

# Prince of Wales Landscape Level Analysis Project

## Draft Record of Decision



Forest Service  
Alaska Region

Tongass National Forest  
Thorne Bay Ranger District and  
Craig Ranger District

R10-MB-833i

October 2018

Cover Photo: Prince of Wales Island alpine meadow. Credit: Molly Simonson

**File Code:** 1950  
**Date:** October 22, 2018

Dear Planning Participant:

The Tongass National Forest has released this draft Record of Decision (ROD) for the Prince of Wales Landscape Level Analysis (POW LLA) Project for public review prior to the final decision. This document, with appendices including Activity Cards, Implementation Plan, and travel management decision, is available online at <http://www.fs.usda.gov/goto/tongass/powlla>.

Copies of the draft ROD and its appendices are available for review at the Thorne Bay and Craig Ranger Districts, and at the Forest Supervisor's Office in Ketchikan. If you require a copy, or need additional information, please contact Delilah Brigham, Project Leader, at 907-828-3232, or send your request to: [dbriham@fs.fed.us](mailto:dbriham@fs.fed.us).

Based on comments received during the scoping period, public comments on the Draft Environmental Impact Statement (DEIS), and analysis displayed in the Final Environmental Impact Statement (FEIS), this draft ROD documents my intent to select Alternative 2, with modifications, and provides my decision rationale.

This decision would authorize a wide array of site-specific activities and management strategies including old- and young-growth timber harvest; pre-commercial thinning and wildlife habitat improvement; watershed improvement and restoration; recreation facilities maintenance, improvement, and development; other infrastructure and non-infrastructure activities; and invasive plant management (including manual, mechanical, and herbicide treatments).

There will be no commercial harvest of old-growth stands in the area "North of 20 Road" and within VCU 5280. The Selected Alternative also includes measures to minimize impacts to or improve wildlife habitat on National Forest System (NFS) lands adjacent to communities to benefit subsistence users.

This project is subject to the pre-decisional administrative review (objection) process pursuant to 36 CFR 218, subparts A and B. Detailed information on objection rights and procedures are included in the section "Administrative Review - Opportunity to Object" at the end of the draft ROD. More information on the pre-decisional objection process can be found at: <http://www.fs.fed.us/objections/index.php>.

Under the 36 CFR 218 objection process, the public will be notified of the availability of the draft ROD through a legal notice published in the newspaper of record, the *Ketchikan Daily News*, starting the 45-day objection filing period. A copy of the legal notice will also be posted on the Prince of Wales Landscape Level Analysis Project website at <http://www.fs.usda.gov/goto/tongass/powlla>.



Copies of this letter have been mailed or emailed to those who have expressed interest in the project through scoping, comments, consultation, or a request to be on the mailing list.

The POW LLA Project Interdisciplinary Team thanks the Prince of Wales Landscape Assessment Team, members of the public, and the community interests across Prince of Wales for taking the time to review and comment on this project.

Sincerely,

A handwritten signature in blue ink that reads "M. Earl Stewart". The signature is written in a cursive, flowing style.

M. EARL STEWART  
Forest Supervisor, Tongass NF

**PRINCE OF WALES LANDSCAPE LEVEL ANALYSIS PROJECT**  
**Draft Record of Decision**  
**Prince of Wales Island, Alaska**

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Tongass National Forest

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**Abstract:**

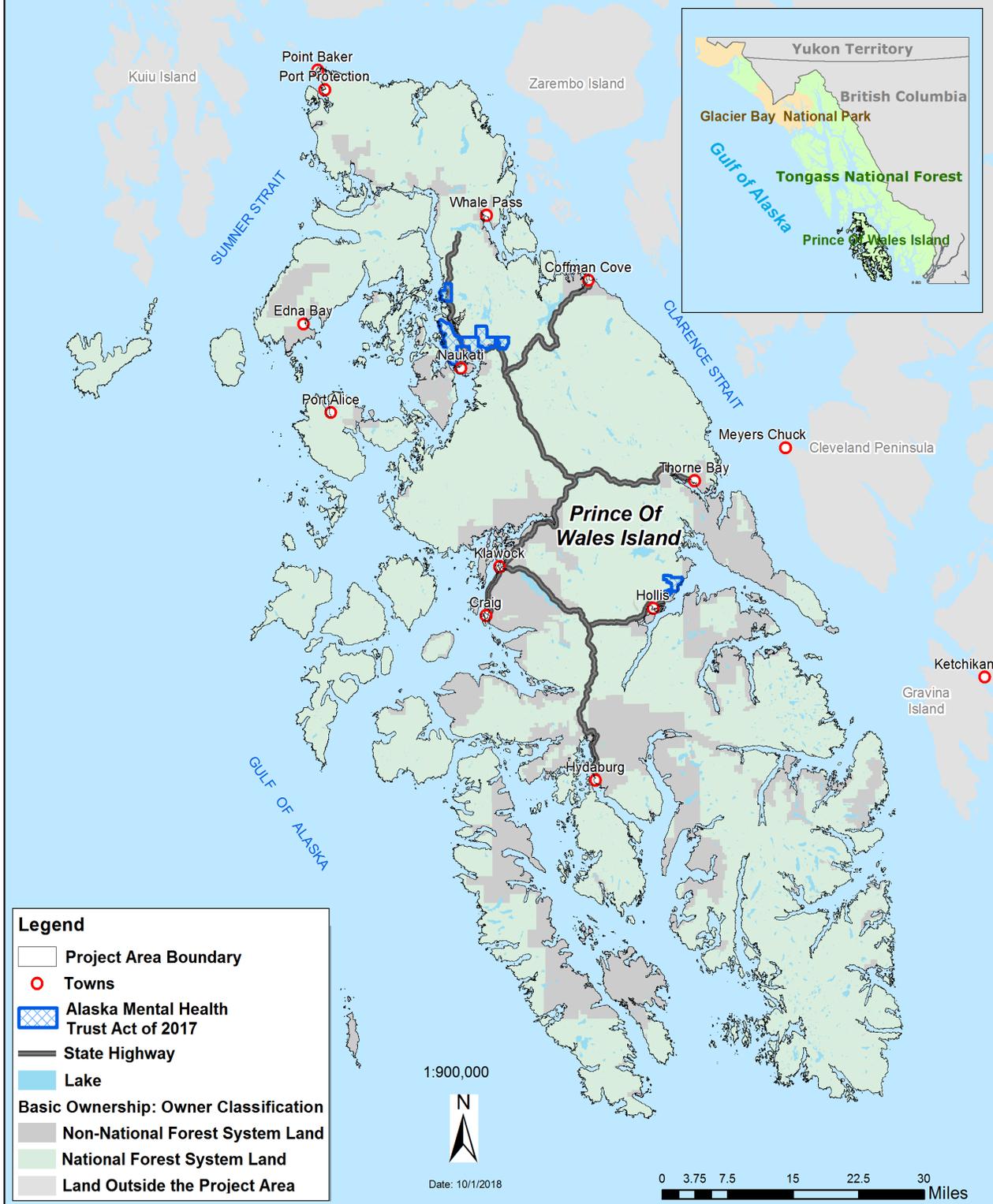
The Responsible Official intends to select Alternative 2, with modifications, from the Prince of Wales Landscape Level Analysis (POW LLA) Project Final Environmental Impact Statement (FEIS) as the Selected Alternative. The Selected Alternative incorporates input from a broad collaborative effort resulting in suggestions for a wide array of site-specific activities and management strategies, including old- and young-growth timber harvest; precommercial thinning and wildlife habitat improvement; watershed improvement and restoration; recreation facilities maintenance, improvement, and development; and other infrastructure and non-infrastructure activities. Invasive plant management includes manual, mechanical, and herbicide treatments. There will be no commercial harvest of old-growth stands in the area “North of the 20 Road” and within VCU 5280. The Selected Alternative also includes measures to minimize or improve wildlife habitat on National Forest System lands adjacent to communities to benefit subsistence users. The project area for the Selected Alternative is displayed in Figure 1.

The effects analysis for each resource is contingent on adhering to the requirements within the Activity Cards (Appendix 1) and following the processes described in the Implementation Plan (Appendix 2). The Activity Cards, Implementation Plan, and Travel Management (Appendix 3) are an integral part of this Decision for accountability, tracking, decision-making, and documentation purposes.

The Responsible Official for this project is the Tongass National Forest Supervisor, M. Earl Stewart.



