

**CHAPTER 1**  
**PURPOSE OF AND NEED**  
**FOR ACTION**

# Purpose of and Need for Action

The Forest Service has prepared this final environmental impact statement (FEIS) in compliance with the National Environmental Policy Act (NEPA) and other relevant federal laws and regulations<sup>8</sup>. This FEIS discloses the potential environmental consequences that may result from the alternatives considered for the proposed Alaska Roadless Rule.

## **Background**

Inventoried Roadless Areas (IRAs) on the on the 16.7-million acre Tongass National Forest (Tongass) include 9.37 million acres (56 percent of the Tongass) across 110 IRAs. When these designated roadless areas are combined with Wilderness and National Monument areas, the Tongass is currently more than 90 percent undeveloped and unavailable for timber harvest and road building. Regardless of Forest Plan land use designation, much of the forest is protected by regulation as National Monuments, Wilderness, or LUD II lands (Figure 1-1). Developed areas cover about 1.3 million acres, or about 8 percent, of the Tongass. Southeast Alaska residents (approximately 73,000) are, for the most part, surrounded by largely undeveloped land.

Several portions of the Tongass constitute contiguous IRAs exceeding 1 million acres, and thus represent large, unfragmented wildlife habitats and opportunities for solitude. Many of the Tongass IRAs represent wildlife habitats, ecosystems, and visual characteristics, such as coastal islands facing the open Pacific, extensive beaches on inland saltwater, old-growth temperate rain forests, ice fields, and glaciers that exist nowhere else in the National Forest System (NFS). Many of these areas are remote and difficult to access for recreation and contain other resources, such as timber, minerals, renewable energy opportunities, and salmon-producing streams. While IRAs provide a large portion of the land base in Southeast Alaska, National Parks, National Monuments, and designated Wildernesses also contribute to the undeveloped nature of the region.

The Roadless Area Conservation Rule (2001 Roadless Rule) was promulgated in January 2001 (66 Federal Register [FR] 3244). Currently, about 9.37 million acres (56 percent) of the Tongass National Forest (hereafter Tongass or Forest) are designated as “inventoried roadless areas” (IRAs).<sup>9</sup> Maps of IRAs, for the Tongass, are available online [here](#).<sup>10</sup> IRAs contain generally undeveloped areas that are typically 5,000 acres or greater in size. The 2001 Roadless Rule applies nationwide (except Idaho and Colorado), and currently provides management direction for IRAs on 44.7 million acres of National Forests (approximately 24 percent of total National Forest System [NFS] lands) by prohibiting road construction and reconstruction and timber cutting, sale, or removal in those IRAs, with certain exceptions.

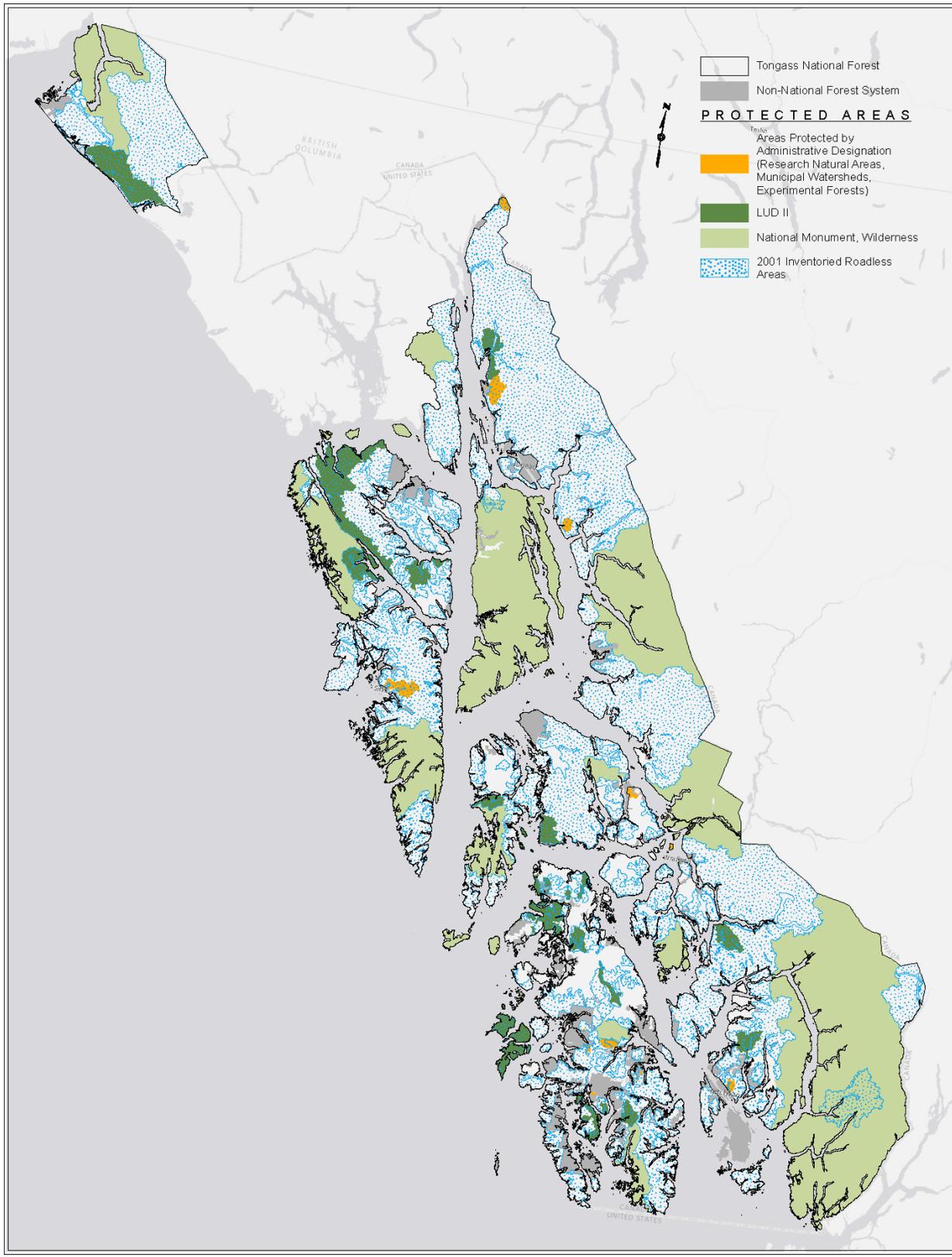
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<sup>8</sup> On September 14, 2020, the Council on Environmental Quality’s revised NEPA regulations became effective (see 85 FR 43304). Those regulations apply to NEPA processes begun after September 14, 2020 (40 CFR 1506.13). While agencies may apply CEQ’s revised regulations to ongoing activities and environmental documents begun before September 14, 2020, the Forest Service has elected to complete this NEPA process using the prior regulations, recognizing that where existing agency NEPA procedures are inconsistent with CEQ’s revised regulations CEQ’s revised regulations govern unless there is a clear and fundamental conflict with the requirements of another statute.

