

Supplemental comment on DEIS for Alaska Roadless Rule providing new information regarding a new petition to list the Alexander Archipelago wolf as threatened or endangered under the Endangered Species Act

Prepared by Robert Skorkowsky, US Forest Service Alaska Region, July 24, 2020

To: Ken Tu and Wayne Owen

Topic: A letter was received by the Forest Service on July 17, 2020 in the form of a supplemental comment on Alaska Roadless Rule Draft EIS concerning new information on petition to list the Alexander Archipelago wolf in southeast Alaska as threatened or endangered under the Endangered Species Act. Accompanying the letter was *Exhibit 1* presenting a copy of a new petition to list the Alexander Archipelago wolf as either threatened or endangered under ESA and specifically the SE Alaska portion of the population as a DPS, dated July 15, 2020.

Primary Issue affecting the USFS: The comment letter recommends that the Forest Service revise the DEIS to include new information to ensure wolf conservation. The commenter believes that this new information is an example of how the existing wolf conservation regulatory framework is inadequate and the DEIS for the Roadless Rule should be modified to ensure wolf conservation. Specifically, the commenter states:

- *“the Forest Service should revise its Alaska Roadless Rule Draft EIS to include, and at a minimum ensure its FEIS includes, an assessment of the cumulative threats to Alexander Archipelago wolf on Prince of Wales Island and throughout Southeast Alaska, and the likelihood that opening the door to clearcutting old-growth forest within inventoried roadless areas of Prince of Wales and elsewhere under the proposed Alaska Rule will require the wolf to be listed for protection under the Endangered Species Act. The Forest Service must also demonstrate how it will comply with its duties under the National Forest Management Act to maintain viable populations of wolves on the Tongass National Forest, and its duty to conserve imperiled species under the Endangered Species Act if it implements the Alaska Roadless Rule preferred alternative allowing logging and bulldozing within inventoried roadless areas of Game Management Units 1A, 2 and 3, and particularly on Prince of Wales Island.”*

Summary of assessment of the information related to the Alaska Roadless Rule DEIS:

- The existing PFEIS has a range of alternatives that would not be expanded as a result of this new information. Alternative 1 which is the No Action alternative outlines the anticipated effects with no change to the Alaska Roadless Rule. The other alternatives would allow for varying degrees of management within roadless areas and the anticipated effects of those alternatives including potential effects from subsequent project implementation to wolves or wolf habitat and prey species (deer) that wolves depend on are disclosed in the PFEIS.
- Increasing wolf conservation measures for the Tongass National Forest is outside of the scope of the current analysis and is more suited for a forest-plan amendment or other decision process. The 2016 Tongass Forest Plan amendment includes goals, objectives, standards and guidelines that are intended to promote sustainable wolf populations. As a result of steps identified in the 2016

Forest Plan, an Interagency Wolf Habitat Management Program: Recommendations for Game Management Unit 2 was developed in 2017.

- The Forest Service has authority to modify federal subsistence regulations affecting the harvest of wolves in GMU 2 through delegated authority from the Federal Subsistence Board to ensure conservation of the species. This management authority, when implemented in collaboration with the Alaska Department of Fish and Game and the Alaska Board of Game coordinating with state and federal harvest regulations is the most effective method to effect changes in harvest of wolves in GMU 2 and manage wolf populations. The Forest Service is continually working with ADF&G and the BOG to determine any necessary changes to harvest regulations to ensure wolf conservation. The 2017 Wolf Plan for GMU 2 identifies the following regulatory mechanisms
 - State and Federal managers may close seasons early by ADF&G emergency order and Federal special action. (2017 GMU 2 wolf plan, page 22)
 - Failure to meet objectives could trigger regulatory actions such as conservative harvest caps or shortened harvest seasons. (2017 GMU 2 Wolf Plan, Page 23).

- The proposed federal action and the adoption of any of the alternatives associated with this rulemaking analysis is largely administrative in nature and does not stipulate any subsequent on-the-ground management that would affect directly the Alexander Archipelago wolf. The Roadless Rule alternatives do not authorize ground-disturbing actions nor control the timing, location or duration of any future actions. Any decisions that follow a roadless decision, would include the necessary specific details for a proposed action including: how, when, and where to conduct forest management activities such as building roads, harvesting timber, or other activities associated with forest management. Any subsequent project proposal that may affect wolves or wolf populations would require further site-specific project level analysis and additional site-specific level of decision-making.