# Prince of Wales Landscape Level Analysis Project Vicinity Map



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Figure 1. Vicinity map

# Prince of Wales Landscape Level Analysis Project Draft Record of Decision

## Introduction

This draft Record of Decision (ROD) is being made available for review under the project level pre-decisional administrative review, or “objection process” (Title 36 CFR 218, Subparts A and B). This draft ROD documents my Selected Alternative from the Prince of Wales Landscape Level Analysis (POW LLA) Project Final Environmental Impact Statement (FEIS) and the rationale for my decision. It contains a summary of the environmental analysis completed for this project and the findings required by law; and it explains the objection process used to provide eligible individuals and entities the opportunity to file objections with the Reviewing Officer prior to finalizing the decision.

## Decision

Based upon my review of public comments, the analysis contained in the FEIS, the Project Record, and the Forest Plan, I intend to select Alternative 2 in full, including the actions common to all alternatives as described in the FEIS as the Selected Alternative, with the following modifications.

### Modifications to Alternative 2 for the Selected Alternative

- **Herbicide Use for Invasive Plants:** In addition to current methods (manual and mechanical), herbicides will be an additional tool to treat invasive plant infestations as part of an integrated weed management approach to eradicate or control infestations of non-native, invasive plants across all management area types as described in Alternative 3 of the FEIS. New populations would fall into an adaptive management strategy of Early-Detection Rapid-Response (EDRR) that includes this new suite of control methods (manual, mechanical, and herbicides; see Appendix 1: Activity Cards). Herbicide use will be planned by prioritizing infestations based on species and size, following project design feature implementation, adhering to herbicide label requirements, the Pesticide Use Proposal process, and permitting and/or regulatory processes (all built into a site-specific Weed Management Plan).
- **Proposed National Forest System (NFS) roads designated for storage (Maintenance Level 1) will remain open (Maintenance Level 2) for 3 to 5 years once timber harvest activities are complete to allow for firewood or biomass collection.** These roads will then be placed into storage to reduce maintenance costs. This short-term allowance will not change the overall effects analysis for resources. Each road will be reviewed during harvest activities for availability of firewood and biomass. If temporarily leaving the road open for utilization of this material causes undue resource impacts, the road would be stored immediately instead.
- **Limited, short-term (up to 3 years) public access for gathering firewood or biomass will be allowed along proposed temporary roads once timber harvest activities are complete, if there are no specific safety or resource concerns.** These roads will then be decommissioned.
- **No commercial harvest of old-growth stands in the area “North of the 20 Road” or within VCU 5280 as described in Alternative 5 of the FEIS.**

I am incorporating the project design features and measures to minimize adverse environmental effects of the Selected Alternative as part of my decision. These are described in Chapter 2 of the FEIS and, more specifically, in the Activity Cards (Appendix 1 of this draft ROD). I am also

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incorporating the Implementation Plan (Appendix 2 of this draft ROD), which is integral to my decision to ensure activities are implemented within the scope of the analysis in the FEIS and the Selected Alternative. I am satisfied that these project design features and measures are practicable and effective for avoiding or minimizing environmental effects. I am also delegating authority to the District Ranger to approve activities that would normally be under the authority of a District Ranger as outlined in the Forest Service Manual and Forest Service Handbook.

### Features of the Selected Alternative

The Selected Alternative is designed to meet multiple resource objectives through an integrated approach that will improve forest ecosystem health and watershed function, help support community resiliency, and support economic development on the Thorne Bay and Craig Ranger Districts (consistent with the multiple-use goals and objectives of the Forest Plan, also described in Chapter 1 of the POW LLA Project FEIS).

To achieve these goals and objectives, the Selected Alternative identifies a variety of activities to be implemented over the next 15 years. The activities and management strategies fall within four broad categories: 1) Vegetation Management, 2) Watershed Improvement and Restoration, 3) Sustainable Recreation Management, and 4) Associated Actions. These activities are displayed in maps provided on the project website at: <http://www.fs.usda.gov/goto/tongass/powlla>. More information on specific activities within each category is detailed on the Activity Cards, Appendix 1.

#### Vegetation Management (Activity Cards 1-16, and 30):

- Up to an average of 25 million board feet (MMBF, volume measurement) of old-growth timber annually from suitable timber lands may be offered during the first 5 years of implementation, and up to an average of 15 MMBF of old-growth timber annually during the next 5-year period. An evaluation of the amount of old-growth timber remaining within the project area would occur 10 years after the decision, to determine if economical offerings are still available from the suitable timber land base during this last 5-year time period. This evaluation would be conducted using the Implementation Plan process. Based on this evaluation, up to 10 MMBF of old-growth timber may be offered for years 10 and 11 of the project and up to 5 MMBF of old-growth timber for the final 3 years.
- The old-growth small sales strategy will ensure economical old-growth timber is available for operators within the project area, including availability beyond the 15-year timeline of this project and until sufficient young-growth timber is available to provide timber sales.
- For each old-growth large sale greater than 10 MMBF, an amount equal to 25 percent of that sale volume will be identified from the remaining potential project old-growth timber stands and placed in a pool for small sales offerings. Those designated stands will meet the following criteria:
  1. be generally within a quarter mile of existing or planned road connected to the road system on POW and Kosciusko Islands;
  2. contain green timber with volume, species composition, and economic viability suitable for small operators;
  3. be compatible with yarding systems in use by and available to small operators, generally ground-based and short-span cable systems; and,
  4. generally, be grouped and offered with less than 3 MMBF per offer to meet the harvest and milling capacities of small operators.

- An average of 3 MMBF annually of young-growth may be offered during the first 7 years of implementation, and an average of 50 MMBF of young-growth timber annually during the next 8-year period, from suitable lands as defined under the Forest Plan. Young-growth harvest would occur in stands that generally have not reached 95 percent of the culmination of mean annual increment (see discussion in Appendix 1). Commercial harvest stands will, however, have generally reached a level of growth where at least 50 percent of the total volume occurs in trees with a merchantable height suitable to produce two 34-foot logs.
- Old- and young-growth commercial harvests will use various prescriptions and logging systems, and may provide material to local mill operators through large sales, small sales, salvage sales, and microsals. Harvested trees generally are removed without the limbs and tops attached; however, the limbs, tops, and cull material could potentially be used as biomass and other products.
- Commercial harvest of both old- and young-growth within a 5-mile radius around communities will use harvest prescriptions to improve or maintain deer habitat and existing wildlife corridors.
- Various treatments - including thinning, girdling, pruning, and slash treatments - may be used to improve wildlife habitat in young-growth stands. Treatments will be prioritized in deep snow winter habitat (south-facing stands below 800 feet in elevation) when consistent with stand objectives and desired future conditions.
- There will be no commercial harvest of old-growth stands in the area “North of the 20 Road” or within VCU 5280.
- Salvage opportunities for wood energy and other products may occur as allowed by the Forest Plan. Within Old Growth Habitat Land Use Designations (LUD), opportunities are limited to within one tree-length from the edge of the clearing limits of a road or landing.
- Up to 4,500 acres of young-growth stands may be precommercially treated, annually, for timber production, wildlife habitat improvement, and/or riparian improvement.
- Slash treatments (e.g., bucking to various lengths, delimiting, lop and scatter, machine/hand pile and burn, chipping, or crushing (see Activity Card 10)) may occur in thinned stands for wildlife habitat improvement.
- Tree planting and inter-planting may occur in any post-harvest unit to achieve desired species composition or regeneration requirements.
- Cone collection may occur to acquire native seeds for tree planting.
- Wildlife trees may be created using methods such as blasting, girdling, and fungal inoculation in young-growth stands to meet wildlife habitat objectives.

### **Watershed Improvement and Restoration** (Activity Cards 25- 29 and 32-35):

- Instream restoration activities may occur on up to 200 miles of stream within the project area in any watershed identified as having a need to restore proper functioning condition. The Forest Service will consider opportunities for interpretive signs within restored watersheds for public education.
- Fish habitat improvements - such as lake fertilization, egg incubation boxes, fry stocking, and barrier modifications - may occur for fresh water systems that have shown a decrease in fish population or have potential for increased habitat.
- All newly installed fish-stream crossing structures must meet aquatic passage requirements.

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- Existing stream crossings within the project area that do not allow for fish and aquatic organism passage at all flows (referred to as “Red crossings”) will be replaced with appropriate structures meeting passage requirements, removed, or intentionally permitted to remain in place by regulatory agencies as funding allows.
- The Forest Service may use root wad or cut trees, and salvage cull logs and stumps to provide a source of large wood for stream and floodplain restoration.
- Historical surface water flow paths may be restored in areas where past management activities impeded natural water flows or created unnatural water flows to karst features. Activities may be implemented to restore soil productivity where detrimental soil conditions approach or exceed 15 percent of an activity area.
- Manual, mechanical, and herbicides will be used to treat invasive plant infestations as part of an integrated weed management approach to eradicate or control infestations of non-native, invasive plants across all management area types. New populations would fall into an adaptive management strategy of Early-Detection Rapid-Response (EDRR). Herbicide use will be outlined in site-specific Weed Management Plans.