<sup>9</sup> The original acreage of inventoried roadless areas on the Tongass was approximately 9.34 million acres. As a result of ownership changes and boundary alignment corrections noted during this rulemaking, including shoreline mapping adjustments, the actual acreage is 9.37 million acres.

<sup>10</sup> [https://www.fs.usda.gov/detail/roadless/2001roadlessrule/maps/statemaps/?cid=fsm8\\_037699](https://www.fs.usda.gov/detail/roadless/2001roadlessrule/maps/statemaps/?cid=fsm8_037699)

Figure 1-1  
Areas Protected by Regulation and Administrative Designation within the Tongass



Since its promulgation, the 2001 Roadless Rule has been the subject of litigation. In 2001, the State of Alaska filed a complaint, challenging the U.S. Department of Agriculture's (USDA) promulgation of the 2001 Roadless Rule and its application in Alaska. The USDA and the State of Alaska reached a settlement in 2003, and the USDA subsequently issued a rule temporarily exempting the Tongass from the 2001 Roadless Rule. In 2011, a federal court (District of Alaska) set aside the Tongass's exemption and reinstated the 2001 Roadless Rule on the Tongass (with special instructions). The Alaska District Court's ruling was initially reversed by a three-judge panel of the Ninth Circuit, but the District Court's ruling was ultimately upheld in a 6–5 en banc ruling of the Ninth Circuit in 2015. In September 2017, the District Court for the District of Columbia rejected all procedural and substantive claims that the 2001 Roadless Area Conservation Rule was unlawfully promulgated, both nationally and as applied to Alaska. Alaska appealed the District Court's ruling to the Court of Appeals for the District of Columbia Circuit. On September 26, 2018, the D.C. Circuit ordered the appeal be held in abeyance following USDA's acceptance of Alaska's Petition for Rulemaking and directed that status reports be filed with the court every 90 days. Consequently, the 2001 Roadless Rule remains in effect in Alaska and the Forest Service continues to apply the 2001 Roadless Rule to the Tongass and Chugach National Forests.

In January 2018, the State of Alaska submitted a petition (Appendix A) requesting that the Secretary of Agriculture consider exempting the Tongass from the 2001 Roadless Rule, pursuant to the Administrative Procedure Act and the USDA's petition procedures in 7 CFR 1.28. In June 2018, the Secretary of Agriculture directed the Forest Service to begin working to develop an Alaska state-specific roadless rule. In August 2018, the Forest Service granted cooperating agency status to the State of Alaska. The Forest Service and the State of Alaska believed that the rulemaking represented a unique opportunity to collaboratively address and provide certainty to the roadless issue in the Tongass. The Forest Service published a Notice of Intent (NOI) to prepare an environmental impact statement (EIS) and initiate a public rulemaking process to address the management of IRAs on the Tongass on August 30, 2018 (83 FR 44252). As stated in the NOI, USDA desires a durable and long-lasting solution for the management of roadless areas in Alaska on the Tongass. The state-specific roadless rule identified in the preferred alternative would discontinue the existing regulation's prohibitions and instead rely upon existing statutory and management plan direction for managing roadless areas on the Tongass.

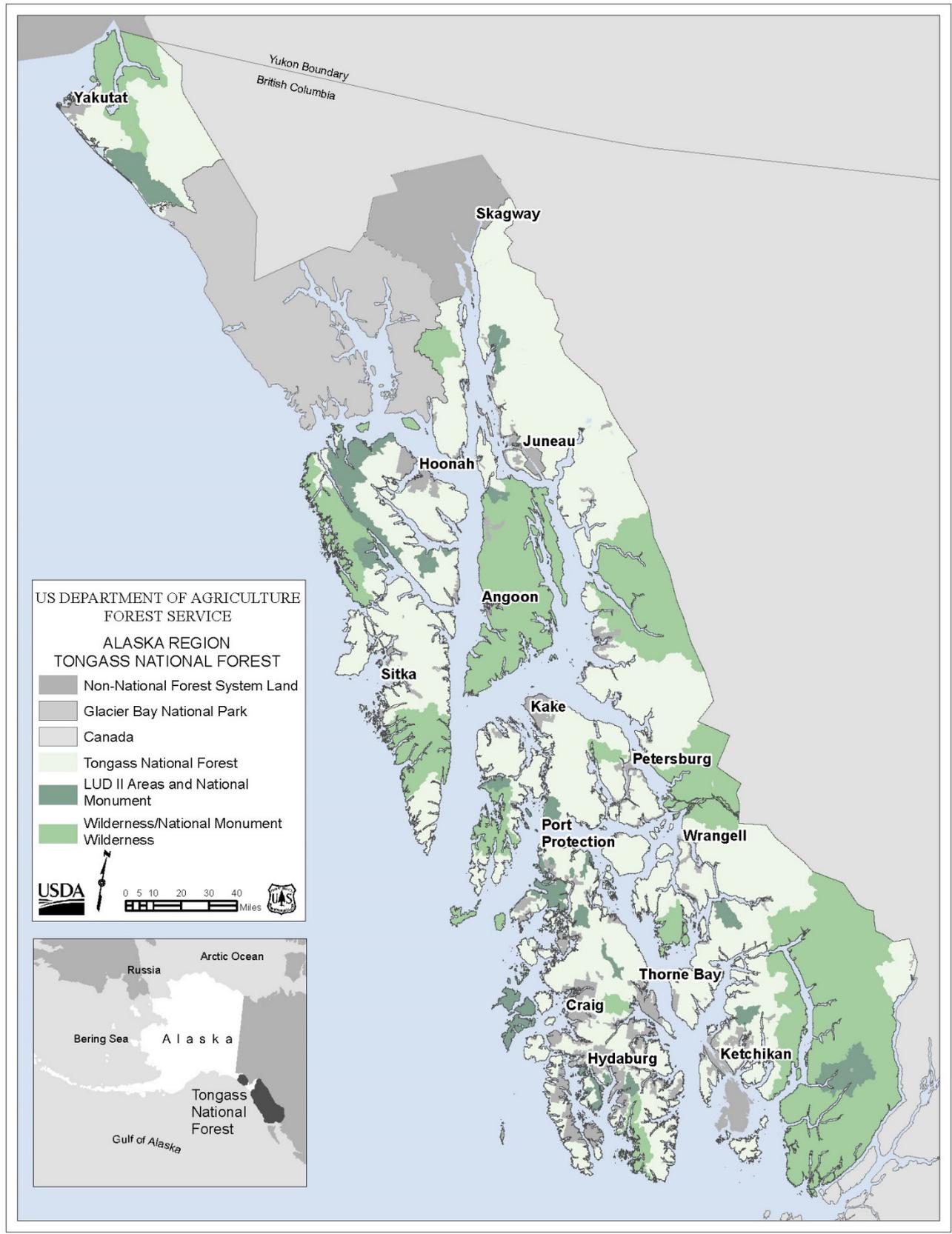
No alternative examined in this FEIS would authorize any ground-disturbing activities. Before authorizing a land-use activity in roadless areas, the Forest Service must complete a site-specific environmental analysis, pursuant to the NEPA and its implementing regulations. When a specific project or activity is proposed on NFS land, the Forest Service conducts site-specific analyses of the effects associated with that project or activity and makes a decision whether or not to authorize implementation of that project or activity.

