



THE STATE
of **ALASKA**
GOVERNOR MICHAEL J. DUNLEAVY

Department of Natural Resources

OFFICE OF PROJECT MANAGEMENT AND PERMITTING

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October 18, 2019

David Schmid, Alaska Regional Forester
USDA Forest Service
P.O. Box 21628
Juneau, AK 99802-1628

Re: State of Alaska Request for Interested Person Status – Objection regarding the Chugach Forest Draft ROD and LMP for NFS Land in Alaska. Submitted via electronically at <https://objections-alaska-regional-office@usda.gov>.

Dear Mr. Schmid:

According to the USDA Forest Service's (USFS) Notice of Objections and Opportunity to Submit a Request for Interested Person Status for the Chugach National Forest Land Management Plan Revision, the State of Alaska filed an eligible objection and, as such, is an eligible Objector. The USFS received a total of forty-six eligible objections.

State representatives intend to participate in upcoming objection meetings, either in person or telephonically, to discuss all objection issues raised in the State's objection letter dated October 29, 2019 and any issues raised in other objections that we find affect the State's proprietary and sovereign interests or otherwise relate to objection issues raised by the State. For example, the objection collectively and individually filed by the Alaska Wilderness League and other non-governmental organizations, advocate for increasing the recommended acreage for wilderness designation and adding acquired lands to the Nellie Juan-College Fiord Wilderness Study Area (WSA). We do not support the USFS taking those actions for related reasons cited in the State's objection for issue number 3: The 2019 Wilderness and Wild and Scenic River studies and recommendations violate the Alaska National Interest Lands Conservation Act (ANILCA). Section 704 of ANILCA established the WSA and directed the USFS to report any wilderness recommendations to Congress within three years of the passage of the Act. ANILCA Section 1326(b) prohibits additional wilderness studies not authorized in ANILCA or a subsequent Act of Congress. While Congress subsequently designated additional wilderness through the Tongass Timber Reform Act (TTRA), neither ANILCA nor the TTRA authorized further wilderness studies of forest lands in Alaska or granted authority to modify the wilderness recommendations for the WSA or to expand its legal boundaries to absorb acquired lands.

The same Objectors also requested the requirement to conduct a Minimum Requirements Analysis (MRA) be restored for the WSA. As the primary manager of fish and wildlife on all lands in Alaska, the State routinely conducts management and research activities on forest lands and oversees the operation of two hatcheries located on forest lands. The State's comments on the draft plan addressed concerns related to the application of the MRA to state management

activities. We support the USDA's decision in the final plan to remove this requirement as the WSA has not been designated Wilderness by Congress and state management activities should not be subject to provisions in the Wilderness Act that only apply to congressionally designated Wilderness.

The State believes that recognition of its status as an eligible Objector satisfies the listed criteria to show sufficient interest to participate as an interested party, and thus no additional information beyond the above examples is provided at this time to justify this request for Interested Party status on any objection issues that affect state interests. The State also reserves the right and hereby notifies the USFS of its intent to attend meetings as a member of the public.

The State appreciates the opportunity to meet with the USFS regarding these objection issues and looks forward to a productive discussion.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Magee', written in a cursive style.

Susan Magee
ANILCA Program Coordinator

cc: Corri A. Feige, Commissioner, Alaska Department of Natural Resources
John MacKinnon, Commissioner, Alaska Department of Transportation & Public Facilities
Doug Vincent Lang, Commissioner, Alaska Department of Fish and Game
Kip Knudson, Director of State and Federal Relations, D.C. Office of the Governor