

OUTDOOR ALLIANCE

December 16, 2019

Ken Tu
Interdisciplinary Team Leader
Alaska Roadless Rule
USDA Forest Service
P.O. Box 21628
Juneau, Alaska 99802-1628

Re: Alaska Roadless Notice of Proposed Rulemaking, 84 FR 55522

Dear Mr. Tu,

Outdoor Alliance is a coalition of ten member-based organizations representing the human powered outdoor recreation community. The coalition includes Access Fund, American Canoe Association, American Whitewater, International Mountain Bicycling Association, Winter Wildlands Alliance, The Mountaineers, the American Alpine Club, the Mazamas, Colorado Mountain Club, and Surfrider Foundation and represents the interests of the millions of Americans who climb, paddle, mountain bike, backcountry ski and snowshoe, and enjoy coastal recreation on our nation's public lands, waters, and snowscapes.

Outdoor Alliance supports Alternative #1 (No Action) to retain critical, long-standing protections for roadless areas within the Tongass National Forest. We are strongly opposed to the preferred alternative (#6) identified in the draft environmental impact statement (DEIS), which would exempt the Tongass National Forest from the 2001 Roadless Area Conservation Rule. In particular, we strongly object to the Forest Service's assumption—which underlies the majority of the DEIS's analysis—that only the 165,000 acres that would immediately become subject to logging following the proposed change are appropriately considered in analysis. The Forest Plan governing the Tongass reflects the requirements in place under the existing Roadless Rule, and without those protections in place, the entire newly opened area is subject to increased development and potential timber harvest following a plan revision. Without analyzing the reasonably foreseeable changes that would follow from the rescission of roadless protections, the DEIS is fatally flawed, and the Forest Service must proceed with the No Action Alternative.



OUTDOOR ALLIANCE

In general, our community is not opposed to tailoring the Roadless Rule to meet the unique needs of particular states, and the Colorado and Idaho Roadless Rules are evidence that this can be navigated in a way that continues to protect recreation and conservation values, in some places with stronger protections than the original national rule. The proposed path forward in Alaska, however, radically departs from past practice in carefully crafting roadless protections to meet particular local needs by completely eliminating the rule's protections for the Tongass National Forest and substantially altering how the rule applies to the Chugach National Forest.

Outdoor Recreation on the Tongass National Forest

Outdoor recreationists value the Tongass, in part, because of the world-class recreational opportunities it provides. The Roadless Rule is crucial to protecting the opportunities and experiences that attract visitors from across Alaska, and the globe, to the Tongass, as well as for supporting the quality of life that local residents enjoy. For example, the East Glacier Trail and Fritz Cove Road sport climbing crag outside of Juneau provide relatively close-to-home outdoor recreation for many people. Roadless areas on the Tongass are also treasured for remote and adventurous recreation opportunities, like the world-renowned mountaineering routes on the Mendenal Towers and the Direct East Ridge of Devil's Thumb, one of the 50 classic climbs of North America. Additionally, ocean areas adjacent to, and in many cases surrounding, Tongass National Forest areas offer world-class sea kayaking and coastal recreation opportunities, with viewshed, camping, water quality, and wildlife all protected through the Roadless Rule.

In addition to the intrinsic and experiential values of roadless areas, the values protected by the Roadless Rule support the quality of life and economic vitality of nearby communities. Roadless lands are integral to the outdoor recreation economy around the country, including in Alaska where outdoor recreation directly employs 72,000 people, drives \$7.3 billion in consumer spending, supports \$2.3 billion in wages, and contributes \$337 million in state and local tax revenue.¹

¹ OUTDOOR INDUSTRY ASSOCIATION, ALASKA (2018), available at https://outdoorindustry.org/wpcontent/uploads/2017/07/OIA_RecEcoState_AK.pf



