

***Tongass National Forest
Land and Resource Management Plan
Amendment***

Executive Summary

**2008 Environmental Impact Statement
*Record of Decision***

United States Department of Agriculture
Forest Service—Alaska Region

January 2008

(Corrected: February 5, 2008)

The United States Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write U.S. Department of Agriculture, Director, Office of Civil Rights, Room 326-W, Whitten Building, 1400 Independence Avenue SW, Washington, DC 20250-9410, or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.



Federal Recycling Program
Printed on Recycled Paper

Summary

My objectives for the 2008 Forest Plan Amendment and the associated EIS have been to correct the deficiencies identified by the Ninth Circuit, and to bring the 1997 Plan up to date. My overall goal has always been to ensure that the Tongass National Forest continues to be managed sustainably to provide the multiple uses that people in Southeast Alaska depend on, while protecting and enhancing the values of the Forest that all Americans cherish. Multiple use management is a deceptively simple term that describes the enormously complicated task of striking a balance among the many competing uses to which land can be put, including outdoor recreation, range, timber, watershed, wildlife and fish, and wilderness. The additional goal of sustained yield requires the Forest Service to control consumptive uses of natural resources of the National Forest System to ensure a high level of valuable uses in the future.

For reasons that are explained throughout the Record of Decision (ROD), I have concluded the amended Forest Plan meets all of these very challenging requirements. Because this amendment essentially completes the process of revising the Tongass Forest Plan that was initiated in 1987, the Forest Plan will not need to be revised again for 10 to 15 years, unless new information requires it sooner. All site-specific projects undertaken under this amended plan will be subject to additional environmental analysis and public input. The Forest Service will conduct another evaluation of the Forest Plan in five years, including an evaluation of the Plan's old-growth conservation strategy.

My Decision

I have decided to approve the amended Forest Plan, which is based on a modified Alternative 6.

I have made my decision after careful consideration of the public comments on the Draft Environmental Impact Statement (EIS) for the 2008 Tongass Land and Resource Management Amendment, which was prepared under the guidance of the National Environmental Policy Act (NEPA). I have also reviewed the Ninth Circuit Court of Appeals' decision, the Final EIS and the amended Forest Plan. After extensive analysis and consideration of all the alternatives described in the Final EIS, I have decided to approve an amendment that makes a number of changes to the 1997 Forest Plan, and features an innovative approach to implementation designed to respond to numerous concerns about the maximum amount of timber that may be harvested. That particular aspect of the Plan remains unchanged, at 267 million board feet (MMBF) annually.

Because I have elected to amend the Forest Plan, rather than revise it, the changes are not extensive, though many are quite significant. Leaving the allowable sale quantity (ASQ) number the same begs the thorny question of how much timber should be available in the short-term, however. Some people requested a higher ASQ be adopted, to ensure an opportunity for the timber sector to expand into an integrated industry.¹ Others asked for a lower level, to prevent roadless areas they perceive as most environmentally sensitive from being developed unnecessarily. Multiple use management requires that such competing demands be balanced in a sustainable manner. I believe my decision accomplishes this difficult task. Overall, this decision protects over 90 percent of the existing high volume productive old growth and 89 percent of the existing big tree productive old growth on the Tongass. It also will provide an amount and distribution of habitat adequate to maintain viable populations of vertebrate species on the Forest, and will maintain the diversity of plant and animal communities into the foreseeable future.

¹ An integrated timber industry is one with local processing facilities for each kind of material that comes from local suppliers.

Knowing this from the analysis, I am comfortable moving forward with the timber sale program adaptive management strategy.

Market demand under any scenario may be far lower than 267 million board feet annually for the near future, yet I want to preserve the capacity to respond to potential future demands for wood products in the US. Many members of the public, special interest groups, and the Ninth Circuit Court of Appeals have all stated their concerns about the Tongass planning sales in roadless areas when the demand is not present to warrant entering those areas.

Therefore, I have directed the Forest Supervisor to implement an *“Adaptive Management Strategy”* that provides for the timber sale program to be implemented in three phases, as determined by actual timber harvest levels. In Phase 1, the timber program will be restricted to a portion of the suitable land base that excludes moderate and higher value roadless areas. This Phase 1 portion includes approximately 537,000 suitable acres, or 69 percent of the total suitable land base. Should the actual level of timber harvest reach 100 MMBF for two consecutive fiscal years, the Tongass could then plan for timber projects in the Phase 2 portion of the approved suitable land base, resulting in a program that operates on approximately 680,000 acres of suitable lands, including some moderate value roadless areas. Should timber harvest reach 150 MMBF for two consecutive fiscal years, the Tongass could then plan for timber projects in Phase 3, which includes the entire suitable land base. The Timber Sale Program Adaptive Management Strategy is an additional step being taken in response to concerns that an overestimate of timber demand will lead to timber harvest in areas perceived by many as more environmentally sensitive--such as higher value roadless areas--that would not have to be developed if the Plan were based on a lower estimate of timber demand.

