

Formerly: **Greater Southeast Alaska Conservation Community**, renamed as:



Alaska Rainforest Defenders

Newsletter

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Alaska Rainforest Defenders' mission is: *"To defend and promote the biological integrity of Southeast Alaska's terrestrial, freshwater and marine ecosystems for the benefit of current and future generations."*

President's Thoughts

In August we changed our name to something shorter and more descriptive of the work we do as you can see in the letterhead, and we will use the acronym ARD. In that spirit, this newsletter focuses on one of the primary reasons we established this organization in 2011 ^¾ the continuing substantial cumulative losses and impairment of productive habitat for fish and wildlife in Southeast Alaska forests, which contain some of the largest contiguous stands of coastal temperate rainforest remaining in the world.

On the federal level, in 2016 the Forest Service formally adopted a major amendment to its Tongass Land Management Plan (TLMP). The amended Plan proposes to transition the agency's timber sale program from relying primarily on old-growth timber sales to an eventual focus on logging recovering second-growth forests which would otherwise develop over time into old-growth forest habitat again. Unfortunately, under the new plan the Forest Service intends over the next 15 years to turn large swaths of old-growth forest into three-quarters of a billion board feet of logs, with yet more second-growth landscape, and biological degradation. In the cross-hairs are Prince of Wales Island and other southern Alexander Archipelago islands. As always, we will fight this as hard as we can.

On non-federal lands, the State of Alaska's Division of Forestry, the Alaska Mental Health Land Trust and other landowners also plan a catastrophe of clearcuts in the region. We will continue our stiff resistance to this as well, particularly on public forestland and for preventing damaging land transfers from the Tongass National Forest into other ownerships.

After decades of service to conservation in the region, two of our founders took long-planned retirements from the board; Joe Mehrkens and GSACC Board President Bruce Baker. We thank both for their service and friendship. We welcomed to the board of directors in March Norbert Chaudhary of Ketchikan in March, a marine pilot, and in August John Skeelee of Sitka, a commercial fisherman.

^¾ Larry Edwards, board President

Contents

New ARD website coming soon!	2
PLEASE DONATE TO OUR CAUSE	2
Federal Logging: Implementation of the 2016 Tongass Land and Resource Management Plan	2
Timber theft on the Tongass National Forest ¾ On-going federal maladministration exposed	3
Implementing TLMP ¾ ongoing destruction of old-growth habitat on Prince of Wales Island	4
Implementing the Tongass Transition: the Wrangell Island Project	5
Kosciusko Island: State, Forest Service and other landowners propose a 12,000 acre clearcut	6
Alaska Mental Health Trust Land Exchange Moves Forward	8

New ARD website coming soon!

We are developing an entirely new website, and hope to have it running in November. We will endeavor to update the new site regularly, an important task that has in large part eluded us the past few years due to an extreme onslaught of deadlines for commenting, filing administrative appeals, and litigating to protect Southeast's forests. Articles and documents on the existing website will be moved over to the new one. For the interim, our email still comes through gsacc.net (e.g. community@gsacc.net, our main mailbox).

Meanwhile, both AkRainforest.org (case insensitive) or gsacc.net reach our website.

PLEASE DONATE TO OUR CAUSE

Because ARD is the region's strongest voice for protecting Southeast Alaska's forests and the fish and wildlife habitat and subsistence opportunities they harbor, and since we are highly dependent on individual donations so as to maintain our independence, will you please consider supporting our efforts with a generous contribution at this time of PFD dividends? Any size contribution is welcome, just to be able to count you as a member.

We have ditched Paypal, and now have a much more convenient way to contribute on the website. Use our homepage donate button or this link: <https://gsacc.net/donatejoin/>.

Federal Logging: Implementation of the 2016 Tongass Land and Resource Management Plan

Our September 2016 newsletter described our formal written objection to the Forest Service's draft Tongass Land Management Plan (TLMP). (Our objection letter is here: http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd517316.pdf.) However, the Forest Service made no significant changes in response to the objections, and Forest Supervisor Earl Stewart signed the final Record of Decision in December 2016. The Plan Amendment would, over time, transition the agency's timber sale program from logging primarily old-growth forest to logging primarily recovering forests in sensitive ecological areas. It continues a costly course of producing taxpayer-funded, large-scale old-growth timber sales for the next fifteen years, and then shifts that subsidy to the logging of recovering forests. The Forest Service's timber sale program benefits primarily two entities – Alcan Forest Products LLP in Ketchikan and Viking Lumber Company in Klawock. The Forest Service's analysis anticipates that nearly two-thirds of the federal timber sold to those entities will leave the state as unprocessed logs.