OUTDOOR ALLIANCE

Outdoor recreation in Alaska supports four times as many jobs in the state as oil and gas production, mining, and logging combined.² The only industry with more economic significance in Southeast Alaska is the fisheries industry, which also benefits significantly from the existing Roadless Rule. Given that Southeast Alaska's primary economic drivers are dependent on the benefits of the rule, the Forest Service must proceed with an abundance of caution before risking impacts to these proven economic drivers in pursuit of changes to roadless protections. In contrast, however, the agency's preferred alternative proposes a significant negative impact to these sustainable industries in order to promote opportunities for environmentally damaging old growth logging. This approach fails to recognize that the benefits of clean air, water, and wildlife habitat and the intrinsic value of a landscape of national and international significance heavily outweigh the value of changes made for a short-term benefit to timber production.

The Proposed Rule Has Severe and Unacceptable Consequences for Outdoor Recreation

Southeast Alaska is a bucket-list destination for outdoor enthusiasts of all stripes. As the DEIS correctly notes, roadless areas on the Tongass National Forest are highly valued for recreation because of their remoteness, their scenic value, and the primitive and semi-primitive recreation opportunities they offer. These opportunities are among the many ecosystem and cultural services that roadless areas provide.

The DEIS clearly shows that the proposed rule, Alternative 6, would drastically impair the characteristics that support highly-valued outdoor recreation experiences on the Tongass. It states that the removal of regulatory roadless area protections under Alternative 6 (as well as the other action alternatives) would immediately result in the total conversion of approximately 165,000 acres of previously unsuitable lands to suitable old-growth lands that would be available for harvest.³ That means 165,000 acres of land that provide primitive and semi-primitive recreation opportunities in a forested environment would no longer support these experiences, nor would thousands of additional acres that would be indirectly affected. More importantly, the rollback of these protections would potentially thereafter subject millions more acres to risk pending changes to the Tongass Forest Plan.

² *Id.*

³ Draft EIS, 3-19.



OUTDOOR ALLIANCE

As an example of the importance of the Tongass to recreationists, a devoted community of backcountry skiers value hiking to the top of Southeast Alaska's beautiful, massive, glaciated peaks. But before getting to the top, before even getting to a ramp to gain elevation, skiers hike through the dense, moss-covered forests. This is part of what makes the backcountry ski experience in Southeast Alaska so unique and valued, and it will be lost if the proposed rule is finalized. Likewise, sea kayakers plying the ocean waters bordering the Tongass travel to Southeast Alaska as much for the forested surroundings as for the water itself. The ocean is vast, as are opportunities for sea kayaking, but paddling along the rugged, forested coastlines of the Tongass is unique.

The DEIS fails to fully analyze the impact that the alternatives will have on outdoor recreation on the Tongass (and Chugach). These are not experiences or values that can be summed up by tables depicting acres available for harvest or statements about the acres of old versus young-growth timber projected to be harvested. The DEIS almost captures what the Tongass means to many on page 3-23 of the DEIS:

“For many, a visit to the Tongass is an once-in-a-lifetime experience and spending by these visitors helps drive the recreation and tourism sector. The Tongass National Forest contains large areas of essentially undisturbed forest lands, which represent increasingly scarce and, therefore, increasingly valuable ecosystems. These lands have value for many people who may never visit Southeast Alaska, but benefit from knowing that the Tongass National Forest is there. This type of value, often referred to as non-use value, includes existence, option, and bequest values. These values represent the value that individuals obtain from knowing that the Forest exists, knowing that it would be available to visit in the future should they choose to do so, and knowing that it will be left for future generations to inherit.”

