



USDA FOREST SERVICE ALASKA ROADLESS RULEMAKING

Questions and Answers

UPDATED Sept. 13, 2018

Q1: Why is USDA’s Forest Service beginning to work on an Alaska Roadless Rule now?

The State of Alaska submitted a petition for rulemaking to the Secretary of Agriculture Sonny Perdue. The Secretary and Alaska Governor 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.

Q2: 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 and Tongass National Forests, 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 National Forest, but the Tongass National Forest 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.

Q3: What are the next steps the USDA Forest Service will be taking?

The USDA Forest Service is conducting a public rulemaking process pursuant to the Administrative Procedures Act (APA). In late August 2018, the Forest Service issued a Notice of Intent (NOI) in the Federal Register to initiate the rulemaking process. The NOI opened a scoping and public comment period. As part of the scoping period, the USDA Forest Service will host community meetings to provide information and answer questions about the rulemaking process. Public comments received during the scoping period will help inform the USDA Forest Service on the development of a range of alternatives to be analyzed in the Alaska roadless rule Environmental Impact Statement.

Q4: What is the timeframe for completion of the Alaska Roadless Rule?

- *Late August, 2018*—begin a scoping period on the proposed rulemaking.
- *July 2019*—publish a draft environmental impact statement (EIS), start a comment period on the draft.
- *April 2020*—publish a final EIS.
- *June 1, 2020*—publish a final Alaska Roadless Rule



Q5: What is happening next?

- The Forest Service has issued a Notice of Intent (NOI) announcing public engagement to inform the rulemaking.
- The deadline to comment is Oct. 15, 2018
- The Forest Service will host a series of public meetings to discuss the rulemaking process. Details can be found here: <https://www.fs.usda.gov/roadmain/roadless/alaskaroadlessrule>

Q6: How many public meetings will there be? When? Where?

Please see the schedule for public involvement here:

<https://www.fs.usda.gov/roadmain/roadless/alaskaroadlessrule>

Q7: How will the State of Alaska be involved in the rulemaking process?

The State of Alaska is a cooperating agency and will work closely with USDA Forest Service during all phases of the rulemaking process. The State will establish an advisory group that will report to the Governor and inform the State's input to the USDA Forest Service during the rulemaking process. Additionally, as a cooperating agency the State will work closely with the NEPA Interdisciplinary Team (IDT).

Q8: will the USDA Forest Service and the State of Alaska work together?

The USDA Forest Service and the State are committed to working cooperatively to resolve conflicts over roadless area management through increased communication, sharing of information, participation, cooperation, and coordination in implementing their respective missions as part of the rulemaking process. On August 2, 2018 the State and the USDA Forest Service signed a memorandum of understanding to establish the State as a cooperating agency and document cooperation between the parties on the development of the state-specific rule.

Q9: Is the State of Alaska the only cooperating agency?

The USDA Forest Service has also invited tribes to engage as cooperating agencies.

Q10: How can I provide input if I'm not able to attend a public meeting?

Comments may be submitted electronically at <https://www.fs.usda.gov/project/?project=54511>. In addition, written comments can be submitted via hard-copy mail to:

Alaska Roadless Rule,
USDA Forest Service, Alaska Region, Ecosystem Planning and Budget Staff,
P.O. Box 21628,
Juneau, Alaska 99802-1628.

All comments, including names and addresses, are placed in the record and are available for public inspection and copying.

Q11: Where can I find maps and information?

Maps and other information will be posted online at

<https://www.fs.usda.gov/roadmain/roadless/alaskaroadlessrule>

Q12: Is the rulemaking process focused only on opening roadless areas for road building and timber harvest?

No. It is about opening opportunities to support rural communities on the Tongass National Forest. A state-specific rule would replace the 2001 Roadless Area Conservation Rule which was adopted in January 2001 to protect the social and ecological values and characteristics of inventoried roadless areas by prohibiting, with some exceptions, road construction, road reconstruction, and timber harvest on inventoried roadless areas on National Forest System lands nationwide. A state-specific roadless rule will determine appropriate management direction for roadless areas within the State of Alaska, including appropriate exceptions to address essential infrastructure, timber, energy, mining, access, and transportation systems necessary to further Alaska’s economic development interests, while at the same time conserving roadless areas in Alaska for future generations.

Q13: Will the Alaska Roadless Rule increase the amount of logging on the Tongass National Forest?

The Alaska Roadless rulemaking process would determine whether currently designated roadless areas should have a different management designation that may allow for activity which is currently prohibited. It will not authorize any timber projects. Any timber projects would still need to comply with the 2016 Tongass Land Management Plan and be analyzed through a separate process under the National Environmental Policy Act (NEPA).

Q14: Will the Alaska Roadless Rule authorize projects that could harm Alexander Archipelago Wolf populations?

