be authorized only when the following conditions are met:

- a.The primary objective of filming is to inform the public or to disseminate information about the use and enjoyment of the wilderness study area or its features and values.
- b.The activity being filmed requires a wilderness study area dependent location
- c.There is no suitable location outside of the wilderness study area where the activity could be filmed under the same conditions.

Without any FEIS or ROD explanation that we could find, this guidance is eliminated in the Final Plan. Yet the purpose of the standard, and of the national direction that it stems from, is to limit commercial enterprise, protect solitude, and limit motorized tools/mechanical transport in areas managed for their wilderness character. The "presently existing character" of the WSA is a place with minimal commercial enterprise, where visitors and tour operators can come to experience solitude, primitive recreation, and a natural, non-motorized environment, as stated in the Desired Conditions of the Final Plan. Eliminating the current guidelines for commercial filming allows CNF to open the WSA to a new level of commercial activity that will alter its "presently existing character" and very likely be hard to reverse, which will add another complicating factor to the area's ultimate potential for inclusion in the NWPS, in contradiction to the AK FSM and the Final Plan.

In another example, the 2018 draft Forest Plan presented to the public (p. 74, #22) reads:

Fire suppression actions should use minimum impact suppression tactics.

Also without FEIS or ROD explanation, this reasonable guideline for maintaining the area's existing (wilderness) character and potential for inclusion in the NWPS was eliminated from the Final Plan. The change undermines

the Final Plan's direction for the WSA and is an unnecessary loosening of protections. This is a concern because the changing climate will surely bring more instances of fire to western Prince William Sound.

All of the changes listed above directly impact the qualities of wilderness character as defined by the U.S. Forest Service and that have been central to our Forest Plan Revision comments, beginning in 2012.

c. Removal of MRA from 2018 DEIS and Draft Plan

Most important of the changes from the DEIS/Draft Plan to the FEIS/Final Plan related to wilderness character is the removal of the MRA process, which was clearly part of the 2018 Draft Plan's approach to preserving existing (wilderness) character. Our long record of public comment dating back to 2012 has emphasized continued protection of the wilderness character of the WSA, and the MRA is the only existing and defined analysis tool that the Forest Service possesses to ensure proposed actions are consistent with and protective of wilderness character. Importantly, it walks managers through a two-step process for determining whether a) an action is appropriate or necessary in the WSA, and b) the mitigations that should be implemented to protect the area's existing (wilderness) character. This two-step process is critical to maintaining the WSA's existing (wilderness) character, as described in the Final Plan's Desired Conditions. It is also the direction established by AK FSM.

We object to the Final Plan's removal of the MRA because it deals a serious blow to the agency's ability to manage the area for both its "existing character" (Final Plan Desired Condition) or its "wilderness character" (previous standard dating back to 1984, AK FSM policy, 2012 Planning Rule direction).

The Final Plan replaces the MRA with a guideline suggesting that managers "should" consider impacts of a proposed project on the WSA's social and ecological conditions. It vaguely hints at a two-step process, which is not clear enough direction for present and future managers. And unlike the MRA, it does not offer managers any specific criteria to analyze.

In contrast, the MRA process walks managers through specific landscape qualities, including natural, undeveloped, solitude, untrammeled, and "other features" criteria. Importantly, these are the same qualities outlined in Chapter 70 of the 2012 Planning Rule for managing areas that are Recommended Wilderness. By eliminating the MRA, the Final Plan creates unnecessary distance between WSA management and the direction of the 2012 Planning Rule for the roughly 1.4 million acres of the WSA that the Final Plan recommends as wilderness.

This is a damaging retreat from the previous management and the standards and guidelines of the 2018 Draft Plan. It is among the most significant ways that the Final Plan weakens management for the area's existing (wilderness) character. We object to this first on the basis of the FEIS' erroneous claim that eliminating "wilderness character" language is not a "watering down" of protections (FEIS Vol. II, beginning p. 32). To the contrary, it will undoubtedly lead to a cumulative loss of the 'existing character' of the WSA.

The new language also does not include any reference to the trammeling actions that often create the greatest change to a landscape's existing (wilderness) character. The Final Plan's Forest Monitoring Program (Final Plan, Appendix A, p. 103) calls the untrammeled quality 'wildness.' In other words, the Final Plan acknowledges that the wildness/untrammeled quality matters, but by removing the MRA process it undermines maintenance of that important landscape quality.