Despite acknowledging that the Tongass is unique, that the undisturbed character of the forest is what makes it so, and reasons this is important for visitors, the DEIS fails to take a hard look at how the alternatives, especially the proposed rule, will affect outdoor recreation. The DEIS notes that the recreation opportunity spectrum will be affected depending on the alternative selected⁴ but fails to explore what this means for recreationists visiting the forest. Outdoor recreationists visit, and value,

⁴ Draft EIS, starting on page 3-166



OUTDOOR ALLIANCE

the Tongass because it is unroaded and offers primitive and semi-primitive recreation opportunities. Transitioning the forest away from these settings, towards roaded modified, changes the entire character of the forest even if the total harvest volume does not change.⁵ This is especially concerning given that the DEIS predicts old growth harvest will change the most near recreational areas on the forest, that “home range” recreation places are most likely to be impacted, and that recreationists will be displaced to areas unaffected by timber harvest. People don’t visit the Tongass to recreate in a crowd—they visit the Tongass to find solitude and wildness. Unfortunately, the areas and experiences that are of particular importance for outdoor recreationists are most likely to be affected by any changes to the Roadless Rule.

Indeed, as shown on Table 3.10-5 in the DEIS, the outfitter/guide use areas on the Tongass that receive the most use correspond with the areas that have the highest percentage of roadless lands. Clearly people are visiting the Tongass because of its roadless character. Building new roads and logging the old growth forests on the Tongass, especially in areas that are currently roadless, will chip away at the integrity of the forest, changing it from a one-of-a-kind intact coastal temperate rainforest to a fragmented landscape where people seek refuge in ever-shrinking pockets of wildness, much like other forests that have been impaired along the Pacific coast. This is not captured, much less discussed, in the DEIS.

Tongass Roadless Lands Are Critical in Maintaining a Livable Planet

Temperate rainforests are the world’s most effective carbon storage systems, and, as the world’s largest remaining intact coastal temperate rainforest, the Tongass is a critical carbon sink. This intact temperate rainforest holds as much as 12% of all of the carbon stored on national forests nation-wide. These hundreds of millions of tons of carbon pose a risk to global climate if the Tongass is exempted from the Roadless Rule. As the DEIS notes, old-growth forests store considerably more carbon than younger forests. If the Forest Service lifts roadless protections on the Tongass, this forest will go from being a globally-significant carbon sink to a significant carbon source. As noted in the DEIS, the largest source of greenhouse gas emissions in the forestry sector globally and within the United States is deforestation. As much as 80% of the carbon stored in an old growth forest is

⁵ For the record, we believe the assumption that harvest levels won’t change between alternatives is erroneous.



OUTDOOR ALLIANCE

released once the forest is logged.⁶ Carbon is lost through soil disturbance from logging and road building activities, increased rates of decomposition for slash versus what occurs in an undisturbed forest, transport and processes, decay, and combustion.⁷ Logging the Tongass' roadless forests will release the majority of the carbon currently sequestered within them. And, the Tongass will not transition back to a carbon sink if new trees replace the logged-over old growth – regenerating forests can remain carbon sources for up to 50 years.⁸

We appreciate that the DEIS mentions that one of the important ecosystem services provided by the Tongass is carbon uptake and storage and that it describes the mechanisms through which this uptake and storage occurs. We also appreciate that the DEIS describes, in a general sense, how deforestation contributes to increased greenhouse gas emissions and atmospheric carbon.

The DEIS fails, however, to take a hard look at how the alternatives, especially the preferred alternative, would affect carbon storage and sequestration. This omission is primarily due to a flawed assumption concerning the impact of lifting roadless protections on the Tongass. The assertion that all alternatives would result in the same harvest volumes appears to be entirely unsupported, as well as highly unlikely. The assumption is based on the fact that additional management changes will not occur before a subsequent Forest Plan revision; the current Forest Plan takes direction, however, from the existence of inventoried roadless areas on the forest, and without those IRAs in place, a subsequent plan revision is overwhelmingly likely to open additional areas to logging. A DEIS that assumes no ensuing changes in management direction following the repeal of roadless protections is fundamentally flawed.