### **Sustainable Recreation Management** (Activity Cards 36-40 and 43-46):

- Up to three new cabins and up to twelve new shelters that are boat or road accessible may be developed. Existing cabins may be decommissioned, but may be replaced in a more accessible location that has a higher potential of use. The POW LLA Project goal is to have no net loss of cabins. The Tongass National Forest is currently developing a Forest Sustainable Cabin Strategy. The goal of the strategy is to have no net gain of cabin deferred maintenance. The POW LLA Project will consider the Final Strategy, once completed, when implementing any cabin activity.
- Up to 50 miles of new trails may be developed. Trail uses may include walking, hiking, bicycling, mountain biking, and off-highway vehicles. Maintenance on existing trails will continue, but improvements may only occur on trails that have regular use and a need for improvements. Spur trails to recreation structures may be developed. Interpretive information along new or existing trails will also be considered. Road-to-trail conversions will be considered.
- Up to three new campgrounds may be developed. Decommissioning of the Harris River Campground may occur in exchange for developing a campground at El Capitan.
- Interpretive and informational signs may be developed at existing or new recreation infrastructure and along existing or new roads and trails.
- Up to eight winter sport access points and areas for over-the-snow vehicle use may be developed. This may include pullouts, 60-foot wide vegetation clearings providing access to subalpine/alpine locations, and warming huts.
- A picnic day-use area near Neck Lake may be developed. In addition, to support input received from local youth, the Forest Service may permit a day use area on the island for uses such as frisbee golf, archery, and other youth activities.
- To enhance recreation experiences, activities may occur at recreation sites, trails, or along roads to provide or improve vistas, including timber stand thinning, pruning, or vegetation clearing.
- Opportunities for fresh- and saltwater canoe and kayak access points may be implemented (not identified as part of the 70 marine access facilities below), which could include spur trails, roadside pullouts, and shoreline improvements to mitigate bank degradation.

### Associated Actions (Activity Cards 17-24 and 41-42):

- The Forest Service may construct up to 35 miles of NFS road and up to 129 miles of temporary road associated with the amount of commercial timber volume offered.
- Up to 70 sites may be developed or improved for marine access facilities (MAF) within the project area for recreation or timber removal. Developments may include log transfer facilities (LTF), docks, boat ramps, floats, buoys, anchorages, breakwaters, boat haul-outs, and similar improvements and facilities. These sites are not always associated with a road but may be used for a shoreline location such as near a cabin or shelter.
- Up to 13 existing log transfer facilities may be used and up to two new log transfer facilities may be constructed (not included in the 70 sites above).
- Proposed NFS roads designated for storage (Maintenance Level 1) will remain open (Maintenance Level 2) for 3 to 5 years once timber harvest activities are complete to allow for firewood or biomass collection. These roads will then be placed into storage to reduce maintenance costs. This short-term allowance will not change the overall effects analysis for resources. Each road will be reviewed during harvest activities for availability of firewood and biomass. If temporarily leaving the road open for utilization of this material causes undue resource impacts, the road would be stored immediately instead.
- Limited, short-term (up to 3 years) public access for gathering firewood or biomass will be allowed along proposed temporary roads once timber harvest activities are complete, if there are no specific safety or resource concerns. These roads will then be decommissioned.
- Site preparation, hazard tree removal, wildlife-proof garbage can installation and maintenance, and brushing and brush disposal may be implemented when applicable.

### Rationale for the Decision

My selection of Alternative 2, as modified for the Selected Alternative, considers how best to meet the Purpose and Need for this project, the existing conditions within the project area, environmental effects, relevant issues and concerns, and public comments. My rationale is based on the project-specific environmental analysis included in the FEIS and appendices, as well as a review of the Project Record, which shows a thorough analysis using the best available science.

I selected Alternative 2 because it is aligned with the suggestions and comments submitted by the Prince of Wales Landscape Assessment Team, members of the public, and the community interests across Prince of Wales.

As a modification to Alternative 2, I decided to incorporate the use of herbicide treatments on invasive plant populations (as described in Alternative 3 of the FEIS) to keep the infestation of noxious and invasive weeds on NFS lands to a minimum in accordance with Executive Order (EO) 13112 (1999), which directs me to prevent introduction of, and detect, control, and monitor invasive species.

I decided not to authorize commercial harvest of old-growth stands in the area “North of the 20 Road” and in VCU 5280 as outlined in Alternative 5 of the FEIS in order to address concerns expressed by individuals in the communities of Point Baker and Port Protection. They have stated that these specific areas are extremely important to their subsistence way of life and they have recommended that no further old-growth harvest should occur within them.

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I have received public comments to leave some roads open for the availability of firewood and biomass. My decision is to leave the proposed temporary roads open for up to 3 years and the proposed NFS roads designated for storage open for 3 to 5 years once timber harvest activities are complete in order to allow for firewood or biomass collection. This short-term allowance will not change the overall effects analysis for resources. Each road will be reviewed during harvest activities for availability of firewood and biomass. If temporarily leaving the road open for utilization of this material causes undue resource impacts, the road would be decommissioned or stored immediately.

The Selected Alternative is within the framework of existing laws, regulations, policies, and the capabilities of the land, while meeting the stated Purpose and Need for this project. My authorization to implement the Selected Alternative is consistent with the Forest Plan and complies with the National Forest Management Act (NFMA).

### Purpose and Need

Though all three action alternatives meet the Purpose and Need of the project, they each do so to varying extents, with tradeoffs between resource effects and benefits. I have evaluated these tradeoffs, and both the beneficial and adverse environmental effects of all three action alternatives are documented in the environmental analysis. I also looked at how well each alternative responds to the Purpose and Need for action (described in the FEIS, Chapter 1). The Purpose is to help move the project area towards the desired conditions in the Forest Plan, and to meet multiple Forest Plan resource goals and objectives. Those considered include (but are not limited to) Economic, Fish, Biodiversity, Recreation and Tourism, Subsistence, Timber, and Wildlife goals and objectives. The Need comes, in part, from the Forest Service's obligation, subject to applicable law, to seek to provide a supply of timber from the Tongass National Forest that meets both market demand annually and for the planning cycle; and to restore and improve forest and watershed resources to a condition where they provide increased benefits to society (Tongass Timber Reform Act, Section 101).

Commercial, subsistence, and recreational fishing activities are important to many project area communities, both as an economic contributor (e.g., seafood processing and harbor usage fees) and for social and economic well-being, particularly in the smaller communities who rely on subsistence fishing as a food source. Ecosystem services (such as healthy watersheds and fisheries) and ecosystem restoration activities both contribute to employment in the natural resources and mining sectors. For example, commercial fishing, other commercial fisheries (including sea cucumber, sea urchin, and geoduck), and seafood processing have remained foundational components of the local economy, while a growing mariculture industry for kelp and oyster farms has expanded the seafood product portfolio for Prince of Wales Island.

I considered the effects of the proposed recreation projects in this project area and have found that the Selected Alternative will provide a range of recreation opportunities that meet public demand, while maintaining, improving, and balancing the existing recreation inventory for the health and safety of all users. In addition, I have considered how these recreation opportunities may enhance local communities and could directly and indirectly contribute toward local socioeconomic development. Recreational opportunities arising from robust and sustainable fish stocks have fueled jobs in leisure and hospitality through the development of sport fish lodges, outfitter and guide services, accommodations, and related tourism services.

The forest products industry is a contributor to the local economy and is important to economic diversification. The timber industry in the project area includes large and small timber sale purchasers, mill operators, and value-added wood product industries that are dependent upon a

reliable supply of timber. Operators need economical timber to stay in business and loss of those operators would have an adverse impact on local economies. I considered the need to manage the timber resource in the POW LLA Project area so that it contributes towards the even flow of timber on an economical basis from the Tongass National Forest. The Selected Alternative would provide the best flexibility for the Forest Service in the development of timber offers. This would provide a variety in the range of timber products and design for the size of potential timber offers that could help meet industry demands, market conditions, and local needs identified through public involvement. The old-growth volume associated with the Selected Alternative would also support the most local manufacturing, milling job opportunities, and direct income.

I considered how each alternative best supports a transition from old-growth timber harvest to primarily young-growth timber harvest. The Selected Alternative supports the offering of more old-growth volume to provide current local manufacturing, milling, and logging operations with the most time and revenue. This would allow them to move their operations towards young-growth operations and manufacturing, and to develop markets. A reliable supply of economically viable timber is critical to maintain the expertise and infrastructure of the existing timber industry during the transition.

### Significant Issues

Issues or concerns submitted through comments during scoping were used to develop alternatives, either considered in detail or not, in the DEIS. Issues or concerns identified in public comments received for the DEIS were either incorporated into the FEIS or otherwise were responded to in Appendix D of the FEIS. The Selected Alternative best addresses the issues and concerns raised because it incorporates a wide range of activities and mitigation measures to address the Purpose and Need of the project.