The amendment I have approved makes changes to four of the six components of the Forest Plan that are required by law and regulations governing forest planning. Changes made to the required components include:

- ***Multiple-use goals and objectives*** (Chapter 2) describe the mosaic of land and resource conditions desired for the forest in the future. The amended Plan includes several changes to the goals and objectives adopted in 1997. A new goal has been added to maintain viable plant communities and populations and a mixture of habitats capable of supporting the full range of naturally occurring flora. It also includes a new goal to consult with Tribes to protect and maintain sacred sites across the Forest. New objectives are included for each of these goals. A new objective was added to reduce the introduction, spread, and impact of invasive species. In addition to the new goals and objectives, several others were modified. The goal for karst was re-written to focus on maintaining natural processes and productivity while allowing other land uses as appropriate. The objectives for recreation and tourism and for wilderness were extensively edited to clarify management intent; several other goals and objectives were updated and clarified. Achievement of these goals and objectives will ensure the sustainability of the Tongass National Forest, and the ecological, social, and economic values that ensue from its management. Full attainment of these goals and objectives can be influenced by a number of factors, such as congressional budget allocations, changed circumstances or new information.
- ***Management prescriptions*** govern how and where land management activities will be conducted on the Tongass. These include specific goals and objectives and standards and guidelines for 19 different Land Use Designations, or LUDs (Chapters 3 and 4). Management prescriptions for the Wilderness and National Monument Wilderness LUDs have been combined to reduce duplication, while retaining separate goals and objectives for National Monument

Wilderness. Several other management prescriptions have been changed slightly to update and clarify them. Nearly all of the forest-wide standards and guidelines were also edited to update their terminology, clarify them, and improve the consistency of application. New standards and guidelines were developed to address invasive species and plants. Another standard was added that requires forest structure to be maintained in timber harvest units in certain areas, as a replacement for standards and guidelines adopted in 1997 regarding goshawk foraging habitat and marten habitat.

- **Identification of the amount of land suitable for timber production** (Forest Plan Appendix A). Changes were made to reflect updated geographic information systems data; the results of a new logging systems and transportation analysis; and a new, lower estimate of the Model Implementation Reduction Factor, which reduces the amount of land modeled as suitable to account for factors that will arise during implementation of the Plan that cannot be incorporated into the model in advance. The total amount of suitable land decreases from 781,000 acres under the 1997 Forest Plan, as amended, to 773,000 acres under the 2008 Amendment.
- **Establishment of the allowable sale quantity** for the maximum amount of timber that can be sold in the first decade. The ASQ for timber is established at 2.67 billion board feet per decade, which is equivalent to an annual average of 267 MMBF. This is an upper decadal limit on the amount of timber that may be offered for sale from suitable timberland on the Tongass National Forest as part of the regularly scheduled timber sale program. This ASQ is unchanged from that established for the 1997 Forest Plan. *Although the maximum amount of timber that could be harvested during the first decade of implementing the amended Plan is 267 MMBF per year, substantially less is likely to be offered over the next few years.* Annual offering levels depend on several factors, such as market conditions and congressional funding allocations. Several of these factors are outside the control of the Forest Service. For the Tongass National Forest to offer timber sales at levels near the maximum allowed under the amended Plan, Congress would need to consistently appropriate sufficient funding, the Forest Service would need to increase the number of timber sales prepared and offered, and the timber industry would need to take advantage of additional marketing opportunities, make new capital investments, purchase sales offered, and harvest timber at rates higher than current levels.
A monitoring plan that represents an essential quality control mechanism and facilitates learning from Plan implementation (Chapter 6). Several changes were made to improve the monitoring questions and the sampling methods.
Recommendations regarding special management areas, such as wilderness, wild and scenic rivers, research natural areas, and experimental forests. The only change is to recommend that an experimental forest on Admiralty Island, which is not accessible by road, be abolished and replaced by a new experimental forest on the mainland at the North end of the Juneau road system.

