United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Albert Howard
Angoon Community Association
P.O. Box 328
Angoon, AK 99820

Dear President Howard:

The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture, Sonny Perdue. The Secretary and the Governor of Alaska, Bill Walker, have reached an agreement to cooperatively undertake a state-specific roadless rule to address the State's roadless management and access concerns on the national forests in Alaska. The USDA Forest Service is in the process of convening the resources and personnel to move forward in support of this agreement.

With this letter, I am inviting government-to-government consultation in advance of a formal public comment period and an opportunity for your Tribe to participate as a cooperating agency. I am seeking input from federally recognized Tribes concerning the development of an Alaska state-specific roadless rule for the Tongass and the Chugach National Forests. The USDA Forest Service wants to ensure Tribal perspectives are heard and fully considered in the development of an Alaska roadless rule.

An Alaska state-specific roadless rule would replace the Roadless Area Conservation Rule (2001 Roadless Rule), which was adopted into regulation in January 2001. The 2001 Roadless Rule prohibits road construction/reconstruction and timber harvest in areas designated as roadless on National Forest System lands, with certain exceptions. Alaska has about 14.8 million acres of roadless areas subject to the 2001 Roadless Rule. Provisions of a new Alaska state-specific roadless rule would apply to these 14.8 million acres, and would be based on providing for activities needed to further Alaska's economic development while conserving roadless areas for future generations.

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Therefore, I would like to encourage your Tribe to be a cooperating agency. In that role, you will be able to:

1) Provide meaningful and early input on the range of alternatives to be considered.
2) Participate in coordination meetings.
3) As the lead agency, we may request you develop information and prepare environmental analysis concerning your area of special expertise.
4) Provide timely review and comment on the pre-draft or pre-final environmental documents to reflect your views and concerns on the adequacy of the document, alternatives considered, and the anticipated impacts.

Cooperating agencies are expected to provide their own funding to support their participation in this process.

The USDA Forest Service, as the lead agency, retains the exclusive authority to make decisions on the land and resources it administers, and this authority cannot be delegated to a non-Federal entity. Cooperating agencies participation would enhance the analysis and result in a more informed USDA Forest Service decision. To foster clear understanding, the roles and responsibilities of the lead and cooperating agencies will be defined by a Memorandum of Understanding executed by all parties.

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Thank you for your consideration, and I look forward to working with you throughout this rulemaking effort and associated processes.

Sincerely,

DAVID E. SCHMID
Acting Regional Forester

Enclosures: (2)

cc: Robin Dale, Chad VanOrmer, Terri Marceron, Earl Stewart, Melinda Hernandez Burke, Carla Casulucan, John Kinsner, Ken Tu, R10 FLT's

Topic: Frequently Asked Questions Concerning an Alaska Specific Roadless Rule

When and Where Was the Roadless Rule In Effect in Alaska? The Roadless Rule was adopted in January 2001, but due to litigation did not become effective and operational until April 2003. After three months of being in effect on the Chugach NF and Tongass NF, the Roadless Rule was again judicially enjoined on a nationwide basis and was not operational for the next three years. In September 2006, the Roadless Rule was judicially reinstated and became operational on the Chugach NF, but the Tongass NF remained exempt from the Rule because USDA had issued a temporary rule in 2003 exempting the Tongass National Forest from the Roadless Rule while it examined whether a state-wide exemption was appropriate. In 2011, the U.S. District Court for the District of Alaska set aside the 2003 Tongass Exemption and reinstated the Roadless Rule (with special instructions) on the Tongass National Forest. The District Court's ruling was upheld by the U.S. Court of Appeals for the Ninth Circuit and the Supreme Court declined further review.

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The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture Sonny Perdue. The Secretary and Alaska Governor Bill Walker have reached agreement to cooperatively undertake a state-specific roadless rule to address roadless management and access concerns on the national forests in Alaska. The USDA Forest Service is in the process of convening the resources and personnel to move forward in support of this agreement.

