



***Southeast Alaska
Subsistence Regional
Advisory Council***

**Don Hernandez, Chairman
c/o Office of Subsistence Management
1011 E. Tudor Rd., MS 121
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RAC/SE 19005.DP

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Alaska Roadless Rule
USDA Forest Service, Alaska Region
Ecosystem Planning and Budget Staff
P.O. Box 21628
Juneau, AK 99802-1628

USDA - USFS Regional Office
ATTN: Regional Forester, Dave Schmid
P.O. Box 21628
Juneau, AK 99801-1807

USDA - USFS Tongass National Forest
ATTN: Forest Supervisor, Earl Stewart
648 Mission Street
Ketchikan, AK 99901-6591

RE: Subsistence Regional Advisory Council comments on Roadless Rulemaking

Dear Mr. Schmid, Mr. Stewart, and Roadless Rulemaking Team:

I am writing on behalf of the Southeast Alaska Subsistence Regional Advisory Council (Council) to express our concern for the impacts that the proposed Alaska roadless rulemaking (Proposed Rule) may have on subsistence uses throughout the Tongass National Forest. The Council has valuable, relevant knowledge on this issue and wishes to provide input on potential significant restrictions of subsistence uses that may result from the Proposed Rule.

The Council was formed under Title VIII of the Alaska National Interests Lands Conservation Act (ANILCA) and chartered under the Federal Advisory Committee Act (FACA). The Council's charter establishes its authority to initiate, review and evaluate regulations, policies, management plans, and other matters related to subsistence within the Southeast Alaska region (ANILCA §805). The Council provides a forum for the expression of opinions and recommendations regarding any matter related to the subsistence uses of fish and wildlife within the region.

Public Comment Periods are Hindering Council Substantive and Timely Input

The scoping public comment period for the Proposed Rule closed the day before the Council's publicly-noticed meeting in Sitka on October 16-18, 2018. No extensions to the public comment period were granted and the Council did not have an opportunity to provide public comment as a FACA committee. This is important to note as the Council may only submit public comments that are developed on the record at a publicly-noticed meeting.

It is the Council's understanding that the next public comment period will likely occur in the summer of 2019. This comment period falls between the winter and fall meetings of the Council. Unless the Council is authorized to call an out-of-cycle meeting, the Council will be deprived of the opportunity to receive information on the proposed alternatives, ask questions and deliberate on the information, and develop comments on impacts to subsistence resources. This hindering of the Council's ability to participate is a direct result of the agency's unusually-accelerated review under the National Environmental Policy Act.

ANILCA §805 Provides For Local & Regional Participation

Congress, through enacting Section 805 of ANILCA, has recognized that this Council has specialized knowledge and should have a meaningful role in providing input on any significant restrictions of subsistence uses, as well as providing information to minimize adverse impacts on subsistence uses and resources. As a FACA committee, the Council is obligated to conduct its activities in public in order to develop important comments on subsistence issues.

Since the national 2001 Roadless Rule was adopted, the Federal Subsistence Management Program and this Council have learned much more about subsistence. At its bi-annual meetings, the Council provides a public forum for discussion and recommendations for subsistence fish and wildlife management in the region. Through the years, the Council has heard scientific evidence from various sources regarding the impacts of timber harvests, the building of roads, and development on natural food resources in the Southeast. The Council has received testimony from subsistence users, conveying local and traditional ecological knowledge. Combined with the knowledge and awareness of the Council members themselves, who were appointed by the Secretaries of the Interior and Agriculture due to their regional expertise on fish and wildlife resources and subsistence, this Council is equipped with a wealth of information for the region that needs to be included in the analysis conducted on this matter for the Draft Environmental Impact Statement (DEIS).

Initial Comments

With the understanding of the unique role this Council has in providing a voice for subsistence uses and resources, the Council submits these comments for consideration. Initial comments are based on years of testimony and discussion concerning development and its impact on subsistence resources:

1. For any areas where the use of public lands are proposed for change, special effort should be made to determine in which tribal and clan territories these lands lay. At a bare minimum, analysis should show the clan and tribal territories in the inventoried roadless areas. Since 2001, there has been substantial growth of community and tribal expertise on land use matters and these tribes and communities should be involved in the development of alternatives for the Proposed Rule.
2. There is a perception that the Governor's Citizen Advisory Committee is developing alternatives for the Proposed Rule. The Council is concerned that this input may be the main force in presenting alternatives and it questions the legal and scientific validity of any alternatives developed by citizen advisory councils that may be primarily concerned about economic interests at the expense of scientific research and facts. The Council is not aware of any legal authority that would provide this State advisory committee the ability to drive alternatives for this Federal action.
3. Due to the accelerated timeline of this rulemaking process, the Council's ability to provide comments may be severely limited. Comment periods are expected to occur in summertime, when most Council members are engaging in subsistence activities and not available to meet. As a rule summertime in Southeast Alaska is not a convenient time for conducting public hearing or requesting public comments from rural subsistence users.
4. The Council has specific comments on potential impacts on subsistence resources, based on anticipated potential development as a result of an "Alaska Roadless Rule." Our concerns are identified as follows:
 - a. **Old-Growth Forest Protection.** The current Rule protects some of the last old-growth temperate rainforests in the entire United States. The Proposed Rule attempts to alter this successful conservation policy on an expedited timeline. There is no need to develop a state-specific roadless rule focused on the Tongass National Forest or to provide different management designations to further Alaska's economic development or other needs.
 - b. **Development.** Over the years, this Council has heard testimony from land management personnel who have shared their research and reports regarding timber harvest and development and the associated impacts on habitat and abundance of subsistence resources. These known effects adversely affect the success of subsistence users and impact subsistence resources.

- c. **Road Development.** Prince of Wales Island (POW) is the most heavily-roaded island in the region. This has produced several negative impacts to subsistence resources related to access, development, and timber harvest. Subsistence users have shared their local and traditional ecological knowledge with the Council. The Council is also knowledgeable about pre-development habitat and resource with abundance. The Council should be afforded the opportunity to provide this specific information for consideration in any alternatives developed for the Proposed Rule.
- d. **Logging.** Over a million acres have been logged on Prince of Wales Island. Residents are worried about deer habitat, particularly winter habitat, which requires old-growth timber. Many areas are already logged and the high timber harvest rate significantly impacts habitat for deer and other wildlife. There has been a decline in the amount of deer on Prince of Wales Island. This is expected to continue for years to come.
- e. **Ecosystem.** Healthy old-growth forests are vital to salmon spawning streams. They are also more effective at absorbing carbon dioxide than a forest that has been clear cut. There is a great amount of community interest throughout the Southeast concerning the future of the Tongass National Forest, especially regarding the effects of access and development on the overall forest ecosystem.
- f. **Access.** Changes to the Proposed Rule, which alter the boundaries or areas of available public land, will directly affect the area available for subsistence uses. If the amount of public land available for subsistence opportunity is effectively decreased, subsistence users may be required to travel farther to hunt, fish, and forage. This would have a Tongass-wide impact and could create user conflicts and displacement of user groups for access to subsistence resources.

Request for Information at the Council's Next Meeting

The Council requests a briefing on the Proposed Rule at its next meeting in Wrangell on March 19-21, 2019. Specifically, the Council requests information on alternatives identified and anticipated impacts, as well as the preferred alternative so that members may deliberate and offer specific comments. This would negate the need, time, and expense for a special Council meeting to be called in summer activities while most Council members are fishing and engaging in other subsistence activities.

Conclusion

The change in the current Roadless Rule will invariably affect the availability of subsistence resources and continued subsistence opportunity. Reasonable steps must be taken to minimize adverse impacts upon subsistence uses and resources resulting from the Proposed Rule. The

Council appreciates the opportunity to convey its concerns regarding the effect this rule may have on the food resources that many of our Southeast Alaska families depend upon. If you have any questions regarding this letter, they can be addressed through our Council Coordinator, DeAnna Perry, at 907-586-7918 or dlperry@usda.gov.

Sincerely,



Donald Hernandez
Chair

cc: Ken Tu, Interdisciplinary Team Leader, Alaska Roadless Rule, USDA Forest Service
Federal Subsistence Board
Southeast Alaska Subsistence Regional Advisory Council
Thomas Doolittle, Acting Assistant Regional Director, Office of Subsistence Management
Jennifer Hardin, PhD, Subsistence Policy Coordinator, Office of Subsistence Management
George Pappas, State Subsistence Liaison, Office of Subsistence Management
Katya Wessels, Acting Council Coordination Division Supervisor,
Office of Subsistence Management
DeAnna Perry, Subsistence Council Coordinator, Office of Subsistence Management
Thomas Whitford, Regional Subsistence Program Leader, U.S. Forest Service
Ben Mulligan, Deputy Commissioner, Alaska Department of Fish and Game
Mark Burch, Special Projects Coordinator, Alaska Department of Fish and Game
Interagency Staff Committee
Administrative Record