New Features

Because the Tongass staff had completed a five-year review shortly before the Ninth Circuit Court of appeals rendered its decision, I elected to incorporate some new guidance from that review and newly available information into my decision. Full details are found in the Final EIS, but some of the more interesting facets include:

- **Invasive Species** -- The 1997 Forest Plan did not include the term *invasive species*. Nationally and regionally, the Forest Service is giving high priority to eliminating or preventing adverse

impacts caused by invasive species. The 2008 Forest Plan includes new objectives and standards and guidelines that will enable the Tongass National Forest to carry out these relatively new national and regional priorities on the Tongass. As is true in other program areas, the extent to which these objectives can be met is dependent in large part on factors out of the control of the Tongass, such as congressional funding allocations.

- **Management of Young-Growth Forest Stands** -- Young-growth forest stands are those that grow after the trees in an area have been removed by timber harvest activities or a natural disturbance event such as a landslide or windstorm. Many conservation organizations have encouraged the Forest Service to transition the timber program on the Tongass from one based on the harvest of old-growth forest to one that harvests young-growth stands. Such a transition would enhance the protection of old-growth forest habitat, while potentially providing a pathway to new, commercially viable wood products. I want to expedite the transition of the Tongass timber program to one based on the harvest of young-growth stands. The 2008 Forest Plan has been carefully reviewed to ensure that it contains no provisions that might impede such a transition. The success of this effort will depend on several factors, including investments by the timber industry in milling equipment designed for smaller young-growth trees, integration of the industry to effectively process all products harvested from the Forest, and funding decisions made by Congress.
- **Climate Change** -- Interest in *climate change* and knowledge of this issue, have grown enormously over the last decade. The two broad questions relevant to the decision on the 2008 Forest Plan Amendment are the extent to which climate change may affect the natural resources of the Tongass National Forest or the uses of those resources, and the extent to which management of the Tongass may affect climate change. The effects of climate change on the natural resources of the Tongass are highly uncertain, especially over the long run, and are likely to be small, especially over the next 10 to 15 years. Consequently, it is important for the Tongass to stay abreast of the evolving scientific information related to the effects of climate change. However, the state of current knowledge and the uncertainty about specific effects of climate change leads me to conclude that the best course of action today is continued management of the Tongass for resiliency in the face of uncertain but anticipated change. The same is true regarding effects on climate change of the alternatives analyzed in the Final EIS. For example, some studies suggest that timber harvest may increase the release of carbon to the atmosphere, which would tend to increase greenhouse gasses and global warming. Others indicate that timber harvest may increase the amount of carbon sequestered from the atmosphere. In either case, the effects are likely to be small, especially compared to other routine human activities. Accordingly, information on climate change is not essential to a reasoned choice among the alternatives displayed in the Final EIS. For these reasons, the issue of climate change has played a limited, but important role in this decision in the context of monitoring. We will continue our existing forest health monitoring program, and our long-term forest inventory system. I believe these efforts will detect any significant effects of climate change on the Tongass.
- **Ecosystem Services** -- Ecosystem services are those services and benefits provided by healthy ecosystems. Broadly defined, ecosystem services provide long-term life support benefits to society as a whole. Examples of these types of benefits that pertain to forests include watershed services, soil stabilization and erosion control, improved air quality, climate regulation and carbon sequestration, and biological diversity. While the ecosystem service values on the Tongass are undoubtedly large, they are very difficult to accurately quantify in monetary terms.

It is also very difficult to determine how the alternatives differ in the level of ecosystem services provided. However, the fact that no monetary value is assigned to ecosystem services in the Final EIS does not lessen their importance in the decision making process. In fact a large proportion of the Final EIS is devoted to assessing impacts to the forest resources that cannot be readily expressed in monetary terms. My decision takes these values into consideration. The undeveloped nature of the Tongass National Forest, and the ecosystem services provided by the Forest, will be adequately protected by the amended Forest Plan.

Areas of Special Interest

Many specific areas were included in public comment on the Draft EIS, and through input from many State and Federal agencies, Tribes, communities and others. Broad categories of areas of special interest included 18 Areas of Special Interest identified by the Under Secretary of Agriculture in his 1999 ROD on the Forest Plan (see the “How We Got Here” section below for more information on the 1999 ROD); a U.S. Fish and Wildlife Service list of roadless areas with outstanding fish and wildlife values; roadless areas with the highest Wilderness Attribute Rating System values; the Alaska Department of Fish and Game’s list of high community use areas; the Southeast Alaska Conservation Coalition’s list of tier 1 and 2 watersheds; The Nature Conservancy (TNC)/Audubon Alaska’s map of conservation priority watersheds, and TNCs core areas of biological value, intact watersheds, and watershed rankings.