What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

The State of Alaska will work closely with the USDA Forest Service. The State will establish a task force reporting to the Governor concerning options for roadless management that will inform the USDA's consideration of the State's Petition for rulemaking. The rulemaking will be analyzed pursuant to the National Environmental Policy Act.

What is the timeframe for completion of an Alaska-specific roadless rule?

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July 27, 2018

ALASKA ROADLESS RULE
COOPERATING AGENCY RESPONSIBILITIES (July 26, 2018)

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How are Tribal Governments designated as a cooperating agency?

If a Tribal Government decides to accept the Regional Forester's invitation to participate in the Alaska roadless rulemaking process, they should provide a written reply to the Regional Forester accepting the invitation. A memorandum of understanding will then be developed to establish specific responsibilities of the Forest Service and Tribal Government.

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- Assist in the National Environmental Policy Act (NEPA) process at the earliest possible time.
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File Code: 1560
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President Richard Peterson
Central Council Tlingit & Haida Indian Tribes of Alaska
320 West Willoughby Avenue, Suite 300
Juneau, AK 99801

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File Code: 1560
Date: July 30, 2018

President Larry Evanoff
Chenega Bay IRA Council
P.O. Box 8079
Chenega Bay, AK 99574

Dear President Evanoff:

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File Code: 1560
Date: July 30, 2018

Traditional Chief Gary Harrison
Chickaloon Village
P.O. Box 1105
Chickaloon, AK 99674

Dear Chief Harrison:

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DAVID E. SCHMID
Acting Regional Forester

Enclosures: (2)

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What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

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July 27, 2018

ALASKA ROADLESS RULE
COOPERATING AGENCY RESPONSIBILITIES (July 26, 2018)

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How are Tribal Governments designated as a cooperating agency?

If a Tribal Government decides to accept the Regional Forester's invitation to participate in the Alaska roadless rulemaking process, they should provide a written reply to the Regional Forester accepting the invitation. A memorandum of understanding will then be developed to establish specific responsibilities of the Forest Service and Tribal Government.

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Kimberly Strong
Chilkat Indian Village
HC60 Box 2207
Haines, AK 99827

Dear President Strong:

The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture, Sonny Perdue. The Secretary and the Governor of Alaska, Bill Walker, have reached an agreement to cooperatively undertake a state-specific roadless rule to address the State's roadless management and access concerns on the national forests in Alaska. The USDA Forest Service is in the process of convening the resources and personnel to move forward in support of this agreement.

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Les Katzeek
Chilkoot Indian Association
P.O. Box 490
Haines, AK 99827

Dear President Katzeek:

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Clinton E. Cook Sr.
Craig Tribal Association
P.O. Box 828
Craig, AK 99921

Dear President Cook:

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DAVID E. SCHMID
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Enclosures: (2)

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What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

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July 27, 2018

ALASKA ROADLESS RULE
COOPERATING AGENCY RESPONSIBILITIES (July 26, 2018)

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Clarence Laiti
Douglas Indian Association
811 W. 12th Street
Juneau, AK 99801

Dear President Laiti:

The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture, Sonny Perdue. The Secretary and the Governor of Alaska, Bill Walker, have reached an agreement to cooperatively undertake a state-specific roadless rule to address the State's roadless management and access concerns on the national forests in Alaska. The USDA Forest Service is in the process of convening the resources and personnel to move forward in support of this agreement.

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Grace Villarreal
Hoonah Indian Association
P.O. Box 602
Hoonah, AK 99829

Dear President Villarreal:

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Sidney Edenshaw
Hydaburg Cooperative Association
#1 Main Street
Hydaburg, AK 99922

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DAVID E. SCHMID
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What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

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July 27, 2018

ALASKA ROADLESS RULE
COOPERATING AGENCY RESPONSIBILITIES (July 26, 2018)

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If a Tribal Government decides to accept the Regional Forester's invitation to participate in the Alaska roadless rulemaking process, they should provide a written reply to the Regional Forester accepting the invitation. A memorandum of understanding will then be developed to establish specific responsibilities of the Forest Service and Tribal Government.