By removing the MRA requirement, daily decisions on research installations, motorized uses, administrative structures, or trammeling of wildlife or other ecological processes fall into a nebulous realm where officers

"should" weigh unspecified effects to social and ecological conditions. This weakens WSA management and contradicts our long record of public comment.

We also object to the FEIS rationale for removing the MRA process, which begins on Vol. II, p. 41. Similar to the rationale for weakening the wilderness character standard, the FEIS briefly claims that because the MRA is connected to management of federal wilderness it should not be used in the WSA (notwithstanding that it is a Wilderness Study Area). Similar to the removal of the term "wilderness character" in relation to the WSA, we find no basis in policy or statute that precludes use of the MRA process in lands not designed as federal wilderness. This absence appears to us to wholly contradict and undermine the rationale offered in the FEIS for eliminating the MRA.

We also object to the FEIS rationale because it directly contradicts the language of the AK FSM by claiming the policy does not require use of the MRA for all actions impacting the character of the WSA:

The supplement outlines a two-step process for application of the minimum requirements concept, but the policy does not require application of the minimum requirements concept for all management actions with the potential to affect the wilderness study area's character (FEIS Vol. II, beginning p. 41)

But this is clearly not true. The Alaska Region Supplement 2322.03 Policy #6 reads:

All management decisions affecting wilderness or wilderness study areas must be consistent with the minimum requirement concept in the Wilderness Act. The Forest Service will apply this minimum requirement concept to management activities that affect the wilderness resource and character by conducting a minimum requirement analysis (MRA). The MRA will use a Minimum Requirement Decision Guide or other similar MRA format. (emphasis added)

d. Final Plan removes "minimum requirement" language from various standards and guidelines.

On a related note, the Final Plan appears to remove important connections to a "minimum tool" approach to WSA management, which contradicts the AK FSM direction to manage the WSA to maintain its wilderness character and to adopt a "nondegradation" management approach.

As examples, the Final Plan eliminates "minimum necessary" language from the 2018 Draft Forest Plan originally presented to the public (Draft Plan p. 72-74, in #9, #11, #17, #21, #22). Among other things, this weakens decision criteria for helicopter use, mining operations, administrative use of motors, fire suppression, and the broad, undefined "resource work" in the WSA. Any one of these examples illustrate ways that the Final

Plan jeopardizes the WSA's existing (wilderness) character and potential inclusion in the NWPS.

e. "Wilderness character" language is removed from aquaculture project requirements, in contradiction to ANILCA 1315b

Throughout the planning process CNF has struggled to remain consistent with ANILCA Sec. 1315b mandates protecting the "wilderness character" of the WSA while determining whether to authorize aquaculture facilities and activities, and for determining how such projects shall be managed. The FEIS (Vol II, p. 34 paragraph #4) offers an interpretation of ANILCA 1315b that simply excludes the WSA from the wilderness character requirement. But this is not consistent with a basic legal reading of 1315b. Nevertheless, this rationale is then used to defend inadequate standards and guidelines in the Final Plan (p. 76, #6; p. 78 #11).

The standards and guidelines for aquaculture in the WSA should mirror the exact statutory language of ANILCA

Sec. 1315b. It should be made clear that such projects "may" be authorized, but only if constructed, operated and maintained in a way that does not adversely affect the area's 'wilderness character' (1315b). Incidentally, this is further and abundant statutory evidence that such authorizations should require an MRA.

Additionally, the standards and guidelines in the Final Plan seem only concerned with motorized uses for aquaculture. But they should also reflect that such projects include structures, impacts to solitude, and trammeling actions that permanently alter the "wilderness character" of the WSA, since that is the bar established by ANILCA 1315b. It is also the most effective way to meet the Final Plan's Desired Conditions for maintaining the area's existing character and potential inclusion in the NWPS.

In summary, we feel it is not transparent or consistent with the 2012 Planning Rule or the National Environmental Policy Act (NEPA) for the Forest to remove the clear protections of wilderness character that are listed under Item #1 of this objection and that were in the 2018 Draft Plan without adequately rationalizing the changes in the FEIS, or explaining how public comment or other factors that came to light after release of the DEIS affected the decision. In our reading, the FEIS rationale for these changes (Vol. II, beginning p. 32) does not demonstrate how they will not harm the WSA's existing (wilderness) character. And the FEIS/Final Plan do not appear to address our seven-year record of public comment on the importance of wilderness character, which was also reflected in many other public comments. It is our focus on maintaining the wilderness character of the WSA throughout our public comment that gives us standing on all points raised in Item #1 of this objection.