## **Analysis Area**

The 16.7-million-acre Tongass comprises approximately 7 percent of Alaska and 80 percent of percent of Southeast Alaska – Alaska's southeastern panhandle extending from the Dixon Entrance in the south to Yakutat Bay in the north, and bordered on the east by Canada and on the west by the Gulf of Alaska. The Tongass extends approximately 500 miles north to south, and approximately 120 miles east to west at its widest point. Figure 1-2 is a vicinity map of the Forest.

The Tongass includes a narrow mainland strip of steep, rugged mountains, and icefields and more than 1,000 offshore islands known as the Alexander Archipelago. Together, the islands and mainland have nearly 11,000 miles of meandering shoreline, with numerous bays and coves. A system of seaways separates the many islands and provides a protected waterway called the Inside Passage. Federal public lands comprise approximately 95 percent of Southeast Alaska, with about 80 percent in the Tongass and the majority of the remaining lands in Glacier Bay National Park and Preserve. The remaining land is held by the State government, Alaska Native corporations, and other private ownerships. Most of the area of the Tongass is undeveloped. Approximately 73,000 people inhabit Southeast Alaska, primarily in 32 communities plus 2 seasonal communities located on islands or mainland coastal areas. Eight of the communities have populations greater than 1,000 persons. Most of these communities are surrounded by, or adjacent to, NFS land. Three communities are connected to other parts of the mainland by road: Haines and Skagway in the north and Hyder in the south.

Figure 1-2  
Tongass National Forest Vicinity Map



## ***Purpose and Need***

In response to the State of Alaska's petition for rulemaking, a long-term, durable approach to roadless area management is desired that accommodates the unique biological, social, and economic situation found in and around the Tongass. The Tongass is unique from other national forests with respect to size, percentage of IRAs, amount of NFS lands and subsequent dependency of 32 communities on federal lands (the Tongass comprises almost 80 percent of Southeast Alaska), and unique Alaska and Tongass-specific statutory considerations (e.g., Alaska National Interest Lands Conservation Act [ANILCA]), Tongass Timber Reform Act [TTRA]). In ANILCA, Congress sought to balance national environmental interests with "adequate opportunity for satisfaction of the economic and social needs of the State of Alaska and its people" (16 U.S.C. §3101(d), *Sturgeon v. Frost*, 139 S.Ct. 1066, 1075).

The USDA and Forest Service believe the 2001 Roadless Rule prohibitions on timber harvest and road construction/reconstruction can be adjusted for the Tongass in a manner that meaningfully addresses local economic and development concerns and roadless area conservation needs.

The State of Alaska believes that roadless conservation interests for the Tongass can be adequately protected under the Tongass Forest Plan and that the 2001 Roadless Rule prohibitions are unnecessary. In addition, the State believes application of the 2001 Roadless Rule substantially impacts the social and economic fabric of Southeast Alaska and violates ANILCA and TTRA.

In response to the State's petition, commercial and non-profit organizations have expressed strong opinions, for and against, the idea of a regulatory review.

## ***Proposed Action***

The NEPA process begins with a proposed action; in this case the State of Alaska's petition to remove the Tongass National Forest from application of the 2001 Roadless Rule. The rule would discontinue the existing regulation's prohibitions and instead rely upon existing statutory and management plan direction to manage roadless area characteristics on the Tongass.

## ***Decision Framework***

This FEIS examines environmental, social, and economic consequences in order to inform USDA's judgment in deciding whether to promulgate a regulatory exception for the Tongass as proposed by the State, or one of the other alternatives, or a combination or variation of the alternatives analyzed by the FEIS. Any new final regulation would be issued under 36 CFR Part 294, Subpart E. Appendix G, Drafted Roadless Rule Regulatory Language by Alternative, contains draft regulatory language for each alternative.

## ***Public Participation***

The Forest Service published an NOI to prepare an EIS for the Alaska Roadless Rule in the Federal Register (83 FR 44252) on August 30, 2018. The NOI initiated a 45-day scoping period which ended on October 15, 2018. During this time period, the Forest Service conducted 17 public meetings including meetings in Anchorage, Alaska; Washington, DC; and communities throughout Southeast Alaska – Angoon, Craig, Gustavus, Hoonah, Kake, Ketchikan, Petersburg, Point Baker, Sitka, Tenakee Springs, Thorne Bay, Wrangell, Yakutat, and two meetings in Juneau. During the scoping period, just over 144,000 comment letters/emails were received.

On October 17, 2019, the Department published a Notice of Proposed Rulemaking in the Federal Register (84 FR 55522) and on October 18, 2019 a Notice of Availability (NOA) for the DEIS was published (84 FR 55952). The publication of the NOA initiated a 60-day comment period ending on December 17, 2019. During the 60-day comment period, the Forest Service conducted 21 public meetings including Anchorage, Alaska; Washington, DC; and Southeast Alaska communities – Angoon, Craig, Gustavus, Haines, Hoonah, Hydaburg, Juneau, Kake, Kasaan, Ketchikan, Pelican, Petersburg, Point Baker, Sitka, Skagway, Tenakee Springs, Thorne Bay, Wrangell, and Yakutat. Approximately 267,000 comment letters/emails were received during the 60-day comment period including 11 petitions containing about 117,000 signatures.