I considered the effects of this project on resources, including soils, wetlands, watersheds, fisheries, timber, wildlife, scenery, recreation; rare, sensitive, and invasive plants; climate change, and heritage. These resources were analyzed for this project, and results can be found in the POW LLA Project Final EIS in the respective environmental effects sections. Five significant issues were identified and analyzed in the planning process, are summarized in Table 4 (Chapter 2 of the FEIS), and are addressed below.

#### *Issue 1: Invasive Plant Management*

Invasive plants displace native plant communities and may cause long-lasting economic and ecological problems within and outside the National Forest. Invasive plants can spread rapidly across the landscape to all land ownerships. There are currently about 2,300 acres of known infestation of invasive plants in the project area, on both NFS and non-NFS lands. Using only manual or mechanical treatments for invasive plant control may not effectively reduce the establishment and spread of some invasive plant populations to the degree that herbicide treatments would accomplish. I considered the potential environmental effects of exposure to the chemical properties contained within the herbicide to humans, soil, wildlife, aquatic resources, and non-target vegetation at a treatment site and I conclude that an integrated weed management approach using all treatment methods (manual, mechanical, and chemical) is appropriate for meeting our Forest desired condition considering costs, future resources to address this challenge, and effectiveness of the treatments. This conclusion is based on the relatively low levels of chemical use over a minor proportion of lands within the project area, coupled with minor to negligible risk of chemical exposure to humans and other resources. A comprehensive planning process prior to treatment, which includes site-specific design features for each resource, will further mitigate risks.

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The herbicides authorized for use are considered to have low toxicity levels and consequently the inherent level of health risk is minimal and readily mitigated through full compliance with worker training requirements, herbicide label stipulations, and project design features for safe herbicide storage, transportation, use, and disposal.

While herbicide use does carry a greater risk of effects to human health, it provides an effective form of treatment for many weed populations. Combining the EDRR treatment strategy with herbicide use while populations are small and scattered is expected to reduce overall treatment costs with less chemical use over the life of the project, and less disturbance due to fewer entries than may be necessary with manual and mechanical treatments.

### *Issue 2: Subsistence*

Commenters expressed concerns about the cumulative effects of the proposed activities on subsistence resources and associated habitats. I recognize that subsistence hunting, fishing, trapping, and gathering activities are an important part of life for many residents on Prince of Wales Island (i.e., providing food, perpetuating cultural traditions, and increasing self-reliance). Implementation of the Selected Alternative does not present “a significant possibility of a significant restriction” of subsistence uses for the following subsistence resources: food plants, personal use timber, upland game birds and waterfowl, furbearers, salmon, other fin fish, seaweed, and marine mammals and invertebrates (see FEIS, Issue 2).

I considered the effects of project activities on deer habitat, access to deer subsistence resources, and competition for deer resources. The abundance and distribution of deer could be affected mostly by the loss of deep snow habitat in some wildlife analysis areas (WAA) (see FEIS, Issue 5). The loss of this limiting habitat type increases the importance of treating the young growth in south-facing low-elevation stands to reduce the effects of severe winter weather to deer. If there is a change in abundance and distribution of deer, there may be an effect on competition for deer because as hunter efficiency and success decrease in stands that transition into the stem exclusion stage of forest development, there is the potential for increased competition for deer in areas where habitat capability, and potentially deer abundance, is higher.

The construction or reconstruction of roads could provide greater access to areas previously not accessible. This could also affect subsistence both positively and adversely by providing access and dispersing hunting pressure, while creating the potential for increased competition for favored hunting areas among communities connected by the existing road system.

The direct, indirect, and cumulative effects associated with the project may present a significant possibility of a significant restriction of subsistence use of deer. The potential cumulative effects are due to the effects of activities on the abundance and distribution of deer, the competition for deer due to effects to deer habitat, and access to deer.

The Selected Alternative provides more balance overall with considerations for types of treatments on different parts of the landscape. Over 50 percent of the old-growth acres proposed for harvest will be prescribed uneven-aged management. Precommercial and commercial thinning will be used in young-growth stands to promote biodiversity by increasing understory vegetation growth in the short-term. Where stands are allowed to mature over the long-term, treatments will be designed to progress the development to old-growth stands quicker. And finally, timber harvest would be limited within 5 miles of subsistence communities.

### *Issue 3: Timber Supply and Timber Sale Economics*

I evaluated the concerns for providing for economical timber sale offerings within the context of fluctuating timber markets, the amount of timber volume currently available for offer from the Tongass National Forest, and the relative environmental effects of the Selected Alternative. I find that the Selected Alternative provides the best balance overall. The Selected Alternative would offer the most timber volume and the most old-growth volume, which in turn would offer the most flexibility and opportunity for the Forest Service to tailor the products made available. The Forest Service would then be able to design the size of potential timber offers that could help meet industry demands, market conditions, and local needs identified through public involvement. The increased old-growth volume associated with the Selected Alternative would also support the most local manufacturing, milling job opportunities, and direct income. Local manufacturing jobs are most dependent on the old-growth volume offered since little local manufacturing of young-growth is currently occurring in Southeast Alaska; thus, the Selected Alternative could be the most beneficial for local manufacturing.

More old-growth volume would allow current local manufacturing, milling, and logging operations the most time and revenue to move their operations towards young-growth processing and manufacturing. The Selected Alternative would also give industry the most time, under current practices, to develop infrastructure and markets for the project area's extensive young-growth, while allowing young-growth stands additional time to grow and add volume.

### *Issue 4: Watershed Function*

Water quality and properly functioning watersheds are important for aquatic ecosystems and the services they provide. Many project area watersheds are in near-natural condition and have not been impacted by past land management. However, about 30 watersheds may be at risk for maintaining ecological function due to past management practices; these watersheds need restoration to prevent further decline in function. Degraded watershed condition in the project area resulted from past timber harvest and road building. The Tongass Timber Reform Act (TTRA) (1990) and subsequent Forest Plans (1997, 2008, and 2016) increased protection measures for watershed condition and aquatic habitat.

Though changes to peak flow rates are possible, the potential for peak flow rate increases in 36 watersheds (FEIS, Table 37) represents a worst-case scenario. Careful consideration of potential changes to peak flow rates will be made during the implementation phase of the project. Given the geographic location of specific activities, professional judgement based on the analysis method provided in the FEIS will be followed to ensure that no adverse effects to aquatic resources will occur. Forest Plan direction and components will be followed.

The Transportation section of the FEIS (Tables 86 and 87) shows the amount of road construction and maintenance proposed for each action alternative. Road maintenance is anticipated to have negligible adverse effects to aquatic resources. Although it causes short-term, localized increases in sediment, road maintenance is necessary to protect aquatic resources and prevent long-term effects to water quality, fish habitat, and aquatic organisms. Re-opening roads (bringing a Maintenance Level 1 road to Maintenance Level 2 standards) could have minor to moderate effects to aquatic resources from reconstruction activities. The effects to aquatic resources from road building within 300 feet of fish habitat are expected to range from minor to moderate.

The Selected Alternative authorizes the most instream restoration and fish habitat improvement activities. Restoration activities could have positive long-term effects to aquatic resources and fish habitat improvement activities may increase salmon production.

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### *Issue 5: Wildlife Habitat and Connectivity*

I considered that the effects of timber harvest and road construction on wildlife habitat. Vegetation management can affect wildlife habitat through modification of vegetation characteristics or habitat composition. On NFS lands, all wildlife analysis areas with habitat concerns include at least one form of mitigation, and many wildlife analysis areas include multiple mitigation measures. Overall, the greatest effect is more likely to be to habitat, such as high volume productive old growth (HPOG) that is used by species with limited dispersal capabilities (e.g., the Prince of Wales flying squirrel and spruce grouse). The impacts may be exacerbated when wildlife analysis areas with greater impacts are adjacent to each other or on islands. Species with greater dispersal capabilities may be less affected by habitat loss in any one area; however, this reduced effect could be negated if wildlife analysis areas with higher impacts are adjacent to each other or on islands.

Overall, within the project area, the effect to most habitat types where harvest and road construction occur, and associated species is determined to be moderate when compared to other wildlife analysis areas in the project area where these activities do not occur. For some of the more limited habitat types the effect would be major in some wildlife analysis areas when compared to other wildlife analysis areas in the project area. The Legacy standard and guideline will be applied to old-growth timber harvest, according to Forest Plan criteria. To some degree, all of the mitigation measures would result in structure retention that should help with dispersal. Species with the most limited dispersal capabilities, such as the shrew and Prince of Wales flying squirrel, would be the most impacted.