Collectively, these evaluations helped identify, or reinforce, which Inventoried Roadless Areas are of the highest value, and how the Timber Sale Adaptive Management Strategy would be applied over time.

- **Port Houghton** – Public comments on this area requested protection for the southern portion of the Windham - Port Houghton Roadless Area, all of the Fanshaw Roadless Area, and the western tip of the Spires Roadless Area in the South Arm of Faragut Bay, especially Port Houghton, the salt chuck at the head of the North Arm of Port Houghton, Sanborn Canal, and Faragut Bay. The majority of these areas remain in non-development LUDs under the amended Forest Plan. While some areas within the Windham – Port Houghton and Fanshaw Roadless Areas are allocated to development LUDs, they are included in Phases 2 and 3 of the Timber Sale Program Adaptive Management Strategy, with VCUs 790 and 840 in Phase 3. This means that until the actual level of timber harvest on the Tongass reaches 100 MMBF for two consecutive fiscal years in Phase 1, then 150 MMBF for two consecutive years in Phase 2, no timber sales could be planned for these areas.
- **Thomas Bay part of Spires Roadless Area** –The development LUDs in the southern tip of the Spires Roadless Area and other lands near the southern portion of Thomas Bay are mostly roaded and are included in Phase 1 of the Strategy. The development LUDs (VCUs 4830 and 4840) near the northern part of Thomas Bay are mostly undeveloped and are included in Phase 2.
- **Kake Community Use Area and Kuiu Island** – Kuiu Island and the surrounding smaller islands are important to the residents of Kake, especially the coastal areas near Kake. Areas most often associated with higher values include the Keku Islands, Kadake Bay and Creek, Port Camden, Rocky Pass, and the East Kuiu Roadless Area on the south and east side of Kuiu Island.

The Keku Islands and the lands adjacent and near Kadake Bay are in non-development LUDs. Lands adjacent to the Keku Islands in VCU 3990 have been placed in Phase 2 of the implementation strategy. This means that until the actual level of timber harvest on the Tongass reaches at least 100 MMBF for two consecutive fiscal years, no timber sales could be

planned for these areas. The adjustments to small old-growth reserves in this area also resulted in a continuous block of non-development LUDs from Kadake Bay to Saginaw Bay. Additionally, about 23 miles of Kadake Creek and other major tributary streams that flow into Kadake Bay were recommended in 1997 for designation as a Recreational River, and that recommendation is not being changed. Recreational River LUDs generally provide recreation opportunities in a pleasing, though modified, free-flowing river setting, while allowing timber harvest, transportation and other developments.

Port Camden has development LUDs on both sides of the bay, with the west side having past timber management activities and the east side mostly undeveloped. In response to public comments, the west side of Port Camden in VCU 4200 is in Phase 2 of the implementation strategy. The east side of Port Camden in VCU 4200 is placed in Phase 3, so no timber sale could be planned for this area unless timber harvest levels reach 150 MMBF for two consecutive fiscal years in the future.

Rocky Pass is nearly entirely in non-development LUDs, including the east side of the peninsula between Rocky Pass and Port Camden. The East Kuiu Roadless Area located to the south of the developed areas on the east side of the Island is placed in Phase 3.

The remaining development LUDs on northern Kuiu Island are included in Phase 1 of the Strategy, primarily because the area is mostly developed with good infrastructure and timber volumes, all of which are important for the current timber industry. I believe the overall mix of land use designations for Kuiu Island, when combined with the deferral of many parts of the development LUDs on Kuiu to Phases 2 and 3 of the Adaptive Management Strategy, provides a good balance of the commodity and noncommodity values and uses for Kuiu Island.