## Tribal and Native Corporation Participation

On July 30, 2018, the Forest Service sent letters to 32 federally-recognized tribes and 27 Alaska Native corporations, within Southeast and Southcentral Alaska, initiating government-to-government and government-to-corporation consultation on the Alaska Roadless Rule. The following government-to-government consultations have occurred in association with this rulemaking effort:

- May 2, 2018 – Forest Service Government-to-Government consultation with Ketchikan Indian Community;
- August 24, 2018 – Forest Service Government-to-Corporation consultation with the Chugach Alaska Corporation and Cook Inlet Region Incorporated;
- September 5, 2018 – Forest Service Government-to-Government consultation with the Hoonah Indian Association;
- September 12, 2018 – Forest Service Government-to-Government consultation with Ketchikan Indian Community and Organized Village of Saxman;
- September 12, 2018 – Forest Service Government-to-Government consultation with the Central Council Tlingit and Haida Indian Tribes of Alaska;
- September 24, 2018 – Forest Service Government-to-Government consultation with Wrangell Cooperative Association;
- October 1, 2018 – Forest Service Government-to-Government consultation with Organized Village of Saxman;
- November 15, 2018 – Forest Service Government-to-Government consultation with Organized Village of Kasaan;
- December 14, 2018 – Forest Service Government-to-Government consultation with Organized Village of Kasaan, Prince of Wales Tribal Conservation District, Craig Tribal Transportation Staff, and Hydaburg Community Association;
- May 6, 2019 – Forest Service Government-to-Government consultation with Sitka Tribe of Alaska.
- November 2, 2019 – USDA Government-to-Government consultation Central Council Tlingit and Haida Indian Tribes of Alaska, Hoonah Indian Association, Hydaburg Cooperative Association, Ketchikan Indian Community, Klawock Cooperative Association, Organized Village of Kake, Organized Village of Kasaan, Organized Village of Saxman, and Skagway Traditional Council; and
- April 28, 2020 – USDA Government-to-Government consultation with Central Council Tlingit and Haida Indian Tribes of Alaska, Hydaburg Cooperative Association, Organized Village of Kake, Organized Village of Kasaan, and Skagway Traditional Council.

## Cooperating Agencies

The following are cooperating agencies for the Alaska Rulemaking process:

- State of Alaska.
- Angoon Community Association;
- Central Council Tlingit and Haida Indian Tribes of Alaska;
- Hoonah Indian Association;
- Hydaburg Cooperative Association;
- Organized Village of Kasaan; and

The State of Alaska requested cooperating agency status for the Alaska rulemaking process on June 19, 2018, and entered into an Memorandum of Understanding (MOU) on August 2, 2018. The State of Alaska is the petitioner for the rulemaking process and has special knowledge and expertise relative to natural resources, economic growth and development, resource planning, transportation, and other matters which may be affected by Forest Service management.

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The State of Alaska's input as a cooperating agency was informed by the Alaska Roadless Rule Citizens Advisory Committee (the Committee). In September 2018, Governor Walker issued Administrative Order 299 to establish the Committee, which was charged with providing recommendations to assist the State in fulfilling its role as a cooperating agency. Thirteen committee members were selected by Governor Walker to represent a diversity of perspectives, including Alaska Native corporations and tribes, fishing, timber, conservation, tourism, utilities, mining, transportation, local government, and the Alaska Division of Forestry. A Forest Service representative served in an *ex officio* capacity to provide technical expertise for the Committee's deliberations. The Committee met for three in-person meetings in the fall of 2018 (October 2-3 in Juneau; October 24-26 in Ketchikan; and November 6-8 in Sitka). Meetings were open to the public, and each meeting included an opportunity for public comment. A final report was produced with options for the State of Alaska to consider and was provided as part of their Cooperating Agency comments to the Forest Service.

On July 30, 2018, the Forest Service invited 19 Southeast Alaska federally-recognized tribes to participate as cooperating agencies during the rulemaking process. Six tribes agreed to become cooperating agencies and entered into a MOU. Since then, the Organized Village of Kake withdrew as a Cooperating Agency in December 2019. The tribes were invited to be cooperating agencies due to their specialized knowledge and expertise of land management, subsistence, natural resources, and potential impacts to communities within Southeast Alaska.

## ***Changes between the DEIS and FEIS***

A number of changes, corrections, and clarifications from the Draft Environmental Impact Statement (DEIS) have been made based on public comments and internal reviews. The most notable changes are summarized below. Minor edits and corrections are not included in this list.

- The 2001 IRAs geographic information system (GIS) data had not been updated since the rule was set in place. Since then, the Tongass National Forest has undergone several administrative changes to its ownership including shoreline mapping, Wilderness boundaries were updated, and the Tongass was exempted from the roadless rule. Further, previous policy was to exclude lakes from GIS layers. This practice has been abandoned since then, but the GIS data for the 2001 roadless rule were never updated.  
Thus, corrections were made to IRA boundaries (Alternative 1) based on ownership changes and mapping corrections. The alternatives for the FEIS are based on these updated IRA boundaries. The corrections removed areas misidentified in 2001 (e.g., designated Wilderness identified as IRA), added small areas between wilderness and 2001 IRAs, added lakes, and aligned IRA boundaries with current NFS ownership, including the updated marine shoreline. This resulted in a net increase of about 30,000 acres from the 9.34 million acres identified in 2001.
- The Tongass updates the roads and activities (timber harvest) information often. Since the Tongass was exempted from the roadless rule between 2003 and 2011, timber harvest and road construction occurred in IRAs—this is described as “roaded roadless.” A new roaded roadless analysis was conducted between the DEIS and FEIS resulting in additional areas identified with existing timber harvest and roads within IRAs.
- Areas identified as logical extensions were adjusted and removed from roadless designation in Alternatives 3 and 4 to eliminate small, isolated roadless areas.
- Community Priority Areas: The community priority designation was applied for Hydaburg and Kake, resulting in increasing the number of Community Priority ARA acres for Alternative 3.
- Cooperating Agencies noted that Tongass 77 (T77) Watersheds/The Nature Conservancy (TNC)-Audubon areas mapped for the DEIS did not include several high-priority sockeye salmon watersheds important to Alaska Native Tribes. Therefore, areas identified as logical extensions in the DEIS that overlapped with the high-priority sockeye salmon watersheds were added back into the roadless inventory for Alternatives 2 and 3 to minimize effects to these watersheds.
- The DEIS assumed that timber harvest was distributed evenly across the suitable timber lands. In response to a number of comments and internal discussions, it was decided that old-growth harvest

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acres could be allocated in a more realistic pattern (since only 11 to 19 percent of the suitable old growth is harvested over 100 years). Thus, for the FEIS, a model to project more accurately the distribution of harvest was developed. The three new primary assumptions that changed the distribution of harvest were: 1) projected harvest acres were limited to suitable medium- and high-volume old growth only; 2) the proportion of projected harvest in the northern ranger districts was reduced; and 3) Value Comparison Units (VCUs) with the lowest estimated total old-growth stumpage values were dropped from consideration for the harvest (see Chapter 3, Introduction, Assumptions for Future Harvest).