As a reminder, our board consists of long-time Prince William Sound business owners, educators, guides, and others. As we expressed in our 2018 comments, we are dependent on the Sound for our incomes, recreation, subsistence, and other uses. We know these and other activities are thriving today in Prince William Sound because area management has a long history of being associated with wilderness character.

As a solution to all issues raised in Item #1 of this objection, we recommend replacing "existing character" with "wilderness character," restoring the protections of existing (wilderness) character outlined above, and achieving consistency with the 2012 Planning Rule Chapter 70, the AK FSM, the previous Forest Plans, and ANILCA 1315b. Incidentally, these actions will also bring the Final Plan into better alignment with the 1994 Exxon Valdez Oil Spill Recovery Plan, as described below.

2. The Final Plan provides no protection against the ongoing and unauthorized recreational use of chainsaws in the WSA.

Our long record of public comment clearly describes the problem of unauthorized recreational chainsaw use in the WSA. If the WSA is to be managed to maintain its existing (wilderness) character, the Forest must address this ongoing use that was the subject of so many public comments between 2012 and 2018.

We object to the FEIS rationale for not addressing unauthorized recreational chainsaw use (beginning Vol. II, p. 30). The FEIS rationale appears to conflate recreational use of chainsaws with subsistence use, which is clearly allowed. Our long history of public comment acknowledges and supports all legal subsistence uses. The rationale also conflates recreational use of chainsaws with "all" chainsaw use, which is also not consistent with our comments.

The rationale then explains that no ban or other action on unauthorized recreational use of chainsaws will be put in place because "full implementation" of the ban may not be possible, even though "full implementation" of any law or policy is not a determining factor for whether it is instated. The rationale also rejects the idea of addressing

unauthorized recreational chainsaw use because no current law or policy is in place to enforce the ban, even though the Forest has the ability to create a Forest Order to that effect. Finally, the rationale excuses the Forest from addressing the ongoing problem of unauthorized recreational chainsaw use by stating that it is not affecting the majority of WSA acreage.

We object to this last point because most WSA acreage is rock and ice, and because the most highly valued areas for human experience of existing (wilderness) character is the shoreline, the same place where abundant and ongoing impacts from unauthorized recreational chainsaw use are altering the land's character.

Additionally, at the same time that the FEIS rationale fails to address the problem, it concedes that ANILCA does not authorize recreational use of chainsaws in the WSA or federal wilderness areas. It also concedes that the 2012 Planning Rule allows the deciding official to address activities that affect the "social and ecological conditions" that form the basis of a wilderness recommendation. In light of these facts, and the clear public desire to address ongoing impacts from unauthorized recreational chainsaw use in the WSA evident in public comments from 2012 to 2018, and the absence of substantive public comments advocating for recreational use of chainsaws in the WSA, and the clear impact the activity has on the WSA's existing (wilderness) character, we object to the FEIS rationale for deciding not to address the issue.

Furthermore, we object to the FEIS removal of standards and guidelines in the DEIS that clearly addressed the use of motorized tools and mechanized transport. These standards and guidelines ensured some degree of addressing unauthorized recreational chainsaw use in the WSA. We do not believe the FEIS rationale adequately explains why the standards and guidelines were removed.

To us, the bottom line is the failure to address the problem of unauthorized recreational use of chainsaw undermines the Forest's ability to maintain the area's existing (wilderness) character.

To fix the issues raised in Item #2 of this objection, we propose reinstating language to maintain the WSA's "wilderness character," reinstating 2018 Draft Plan language limiting use of motorized tools/mechanized transport, reinstating the MRA process, and publishing a goal to create a Forest Order prohibiting recreational use of chainsaws in the WSA. This will not interfere with subsistence uses of chainsaws, authorized permit-holder use of chainsaws, or the rights of Alaskans to gather saw timber, including by use of chainsaw in the WSA.

3. The Final Plan weakens overall consistency with EVOS Restoration Plan goals and removes EVOS lands in Jackpot, Paddy, Knight from WSA management and put them into EVOS management, which weakens their protection and contradicts the purposes of the purchases.

As we and many others have demonstrated, the EVOS lands purchased under the Chenega Purchase Agreement were purchased in 1997 by the federal government specifically to restore the damaged WSA resource. That resource remains injured today due to lingering oil and other impacts. Conveying the Chenega Purchase lands from MA1 to MA6 weakens their protection and removes them from the WSA management area that they are intended to restore.