- ***Upper Tenakee Inlet*** – In the 1997 Forest Plan, the non-development LUDs along the shoreline areas, including several inlets and bays, often resulted in blocked access or significantly increased costs of access to the development LUDs in the uplands. In reviewing the small old-growth reserves in upper Tenakee Inlet, biologists, logging engineers and managers took a hard look at this area to see if a better balance of protecting the high scenic and habitat values associated with the area while also addressing the high development costs could be made. In response, VCUs 2240 and 2250 in the upper end of the Inlet were converted to the Semi Remote Recreation LUD to address the scenic values and to strengthen the biodiversity connection, or pinch-point, with the northeastern lobe of Chichagof Island as well as the Neka Bay area. Both development and non-development LUDs along the west side of the Inlet were consolidated and the development LUDs in VCUs 2260, 2290, and 2320 are scheduled for Phase 3 of the Strategy. VCU 2310 is scheduled for Phase 2 because it is easily accessible by extending the current road system from VCU 2300.
- ***Ushk Bay/Poison Cove*** – This area of very high public interest is located in the Hoonah Sound Roadless Area. Issues in this area relate to Native Allotment claims, subsistence, timber sale economics, the proximity of the area to Sitka, high cultural and traditional use values, scenic, and other uses. If development projects are proposed in the area, the amended Plan provides reasonable options and flexibility to address the high values and potentially competing uses of the area. In recognition of this area's complexity and high values, it is included in the Phase 3 of the Strategy, which means that no timber sale can be planned until actual harvest levels on the Tongass reach 150 MMBF for two consecutive fiscal years.

- **West Duncan Canal** – The lands all along the west side of Duncan Canal are in non-development LUDs in recognition of the high recreation and scenic resources associated with the area. This width of non-development LUDs ranges from about 1 mile in width to several miles inland, such as up the Castle River drainage. The inland portions of the northern part of the area where development is allowed are included in Phase 1 of the Strategy because they are easily accessible from currently roaded areas in the interior of the island by extending existing road systems. Development LUDs associated with the southern part of the Canal in VCU 4350 are deferred until Phase 3. Most of the remaining land in development LUDs on the southern portion of the Island is in Phase 2, because these areas would be easily accessible by extending the existing road system in the interior of the Island to the north. The amended Forest Plan provides a well-balanced mix of LUDs that fully recognize the many values associated with the lands along the west side of Duncan Canal while allowing some timber harvest if and when it is needed.
- **Honker Divide** – Honker Divide is a key part of the old-growth conservation strategy for the northern half of Prince of Wales Island, with over 200,000 acres in non-development LUDs. The strategy includes connections of old-growth habitat in non-development LUDs from the Karta Wilderness through Honker Divide and the Sarkar Lakes area and through the Calder Holbrook LUD II area to the northern tip of Prince of Wales Island. To further support the protection of this connective area, I am including the eastern portions of VCU 5750 and 5780 in Phase 2 of the implementation strategy. VCU 5740 is also deferred to Phase 2, which means no timber harvest may be planned until the actual harvest levels on the Tongass reach 100 MMBF for two consecutive fiscal years.
- **Gravina and Bostwick Inlet** – Bostwick Inlet is located on the south and east end of Gravina Island near Ketchikan. Many residents of the nearby communities of Ketchikan, Saxman, and Metlakatla use this area for recreation and subsistence purposes. Much of the land in the area surrounding Bostwick Inlet were previously allocated to development LUDs and no changes were proposed in the 2007 draft amended Forest Plan.

Many reviewers of the Draft EIS recommended no timber harvest be allowed on Gravina Island. In their comments on the Draft EIS, the Ketchikan Indian Community (KIC) expressed serious concerns with timber harvest activities previously proposed on Gravina Island, and referred to ongoing collaborative efforts to resolve those concerns. KIC recommended changing the LUDs in the Bostwick area from development to non-development. Consequently, I am modifying Alternative 6 as displayed in the Final EIS to change the LUD allocations in the Bostwick Inlet area to a combination of non-development LUDs. I am also deferring timber harvest in the development LUD to the west and south of Bostwick inlet to Phase 3 of the Timber Sale Program Adaptive Management Strategy. Only if the timber industry expands to levels of harvest sufficient to implement this last phase, could timber sale planning be done for this area.

- **Cleveland Peninsula** – The Cleveland Roadless Area has been the center of land use debates for some years. Recreation use of Cleveland Peninsula is high, especially on the eastern side of the peninsula north of Ketchikan. Some mineral exploration is ongoing on the northern side of the peninsula. The Forest Plan allocates the entire southwestern portion, roughly one-half of the area, to non-development LUDs. The remainder of the peninsula is allocated to a mix of development and non-development LUDs that recognize the old-growth habitat, scenic, and timber values of the area. I believe the mix of LUDs and associated standards and guidelines in place with the Forest Plan are appropriate to address the high values associated with Cleveland

Peninsula. It is not the appropriate time to change the mix of LUDs here, primarily because of the amount of suitable and available timber included in the development LUDs. However, virtually all of the development LUD areas on Cleveland Peninsula are included in Phase 3 of the Strategy, except for VCU 7210 where the Emerald Bay project was previously proposed, which will be in Phase 2. No further timber sale planning in this area may be done until the actual harvest levels on the Tongass reach 100 MMBF for two consecutive fiscal years.