- The mileage of new road construction, road reconstruction, and new roads over decommissioned road grades were estimated for each alternative; and these were spatially allocated based primarily on where harvest occurred (see Chapter 3, Introduction, Assumptions for Future Road Construction and Reconstruction). Assumptions made were similar to those made for the 2016 Forest Plan Amendment EIS.
- In the DEIS, a number of Biodiversity, Wildlife, and Water tables from the 2016 Forest Plan Amendment EIS were referenced, especially in the Affected Environment sections, because conditions have not changed significantly. The tables from the 2016 Forest Plan Amendment EIS were presented in Appendix C. In order to be more precise in the FEIS, these attributes were analyzed specifically for this EIS and updated information is now presented in new tables in the text that is specific to this EIS. Appendix C has, therefore, been eliminated.
- The DEIS incorrectly stated that a Biological Assessment would be prepared for the Decision. Since there are no anticipated effects that would influence threatened or endangered species, preparing a Biological Assessment is not necessary. Biological Assessments may be prepared for site-specific actions proposed in the future, as appropriate.
- Maps showing lands suitable for old-growth and young-growth timber production were created for each community use area and alternative. These maps show suitable old-growth and young-growth. However, to better approximate where future old-growth harvest might occur, some suitable old growth is excluded because it is considered less desirable low-volume old growth or for poor economics. These maps are provided in Appendix D, which is made available electronically in the data storage device accompanying this EIS or on the project website.
- In Appendix G, the Roadless Rule for Alternative 2 was corrected by removing the regulatory prohibition of commercial old-growth timber harvest in certain high priority watersheds. This is consistent with what was analyzed in the DEIS and was only intended to apply to Alternative 3.
- In Appendix G, exceptions to the prohibitions on timber harvest and road building in ARAs have been revised.

## Key Issues

In 2001, USDA determined that the Tongass National Forest deserved “special attention in formulating alternatives due to its unique social and economic conditions” (USDA Forest Service 2000). More specifically, USDA’s Record of Decision identified:

“the agency has considered the alternatives of exempting and not exempting the Tongass National Forest, as well as deferring a decision per the proposed rule. Social and economic considerations were key factors in analyzing those alternatives, along with the unique and sensitive ecological character of the Tongass National Forest, the abundance of roadless areas where road construction and reconstruction are limited, and the high degree of ecological health. In developing the proposed action, the agency sought to balance the extraordinary ecological values of the Tongass National Forest against the needs of the local forest dependent communities in Southeast Alaska.” (66 FR 3254)

Then, as now, USDA’s (and that of the State, cooperators, and interested members of the public) assessment of policy preferences regarding roadless management rests primarily on the different weights ascribed to these ecological, social and economic factors rather than any specific data or scientific findings. To be sure, the agency has carefully considered comments submitted that sought clarifications or updated information and revised the FEIS accordingly.

With striking similarity to the issues highlighted in 2001, the following three key issues were identified for the Alaska state-specific roadless rulemaking effort and will be carried forward throughout the analysis.

## Key Issue 1 – Roadless Area Conservation

The Tongass includes large undeveloped areas, with several portions of the Forest consisting of contiguous roadless areas that exceed 1 million acres and represent large blocks of unfragmented wildlife habitats, undeveloped or natural areas, and opportunities for primitive recreation and/or solitude. This large scale of roadless areas, including wildernesses and national monuments, does not exist anywhere else in the NFS outside of Alaska. The Tongass is the largest national forest in the United States and the majority of the Tongass is in a natural condition. It represents one of the largest, relatively intact temperate rainforests in the world.

Roadless areas are important because of their wildlife and fish habitat, recreation values, importance to multiple economic sectors, inherent passive use values, traditional properties and sacred sites for indigenous people, and ecosystem services they provide. Passive use values represent the value that individuals assign to a resource independent of their use of that resource and typically include existence, option, and bequest values. These values represent the value that individuals obtain from knowing that expansive roadless areas exist, knowing that they are available to visit in the future should they choose to do so, and knowing that they are available for future generations to inherit.

Ecosystem services represent the services provided to society by healthy ecosystems. These services and benefits include what some consider to be long-term life support benefits to society as a whole. Examples of ecosystem services include watershed services, soil stabilization and erosion control, improved air quality, climate regulation, carbon sequestration, and biological diversity.

The following units of measure are used to evaluate how each alternative responds to this key issue:

- Qualitative degree of impacts to roadless area characteristics;
- Total acres of designated roadless areas by alternative and by Alaska Roadless Area (ARA);
- Acres of designated roadless area removed and added; and
- Acres of designated roadless area in development LUDs.

## Key Issue 2 – Support local and regional socioeconomic well-being, Alaska Native culture, rural subsistence activities, and economic opportunity across multiple economic sectors

The Tongass comprises approximately 80 percent of Southeast Alaska and therefore plays a critical role in supporting local and regional economies, promoting economic diversification, and also enhancing rural community well-being. The visitor industry, seafood industry, and resource extraction industries contribute to local jobs and income alongside public sector employment spanning federal, state, and local government. While the visitor and seafood industries are the largest private-sector employers across Southeast Alaska, resource extraction remains important in some rural communities where jobs are limited and unemployment is often times high.

The Forest Service manages land for the multiple-use and sustained yield of all renewable surface resources. There is fragmentation and disagreement among the State, cooperators, and public regarding the best management of federal lands for economic development purposes and to support the overall economic vitality of Tongass communities. Many believe the visitor industry and seafood industries have become the mainstay of Southeast Alaska's economy and therefore should have prominence in Forest Service land management decision-making. Others note that resource extraction, including forest products and the minerals industry, continue to provide jobs and income sources in Southeast communities.

Southeast Alaska residents, communities, and Alaska Native individuals and tribes rely extensively on the Tongass for a wide variety of subsistence resources and traditional cultural activities. Many of them also use the forest for recreational hunting, fishing, and other activities. These activities yield economic value as well, and are important to local and regional socioeconomic well-being.

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The following units of measure are used to evaluate how each alternative responds to this key issue:

- Qualitative degree of effect to forest products industry;
- Qualitative degree of effect to visitor industry;
- Qualitative degree of effect to fisheries industry;
- Qualitative degree of effect to locatable and leasable minerals development potential;
- Qualitative degree of effect to energy project development potential;
- Qualitative degree of effect to major transportation projects;
- Acres of forest land suitable for timber production (old growth and young growth);
- Acres of increase in suitable old growth by substantially altered areas, logical extensions of roaded areas, and areas more distant from roads;
- Acres of increase in high-volume suitable old growth by substantially altered areas, logical extensions of roaded areas, and areas more distant from roads;
- Qualitative degree of support for Alaska Native culture due to improved access to tree harvest for cultural purposes;
- Qualitative degree of support for subsistence activities; and
- Qualitative degree of effects to communities – overall level of potential change for communities.

