

Logjam Timber Sale Final Environmental Impact Statement and Record of Decision
Appeal Resolution Discussions/Analysis/Decision

The purpose of this document is to summarize the discussions that took place to resolve the appeals on the Logjam Timber Sale decision, as well as document the decision on the proposal presented by SEACC, Audubon, and the Alaska Wilderness League. This document is not intended to be an exhaustive account of all that was addressed. For further information see documented notes from each meeting that can be found in the planning record for the project. The contact is Frank Roberts (907-828-3304), Thorne Bay Ranger District, Planning Staff.

Appellants: SEACC, Audubon, Alaska Wilderness League-appeal resolution meeting requested
Sierra Club, Greenpeace-did not want to discuss resolution
Cascadia-did not want to discuss resolution
Sitka Conservation Society-did not participate in appeal resolution

Appeal Resolution Discussions

August 19, 2009-The Forest Service concentrated discussions on the SEACC, Audubon, and Alaska Wilderness League (referenced as: SEACC) appeal due to the other appellants electing not to attempt to resolve their appeals. Greenpeace, Sierra Club, State of Alaska, and others were present during the discussions with SEACC, but only as interested parties. In the preliminary meeting with SEACC, the Forest Service explained why the selected alternative was chosen and set the sideboards on what would be considered for resolution. The units west of Sweetwater Lake, associated with the corridor around the lake, were identified as the extent the Forest Service was willing to modify its selected alternative. SEACC was requested to propose a modification based on these sideboards.

August 25, 2009-The SEACC proposal for resolving appeals on the Logjam decision was presented and included the following:

- while not part of the conservation alternative, SEACC would not support the harvest units associated with the corridor on the west end of Sweetwater Lake (573-9, 10, 11, 12, 13) and with modification to 577-14 and 16.
- adopt the Conservation Alternative presented by SEACC during the NEPA process for Logjam;
- add four units (577-55, 56, 57, 58) with modification;
- drop road 3000362 past unit 577-55 and convert harvest to helicopter; and,
- modify unit 577-60 (Conservation Alt) to 25% harvest from 50%.
- other minor changes.

SEACC stated that if this proposal was adopted in its entirety the parties would drop their appeal. If only the Logjam Creek (west) side was adopted then their appeal would stand due to concerns on the Sweetwater Lake (east) side of the project.

The Forest Service stated it would look at their proposal in detail and make a decision on whether or not it could be accepted. Given the proposal was outside of the stated sideboards identified August 19, 2009, issues needing to be considered involved whether or not a new ROD would be necessary; effects on current and outyear timber volume offer; and full understanding of what other ramifications may materialize.

August 26, 2009-The purpose of this meeting was originally established to make known whether or not the Forest Service would accept the SEACC proposal. Given a number of clarifying needs on what was presented by SEACC, the meeting was used to fully assess whether or not the Forest Service had the correct interpretation. Upon completion of the discussion it was apparent that the Forest Service would need to analyze the proposal further and no decision was made at this time. Three points needed to be addressed further:

- discrepancies in volume between the Forest Service and SEACC;
- clarification on whether or not a new ROD would be necessary; and,
- what volume would be available in a first offering and when.

Summary of Volume Availability

A. Volume Differences (All volumes are approximate):

The following is a summary of the approximate volume differences between the Forest Service decision and the SEACC proposal.

	Logjam Timber Sale FEIS/ROD (MMbf)	Conservation Alt (MMbf)
Project Volume	73	35.6
<u>Proposed Additions</u>	<u>----</u>	<u>1.8</u>
Total	73	37.4
Logjam Creek volume	47.2	28.4
<u>Sweetwater Lake volume</u>	<u>25.8</u>	<u>9.0</u>
Total	73	37.4

B. Yarding System Differences:

The following is a summary of harvest system changes as a result of further analysis on the Conservation Alternative. Harvest systems on the FS decision are predominantly conventional with some helicopter. Those under the Conservation Alternative are generally helicopter with some conventional. The end result of the Conservation Alternative is a higher cost alternative that appears to not be economical to operate in its entirety with the current market values for products produced.

	Conservation Alternative		ROD	
	Acreage	%	Acreage	%
Conventional	884	32	2363	69%
Helicopter	1837	68	1059	31%
Total	2721		3422	

C. Volume Discrepancies:

The following is a summary of changes between the Forest Service estimates on volume versus those present under the Conservation Alternative.

	Conservation Alternative	ROD
Total Volume (MBF)	35910	73614
Their Estimate (MBF)	37400	

D. FY09 Diesel Timber Sale:

While not discussed during the appeal resolution meetings, the volume labeled Diesel Timber Sale is what intended to be offered in Fiscal Year 09 under the Logjam Decision versus what would remain under the SEACC proposal if no new ROD was needed.

	Logjam Timber Sale FEIS/ROD (MMbf)	Conservation Alt (MMbf)
Diesel Timber Sale Volume	27	8.9

Findings

After careful consideration of the proposal by SEACC the following is a summary of the findings:

1. The current decision on the Logjam FEIS would need to be rescinded and a new ROD produced.
 - Approximate time to rescind, rewrite, and publish would be 90 days.
 - New appeal process to culmination would be 105 days after legal notification of decision.
 - At least two and possibly three of the four appellants would appeal the new decision based on comments made during the resolution discussions.
 - Litigation on the project after modification is probable.
2. Field work on the new decision could not take place until access possible in 2010.
 - The field season for calendar year 2009 is nearing its end and limited time is available between now and the time snow falls. In order to create a new offering similar to what was anticipated to be offered in FY09, layout and cruising work would be necessary in 2010. Approximate time

to replicate would be 5-6 months with an offering anticipated by September or October, 2010.

3. Yarding cost changes under the Conservation Alternative appear to make the economics of the sale deficit.
4. Short-term volume needs for the existing timber industry in southeast Alaska would not be met.
 - The Forest Service has analyzed alternative volumes and has minimal options that address the time period delayed by a new decision on Logjam FEIS as well as the time delay for the field work necessary to implement the decision.
5. Out-year (year 2 and 3) volume needs for the existing timber industry in southeast Alaska would not be met.
 - Timber sale projects currently being analyzed are expected to be appealed and potentially modified through new appeals and/or litigation. No substantive replacement volume can be identified at this time with any certainty of it being capable of being implemented.
6. Issues raised during the appeal process have been addressed through the project level analysis or the Forest Plan Amendment.

Decision

As the line officer responsible for the Logjam Timber Sale decision, as well as the appeal resolution settlement, I am not able to accept the proposal by SEACC based on the findings above. In addition, I do not see that continuing the discussion in an attempt to alleviate the time delays noted will produce any significant modifications to what was proposed. In my opinion, had alternative volumes from other projects been available, more options would have existed for a successful resolution of this appeal.

I do want to recognize SEACC, Audubon, and the Alaska Wilderness League for their efforts in developing an alternative for consideration through the project analysis as well as continuing the discussion through the appeal resolution efforts. Their proposal was considered when the original decision was made and again in detail now. A growing willingness to collaborate on projects has materialized on the Tongass and I believe that starting this process earlier in sale scheduling and design will produce more timely and cost efficient results.

/s/ Forrest Cole

September 1, 2009

Forest Supervisor, Tongass National Forest

Date