The treatment of young-growth acres would affect various species differently. Some species, such as deer (and indirectly, wolves), bear, and grouse, could have some increase in forage (reduced quality) in the short term from the even-aged harvest of young-growth stands. Uneven-aged harvest treatments of young-growth stands would be expected to provide more old-growth-like characteristics over the long term. If these treatments also include slash treatments then these stands could provide less dispersal restrictions to some species. The uneven-aged harvest treatments could also mean that there would be some structural retention remaining in these stands, which could lessen impacts to species such as the Prince of Wales flying squirrel.

The proposed activities under the Selected Alternative could result in an indirect effect to wolves through the effects on deer habitat and increased road densities, which may increase access for hunters and trappers. Most of the effects to wolves is due to the effects to deer habitat through the impacts to deep snow habitat (see FEIS, Chapter 3, Issue 5). The Forest Plan Conservation Strategy is intended to maintain the persistence of the old-growth ecosystem (and the predator-prey dynamic of wolves and deer, which it supports) (USDA Forest Service 2008b, p. 3-232).

I considered public comments on *The Interagency Wolf Habitat Management Program: Recommendations for Game Management Unit 2 (Interagency Wolf Habitat Management Program)*. The Forest Plan has already incorporated direction, protection, and mitigation measures that are similar to the recommendations for the *Interagency Wolf Habitat Management Program*. The Forest Plan components include, but are not limited to:

- “Develop an aggressive young-growth management program to maintain, prolong, and/or improve understory forage production and to increase the development of old-growth characteristics in young-growth timber stands for a variety of wildlife species” (Forest Plan: WILD2.I.A);

- “Identify habitat improvement projects to meet wildlife habitat and populations objectives. Consider the following factors to assess habitat improvement project opportunities and priorities:
  - a. to meet state wildlife population objectives;
  - b. to meet subsistence use needs;
  - c. existing habitat in poor condition compared to its potential;
  - d. habitat with a history of receiving high level of use” (Forest Plan: WILD1.III.A.1.a-d);  
and
- “Forest-wide, within the beach fringe, riparian buffers, and other lands not suitable for timber production, consider designing young-growth treatments to accelerate old-growth characteristics in order to increase connectivity for wildlife” (Forest Plan: WILD1.VI.B).

Therefore, I decided that the Forest Plan provides for the management and protection of deer habitat and wolf populations and the Selected Alternative did not need to have additional recommendations incorporated from the *Interagency Wolf Habitat Management Program*.

While there may be increased risk of effects to wildlife resources in the Selected Alternative, it will allow for a more comprehensive effort to address wildlife concerns across the project area such as limited winter habitat and elevational corridors at a landscape scale.

### Conclusion

I believe that the Selected Alternative provides the best mix of activities across the landscape that will meet multiple objectives with consideration for near-term and long-term management goals. The Selected Alternative would maintain and expand recreation opportunities and infrastructure within the project area for growth in the recreation and tourism business sectors. It authorizes restoration activities in watersheds to reestablish self-sustaining habitats that promote viable fish, wildlife, and plant populations, which also contribute to commercial, subsistence, traditional, and cultural uses. The Selected Alternative also provides a supply of timber that would support local jobs and facilitate the industry transition to a sustainable wood product industry based on young-growth management on the Tongass National Forest. The timber resource may be managed for production of sawtimber and other timber products from suitable forest lands made available for timber harvest, on an even-flow, long-term sustained yield basis and in an economically efficient manner, while also improving forest resource conditions.

### Public Involvement

Many individuals, organizations, and agencies participated in and provided comments for this analysis. I want to especially acknowledge the Prince of Wales Landscape Assessment Team (POW LAT), the communities of Port Protection and Point Baker, Klawock, and Craig, the Southeast Island School Districts, and the many other public participants in this planning process. I want to thank them for their cooperative work in developing and proposing projects to be considered by the Forest Service, and for providing information for this project. Some of these comments were incorporated into the alternatives and others were considered but eliminated from further study as documented in Chapter 2 of the FEIS. Table 4 of the FEIS identifies the proposed activities incorporated in the action alternatives.

During initial scoping and throughout the collaborative process, the Forest Service received suggestions for a wide array of site-specific activities and management strategies on NFS lands in the project area. Suggestions included old- and young-growth timber harvest; precommercial thinning and wildlife habitat improvement; watershed improvement and restoration; recreation facilities maintenance, improvement, and development; and other infrastructure and non-infrastructure

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activities. Many of the suggestions from the Prince of Wales Landscape Assessment Team (a local group comprised of diverse interests from across Prince of Wales Island) were included in the Selected Alternative, as well as suggestions from public comments from a vast array of interests.

Public involvement is detailed in the POW LLA Project FEIS (on pages 11 to 13) and documented in the project record. This action was originally listed as a proposal on the Tongass National Forest Schedule of Proposed Actions in October 2016 and updated periodically during the analysis. Scoping was initiated when the Notice of Intent was first published in the Federal Register on November 30, 2016. In response to public comments on the Proposed Action received from initial scoping, as well as internal comments, the Forest Service refined the project Purpose and Need, developed a more detailed Proposed Action, and published a Corrected Notice of Intent (CNOI) in the Federal Register on July 6, 2017. The Notice of Availability for the DEIS was published in the Federal Register on May 4, 2018, starting a 45-day comment period. The Forest Service received more than 50,000 written comments from agencies, organizations, and individuals during the 45-day DEIS comment period. Substantive comments within the scope of this project have been addressed and incorporated into the FEIS to the extent practicable. I have reviewed the many public and agency comments we received during this analysis and the responses to those comments are provided in the FEIS, Appendix D.

## Alternatives

### Alternatives Considered in Detail

The Forest Service designed four alternatives for detailed analysis as part of the POW LLA Project. These include the No-Action Alternative (Alternative 1), the Proposed Action (Alternative 2), and two additional alternatives (Alternatives 3 and 5), which were developed in response to issues and for a reasonable range of alternatives. With the exception of Alternative 1, all alternatives were designed to meet the Purpose and Need for the POW LLA Project. For a full description of the alternatives, see Chapter 2 of the FEIS.

#### Alternative 1

Alternative 1, the No-Action Alternative, provides a baseline against which to measure and compare impacts of the various action alternatives, and it represents the existing condition in the project area. Under Alternative 1, none of the specific management activities as proposed in the FEIS would be implemented to accomplish project goals and objectives. Natural disturbances and current management of the project area would continue. Ongoing activities such as recreation, firewood gathering, road and trail maintenance, invasive plant treatments, and other routine forest management activities not associated with this decision would continue as authorized by previous decisions. This alternative does not meet the Purpose and Need for this project.

#### Alternative 2

Alternative 2, the Proposed Action, meets the Purpose and Need as stated for the project. A highly collaborative public process was used to develop the Proposed Action. During scoping and throughout the collaborative process, the Forest Service received suggestions for a wide array of site-specific activities and management strategies. Input from local youth, the POW LAT (a local independent collaborative group), the tribes, and the general public were used to finalize the Proposed Action.

This alternative simultaneously provides a variety of management activities to support a stable long-term economy for the local communities and maintains important fish and wildlife habitat. The

proposed old-growth and young-growth harvest volume would provide an opportunity for local mills to shift to a primarily young-growth industry as outlined in the Forest Plan.

### Alternative 3

Alternative 3 addresses public concerns from past management and its effects to the spread of invasive plants by including herbicide treatment (Issue 1), subsistence opportunities (Issue 2), watershed function (Issue 4), and wildlife habitat (Issue 5). This alternative also supports local small mills and provides a limited time for larger mills to increase their utilization of young-growth or locate another source of old-growth to supplement their timber supply (Issue 3). It includes less old-growth harvest, emphasizes more young-growth harvest, and incorporates other design features, such as some recommendations from the Interagency Wolf Habitat Program and avoiding increasing peak flows in watersheds above the research level beyond what is required in the Forest Plan to limit the effects of harvest and emphasize improvements in habitat on NFS lands adjacent to non-NFS lands (see Table 4 in the FEIS).

### Alternative 5

Alternative 5 was developed in response to public comments from the December 2017 draft issues and alternatives public comment period, to address concerns that the Forest Service did not fully consider reducing the amount of old-growth timber for offer. The other components of this alternative are similar to either Alternative 2 or 3 for each activity listed, depending on which best aligned with comments received during this comment period (see Table 4 in the FEIS).

Alternative 5 addresses all issues to some degree in its design, but emphasizes Issues 2, 4, and 5 by incorporating stream restoration, no increases in peak flow rates (resulting from management activities), maintaining and improving wildlife habitat across the landscape, and incorporating the Interagency Wolf Habitat Program recommendations fully. It incorporates manual and mechanical treatments to eradicate, control, or contain populations of invasive plants (Issue 1). Like Alternative 3, it emphasizes a more-rapid shift to primarily young-growth harvest by limiting the old-growth harvest to 5 MMBF annually, which may require local mills to increase their utilization of young-growth or locate another source of old-growth to supplement their timber supply (Issue 3).