## Key Issue 3 – Conserve terrestrial habitat, aquatic habitat, and biological diversity

The Tongass includes large, undeveloped, and natural land areas that represent expansive unfragmented blocks of wildlife habitat. This scale and size of contiguous habitat is not generally available elsewhere in the NFS outside of Alaska. Although wildlife species on the Tongass are associated with more than one habitat type, many inhabit old-growth forests or prey on species that inhabit old-growth forests. The Tongass Old-growth Habitat Conservation Strategy (2016 Forest Plan Amendment EIS, Appendix D) was developed to maintain the integrity of the old-growth forest ecosystem, and thereby conserve biological diversity across the Forest by retaining intact, largely undisturbed habitat. In addition, because of its predominantly undeveloped nature, a number of wide-ranging species find optimal habitat in the more remote areas of the Forest.

Fish and the aquatic resources on the Tongass support subsistence, commercial, and sport fisheries, as well as traditional and cultural values. The Tongass includes high-value, intact watersheds that were designated to be managed for intact ecological values and aquatic habitat productivity, and many commenters believe these areas should be protected so that they can continue to provide the clean water and fish habitats that are essential to the ecological and economic health of the Southeast Alaska communities and residents who rely on them.

The following units of measure are used to evaluate how each alternative responds to this key issue:

- Percent of existing and original productive old growth (POG) harvested over the long term;
- Percent of original high-volume POG harvested over the long term;
- Percent of original large-tree POG harvested over the long term;
- Acres of young-growth harvest in specific habitats;
- Average road density over the long term;
- Percent of Wildlife Analysis Areas (WAAs) with road density <0.7 miles/square mile; and
- Qualitative ratings of species-specific effects.

## ***Issues Eliminated from Detailed Analysis***

NEPA regulations require the agency to identify and eliminate from detailed study those issues that are not significant or that have been covered by prior environmental review, to narrow the scope of the analysis. Reasons for eliminating issues from detailed study include when the issues are related to the following:

- General opinions or position statements not specific to the proposed action;
- Items addressed by other laws, regulations, or policies;
- Items not relevant to the potential effects of the proposed action, or otherwise outside the scope of this analysis; and/or
- Items that have no or negligible effects.

Although changes in management direction could influence the nature of future projects, the timing, location, and details of future projects are currently unknown. This proposal does not make site-specific decisions or authorize any ground-disturbing activities. Therefore, site-specific impacts of projects are not considered in this FEIS and only broad environmental issues commensurate with program-level, landscape-scale decision making are considered. Impacts of future projects would need to be assessed on a project by project basis as they are proposed.

Many of the issues dismissed are anticipated to have similar resource effects for each of the various alternatives as those effects disclosed in the 2016 Forest Plan Amendment EIS. This is because implementation of Forest Plan standards and guidelines would be the same for all alternatives and none of the alternatives predict a projected timber sale quantity (PTSQ) greater than the amount disclosed in the 2016 Forest Plan Amendment EIS (46 million board feet [MMBF] per year). Although road construction and/or timber harvest could potentially increase within some designated roadless areas, these effects would be evaluated at the project-level.

Eliminated issues are not addressed beyond the rationale provided below:

### **Geology and Geologic Features**

None of the roadless area management alternatives propose alteration of geologic processes or features. Impacts to geology or geologic features would be based on site-specific proposals, which are currently unknown, and would be addressed in subsequent project environmental analyses. From a broad standpoint, the impacts to geology and geologic features from the proposed alternatives would be the same as disclosed in the 2016 Forest Plan Amendment EIS. While this is also true for karst and cave resources, effects to these resources are discussed in the body of Chapter 3 due to their sensitivity to timber harvest and road development.

### **Soil Characteristics and Composition**

None of the roadless area management alternatives propose alterations to soil characteristics or composition. Impacts to soil characteristics and composition would be based on site-specific proposals, which are currently unknown, and would be addressed in subsequent project environmental analyses. From a broad standpoint, the impacts to soil characteristics and composition from the proposed alternatives would be the same as disclosed in the 2016 Forest Plan Amendment EIS due to similar timber harvest levels and adherence to Forest Plan standards and guidelines.

A preliminary review of effects to soils was conducted, looking at the acres of suitable land on soils with a mass movement index (MMI) of 3. The Forest Plan removes very high hazard class MMI 4 from suitability because of the risk of irreversible damage to the resource. MMI 3 soils are considered high hazard, but less so than MMI 4 soils and can be harvested on. As expected, acres of suitable MMI 3 soils increase with each of the Alaska Roadless Rule alternatives, ranging from an increase of 6 percent for Alternative 2, 21 percent for Alternative 3, and 35 to 39 percent for Alternatives 4 through 6. However, because none of the alternatives predict an increase in the PTSQ, this does not correlate to an increase in harvest on MMI 3 soils. As with other soil characteristics, site-specific conditions would be evaluated at the project-

scale. Similarly, harvest and road building on steep slopes, and associated risk of landslides, would be based on site-specific proposals. From a broad standpoint, the associated risk of timber harvest and road building on high risk soils and steep slopes from the alternatives would be the same as disclosed in the 2016 Forest Plan Amendment EIS due to adherence to Forest Plan standards and guidelines.

## Water Quantity and Quality

None of the roadless area management alternatives propose specific actions that would alter water quantity or quality. Impacts to water quantity or quality would be based on site-specific proposals, which are currently unknown, and would be addressed in subsequent project environmental analyses. From a broad standpoint, the impacts to water quantity or quality from the proposed alternatives would be the same as disclosed in the 2016 Forest Plan Amendment EIS due to following Forest Plan standards and guidelines and would use the application of best management practices (BMPs) which are consistent with the Alaska Forest Resources Practices Act, Clean Water Act, Magnuson–Stevens Fishery Conservation and Management Act, and Alaska’s Department of Environmental Conservation Water Quality Standards. Overall, effects on water quantity and quality are expected to be lowest under Alternative 1 and slightly higher under the action alternatives, with Alternatives 5 and 6 having the highest effects due to slight increases in miles of road construction and reconstruction relative to Alternative 1. Differences, however, would be localized and insignificant overall.

## Air Quality

None of the roadless area management alternatives propose specific actions that would alter air quality. Impacts to air quality would be based on site-specific proposals, which are currently unknown, and would be addressed in subsequent project environmental analyses. From a broad standpoint, the impacts to air quality from the alternatives would be the same as disclosed in the 2016 Forest Plan Amendment EIS due to following Forest Plan standards and guidelines. Air quality effects could be slightly higher under the action alternatives, especially Alternatives 5 and 6, due to slightly greater road construction, but the differences among the alternatives would be insignificant for air quality.