The Forest Service is now planning expensive old-growth timber sales under the direction of the 2016 TLMP. These sales pose significant risks to the ecological and economic health of the southern Tongass through the transformation of old-growth forest habitat into massive clearcuts consisting of second growth habitat that will be unusable by many of region's iconic and critical subsistence species. Alaska Rainforest Defenders is monitoring the planning for these projects, and is participating in the federal public process through filing thorough, well-researched written comments and objections and establishing our legal standing on each project.

Timber theft on the Tongass National Forest ¾ On-going federal maladministration exposed

As documented in 1996 by the Public Employees for Environmental Ethics (PEER), the Tongass National Forest has a long history of permitting timber operators such as Viking Lumber Company to operate in a lawless manner in Southeast Alaska, ignoring timber export violations, scaling fraud, and outright timber theft ¾ practices known as the "Alaska Rules." Defenders' board is well aware that the Alaska Rules still apply through groundtruthing of the Tonka Timber project, where Viking would *clearcut* deer winter range prescribed for *selective cutting*, and expand cutting units beyond the prescribed acreage to whatever size Viking deemed fit.

In 2016, the Forest Service's Washington Office reviewed the agency's Alaska Region timber sale and administration processes for two Viking Lumber timber sales – the Tonka Timber Sale on Lindenberg Peninsula and the Big Thorne Project on Prince of Wales Island. The review showed that: (1) instead of improving "forest ecosystem health," the Tongass National Forest allowed Viking to high-grade the most ecologically valuable trees rather than ones that were intended for removal to achieve the desired "forest ecosystem health" effects; (2) the Forest Service failed to conduct timber-theft prevention inspections; and (3) all monitoring and reports of timber removals, etc. were done with self-reporting by Viking Lumber Company.

The failure of the Forest Service to inspect Viking's activities and require adherence to the timber sale contract for the Tonka sale alone cost taxpayers \$2 million – *more than twice the amount Viking paid for the timber*. Viking's logging subcontractors admit that the Forest Service's harvest prescription and terms of the timber sale contract were irrelevant to what happened on the ground ¾ they cut only according to Viking Lumber's instructions. Forest Service maladministration of these timber sales, through various avenues, cost taxpayers hundreds an enormous sum. The process of offering timber for bid is informed by first appraising the value of a sale's timber. The appraisal methods resulted in artificially low minimum bid levels for the high value species – Alaska Yellow Cedar and Sitka Spruce. Also, the standard appraisal process deducts logging and haul costs, toward ensuring a sale purchaser a profit. In the Tonka and Big Thorne projects the actual logging and haul costs were much lower than estimated in the Forest Service appraisals, causing an unwarranted taxpayer gift of over \$2 million to Viking Lumber.

The Washington Office directed the Forest Service to take steps to eliminate these windfalls. Instead, Acting Regional Forester Becky Nourse of the Alaska Region determined that the Forest Service should compensate Viking for its failure to complete logging under the Big Thorne Stewardship sale contract. The Alaska Region's review concluded that its logging cost estimates were wrong, and the error prevented Viking from logging some of the volume under a contract that Viking entered into (although at

its own risk). According to PEER, the Forest Service has contacted Viking and the company is “amenable” to receiving yet another gift from federal taxpayers.

PEER has sued the Forest Service under the Freedom of Information Act (FOIA) for failing to release the documents the agency claims to have completed in resolving the Tongass timber fraud. We will keep you posted.

Implementing TLMP ¾ ongoing destruction of old-growth habitat on Prince of Wales Island

Alaska Rainforest Defenders filed scoping comments this August on the “Prince of Wales Landscape Level Analysis” (POWLLA). A draft EIS is scheduled for early next year. The POWLLA, although green-washed by the Forest Service as being an effort to “improve forest ecosystem health,” is in reality a massive, destructive timber project. The agency plans to remove 25 million board feet (MMBF) of old growth forest annually from 2019 through 2023, and 15 million board feet of old growth forest annually from 2024 through 2029. The agency will then evaluate further extraction levels based on whether “there will be harvestable old growth available ... beyond the 15 year timeline of this project.” In other words, the Forest Service intends to liquidate federal timber on the island with no consideration for resource values other than future timber industry needs. The POWLLA would also authorize the removal of 115 MMBF of recovering second growth forests from 2022 to 2031 and delay the forest succession process. This project would thus remove, at a minimum, 315 MMBF over a fifteen year period. Under the POWLLA, public lands on Prince of Wales Island would continue to be managed as a subsidized timber colony that provides high value cedar to Viking Lumber’s de facto parent corporation in Washington state or to other Pacific Rim wood processors far outside the region.