The Alaska Roadless rulemaking process would determine whether currently designated roadless areas should have a different management designation that may allow for activity which is currently prohibited. It will not authorize any specific project. Any projects would still need to comply with the 2016 Tongass Land Management Plan and its impacts analyzed through a separate process under the National Environmental Policy Act (NEPA).

Q15: Will the Alaska Roadless Rule authorize projects which would affect the deer population?

The Alaska Roadless rulemaking process would determine whether currently designated roadless areas should have a different management designation that may allow for activity which is currently prohibited. It will not authorize any specific project. Any projects would still need to comply with the 2016 Tongass Land Management Plan and its impacts analyzed through a separate process under the National Environmental Policy Act (NEPA).

Q16: Does this mean the Forest Service will be building more roads?

The Alaska Roadless rulemaking process would determine whether currently designated roadless areas should have a different management designation that may allow for activity which is currently prohibited. It will not authorize any specific project. Any projects would still need to comply with the 2016 Tongass Land Management Plan and its impacts analyzed through a separate process under the National Environmental Policy Act (NEPA).

Q17: How will the Alaska Roadless Rule affect the implementation of the Tongass Land Management Plan and the transition from primarily old-growth harvest to a young growth timber program?

The Alaska Roadless Rule will not make any changes to the 2016 Tongass Land Management Plan or projects currently being implemented or proposed to implement the transition to a primarily young-growth timber program. Following a final decision on a state-specific roadless rule, the Tongass National Forest Land Management Plan could be amended or revised to reflect any management designations established by the state-specific rule.

Q18: What are the expected economic benefits of the Alaska Roadless Rule?

During the rulemaking process, the Forest Service will analyze and present the social and economic impacts of all proposed alternatives, including a no-action alternative. The range of alternatives will address how different management designations could facilitate rural prosperity and support sustainable communities and economies in southeast Alaska.

Q19: Are activities such as mining, cell tower construction, hydropower and geothermal power, transmission line, and infrastructure development prohibited under the 2001 Roadless Rule? If not, then why are they being discussed during the state-specific rulemaking process?

The 2001 Roadless Rule does not prohibit these activities. Under the current policy, most projects within inventoried roadless areas must be submitted to the Chief of the Forest Service for review and approval. In the Tongass National Forest, more than 57 projects have been approved. Some stakeholders with an interest in roadless areas, such as utility companies, mining interests, and local communities have raised concerns about how the 2001 Roadless Rule affects permits, contracts and other special uses involving access, road construction, and road maintenance in inventoried roadless areas. These issues are likely to remain part of the conversation.

Q20: Will important fish and wildlife habitat be protected?

The Roadless rulemaking process would determine whether currently designated roadless areas should have a different management designation that may allow for activity which is currently prohibited. It will not supersede other laws, including the Tongass Timber Reform Act, which provide specific protections for fish and wildlife habitat. Also, a state-specific rule will not authorize any specific project. Any projects would still need to comply with the 2016 Tongass Land Management Plan standards for fish and wildlife habitat and its impacts analyzed through a separate process under the National Environmental Policy Act (NEPA). The USDA Forest Service will uphold our mission to sustain the health, diversity, and productivity of the nation's forests and grasslands to meet the needs of present and future generations.



Q21: How will the Alaska Roadless Rule affect subsistence resources?

The Roadless rulemaking process would determine whether currently designated roadless areas should have a different management designation that may allow for activity which is currently prohibited. It will not supersede other laws, including the Alaska National Interest Lands Conservation Act (ANILCA) rural subsistence preference. Also, a state-specific rule will not authorize any specific project. Any projects would still need to comply with the 2016 Tongass Land Management Plan and its impacts on subsistence resources analyzed through a separate process under the National Environmental Policy Act (NEPA). The USDA Forest Service will uphold our mission to sustain the health, diversity, and productivity of the nation's forests and grasslands to meet the needs of present and future generations.

Q22: With most logs from Tongass timber sales being exported, what are the economic benefits to the timber industry from a roadless rule revision? How many jobs will be added in that sector and what will the economic contribution of the wages be to the region?

We must first go through the public process to determine what alternatives will be considered before we know what possible economic benefits might be.

Q23: Is the state-specific roadless rulemaking connected to congressional action?

No. The USDA Forest Service rulemaking is administrative, and separate from any action Congress may take. The Forest Service has issued a Notice of Intent (NOI) initiating a public rulemaking process in response to a petition filed pursuant to the Administrative Procedure Act to develop a state-specific roadless rule focused on the Tongass National Forest. A state-specific roadless rule will determine appropriate management direction for roadless areas within the State of Alaska, including appropriate exceptions to address essential infrastructure, timber, energy, mining, access, and transportation systems necessary to further Alaska's economic development interests, while at the same time conserving roadless areas in Alaska for future generations.

The NOI will open a 45-day scoping and public comment period. As part of the scoping period, the USDA Forest Service will host community meetings to provide information and answer questions about the rulemaking process. Public comments received during the scoping period will help inform the USDA Forest Service's development of a range of alternatives to be analyzed during the rulemaking process.