### Alternatives Considered but Eliminated from Detailed Analysis

Four alternatives were considered but eliminated from detailed analysis throughout the planning process. These are presented in the FEIS Chapter 2, under “Alternatives Considered but Eliminated from Detailed Study.” They include Alternative 4, which was introduced during the December 2017 draft issues and alternatives public comment period in response to requests that we expand the potential timber base into areas not available for commercial harvest under the Forest Plan. This alternative was eliminated from further study because I decided to not amend the Forest Plan through this process, in order to narrow the scope of analysis for this project.

### Environmentally Preferred Alternative

The Council on Environmental Quality defines the environmentally preferable alternative as “the alternative that will promote the national environmental policy as expressed in NEPA's Section 101.” Ordinarily, this means the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources. 40 CFR 1505.2(b) requires that one or more environmentally preferable alternatives be disclosed. The environmentally preferable alternative is not necessarily the alternative that will be implemented, and it does not have to meet the underlying need for the project.

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It does, however, have to cause the least damage to the biological and physical environment and best protect, preserve, and enhance historical, cultural, and natural resources.

I have reviewed the direct, indirect, and cumulative effects of each alternative.

I have identified Alternative 5 as the environmentally preferable alternative because it describes the fewest acres of timber harvest, has an increased amount of aquatic habitat restoration proposed, and focuses more on wildlife habitat prescriptions and mitigations, and as a result, would cause the fewest environmental impacts.

## Mitigation

My decision includes the project-specific design features and mitigation measures needed to minimize adverse environmental effects of the Selected Alternative as described in the Activity Cards, ROD Appendix 1, located on the POW LLA Project webpage (<http://www.fs.usda.gov/goto/tongass/powlla>). I am satisfied that these are practicable and effective in avoiding or minimizing environmental effects. I have found them to be effective when implemented elsewhere on the Forest.

## Monitoring

Monitoring is a tool which involves observing the results of management activities as a basis for evaluation. The NFMA requires national forests to monitor and evaluate their Forest Plans (36 CFR 219.12). Monitoring of the Selected Alternative will be performed during implementation of activities and as part of the Forest Plan monitoring program as shown on the Tongass public website. Specific monitoring items are outlined in Chapter 2 of the POW LLA Project FEIS and are included in the Activity Cards, ROD Appendix 1, located on the POW LLA Project webpage (<http://www.fs.usda.gov/goto/tongass/powlla>).

## Project Record

The project record includes the DEIS and FEIS, reports containing analyses by resource with supporting documentation, public communication and comments, all material incorporated by reference (except those documents readily available, such as the Forest Plan and Forest Service Manuals and Handbooks [directives]) and other materials produced during the environmental analysis of this project. Documents relating to Historic Properties and their locations may be exempt under National Historic Preservation Act (NHPA) Section 304(a), ARPA Section 9, the Freedom of Information Act (5 USC 552 [b][3]), and the Food, Conservation, and Energy Act of 2008. The project record is available electronically upon request from the Thorne Bay and Craig Ranger Districts.

## Consistency with the Forest Plan and other Applicable Laws and Regulations

As the Responsible Official, it is my responsibility, prior to making a decision, to ensure that this project is consistent with the Tongass National Forest Land and Resource Management Plan (Forest Plan) and other applicable laws and regulations. The Forest Plan describes in detail Forest-wide management direction, goals, objectives, desired conditions, standards, and guidelines.

I have determined that the Selected Alternative is consistent with all Forest Plan direction and will contribute to Forest Plan goals and objectives. My decision to implement the Selected Alternative is consistent with all applicable laws and regulations including NFMA, National Environmental Policy

Act (NEPA), Alaska National Interest Lands Conservation Act (ANILCA), Endangered Species Act, and the other laws presented in the section “Findings Required by Law and Regulation” in this ROD.

### Findings Required by Law and Regulation

#### **Alaska National Interest Lands Conservation Act (ANILCA) of 1980; Section 810**

**Subsistence Evaluation:** The subsistence analysis is presented in Chapter 3 of the FEIS. Based on the information in the FEIS, cumulative effects and effects within the foreseeable future from this project may result in a significant possibility of a significant restriction to subsistence use of deer due to the potential effects on the abundance and distribution of, competition for, and access to deer. Because there was a finding of a significant possibility of a significant restriction to subsistence use of deer, subsistence hearings were held in Whale Pass, Klawock, Hydaburg, Point Baker, Naukati, and Kasaan. A significant possibility of a significant restriction was not found for any other resources.

**Finding:** In accordance with ANILCA Section 810, I have made a determination for the subsistence finding that the direct, indirect, and cumulative effects of the Selected Alternative will not result in a significant possibility of a significant restriction on the subsistence use of any resources, except for deer. This is due to the effects to the abundance and distribution of, competition for, and access to subsistence resources. This is consistent with the Forest Plan finding that full implementation of the Plan could lead to a significant possibility of a significant restriction on subsistence use of deer. The potential foreseeable effects, directly and cumulatively, from the Selected Alternative will not have a significant possibility of a significant restriction on subsistence uses for other resources, including bear, furbearers, marine mammals, waterfowl, salmon, other finfish, shellfish, and other foods such as berries or personal use timber (including firewood).

The evaluation determined that this project has complied with ANILCA by considering the following three considerations described below.

#### **Necessary and Consistent with Sound Management of Public Lands**

I have determined that the Selected Alternative is necessary and consistent with sound management of public lands. In this regard, I have evaluated this project against the NFMA, the ANILCA, the Tongass Timber Reform Act, the Wilderness Act, the 2016 Tongass Land and Resource Management Plan, and the Alaska State Forest Resources and Practices Act. Based on the analysis presented in the POW LLA Project FEIS, the findings I have made in this ROD, and the analysis for the Forest Plan, I have determined that the Selected Alternative strikes a balance between meeting the resource needs of the public and protecting forest resources.

#### **Amount of Public Land Necessary to Accomplish the Proposed Action**

I have determined that the amount of land necessary to implement the Selected Alternative is, considering sound multiple-use management of public lands, the minimum necessary to accomplish the purpose of this project. The entire forested portion of the Tongass is used by at least one rural community for subsistence purposes for, at a minimum, deer hunting. It is not possible to avoid all of these areas in implementing resource use activities, such as timber harvesting and road construction, and attempting to reduce effects in some areas can mean increasing the effects in other areas. The Forest Plan includes components and LUD prescriptions that provide for management of or limit

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activities in many of the areas important for subsistence uses, such as beaches and estuaries, and anadromous fish streams.

### **Reasonable Steps to Minimize Adverse Impacts to Subsistence Uses and Resources**

Many subsistence uses are protected by Forest Plan Chapter 4 Forest-wide Standards and Guidelines for wildlife, fish, and riparian areas, among others. I have determined that, consistent with the overall multiple-use goals and protections of the Forest Plan, and mitigations outlined in the Activity Cards and Implementation Plan, fish and wildlife habitat productivity will be maintained by the Selected Alternative.

### **Bald and Golden Eagle Protection Act of 1940 (as amended)**

I have determined that the Selected Alternative complies with the most recent information for bald eagle protection requirements in 50 CFR Part 22.

### **Clean Air Act of 1970 (as amended)**

I have determined that emissions from the implementation of the Selected Alternative will be of short duration and are not expected to exceed State of Alaska ambient air quality standards (18 AAC 50).

### **Clean Water Act (1977, as amended)**

The Selected Alternative will comply with the Clean Water Act and meet the goals of Alaska's water quality standards. Clean Water Act Sections 208 and 319 address nonpoint source pollution caused by activities such as timber harvest. The site-specific application of best management practices (BMP), with a monitoring and feedback mechanism, is the approved strategy for controlling nonpoint source pollution as defined by Alaska's Nonpoint Source Pollution Control Strategy. In 1997, the State of Alaska approved the best management practices in the Forest Service's Soil and Water Conservation Handbook as consistent with the Alaska Forest Resources and Practices Regulations. The best management practices are incorporated into the Forest Plan.

Forest roads, as defined by the U.S. Army Corps of Engineers guidance, are exempt from Clean Water Act Section 404 permitting requirements if they are constructed and maintained in accordance with best management practices to assure that flow and circulation patterns and chemical and biological characteristics of the waters are not impaired (404)(f)(1)(E). The best management practices are specified in 33 Code of Federal Regulations (CFR) 323. These specific best management practices have been incorporated into the Forest Service's BMP 12.5. All forest roads and trails that do not fall under the silvicultural exemption will go through the 404 permitting process. This process further ensures that wetland losses will be held to the minimum feasible number.