- A species status assessment for the Alexander Archipelago wolf was recently completed by the US Fish and Wildlife Service on November 23, 2015 (USFWS 2015). The FWS found:
 - *“In conclusion, we believe that the future status of the rangewide population of the Alexander Archipelago wolf likely will be stable or perhaps slightly lower than its current status based on its resiliency, redundancy, and representation (Table 27). Owing to predicted declines in the GMU 2 wolf population, it is possible that the rangewide population may decrease slightly, but we expect the overall effect to be minor given that the GMU 2 population constitutes only 6% of the rangewide population, is geographically peripheral to the other populations, and appears to serve as a sink population. Nonetheless, the persistence of the GMU 2 population is desired and requires careful management actions and decisions to ensure its future health.”*

U.S. Fish and Wildlife Service. 2015. Species status assessment for the Alexander Archipelago wolf (*Canis lupus ligoni*). Version 1.0, December 2015. Alaska Region, Anchorage, Alaska. 162 pp.

Review of the PFEIS:

- “PFEIS indicated no difference between alternatives, all alternatives indicated a very high probability of maintaining viable well distributed wolf population over the next 100 years”. (Table 2-12)
 - Trapping harvest intensity is a primary issue affecting wolf populations in GMU. The 2019 wolf harvest data does raise potential population concerns for the wolves in GMU2 which may affect 2020 harvest regulations through regulatory actions such as harvest caps, shortened seasons or closed seasons.
- “Roadless areas may be of greatest value to wide-ranging species that require large, undisturbed areas of land. In general, this group consists of predators. Three mammals are included in this category: Alexander Archipelago wolf (*Canis lupus ligoni*), ...” “Remote road less areas often represent optimum habitats for them and may serve as important refugia for populations under harvest and development pressures. Of greatest concern on the Tongass is the Alexander Archipelago wolf, particularly on Prince of Wales and surrounding islands. Although the alternatives would be similar in terms of overall harvest levels, Alternatives 4, 5, and 6 would result in the largest adverse effects on these species because of greater road lengths, penetration into remote roadless areas, and habitat fragmentation that they would produce relative to Alternatives 1, 2, and 3.” (3-14)
 - The PFEIS acknowledges the value of roadless areas on the Tongass NF to wolves and the potential relative effects of the alternatives to wolves and wolf habitat. The 2016 Forest Plan outlines mechanisms through Forest Plan Standards and Guidelines to promote wolf conservation, protect important habitat characteristics such as den sites and help ensure adequate habitat to sustain prey populations
- “Finally, a number of species-specific standards and guidelines, such as raptor nest and wolf den buffers, set aside old growth buffers, are implemented to avoid impacts to these species.” (3-68); “Current Standards and Guidelines provide protection for active den sites through the establishment of a 1,200-foot forested buffer and avoid road construction within established buffer where feasible (USDA Forest Service 2016a).” 3-98
 - Management guidelines are in place to reduce impacts to wolves. The commenter says existing direction is inadequate to conserve wolves. Adding conservation direction for wolves would not be done through the Alaska Roadless Rule decision and is outside the scope of this analysis. The Tongass Forest Plan was recently amended in 2016 and contains standards and guidelines for wolf conservation. Additional project design criteria can be developed when needed as part of a project level decision document.
- “Alexander Archipelago wolves inhabits Southeast Alaska, where population trends are largely unknown, except for the population on Prince of Wales Island and the surrounding islands (collectively GMU 2), which appears to have declined in abundance over the past 20 years. A portion of Prince of Wales Island was sampled, and estimates expanded to the entire GMU 2 suggesting an apparent decline of potentially 75 percent.” (3-96)
- “Harvesting of wolves is regulated by the Federal Subsistence Board and the State of Alaska Board of Game. Harvest regulations, both subsistence and sport, are intended to help ensure sustainable wolf populations.” (3-97)
 - PFEIS discloses that the GMU 2 population is declining. New trapping information provided by commenter indicates harvest intensity notably higher than anticipated in the 2017 wolf management plan. The ADF&G conduct annual evaluation of harvest and

population monitoring data. When the wolf population estimate for GMU 2 for 2019 is completed by ADF&G, that population information in addition to genetic evaluation of the harvested animals will provide a more complete understanding of the impact of the 2019 harvest on the GMU 2 wolf population and inform the need for regulatory action affecting wolf harvest season and limits.