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

Executive Director Bart Garber
Kenaitze Indian Tribe
P.O. Box 988
Kenai, AK 99611

Dear Executive Director Garber:

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Gianna Flanery
Ketchikan Indian Community
2960 Tongass Avenue
Ketchikan, AK 99901

Dear President Flanery:

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President A. Webster Demmert
Klawock Cooperative Association
P.O. Box 430
Klawock, AK 99925

Dear President Demmert:

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What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

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July 27, 2018

ALASKA ROADLESS RULE
COOPERATING AGENCY RESPONSIBILITIES (July 26, 2018)

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Mike Tucker
Knik Tribal Council
P.O. Box 871565
Wasilla, AK 99687-1565

Dear President Tucker:

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

Mayor Karl Cook
Metlakatla Indian Community
P.O. Box 8
Metlakatla, AK 99926

Dear Mayor Cook:

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Aaron Leggett
Native Village of Eklutna
26339 Eklutna Village Road
Chugiak, AK 99567

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What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

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July 27, 2018

ALASKA ROADLESS RULE
COOPERATING AGENCY RESPONSIBILITIES (July 26, 2018)

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USDA United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Darrel Olsen
Native Village of Eyak
P.O. Box 1388
Cordova, AK 99574

Dear President Olsen:

The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture, Sonny Perdue. The Secretary and the Governor of Alaska, Bill Walker, have reached an agreement to cooperatively undertake a state-specific roadless rule to address the State's roadless management and access concerns on the national forests in Alaska. The USDA Forest Service is in the process of convening the resources and personnel to move forward in support of this agreement.

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President David Totemoff Sr.
Native Village of Tatitlek
P.O. Box 171
Tatitlek, AK 99677

Dear President Totemoff:

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Alfred Goozmer
Native Village of Tyonek
P.O. Box 82009
Tyonek, AK 99682

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DAVID E. SCHMID
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What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

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July 27, 2018

ALASKA ROADLESS RULE
COOPERATING AGENCY RESPONSIBILITIES (July 26, 2018)

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

First Chief John Kvasnikoff
Nanwalek IRA Council
P.O. Box 8028
Nanwalek, AK 99603

Dear First Chief Kvasnikoff:

The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture, Sonny Perdue. The Secretary and the Governor of Alaska, Bill Walker, have reached an agreement to cooperatively undertake a state-specific roadless rule to address the State's roadless management and access concerns on the national forests in Alaska. The USDA Forest Service is in the process of convening the resources and personnel to move forward in support of this agreement.

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Richard Encelewski
Ninilchik Traditional Council
P.O. Box 39070
Ninilchik, AK 99639

Dear President Encelewski:

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Casimero Aceveda Jr.
Organized Village of Kake
P.O. Box 316
Kake, AK 99830

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DAVID E. SCHMID
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What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

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July 27, 2018

ALASKA ROADLESS RULE
COOPERATING AGENCY RESPONSIBILITIES (July 26, 2018)

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Frederick Olson Jr.
Organized Village of Kasaan
P.O. Box 26-Kasaan
Ketchikan, AK 99950

Dear President Olson:

The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture, Sonny Perdue. The Secretary and the Governor of Alaska, Bill Walker, have reached an agreement to cooperatively undertake a state-specific roadless rule to address the State's roadless management and access concerns on the national forests in Alaska. The USDA Forest Service is in the process of convening the resources and personnel to move forward in support of this agreement.

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Lee Wallace
Organized Village of Saxman
Route 2, Box 2, Saxman
Ketchikan, AK 99901

Dear President Wallace:

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Barry Morrison
Petersburg Indian Association
P.O. Box 1418
Petersburg, AK 99833

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2) Participate in coordination meetings.
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Sincerely,

DAVID E. SCHMID
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Enclosures: (2)

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What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

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July 27, 2018

ALASKA ROADLESS RULE
COOPERATING AGENCY RESPONSIBILITIES (July 26, 2018)

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If a Tribal Government decides to accept the Regional Forester's invitation to participate in the Alaska roadless rulemaking process, they should provide a written reply to the Regional Forester accepting the invitation. A memorandum of understanding will then be developed to establish specific responsibilities of the Forest Service and Tribal Government.