The weakening of the protections is made obvious by the Final Plan's misquoting of the Chenega Purchase Agreement language to maintain the lands "for conservation and wilderness purposes" in perpetuity. Throughout the Forest Plan Revision process, CNF has repeatedly omitted the word "wilderness" and replaced it with "restoration," as it does on p. 87, paragraph 3, of the Final Plan.

As we and many others continue to point out, this is not an accurate portrayal of the legally binding purchase

agreement, which includes legally binding covenants and restrictions based on the "conservation and wilderness" purposes of the purchase. The seemingly small change in wording allows CNF managers broad discretion on a host of manipulative projects loosely termed as 'restoration' and which would easily change the existing (wilderness) character of the land.

Our concern over this issue is embodied in the Final Plan, which affords justification for broad and unspecified projects on EVOS Acquired Lands in MA6:

The Forest Service continues to support projects to improve [EVOS] acquired lands, including projects that will restructure habitat to restore fish and wildlife productivity on lands purchased and acquired with EVOS Trustee Council funds. (Desired Conditions, p. 88)

This broad allowance of projects that 'restructure habitat' is not compatible with the intent of the purchase agreements or the restrictive covenants, especially for those lands acquired within and adjacent to the WSA (Chenega Purchase: Jackpot, Paddy, Knight, etc). Public testimony and the 1997 FEIS on the purchases clearly state these parcels were purchased to restore wilderness resources injured by the spill. Because of the close association of the WSA to the values of the 1964 Wilderness Act, the wilderness resources in question must be interpreted to include the qualities of wilderness character. Those qualities include the undeveloped, natural, untrammeled, and solitude qualities that would be harmed through the unspecified restructuring of habitat.

In addition to the weakening of protections for Chenega Purchase lands, we object to the FEIS rationale for this decision (Vol. II, p. 49-50). In part, it states the easements and restrictive covenants are the "actual prevailing document" for management of these lands, not the purchase agreements. Specifically, on p. 49 the FEIS states the covenants do not say the lands should be managed as wilderness. Yet, the Chenega deed and restrictive covenants do state that certain activities are prohibited except for as necessary to provide public information, safety, resource protection, research, or for:

"management of the subject lands consistent with the goal of maintaining the land in perpetuity for conservation and wilderness purposes." (emphasis added)

Among the prohibitions for the "conservation and wilderness purposes" are destruction of vegetation, changing of water courses, motorized uses, and other actions that are commonly associated with the allowance to "restructure habitat," as described in the Final Plan's DC on page 88. By no coincidence, the prohibitions also align well with the qualities of wilderness character, as defined in 2008 by the Forest Service and other federal lands agencies.

The restrictive covenants do grant the land manager discretion in determining what actions will be authorized. But as written the Final Plan does not give the land manager any guidance that the lands are to be maintained for wilderness purposes, which undermines an informed decision.

Additionally, and more broadly, MA1 DC-8 of the Final Plan (p. 75) states recovery from the Exxon Valdez oil spill is desired, including for the injured wilderness resource. Yet, the Final Plan contradicts the intent of the 1994 EVOS Restoration Plan by weakening two categories of WSA management:

a. weakens overall WSA management by eliminating "wilderness character" from management approach, eliminates MRA process, and other changes and omissions listed above under the "wilderness character" discussion in Item #1 of this objection. This undermines the restoration of the still-injured wilderness resource, which the Restoration Plan says should be restored within the spill zone, and not necessarily in the exact locations where injuries occurred.

b. weakens management for the specific lands purchased for wilderness restoration (Chenega Purchase Agreement lands, which are the EVOS Acquired Lands in/adjacent to the WSA) by putting them in the somewhat nebulous MA6.

It's also notable here that the Chenega Purchase Agreement lands are not included in the Final Plan's Wilderness Recommendation, even though they were purchased specifically to restore wilderness services damaged by the spill, and their legally binding purchase agreements/restrictive covenants mandate they be maintained "in perpetuity for conservation and wilderness purposes." By not being included as Recommended Wilderness, this is a possible further weakening of management because section 74.1 of the 2012 Planning Rule only applies to management of Recommended Wilderness. CNF has considered and may one day decide to only manage Recommended Wilderness for certain protections, which would leave these EVOS lands out.

By removing the Chenega Purchase lands from MA1 and excluding them from the Wilderness Recommendation, the Final Plan does not take into consideration our earlier comments, does not meet the spirit and intent of the 1994 Restoration Plan, and opens the lands to uses that will degrade their character and diminish their chance of being included in the wilderness system. (See 1994 Restoration Plan here: <http://www.evostc.state.ak.us/Universal/Documents/Restoration/1994RestorationPlan.pdf>).