The Forest Service initiated and funded a new federal advisory committee to develop the scope of the POWLLA, in violation of federal laws that seek to ensure public participation in federal land management processes and prevent self-interested industry stakeholders from having a disproportionate influence over agency decisions. At the Forest Service’s invitation, the “Prince of Wales Landscape Assessment Team” (POWLAT) formed in May 2016 to develop recommendations for logging and other activities on Prince of Wales Island. The Forest Service provided the POWLAT with federal funds under its Challenge-Cost-Share Agreement with the State of Alaska and additional taxpayer money and other tax-exempt funds through the Forest Service’s congressionally chartered foundation, the National Forest Foundation.

The Forest Service conducted an initial scoping process for the POWLLA Project that ended on December 30, 2016. The POWLAT did not comment during that scoping process. Alaska Rainforest Defenders and other conservation organizations raised serious concerns about further old-growth logging on the island, and Prince of Wales Island residents expressed similar concerns or emphasized recreation infrastructure developments in their comments. Two small timber operators requested improvements in the micro-sale program. There were *no* public comments requesting that the agency produce a massive, multi-year, destructive old-growth timber sale.

The Forest Service cast aside this public input from individuals and organizations that participated in the official NEPA process,¹ and instead spent the following year developing the project’s plans through the POWLAT. The POWLAT met five times after

¹ National Environmental Policy Act process, which governs the scoping and EIS processes.

the close of the December 2016 scoping period, for the purpose of providing to the Forest Service a recommended list of projects to occur pursuant to the POWLLA Project. After the POWLAT completed its list of recommendations – most importantly, for a large volume old-growth timber sale as part of POWLLA – the Forest Service issued another public notice for the project adopting the POWLAT’s recommendations, and opened a second scoping comment period on that basis. Notably, the Forest Service itself provided the highest proportion of POWLAT meeting participants – nearly a third at the January 2017 meeting (8/23), nearly half at the February 2017 meeting (11/23), and 15 of the 48 participants at the March 2017 meeting, including the Tongass Forest Supervisor.

In August, Alaska Rainforest Defenders submitted written comments on the Forest Service/POWLAT proposal (http://gsacc.net/Pages/documents/POWLLA_Comments-by-ARD-for-2nd-scoping_7-Aug-2017.pdf). We objected to the formation and use of POWLAT as an unlawful federal advisory committee, we questioned how the Forest Service could administer such a large project given its failures on the much smaller Big Thorne and Tonka timber sales, and we pointed out the unacceptable risks to wildlife and fishery resources from cumulative impacts of previous logging on the island combined with upcoming logging by the Alaska Division of Forestry, Sealaska, and the Alaska Mental Health Trust.

Implementing the Tongass Transition: the Wrangell Island Project

In July 2017, the Tongass Forest Supervisor signed the Draft Record of Decision for the Wrangell Island Project – the first of many major old-growth timber sales that the Forest Service has deemed necessary to meet the goals of the new Forest Plan. The Wrangell Island Project will remove 56 MMBF of federal timber from 4,767 acres of old-growth forest on Wrangell Island.

By the late 1990s, the Forest Service and other land owners had already taken all the timber from what the agency calls the “easy ground.” At the time, Forest Service personnel had concluded that Wrangell Island could only withstand small timber sales, and perhaps one larger sale of 15 MMBF having an increased emphasis on relying less on clearcutting. The Forest Service believed that this was *the maximum amount* of timber extraction that could occur without further impacting the most sensitive watersheds, high quality old growth habitats and wildlife corridors on the island. Even so, planners recognized that it would be impossible to fully mitigate wildlife concerns given the condition of the landscape. Particularly on the north and central portions of the island, nearly half of the amount of the old-growth considered harvestable on National Forest land had already been cut, and road densities were high. This means that this additional timber extraction could have serious cumulative impacts on wildlife and fisheries. The analysis found that there was little or no high-value winter deer range habitat remaining, and that moderate value deer winter habitat had already been logged or fragmented by past logging. And now, in 2017, much of that logging planned in 1998 has been completed.

Even so, in 2016 the Forest Service proposed to log, in addition, nearly four times the amount of old growth that it had previously determined would have unacceptable impacts. Alaska Rainforest Defenders filed written comments *asking the agency to cancel the project*. However, the Forest Service has repeatedly insisted that this project is necessary to complete the transition to a second growth timber sale program, by providing old-growth “bridge timber” (as with the POWLLA and Big Thorne projects). As the Wrangell Island Project illustrates, the Forest Service’s intended transition is

biological: it will transition old-growth fish and wildlife habitat throughout southern and central Southeast Alaska islands into second growth forests having impoverished habitat and risks to streams.