- **Salmon Bay Lake** – Most of the Salmon Bay Lake area on northern Prince of Wales Island is in a congressionally designated LUD II area. Relatively small portions of the watershed outside of the LUD II area are in development LUDs, especially in VCUs 5340 and 5341. These portions are included in Phase 2 of the Strategy, which means that no timber harvest may be planned until the actual harvest level on the Tongass reaches 100 MMBF for two consecutive fiscal years.
- **Basket Bay and Kook Lake** – This area was identified by The Nature Conservancy, the U.S. Fish and Wildlife Service, and others as having very high fish and wildlife values. The area to the north of Kook Lake in VCU 2390 is developed while the area to the south in the remainder of VCUs 2390 and 2400 is not. The development LUD portion of the southern area is included in Phase 2 of the Strategy.
- **Sitka Community Use Area** – The development LUDs in the immediate area surrounding Sitka have been heavily developed during past timber management activities. Many residents of Sitka have expressed a desire for a greatly reduced level of future timber harvest or none at all. Therefore the majority of the development LUDs have been placed in Phase 2 of the Strategy, which means that no timber harvest may be planned until the actual harvest level on the Tongass reaches 100 MMBF for two consecutive years.
- **Kruzof Island** – The developed portion of northern Kruzof Island has become popular for recreation users from Sitka, especially taking advantage of the roaded access of the area. The Nature Conservancy and Audubon Alaska assessment efforts also recognized this area for its multiple use values and recommended the area have an integrated management emphasis. All of the Timber Production LUD in this area has been changed to Modified Landscape, which better reflects the recreation and scenic values of the area while also providing opportunities for smaller timber sales in the future. The area is also included in Phase 1 of the Strategy.

The Alternatives I Considered

One of the fundamental objectives that guided the development of alternatives for the Draft EIS for the 2008 Forest Plan Amendment was to exclude roadless areas from the development LUDs (the Land Use Designations that allow timber harvest and road construction) as much as possible in each alternative. Consideration was also given to alternatives that had been reviewed by the viability assessment panels that were formed during the development of the 1997 Forest Plan.

I carefully considered seven different alternatives before making my decision. These alternatives ranged from a high focus on roadless area protection with a low emphasis on commodity production to two that provided less protection for roadless areas than the 1997 Plan with much higher commodity production. The seven alternatives, in summary, were:

- **Alternative 1.** Compared to the 1997 Forest Plan, alternative 1 would put much greater emphasis on maintaining inventoried roadless areas, associated fish and wildlife values, and recreation, tourism, and subsistence opportunities in undeveloped areas. Timber harvest would be allowed only in areas where roads have already been constructed. All inventoried roadless

areas would remain in a natural condition. A total of 839,000 acres of the Tongass would be in development LUDs and 15.9 million acres would be in non-development LUDs. This alternative would have an average annual ASQ of 49 MMBF.

