

From: [Coleman, Angela -FS](#)
To: [Rusho, Nancy - FS](#)
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Subject: FW: Summary on Memorandum of Understanding between State of Alaska and USDA for Roadless Rulemaking Effort
Date: Tuesday, July 31, 2018 5:53:50 PM

This is what I sent to the Department, Nancy

From: Coleman, Angela -FS
Sent: Tuesday, July 31, 2018 5:41 PM
To: Jiron, Dan - OSEC, Washington, DC <Dan.Jiron@osec.usda.gov>
Cc: Lewis, Lisa W -OSEC (Detail from FS to OSEC) <ljsalewis@fs.fed.us>; Christiansen, Victoria C -FS <vcchristiansen@fs.fed.us>; French, Chris -FS <cfrench@fs.fed.us>
Subject: FW: Summary on Memorandum of Understanding between State of Alaska and USDA for Roadless Rulemaking Effort

Topic: USDA and State of Alaska will Sign Agreement Wednesday to Work Together and Create New Rule for Roadless Areas

Background

Representatives from the USDA Forest Service and the State of Alaska will meet Wednesday, August 1, to finalize a Memorandum of Understanding (MOU) that formalizes their cooperative effort to establish a new rule for managing inventoried roadless areas located within National Forests in Alaska. The MOU specifies the Secretary of Agriculture, or his designee, shall make the final decision on the new rule. This cooperative effort is expected to result in a new rule in roughly 18 months.

Chris French, Associate Deputy Chief, will represent the USDA Forest Service and sign the MOU. Andy Mack, Commissioner, Alaska Department of Natural Resources, will sign on the State's behalf. Meanwhile, Chris Maisch, Alaska State Forester, will meet with the core team for the USDA Forest Service to kick-off the cooperative effort. Local news media coverage is expected. USDA will issue a press release on the new agreement.

Summary of Memorandum of Understanding

Both Parties agree to:

1. Establish a State-Forest Service Executive Steering Committee to coordinate various aspects of implementation of this Memorandum Of Understanding, including identifying State and Forest Service involvement in NEPA Interdisciplinary teams and other working groups as needed during this rulemaking process.
2. Establish and maintain clear lines of communication, working through the principal contacts named in this MOU.
3. Cooperate and develop specific regulatory language for a proposed state specific rule to establish management direction for the inventoried roadless areas within the National Forests in Alaska.

4. Jointly develop a detailed work plan that sets out required action steps, milestones, and time frames associated with all aspects of this rulemaking effort.
5. Cooperate in the preparation of analyses and documentation, development of the description of the proposed action and any alternatives, and the compilation of any required ecological, social, and economic resource information associated with this state-specific roadless rulemaking.
6. Coordinate the development of the proposed state rule with the existing land management planning efforts in progress within the State of Alaska.

The Forest Service agrees to:

1. Take the lead in preparation of analysis and required documentation for the rulemaking, including preparation of an Environmental Impact Statement.
2. Coordinate the logistics of the federal review and clearance process involved with rulemaking.
3. If the rule is determined by the Office of Management and Budget ("OMB") to be "significant" per Executive Order 12866, the Forest Service will take the lead in developing a civil rights impact analysis and benefit-cost analysis.
4. Assess responsibilities under the Tongass Timber Reform Act (TTRA), the Alaska National Interest Lands Conservation Act (ANILCA), and the ecological, social, and economic factors for Southeast Alaska, as requested by the State in its roadless petition.
5. Ensure the point of contact for the State is regularly briefed to ensure the State is aware of the progress, issues, and changes associated with the development of the final rule.
6. Designate a representative who will work with the State of Alaska to provide technical information and support as necessary for development and analysis of a proposed rule and alternatives.

The State of Alaska agrees to:

1. To the extent possible, perform the duties and obligations of a cooperating agency (40 C.F.R. § 1501.6) in the preparation of a final rule and associated documents.
2. Provide to the Forest Service input for a limited range of alternatives that would implement Alaska's preferred management direction for the inventoried roadless areas within the National Forests in Alaska.
3. Assist in public engagement.
4. Perform the duties and obligations of a cooperating agency in the preparation of the NEPA documentation associated with developing a rule for the inventoried roadless areas within the State of Alaska.
5. Cooperate with the Forest Service in other procedures required in a rulemaking process (i.e., those procedures outside of the NEPA process).
6. Lead a collaborative public process by utilizing an existing group or convening a new group in the development and analysis of a proposed rule and focused range of alternatives. The group shall include a diverse mix of state-specific interests, including at least one representative from:
 - Federally recognized Tribe in Alaska.
 - Alaska Native Claims Settlement Act Corporation,
 - Environmental or conservation organizations,
 - Timber industry,
 - Mining industry,
 - Tourism industry,
 - Commercial fishing industry,
 - State and local government, *and*

- Other commercial interests, those holding land use permits, or the public at large.
7. On behalf of the Governor, have the State Principle Contact, Chris Maisch, direct the State's participation as "Cooperating Agency" for the environmental analysis associated with this rulemaking, coordinating input from all relevant State agencies, including but not limited to, the following:
 - Department of Natural Resources (including the Office of Project Management & Permitting as related to ANILCA),
 - Department of Environmental Conservation,
 - Department of Commerce, Community and Economic Development,
 - Department of Fish and Game, *and the*
 - Department of Transportation and Public Facilities.
 8. Provide input at specific points in the rulemaking process, including but not limited to:
 - Review the purpose and need statement and proposed action.
 - Review public input, key issues, and alternatives/rule language.
 - Review Forest Service responsibilities under Tongass Timber Reform Act (TTRA) and Alaska National Interests Land Claim Act (ANILCA) and ecological and socioeconomic factors for southeast Alaska. (*see E.4.*)
 - Review analysis for the draft environmental impact statement (DEIS) to review alternatives/rule language.
 - Review public input and any outstanding issues raised concerning the DEIS.
 - Review final EIS alternatives/and preferred alternative