In July this year the Forest Service released its draft decision to move forward with the “transition” on Wrangell Island. EarthJustice filed an objection letter on behalf Alaska Rainforest Defenders and nine other organizations. The objection letter in particular pointed out the wasteful cost of the Tongass timber sale program:

The Forest Service, moreover, fails to identify even one economically viable action alternative for the Wrangell Island Project. This is all the more remarkable given U.S. taxpayers spend tens of millions of dollars every year to subsidize the Tongass timber industry, only to have the Forest Service allow most of the logs to be shipped out of Alaska. It is a damning critique of the Tongass timber program that the Forest Service spent millions of dollars and almost a decade of planning only to propose a timber sale project that results in uniformly negative appraisals.

The Wrangell Island Project epitomizes a losing endeavor, reflecting the worst of Forest Service decision-making.

According to Earthjustice’s objection, the project will cost taxpayers ten million dollars and yet generate little revenue. The Forest Service reportedly is planning to spend additional taxpayer money to build or reconstruct the road system in order to support the project. The Forest Service is designing the project to support Alcan Forest Products LLC – a timber broker and exporter. The agency’s initial analysis acknowledged that deer, wolves and other wildlife species would merely “persist” on the island, but its final analysis withdrew this conclusion, stating that “habitat would remain.”

Alaska Rainforest Defenders does not believe that the habitat that “would remain” after the project is adequate to support the ecological needs of fish and wildlife, and will consider further action after the Forest Service completes its objection resolution process in October 2017.

Kosciusko Island: State, Forest Service and other landowners propose a 12,000 acre clearcut

The Forest Service and other landowners have already removed nearly half of the productive old growth on western Kosciusko Island, which now contains some of the most advanced recovering second growth forests in Southeast Alaska. Kosciusko Island will be subject to intense logging over the next decade. The State of Alaska and University of Alaska have ongoing projects which will clearcut the majority of their acreage in one block. These two adjacent projects both occur on southern Kosciusko Island and will result in a continuous clearcut of approximately 3,100 acres, and Sealaska is expected to clearcut over 8,000 adjacent acres over the next decade. In 2016, Alaska Rainforest Defenders filed an objection (http://gsacc.net/Pages/documents/GSACC-et-al-Objection-Letter_Kosciusko-project_15Jan16.pdf) to the Forest Service’s first major Tongass second-growth timber sale, on Kosciusko Island. The Forest Service proposed to clearcut (or “partial” clearcut) federal lands that lies in between the state and University clearcuts and Sealaska’s land. The Forest Service admits that “[t]here would be the potential for the University, State, Forest Service and Sealaska harvest areas to essentially coalesce into one expanse of homogenous stand structure approaching 12,000 acres in size,” resulting in a scarcity of advanced forest structure over a large portion of the project

area. In other words, a massive clearcut setting the forest regeneration clock back to zero.

Alaska Rainforest Defenders has deep concerns about the combined efforts of the Forest Service and adjacent landowners to essentially create *a tree farm* on Kosciusko Island. The specific problem is that in just the next 40-50 years many of these stands will reach the “understory re-initiation” stage of forest succession that occurs long after clearcutting. Kosciusko was the first place on the Tongass to be heavily logged, beginning 75 years ago during WW-II, because of its big-tree, highly productive terrain. There are four stages of forest succession in previously clearcut southeast Alaska forests, occurring in these time spans on more typical Tongass sites: (1) stand initiation (1 – 25 years); (2) stem exclusion (25 – 150 years); (3) understory reinitiation (150 – 250 years); and old-growth forest (>250 years). Kosciusko’s productivity shortens these timeframes. Some of the older second-growth stands on Kosciusko are already providing connectivity and travel routes for wildlife, and others have the potential to provide those habitat features. *Clearcutting them now will delay by three-quarters of a century a recovery to the understory reinitiation stage.* Moreover, even when future clearcuts temporarily create forage for deer in the two decades after logging, thus partially mitigating the effects of canopy closure in older second-growth stands, deer will still be vulnerable there to deep snow winters with the forest succession process not allowed to be long enough for the growth of large-diameter, big canopy trees to provide this habitat feature.