Even if it were the case that only 165,000 acres would become open to harvest, as the *Climate Change/Carbon Sequestration* section of the DEIS explains, effects to climate change and carbon sequestration differ considerably between growth and harvest of young versus old growth forests.⁹ Lifting Roadless Rule protections will

⁶ Wayburn, L.A. 2000. Forest carbon in the United States: opportunities and options for private lands. Pacific Forest Trust, San Francisco.

⁷ Harmon, M.E. W.K Ferrel, J. F. Franklin. 1990. Effects on carbon storage of conversion of old – growth forests to young forests. *Science* 247:699-702

⁸ Law, B. E., and M.E. Harmon. 2011. Forest sector carbon management, measurement and verification, and discussion of policy related to climate change. *Carbon Management* 2:73-84.

⁹ Draft EIS, starting on page 3-126



OUTDOOR ALLIANCE

immediately open 165,000 acres of old growth temperate rainforest on the Tongass to timber harvest—this appears to be the primary purpose of this rulemaking process—and doing so will have grave consequences for carbon storage and sequestration on the Tongass, and for the global climate. Thereafter, millions more acres will become vulnerable to harvest, yet the DEIS fails entirely to consider the ramifications of this foreseeable chain of events.

From a recreation standpoint, protecting Roadless Areas on the Tongass is critical to ensuring future powder days in the California Sierra, ice climbing in Montana, opportunities for whitewater boating in the spring fueled by snowmelt in Colorado, and healthy surf spots in Hawaii and California. Climate is a global issue, and what happens in Alaska will have widespread effects. More broadly, the Forest Service must consider the potential climate impacts on human health and the environment from the greenhouse gas emissions associated with changes to the Roadless Rule in Alaska. The Roadless Rule does far more than protect scenic landscapes for outdoor adventurers to roam—it helps to ensure that future generations will inherit a livable planet.

The DEIS Incorrectly Assesses Impacts Based on a Flawed Assumption

The Forest Service’s conclusion that all of the action alternatives, including the proposed rule’s full exemption for the Tongass, would have minimal environmental or economic impacts is unsupported. The Forest Service states numerous times in the *Federal Register* notice and DEIS that the amount of timber harvesting and road construction on the Tongass will vary little regardless of whether or not the Roadless Rule continues to apply as-is, is modified, or removed entirely. This is a flawed assumption, and it affects the entire DEIS.

We understand that the proposed rule does not immediately change the 2016 Tongass Forest Plan Amendment or its Projected Timber Sale Quantity (PTSQ). However, there is no reason to assume that the Tongass Forest Plan will not be changed after this proposed rule is adopted. Forest plan amendments and revisions are common, and the Tongass Plan has been revised and amended several times since its initial adoption. Clearly many proponents of a Tongass exemption to the Roadless Rule wish to see an increase in old growth timber production on the forest. Once this regulatory hurdle has been removed, the obvious next step for those interests is to pursue a forest plan amendment. This is not speculation. In the State’s petition requesting the Roadless Rule exemption, it



OUTDOOR ALLIANCE

specifically asked the Forest Service to revisit the State's objections to the 2016 Tongass Land Management Plan Amendment.¹⁰

The second flaw in the Forest Service's assumption in the DEIS is that timber harvest cannot exceed the PTSQ. The PTSQ does not set a maximum limit on timber harvest.¹¹ Rather, timber harvest is limited by the "sustained yield limit." Under the Tongass Forest Plan Amendment, this sustained yield limit is 248 million board feet per year.¹² This limit is subject to increase if the plan were to be amended once roadless areas are added to the suitable timber base.

Given that the Tongass Forest Plan is likely to be amended if the proposed rule is adopted, and the PTSQ does not set a ceiling for timber harvest (even if it were to remain at its current level), there is no support for the often-repeated assumption in the DEIS that overall timber harvest levels and composition are expected to remain unaffected by the final rule.¹³

As this assumption underlies all of the analysis in the DEIS and is the reason that the DEIS does not find any significant effects from any of the Alternatives, the entire DEIS is flawed and must be re-done.