We also strongly disagree with the FEIS rationale that the lands are more protected under MA6 than MA1. We see no basis for that claim, given the stricter monitoring and standards and guidelines included in MA1. We also disagree with the FEIS rationale that the split estate of the Chenega Purchase lands somehow disqualifies them for wilderness consideration, especially because wilderness system, including the Boundary Waters Canoe Area Wilderness; and

b. The Final Plan itself lists as an objective the ultimate purchase of the subsurface estate as a way to complete the restoration from the Exxon Valdez oil spill.

Our objection to this rationale is grounded in our long history of public comment from 2012 to 2018, which to varying degrees and at different times raised these concerns specific to both WSA management and the Wilderness Recommendation.

To resolve these problems, we continue to recommend the Chenega Purchase lands be included in MA1, that MA1 be managed to maintain wilderness character, that the MRA process be reinstated, that other omissions described under the wilderness character discussion be reinstated, that the WSA be managed consistently with AK FSM, previous Forest Plans, and the direction of the 2012 Planning Rule for managing Recommended Wilderness, that the Chenega Lands be included in the Final Plan's Wilderness Recommendation, and that all MA6 references to EVOS Acquired Lands correctly reflect the Purchase Agreement and Restrictive Covenants language that they be managed in perpetuity for "conservation and wilderness purposes."

If the Chenega Lands are left out of MA1, then Desired Conditions and Standards/Guidelines should be developed to reflect the legal requirement that the lands be maintained for conservation and wilderness purposes. They would have to acknowledge the close affiliation of wilderness resources to the EVOS Acquired Lands in/adjacent to the WSA and include Desired Conditions and Standards/Guidelines that support the restrictive covenants' requirement to manage equally for conservation and wilderness purposes. At the very least, managers should also be required to document that they weighed maintenance of the area's wilderness purposes when determining whether to authorize an action. We see this as more problematic than simply putting the Chenega Lands back in MA1.

4. The Final Plan's Recreation Opportunity Spectrum (ROS) map for the WSA is the same as the 2002 map, which does not accurately portray current conditions.

The Final Plan adopts the 2002 ROS map for the WSA. This map is outdated and inaccurate. Adoption of it will undermine the ability of the Forest to maintain the WSA's existing (wilderness) character. We object to this on the basis of our long record of public comment on the need to maintain the area's wilderness character, our specific discussions of ROS between 2012 and 2018, and our backing of the DEIS Alternative D ROS map.

A primary problem we see with the adoption of the 2002 ROS map is the broad use of SPNM, which extends across mountains, ice fields, undeveloped rain forest, and many thousands of acres of open peatland bogs and meadows that see very low levels of use today. These are lands highly valued for solitude, subsistence, primitive recreation, research, education, and enjoyment of an undeveloped landscape. They are vital for escape from the busier and noisier near-shore environment, where motorized traffic impacts solitude and other resources. They are essential to the wilderness-dependent tour companies that bring people to the area and support the local thriving recreation and tourism industry, many of whom are affiliated with our organization.

The allowances under SPNM present a clear undermining of the Final Plan's intent to maintain existing (wilderness) character by allowing inappropriate and unnecessary increases in the amount of commercial use authorizations and the levels of permissible development. Contrary to the 2019 Record of Decision and FEIS claims, the use of Primitive ROS setting across much of the WSA will not preclude growth in commercial use or negatively affect motorized vs. non-motorized opportunities on the Forest.

We say this as business owners, guides, educators, and other long-time Prince William Sound residents. We know from experience that thresholds of the ROS Primitive setting are not being exceeded in large parts of the WSA. We see no justification for maintaining these outdated maps, and the FEIS does not describe serious rationale for applying such loose ROS standards to the WSA.

The Final Plan and Record of Decision (ROD) treatment of the ROS settings also raise our serious concerns about the substance of hundreds of public comments that were submitted in 2018 related to ROS. We question whether, during the Forest Plan Revision process, the Forest adequately informed the public of the implications of the ROS maps. We believe a large contingency of the public mistakenly believed that the Alternative C and D ROS maps threatened existing snow machine access to areas on the Kenai Peninsula. We believe a careful re-reading of the public comments is in order and will reveal much of the opposition to the Alternative C and D maps was predicated on a mistaken understanding that they would limit snowmachine access on the Kenai Peninsula. Our objection therefore includes the serious concern that many comments in opposition to Alternative C and D ROS maps were not substantive and were instead based on misunderstanding. We believe this undermines the rationale described in the ROD for why CNF made such sparse use of the Primitive class for the WSA, including the claim that it would offset broader balances between motorized and nonmotorized uses of the Forest. We do not believe the WSA ROS maps have any bearing on that existing Forest-wide balance.