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

Chief Patrick Norman
Port Graham Village Council
P.O. Box 5510
Port Graham, AK 99603

Dear Chief Norman:

The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture, Sonny Perdue. The Secretary and the Governor of Alaska, Bill Walker, have reached an agreement to cooperatively undertake a state-specific roadless rule to address the State's roadless management and access concerns on the national forests in Alaska. The USDA Forest Service is in the process of convening the resources and personnel to move forward in support of this agreement.

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July 27, 2018

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Crystal Collier
Seldovia Village Tribe
P.O. Box L
Seldovia, AK 99663

Dear President Collier:

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

Chairman KathyHope Erickson
Sitka Tribe of Alaska
456 Katlian Street
Sitka, AK 99835

Dear Chairman Erickson:

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Cooperating agencies are expected to provide their own funding to support their participation in this process.

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DAVID E. SCHMID
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Enclosures: (2)

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What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

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July 27, 2018

ALASKA ROADLESS RULE
COOPERATING AGENCY RESPONSIBILITIES (July 26, 2018)

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If a Tribal Government decides to accept the Regional Forester's invitation to participate in the Alaska roadless rulemaking process, they should provide a written reply to the Regional Forester accepting the invitation. A memorandum of understanding will then be developed to establish specific responsibilities of the Forest Service and Tribal Government.

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This rulemaking effort would begin as soon as possible and is estimated to be completed by June 2020. Meetings with cooperating agencies would be concentrated around milestones in the rulemaking/analysis process, which are likely to include: pre-scoping (August 2018); issue identification/alternative development (November 2018 to January 2019); post-comment period (November 2019 to January 2020); and final rule roll-out (May 2020). These times are initial estimates just to provide a sense of time commitment and could vary widely.

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Jamie Bricker
Skagway Traditional Council
P.O. Box 1157
Skagway, AK 99840

Dear President Bricker:

The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture, Sonny Perdue. The Secretary and the Governor of Alaska, Bill Walker, have reached an agreement to cooperatively undertake a state-specific roadless rule to address the State's roadless management and access concerns on the national forests in Alaska. The USDA Forest Service is in the process of convening the resources and personnel to move forward in support of this agreement.

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Penny Carty
Village of Salamatoff
P.O. Box 2682
Kenai, AK 99611

Dear President Carty:

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Richard Oliver
Wrangell Cooperative Association
P.O. Box 2021
Wrangell, AK 99929

Dear President Oliver:

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Therefore, I would like to encourage your Tribe to be a cooperating agency. In that role, you will be able to:

1) Provide meaningful and early input on the range of alternatives to be considered.
2) Participate in coordination meetings.
3) As the lead agency, we may request you develop information and prepare environmental analysis concerning your area of special expertise.
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The USDA Forest Service, as the lead agency, retains the exclusive authority to make decisions on the land and resources it administers, and this authority cannot be delegated to a non-Federal entity. Cooperating agencies participation would enhance the analysis and result in a more informed USDA Forest Service decision. To foster clear understanding, the roles and responsibilities of the lead and cooperating agencies will be defined by a Memorandum of Understanding executed by all parties.

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Thank you for your consideration, and I look forward to working with you throughout this rulemaking effort and associated processes.