Clearcutting second-growth has reached the stem exclusion stage creates forage that is available to deer for up to 20 years after logging, until the stem exclusion stage is reached again $\frac{3}{4}$ a dense canopy of even-aged trees where forage plants are almost completely eliminated, a state of year-round unproductive habitat conditions that can last more than 150 years and cause deep decline of the wildlife population. The Forest Service intends the Kosciusko project to set a precedent for how it will manage recovering second growth forests on the Tongass National Forest, doing this clearcutting on a short rotation. ARD wants the Forest Service to instead set aside mature second growth forests to become future wildlife habitat, mitigating the effects of intensive logging by adjacent landowners. The Forest Service released a final decision on its Kosciusko project in fall 2016, to log 29.9 MMBF of older second growth timber from nearly 1,500 acres. In other words, the willful creation of a long-lasting deficit of wildlife habitat, despite our objection.

More recently, the Forest Service and State of Alaska entered a so-called “Good Neighbor Authority” (GNA) agreement to have the Alaska’s Division of Forestry sell the timber in the Forest Service’s Kosciusko timber sale and administer the sale. In September 2017 the Division of Forestry sold the federal timber to Alcan, which will ship the logs to China, and lacking staff DOF intends – incredibly - to have Alcan do the sale layout. Watch our website for an upcoming article on the GNA huge problems it poses.

Alaska Rainforest Defenders will continue to monitor the establishment of so-called “healthy forests” on Kosciusko and prepare written comments and administrative appeals for review by the timber agencies. As reported in last year’s newsletter, Alaska Rainforest Defenders successfully challenged the Division of Forestry’s Edna Bay Parlay Timber Sale, which the agency withdrew in June 2016. The Alaska Division of Forestry and Department of Natural Resources then issued a revised Final Best Interest Finding in March 2017. The downscaled project would remove approximately 14,000 board feet (MBF) from roughly 489 acres of older second growth and 214 acres old growth forest

from Kosciusko Island. But the old-growth units provide some of the best remaining deer winter range for a resident deer population, support bear denning habitat, and shelter the community of Edna Bay, its harbor facilities and mariners from severe windstorms. Planned or ongoing timber removals surrounding the second growth units have the potential to coalesce into a multi-thousand acre clearcut, heightening the importance of allowing some of this forest to fully recover.

Alaska Rainforest Defenders filed a written request for reconsideration of the March 2017 decision, asking the Commissioner of the Department of Natural Resources to reconsider his decision. Our request explained that the Division of Forestry's Final Best Interest Finding had failed to adequately discuss the environmental problems associated with logging the old-growth units or show how the Division of Forestry would comply with laws requiring it to consider specific wildlife habitats and other risks to multiple uses of southern Kosciusko Island. The Alaska Department of Fish and Game identified the old-growth units as "important old growth wildlife habitat" for deer and black bear, described the area as "critical deer winter habitat" and recommended that the Division of Forestry avoid harvest among these largest remaining blocks of winter deer habitat. ADF&G anticipated that the loss of winter habitat capability for a resident deer population would result in a population decline over time. The Commissioner granted Alaska Rainforest Defender's request to reconsider and will review the concerns. A written reconsideration and a further decision are still pending.

Alaska Mental Health Trust Land Exchange Moves Forward

The establishment of the Alaska Mental Health Trust (AMHT) in 1956 intended to provide a long-term source of funding for mental health care in Alaska. The history of the Trust, however, includes a legacy of dubious transactions and investments, causing several legislators to call for an audit last winter. The Trust's Land Office – yet another timber agency – works harder for Viking Lumber's timber supply than it does for its trustees. Last year the AMHT timber agency threatened to log Deer Mountain near Ketchikan and 2,600 acres of slide prone forested area above the homes of Petersburg residents unless there was an expedited legislation that would enable the Trust to exchange those and other parcels for 8,000 acres on Revilla Island and 12,000 acres on Prince of Wales Island. Both exchange areas are in large blocks and will become contiguous clearcuts. AMHT intends to sell the Prince of Wales Island timber to Viking Lumber immediately and Alcan is operating on another AMHT timber property on Revilla and will likely buy the timber in the new parcel there.

By threatening the communities, AMHT successfully obtained passage of the federal authorizing legislation, leaving only the state to accept. Because Alaska Rainforest Defenders believes that funding health care in Alaska through timber is both nuts and insane, Board members engaged in discussions with ADF&G and the Governor's office, hoping for a veto of the companion state legislation and a more reasonable solution for Alaskans in need of mental health care services. See: <https://gsacc.net/issues/stop-amhts-tongass-land-swap-federal-buyout-needed/>. Unfortunately, Governor Walker signed the state legislation in August this year, and the fish and wildlife habitat impacts will be huge. The exchange will provide timber to Viking and Alcan and revenues to the Trust Land Office. Alaska Rainforest Defenders hopes that the legislature will move forward with an audit so that the public can assess to what extent timber revenues fund the AMHT's timber bureaucracy or other trust investments versus what portion of those revenues actually get spent on mental health care.