- **Alternative 2.** Compared to the 1997 Forest Plan, alternative 2 would add additional emphasis to maintaining inventoried roadless areas, associated fish and wildlife values, and recreation, tourism, and subsistence opportunities in undeveloped areas, but not as much as alternative 1. Timber harvest would be allowed in areas where roads have already been constructed, and in roadless areas with lower wilderness attribute ratings (primarily those adjacent to developed areas). The vast majority of current roadless areas would remain in a natural condition. A total of 1.9 million acres of the Tongass would be in development LUDs and 14.8 million acres would be in non-development LUDs. This alternative would have an average annual ASQ of 151 MMBF.
- **Alternative 3.** Compared to the 1997 Forest Plan, alternative 3 would promote some additional emphasis to maintaining inventoried roadless areas, associated fish and wildlife values, and recreation, tourism, and subsistence opportunities in undeveloped areas. Timber harvest would be allowed in areas where roads have already been constructed, and in many roadless areas within the suitable land base, which excludes high-value roadless areas identified in previous planning or congressional wilderness proposals. The vast majority of current roadless areas would remain in a natural condition. A total of 2.8 million acres of the Tongass would be in development LUDs and 14 million acres would be in non-development LUDs. This alternative would have an average annual ASQ of 204 MMBF.
- **Alternative 4.** Compared to the 1997 Forest Plan, alternative 4 would increase the emphasis on timber production and associated economic stability of Southeast Alaska communities. Timber harvest would be allowed in a larger area than the 1997 Forest Plan allows. While the majority of current roadless areas would remain in a natural condition, roadless areas outside of wilderness that contain substantial productive old growth could be developed. Alternative 4 uses a conservation strategy with a smaller number of reserves than the 1997 Forest Plan strategy. A total of 4.7 million acres of the Tongass would be in development LUDs and 12.0 million acres would be in non-development LUDs. This alternative would have an average annual ASQ of 312 MMBF in the first decade (and 360 MMBF in subsequent decades).
- **Alternative 5.** This is the No Action alternative. It represents a continuation of the 1997 Forest Plan and would result in a mix of National Forest uses and activities. Timber harvest would be allowed in an area more extensive than under Alternative 3, but less extensive than under Alternative 4. The vast majority of current roadless areas would remain in a natural condition. A total of 3.6 million acres of the Tongass would be in development LUDs and 13.2 million acres would be in non-development LUDs. This alternative would have an average annual ASQ of 267 MMBF.
- **Alternative 6.** This is the alternative identified as the Proposed Action in the Draft EIS. It is very similar to the Alternative 5 (No Action) alternative in terms of LUD allocations; however, it includes refinements to the boundaries of small old growth reserves, new Geologic Special Interest Areas, a new Experimental Forest proposal, the conversion of a large area of Remote Recreation LUD north of Juneau to Semi-Remote Recreation, and other minor LUD refinements. Timber harvest would be allowed in an area more extensive than under Alternative 3, but less extensive than under Alternative 4. The vast majority of current roadless areas would remain in a natural condition. A total of 3.5 million acres of the Tongass would be in development LUDs

and 13.3 million acres would be in non-development LUDs. This alternative would have an average annual ASQ of 267 MMBF.

- **Alternative 7.** Compared to the 1997 Forest Plan, alternative 7 would give much greater emphasis to timber management. Timber harvest would be allowed on a considerably larger land base compared with the 1997 Forest Plan. While the majority of current roadless areas would remain in a natural condition, most roadless areas outside of wilderness that contain substantial productive old growth would be subject to timber harvest and road construction. The Beach and Estuary Fringe buffer would be reduced from 1,000 to 500 feet. The Old Growth Habitat LUD and its management prescription would not be used. The goshawk foraging habitat, high-value marten habitat standard and guideline and the proposed Legacy standard and guideline would not be adopted. The goshawk nesting standard and guideline would not be included. A total of 5 million acres of the Tongass would be in development LUDs and 11.7 million acres would be in non-development LUDs. This alternative would have an average annual ASQ of 421 MMBF. Alternative 7 was incorporated in the NEPA analysis at the request of the Southeast Conference.

How We Got Here

Forest planning on the Tongass National Forest has long been a complex and contentious undertaking. In 1979, the Tongass National Forest was the first to complete a forest plan under NFMA. As required by NFMA's implementing regulations, the Forest Service completed a 5-year review of the Forest Plan in 1984, which led to an amendment of the Forest Plan that was completed in 1986. The agency began work to revise the Forest Plan in 1987. The Tongass Timber Reform Act became law in November 1990, which resulted in a second amendment to the Plan in 1991. The Revised Forest Plan was completed in 1997, and was appealed by several parties. The Under Secretary of Agriculture affirmed the 1997 decision, but also issued a new ROD that changed the 1997 Plan, mainly to prohibit timber harvest and road construction in 18 "areas of special interest." As a result of subsequent litigation, the 1999 ROD was vacated, and the Forest Service was directed to prepare a Supplemental EIS to determine whether additional wilderness areas should be recommended. That Supplemental EIS was completed in 2003, and recommended no additional wilderness.

