

File Code: 1010; 1950

Date:

Route To:

Subject: Alaska Roadless Rule - Project Initiation Letter

To: Interdisciplinary Team

This project initiation letter is a formal announcement to start an analysis for the Alaska Roadless Rule. The operational Team will be composed of the following groups and people:

Steering Committee

Chris French- Assoc. Deputy Chief
Dave Schmid- Acting Alaska Regional Forester
Jerry Ingersoll- Deputy Alaska Regional Forester
Mary Sneickus- ~~Nancy Rusho~~ Co-Leaders (Overall project leadership)
Chad VanOrmer- Alaska Region Director of Ecosystem Planning and Budget

Core Team

Ken Tu – Team Leader
Robin Dale- Alaska Roadless ~~Coordinator/FOIA Coordinator~~ Technical Expert
TBA- Alaska Roadless Public Engagement Coordinator
Robert Nichols- Project Management
~~Chris Moyer- Deputy Team Lead~~
Regis Terney- ~~Tongass Rule~~ Planning/Regulatory
Sitka Pence- NEPA Assistant/Project Record

Strategic Communications/Legislative Coordination

Larry Chambers- Legislative Affairs/WO
Laurie Cooper- Alaska Region Legislative Affairs
Aleksy Minchenkov- Office of Communications WO
Kaari Carpenter- Alaska Region Public Affairs

Alaska Region Extended Team

Amanda Warner Thorpe- Alaska Region Transportation Program Manager
Yiqiang Gu- Planning Engineer (R6/R10)
Amy Thomas- Regional Engineer (R6/R10)
Melinda Hernandez Burke- Alaska Region Tribal Relations Program Manager
Keri Hicks- Alaska Region Heritage Program Manager
TBD- Timber/Forester
Cheryl Carrothers- Wildlife Biologist
Don Owen- Fisheries Biologist
Terry Suminski- Subsistence Biologist
TBD- Hydroelectric Energy
Kim Homan- GIS/Data



TBD- ANILCA Lands
TBD- Minerals/Caves/Karst
TBD- Recreation/Wilderness/Scenic
Jean Daniels- Economist

WO Extended Team

Steve Stadelman- Alaska Roadless Rule Technical Advisor
~~Chris Carlson- Regulation/Water/Fisheries~~
~~Jessica Robertson- Roadless FACA/Process Specialist~~
~~David Payne- Planning Engineering~~
Sunny Ng- GIS/Data
Henry Eichman- Economist
Christopher Koeppel- SHPO Consultation/Tribal Relations
Vince Dewitte- Regulatory/Legal Counsel (OGC)
Mike Migliori- Regulatory (ORMS)
~~Sandy Boyee- Wildlife~~

I expect core team members to fully participate in all aspects of the rulemaking/National Environmental Policy Act (NEPA) process for this project, including public participation, project development, analysis of impacts, documenting of the process, clearance of the rule, and litigation if necessary. Extended team members are expected to participate on an as needed basis as determined by the Team Leader. The issues dictate the extent of the analysis; therefore, the composition of the team could change as our understanding of the issues increases. I fully expect the team leader to manage team composition as necessary, and keep me apprised of any changes. In addition to those named above, the State of Alaska will be a cooperating agency on this analysis.

A formalized governance process, which may include the Department, Washington Office (WO), Regional Forester’s Office, and Alaska Governor’s Office, will be developed to ensure the responsible official, the Secretary of Agriculture, is involved at key decision points, and stakeholders are informed.

Commented [PS-F1]: Bi monthly BP, monthly calls, commo plan

The Strategic Communications Team will develop a communication plan that outlines the protocols and points of contacts. This communication plan, at a minimum, needs to define the points of contacts for both operational and strategic communications with the Washington Office, Alaska Region, Office of the General Counsel (OGC), and the State of Alaska.

Chris French, Associate Deputy Chief, National Forest System, and David Schmid, Acting Alaska Regional Forester, will provide joint leadership and oversight for the rulemaking process, NEPA compliance, communications with the State of Alaska, external stakeholders, the WO, and the Department.

Background: On January 19, 2018 the Governor of Alaska submitted, Administrative Procedures Act, a petition for rulemaking requesting the Secretary of Agricultural to initiate rulemaking on the applicability of the 2001 Roadless Rule to the Tongass National Forest. The Secretary of Agricultural sent a response letter on April 25, 2018 thanking the Governor for their rulemaking petition and indicating the Department would be working with the State in the



June xx, 2018.

Purpose and Need: The purpose of the proposed rule is to develop direction for the conservation and management of inventoried roadless areas (IRAs) within the State of Alaska. The State of Alaska desires to institute durable and long-lasting regulation for management of IRAs within the State that supports a diverse forest product sector and rural economic development within Southeast Alaska while considering national objectives for protecting roadless area values and characteristics.

Proposed Action: The proposed action for the Alaska Roadless Rule will be developed in cooperation with the State of Alaska (MOU-XXX).

Public Involvement: There will be two opportunities for public involvement in the rulemaking process: after the publication of the Notice of Intent (NOI) and after the draft Environmental Impact Statement (DEIS). The team will develop a public involvement plan with the WO and State for both stages.