¹⁰ See DEIS pages A-8, 9: "In addition to requesting the USDA commence a rulemaking to exempt the Tongass from the Roadless Rule, the State also requests that the USDA Secretary direct the Forest Service to commence a new amendment or revision process for the TLMP as amended in 2016...."

¹¹ FSH 1909.12, Chap. 60 "PTSQ is not a target nor a limitation on harvest..."

¹² 2016 Tongass Forest Plan Amendment, p. A-5

¹³ See for example, DEIS 3-44



OUTDOOR ALLIANCE

The Forest Service Cannot Include Changes to Roadless Areas on the Chugach National Forest Without Reinitiating Scoping

Roadless lands on the Chugach National Forest are world-renowned for backcountry skiing and mountaineering. These lands are also highly valued by the packrafting, hiking, and mountain biking communities and are in close proximity to Alaska's largest population center. Roadless areas within the Prince William Sound provide a scenic backdrop for sea kayakers and others paddling in the Prince William Sound, and they are critical to restoring the health of an ecosystem ravaged by the Exxon Valdez oil spill. There is virtually no public support for removing Roadless protections from these areas, and doing so would have profound environmental, economic, cultural, and social effects.

While the Proposed Rule downplays proposed changes as tools for fixing minor mapping and clerical errors, they could potentially have major impacts to roadless lands on the Chugach, the environmental resources these areas protect, and the recreation opportunities they provide.

The draft rule includes a provision (36 C.F.R. § 294.51) to reduce and potentially eliminate protections for roadless areas on the Chugach National Forest. This proposal was not sought by the State of Alaska in their petition nor disclosed by the Forest Service during scoping. If the Forest Service wishes to expand the potential scope of the rule to include the 5.4 million acres of inventoried roadless areas on the Chugach National Forest, it must conduct a new scoping process.

The State of Alaska's 2018 petition to the U.S. Forest Service did not mention the Chugach National Forest. Likewise, when the rulemaking process began, the Chugach was not included in the 2018 scoping notice.¹⁴ Indeed, the scoping notice only mentions the Chugach twice, and only to clarify that this rulemaking process would only apply to the Tongass, and that the Roadless Rule will continue to apply on the Chugach.¹⁵ The Forest Service continued to state that the Chugach would not be included in this rulemaking process throughout the rest of 2018 and 2019.¹⁶

¹⁴ Forest Service, Notice of Intent to Prepare EIS, 83 Fed. Reg. 44,252 (August 30, 2018).

¹⁵ *Id.* at 44,252, 44,253

¹⁶ See, e.g., U.S. Forest Service, Alaska Roadless Rulemaking Questions and Answers (Sep. 13, 2018) at 3, available at https://www.fs.usda.gov/nfs/11558/www/nepa/109834_FSPLT3_4415892.pdf; U.S. Forest Service, Alaska Roadless Rulemaking, Public Scoping Meeting PowerPoint (Sep. 2018) at 7, available at https://www.fs.usda.gov/nfs/11558/www/nepa/109834_FSPLT3_4452543.pdf; and U.S.



OUTDOOR ALLIANCE

Proposed 36 C.F.R. § 294.51 would allow changes to inventoried roadless areas on the Chugach in two ways. The provision would allow for “administrative corrections to boundaries” that are “limited to adjustments that remedy clerical errors, typographical errors, mapping errors, improvements in mapping technology, conformance to statutory or regulatory changes, or incorporation of changes due to land exchanges.”¹⁷ These changes could occur after notice and a 30-day comment period. 36 C.F.R. § 294.51 also grants the Alaska Regional Forester authority to “issue modifications to the classifications and boundaries of an Inventoried Roadless Area after a 45-day public notice and opportunity to comment period.”¹⁸ Proposed §294.51(a)(2) is not limited to minor modifications. This section of the proposed rule would allow the Regional Forester to modify or eliminate any or all inventoried roadless areas on the Chugach, without limitation.