Other plaintiffs challenged the validity of the 1997 Forest Plan, and that litigation eventually resulted in a decision by the U.S. Court of Appeals for the Ninth Circuit in *Natural Resources Defense Council vs. U.S. Forest Service* (421 F.3d 797) in August 2005. In that decision, the court found the Forest Service had erroneously nearly doubled the market demand for timber from the Tongass projected by Forest Service economists. The court also found this error influenced the selection of Alternative 11 in the 1997 ROD and resulted in several inadequacies in the 1997 EIS, including the following:

- The EIS failed to provide decision makers and the public with an accurate assessment of information relevant to evaluate the Tongass Plan; had the accurate market demand forecast and related potential employment and earnings information been used, an alternative may have been selected with less environmental impact and in less environmentally sensitive areas. The Forest Service had not considered alternatives that set the Allowable Sale Quantity (the maximum amount of timber allowed to be cut) equal to the correct demand scenarios. Each of the alternatives considered allowed timber harvest and road construction in some currently roadless areas; the EIS omitted an alternative that allocated less undeveloped land to the Land Use Designations (LUDs) that allow development. The EIS failed adequately to consider cumulative effects of disproportionate high-volume logging on non-federal land because the EIS does not include: (1) a catalog of past projects; (2) a

discussion of how those projects (and differences between the projects) have harmed the environment; (3) a discussion of the connection between individual non-federal high-volume harvests and the prior environmental harm from those harvests; and (4) an assessment of the potential impacts of reasonably foreseeable continued “highgrading” in the future.

A cumulative effects analysis in a programmatic EIS is necessary for the Forest Service and the public to make a rational evaluation of the proposed action balancing the competing goals of timber harvest, environmental preservation, and recreational use in the Tongass.

I believe we have corrected all of the inadequacies identified by the court.

Public Input

As noted earlier, I have considered carefully the advice and counsel provided by members of the public, State and Federal Agencies, Alaska Native Tribes and organizations, various industries, organizations on all sides of the political spectrum, and a host of others. The 2008 Tongass Forest Plan Amendment (Final EIS Ch. 1) is also based in part on public input gathered over the course of many years on previous planning efforts, including the development of the 1997 Forest Plan and the 2003 Supplemental EIS. The gathering of public input for the 2008 Amendment to the Tongass Forest Plan began in January 2006 when the Forest created a website specific to the amendment and requested input on the amendment process. The Notice of Intent (NOI) to prepare the EIS was published in the Federal Register in March 2006. Appendix A of the Final EIS summarizes public input process that led to the development of the significant issues. The Draft EIS was released for public comment in January 2007. Approximately 84,500 comments were received during the 108-day public comment period. All comments were carefully reviewed. Responses to them are provided in Appendix H of the Final EIS.

Administrative Appeal Rights

This decision to amend the Tongass Forest Plan is subject to administrative review pursuant to 36 CFR Part 217. The Notice of Appeal must be in writing, meet the content requirements specified at 36 CFR 217.9, and be filed with the Reviewing Officer:

Regular Mail: Abigail Kimbell, Chief
 USDA Forest Service
 Attn: EMC Appeals
 Mail Stop 1104
 1400 Independence Avenue, SW
 Washington, DC 20250-1104

Note that regular mail is irradiated before it is delivered to the National Headquarters, so regular mail may take longer than normal to arrive. Anything time sensitive should be sent via FedEx, UPS, Courier, etc. to the following address:

USDA Forest Service
Ecosystem Management Coordination
Attn: Appeals
Yates Building, 3CEN
201 14th Street, SW
Washington, DC 20250

Email Address: appeals-chief@fs.fed.us
Phone: 202-205-0895
Fax: 202-205-1012

Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), or Word (.doc). Appeals may also be hand delivered to the courier address above between the hours of 8:00 AM and 5:00 PM Monday through Friday, except Federal holidays.

The Notice of Appeal, including attachments, must be filed (regular mail, fax, email, express delivery, courier service, or hand delivered) with the Reviewing Officer at the correct location within 90 calendar days of the date the legal notice of this decision is published in the Juneau Empire and the Anchorage Daily News. The publication date in the newspapers of record is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Implementation of decisions subject to appeal pursuant to 36 CFR Part 217 may occur 7 calendar days following publication of the legal notice of decision in the newspaper(s) of record.

I encourage anyone concerned about this decision, the Forest Plan, or the Final EIS, to contact the Tongass National Forest Planning Staff Officer, Larry Lunde, in Ketchikan, Alaska at (907) 228-6303 before submitting an appeal. It may be possible to resolve the concern in a less formal manner.

Contacts

If you would like more information on the Final EIS, the Forest Plan, or this decision, please contact:

Forrest Cole
Forest Supervisor
Tongass National Forest
Federal Building
Ketchikan, AK 99901-6591
(907) 225-3101

or

Lee Kramer
Plan Amendment Project Manager
8510 Mendenhall Loop Road
Juneau, AK 99801
907-789-6246