The POW LLA Project will implement both the National Best Management Practices and Alaska Region Best Management Practices.

### **Endangered Species Act of 1973 (as amended)**

A biological assessment (BA) for this project was prepared for the threatened and endangered fish species, humpback whale, and designated critical habitat for Steller's sea lion. I concur with the finding of "May affect, but is not likely to adversely affect" for the threatened and endangered fish species and the humpback whale (Mexico Distinct Population Segment (DPS)) and the designated critical habitat for sea lion. The BA was sent to the National Marine Fisheries Service (NMFS) as

part of the Section 7 consultation under the Endangered Species Act on October 2, 2018. We received an email back from the NMFS stating that we needed to consult with a different individual instead of whom we had initially consulted. In that email they also requested additional information on the FEIS and associated documents. Consultation will be completed at a later date and documented in the Final ROD.

### **Federal Cave Resource Protection Act of 1988**

Karst resources exist in the project area, as described in the FEIS. By implementing the Forest Plan karst and cave management direction and through mitigation on the Activity Cards, I have determined that the Selected Alternative will not have a direct, indirect, or cumulative detrimental effect on any significant cave (karst) resource in the POW LLA Project area.

### **National Forest Transportation System Final Administrative Policy and Final Rule**

The FEIS and this ROD are prepared to be consistent with the Forest Service Transportation Final Administrative Policy and Final Rule (2001), as well as the Tongass National Forest Level Roads Analysis (2003), Prince of Wales Access and Travel Management (2009), and the POW LLA Project travel analysis (2018). I have determined that the proposed road system is “the minimum road system needed for safe and efficient travel and for administration, utilization, and protection of NFS lands” (36 CFR 212.5).

### **Magnuson-Stevens Fishery Conservation and Management Act**

The Magnuson-Stevens Fisheries Conservation Act requires the Forest Service to consult with the NMFS for any activities that may affect essential fish habitat (EFH). The potential effects of the project on EFH are discussed in Chapter 3 of the FEIS. Chapter 3 also includes a description of the EFH in the project area, the proposed activities, and the measures that will protect these essential habitats. I have reviewed the potential effects of the project on EFH discussed in the FEIS Chapter 3 and have determined that this project may adversely affect EFH because of the effects of timber harvest activities, road construction, and activities at the log transfer facilities; however, these effects will be minimized through the use of Forest Plan direction, best management practices, and design measures.

NMFS was formally consulted on the project when they were sent an electronic copy of the DEIS on April 27, 2018. NMFS requested a hard copy during a phone conversation with the Forest Service October 9, 2018. We responded to this request and consultation will be documented in the Final ROD. Information on applicable best management practices, standards and guidelines, and design measures and criteria to minimize effects to EFH are presented in Appendices 1 and 2 of this draft ROD, and in Chapter 3 of the FEIS.

### **Marine Mammal Protection Act of 1972**

Actions authorized in the Selected Alternative will not have a direct, indirect, or cumulative effect on marine mammals. All marine wildlife guidelines, including special prohibitions on approaching humpback whales in Alaska as defined in 50 CFR 216 will be followed during project implementation. These marine mammal viewing guidelines are administered by the NMFS and enforced by the Coast Guard, and they are deemed sufficient for their protection.

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### **National Forest Management Act (NFMA) of 1976 (as amended)**

The NFMA requires several specific determinations in the ROD. These are consistent with the governing Forest Plan, a determination of clearcutting as the optimal method of harvesting, if used, and specific authorizations to create openings over 100 acres in size.

### **Tongass Land and Resource Management Plan (as amended)**

Based on the discussion that follows, as well as that of the 2016 Forest Plan, I have determined that this decision is consistent with the Forest Plan as amended.

### **Clearcutting as the Optimal Method of Harvesting**

Based on the information presented in the FEIS and Forest Plan direction, I have determined that clearcutting is the optimal method of harvesting where it is applied. Site-specific information and rationale where clearcutting is optimal will be presented in the silvicultural prescriptions as part of the implementation process. Clearcutting (an even-aged management method) has been prescribed in this project to preclude or minimize the occurrence of potentially adverse impacts from windthrow where the potential is moderate to high, to remove or reduce mistletoe infestations, and to reduce wounding due to logging damage to adjacent trees.

### **Harvest Openings Over 100 Acres in Size**

I have determined that there will be no created openings in excess of 100 acres with the harvest of the Selected Alternative units.

### **National Historic Preservation Act (NHPA) of 1966 (as amended)**

The preparation of the POW LLA Project FEIS is considered an undertaking within Section 106 (and implementing regulations at 36 CFR 800) of the NHPA. As a planning document I have determined that it has no potential to affect historic properties in accordance with the *2017 Programmatic Agreement Among the USDA Forest Service, Alaska Region, the Advisory Council on Historic Preservation, and the Alaska State Historic Preservation Office Regarding Heritage Program Management On National Forests in the State of Alaska* (PA) (USDA Forest Service, 2017) Appendix B.I. Administrative Actions.

Activities (referred to in this section as “undertakings”) implemented based on this FEIS may have potential effects to cultural resources. POW LLA Project details are lacking for Section 106 analysis for discrete activities; therefore, a finding of effect cannot be made at this time. Once specific undertakings are identified, Section 106 procedures at 36 CFR 800 shall be followed to determine whether or not historic properties exist and if they will be affected. The Forest Service shall review each proposed undertaking within the POW LLA project area on a case-by-case basis. Should a determination be made that an undertaking will have an adverse effect on historic properties, Standard 106 procedures at 36 CFR 800.5 shall be followed, including consultation with the State Historic Preservation Office (SHPO), and potentially the Advisory Council on Historic Preservation (ACHP). A Memorandum of Agreement or a Programmatic Agreement may be prepared to mitigate adverse effects. At every step in the Section 106 process there shall be ongoing consultation with federally recognized tribes, Alaska Native Claims Settlement Act (ANCSA) corporations, non-federally recognized tribes, certified local governments, and other interested parties.

The ROD hereby documents that Section 106 procedures have not been concluded with the signing of this ROD. No new undertakings will be authorized without Section 106 procedures being completed.

### **Tongass Timber Reform Act (TTRA) of 1990**

I have determined this project is in compliance of the relevant provisions of TTRA. Any timber harvested under the Selected Alternative will provide part of the timber supply to the Tongass National Forest's timber program, as stated in Section 101 of the TTRA "... the Secretary shall, to the extent consistent with providing for the multiple use and sustained yield of all renewable forest resources, seek to provide a supply of timber from the Tongass National Forest which (1) meets the annual market demand for timber from such forest and (2) meets the annual market demand from such forest for each planning cycle."

No commercial timber harvest will occur within 100 feet of any Class I stream or any Class II stream flowing directly into a Class I stream, as required in Section 103 of the TTRA.

### **The Wilderness Act of 1964 (as amended)**

This Act initially protected 54 wilderness areas (9.1 million acres) by withdrawing them from standard multiple use management, and it established a process for adding new lands to the National Wilderness Preservation System.

Five designated wilderness areas exist in the project area, as described in the FEIS. I have determined that, by implementing the Forest Plan wilderness management direction, and mitigation on the Activity Cards, the Selected Alternative will not have a direct, indirect, or cumulative detrimental effect on wilderness resources in the POW LLA Project area.

## **Applicable Executive Orders**

### **Executive Order 11988 (Floodplains)**

Per Executive Order 11988, I have determined that the Selected Alternative avoids occupation and alteration of floodplains.

### **Executive Order 11990 (Wetlands)**

I have determined that the long- and short-term adverse effects associated with the destruction or modification of wetlands in the implementation of the POW LLA Project will be avoided to the greatest extent possible. The techniques and practices required by the Forest Service serve to maintain the wetland attributes, including values and functions. In some areas, soil moisture regime and vegetation composition or structure may be altered; however, these altered acres would still be classified as wetlands and would function as wetlands in the ecosystem.

Where wetlands cannot be avoided, road construction will adhere to best management practices, which include, at a minimum, the Federal baseline provisions in 33 Code of Federal Regulation (CFR) 323 and State-approved best management practices. There will be approximately 92 acres of wetland that will no longer function as wetland due to road construction in the Selected Alternative.

### **Executive Order 12898 (Environmental Justice)**

The FEIS analyzed environmental justice to determine whether a disproportionately high and adverse human health or environmental impact on minority populations, low-income populations, or Indian tribes was likely to result from the Proposed Action and any alternatives. The Executive Order specifically directs agencies to consider patterns of subsistence hunting and fishing when an agency action may affect fish or wildlife. I have determined that no communities are identified as being adversely affected in this area, and that the Selected Alternative would not have a disproportionately

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high and adverse effect on the health of the environment of the minority, low-income, or Indian populations that use the POW LLA Project area.