As a solution we propose a careful re-reading of public comments opposing the Alternative C and D ROS maps and we propose adopting into the Final Plan those parts of the maps that relate to the WSA.

5. Like the ROS maps, the Final Plan merely adopts the 2002 Wilderness Recommendation, which is based on outdated rationale and assumptions.

Our long history of public comment supports what became the 2018 Alternative D Wilderness Recommendation as the best way to maintain the existing (wilderness) character of the WSA. We object to the copying of the 2002

Forest Plan Wilderness Recommendation into the 2019 Final Plan and the paucity of FEIS rationale to support that action.

There are many reasons the 2002 Wilderness Recommendation is outdated and inappropriate to copy/paste into the Final Plan. First, in 2002 the Anton Anderson Memorial Tunnel to Whittier had just opened, allowing an enormous influx of visitors and motor vessels to western Prince William Sound. The 2002 Wilderness Recommendation cited this development as a reason for not recommending wilderness within a "day use radius" of Whittier, with the justification that new tourism development might be needed. Today, nearly two decades after opening of the tunnel, there is no indication that more development will be needed to accommodate tourism. If anything, the increased motorized use on the marine waters and the increased development and population growth in south-central Alaska both warrant consideration of federal wilderness within a short distance of Whittier.

Also, the 'day use radius' from Whittier has greatly changed over the last two decades due to more efficient and powerful outboard engines and more accurate GPS units, which allow boaters to now reach Montague Island in just a couple of hours from Whittier. Essentially, all of Prince William Sound is now in a day use radius. The FEIS and ROD do not offer much in the way of rationale for how this nearly twenty-year-old recommendation could still apply to today, when so much technological change has altered use patterns. Incidentally, this change is described in the 2012 Forest Assessment that was supposed to inform development of the revised Forest Plan.

In another example, the FEIS and ROD do not explain how mineral value on Knight Island is still similar enough to 2002 to warrant continued exclusion of the island from the Wilderness Recommendation. As our long record of public comment demonstrates, the increased use throughout the Sound merits a hard look at the excellent wilderness qualities of Knight Island. That hard look is not evident in the FEIS or ROD. And the 2002 reasoning behind excluding Knight Island is additionally flawed by claiming a wilderness designation would somehow affect activities on or access to private lands, where access is protected by ANILCA.

Additionally, the dramatic and ongoing physical changes to Columbia Bay also call into question the adoption of the 2002 Wilderness Recommendation, which was predicated on a rock-and-ice landscape in the upper Columbia Glacier basin that no longer exists today. The area is quickly becoming a glacial fiord. Since 2002, it has lost at least eight miles of glacial ice that reached up to 2,000' in elevation above the ocean. The FEIS and ROD do not seem to address this sweeping change to the physical landscape in any detail commensurate with adopting the 2002 Wilderness Recommendation.

We also object to the exclusion of Glacier Island and Elrington Island from the Wilderness Recommendation based on their impact on subsistence concerns. In our opinion, the best way to protect subsistence resources and access is through management of the WSA to maintain its wilderness character, through recommendation of the area as federal wilderness, and by the eventual inclusion of the area in the NWPS.

Also, a common criticism of the 2002 recommendation is that it proposes a wilderness area that is divided into two separate units. This would adversely affect manageability of the area for wilderness character, as directed by the 2012 Planning Rule criteria for analyzing areas for a Wilderness Recommendation.

Our observations and information as long-time residents, guides, business owners, and educators in the Prince William Sound region has long informed our support through public comment of a Wilderness Recommendation that encompasses much of the WSA, which is the basis for our objections expressed in Item #5.

Thank you for your careful reading of our objection. We look forward to working with you and others to make the Forest Plan a document worthy of the spectacular and deeply valued landscape of the Chugach National Forest.

We continue to see the Forest as an important partner in stewarding the lands surrounding Prince William Sound, and we are grateful to the Forest Service for the tremendous amount of work that has gone into creating the plan.

Sincerely,

Paul Twardock

Peter Denmark

Philip Peterson

Kelly Bender

Marybeth Holleman

Prince William Sound Stewardship Foundation