- “Although wolves are often harvested by hunters and trappers working from boats (approximately 59 percent of harvest in GMU 2), harvest-related wolf mortality (both legal and illegal) is correlated with roads and other habitat features, which influence their vulnerability to harvest (Person and Russell 2008; Person and Logan 2012).” (3-98)
 - Increasing roads can result in increasing wolf harvest opportunity. The 2016 Tongass Forest Plan includes direction to limit road density in order to maintain wolf populations.
- “Timber harvest in newly opened areas and associated road construction or reconstruction has the potential to decrease the value of these roadless areas to wildlife through increased habitat fragmentation and reduced landscape connectivity. Additionally, species that are vulnerable to overharvest (e.g., wolf, marten, and spruce grouse) would be affected by potential increased hunter and trapper access along new or reconstructed roads, whether for young-growth or old-growth harvest or renewable energy projects. As with all alternatives, the specific magnitude of effects and where these would occur would be evaluated at the project level through a separate NEPA process. Total road miles to be constructed under each alternative are expected to be similar because the harvest levels are the same (see Table 3.3-21). However, Alternatives 3, 4, 5, and 6 are expected to result in more roads being built because these alternatives result in suitable timber in progressively more remote areas than under Alternatives 1 and 2. New road construction under all alternatives is expected to range from 994 miles under Alternative 1 to 1,043 miles under Alternative 6. Likewise, road construction over decommissioned roadbeds would range from an estimated 527 miles to 541 miles, and road reconstruction would range from an estimated 1,104 miles to 1,123 miles, respectively (see Table 3.3-21).
 - PFEIS discloses the anticipated effect that road development and harvest in roadless areas are likely to affect wolf habitat and trapper access resulting in increased take. Legal trapping can however be restricted and regulated through harvest regulations.

Wolf analysis pages 3-115 to 3-117

- Ultimately, the continued harvest of old-growth and young-growth forest that would be permissible under all the alternatives has the potential to result in localized reductions in deer habitat capability which may reduce prey availability for wolves in portions of the Tongass where deer are their primary prey (e.g., Prince of Wales Island and surrounding islands [GMU 2]). ADF&G recently updated its wolf management by game management area. All updated management reports and plans were reviewed but the discussion below focuses on GMU 2 (Porter 2018). The harvest data through 2014 was used for the 2016 Forest Plan. ADF&G plans for the next period (2015-2020) include the development of a more formal management plan for Unit 2 wolves (Porter 2018). Other recently updated management reports and plans for various GMUs note that changes to seasons and bag limits for wolves are currently not needed at this time.” (3-116)
- “Roads associated with timber harvest may also increase the risk of both legal and illegal hunting and trapping related wolf mortality by increasing human access.” (3-116)
- “Localized increases in hunter access would be expected under the action alternatives with no substantial increase across the Tongass. Alternative 2 would be the same as Alternative 1,

Alternative 3 would result in slightly more roads than Alternative 2, and Alternatives 4, 5, and 6 would result in slightly more roads than Alternative 3. These effects would be lessened through road closures after use, through storage or decommissioning.” (3-116)

- “The Forest-wide standards and guidelines would minimize impacts to wolves, their habitats, and their prey base during project construction and operation, and through cooperation and coordination with ADF&G and the Wolf Technical Committee to meet the management intent to secure and support sustainable wolf population levels, particularly in GMU 2.” (3-117)
- “Cumulative effects to modeled deer habitat capability would maintain 78 percent of the original level in 25 years and at 100 years. WAAs with the greatest impacts under the alternatives are located in GMU 2 (Prince of Wales and surrounding island) where concentrated past timber harvest has occurred. The USFWS Alexander Archipelago wolf species status assessment concluded that assuming continuation of current land use trends, the GMU 2 wolf population is anticipated to decline by another roughly 8 to 14 percent of current levels over the next 30 years (USFWS 2015). Although this could result in gaps in wolf distribution within GMU 2, given that it comprises just 6 percent of the population range wide, impacts to the overall distribution in Southeast Alaska or to species viability are not expected (USFWS 2015). The Forest Service will continue to coordinate with ADF&G and the Wolf Technical Committee to address future issues, especially within GMU 2. (3-122)

Other Comments:

- “The Alexander Archipelago wolf .. [is] also thought to be endemic taxa [to GMU2].” (3-98)
 - The 2015 FWS species status assessment determined that the GMU population was part of a larger population occurring across SE Alaska and Canada and are therefore not ever likely to warrant ESA protection. For the purposes of Section 7 they also accepted the subtaxa status of the Archipelago wolf.
 - Additional genetic information obtained by ADF&G during sealing of pelts from annual harvest of wolves in GMU 2 will continue to clarify the level of genetic connectedness or isolation of the population and be used to inform GMU 2 population estimation.

Conclusion:

- It is my determination that the new information regarding the 2020 petition to list the Alexander Archipelago wolf does not add information that would require updating the PFEIS.

Robert Skorkowsky

Natural Resource Specialist and Wildlife Biologist

Alaska Region

US Forest Service