Sincerely,

DAVID E. SCHMID
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Enclosures: (2)

cc: Robin Dale, Chad VanOrmer, Terri Marceron, Earl Stewart, Melinda Hernandez Burke, Carla Casulucan, John Kinsner, Ken Tu, R10 FLT's

Topic: Frequently Asked Questions Concerning an Alaska Specific Roadless Rule

When and Where Was the Roadless Rule In Effect in Alaska? The Roadless Rule was adopted in January 2001, but due to litigation did not become effective and operational until April 2003. After three months of being in effect on the Chugach NF and Tongass NF, the Roadless Rule was again judicially enjoined on a nationwide basis and was not operational for the next three years. In September 2006, the Roadless Rule was judicially reinstated and became operational on the Chugach NF, but the Tongass NF remained exempt from the Rule because USDA had issued a temporary rule in 2003 exempting the Tongass National Forest from the Roadless Rule while it examined whether a state-wide exemption was appropriate. In 2011, the U.S. District Court for the District of Alaska set aside the 2003 Tongass Exemption and reinstated the Roadless Rule (with special instructions) on the Tongass National Forest. The District Court's ruling was upheld by the U.S. Court of Appeals for the Ninth Circuit and the Supreme Court declined further review.

Why is USDA's Forest Service beginning to work on an Alaska Specific Roadless Rule now?

The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture Sonny Perdue. The Secretary and Alaska Governor Bill Walker have reached agreement to cooperatively undertake a state-specific roadless rule to address roadless management and access concerns on the national forests in Alaska. The USDA Forest Service is in the process of convening the resources and personnel to move forward in support of this agreement.

What are the next steps the Forest Service will be taking?

The Secretary directed the USDA Forest Service to begin working with State of Alaska representatives to develop an Alaska state-specific roadless rule under the Administrative Procedures Act. The intent is to develop a state-specific roadless rule that will address the State of Alaska's concerns regarding roadless areas essential for infrastructure, timber, energy, mining, access, and transportation to further Alaska's economic development, while still protecting unique areas for generations to come.

How will the State of Alaska be involved?

The State of Alaska will work closely with the USDA Forest Service. The State will establish a task force reporting to the Governor concerning options for roadless management that will inform the USDA's consideration of the State's Petition for rulemaking. The rulemaking will be analyzed pursuant to the National Environmental Policy Act.

What is the timeframe for completion of an Alaska-specific roadless rule?

- *Late August, 2018* – begin a scoping period on the proposed rulemaking.
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July 27, 2018

ALASKA ROADLESS RULE
COOPERATING AGENCY RESPONSIBILITIES (July 26, 2018)

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How are Tribal Governments designated as a cooperating agency?

If a Tribal Government decides to accept the Regional Forester's invitation to participate in the Alaska roadless rulemaking process, they should provide a written reply to the Regional Forester accepting the invitation. A memorandum of understanding will then be developed to establish specific responsibilities of the Forest Service and Tribal Government.

What are the responsibilities of a cooperating agency?

- Assist in the National Environmental Policy Act (NEPA) process at the earliest possible time.
- Participate in the public involvement processes, which help define and frame the issues to be addressed in the EIS.
- Review information and analyses (upon request from the Forest Service) for which the Tribal Government has special expertise.
- Contribute staff support and other resources at the Forest Service's request to enhance the NEPA team's capability.
- Share freely any information and data relevant to the NEPA analysis.
- Rely on its own funds to support its participation in the NEPA process.

What authority does a cooperating agency provide?

Becoming a cooperating agency does not provide any new authority to a Tribal Government. The U.S. Department of Agriculture and the Forest Service retain exclusive authority over the decisions related to the Alaska Roadless Rule.

When would this rulemaking take place and how much time would it take?

This rulemaking effort would begin as soon as possible and is estimated to be completed by June 2020. Meetings with cooperating agencies would be concentrated around milestones in the rulemaking/analysis process, which are likely to include: pre-scoping (August 2018); issue identification/alternative development (November 2018 to January 2019); post-comment period (November 2019 to January 2020); and final rule roll-out (May 2020). These times are initial estimates just to provide a sense of time commitment and could vary widely.

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United States Department of Agriculture | Forest Service | Alaska Region | P.O. Box 21628 Juneau, AK 99802-1628

File Code: 1560
Date: July 30, 2018

President Victoria Demmert
Yakutat Tlingit Tribe
P.O. Box 418
Yakutat, AK 99689

Dear President Demmert:

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