Alternatives:

- No action- keeping the 2001 roadless rule in place
- Full exemption-
- Alt from Tongass Transition Team

Scope of Analysis: The supplemental analyses for the Colorado Roadless Rule should be limited to the court identified NEPA deficiencies. Specifically, for the Colorado Roadless Rule the court found the Final Environmental Impact Statement (FEIS) failed to: 1) disclose greenhouse gas (GHG) emissions from the mines that “would occur;” 2) disclose the GHG emissions from combustion of coal from the North Fork Coal Mining Area exemption; and 3) address or respond to an expert report criticizing the agencies’ assumptions about GHG pollution from the exception.

Although the court did not identify that the Colorado Roadless Rule should have utilized the Social Cost of Carbon protocol, the Interdisciplinary Team (IDT) will consider it for the rulemaking process.

The team leader will guide the specialists in developing reports in support of the supplemental analyses. At this time, key specialist documentation would include:

- National Environmental Policy Act (NEPA) sufficiency review documenting which areas of the original Final Environmental Impact Statement (FEIS) need supplementing based on new information and/or changed conditions. All resource areas involved in the development of the 2012 Final Rule will need to be involved with the NEPA sufficiency review.
- Greenhouse gas (GHG) report documenting data sources, assumptions, methods, results and interpretation of the results of GHG emission analysis for both mining operations and end use of North Fork coal.

Commented [PS-F2]: Place holder for letter from Sect. P to Gov. Walker about AK Roadless rulemaking and the marching orders.

Commented [PS-F3]: KT/R.Dale- how to narrow the scope, do we want the list of all acts (ANILCA/FLMPA/ESA/EO?), do we want to just talk about that data sets we are using (2016 amendment?)

- Coal report documenting data sources, assumptions, methods, results and interpretation to estimate the amount of recoverable coal resources.
- Economics report documenting data sources, assumptions, methods, results and interpretation of the results for changes in the base economic assumptions used in the original FEIS and the supplemental analyses. If appropriate, a regulatory flexibility analysis and regulatory impact analysis would need to be prepared.
- A report documenting compliance with Endangered Species Act (ESA), Section 7 for plants and terrestrial/aquatic wildlife.
- Magnuson Stevens Conservation Act
- A report documenting compliance with National Historic Preservation Act of 1966, Section 106.

The scope of the analysis can change based on unforeseen issues, public comments, and changes to our understanding; therefore, if the team believes the scope of analysis should change, I expect the team leader to update me as soon as feasible.

Timeline: This project will follow an expedited timeline that will require full commitment and dedication from the team, and I will be monitoring your progress to ensure it is met. Inform the team leader if you expect any problems meeting the timeline, and I expect the team leader to inform me of any problems the team may have in meeting their responsibilities. I would also like the Core Team to formally meet with me on a regular basis, so I am fully aware of your progress, and to provide any input/direction that is needed by the team.

#	Task	Timeline	Who	Comments
1	Prepare Cooperating Agency MOUs	Jul 2018	IDT, State	
2	Meet with State to develop common understanding	Jul 2018	IDT, State	
3	Develop scoping lists	Jul 2018	Forests	
4	Verify data needs	Jul 2018	IDT/Forests	Re-inventory would increase timeframe
5	Prepare & vet P&N/proposed action	Jul 2018	Dept, State, WO, R10	
6	Develop contract	Jul 2018	IDT, WO	
7	Conduct advanced tribal consultation	Aug 2018	Forests, IDT	
8	Prepare NOI	Aug 2018	IDT	
9	Review of NOI	Aug 2018	Dept, State, WO, R10	
10	Publish NOI	Sep 2018	WO/IDT	
11	Public scoping period	Sep-Oct 2018	IDT/Forests	Discretion on length – 30 days?
12	Content analysis-scoping comments	Oct-Nov 2018	IDT	
13	Prepare regulatory workplan	Oct-Nov 2018	Dept, WO, IDT	
14	Issue development	Nov 2018	IDT	
15	Alternative development	Nov-Dec 2018	IDT	



#	Task	Timeline	Who	Comments
16	Internal review of issues and alternatives	Jan 2019	Dept, State, WO	
17	Impact analysis	Jan-Feb 2019	IDT	
18	Prepare DEIS and Proposed Rule	Mar 2019	IDT	
19	Internal review DEIS and Proposed Rule	Apr 2019	Dept, State, WO, R10	
20	Clearance	May-Jul 2019	Dept, WO	3 month clearance process
21	Tribal consultation	Aug 2019	Forests, IDT	
22	Publish/distribute DEIS/NOA/Proposed Rule	Aug 2019	WO/IDT	
23	Public comment period (45 days)	Aug-Sep 2019	IDT/Forests	
24	Content analysis - DEIS	Oct 2019	IDT	
25	Resolution of outstanding issues	Nov 2019	Dept, State, WO, R10, IDT	
26	Response to comments	Dec 2019	IDT	
27	Update supporting documentation	Dec 2019-Jan 2020	IDT	
28	Prepare regulatory workplan	Jan 2020	Dept, WO, IDT	
29	Prepare FEIS/NOA/Final Rule/RODs	Jan-Feb 2020	IDT	
30	Internal review FEIS, Final Rule, & RODs	Feb-Mar 2020	Dept, State, WO, R10	
31	Sec 7 & 106 consultations	Mar 2020	IDT	
32	Clearance of FEIS/Final Rule	Mar-May 2020	Dept, WO	3 month clearance process
33	Tribal consultation	May 2020	Forests, IDT	
34	Publish Distribute FEIS/NOA/Final Rule	End May 2020	WO/IDT	
35	30 day stay of decision	End May 2020		
36	Publication of Final Rule	End Jun 2020	WO/IDT	