### **Executive Order 12962 (Aquatic Systems, Recreational Fisheries)**

Per Executive Order 12962, I have evaluated the effects of the Selected Alternative on aquatic systems and recreational fisheries and determined that the Selected Alternative is consistent with Executive Order 12962, in that it maintains and improves the quality, function, sustainable productivity, and distribution of U.S. aquatic resources for increased recreational fishing opportunities. Adverse effects on aquatic systems are minimized through project design, application of Forest Plan direction, best management practices, and site-specific mitigation measures.

### **Executive Order 13007 (Indian Sacred Sites)**

Executive Order 13007 directs federal agencies to consider the protection of American Indian sacred sites and allow access where feasible. In a government-to-government relationship, the tribal government is responsible for notifying the agency of the existence of a sacred site. A sacred site is defined as a site that has sacred significance due to established religious beliefs or ceremonial uses, and which has a specific, discrete, and delineated location that has been identified by the tribe. I have determined that tribal governments or their authorized representatives were consulted and they did not identify any specific sacred site locations in the project area.

### **Executive Order 13112 (Invasive Species)**

A risk assessment completed for the FEIS evaluated the status of invasive species in the project area and the effects from the proposed activities on them. The specific measures to minimize the introduction and spread of invasive plant species in the Selected Alternative are provided in Appendix 1 – POW LLA Project Activity Cards.

### **Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments)**

Executive Order 13175 directs federal agencies to respect tribal self-government, sovereignty, and tribal rights, and to engage in regular and meaningful government-to-government consultation with tribes on proposed actions with tribal implications. I have complied with this Order and have consulted with and provided information to the following federally recognized tribal governments: Craig Tribal Association, Hydaburg Cooperation Association, Klawock Cooperation Association, Ketchikan Indian Corporation, Metlakatla Indian community, Organized Village of Kasaan, Organized Village of Kake, Organized Village of Saxman, and Wrangell Cooperative Association, about this project.

This consultation is documented in Chapter 1 of the FEIS, as well as in the public involvement records.

### **Executive Order 13186 Migratory Birds**

The Migratory Bird Treaty Act of 1918 (amended in 1936 and 1972) prohibits the taking of migratory birds, unless authorized by the Secretary of the Interior. The law provides the primary mechanism to regulate waterfowl hunting seasons and bag limits, but its scope is not just limited to waterfowl. The migratory species that may stay in the area utilize most, if not all, of the habitats described in the analysis for breeding, nesting, and raising their young. The effects on these habitats were analyzed for this project. I have determined that the decision will not have a significant direct, indirect, or cumulative effect on any migratory bird species in the project area. However, there may

be moderate direct effects on individuals or small groups and their nests from the disturbance caused by timber harvest and other activities.

### **Executive Order 13443 (Facilitation of Hunting Heritage and Wildlife Conservation)**

Executive Order 13443 directs federal agencies to facilitate the expansion and enhancement of hunting opportunities, as well as the management of game species and their habitat. The analysis considered and disclosed the effects on hunting activities. I have determined that the Selected Alternative will maintain hunting opportunities by adhering to the Forest Plan standards and guidelines that maintain habitat for hunted species.

### **Federal and State Permits**

Any federal and State of Alaska permit necessary to proceed with an authorized activity will be obtained before implementation. See Chapter 1 in the FEIS for examples of types of permits that may be required.

### **Implementation**

The Implementation Plan is integral to the analysis of effects and the Selected Alternative in this ROD.

The Implementation Plan (Appendix 2) documents the process for implementation of the activities. The plan is meant to be a 'living' document and may need to be adjusted, as noted in Appendix 2, as we learn more through the implementation of each activity. As activities are designed, the process will likely be smoother and new technology or expertise may be used.

The Implementation Plan is designed to be consistent with the Forest Plan. The intent is that the Implementation Plan will be used over a 15-year timeframe.

Activities will be put into action by following the implementation process as outlined in Appendix 2 (Implementation Plan). The implementation process starts when the public or the Forest Service presents an activity proposal at either the autumn or spring workshop. It is my intent to hold a spring workshop as soon as the final decision is signed. It is my expectation that a wide array of activities for all resource areas will be presented at these workshops, and that those present will help to determine locations, activity design components, methods, mitigation measures, and integration opportunities.

These refined activities will then be placed on the Project Out-Year Plan if they meet requirements in the Activity Cards, analysis in the FEIS, and are authorized under this ROD. In order to receive input from the public on activities to be implemented, the Project Out-Year Plan will be sent out for public comment after each workshop. We will be requesting written substantive comments on changes to the activities listed, the locations, activity design components, methods, mitigation measures and integration opportunities as outlined in the Project Out-Year Plan. The comment period will be 30 days. I will consider all comments received during workshops and comment periods to finalize activities for implementation that adhere to the FEIS, ROD, and Forest Plan.

It is my hope that the public will be involved with implementation and our required resource surveys and monitoring.

## Draft Record of Decision

### Administrative Review - Opportunity to Object

This decision is subject to the project-level pre-decisional administrative review process pursuant to Title 36 CFR Part 218, subparts A and B. Individuals or organizations who submitted specific written comments regarding the proposed project either during scoping or other designated opportunities for public comment in accordance with 36 CFR 218.5(a) may file objections to this draft decision. Issues raised in objections must be based on previously submitted, timely, specific written comments regarding the proposed project unless based on new information arising after previous designated opportunities.

Individual members of organizations must have submitted their own comments to meet the requirements of eligibility as an individual; objections received on behalf of an organization are considered as those of the organization only. If an objection is submitted on behalf of a number of individuals or organizations, each individual or organization listed must meet the eligibility requirement of having previously submitted comments on the project (36 CFR 218.7). Names and addresses of objectors will become part of the public record.

Incorporation of documents by reference in the objection is permitted only as provided for at 36 CFR 218.8(b).

The objection must be in writing and must meet the objection content requirements at 36 CFR 218.8(d).

The objection must be filed with the Reviewing Officer:

Regional Forester  
USDA Forest Service, Alaska Region  
709 W. 9th Street  
P.O. Box 21628  
Juneau, AK 99802-1628  
Email address: [objections-alaska-regional-office@fs.fed.us](mailto:objections-alaska-regional-office@fs.fed.us)  
Fax: (907) 586-7840  
Phone: (907) 586-8863

Written objections, including attachments, must be filed (U.S. mail, fax, email, hand delivery, or express delivery) with the Reviewing Officer at the correct location within 45 calendar days of the date that the legal notification of opportunity to object to this draft decision is published in the *Ketchikan Daily News*, the official newspaper of record. The publication date in the newspaper of record is the exclusive means for calculating the time to file an objection.

Those wishing to submit objections to this draft decision should not rely upon dates or timeframe information provided by any other source. The regulations prohibit extending the time to file an objection. A copy of the legal notice will also be posted on the Forest Service project website at <http://www.fs.usda.gov/goto/tongass/powlla>.

Hand-delivered written objections will be accepted at the Regional Office during normal business hours (8:00 am through 4:30 pm) Monday through Friday, excluding federal holidays. Electronic objections must be submitted in a format such as an email message, portable document format (.pdf), plain text (.txt), rich text format (.rtf), or MSWord (.doc or .docx). It is the responsibility of objectors to ensure their objection is received in a timely manner (36 CFR 218.9). All objections are available for public inspection during and after the objection process.

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If objections are received, there is a 45-day objection review period in which the Responsible Official, the Reviewing Officer, and the objectors may meet to attempt to resolve issues. At the end of the 45 days, the Reviewing Officer will issue a written response detailing how the objections have been addressed, which may also include instructions to the Responsible Official (36 CFR 218.11(b)).

### Implementation Date

A final decision on projects subject to the objection process may occur on, but not before, 5 business days from the close of the objection filing period, if no objections are received (36 CFR 218.12(c)(2)).

If objections are received, the final decision will not be signed until all concerns and instructions identified by the Reviewing Officer in the objection response have been addressed by the Responsible Official (36 CFR 218.12(b)).

Implementation of decisions subject to the objection process may commence immediately after a final decision is signed. There is not a requirement to publish notification of the decision.

### Contact Information

For additional information concerning this draft decision, contact Matthew D. Anderson, District Ranger, Craig Ranger District, P.O. Box 500, Craig, Alaska, 99921, or call (907) 826-3271. Or contact Delilah Brigham, Interdisciplinary Team Leader, P.O. Box 19001, Thorne Bay, Alaska, 99919, or call (907) 828-3232.

### Responsible Official

The Responsible Official for the POW LLA Project is M. Earl Stewart, Forest Supervisor for the Tongass National Forest.

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