## General Vegetation

None of the roadless area management alternatives propose specific actions that would alter general vegetation. Impacts to general vegetation would be based on site-specific proposals, which are currently unknown, and would be addressed in subsequent project environmental analyses. From a broad standpoint, the impacts to general vegetation from the proposed alternatives would be the same as disclosed in the 2016 Forest Plan Amendment EIS due to the application of Forest Plan standards and guidelines. Slightly more road construction under the action alternatives would slightly increase vegetation clearing; however, these changes would be insignificant.

## General Wildlife Species/Habitat

None of the roadless area management alternatives propose specific actions that would alter general wildlife habitat. Impacts to general wildlife habitats would be based on site-specific proposals, which are currently unknown, and would be addressed in subsequent project environmental analyses. From a broad standpoint, the impacts to general wildlife habitat from the alternatives would be similar to those disclosed in the 2016 Forest Plan Amendment EIS due to the application of Forest Plan standards and guidelines. Compared to Alternative 1, the action alternatives would result in small increases in road construction (up to 50 more miles of new road plus reconstruction, 14 more miles of road construction on decommissioned roadbeds, and 19 more miles of reconstruction over 100 years), habitat changes, and increased disturbance to wildlife in areas currently identified as roadless. Since the amount of timber harvest authorized is not increased, the action alternatives may affect the location and distribution of impacts, but are not likely to significantly increase impacts relative to Alternative 1.

## General Aquatics Species/Habitat

None of the roadless area management alternatives propose specific actions that would alter general aquatic species. Impacts to general aquatic species would be based on site-specific proposals, which are

currently unknown, and would be addressed in subsequent project environmental analyses. From a broad programmatic standpoint, the impacts to general aquatic species and habitat from the action alternatives would be the similar to those disclosed in the 2016 Forest Plan Amendment EIS (Alternative 1) due to the application of Forest Plan standards and guidelines and the lack of major differences among the alternatives. Although the action alternatives would result in slight increases in impacts relative to Alternative 1, the differences among alternatives are not expected to be significant.

## Essential Fish Habitat

The Magnuson–Stevens Fishery Conservation and Management Act mandates that agencies initiate consultation with the National Marine Fisheries Service (NMFS) for any activities that could affect essential fish habitat (EFH). This consultation is completed for site-specific projects with ground-disturbing activity. The application of Forest-wide standards and guidelines and BMPs developed to meet soil protection, water quality standards, and fish habitat protection will help protect EFH on the Tongass and adjacent estuarine and marine waters. Adoption of any of the alternatives would not specifically result in any actions that could affect EFH, and any action that would be taken following adoption of an Alaska Roadless Rule that could affect EFH would undergo consultation.

## Invasive Aquatic Species

Executive Order 13112 addresses the prevention of the introduction of invasive species and provides for their control and minimization of the economic, ecological, and human health impacts the invasive species causes. None of the roadless area management alternatives propose specific actions that would introduce invasive aquatic species. Impacts of invasive aquatic species would be based on site-specific proposals, which are currently unknown, and would be addressed in subsequent project environmental analyses. Implementing active management including road building and timber harvest in areas currently designated as roadless areas has the potential for increasing the distribution of aquatic invasive species to areas where they do not currently exist. Forest Plan standards and guidelines as well as BMPs should minimize the potential for this to occur. The potential for this occurrence and any resulting effects from aquatic invasive species would be evaluated more closely during any subsequent project-level analysis. During a project-level analysis, specific project design recommendations may be developed to further reduce the potential impacts.

## Wetlands

Executive Order 11990 requires protection of wetlands by mandating federal agencies to avoid, if possible and practicable, adverse impacts to wetlands. Identification, assessment, and protection of wetlands would be based on site-specific proposals, which are currently unknown, and would be addressed in subsequent project environmental analyses. From a broad standpoint, the protection of wetlands from the proposed alternatives would be the same as disclosed in the 2016 Forest Plan Amendment EIS due to application of Forest Plan standards and guidelines.

A preliminary review of effects to wetlands was conducted. This analysis concluded that the amount of timber harvest on wetlands is expected to vary slightly among alternatives; about 5 percent for old growth and 8 percent for young growth based on projected timber harvest distributions by alternative. Miles of road on wetlands under all alternatives would be minimized, as individual projects would avoid wetlands to the extent feasible, as required in the Forest-wide standards and guidelines. It is projected that new road miles on wetlands would vary only slightly among alternatives and would be lowest with Alternatives 1 and 2 and highest with Alternatives 4, 5, and 6. Alternative 3 would be intermediate in terms of road miles built on wetlands.

## Floodplains

Executive Order 11988 requires federal agencies to avoid, to the extent possible, the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development wherever there is a practicable alternative. None of the roadless area management alternatives propose specific actions that would have short- or long-term adverse impacts to floodplains. Identification and assessment of short- and long-term effects would be

based on site-specific proposals, which are currently unknown, and would be addressed in subsequent project environmental analyses. From a broad programmatic standpoint, short- and long-term effects to floodplains from the proposed alternatives would be the same as disclosed in the 2016 Forest Plan Amendment EIS due to Forest Plan standards and guidelines.

## National Historic Preservation Act

In carrying out the responsibilities under Section 106 of the National Historic Preservation Act (NHPA), the Forest Service consulted with the State of Alaska Department of Natural Resources, Division of Parks and Outdoor Recreation and the Office of History and Archaeology, resulting in a letter (10/08/2018) from the State Historic Preservation Officer concurring with the Forest Service's determination that changes in management direction for designated roadless areas on the Tongass does not meet the definition of an undertaking, as defined in 36 CFR 800.16(y). Although road construction and/or timber harvest could potentially increase within some designated roadless areas, impacts under the NHPA would be based on site-specific proposals, which are currently unknown, and would be addressed in subsequent Section 106 reviews and project environmental analyses.

## Specific Location Impacts

Comments were received requesting detailed analysis of specific timber sales, road densities, and impacts to special use permit areas. None of the roadless area management alternatives propose site-specific projects or actions. Specific location impacts would be based on site-specific proposals, which are currently unknown, and would be addressed in subsequent project environmental analyses.