Despite that this provision could have major consequences for the Chugach National Forest, the draft EIS does not analyze any potential impacts that these changes might bring to the forest. Instead, it states that the Chugach provision is “administrative in nature and does not have any environmental effects.”¹⁹ This statement does not accurately characterize the potential ramifications of the proposed changes. Not only must the Forest Service thoroughly analyze the environmental effects of 36 C.F.R. § 294.51, it must re-initiate scoping for the proposed rule to include this provision. Had the Forest Service included this provision in the 2018 scoping notice, the agency would have received comments describing the environmental and social consequences the provision could bring. This information would likely have triggered the agency to include analysis of this provision alongside other elements of the proposed rule in the DEIS. Having missed this opportunity, however, it is imperative that the Forest Service re-scope the proposal and initiate a new NEPA process. This is also required by law.²⁰

* * *

Forest Service, Alaska Region, Alaska Roadless Rule (Mar. 2019) at 2, available at <https://tinyurl.com/y54o6jbw>

¹⁷ Proposed 36 C.F.R. § 294.51(a)(1), 84 Fed. Reg. 55,522, 55,529 (Oct. 17, 2019).

¹⁸ Proposed 36 C.F.R. § 294.51(a)(2), 84 Fed. Reg. at 55,529.

¹⁹ U.S. Forest Service, Alaska Roadless Rule Draft EIS (Oct. 2019) at 1-12.

²⁰ Under 40 C.F.R. § 1501.7 significant issues must be identified during scoping, and the EIS must reflect these significant issues.



OUTDOOR ALLIANCE

The outdoor recreation community strongly supports protecting the integrity of the Forest Service Roadless Rule. At the same time, as demonstrated by the rules developed for Colorado and Idaho, it is entirely possible to develop a tailored approach to meet a state's particular needs while maintaining strong protections for environmental and recreational values. The approach embraced by the proposed rule, however, does not comport with the approach that has been successfully applied in the past. The proposed rule detailed in this draft EIS (Alternative 6) exempts the Tongass National Forest from the rule entirely while adopting provisions for the Chugach that have the potential for significant, if unintended, harm in the future. Additionally, the Forest Service inaccurately concludes that these actions will have no significant environmental, social, or cultural impact, in part because of an unsupported (and inappropriate) assumption regarding timber harvest levels.

Following the approach employed for Colorado and Idaho, it is possible for the Forest Service to develop an adjusted rule for Alaska responsive to the state's needs and maintaining strong environmental and recreational protections. Given the drastic consequences of missteps—for the landscape itself, the communities and industries that depend on an ecologically and aesthetically sound forest, and for the climate—it is essential that the Forest Service proceed judiciously, making needed or desirable adjustments to the Roadless Rule as precisely as possible. The proposed rule, however, does not follow that approach and instead proposes an inappropriately drastic course of action. Finally, the proposed rule includes a surprise provision with potentially very serious ramifications for the Chugach National Forest. This provision was not scoped, and its potential impacts are not considered in the DEIS.

For these reasons, the Forest Service must adopt the No Action Alternative.

Best regards,



Louis Geltman
Policy Director
Outdoor Alliance



OUTDOOR ALLIANCE

cc: Adam Cramer, Executive Director, Outdoor Alliance
Chris Winter, Executive Director, Access Fund
Beth Spilman, Interim Executive Director, American Canoe Association
Mark Singleton, Executive Director, American Whitewater
Kent McNeill, CEO, International Mountain Bicycling Association
Todd Walton, Executive Director, Winter Wildlands Alliance
Tom Vogl, Chief Executive Officer, The Mountaineers
Phil Powers, Chief Executive Officer, American Alpine Club
Mitsu Iwasaki, Executive Director, the Mazamas
Keegan Young, Executive Director, Colorado Mountain Club
Chad Nelson, Chief Executive Officer, Surfrider Foundation