## Changes in Timber Markets

Commenters stated that timber demand has decreased in the United States, causing Alaska timber to be shipped to overseas markets; as a result, the timber industry is no longer a driving economic force in Alaska. The Pacific Northwest Research Station published planning-cycle demand projections (Daniels et al. 2016) that identified three future scenarios representing alternative futures for Southeast Alaska's forest products industry – the transition to young-growth timber harvest, growing wood energy markets, and rebound in domestic housing market. The 2016 Forest Plan Amendment EIS's use of a projected timber demand of an annual average of 46 MMBF of Tongass timber as the PTSQ was reasonable, conservative, and based on an evaluation of the best available information. The Forest Service has considered the current market situation and determined that no change to the PTSQ is needed at this time for purposes of this rulemaking.

## Tongass Timber Reform Act

The TTRA (Section 101) directs the Forest Service to seek to provide a supply of timber from the Tongass that meets annual market demand and the market demand for each planning cycle to the extent consistent with providing for the multiple-use and sustained-yield of all renewable resources, and other applicable requirements. The Forest Plan provides sufficient timber to meet projected demand for timber from the Tongass as described in the 2016 Forest Plan Amendment EIS and Record of Decision (ROD; USDA Forest Service 2016b, 2016c) and by a series of annual applications of the Morse methodology. The Morse methodology is implemented, on an annual basis, to estimate current timber supply needed to meet market demand – satisfying the TTRA's "seek to meet market demand" provision. This would continue under all alternatives.

## Below-cost Timber Sales

Financial analyses for the Forest Plan were presented in the 2016 Forest Plan Amendment EIS (pp. 3-516 to 3-519) based on modeling that involved first maximizing young-growth harvest under a non-declining even flow and then adding old-growth volume to reach the annual average harvest of 46 MMBF and maximizing the net present value. Modeling results for the Forest Plan indicated positive discounted net revenues over the 15-, 25-, and 100-year periods. The analyses suggested that individual timber sales offered during the first 25 years of the planning period would likely need to include a mix of old growth and young growth to appraise positive, and to cover both logging and stumpage costs while

providing a normal profit and risk. Under the Further Consolidated Appropriations Act, 2020 P.L. 116-94, 133 Stat. 2751 (Sec. 436), timber sales that do not appraise positive using the current Region 10 RV (Residual Value) appraisal cannot be offered. All the action alternatives would increase availability of suitable old growth and young growth for harvest. More acres of suitable land would provide greater flexibility in the selection of future timber sale areas, as well as the potential for more flexibility in sale design, depending on the planning areas selected which are currently unknown. This improved flexibility could, in turn, improve the Forest Service's ability to offer economic sales that meet industry needs. This greater flexibility could be beneficial during the first two decades of the 2016 Forest Plan (the transition period), which is the period of greater old-growth timber harvest. Potential revenue from future projects would be considered in project-specific analysis.

## **Changes to the General Mining Act of 1872**

Comments received suggested that reforming or changing the 1872 Mining Law, as amended, would address potential future environmental impacts. While the Mining Law is fundamentally a law for acquiring property rights, rather than an environmental law, presumably the comments were directed at eliminating the ability to establish property rights and increasing agency discretion to prevent mining. This is dismissed from consideration because making or amending law is an explicit function of Congress and not within the authority of the Secretary of Agriculture.

## **Irreversible or Irretrievable Commitment of Resources**

An irreversible or irretrievable commitment of resources will not be made by the rulemaking. None of the roadless area management alternatives propose specific actions that would cause irreversible or irretrievable commitments of resources. Although road construction and/or timber harvest could potentially increase within some designated roadless areas, commitment of resources would be based on site-specific proposals, which are currently unknown, and would be addressed in subsequent project environmental analyses.

## ***Incorporation by Reference***

To focus on the issues and streamline the EIS, the following documents are incorporated by reference:

- The Tongass Land and Resource Management Plan, as amended (USDA Forest Service 2016a), and accompanying EIS and ROD (USDA Forest Service 2016b and 2016c);
- The Tongass Land and Resource Management Plan, as amended (USDA Forest Service 2008a), and accompanying EIS and ROD (USDA Forest Service 2008b);
- The 2003 Roadless Area Evaluation for Wilderness Final Supplemental Environmental Impact Statement (USDA Forest Service 2003a) and accompanying ROD (USDA Forest Service 2003b);
- The Tongass Land and Resource Management Plan Revision (USDA Forest Service 1997a), as amended, and accompanying FEIS and ROD (USDA Forest Service 1997b); and
- Forest Service Roadless Area Conservation Final EIS (USDA Forest Service 2000).

## ***Scope and Applicability***

### **Scope of the FEIS**

The scope of this FEIS consists of the range of actions, alternatives, and impacts that are considered relevant to the proposed action. The roadless rule is geographically limited to proposed ARAs and existing IRAs established in the 2001 Roadless Rule, or the "analysis area" within the Tongass (see Chapter 3 for a further discussion of the analysis area). The rule is focused on the exceptions of the prohibitions for timber harvest and road construction/reconstruction within designated roadless areas on the Tongass. The final rule would not suspend, revoke, or modify land-use permits, contracts, or other legal instruments issued before the effective date of the final rule. Rulemaking establishes regulations

# Purpose of and Need for Action 1

with which future actions would have to comply, and does not make site-specific decisions or authorize any ground-disturbing activities.

This analysis is a generalized review which the Council on Environmental Quality (CEQ) recognizes as any broad or high-level NEPA review of proposed policies, plans, programs, or projects.

While environmental impacts should be disclosed as soon as information is reasonably available and at the earliest practicable stage, it is not reasonable or efficient to develop numerous timber harvest or other project-level scenarios. It is reasonable and efficient to limit detailed site-specific impact analyses to when specific proposals are brought before the agency.

The relationship between regulations, land and resource management plans (forest plan), and national forest projects is of particular importance to roadless rulemaking. Hierarchically, the Alaska Roadless Rule is two steps removed from any Tongass project-specific decision. A regulation is hierarchically above a forest plan, which must comply with all applicable laws and regulations. A forest plan provides broad guidance for future project activities within a specific national forest.

Roadless rules are narrowly focused prohibitions and exceptions established by the Secretary concerning whether and how timber harvest and road construction/ reconstruction may be allowed within specifically designated roadless areas. The alternatives evaluated in this FEIS focus on the particular prohibitions and exceptions. General guidance considering other discretionary aspects of management of the Tongass is better addressed through forest planning. As directed by the National Forest Management Act, Forest Plans are periodically revised and provide greater flexibility to adapt as the Forest Service gains greater understanding and/or circumstances change on the ground.

## Applicability

The lands subject to this rulemaking are NFS lands on the Tongass. Therefore, the detailed descriptions and analyses of the affected environment and impacts on resources will be limited to the Tongass. The application of the change and modification provision to the Chugach National Forest considered in the DEIS has been removed from consideration in the FEIS.